Reports Have New Fox Met Move in Work

Unnamed Circuit is Said To Be Planning Offer

Reports that an established theatre company is interested in presenting a plan of reorganization or purchase of Fox Metropolitan Pictures in competition with the Joseph M. Schenck Fox Theatres' plan on file were plentiful over the week-end in circles close to Fox Met developments.

The identity of the prospective bidder could not be learned, despite the apparently general knowledge of the reports. Likewise, several phases of the available information were contradictory; one version having the prospective bid supported by Fox Met bondholders dissatisfied with the 25

(Continued on page 10)

Samuelson Selects Six Regional Aides

Prior to his departure with Nathan Yaminis on Saturday for Minneapolis to attend the two-day Allied Theatres of the Northwest annual convention, which starts today, Sidney Samuelson, president of Allied, named six regional vice-presidents for his cabinet and the territories they will supervise.

Walter E. Littlefield of Boston will have jurisdiction over Maine, New (Continued on page 9)

Whalen to Present New Quigley Awards

Official presentation of the February Quigley Awards to B. E. Knight and Ed Douglas will be made by Grover Whalen, at the M. P. Club forum luncheon tomorrow at 12:45 o'clock.

This official presentation will mark the opening of the first annual "Show of Shamrock" luncheon forum at the club. Other guests will include (Continued on page 9)

Quite a Dual

New Haven, March 31—Loew's has reached the height of something or other hereabouts. "It Happened One Night" and "One Night of Love" are being shown on dual bills at the Bijou here and at other Loew first runs in Bridgeport, Meriden and Waterbury.

British Quota Jumps to 20% Levels Today

This Is Maximum Until Act Ends in 1938

By BRUCE ALLAN

LONDON, March 31—One out of every five pictures handled by distributors here must be British-made under the rise in the percentage bracket from 17 1/2 per cent to 20 per cent effective upon renters with the advent of April.

Thus the Quota Act which became the law on April 1, 1928, to run for 10 years thereafter reaches its maximum insofar as the selling end of the industry here is concerned. With the two and one-half per cent jump, the 20 per cent bracket remains constant and will continue at its new level until the statute runs its course on March 31, 1938.

American companies in this market, of course, are familiar with the act.

Meyer Is Appointed "U" Business Manager

Hollywood, March 31—Carl Laemmle, Sr., in a surprise move yesterday, made Fred S. Meyer executive business manager of Universal City, the post formerly slated for Julian Bernheim. Henry Clark, studio comptroller, takes Meyer's former job as executive assistant to Laemmle, which he will handle in addition to his regular post.

Frank Mastroy, former studio manager, has been granted what is described as an indefinite leave of absence from the studio management.

Succeeded?

Detroit, March 31—Joe Bodner has quit as general manager of the Jake Schreiber theatres. Three weeks ago he succeeded Ben Wachnansky, who succeeded Ray Schreiber, who succeeded Ray Cloud, who succeeded Lew Kane, who succeeded George Sampson, who succeeded Joe La Rose, who was succeeded by Madame Winter. No successor has been appointed.

Huffman Case Outside Code, Court Rules

DENVER, March 31—Federal Judge J. Foster Symes ruled in the Harry Huffman case yesterday that the exhibition of films is an intra-state business and for that reason the industry code does apply in the case. Judge Symes also ruled the Colorado NRA act unconstitutional.

A further hearing will be held shortly on the question of whether the Huffman group constitutes a monopoly on first-run films in Denver and (Continued on page 4)

MPTOA Will Attack Pettengill's Bill

Disclosure of injuries to theatres threatened in the event of passage of the Pettengill anti-block booking bill, will be the subject of the forthcoming (Continued on page 9)

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

"Les Miserables"

(20th Century-U.A.)

By VICTOR M. SHAPIRO

Hollywood, March 31—Nothing quite so powerfully human, nothing quite so heart-stirring has the talking screen captured on celluloid as is here revealed in this drama of one man, Jean Valjean, and through him the x-raying of the spiritual aspirations of all humanity.

As Victor Hugo explored people's tortured hearts and illuminated their dreams, so have Producer Darryl F. Zanuck, Director Richard Boleslawski, Fredric March and Charles Laughton given dramatic fervor

Para. Stays at 65

Paramount's schedule next season will adhere to the present lineup of 65 features and 100 shorts. Details of the program will be announced at the annual sales meet at the Waldorf May 23-26.
British Quota Jumps to 20% Levels Today

(Continued from page 1)
its intent and its operation. Designed to foster the British production industry, the impost started modestly at seven and one-half per cent on April 1, 1928, and remained at that figure until March 31, 1929, when it increased to 10 per cent. On April 1, 1932, the bracket rose to 15 per cent, the following year to 17½% where it was fixed until the maximum division is reached on Monday.

The quota, also compulsory on exhibitors, progresses at a slower pace beginning in their countries for the year ending Sept. 30, 1929, and rising to 20 per cent by Oct. 1 where it will position itself. The British equivalent of that imposed on distributors until the act runs out in 1938.

Replying to a question from E. Doran, M.P., in the House of Commons, recently Walter Runciman, president of the Board of Trade, said he did not propose to introduce legislation varying British quotas stipulated by the Cinematograph Films Act.

The advisory committee under the Act is known to have made suggestions for its amendment for the purpose of controlling imports. A clarification for this purpose is not ruled out by the president's reply. C. Doran, who was prominent in the agitation preceding the passing of the original act, allege attempts on the part of foreign companies to defeat the measure and alluded to "alien film producers, who, having been put into liquidation, are now seeking to exploit the British public."

Replying to these points, Sir John Gilmour, Home Secretary, promised to inquire into any facts placed before him.

Wall Street

Loew's Pld. Rises 1 on Big Board

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Technicolor Gains 3¼ on Carb

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General Theatre Bonds Show Gain

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Motion Picture Daily

Insiders' Outlook

By RED KANN

H. G. WELLs, who is doing pretty well by himself in the ranks of contemporary authorship, delivered a talk at a dinner of the Authors Club one night late last week. Among other statements, he described himself as a "journalist and literary hack," which was his privilege since he was writing criticism at his own efforts. But also did he touch upon films, commenting among other comment that authors should have more say about the treatment their works receive in the process of translating them to the screen. Typical example was his novel, "Marriage," which he pointed out, was sold eventually to be thrown of title, locale and plot by order of Hollywood and effort of scenarists which inhabit that scene.

THAT caused us to dig into a mental file which this column numbers among its possessions and which it tries mightily to keep alert. It reminded of the practice, uncheckered for years, in which all producers have indulged when classics and near classics come across their noses. Long a matter of disturbance when this space goes editorially, we wonder why Hollywood does the things it does on this particular score.

The habit, presumptuous to say the least, almost always calls for improvement of the printed page. Samuel Goldwyn did it with "Nanny," as it has been announced. But as the film colony revolves on its axis it has been guilty of the same charge. To what purpose, we should like to know, is judgment which, having determined in the first instance to film works of note and of established reputation, then determines to embellish the original? Also by what right?

WE strike today for the filmization of recognized works as the author wrote them or no filmization of them at all. Pideliy is an attribute which Hollywood, it is this opinion, is expected to accept and this has nothing to do with business. But as the film colony revolves on its axis it has been guilty of the same charge. To what purpose, we should like to know, is judgment which, having determined in the first instance to film works of note and of established reputation, then determines to embellish the original? Also by what right?

PRACTICALLY all of the editorial roses stacked around the feet of "David Copperfield," it should be remembered, were predicated on the proper reverence, the respect for Dickens and his novel, in which the picture was soaked. Here was an instance of a book read by millions and about which the producer who dared improvement was embarking on a piece of extremely risky business. Merely to assume, however, that any work of lesser moment opens the door to revision is neither fair nor proper. "Copperfield" provides an object lesson to the industry to make easy to understand because it emerged as an artistic as well as a commercial success. Hollywood, are you listening?

Paramount Will Run Peebleskill Theatre

Paramount today assumes operation of the Peebleskill, the Kill, N. Y., which has been a long term pool arrangement with Raymond Wittickson. Paramount has the Paramount and both houses will be under the supervision of George Walsh, division manager.

Wittickson also has the Pickwick, Greenwich, Conn., which is not involved.

Weiss Finishes Film

Louis Weiss, production head of Weiss Prod., Inc., has finished work on the "Drunkard," Stage & Screen Prod., Inc., will handle the release.

Open Oklahoma Empire

OKLAHOMA CITY, March 31—This city now has five first runs. The Empress was opened today by Pat McGee for Standard Theatres.


Monday, April 1, 1935

New Four Per Cent Tax Up in Missouri

JEFFERSON CITY, Mo., March 31—Swinging the hammer in the Missouri legislature, a measure has been introduced in the Senate for a four per cent levy on all transactions and services performed.

The proposal was in the form of a resolution to submit a constitutional amendment to the people. If approved, it would relieve public school and road district taxes.

Industry representatives in Missouri conferred here on the two per cent sales tax which has passed the House. Some means of adding the assessment to theatre tickets will have to be found, so it will not become a burden on the exhibitor.

One Man Bill Up in R. I.

PROVIDENCE, March 31—Operators have a bill in the House here that provides for one man to every machine. Another measure pending provides that all films must be projected from machines on the ground floor, and that the theatre must have an entrance floor, except in regulation booths.

Advance Maryland Race Track

ANNAPOLIS, March 31—The House has passed the Mullick racetrack tax relief bill and has sent it on to the Senate. The daily license fee of $6,000 would be reduced to $1,000, and the income tax on money bet would be raised from one to two and a half per cent. The levy on net receipts would be raised from 10 to 25 per cent.

A one per cent sales tax on gross receipts has passed both Senate and House, but it does not affect theatres.

Tulip, the tulip, has been in the House. It rests in the Mayor and City Council of Hagerstown to the control of Sunday pictures.

House bill 347 has passed in the House. It will permit Sunday shows in Prince George's County.

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(Continued from page 1)

(Quotes as at close of March 30.)
WHAT A TIME THE BUYERS ARE GIVING THESE GIMME GALS!

One look at their lines and they’re dated for “A TIME” by film buyers everywhere! . . . . . For instance—

KEITH’S . . . . CINCINNATI
METROPOLITAN . . HOUSTON
BROADWAY . . . PORTLAND

STRAND . . . . NEW YORK
ORPHEUM . . . MINNEAPOLIS
MARY ANDERSON . LOUISVILLE

—because they’re delivering “more laughs than ‘Convention City’”

(N. Y. American)

JOAN BLONDELL • GLENGA FARRELL
“Traveling in Saleslady”

A First National Picture with
HUGH HERBERT • WILLIAM GARGAN • Directed by RAY ENRIGHT

WARNER BROS....... Producers
Coast Meeting to Discuss Clearance

(Continued from page 1)

but because of a petition by F. W. C., which was studied by Campi, it was decided to give all exhibitors as well as the protesting circuit a chance to be heard.

According to the F. W. C. consent decree handed down two years ago, certain prices must prevail for first run houses to maintain clearances provided therein. If prices are moved downward, a readjustment of the schedule must follow.

The Los Angeles schedule did not contain such a provision and Fox West Coast representatives in New York held that if the plan was put into effect, as adopted by Campi, the consent decree would be violated.

As a result of the consent decree, admission prices here have been boosted numerous times, it is stated. There are only a few theatres charging 15 cents, the general average being 25 cents.

More Court Battles

On Bank Nights Due

Des Moines, March 31.—Injunction suits similar to the one filed by A. H. Blank restraining the local grieve over the operation of the alleged lottery involving bank credits will be brought in other territories, it is said here. It is understood theatres in several states are planning such actions.

Hearing on a permanent restraining order against the local board will be held April 6 by Judge Charles A. Dewey in U. S. District Court here. The action is based on a cease and desist order issued against a Central States theatre at Ft. Dodge, Ia.

The theatre contends the awarding of the prize does not constitute a violation of the N.R.A. The suit also attacks the N.R.A.’s constitutionality. Six major distributors were named in the action, but merely as a formality.

Huffman Case Held Outside the Code

(Continued from page 1)

whether the theatre came into court with clean hands as a result of the operation of an alleged lottery involving the giving away of automobiles weekly as a means of drawing.

Huffman is still giving away cars weekly under the protection of a temporary injunction granted by the Court of Appeals and will continue to do so until the case is decided, it is understood.

La Hiff’s Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.
The Beginnings of a Beautiful Friendship

- Consistent fair dealing . . . complete trailer service on every picture you play . . . and a rare understanding of exhibitor problems . . . your problems . . .

- That's why that early friendship with a handful of exhibitors ripened and flowered and helped us grow into a nationwide organization of more than 700 "trailer-wise" employees . . . each doing his share to cement that friendship with better and better trailers . . . and better and better service . . .

- That's why . . . today . . . more than 9000 exhibitors join us in celebrating the 15th Anniversary of those early beginnings of a beautiful friendship . . .

NATIONAL SCREEN SERVICE

. . . prize baby of the industry!
By direct wire from

Western Union

NT28 TWS 3. MINS=WUX UNIVERSAL CITY CALIF MAR 20 1935 1032A

R H COCHRANE, UNIV PICTURES CORP=

ROCKEFELLER CENTER NEW YORK NY=

Screened the bride of Frankenstein today. First rough cut eight thousand feet. Stop my opinion of picture is that Santa Claus has finally come to the industry. Stop picture is sensational, thrilling, mysterious, exquisitely produced and directed. Stop should do far better than first Frankenstein and my wiring important accounts throughout the country to accept my personal word and book it without screening for early dates. Stop we are releasing the picture nationally April twenty second=

JAMES R GRAINGER.

148P..
The Spring tra la

Bringing You the Biggest Box Office Sensation You've Had in Years!

Boston Tips
Huge $22,000
To “Robertta"

Boston, March 31.—With good weather until Thursday, all the first runs except one went well over normal. “Robertta” led the parade by getting $22,000 over the line by $12,000, at Keith’s Memorial. “Ruggles of Red Gap” and “Baumhower” were billed in the same program. Grosses at the Fenway and the Paramount were $8,000. “Mississippi” was fairly strong at the Metropolitan on a take of $24,000.

Total first run business was $81,500. Average $65,600.

Estimated takings for the week ending March 28:

- **RUGGLES OF RED GAP** (Para.)
  - Fenway—$3,800, 36-5c, 7 days. Gross: $26,600. (Average, $3,800.)
  - **ROBERTTA** (Radio)
  - Keith’s Memorial—$3,500, 26-4c, 7 days. Gross: $25,000. (Average, $3,500.)
  - **MISSISSIPPI** (Para.)
  - Metropolitan—$2,000, 35-5c, 7 days. Stage: Big Star Revue with Sylvia Ford and John Barrymore. Gross: $14,000. (Average, $2,000.)
  - **RUGGLES OF RED GAP** (Para.)
  - Paramount—$1,900, 25-7c, 7 days. Gross: $9,000. (Average, $1,900.)

“IT HAPPENED IN NEW YORK”

RKO Boston—$2,266, 29-5c, 7 days. Stage: Ray Bolger and other Mooders. Gross: $9,000. (Average, $1,285.)

McCrea to “U” for Two

Hollywood, March 31.—Joel McCrea has signed a two-picture deal with Universal and will probably do a featured role in “Magnificent Obsession” as his first. The studio is also considering Claudette Colbert for the starring role. John Stahl is slated to direct.

Warners Re-Team Trio

Hollywood, March 31.—Joan Blondell, Glenda Farrell and Hugh Herbert, who have just finished “Traveling Saleslady” for Warners, will be teamed again in “Services You Right.” Production is set for next month.

It’s “The Unholy Hour”

Hollywood, March 31.—“The Unholy Hour” will be the release title of the shocker that will soon be released on the weird- wolf legend which Universal is producing.

Twyman in New Firm

Charlottesville, Va., March 31.—Frederick W. Twyman, mayor, is secretariat filling for the Piedmont Theatre Corp., just formed. Other officers are: President, George E. Walker; vice-president, H. W. Twymy.

Boles with Swarouth

Hollywood, March 31.—John Boles has been added to the cast of “Sword of the Rancho.” Alexander Hall is tentatively set to direct.

Just a Skirmish

Salt Lake City, March 31.—A group of midgets went on a binge in a big way here last week. At the close of an evening’s entertainment at a Palace Theater, they staged a party. A fist fight developed. Box office received a 22 caliber pistol from one of them. Bruises and scratches were covered up with anode. The armed member of the troupe claimed his gun at police headquarters later.

“Life Begins” Denver Smash With $13,000

Denver, March 31.—Will Rogers’ “Life Begins at 40” did the best business for a Rogers film in some time by hitting $13,000 at the Denver. This is $7,000 over normal.

“Robertta” was also in the smash hit class and its $10,000 take topped average by $4,000. Both films were held, the Rogers film going to a third week for an extended run. Total first run business was $33,000.

Average was $24,000.

Estimated takings for the week ending March 28:

- **LET’S LIVE AGAIN** (Col.)
  - Loew’s—$2,500, 30-5c, 6 days. Gross: $15,000. (Average, $2,500.)
  - **LIFE OF AN INVALID** (M-G-M)
  - Loew’s—$2,000, 25c-40c, 7 days. Gross: $14,000. (Average, $2,000.)

—Continued—

Berlin Finishes Top Hat Hit, Indianapolis

Indianapolis, March 31.—“Robertta” was the only attraction in town last week to stir up any excitement. It reached $10,000, up by $3,000, at the Indiana.

“Little Colonel” held up to a par $5,200 at the Apollo in its second week and “Wedding Night” was average with $4,500 at the Palace, but elsewhere business was off.

Total first run take was $25,750. Average was $25,000.

Estimated takings for the week ending March 28:

- **LITTLE COLONEL** (Fox)
  - Apollo—$1,200, 25-4c, 2nd week. Gross: $5,000. (Average, $1,200.)
  - **LOVE IN BLOOM** (Para.)
  - Circle—$1,100, 25-4c, 2nd week. Gross: $4,300. (Average, $1,100.)
  - **ROBERTTA** (Radio)
  - Indiana—$1,100, 25-4c, 7 days. Gross: $9,000. (Average, $1,285.)

—Continued—

Van inFilm Temple

Hollywood, March 31.—Gus Van Sant has added the title of “Our Little Girl,” the Shirley Temple picture at Fox.

“Colonel” Up To $8,000 on Chicago Week

Chicago, March 31.—“The Little Colonel,” in its second Loop week at the Garrick, was the best comparative draw here last week. It went $3,000 above the average.

All Loop houses, except two, were over average, but not outstanding. “The Scarlet Pimpernel” reached $18,000, the United Artists. “Life Begins at 40” was strong with $36,000 at the Chicago, and “Ruggles of Red Gap” with $22,000.

—Continued—

Rogers, Portland’s Best; Doubles Take

Portland, March 31.—“Life Begins at Forty” was by far the heaviest money producer, bringing a greatly increased business to Paramount where it soared to $10,000, or doubling the average take.

Estimated takings for the week ending March 16:

- **GOLD DIGGERS OF 1933** (M-G-M)
  - ABC—$3,500, 25c-35c-50c, 6 days. Gross: $11,500. (Average, $1,833.)
  - **THE PRESIDENT VANISHES** (Para.)
  - Maysfair—$1,000, 25c-35c-40c, 7 days. Gross: $3,000. (Average, $428.)
  - **ENCHANTED APRIL** (Radio)
  - Orpheum—$1,100, 25c-35c-40c, 7 days. Gross: $3,100. (Average, $443.)
Samuelson Selects Six Regional Aides

(Continued from page 1)


Martin G. Smith of Toledo has western Pennsylvania, Michigan, Ohio, West Virginia and Kentucky.

Aarón Saperstein of Chicago has Indiana, Illinois and Michigan. W. A. Leary of Minneapolis has North and South Dakota, Minnesota, Nebraska and Iowa.

Newman H. Waters of Birmingham has North and South Carolina, Tennessee, Georgia, Alabama, Mississippi and Florida.

Col. Harry C. Cole of Dallas has Texas, Louisiana, Arkansas, Oklahoma, Missouri and Kansas.

Samuelson also has picked Abram F. Myers up in Washington en route to the Twin City.

Whalen to Present New Quigley Awards

(Continued from page 3)


Want Red Films Banned

Boston, March 31—Protesting that two imported Soviet films reeking with propaganda have been shown at the Majestic, local Levrad house, the state department of the American Legion sent a telegram to the Film Board to bar such pictures from Boston. A letter signed by State Commander Jeremiah Callin said theWithTitle: “Want Red Films Banned”

Para. Contracts Up Today

Hearing of a petition to authorize the Paramount Publicists to adopt 181 executory contracts made by the company prior to its bankruptcy, which was scheduled to have been held Saturday before Special Master John E. Joyce, was postponed to today. The contracts are for fulfillment of theatre acquisition deals and foreign distribution arrangements. They must be adopted before the trustees can be carried on by the new company after Paramount's reorganization.

Hurley on Own

Albert Hurley, former designer of the Ortho-Krome Screen, announces formation of a new screen manufacturing concern under his own name in Long Island City. The concern will be known as the Hurley Screen Co., Inc., and will manufacture a standard sound screen. M. A. Shea is associated with Hurley.

Novices in Middletown

MIDDLETOWN, N. Y., March 31—Taking advantage of the popularity of amateur shows, George Walsh, division manager for Pathéx, on Thursday morning invited the 12 most talented contestants at the local Paramount.

The non-professional show will be a regular feature every Thursday evening.

Pittsburgh Critics Here

PITTSBURGH, March 31—Four local critics, Harold W. Cohen of the Post-Gazette; Karl Krug and William J. Lewis of the Sun-Telegraph and Macdonald; and Jonathan of the Press will be the guests of Warners in New York Monday for a special screening of "Black Fury" and a trade showing of "Go Into Your Dance."

MPTOA Will Attack Pettengill’s Bill

(Continued from page 1)

billion of M. P. T. O. A., Ed Kuykendall, president, said Saturday that the union is awaiting the result of ignorance of the bill's real objectives and its probable effects, and may be misleading to other exhibitors.

Kuykendall said that a meeting date for discussion of code revisions between the M. P. T. O. A. code committee and RKO executive Director Sol A. Rosenblatt is not expected to be set until the Administration has agreed on new NRA legislation. The committee was requested by RKO for a 20 per cent code cancellation clause and other significant code amendments.

Regional units' ballots on the new M. P. T. O. A. executive committee are still being received. Results of the election, however, may be available within the next few days. Kuykendall leaves for Washington today, but is expected back here Thursday for a Code Authority meeting.

Barnstyn Will Film 3 English Features

J. C. Barnstyn, president of British & Dominion Trading Corp., and inter-world Pictures, plans to make three British pictures in England, princi-

ally for English market, and sails for London some time in May to work out details.

Fox Picks Debutantes

Hollywood, March 31—Fox has followed Paramount's lead in breaking away from the Wampas and has named Rita Cansino, Frances Grant, Rosina Lawrence and Barbara Blane for its "Four Debutantes." Wins- field Sheehan, production head of Fox, personally made the selections. The four girls will be exploited as future stars in much the same manner as Wampas did on a larger scale.

Kreuzer New Manager

Edwin M. Hartley, manager of the RCA Victor Photophone Department, is appointed. He will be the first manager to be appointed by RKO after forming a member of the RCA Victor engineering research and service staffs, consulting engineer in charge of Photophone recording sales. Kreuzer's headquarters will be in the local studios.

Calloway Kingston Worry

KINGSTON, N. Y., March 31—RCA's booking office at the Armory here on May 2 is causing plenty of worry to exhibitors who are checking on future bookings for spring and summer.

Walter Reade operates the Broad-

way and Kingston, two principal houses here.

Lengend RKO Marathon

Further postponement to April 9 of the RKO-Meyer & Schneider branch of lease arbitration hearings, involving film playing policies at the Holly-

Wood and New York, will be taken in advance of the scheduled hearing today.

"Les Miserables"

(Continued from page 1)

and intensity to the light on this man's crown of thorns and presented an Odyssey pre-ordained to be one of the genuinely great films of yesterday.

As true today as when Hugo wrote, all the crass stupidities of a heartless system are shown in their brutal callousness, as vital this hour as when France unshackled herself and bled ran through the 'real Paris.'

Katharine Houghton furnishes the division of Hugo's classic into three acts. In the first, March, as Jean, is convicted of stealing a loaf of bread and is condemned to the galleys. Betred, beaten and freed, a priest regenerates him by acts of giving. The second section, Jean is the mayor, respected, but with the spectre of the past haunting him in the person of Laughton, the grim, relentless law. The third division, in Paris, shows Jean's selfless renunciation of his adopted daughter, Rochelle Hudson, giving her to her sweetheart-revolutionist, John Beal, as the Hitlerish Laughton commits suicide.

Every facet of production showmanship is handled perfectly polished with heart interest, spectacle, beauty melodrama, human conflict, sorrow, joy, love victorious and unrequited, all harmoniously blended with the basic appeal of humanity fundamental.

March, symbolizing Christ, gives an inspired performance. His transitions are remarkable and his historic prowess a triumph. Laughton, playing the anti-Christ, makes his character hateful and understandable.

Sir Frederick Hardwicke, Miss Hudson, Beal, Frances Drake and others impress in support.

Bolestanaki, by human handling of this picture alone, achieves his credit in the directorial Hall of Fame. W. C. Lipscomb's screenplay compacts Hugo's classic in a model of screencraft. Gregg Toland's photography excels.

To Darryl F. Zanuck, poems of praise and roses.

"Stolen Harmony"

(Paramount)

Hollywood, March 31—Ben Bernie acts as well as leads his band and an above-the-average picture is here made by the musical radio personality. The "Old Maestro" holds his own with the best comedians and is plenty convincing when the occasion demands serious moments.

The story starts with a police auditioning a prison band and selecting George Raft, who is released the following week, for a saxophone job in his band, which is about to start on a transcontinental bus tour. Raft clicks as a player and later pinch hits as the dancing partner of Grace Bradley, scoring again. As Raft's position becomes secure, Leslie Fenton, an old cell-mate, turns up and proposes Raft join him in looting the band's money carried in the bus.

Raft refuses and Fenton does the job alone, nevertheless getting Raft in trouble and as Bernie is about to fire him the entire troupe is kidnapped by a gang headed by Lloy Nolan. Raft is recognized by William Fawley, also a fellow jail alumnus, and pretends to join the mobsters, eventually arranging the delivery of the troupe and annihilation of the gang by the cops. Raft, slightly wounded, wins Miss Bradley while in the hospital and regains the good graces of Bernie.

The production by Albert Lewis and direction of Alfred Werker is first rate. In the supporting cast Eddie Montgomery teamed with Charlie Arnt, for comedy and romance, stand out. The screenplay by Leon Gordon and Harry Ruskin with dialogue by Claude Binyon and Lewis Foster are good jobs. Mack Gordon and Harry Revel contribute several catchy tunes. The picture should click with any audience.

Production Code Seal, No. 627. Running time, 74 minutes. "G."
Schaefer Is Again Boomed As Para. Head

(Continued from page 11)

eral was yet. Serious opposition to the proposed board of 16 members has died down. Some undoubtedly will be voiced at the April 4 hearing for concern that the board as now constituted is expected to be confirmed by the court. When that happens a new board of directors will be called to formally elect the directors. Thereafter, creditor groups will square off again for the final bids for selection of officers to be elected by the board.

Meanwhile, sufficient creditor assents to assure confirmation of the plan on April 4 lack only approximately $650,000 of Paramount Broadway bonds. There are needed two-thirds of the $8,875,000 of Broadway bonds outstanding and slightly more than 60 per cent of the issue are now on deposit. The required amount of the $25,825,000 of Paramount Publix and Paramount Famous Lasky debentures and of Paramount stock are already on hand and the period for withdrawal from the bondholders' and stockholders' committees expired Saturday. The concerted and general creditors' claims has not yet been reached, definite assurances of the needed deposits by April 4 are on hand.

No postponement of the April 4 hearing before Federal Judge Alfred C. Coker will be sought unless there is a deficiency of assents at that time.

Lightman Realigns His Theatre Staff

MEMPHIS, March 31—Realignment of personnel to manage his expanded interests has been completed by M. A. Lightman. Gene Oliver, former manager of the Arkansas, Little Rock, replaces Charles Mensing as Orpheum manager here; Mensing having resigned. Fred Ford is the new manager at the newly-acquired Palace, Ford coming here from Shreveport where he was with Saenger.

William H. Ramsey has been moved in from the neighborhood Memphian to manage the downtown Strand, succeeding Elliott Johnson, who was made advertising director for the circuit, with Curby Smith of Jonesboro transferred to Memphis to handle special exploitation. David Gorkind, previously with Warners, replaces Ramsey at the Memphian.

Kenton to Direct “Maid”

Hollywood, March 31—"Maid of Honor" at Columbia will be directed by Erich von Stroheim. Son and Ethel Hill are doing the adaptation from Katherine Brush's story, which production is scheduled to start within the next 10 days.

Retitle “Wanderlust”

Hollywood, March 31—Warners have decided to retitl "Wanderlust" to "Mary Jane's Pa," the original name of the Edith Ellis play. The picture co-stars Guy Kibbee and Aline MacMahon.

Hollywood Personalities

Hollywood, March 31.—Clark Gable has left for an Arrowhead vacation, ready to go to work in "China Seas" which he is planning to do and company back from location at the Arizona Biltmore. .. Erol Flynn has worked his way through scripting "Plot Thickens" at Paramount.

Freddie Bartholomew will get $250,000 for the present from David O. Selznick. .. Errol Flynn goes into "3:10 to Yuma" for Warners. .. Helen Jerome Eddy goes into "Men On Our Mind," "Broadway Melody of 1935." .. Nigel Bruce has leased a Malibu house for the summer. .. Gavin Gordon in "Loved Me Forever" .. Otto Dyar, the Grace Moore picture at Columbia.

Luncheon Shorts to Be Given K. C. Test

KANSAS CITY, March 31—A new wrinkle in theatre operation known as the "Senior Citizens Matinee" will be inaugurated at the Royal, 800-seat downtown house, when it reopens May 3.

The idea is that between the hours of 11:30 A.M. and 1:30 P.M. the programs will switch to a sort of Trans-Lux policy consisting of newsreels, comedies, novelty acts and other abbreviated films. No feature will be shown. The rest of the schedule, from opening at 9 A.M. to closing, will be devoted to the customary routine.

Regular programs, it is understood, will be double bills at a dime a throw. Derek Fagin returns to Kansas City after an absence of several months to manage the Royal, which formerly was a Publix operation.

Shift Around St. Louis

ST. LOUIS, March 31—Four houses have changed hands in this territory. The Riverview has been acquired by Claude Lupokey and has been reopened.

T. R. Burcham has taken the Princess at Doniphan, Mo., from P. J. Burford, and S. Schlesinger has taken over the New Gem at Cairo, Ill. This house used to be known as the Empress. The Empire at Zeig-ill, Ill., has been closed.

Hoban Is Made a Judge

SCRANTON, March 31—Thomas Limus Hoban, general counsel in Pennsylvania for the Comerford interests, has been appointed by Gov. George H. Earle as an additional law judge in Lackawanna County. He will deal with appeals and with common pleas bench caused by the death of Judge E. C. Newcomb.

Cummings on 'Argentina'

Hollywood, March 31.—Irv Cummings will direct "Argentina," the upcoming film for the 20th-Fox. It is slated to get under way April 1.

Tito Guizar and Alice Faye have the leads with Cole Porter supplying the music.

Compete in Detroit For Service Pacts

DETROIT, March 31—With many Erpi contracts expiring, a three-week contest among Warners, Allied and the operator's union for new service contracts is reported to be under way. Erpi is reported to have offered to reduce its service charge from $16.25 per month to $13.25. The union is offering to contract for the work at $14 per month and Allied is reported to have entered the competition with a deal whereby exhibitors will receive service for $3.00 per month.

The union has issued a decree that none but union men may enter the booths to do service work.

Sanders Back to Pueblo

LINCOLN, March 31—John Sanders, brought here about a week ago from Pueblo, Colo., where he had been manager of the Pueblo, goes back after about 10 days at his new post in the latter city and has taken over at the Lincoln. Sanders will probably be moved to Salt Lake City.

To Start at Asheville

ASHEVILLE, N. C., March 31—Work will begin in a few days on remodeling the Redwood building to house the new $75,000 Publix-Barn- ford theatre, according to Carl R. Bamford, vice-president and General Manager, who announced the plan and will be one of the largest in the Carolinas.

Charter Illinois Firm

VANDALIA, III., March 31—Better American Pictures, Inc., has been organized with 100 shares. The incorporators are Ullus Gudde, George Gudde and Ben Gudde.

Re-Title Holt Picture

Hollywood, March 31—Columbia has set "The Unwelcome Stranger" as the release title on the current Jack Holt vehicle, which has been working under the title of "Gimpy."

Reports Have New Fox Met Move in Work

(Continued from page 1)

per cent write-down of Fox Met bonds proposed in the Schenck-Fox Theatres’ plan, and another having the reported offer backed by the Greenblatt financial interests of Philadelphia. Officials identified with the Schenck-Fox Theatres’ plan admitted having heard the reports, but discounted the suggestions that the Met, which may be made for Fox Met. They stated that their plan has the approval of the Fox Met bondholders’ committee and Halsey, Stuart & Co., representing approximately 90 per cent of the Fox Met bonds outstanding and that Under S. B. reorganization proceedings cannot be instituted without a minimum of 25 per cent of a company’s outstanding bonds.

Creditor holders who have deposed their bonds with the Fox Met committee will have an opportunity to vote whether it be adopted. The Schenck-Fox Theatres’ plan is confirmed by the court. Thus, an opposition plan might attract sufficient withdrawing S. B. requirements for its presentation.

Indications yesterday were that Fox Met bondholders represented by Saul E. Rogers, attorney, who at one time stated he might present a reorganization plan, will now support the Schenck-Fox Theatres plan.

Technicians to List Variety of Credits

Hollywood, March 31—The Technicians’ Branch executive committee of the Academy plans to make the technicians’ credits publication a complete, historical exhibition of each production in the future.

The first publication of technicians’ credits, due daily to be issued April 1 and will include a listing of sound effects and music mixers, re- search director, the matte painting, miniature, special effect and transparency projection shot technicians, laboratory making the negative and release prints, as well as art director, first and second cameraman, film editor and unit sound mixer.

Steffes Will Open Minneapolis Alvin

MINNEAPOLIS, March 31—Al Steffes will open the Shubert under the name of "The Gin" on April 11, he says, with vaudeville and films. The house has had the Bainbridge Stock Co. for years. Steffes has spent $50,000 redesigning the house and installing a new front.

Charter Commonwealth

KANSAS CITY, March 31—Commonwealth Amusement Corp., recently organized in Kansas City, Mo., is capitalized at $25,000 as a Missouri corporation to conduct a general theatre business. This is the new circuit formed by a consolidation of Commonwealth Theatre Co., Inc., of Kansas City with Central States Theatre Co. of Holsington, Kan., with L. M. Miller as president.
To Build at Baton Rouge

EATON ROUGEAU, La., March 31—Joe
Dionne, who runs the Towne House and
another house here, will construct two
more shortly. One will be a colored house and
the other a white house which will replace the People's, which
is scheduled to close.

Stop “Rainbow Nights”

SALT LAKE CITY, March 31.—“Rain-
bow Nights” at the Broadway The-
atre, Butte, Mont., have been ordered stopped
by the grievance board here. The complaint was brought by the
Park, same city.

Leases Canton House

CANTON, O., March 31.—T. M.
Morgan town, W. Va., has leased the
Grand Opera House here. The house
has been dark for four months.
Films and traveling stage companies
will be alternated.

“Allah” for Crawford

HOLLYWOOD, March 31.—Hari
Crawford’s next for M-G-M when she
returns from Europe will be titled “The
Allah,” which David O. Selznick will produce.

Sleep in Theatre

OMAHA, March 31.—Film
salesmen are recounting dust
storm yarns these days. The
Barras home is on the Rialto
at Elmwood, Neb.

Customers refused to leave
after the showmen made
of the fierceness of the dark
gate. Finally the bulk of
them pushed out to
their homes. Fifteen persons
refused to budge. They
re-
mained all night, sleeping
in niests and in the aisles.

Omaha May Lose Two

OMAHA, March 31.—Two thea-
tres here seem destined for demolition.
Ralph Goldsmith has a deal pending
to sell the Town to a night club
concern and another to put a parking
space on the site of the State.

Two openings are set in the
area. Robert Freed has acquired the
Dreamland from O. P. Shannon at
$30,000 and E. P. Johnson has opened the Opera House
at Palmer, Neb.

Philadelphia

PHILADELPHIA, March 31.—Appli-
cations for memberships were be-
ponsored.
The club has voted to raise
its roll to 150.

The following committees have
been appointed:
Chief Barker, Edward
Sweigert; membership, S. Schwartz,
L. Schlesinger, Al Cohen, Herb
Elliot; house, Jay Emanuel, Percy
Bloch, William H. Lee, Milton
Rogasner, John Monroe, Louis
Goldsmith, Dave Supowitz, Henry
Goldberg, Sam H. Haines; Ulrich
Smith, Jack Lusey; finance, James
Clark, Ben Amsterdam, Leon Levy,
Charles Segal, Ellis Sherman;

Jack Greenberg, publicity, Harry
Goldberg, Burt McHugh, Jr., Harry
Crowley, Charles Zagraves.

Three more will be added to the
membership committee later.
Cabaret night, every Saturday,
is growing in popularity, as are the
pre-
view openings held every Sunday

Pittsburgh

PITTSBURGH, March 31.—Judge
Egan and Judge Patterson were
honour guests at lunchen—both real
Yorkers—on the Valentine’s Day.
Judge Edward M. A. PurnELL is
claiming the right of possession of
his first name (Michael). He
just elected a non-
member—also Jerry O’Neill
of the William Penn.

The club has hung its new charters
in the old RKO Palace, and
A. C. Sweigert, chief Barker, and Milton Ro-
gassner, assistant chief Barker, of the
Barras, and Mr. and Mrs. Ed Kuykendall, president of the
M.P.T.O.

Bert Laub and Ray Bergs
the morning 
7:40, with Talmor
Hassett and Evelyn Tynor, a local
tenor-pianist duo making its vaude
stage debut. The show this week at Loew’s Fox,
were guests of honor at a special luncheon
on last Monday (March 25) presided
over by Stephen E. Cooper and
Louis A. Brown, as kings for a day.
“Visits to Warner Brother’s Hippodrome and the RKO Keith’s 105th Street Theaters this week will convince you that Buster Keaton has fairly discovered the true secret for making talkies.

“He is miles ahead of the feature producers today...he has discovered the way to use detail so that it becomes action and his picture ‘flows’ steadily without interruption by or very much help from dialog.

“I felt that perhaps Buster had blundered into a happy accident when he made ‘Palooka from Paducah’...Telling his story of ‘Palooka’ in pantomime was no mere accident for Keaton. He proves that with ‘One Run Elmer’. This is his second feature in his new two-reel series...Keaton is back where he belongs, and at the moment leading the comedy field!

“There is even less dialog in ‘One Run Elmer’ than in ‘Palooka’, proving that Keaton does know how to make pictures.

“Here is Buster on the rebound. In fact he’s now leading the pack.”
Fox Loses in His Last Move On Tri-Ergon

Supreme Court Refuses Flywheel Rehearing

By CLARENCE LINZ
WASHINGTON, April 1.—William Fox today went down to final defeat in his fight to establish the validity of one of the American Tri-Ergon patents when the U. S. Supreme Court refused to rehear the Wilmer & Vincent and Altoona Publix case, involving the Flywheel patent. The court acted with unusual speed, the petition asking for a rehearing having been filed Friday.

As a result of the court's action, its opinion rendered last month, denying the validity of the patents on which Tri-Ergon was trying to base suits against producers and exhibitors (Continued on page 4)

New Taxes Looming On Ohio's Program

COLUMBUS, O., April 1.—The three per cent income tax, in effect since Jan. 27, is up in the air, with present indications that it may be wrecked, and other special measures substituted. The controversy between Federal Relief Director Harry L. Hopkins and Gov. Martin L. Davey is said to have uncovered some deficiencies in the state's financial structure, and precipitated a revision in the current tax (Continued on page 7)

Pelton for Florida As a Studio Center

Florida is definitely a locale, economically acceptable, physically possible and climatically agreeable for the industry, Fred Pelton, of M-G-M will report to Louis B. Mayer upon his return to Hollywood next week.

Pelton, who, with Morris Helprin as representative of Joseph M. Schenck last week completed a survey of Florida, is awaiting a comm. (Continued on page 7)

Depinet's Demurrer Postponed to May 6

St. Louis, April 1.—Argument on the demurrer to the indictment of Ned E. Depinet, RKO distribution head, in the St. Louis anti-trust cases was put off to May 6 today by Federal Judge Davis on motion of District Attorney Blanton.

Herald Showmanship Show Draws Crowd to M. P. Club

By J. M. JERAULD

Ten o'clock rolled around yesterday morning at the Motion Picture Club. Somebody raised a curtain on a cage. "Gato," a puma, looked out and wished he was back in Sequoia National Park; an electric train whirled around in circles, drowning out the sound of ice in a cocktail shaker at the bar; 150 Radiance managers, who had been waiting in the corridor, hurried in. The Show of Showmanship was on!

A-Mike Vogel relaxed and reminisced about the time he staged a flood at Johnstown so Janet Gaynor could go into pictures later and make a million dollars for Fox.

By noon 281 visitors had been clocked and Mike agreed with Monroe Greenhal, that it was "colossal." Before 2 o'clock a fuse blew out, but what's a fuse in the life of an exploitation man? Arnold Van Leer leaped off a stepladder where he was draping bunting. A large crayon drawing of Red Kann in the Gau-
mont British exhibit could be seen only dimly for the time being, because it wasn't done in color, and the

DENVER CASE MAY HOLD CODE'S FATE

Appeal Would Put Status Of Theatres Before Supreme Court

BY BERTRAM F. LINZ
WASHINGTON, April 1.—Appeal by the government from the Denver decision holding certain to be intrastate commerce might serve to bring before the U. S. Supreme Court a question on which a part of the film industry and the NRA differ.

While Judge Syne's opinion is binding in that jurisdiction, it does not apply nationally, and an opposite decision might well be rendered in some other court should the same question arise.

That part of the decision holding the state recovery law invalid is in keeping with opinions rendered in at least two other states to the same effect.

The question whether exhibition is intrastate or interstate business is one which, if not resolved by the courts, (Continued on page 6)

Yamins Raps Code At Northwest Meet

MINNEAPOLIS, April 1.—The code was attacked at the opening session of the annual convention of Allied of the Northwest at the Hotel Radisson here today by Nathan Yamins, a Code Authority member, who said the document was drawn and administered by producer-distributor interests, with the

RKO Tentatively Set On 50 for New Year

RKO-Radio executives are planning on 50 features for 1933-34 and the same number of shorts as the current season. While convention plans are not yet completed, indications are that the Drake, Chicago, will be the meet-

FWC Asks Dismissal Of Gumbiner's Suit

LOS ANGELES, April 1.—Fox West Coast and its trustees, George Svon-
ras, William H. Moore, Jr., and Charles C. Irwin, will move to dismiss H. L. Gumbiner's $1,520,000 trust suit on technical grounds, according (Continued on page 4)
Purely Personal

Friday, June 28, 1935

FELIX FEIST was tendered a surprise party by M-G-M yesterday at the M. P. Club in celebration of his 19th anniversary as sales head of the company. Among the guests were DAVID BERNSTEIN, J. ROBERT RUTH, TOM J. CONNORS, E. MC LAUGHLIN, R. ROODER, JOE VOGEL, DAVID LOW, ARTHUR LOWE, HOWARD DIETZ, ST. SEALER, WILLIAM FISHER, AND J. M. GREENE. Leading personal, LIPFORD FREEMAN, LOUIS K. SINDEN, JAY GOTE, WILLIAM SCULLY, SIDNEY S. BRAUNENG, DAVE LEB, MORT SPRING, CHARLES K. STERN, FRED MITCHELL, EUGENE PICKER, WILLIAM KOLLY, EDWARD W. AARON, J. BIZE-HALER, M. L. SIMMONS, JESSIE MILLIS, JACK E. FLYNN, FRANK MccROY, CHARLES DEASON and BILL CLARKE. Several executives made speeches, but all had a good time nevertheless.

The LYNN FARNOLS finally won out over the objections of members, plumbers and the like and are now escorted in their new house in the East Sixty-seCONDS. By way of observing the victory they gave a dinner party for a few friends last night.

Quip of the Day

Discussing the whereabouts of why to many studio executives, good production records are so often dethroned, MACK SHABBAS, Hollywood exhibitor, states the reason as "an account of they violated a gentleman's agreement.

"What gentleman's agreement did they violate," asked an inno-

cent bystander.

"They purposely produced pictures that made money."

Joe SEIDELMAN's card from Honolulu must have been slow in getting here yesterday. Columbus records he had reached Sydney which, normally, is in Australia.

Jane and KATHERINE LEE, grown up nicely, were added to the cast of "Parade," forthcoming Theatre Guild contribution to the revolutionary thea-

tre.

JAMES CLARK of Hurlborger, Phila-

delphia, arrives tomorrow and will stay over for the open Ampia meeting on Thursday at the M. P. Club.

CRESSON SMITH gifted JOHNNY O'NEILL with a white carnation in honor of the latter's blessed event over the week-end.

W. RAY JOHNSTON did not hit town yesterday from Atlanta as planned. Wednesday looks like the day now.

CESAR ROMERO is here on a short vacation from the coast. He's at the Lombardy.

IRENE DUNNE will hold forth at a cocktail party at the Ambassador this afternoon.

NATE BLUMBERG was in Chicago yesterday and finishes his RKO the-

atre tour by arriving back in New York probably on Wednesday.

MEYER FINE, HENRY GREENBERGER, OSCAR GERTZ and Morris WIRZ, who arrived from Cleveland over the weekend to attend appearances on two clearance and zoning shows, in which they are involved, are combining pleasure with business and will stay over a couple of days to take in a few shows. Fine and Greenberger have their wives with them.

ED KUVEENBALL, DAVE PALSEY-

MAN, ARTHUR LEE, GEORGE WEEKS,

IVAN LESER, MITCHELL KLuPT, ED

FAY, JULES LEWY, GEORGE BARTHEL-

LE, JAMES A. FITZPATRICK COLE,

BROWN, MARTIN B. DICKSTEIN, MOR-

RIS KINZLER, MONDO GRIENTHAL

and VINN Farnons gathered at the Tavera for teete-ate-tetas yesterday.

Compliance Director SOL A. ROSEN-

BLATT returned to Washington yesterday without indicating whether he'll call another meeting of the NRA fact-finding committee on the local operation sits.

AUSTIN KEOUGH is slated to return from Atlantic City today. He's been taking it easy for the past 10 days, inhaling plenty of salt air.

GRADWELL SFEAFLS to the golden coast today. He was due to go yes-

terday, but decided to postpone the trek at the last minute.

HELEN CHANDLER essayed one of the leading roles in "The Dominant Sex," stage play which opened at the Cort last night.

HARVARD DAY, special representative of Terry-Toons, is back in town after a six week tour of key city exchanges.

TYREE DILLARD, Jr., Camp legal head, was a visitor at NRA headquarters in the Capital yesterday.

LOUIS HYMAN, Sol Lesser's per-

sonal representative, is due by plane from Hollywood tomorrow.

SPYROS SOKOUSA planes to the coast today and will be gone from 10 days to three weeks.

JACK COWIN and ABE MONTAQUE may leave the coast today for local stamping grounds.

MONROE GREENTHAIL, tripping the light fantastic at the Versailles over the weekend.

CHARLES SOXIN, M-G-M and Loew purchasing head, is due from Clevel-

dand today.

...Baltimore

EMIL KIMPEL, manager of the Cap-

itol, has resigned in the Associated group and EDWARD KIMPEL, Sr., en-

ters the business as manager of the Capitol .... FRANK PRICE, Jr., for many years manager of the Rivoli, is one of the incorporators of Vehicle Ads, Inc. . EDWINA WILMOT AN

TON, has resigned her position as special theatre-tie-up supervisor in the classified department of the Baltimore News-Post and Sunday American and Mrs. A. POWELL succeeds ... Mrs. FOWEL previously had the same job....

Allied to Get Sales Report on Thursday

A report on the survey conducted by a special committee to study distributors' sales reports will be made to Allied New Jersey at its meeting April 16th at the Douglas Hotel.

Today's and next Tuesday's me-

etings will be held at the Lincoln Hotel here. Sidney Samuelson is at-

tending as two-day Allied Theatre Owners of the Northwest session in Minneapolis today.

The unit is awaiting action in applying the code on the code before new moves are to be made on the code and music tax.

Skoruses Calls Group On a New FWC Drive

Los Angeles, April 1.—With the wind-up of the 13-week drive yesterday, Charles Skoruses today called a meeting of Fox West Coast district managers for tomorrow to discuss details of a new drive for the same duration which gets under way im-

mediately.

Skoruses stated there would be no switches in the operating setup as a result of Reeves Espy joining Samuel Goldwyn.

German Film Meet Set

Berlin, April 1.—Delegates of a Hollywood-M-G-M committee are expected to arrive here shortly to attend the International Film Congress scheduled for April 25-30. Among the visitors, some 700 members of the National Association of German Film Theatres will be here at the same time attend-

ing their own convention.

Subjects of fundamental interest to the industry will be discussed and leading films from all countries will be shown.

Wall Street

Columbus Leads Gain on Big Board

High Low Close Change

Columbia vtc. 41 41 41
Cons. pfd. (1v) 175 175 175
Eastman (5) 1200 1200 1200
Fox "A" 954 954 954
Loew's, Inc. (2) 352 352 352
Paramount 282 283 283
Pathé "A" 1154 1154 1154
RKO 292 293 293
Warner 282 283 283

Technicolor Gains on Curb
High Low Close Change

Technicolor 1876 1876 1876 1876

Low Bond S Howe Gain
High Low Close Change

General Theatre 46 46 46 46
Boston "A" 74 74 74
General Theatre Equity, Inc. 66 66 66 66
Paramount Pictorial "A" 104 104 104 104
Pictorial "A" 70 70 70 70
Paramount Public 71 71 71 71
Pathé "B" 71 71 71 71
Paramount 78 78 78 78
Warner Bros. 64 64 64 64

(Cd) Paid this year on account of accumu-

lations.

(Quotations as of close of April 1)

Ludington Illness

Halts F. D. Session

Due to illness of Nicholas Ludin-

ton, president of First Division Pro-

duction, production has been post-

poned until further notice from the board, the directors meeting of the producing company which was slated to get under way yesterday was postponed until Ludington's arrival.

Late last week, John A. Curtis, Jr., hoy of the production company, arrived in New York City to hold a meeting of the board of Directors. Friendly Manager Harry Hill Jr., William M. L. Fiske, and Frank Lock arrived from Hollywood to attend the sessions during which production plans and other policies will be outlined for next season.

Set Back One Day

"Brewster's Millions," scheduled to open at the Rivoli Friday, will open on Saturday instead.

MITCHELL MAY, JR., COMPANY

INC.

SPECIALISTS IN

FILM AND THEATRE

INSURANCE

75 Maiden Lane 510 W. 6th St. New York, New York Cal.
Learn the sensational new step called "Dancing In the Streets"! It’s going to be all the vogue with Warner showmen as soon as they get a glimpse of our latest and greatest musical! You can learn all the steps in four easy lessons, starting now with step no. 1...

Get the press sheet, just out, and plant publicity mats and stories that will tell the town you’re going to bring them AL JOLSON and RUBY KEELER together for the first time in "Go Into Your Dance".

A First National Picture
Cleveland to Set Up a New Singles Pact

(Continued from page 1)

fixed with the result of single features. They claim they made more money during the 1934-35 season with singles than during the 1933-34 season with duals. The half dozen houses opened since the agreement was signed, and therefore not affected by the terms of the agreement, are playing duals and causing confusion in their particular zones in theatres committed to singles.

Circulation of a new agreement is designed to do away with doubt as to when the current agreement expires. The various interpretations are that it expires July 8, that it expires Sept. 1, when the new selling season starts; that it expires when all of the 1934-35 product has been played, and that it expires upon the date of exhibition of the first picture released on the 1935-36 schedule. Another meeting of the association will be held this week.

Flint Dual Ban Starts

FLINT, April 1.—The ban on duals went into effect today in accordance with an agreement reached among exhibitors early last month.

Despite the ban some houses are doubling because they are allowed only one change per week. Two houses are also booking three-reel westerns as second features to get around the ban.

Already there is considerable dissatisfaction among several exhibitors, and there is the likelihood the matter may be appealed.

The agreement banning duals calls for the use of one double feature program a week and allows exhibitors also to show a "singles" picture on one program each week. It prohibits duals on Sunday.

FWC Asks Dismissal Of Gumbiner's Suit

(Continued from page 1)

to a notice filed in Federal court here. Date of hearing is uncertain.

Answering charges of conspiracy on the part of the circuit and producing and distributing companies to eliminate Gumbiner houses in the downtown area, F.W.C. claims the complaint fails to state sufficient cause and asserts the action was not properly brought and contains a misjoinder of defendant parties.

The complaint in the action is that Gumbiner failed to get first run product.

Horwitz Again Granddad

CLEVELAND, April 1.—M. B. Horwitz, head of the Westminster circuit and active in both state and national organization work, is a grandfather for a second time. Son named Stuart Barnett Miller, was born this week to his daughter, Mrs. Richard Miller of this city.

Goldwyn in Wednesday

Samuel Goldwyn, accompanied by Mrs. Goldwyn, arrives here tomorrow on the Olympic. The boat is delayed one day.

Fox Loses in His Last Move On Tri-Ergon

(Continued from page 1)

using the sound equipment of other manufacturers, becomes effective.

Today's decision by the Supreme Court came as a surprise. It had not been expected when the petition for a rehearing was filed on Friday that a decision would be announced before April 8.

In applying for a rehearing of the flywheel case Tri-Ergon held that the Supreme Court had erred in throwing out the disclaimer in the case and that in deciding the flywheel claim invalid (or want of invention) it had made statements not supported by, or in contradiction with, the record.

Authors Can't Agree On "Fury's" Future

Harry R. Irving, author of the play, "Bohunk," on which "Black Fury" is based, disagrees with Judge M. A. Musmanno and the latter's announcement that no New York censor changes in the picture through injunctions and the courts.

In a letter to Musmanno, Irving states he does not desire to be a party to "any intrusion, illegal or otherwise, upon the rights and prerogatives of the New York Board of Censors."

I am not personally aware of any action taken by the censors that would be deleterious to the picture anywhere from the picture and, candidly, I do not believe that it lies within the province of either of us to contest any action taken by a public or quasi-public body. It would appear to me that this is the function only of the producers, Warner Bros., who is in the final analysis the party most proximately concerned."

Warners Get No Word

The Warners had no word by late Thursday to indicate what decision would be made by the New York censor board on "Black Fury." The picture is slated to open at the Strand tomorrow night with "The Case of the Curious Bride" the substitute attraction in case the Muni picture does not clear.

Observe Loew Birthday

BOSTON, April 1.—The 38th birthday of Elias M. Loew was celebrated with a party at his home in Hyde Park. Entertainment and music was brought from nearby E. M. Loew theatres. About 100 guests attended. Helen Rihm presented Loew an elaborate drinking cabinet. Loew recently returned from Miami.

Brings Keene Film In

WALTER F. RITTER, head of Hollywood, presented an elaborate dinner party at the New York on Thursday night with "Hong Kong Nights," first of a series of action pictures starring Tom Keene. Five others are planned. The producer is here to arrange distribution.}

Sherman Doing Westerns

Hollywood, April 1.—Harry Sherman has closed a deal to produce six westerns for Paramount. Shooting will be concentrated at the Producers' studios. 

Para. Ups Thomson

SALT LAKE CITY, April 1.—R. D. Thomson has been made Paramount branch manager here. He takes the place of C. H. G. Epperson, resigned. Thomson was a salesman at St. Louis.
HELD OVER MAYFAIR, N. Y.
“Swiftest screen melodrama this column can recall.” —Times
“Best shocker Broadway has seen in months.” —World-Telegram
“Fast-moving thriller packed with action.” —Journal
“Holds audience spellbound with terror and suspense.” —American

Public Enemy No. 1 of all the world!

THE MAN WHO KNEW TOO MUCH
NOVA PILBEAM • PETER LORRE
LESLIE BANKS • EDNA BEST
DIRECTED BY ALFRED HITCHCOCK

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA REGAL FILMS, LTD.
Para. Assents Exceed Total Law Requires

(Continued from page 1) of general creditors, Publix and Paramount Famous Lasky holdholders have assented to the plan and creditors committee. The Paramount Broadway bonds, outstanding in the amount of $8,875,000, were the last to reach the required two-thirds majority. The bondholders of these bonds yesterday passed the $6,300,000 mark, or more than 70 per cent of the outstanding issue.

The acceptances of the plan by the creditors are taken as final assurance that no effort to change the proposed new Paramount board will be made by any of the influential creditor groups. Opposition to the board is expected to continue, but the lack of strength behind the objectors is seen as discrediting their efforts.

Yoost Petition Up Tomorrow

The petition of William Yoost, exhibitor and holder of 20 shares of Paramount stock, for leave to intervene in the hearing of the reorganization proceedings for the purpose of opposing the proposed settlement of Erpi's $1,900,000 claim against Paramount, and involving new domestic record license agreements, was filed in Federal court here yesterday, returnable before Judge Henry W. Goddard tomorrow.

Meanwhile, Yoost's attorney, Ralph Vatten, filed a motion to show cause why Special Master John E. Joyce should not stay the proceedings on the claim settlement until the application for intervention has been decided. In an affidavit filed with Joyce last week, in which Vatten attacked Paramount's proposed license agreements, Yoost was described as being the holder of $23,000 of Paramount bonds. In the papers filed yesterday, Yoost was described as a stockholder. There is no record of Yoost as a Paramount bondholder, but the affidavits show he holds 20 shares of stock. Vatten is counsel for the American Society for the Protection of the M. P. Theatre, largely devoted to the re-creation of attacks on "big electricity."

$191,972 Claims Expunged

Orders expunging claims against Publix totaling $191,972 and the reduction of additional claims totaling $25,195 to $1,709, were signed yesterday by Federal Judge Alfred C. Coxe.

Among the claims expunged were those of Tobis-Tombli for $111,119, Warner Bros., $75,000, and Eastman Kodak, $4,740. The claims reduced were those of Paramount. Provisions against Paramount, which $25,000 reduced to $1,500 and a Fox Film claim of $195,752, reduced to $189.

Resume Case Thursday

Eugene Pickler of Loew's returned to court yesterday and has been out several days with a bad throat and the local clearance and zoning board will reconvene Thursday to deliberate on the Century-RKO clearance wrangle in Long Island.

No Opposition Made To Para. Contracts

(Continued from page 1) can be assumed by the new company following the reorganization.

Among the contracts are many continuing agreements with theatre affiliates such as B. & K. Saenger, Rock- ard Theatre, Lafayette, and others. The long-term film franchises with various circuits, Erpi foreign licensing agreements, and the rights of Paramount pictures and the theatre lease guarantees by the parent company.

Levy Objections to Para. Board Listed

A list of objections to the proposed new board of directors of Paramount, together with the suggested names of the Paramount stockholders, for presentation to Federal Judge Alfred C. Coxe at the scheduled hearing Thursday on confirmation of Paramount's reorganiza- tion plan. Immediately on its completion the Levy brief was telephoned to Judge Coxe.

Levy's objections to the proposed board are that some of the nominees, he asserts, are associated with companies with affairs of Paramount's film competitors; that only three of the proposed board of 16 have had film experience, and that some of the nominees have been identified with the formation in Paramount of policies which led to the company's financial embarrass- ment.

He suggests that the board should include those of the type of Carl M. Dreyfus, Joe Dreyfus, Fred Hoalzfeld, and John S. Hsu, who are said to be an expanded list of Paramount film directors.

Canadian City Joins Copyright Fee Fight

Toronto, April 1—The City Council of Stratford, Ontario, has taken up the cudgels in behalf of theatrical and music organizations in protest against the powers claimed by the Canadian Performing Rights Society which recently doubled the annual license fees for theatres and individual charges for others for the presenta- tion of copyrighted works.

Stratford adopted a resolution in a claim which it was decided to enlist the cooperation of other Canadian municipa- lities in the effort. The resolution was sponsored by Secretary of State regarding the exer- cise of control of musical works.

The Canadian companies have been represented before the Supreme Court of Canada and has announced that a Royal Commission has been appointed by the Dominion Government to conduct an inquiry into the rights and privileges of the Performing Rights Society.

Yamins Rap Co. At Northwest Meet

(Continued from page 1) exhibitor on the short end of the deal.

Yamins recommended complete re- vision of the code and a 50-50 Campi, with no exhibitor in partnership with distributors.

Two hundred exhibitors were in attendance at the opening of the convention.

The convention was called to order by President Al Steffes and the address of welcome was delivered by Judge Edwin John F. Burke. Report of officers, the appointment of commit- tees, discussion of the code and in- ternational theatre leases and the order of business for the opening day.

At noon the Allied men met with members of the Variety Club, being greeted by Chief Barber E. R. Ruben, Chief Justice John P. Devaney of the State Supreme Father John Dunphy and T. A. Burke.

Steffes declining consideration for an office and recommended a board consisting of men outside the Twin Cities to run the organization, representatives of the committee will report Tuesday morning.

Tuesday's session will be devoted to a discussion of agreements by Sidney Samu- elson, Abram F. Myers and H. M. Richley, national president, counselor and chairman respectively, as well as Yamins.

The convention will be brought to a close in the evening by a banquet at which the speakers will be Gov. Floyd B. Olson, Mayor Bainbridge, Myers, Samuelson, Richley, Yamins and Theodore L. Hayes, veteran theatre- man of the Northwest. Entertain- ment will be supplied by Lue Velas and members of the stage show of the Regent Theatre. Dancing will follow the banquet.

Bennie Berger is chairman of the convention committee, other members of which are Hayes, William Elson, A. A. Kaplan, Otto Ratius, Sidney Volk, E. R. Ruben, Oscar Woensumer, Max Joseph, Frank Rone and Friedman, George Granstrom and Fred Hoalzfeld.

All of Cleveland's Zone Cases Appealed

All of the clearance and zoning cases heard by the Cleve- land board will have been appealed. Frank Gross, independent exhibitor member of that body, stated yesterday. Gross estimates that there are about 20 cases.

En route to Toronto where he will spend a few days' vacation, Gross yester- day listened to two appeals from the Cleveland zoning board. He said he wanted to get an idea how the other jurisdictions were making their decisions.

The two cases involved the same operators with Meyer Fine and Henry Greenberger of the Liberty, Cleveland, appealing against powers granted for Paramount, which was rendered in favor of the Ambassador and Ritz. The local board declared that the exhibitor should also be the operator and put the theatre in another zone. The same verdict was handed down for the Ritz.

As a result of the decision, the Ritz and Ambassador were Oscar Stottger and

Denver Case May Govern Code's Fate

(Continued from page 2) will have a bearing on the National Reorganization Administration's decision on the enactment of legislation continuing the reorganization.

While the tentative bill introduced last week by Senator Harrison of Mississippi provides that coals shall be referred to an interstate commerce or whose operations substantially affect interstate commerce, that provision was so broadly written as to practically permit the Recovery Administration to classify in any category those businesses which, like exhibition, are in the "twilight zone."

Hold Injunctions Possible

DENVER, April 1—Opinion here is that, as a result of Federal Judge Foster Syme's ruling that the code is not interstate commerce, any exhibitor going into court in this district could get a temporary injunction restraining Code Authority from removing the film with an injunction until the Huffman case has been decided on appeal.

On the other angle of the court's ruling declaring the state NRA act unconstitutional came about because the Government attorneys had made it an issue. In the case at the federal court judge recently declared the act unconstitutional in a plumbing case, but held that the Huffman case is not one of a constitutional conflict since that case was not decided on appeal. The case is now in the U.S. District Court here after the Circuit Court of Appeals in Oklahoma City is unwilling to rule on the case, and obtained by Huffman following a decision of the grievance board in which his film supply was ordered stopped because it was not sold at an automobile giveaway at his theatres.


The case has been brought here as to whether the Government will take an appeal, but it is assumed that it will as soon as the monoply angle has been ruled upon. In the meantime, Huffman continues his giveaways.

Morris Berkowitz, with the latter doing all the talking. It was learned that F. Thom- as Murr was to be an appeals commit- tee of one, the Cleveland litigants insisted on a full committee of three. William T. Powers, attorney for Paramount, who will also represent the St. Louis and Milwaukee clearance and zoning appeals, were drafted by John C. Flinn to round out the full committee, demanded by the Cleveland exhibitors.
"Wise Counsel" Is Hays Plea on Tax

MOTION PICTURE DAILY

Tuesday, April 2, 1935

"Reckless"

MOTION PICTURE DAILIES

HOLLYWOOD PREVIEW

"Reckless" (M-G-M)

Hollywood, April 1.—Superb production plus big draw cast names makes this a certain money picture. The story, doubtless inspired by the Reynolds-Libby Holman headlines, gives Jean Harlow, William Powell, and Fredric March a splendid opportunity to make their screen marks. As a starting point for this three-cornered courtship with Sports Promoter Powell batting Millionaire Playboy Tone for Miss Harlow's favor, the dialogue sparkles and the action speeds along until Miss Harlow and Tone wake up to find they had married the night before. Then Tone remembers Rosemary and even then Miss Harlow home, he finds himself still in love with Miss Russell and in the bad graces of his father (Henry Stephenson), as well as his socialite friends.

When Miss Russell marries another, Tone drinks heavily at the wedding and berates his wife. Miss Harlow returns to Powell and tells him a divorce is impossible as she is expecting. Tone, still drunk, tells Miss Harlow and shoots himself. Powell and Miss Harlow are charged with the murder and acquitted, but the latter releases all claim to the film's proceeds as a result of the trial.

Powell and Miss Harlow are both penniless, so she returns to the stage with opposition from women's clubs. Powell borrows money and looks the production himself. On the opening night Tone's friends hush until Miss Harlow, in a convincing speech, begs permission to finish. The film is swayed and cheers the finish as Miss Harlow nods consent to Powell in the wings.

Three musical numbers are introduced and all but lost in the story, with "Reckless," by Oscar Hammerstein and Jerome Kern, the only one clinging to the memory. All the supporting roles are filled to perfection by May Robson, as Miss Harlow's grandmother, and Ted Healy and Nat Pendleton as Powell's bodyguards.

Victor Fleming's direction and P. J. Wolfson's screen play are intelligent throughout with David O. Selznick's production lavish.

The film's appeal hits all types of audiences and should be favorably received. No production code seal. Running time, 105 minutes. "G."

Midwest Overbuying Case Filed in K. C.

KANSAS CITY, April 1.—Fox Midwest is charged with having lined up practically all major product in an overbuying complaint filed here by J. Erwin Dodson, Casino, Excelsior Springs, Mo., operationally opposed to the Fox Beyer, same city.

Dodson states the only product he has been able to buy is Miss Harvard's Consolidated exchanges' independent releases and some Columbia and Midwest features. He charges the circuit's price policy is harmful to Columbia and Midwest and a monopoly of other product.

For his part, Dodson, asserts Dodson, he has been able to operate only two days a week and unless he can secure enough pictures to operate seven days a week, his investment will be a total loss. Dodson recently took over the Casino, which was opened several months ago.

Dodson has filed a certificate of compliance agreeing to quit bank night, after Campi so ruled in order that a certificate of deposit must become effective against the Fox house, which ran cash night.

A compliance certificate has also been signed by Glenn Kranz, Kansas City, Kan., and now it will be necessary for A. B. McNab, same town, to continue bank night.

Fox Midwest has appealed a bank night desist order against its theatre at Boonville, Mo.

Dismiss Baron Case

BOSTON, April 1.—The complaint of Joseph J. Baron, Grand, West Warren, Mass., in which he sought to prevent a 30-day clearance held by the Poli, Springfield, has been dismissed by the grievance board without prejudice on the ground that all parties at interest were not included in the complaint. The towns are 28 miles apart.

Stop Prizes in Popcorn

OMAHA, April 1.—E. E. Seiff, manager of four Sioux City, Iowa, houses, has suffered his fourth reverse at the hands of the local grievance board. He has been ordered to stop an alleged lottery via the "popcorn" route. Seiff originated the idea of drawings for merchandising and cash prizes by allowing patrons to draw numbers from popcorn sacks they purchase in the lobby of his local places, with the Circle and the Loop, customers holding lucky numbers being given awards from the stage.

The scheme was closely allied to bank night on which Seiff had been previously stopped by Code Authority on two occasions. Complainants were Nathaniel Dax manager of the Hipp and Iowa, and P. H. Gefland, manager of the Garden.

Set Norwalk Clearance

CLEVELAND, April 1.—Sandusky's seven-day clearance over Norwalk will be eliminated whenever the price at the Norwalk Forum equals or exceeds the scales at the State and Ohio. A lopsided under a desist of the grievance board. The complaint was brought by the Forum.

Stop Buffalo Cut Rates

BUFFALO, April 1.—Cease and desist orders in lowered admission cases have been issued by the grievance board against the Auburn Capitol and the Majestic here, operated by Ted Rosen.

New Taxes Looming On Ohio's Program

(Continued from page 1)

set up, on which it is understood, Gov. Davey is in agreement.

Although a definite program has been decided upon, it is definitely known that one contemplates a personal income levy, together with a chain store tax and an Occupational impost. It has been suggested that food and clothing be exempted, and a five-cent tax on Tycoon, doctors, dentists, lawyers, architects and other professions which do not now make a charge because they render a service rather than a commodity.

The Legislature, which today goes on a five-day week instead of four days as heretofore, is expected to take action.

Coast Censor Bill in Air

SACRAMENTO, April 1.—The fate of the pending censorship bill seems to hang on whether or not women's organizations bring pressure for its passage. Gov. Burrows has reiterated his opposition to the creation of any new commissions, but has said that there is a strong public demand exceptions may be made.

The Assembly has passed a bill limiting the work of female domestics to eight hours a day. The bill making this hour limitation apply to all women workers is on the Assembly floor. The San Francisco Chamber of Commerce has asked the Governor to veto all skeleton bills not completed by days before committee consideration.

Amends Stamp Tax Bill

SACRAMENTO, April 1.—Assemblyman Langhini has amended his skeleton bill, making the stamp tax half a cent a foot on all films distributed in California. He would ask for a hearing on the measure before the revenue taxation committee Tuesday night.

Stiffer bill calling for a cent-a-foot rate is apparently dead in committee, with Assemblyman Morgan, sponsor, having seen his present forces to the floor.

Peterson for Florida As a Studio Center

(Continued from page 1)

paratative humidity and climatic table from Washington.

Upon Governor Dave Scholt's recommendation, according to Peterson, Mayer already conducted counsel in Hollywood and here to draft legislative recommendations to meet the coming date of the Florida body which runs April 2 and runs 60 days. The Governor demands the enactment of film legislation during this session and has said he will call no special sessions.

Warners Plan New British Sound Stage

Hollywood, April 1.—Irv Duke, Warner British production executive, touring out East, conferred with agents where he will sail for England with authorization to build a giant sound stage to the studio's East Coast STUDIO LONDON, Wangers' new programs at the English studios calls for 24 films, same as the season this year.
Vote on Sunday Shows

Beatrice, Neb., April 1.—Fate of Sunday shows, which has been decided at a number of elections in the past, comes up again for ballotting April 9, city commissioners have decided. This is the last major town in Nebraska of Hollywood (M-G-M) LYRIC (1-32), 26c-35c, 7 days. Gross: $2,500. (Average, $350.)

C. H. “Dad” Roach Is 75

Hollywood, April 1.—C. H. “Dad” Roach, father of Hal Roach and secretary and treasurer of the comedy studio in Culver City, celebrated his 75th birthday. He has been active in the film business since organizing the old Rolin Studios 20 years ago.

“Roberta” Up, Down in Twin City Holdover

MINNEAPOLIS, April 1.—“Roberta” had a checked second week. It was strong here, getting $6,500 at the Orpheum, to bring it to $26,500. “Ruggles of Red Gap” held up to $4,300 at the Century, “Sensuoria” was strong in the Pauline, $3,000, and “The Iron Duke” had a fine $2,500 at the World, but elsewhere business was slow.

Total first run business in Minneapolis was $22,800. Average was $1,210. Total in St. Paul was $17,500. Average was $1,550.

Estimated takings:

Minneapolis: Week Ending March 27, “RUGGLES OF RED GAP” (Par.) CENTURY—(220), 26c-40c, 7 days. Gross: $4,100. (Average, $586.)

DEVIL DOGS OF THE AIR” (Warrens) STATE—(290), 26c-40c, 7 days. Gross: $5,000. (Average, $714.)

THE MYSTERY MAN” (Monogram) PALATINE—(800), 26c-40c, 7 days. Five acts vaudeville. Gross: $2,500. (Average, $371.)

THE SCARLET PIMPERNEL” (Par.) WORLD—(360), 26c-40c, 7 days. Gross: $3,500. (Average, $500.)

St. Paul: Week Ending March 27, “DEVIL DOGS OF THE AIR” (Warrens) FULTON—(1,600), 26c-40c, 7 days. Gross: $5,500. (Average, $817.)

RIVERA—(1,200), 26c-40c, 7 days. Gross: $4,000. (Average, $571.)

THE SCARLET PIMPERNEL” (Par.) (Radio) (F.N.) GROSS—(1,000), 26c-40c, 7 days. Gross: $2,500. (Average, $371.)

“Night Life of the Gods” (Univ.), ORPHEUM—(2,000), 26c-40c, 6 days. Gross: $3,000. (Average, $498.)

TOWER—(1,000), 15c-25e, 7 days. Gross: $1,200. (Average, $171.)

“WordPress” (Gaumont-British) WORLD—(100), 26c-40c, 7 days. Gross: $2,500. (Average, $371.)

“West Point” and Show Lead Buffalo

BUFFALO, April 1.—“West Point of the Air” helped by a stage show headed by Nina Olivette, was a big grosser here last week. It went over par by $2,700 for a gross of $17,000 at the Buffalo.

Total first run business was $46,200. Estimated takings for the week ending March 29:

“WEST POINT OF THE AIR” (M-G-M) CENTURY—(3,000), 26c-40c, 7 days. Gross: $6,500. (Average, $929.)

“ROBERTA” (Radio) (Para) PALATINE—(1,000), 26c-40c, 7 days. Gross: $2,000. (Average, $286.)

“MURDER ON A HONEYMOON” (Radio) (Para) HIPPODROME—(2,000), 26c-40c, 7 days. Gross: $1,500. (Average, $214.)

“EVERGREEN” (Gaumont British) LAFAYETTE—(3,000), 26c-40c, 7 days. Gross: $7,200. (Average, $1,033.)

“Life Begins” 2d Week Hit, Philadelphia

PHILADELPHIA, April 1.—“Life Begins at 40” money meant in bank for the Fox last week. It finished its second week with $16,000, over the first week average of $4,000. “The Wedding Night” grabbed $8,000 of its week’s $10,000 take at the Ritz El Alhine. This was $1,500 up and it was held for a third week, “Roberta” wound up its third week in a blaze of glory with $12,000 at the Boyd. “Let’s Live Tonight,” with a stage show headed by Mitzi Green at the Earl, had a fine run. Booked in as an experimental play when “Captain Hurricane” faltered after three days, “It Happened One Night” ran out nine days at the Stanton to a gross of $9,500, in spite of competition of simultaneous showings in neighborhood theatres.

Total first run business was $73,000. Average was $5,360. Estimated takings for the week ending March 22:

“THE WEDDING NIGHT” (U.A.) ALDINE—(1,200), 26c-40c, 5 days. Gross: $3,400. (Average, $680.)

“ROBERTA” (Radio) ROYD—(2,000), 26c-40c, 5 days. Gross: $2,800. (Average, $560.)

“LET’S LIVE TONIGHT” (Col.) EARLE—(2,000), 26c-40c, 5 days. Gross: $2,600. (Average, $520.)

FLORENTE DAGGER” (Warrens) CARLITOS—(2,000), 26c-40c, 6 days. Gross: $2,800. (Average, $467.)

“VANESSA” (M-G-M) STANTON—(1,000), 26c-40c, 9 days. Gross: $9,500. (Average, 6 days, $1,062.)

Warner Donates Gym

Harry M. Warner was revealed at a testimonial dinner at the Waldorf Astoria to Warden Lewis E. Lawes as the donor of a 3,000-seat gymnasium to be given the next year. The gymnasium was given by Warner in memory of his son, Lewis.

Weiss Closes a Deal

Louis Weiss has closed a deal with M. H. Hoffman for the California distribution by his Weiss Corp. of 24 features which Weiss has scheduled for this year. Ten of these have been completed.

William Nick to Mascot

Hollywood, April 1.—Albert Levy of Mascot has signed William Nick to direct “Headlines,” which goes into production next Friday. Vic Zobell will supervise.
More Huffman Case Rulings Hanging Fire

Lottery and Monopoly Angles Undecided

DENVER, April 2—Harry Huffman, who succeeded in casting a shadow over the validity of application of the film code to exhibition, but still faces a ruling on the automobile giveaway which started the Federal court litigation here some weeks ago.

Last week's ruling by Judge J. Foster Symes that the film arrived in a state and are received by a distributor they cease to be in interstate commerce and are not subject to Federal regulation was in reply to a motion by Huffman's attorneys that portions of the Government's complaint be stricken out.

Symes struck out that portion of the Government's answer that claimed (Continued on page 10)

Seven More Frisco Bank Nights Banned

SAN FRANCISCO, April 2—Herman Cohen, operator of the United Artists, is another round today in his battle to end bank nights here when the grievance board decided against seven more of the 31 theaters involved in his complaint. This brings to 14 the number of theaters against which he has been granted decisions so far.

Theaters against which Cohen was (Continued on page 10)

Production Gains; 41 Features Going

HOLLYWOOD, April 2—Production jumped a notch last week, the studio production barometer registering 41 features and seven shorts before the cameras compared to 38 and eight for the previous seven-day period.

M-G-M continued to lead the field with nine features working, two preparing and 11 in the cutting room. (Continued on page 12)

Trials at St. Louis May Go Over to Fall

St. Louis, April 2—Indications here today were that the conspiracy cases against major companies and film executives on which indictments were returned by a Federal grand (Continued on page 12)

Show, Forum and Quigley Awards Pull Big Turnout

By J. M. JERALD

It was a triple bill yesterday—the Show of Showmanship, the Motion Picture Club forum and presentation of the February Quigley Awards; one of those SRO parties theatre managers have been dreaming about since 1929. In fact, if there had been any more guests they wouldn't have been able to eat their chicken patties without folding their elbows in their fellow diners' ears.

The doors extended from the outskirts of Radio City to the Bond clothing sign, but even at that Harry Hershfield, who came in late, had to balance on the end until room could be found for him.


After the few words which he warmly praised the Quigley Publications and the idea of the Show of Showmanship, Alcote promised the diners a "surprise." He said he would introduce a toastmaster "who didn't like to talk, who didn't like to appear before gatherings—a shy, modest fellow." He then presented Nizer.

Nizer described the show as "magnificent," and pointed out that exploitation had developed from the old days of ballyhoo to presentations both "accurate and attractive." He then introduced Hollister, vice-president of R. H. Macy & Co., in charge of advertising, but pointed out in doing so that, if Hollister were in the film business, he wouldn't be content with one red star, used in Macy advertising. (Continued on page 4)

Amateurs of Radio Prove Theatre Hits

Success of amateur radio tryouts is proving a boon to theater box offices. In many instances the winners are given week bookings in theaters tied in with the radio stunt.

Loew's is the latest to take advantage of the amateur shows. Louis K. Sidney, in charge of WHN, has notified managers of Loew theaters to take names of applicants for tryouts. The non-professionals will perform at the various Loew houses and the final winners of the 116th St., Fairmount. (Continued on page 4)

Television to Be on Limited English Basis

By BRUCE ALLAN

Lowvo, April 2—Guest of honor at the annual banquet of the Cinematograph Exhibitors' Ass'n, Sir Kingsley Wood, Postmaster General, stated that an adequate national television service could not be promised for a considerable time. Only one station, in London, could be expected toward the end of 1935, said Sir Kingsley.

Television, he said, would not impair the great power and appeal of it. (Continued on page 4)

Move on to Unionize All Film Inspectors

A move is under way to unionize all film inspectors employed at local exchanges. Several meetings have been held in the last few weeks to crystallize the plan.

About two years ago the same idea cropped up, but was dropped. According to the new plan, an A. F. of L. charter will be sought for the organization, if it goes through, with subsequent moves to be made for a uniform wage scale and hours.

Loew's in with RKO At Denver Orpheum

Denver, April 2—Loew's is a partner with RKO in the Orpheum, recently taken over from Harry Huffman. The latter company is operating under the deal.

Cliff Work, western RKO division manager, will include Denver under his supervision. Next month Ben Berrie will play the Orpheum for four days. He will be en route to the coast at that time to appear in another Paramount picture.

Allied Talks Fight on Loew Chicago Moves

Want to Make National Issue of Expansion

CHICAGO, April 2—Allied leaders will take it up, it was announced, the theatre acquiring plans of Loew here and elsewhere as a national issue and are preparing to fight the circuit. A campaign in the direction was discussed here briefly by Abram F. Myers, Sidney Samuelson and Nathan Yantis with Aaron Saperstein, Illinois president, as the national officers stopped en route to the Minnesota Allied convention. Further details of Allied’s activities are expected to develop from the Minneapolis convention and again on Thursday here when they return for further talks with Saperstein concerning the local situation.

As the most conspicuous spot in the (Continued on page 8)

Boycott Idea Stirs Allied Enthusiasm

MINNEAPOLIS, April 2—Suggestions of a nationwide boycott of distributors who threaten the theatre of effect the sale of product were cheered at the Northwest Allied States meeting here yesterday. The meeting voted unanimously to support a bill to prohibit compulsory playdate (Continued on page 8)

Fox Western Units Start Fresh May 4

Fox Midwest and Fox Rocky Mountain, units of National Theatres, are expected to be taken out of bankruptcy next week. The new name for Fox Midwest will be Fox Midcontinent and will be (Continued on page 12)

Warrners' Meet Set For Coast in June

Warrners will hold its annual sales convention in Hollywood in June, the date to be set later, according to present plans. Albert L. Warner, Gladwell Sears and A. W. Smith leave by plane the end of the week to confer with Jack Warner on the new production setup. Prior to the convention, several changes in branch personnel will be made.
Insiders’ Outlook

By RED KANN

WITH both eyes turned to our left, that being the general direction of the busy quarters occupied by A. Mike Vogel, chairman of the Managers’ Round Table Club of Big Brother Motion Picture Herald, we saw sweet-smelling posies at his for his Show of Showmanship idea which reached its blossoming opus, “Robertta”; the various Shirley Temple and Will Rogers attractions; “It Happened One Night” and “One Night of Love,” which is way of giving Columbia its due, but which is not by way of overlooking, deliberately or otherwise, the big noises from other studios. The public, through channels mysterious, ferrets out the unusual attractions and, while it is undeniably true that grosses increase themselves when the proper advertising and exploitation steam is placed behind them, it is also a fact, indisputable think we, that this type of picture always grabs dollars directly in proportion to the merit that is in it.

But pose this question, or better still, let us pose it for you: How many wows do the combined producers of the industry deliver each season? There are several sales managers who have maintained that the exhibitor who gets a fifteen per cent quota of hit pictures from all sources is an extremely lucky exhibitor. The atmosphere in which he must operate, all readily agree. Yet your limited number of week-end houses need fifty-two a year under normal circumstances and certainly for the bigger houses if he is to give them a break by turning out a handful susceptible of holding over for a second stanza. The conclusion of all this preliminary appraising is that the point is that the wise theatre operator knows he must depend not on the doughnuts to keep him open but on the attraction which hits somewhere between the pretty good and the slightly better than pretty good classification... This is exactly the point at which proper advertising and exploitation play their most essential function. It is this very point which was expounded and emphasized yesterday by Martin Quigley, president of Boston Quigboy Ltd. - Manager:

“All of us who are a part of the motion picture industry know and realize that there is no function which is more vital to the welfare and success of the industry. That function is fulfilled by the theatre manager who takes the picture which is delivered to him by the distributor and prepares in many ways to present this picture to his public.

“Roughly, it may be said that there are certain motion pictures which, because of some essential appeal to the public at large, will have that luster and the line, let us add as our own aside) need very little in the way of exploitation in order to have public response of a character that is wanted.

“Unfortunately, it seems considerably that the whole human effort to make a sufficient number of pictures of that character to keep the theatre supplied. There is another type of picture which we, in the trade, frequently refer to as the exploitation type of picture which must readily lend itself to methods of promotion and exploitation. Both types mentioned represent only a small part of what the theatre need.”

And this:

“There is a greater medium class—that class of picture upon which the theatres depend for their existence. In a vast number of instances in connection with these pictures, what the film amount to the theatre management depends very great extent upon the spirit and intelligence with which the theatre manager works such a picture. Despite anything of any other character that might be done anywhere else, the effect length of the industry, there is nothing to suggest continued progress and development unless there is continued progress and development in the methods of promotion and exploitation.”

Centering attention on the efforts of many previously unseen theatre managers and theatre publicity men, the Manager’s Round Table Club has succeeded in throwing a spotlight far more sharp and far more brilliant on the whole field is doing to carry his house over the bums created by the crop of normal Hollywood endeavors. To say, in other words, what we should be able to look back and see if the coast made more knockouts, is, of course, to speak the truth. It is also like baying at the moon. The continuing interest and practical slant on pictures, how good or how bad, is to recognize that the majority are merely so-so and that the fastest way out of a situation which exists is to do the best with availabilities. The hard-working boys contesting like fury itself for Quigley Awards every month in the year are doing precisely this and getting definite results for their theatre investments...

Move to Underwrite New Faro. Warrants

Efforts of Paramount creditor groups to agree on investment organization were halted Monday by a stock subscription warrants to be issued to the present stockholders of the company under the reorganization plan were the creditors’ attempts will be made to effect a final agreement in advance of tomorrow’s schedule meeting. Underwriting the subscription warrants may involve more than $50,000,000 and it is believed that several investment houses may participate. While all creditor groups are not agreed that the underwriting must be set in advance of tomorrow’s hearing, it was stated that the efforts were being directed toward that end, nevertheless.

Aylesworth to Head 25 Guests at Ampa

William R. Ferguson’s last open meeting as president of the Ampa to-morrow and 25 guests, personalities of films, radio and the stage. Merlin H. Aylesworth will top the list.

The official address will be at the Hotel Colvin, New York, under Act of March 3, 1879.

RCA Denies Control Of Communications

WILMINGTON, April 2—RCA filed a answer in U. S. District Court here today to the Government’s charge that it and RCA Communications, Inc., a subsidiary, have a monopoly on international communications.

RCA asserted that it is faced with keen competition with companies that carry 80 per cent of telegraphic communications throughout the world and 99.9 per cent of domestic traffic. It denied that its purpose is to prevent any competitor from engaging in the business of transmitting messages by radio and that any of its international contracts were made in the communications between the United States and foreign countries.

Berg’s Sunday Show

Bill Passes Senate

ALBANY, N. Y., April 2—The Berg bill permitting Sunday dramatic and musical shows in New York City and Brooklyn was passed by the Senate. Another Berg measure, that calling for one day of rest in seven for employes and performers in dramatic and musical enterprises, has also been approved by the Senate.

Weiss Completes Two

Louis Weiss has completed “Cyclone of the Saddle” and “Pals of the Range,” offsets of his Rough Rider series for Superior Talking Picture Corp.

Goldstein Pondering

E. H. Goldstein, who recently resigned as vice-president of Majestic, is considering several offers and plans to undertake a new connection shortly.

Meanwhile, Majestic’s home office is moving to Liberty’s headquarters where Bud Rogers, sales manager, and the entire sales supervision of Majestic.

Bernhard, Keough Back

Joseph Bernhard, in charge of Warner theatre operations, and Austin Keough, Paramount attorney, who have been on the sick list for the past 10 days, returned to their desks yesterday. The Warner executive returned from a respite at White Sulphur Springs. Keough was in Atlantic City.

Sunday Films Opposed

ROANOKE, April 2—Justice Harris S. Birdfeld yesterday ruled against the showing of Sunday films here. He imposed a minimum fine of $2.00 per night for management for violation of the city’s Sunday closing ordinance on March 24.

Richardson is expected to appeal.

Wednesday, April 3, 1935
Thank Mr. and Mrs. MacFarland for this SHORT SUBJECT!

FILM DAILY—MARCH 28

“Beginner’s Luck” (Our Gang Comedy)
M-G-M
Just Grand

In keeping with the times, the Our Gang aggregation of Hal Roach now sweeps our land. It is a knockout. One of the finest offerings from this kid ensemble that the Roach studios have ever turned out. That precocious and charming youngster “Spanky” McFarland occupies the spotlight and is featured in an Amateur Night program where he panicizes the audience in the theater. He will also panicize the audience in your theater. The kid is immense. He does a Julius Caesar-Mark Anthony combination dressed in old Roman armor and flowing robes. Added attractions are the Cabin Kiddies and Carl Sweitzer, the juvenile “hill-billy” find. But it’s “Spanky’s” show. And good for anybody’s dough. If you don’t play it up in marquee lights you shouldn’t own a marquee. It’s feature caliber in short subject meter.

Timed to capitalize on the Amateur Night craze . . . . . .
And the first of the new showmanship shorts from Hal Roach studios for M-G-M.

LAUREL-HARDY—CHARLEY CHASE—
TODD-KELLY—OUR GANG
Television to Be on Limited English Basis

(Continued from page 1)

pictures, and more. Television had killed the gramophone record.

Over 800 exhibitors and other traders attended the banquet, presided over by Howard Dooner, newly elected president.

Announcing the formation of the British Film Industry in Australia, leading British film production companies, in associating with distributing affiliates in the territory, signalize their intention of taking joint action to protect British film interests. Aiming at "a united front" in regard to serious and political dangers seen facing films from this country, the new organization includes, as chairman, Ernest Turnbul, the representative of British Dominions Films, which handles the product of B. & D., Twickenham, British Lion and Empire Films and a number of other firms; Stuart F. Doyle (B.I.P. and A.B. F.D.) and Gordon Williams (B.I.P.).

Premiers of Australian states have been addressed on the subject of the legislation, which is expected to take strong line in regard to suggested Australian legislation, threatening were classification of British films as "foreign." 

Approach to the Home Secretary is to be suggested to the Surrey County Council by its licensing committee. The recent passing of the Bill by the House of Commons is the recognition of the British Board of Film Censors, a trade body, the Film Censorship Consultative Committee.

The licensing committee suggests that this semi-official body should examine films on behalf of all licensing authorities and become the advisory body on all censorship problems.

Guamont British Instructional's motion picture studio in Cleveland St., off Tottenham Court Road, has been formally opened by H. Ramsbotham, Palladium's Secretary to the Board of Education.

Designed primarily for the production of sub-standard (16mm) subjects for school use, the new plant has a capacity of 52 films a year.

Tracy Leaves Fox; Signs with M-G-M

Hollywood, April 2. — Spencer Tracy's contract with Fox was dissolved today although it still had several years to run. The actor immediately signed up for a long term with M-G-M, his first film for which will be Frances Marion's "Riff-Raff." Tracy's contract with Fox was terminated at his own request, according to an announcement from M-G-M.

Show, Forum and Quigley Awards Pull Big Turnout

(Continued from page 1)

"I've often thought of that garden as all the ticker tape of New York, mailed onto one little buttonhole," he said.

Whalen glanced at Hollister, then looked at Collier and turned his head to the left to see if Hershfield was listening.

"I've never seen such modesty," he began, "I happened to be one of first that I have found so much of it at this table."

He looked at Hollister again and remarked: "He was surprised and preoccupied. Why, he called me up twice to find out what he should say here.

"Why, these speakers should be frightened I don't know. If I should say I was frightened, it would be true."

This was a bawl. He paused.

"But maybe I had better notify Harry Hershfield, who will follow me, would make a balm out of me."

Whalen then presented the Quigley silver medal for February to R. E. Knight, manager of the Fairmount, Fairmount, West Va., for his campaign to improve the "showmanship of the theatre."

"There are two kinds of publishers," said Louis Nizer yesterday at the Motion Picture Club forum which was turned over to the Show of Showmanship exhibit of the Managers' Round Table Club. There is the kind who looks and moulds public opinion and there is a second kind who caters to public opinion with whatever public opinion rates catering to or not.

Martin Quigley is distinctly the first kind of publisher who has been and is only a publisher of this industry. It was he who forecast the storm of the League of Decency and, when that avalanche occurred, it was to Mr. Quigley the task of showing the world how much to do with the fact that the industry met the League of Decency on its own ground.

Quigley is a public person and a man whom all like. I take particular pride on this occasion to introduce Martin Quigley, the publisher of Motion Picture Herald, who has arranged for the Show of Showmanship here."

Amateurs of Radio Prove Theatre Hits

(Continued from page 1)

Bedford, 46th St. and Pittkin theatres will be given an opportunity to compete Tuesday nights on WHN where Jay C. Flippen is master of cere-

Warmers' New Jersey theatres have been holding test shows and the winners of the show will receive the 'Edward WOR amateur' hour on Mon-

day nights. The show is broadcast from the Branford, Newark.

Zac Friedman, manager of the Fox, Brooklyn, puts on a show every Monday night and the winner is given a ticket for an engagement at the house the following Saturday.

Fred Allen has a tieup with the Fox and the winner of his amateur night is a stand's at the Broadway

house.

Several RKO neighborhood houses, including the Fordham, have been putting on amateur nights and the Paramount, Middletown, has also adopted the policy.

Major Edward Bowes' Sunday night show is a big feature. The winner is given a booking in a local theatre.

List Eastman Salaries

Washington, April 2.—Listings of officers' salaries just submitted to the Securities and Exchange Commission in accordance with the new regulations include those of Eastman Kodak Co. as follows:

Frank W. Lovejoy, president and general manager, $90,903; William G. Stuber, chairman of the board, $60,290; Thomas J. Hargrave, vice-president and secretary, and C. E. Kenneth Mees, vice-president, $5,400 each.

Form Frisco Film Firm

SACRAMENTO, April 2.—Notice of incorporation has been filed with the secretary of state in behalf of the Motion Picture Exchange Co., a San Francisco concern. Incorporators are A. S. and S. C. Newburgh and E. Abojan. Capitalization is listed at 1,000 shares of no par value.

Irene Dunne Meets Press

A press reception in honor of Irene Dunne was held yesterday at the Ambas-

dator by Radio. Film editors of the city's dailies and representatives of fan magazines and trade press were among those present.

slow down maybe they'd recognize who was with him."

"He's been 30 times a bridesmaid," Hershfield said facetiously. "I have the idea that he's a yin to be mayor."

"No," Whalen said. "He couldn't resist the temptation to tell a story, so he told one about a fellow who had remarked that he was 18 years younger after shaving in the morning. When his wife asked him "If there was any law against shaving at night."

Representative advertising managers of all major companies were in the assemblage. The proceedings were broadcast over Station WMCA.

Flash Review

El Dia Que Me Quedas—Despitethe fact the film is French, so clear is the story and so well is it handled by director Jean Reinhardt that it is easily followed even if one has no knowledge of the language. . . .

This film will be reviewed in full in a later issue of Motion Picture Daily.
Clap hands! Yea, man! Strut yo’ stuff! You’ll want to start dancing in the streets when you catch a screening of Warner Bros.’ “Go Into Your Dance”—so we’re giving you the routine in four easy lessons. Today we have step no. 2...

Start planning ads and lobby displays that will shout the news that AL JOLSON sings 7 sock Warren & Dubin songs, including sure-fire radio hits like “Latin From Manhattan” and “About a Quarter to Nine,” in his first show with RUBY KEELER.
"ONE OF THE MOST IMPORTANT PICTURES OF RECENT YEARS."—Welford Beaton, Spectator.

"RICHELIEU—FOUR STARS."—Mary Burgum, Editor, Modern Screen.

"ARLISS GIVES PERFECT PORTRAYAL."—Joe Blair, Showman's Trade Review.


"HE RULES HIS AUDIENCE AS RICHELIEU RULED FRANCE."—Eugene Chisman, Western Editor, Motion Picture and Motion Picture Classic.

"YEAR'S MOST BRILLIANT PERFORMANCE."—Jimmy Fidler, N.B.C. Weekly Reviewer and Screenland Magazine.

"WILL ELEVATE MOTION PICTURES IN THE EYES OF THOSE FEW WHO STILL LOOK ON THE MOVIES WITH SCORN."—Hollywood Reporter.

"IMPRESSIVE FROM EVERY ANGLE, IS DISTINGUISHED IN ITS ARTISTRY, GOOD TASTE, EMOTIONAL AND SPECTACULAR ASPECTS."—Hollywood Variety.

"MOUNTED MAGNIFICENTLY, RETAINING DIGNITY, AND YET CRAMMED WITH EXCITING DRAMA."—Jerry Hoffman, Motion Picture Reviewer, L. A. Examiner.


"SUPREME ENTERTAINMENT! WE BOW AGAIN TO THE ARTISTRY OF MR. ARLISS."—Photoplay Magazine

"ARLISS HAS GIVEN HIS SUPREME PERFORMANCE."—Eileen Percy, Block Publications.

"SCORE ANOTHER HIT FOR GEORGE ARLISS."—Wallace X. Rawles, International News Service.

"DANIEL WEBSTER WOULD HAVE A TOUGH TIME FINDING WORDS ADEQUATE TO JUSTLY PRAISE 'CARDINAL RICHELIEU.'"—Warren Stokes, Box Office Associated Publications.

"A NOTABLE CONTRIBUTION TO GEORGE ARLISS' GALLERY OF FAMOUS HISTORICAL CHARACTERS."—Herb. Sterne, Rob Wagner's Script.

"'CARDINAL RICHELIEU' LIVES UP TO EXPECTATIONS IN AFFORDING THE BEST PERFORMANCE THAT GEORGE ARLISS HAS OFFERED SINCE 'THE HOUSE OF ROTHCHILD'".—Edwin Schallert, L. A. Times Drama Editor.

"A WORTHY SUCCESSOR TO 'THE HOUSE OF ROTHCHILD'."—J. D. Spiro, Detroit News.

"COMPARES FAVORABLY WITH 'THE HOUSE OF ROTHCHILD'."—Dan Thomas, Motion Picture Editor, Newspaper Enterprise Association.

"'RICHELIEU' IS A GORGEOUS EFFORT, PICTORIALLY BEAUTIFUL AND BEAUTIFULLY ACTED."—Leicester Wagner, United Press.

"WILL PLEASE THE ARLISS FANS FULLY."—Ralph Wilk, Western Manager, Film Daily.

"GEORGE ARLISS' MOST MAGNIFICENT PERFORMANCE."—Elizabeth Wilson, Western Editor, Silver Screen Magazine.

"'CARDINAL RICHELIEU' IS A MASTERCRAFT OF WELL-TOLD HISTORY MIXED WITH GREAT ENTERTAINMENT."—Carlos Borcosque, Correspondent Sintonía, Buenos Aires and Astro, Chile.

"ANOTHER GREAT ARLISS PICTURE."—William Farquhar, London Era.

"GEORGE ARLISS IN A SUPERB CHARACTERIZATION."—Harold Salemson, Pour Vous, Paris.

the World, the News goes forth:

JOSEPH M. SCHENCK presents

CARDINAL RICHELIEU

starring

GEORGE ARLISS

with

MAUREEN O'SULLIVAN
EDWARD ARNOLD • FRANCIS LISTER
DOUGLASS DUMBRILLE • CESAR ROMERO
Directed by Rowland V. Lee
Purely Personal

FRANK FARLEY, European story editor for Paramount, arrives in town today from Hollywood where he has been spending the past 10 days looking over production before returning abroad.

JOEL A. LEVY, of Loew's Inc, accompanied by the Missus are on the Beringa for a well earned vacation in London. They are expected back on the 17th.

FRANK A. VANDERBILT, nominee for the new Paramount board, returns Thursday from a two weeks' visit at the company's west coast studios.

Quip of the Day

William T. Powers, attorney for Fox Midwest, was discussing the similarity of "surprise night" at the Strand, Oshkosh, Wis., with bank nights at Camps yesterday. He was talking directly to William Safer, attorney for Columbia and a member of the appeals committee.

During the discussion, Powers remarked the only difference was that when the Strand has a "ham" to be given away and no one in the theater answers to the number drawn, the manager has "a ham on his hands."

"To which Jaffe responded: "It's most likely the ham on the manager's hands is the picture in his theater."

ALFRED A. COOK, counsel for Paramount Public and for the Paramount stockholders' committee, has returned from a Bermuda vacation trip.

DR. JULIUS KLEIN, member pro tem of the Paramount board of directors, returned yesterday from a southern motor trip.

SAM ECKMAN, managing director for M-G-M in England, is on his way to New York on the Ile de France.

SAMUEL GOLDBYN, who returns with his wife today from London aboard the Olympic, will leave for Hollywood after a few days in New York.

BOB GILLHAM starts his return trip from the coast today but may make a stop-over or two en route.

AL JOLSON is talking about producing a play in the fall. He won't be in it.

GEORGE SCHAFFER is due back tomorrow from his Florida fishing trip.

GEORGE GERING of the Rosewood, Chicago, is in town for a few days.

AL LICHMAN is expected back from Hollywood on Monday.

ALBERT DEANE is back from Hollywood.

PAT GAYN is back from Dallas, the scene of his illness, and is recuperating at his home in East Orange. He is like himself over the telephone line.

Boston

ALVIN K. FREEMAN, recently assigned as manager of the M. and P. Soo Connection, is in Chicago. According to MARY GLAZIER, Freeman has been giving a hankering to the Orient.

GEORGE FLATY, formerly well known in amateur pugilistic ranks, has resigned from first Division where he was booker.

HARRY BROWN, who handles publicity for a local trio of M. and P. Public houses, is now a public speaker of increasing note.

On the house committee of the Friars Club are Tom Spv, manager for Warners; Harry Kirchensizer, New England manager of National Screen; Al Somerry, manager of the Bowdoin Square and Old Howard; Louis BOA and Phil Markert, theatre circuit executives.

DOROTHY KARNO of Century Film and George Frankenstein, Waterbury, Conn., watch man, will marry soon.

New England

MAURICE SHULMAN, proprietor of the Kivoli, Hartford, vacationing in the Mediterranean... EARLE WRIGHT of Loew-Poli, New York, who is acting m.c. for amateur radio talent contests at the Palace in Hartford during the absence of Shaw... Jack Simons, manager of Poli's Hartford, has been cooperating with the Little Theatre Movement in selecting talent for amateur contests in the Palace... Ted SMALLY, pen in hand, does not replace Chris Joyce as assistant manager of the Paramount, New Haven. He's at the house in charge of advertising, publicity and exploitation which is what he did at the Capitol, Worcester. Also doing ditto for other houses in this area... .

San Francisco

GEORGE MANN is still on wheels in hospital. In the house, he and his family are making a tour with a mobile house-trailer on wheels and are expected back for some months yet.

PHIL FREAK opened his New Albany, 565 seats, Saturday, in Albany.

ARCH BOWLES shot down to Los Angeles and back again this week.

R. HELMS is preparing to re-open the darkened Capitol with a policy of pictures and vaudeville.

Wilmington

JOHN C. SMIRK, formerly with the Interstate circuit in the Southwest, is the new manager of the Warner Al, downtown first run.

ROBERT DRISSELL, manager of Loew-Parkway, who won two Cummey Award honorable mentions to his credit did a good job exploiting "West Point of the Air."

LEON BENHAM, until recently with the advertising department of War- ner in Philadelphia, is doing a good job at his managerial fling at the Queen.

Boycott Idea Stirs Allied Enthusiasm

(Continued from page 1)

contract was just introduced in the Minnesota legislature.

The boycott suggestion was made by Abram F. Myers, Allied general counsel, in a speech in which he cited the recent Denver Federal court decision holding exhibition to be intrastate and which he views as a violation of his stand that theatres are not subject to Federal regulation under NRA codes. Myers declared that playdate现实s his purchase of state laws and larded the bill pending in the Ohio legislature which he said, he expected for the one just introduced here.

Characterizing the film code as "the most scandalous" under NRA, Myers said the continuation of NRA is inevitable and added that while theatres must readjust themselves to the old system of state regulation, in the meantime they must work for the code amendments and a balanced Code Authority.

Speaking, Myers received a telegram advising him that the Senate Finance Committee would hear him on the subject of the code next Monday in Washington.

Sees Pettengill Bill Success

Myers predicted that Congress would pass the Pettengill bill prohibiting compulsory block booking at this session, and described the possibility of breaking "the film monopoly."

While a boycott is illegal, he said, "it's a very powerful weapon in the hands of any company except self defense."

He described a united front by exhibitors against any company forcing the purchase of its product by threats as "not only defensible but practical."

"Since independents, no matter how few, are still powerful enough to do any company the same damage by such tactics, if they stick together."

W. A. STEFES opened today's session by mobilizing ex-honorary state legislative commit- tees at a hearing tomorrow on a pending 10 per cent theatre tax bill. Local exhibitors were advised that the state tax on theatres will but declare their willingness to bear their share of any general business tax.

J. Clinton, Duluth, was elected president and a member of a board of five to govern the organization. Others named to the board were S. R. Lebe- doff, Minneapolis; El Peasley, Still- water; Gus Baehr, Bemidji; Bill Glass, Faribault. The members of the board will elect the other officers and a secretary to run the office.

Resolutions denouncing the code and the Campi set-up block booking and blind bidding and calling for united action against companies forcing the sale of their pictures were passed.

The convention closed tonight with a dinner and testimonial to Steties, retiring president.

Reade Gets Control Of Red Bank Houses

RED BANK, N. J., April 2—Giving him control of the town, Reade purchased the Strand for $125,000 from F. C. Conover, owner. Aaron Schusterman operated until he moved away, leaving the Strand in default of a lease. Reade purchased the lease from a protective tenant in the city. The Strand is also owned by Reade.

Allied Talks Fight on Loew

Chicago Moves

(Continued from page 1)

Loew program both from the point of number of theatres proposed and the direct challenge involved against exhibitors who turned down M-G-M product it seems likely that Chicago will form the pattern for moves to be undertaken by other circuits.

Lines of battle are already forming here, the opening shots representing a series of large newspaper ads by M-G-M which lists theatres showing its outstanding pictures. The first was on "Forsoaking All Others," followed by "After the Class." The copy directs attention to the fact that these pictures can be seen at the theatres boldly listed-unobviously to the clergymen on non-M-G-M users.

Already two prominent neighborhood theatres have been closed and spotted M-G-M product. One is the Adelphi, operated by Ludwig Sussman, a director of Allied Theatres of Illinois. The other is the Howard, operated by Lester Retchin. Both are located on the far north side where a few large and some smaller vacant bank building property among midway between the two houses which appeared to have possibilities for the new product, is the first break in the Allied ranks.

Announce New Sites Soon

Meanwhile a half dozen locations for new theatres or acquisitions of present houses are expected to be announced within the next two weeks. Robert Lynch and George Schwartz, Loew and M-G-M representatives, on their way through Phila- delphia points, are working feverishly but guardedly on deals in many sections of the country.

Despite the Secretary regarding their activities it appears fairly certain that the first Loew project for this locality will be a new theatre located in Oak Park, wealthy suburban that job, with stores and other business features will involve an outlay of approximately $250,000.

Thomas W. Lamb, the architect, who has spent considerable time here, is back in New York where he is working on sketches for various sites under consideration. He has, it is said, as many as six different plans for any site being considered. As soon as a site is closed the orders "full steam ahead" will be passed out, it is said.

Allied of New Jersey, at its regular session on March 12, discussed the Loew invasion in Chicago. The consensus of the membership was heartily in favor of the Windy City independent's stand against M-G-M's percentage policy.

No official action was taken at the time. Sidney Samuelson, national Alli- ded head, also is president of the New Jersey Allied.

Warners to Groom Six

HOLLYWOOD, April 2.—Warners have picked six players to be groomed for stardom. They are Olivia de Haviland, Maxine Doyle, June Martel, Nan Gray, June Grabiner and Dorothy Dare.
HERE THEY COME

FOR YOUR 1935-1936 BOX OFFICE UNIVERSAL ANNOUNCES 2ND

"The HANGOVER MURDERS"

From the novel by Adam Hobhouse...... This year's tremendous best-seller!

WITH AN ALL STAR CAST A CARL LAEMMLE, JR. PRODUCTION

1 "THE HUNCHBACK OF NOTRE DAME"
2 "THE HANGOVER MURDERS"
3
4
5
6
7
8

WATCH FOR THE OTHERS
Huffman to be in interstate commerce, saying that the exhibition of films was purely interstate commerce, and that the N.R.A. had no power to interfere.

Symes held, however, that there might be something to the Government's argument that a general meeting in violation of the anti-monopoly laws, and that he would hear further argument on this, and that Huffman was or had been conducting a lottery. In a previous hearing Symes said that the weekly auto giveaway, ordered stopped by the grievance board, started as a lottery, and that later changes, by which chances could be obtained free, were changes in form and not in substance.

Symes ruled the state N.R.A. act unconstitutional. This was novel and departed from the N.R.A. for a state law by reference. A state court judge had already ruled it unconstitutional over this one, once, and in the last analysis, legislature of so-called codes of fair competition is done by a group of private individuals which have laid down standards for every one to follow. Congress does not pass upon these things, but has simply delegated power to the President.

Depositions will be taken on the monopoly question, and the case will probably not be heard back in the courts for a month or more.

Huffman is seeking to have the monopoly question, and the case will probably be heard back in the courts for a month or more.

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Huffman is seeking to have the monopoly question, and the case will probably be heard back in the courts for a month or more.
No time for talking... action is needed if you want to get in under the wire. Only 1,000 tickets will be sold. See Paul Benjamin, National Screen Service, 630 Ninth Ave., with cash in hand. Dine. Dance. Disport!

NAKED TRUTH DINNER

A. M. P. A.

$7.50 PER PERSON

620
Sold To Date
You... and
379
Others Can Still Go If You Hurry!

APRIL 27th 1935

HOTEL ASTOR
Production Gains: 41 Features Going

(Continued from page 1)

Walters were next with seven, two and 1-3-4-5-6-7-each four of the same size and six; Paramount, three, one and five; Universal, three, one and zero; Radio, three, two and six; Columbia, four, and four, and the independent group, eight, two and seven.

Short subject production almost doubled as was predicted last week, with M-G-M having one shooting, two preparing and four editing. Rouch had one, three and three; Universal, one and two; Columbia, zero, and one and zero; Warners, one, zero and zero; Radio, zero, one and one, with the independents reporting three, one and six.

Fox Western Units Start Fresh May 4

(Continued from page 1)

headed by Elmer C. Rhoden, now in charge. Fox Rocky Mountain will be renamed Associated Theatres by Rickeleton, presently running the houses, at the helm.

Following reorganization of the two National subsidiaries, Spyros and Charles Skouras will affix their signatures to the 10-year operating contract with National. The long term pact is retroactive to 1935, and provides for flat salaries in addition to graduating percentages of the net profit.

Spyros Skouras took the air lane to the coast yesterday to confer with his brother and look over operations. He is due to return April 21.

Report Settlement on Claim

KANSAS CITY, April 2—Attorneys for Chase National Bank are here arranging for the windup of the Fox Midland and Fox Rocky Mountain bankruptcy. They are also conferring with Spyros and Herbert M. Woolf regarding immediate settlement of their secured claim amounting to $30,000, representing the fourth of the former Midland circuit purchase price.

Under an agreement effect last year the partners were to be paid out of revenue by 1940, but the present settlement is in line with the major creditors' plan of purchasing claims prior to the sale of the properties. A settlement is reported agreed upon and papers will be signed next week. It is understood National Theatres is paying Woolf and Shanberg in full for their claim.

Astor and Mayfair To Hold Over Films

"It Happened One Night" and "The Man Who Knew Too Much" will be held over for a third week at the Astor and Mayfair, respectively. The first picture will garner about $7,500 for Mayfair during the week. The second is stronger in its holdover week than its initial run. It is expected to gross about $16,000, about $2,500 more than the same week last year.

"Roberta" is being held another stanza at the Palace and Albee, Brooklyn.

"Private Worlds" in its first week at the Paramount garnered $34,000.

MOTION PICTURE DAILY

Wednesday, April 3, 1935

Congress Gets Bill On New Copyrights

WASHINGTON, April 2—Copyright legislation has been brought before Congress with the introduction by Senator Duffy of Wisconsin of the bill drafted by the State Department. Duffy was chairman of the Foreign Relations sub-committee which investigated the copyright situation.

The copyright question has also been brought before the Senate by Senator Tydings of Maryland, who has submitted a resolution passed by the Maryland Senate calling for an investigation of alleged abuses upon "hundreds" of Maryland business establishments.

It is charged that under "certain rulings of the Supreme Court" Ascap and its subsidiaries are "exercising dictatorial powers, developing a "rapacious" business that has been intended to be ended by any organization by any court."

Trials at St. Louis May Go Over to Fall

(Continued from page 1)

jury several weeks ago would not go to trial before next fall.

Tentatively set for trial today, the cases were postponed by Federal Judge Davis pending the hearing on May 6 of arguments on a demurrer to suit in the United States District Court of the Northwest District of Michigan. It is believed that at that time the cases will be put over for fall trial.

Cuba Clears "Rumba"

Elimination of the lottery sequence in "Rumba" has resulted in removal of the Cuban Government's objections to the picture, which is now officially approved for distribution in that country.

Wall Street

Eastman Up ½ on Big Board Net

High Low Close Change

Columbia vte. 41 39 39 2

Cons. pfd. (1) 174 161 163 17

Eastman, pfd. 135 131 131 6

Fox 99 95 97 2

Low's, pfd. 100 97 100 3

Lewis D. Collins catches the spirit of the period with the proper shading. Tommy Bupp, as Miss Henry's small brother, stands out in support.

For spots where home-folk comedy is appreciated this rates as unusually good entertainment.

Production Code Seal No. 723. Running time, 74 minutes. "G."

MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

"Congo Raid," Colorful Film; "Escape Me Never," All Bergner

London, April 2 (By Cable)—The premiere of "Congo Raid" at the Leicester Square tonight was essentially a spectacular success. It is a panorama of African native life as a background for a native chief's daughter and the devotion of a British officer. Highlights are imposing authentic native gatherings, palaver ceremonies, dances, war chiefs recorded on the spot, striking native processions, war canoes, tribal conflicts and incident air shots of wild life in the jungle and on the plains.

Added songs are finely sung by Paul Robeson in a striking role as Bosambo Mckinney. In a small role Leslie Banks is excellent as officer Sanders. It is undoubtedly colorful, convincing popular material.

Produced by London Films, the picture is heading for distribution in the United States via United Artists.

"Escape Me Never"

"Escape Me Never," now current at the Pavilion, is a tour de force of Elizabeth Bergner's versatility. Her performance, expressiveness and flexibility of voice rank her among the screen's leading players.

The story is the same as the play, but gains pictorially with a fine scene of a stage ballet and exteriors of Venice and the Alps. It is essentially a star attraction, as Miss Bergner swamps the others in the cast.

Produced by British and Dominions, American distribution will be handled by United Artists, also.

Nagler to Vancouver

S. Nagler has been appointed sales manager at the U. A. branch at Vancouver, succeeding David Griessdor, who has been appointed to a similar post at Winnipeg. Phil Sherman, formerly of Winnipe, is now on the New Haven sales force.

June Grabiner Renamed

Hollywood, April 2—Myra Moore has been selected as the new name of June Grabiner, recently signed by Warners.

Protest Pa. Ticket Tax

HARRISBURG, Pa., April 2—Exhibitors from all parts of the state were among those who objected to the bill imposing a 10 cent ticket tax at a hearing on the measure today before the finance committee of the State Senate. The measure has already been passed by the House.

Among those who appeared against the bill were Walter Vincent, Fred Harrington, C. Floyd Hopkins, David Barrist and Dr. Leonard P. Fox. They all asserted that the tax would drive many theaters out of business.

Technicolor Continues Gain

High Low Close Change

Columbia vte. 41 39 39 2

Cons. pfd. (1) 174 161 163 17

Eastman, pfd. 135 131 131 6

Fox 99 95 97 2

Low's, pfd. 100 97 100 3

Paramount Pub. Bros. 72 71 72 1

Walter Bros. 64 62 64 2

(1) Paid this year on account of accumulations.

(Quotations as at close of April 2)
New Tax Plan Is Presented In California

Cuts Income Levy, But Provides New Forms

SACRAMENTO, April 3.—The Administration has offered a new budget balancing plan, in the Assembly Revenue Taxation Committee packed with TNT for taxpayers as an alternative for the previous program which has stirred up strenuous opposition and faces a severe test because of the personal income tax angle.

The new plan calls for a gross transaction tax at scales to raise $160,000,000 biennially, with a four per cent bank corporation tax and a net income tax at one third the Federal rate in lieu of the tax designed to raise $225,000,000.

Under the new program the 10 per cent admission tax would be dropped.

(Continued on page 7)

Brandt Authorized To Agree on Scale

Harry Brandt, president of the I.T.O.A., yesterday was given power of attorney to act for all members of the exhibitors’ organization in the negotiation of a new operators’ contract with the I.A.T.S.E. Every member present yesterday signed a special form delegating Brandt as his representative.

It was also stated at the session that the deal to be negotiated will be

(Continued on page 6)

No Nominee Picked To Top Ampa Ticket

Up until a late hour yesterday the official nominating committee of Ampa had not selected a candidate for the presidency. Practically all other officers on the slate are set and is hoped that the committee will have a selection ready for today’s meeting.

Merlin H. Aylesworth heads the long list of personalities named to appear on the slate at the M.P. Club.

Today’s session will be the last open one under William R. Ferguson’s regime.

Fabian Upstate Deal To Start Next Week

Si Fabian’s pooling arrangement with RKO in Albany and Schenectady becomes effective the middle of

(Continued on page 2)

Clearance on Scale Basis, Topic in K.C.

Board Abandons Hope of Action by Campi

KANSAS City, April 3.—While industry factors here have abandoned hope that Campi will get around to adopting a clearance plan for Kansas City, members of the local clearance board are said to favor a provision of a plan providing a clearance according to admissions.

Board members are talking about calling a special session to draft such an amendment to the proposed schedule. Recommendations incorporating similar provisions were sent to Campi when the last draft was submitted. At that time, however, the first run price situation was not completely clarified.

(Continued on page 6)

Century-RKO Case May Go Over Again

Illness of Robert Wolff, RKO Radio exchange manager, may result in another postponement of the meeting slated for today by the local clearance and zoning board to deliberate the Century-RKO case.

Wolff has been home five days with a sore throat and returned to his office yesterday, still weak and hoping to be on hand for today’s session. Last week Eugene Picker of Loew’s was down with a throat ailment and the Thursday concave was called off.

Coast Clearance to Be Aired April 11

April 11 is the date set for the general hearing on the Los Angeles clearance and zoning schedule at the Century-RKO exchange.

(Continued on page 6)

Cooper Again Heads Canada Distributors

TORONTO, April 3.—Col. John A. Cooper was reelected president of the M. P. Distributors’ Ass’n of Canada at its annual convention. It was reported that film rentals and theatre

(Continued on page 2)

Show Is Extended

Crowds at the Showmanship sponsored by the Management Round Table Club and the Motion Picture Herald have been so big that the show is to be held an extra day. The show will close tomorrow night.

Today is Ampa day. Those who take in the lunch will visit the exhibit before or after eating. Advertising classes of colleges hereabouts will see the show today and tomorrow.

Goldwyn Talks On Television, Color Outlook

By BRUCE ALLAN

LONDON, March 23.—Color and television are two important keys to the future of the industry, declared Samuel Goldwyn, who was in London for the four-day stay here. Stereo scope is also in the offing, he said.

The future of color, he declared, depends upon the reception of "Becky Sharp," recently completed by Pioneer with the three-tone Technicolor process. He predicted it would be a sensation, but added that use of color

(Continued on page 7)

International Study Of Television Begun

WASHINGTON, April 3.—An international investigation of all questions concerning the use of television, its relation to the technique of film and its employment for educational and intellectual purposes, including the promotion of closer communication between nations, has been ordered by the executive committee of the International Educational Cinematographic Association.

(Continued on page 7)

Four New Theatres Being Erected Here

Four new 600-seat houses are now in various stages of construction in the local area. All are expected to be ready for opening sometime in June.

Springer & Cocalis is building the Tribune on Nassau St., Rosenzweig & Katz are erecting theatres at Dykman St. and Bronx Rd., M. Rosenberg is putting up a new house at Westchester Square.

Confirmation Of Paramount Plan Expected

Formal Hearings Begin Today Before Coxe

Paramount Publicists and Coxe, today petitioned and were granted leave to bring suit against A. C. Blumen thal to recover $36,000 said to have been paid Blumenthal in Sept., 1932, for $25,000 face amount of Paramount bonds following an attack by Blumenthal on a pending transaction between Paramount and a group of banks.

In the petition submitted to Federal Judge Alfred C. Coxe yesterday the trustees contend that they believe the

(Continued on page 6)

Para. to Sue Over Blumenthal Bonds

Unions in Delaware Want Studios There

WILMINGTON, April 3.—The Central Labor Union here, at the request of projectionists, stage employes and musicians, has invited producers contemplating removal from California because of high taxes to locate in Delaware. In a wire to Louis B. Mayer of M-G-M an invitation was extended following reports that agents from leading companies had made similar inquiries in Delaware, New Jersey and Florida.

Pathe to Get Loans May 1, Says Poole

Los ANGELES, April 3.—A. B. Poole, vice-president of Pathe, said today before leaving for New York, that on May 1 bank loans heretofore

(Continued on page 2)
Thursday, April 4, 1935

MAURICE KANN

JAMES A. CRON

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No. 79

Vol. 37

April 4, 1935

MOTION PICTURE DAILY

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Purely Personal

BARNEY GLAZER, SHARON LYNNE and BEN PIAZZA were among those present at the Versailles until the early hours yesterday morning, all for the purpose of seeing and hearing captivating Helen Morgan do her piano-improvised St. Ides was there, as were FAUL JARML, JOE RYVIN, CHARLIE MORRIS, MORRIS SHAPIRO, STAN SHAPIRO and his wife, LARRY WEBER, LEE BOYLES, EDDIE EDELSON and ROBERT YOUNG, the actor, and MRS. Y.

EARL TUCKER, now safely ensconced in London where he is identified with the Kay Kamen outfit, distributes of Mickey Mouse and others, writes that he is enjoying the British business and scheme. His disappointment to date is this: Not a London fog in sight.

Quip of the Day

Well known film man yesterday found his waiting pleasantly, of course, in an extended luncheon date with fellow film man at the Waldorf, and return on the Jarmel to part to return to his office.

What for? inquired one of the party.

"To close my desk."

JACK BUCHANAN's arrives in New York from a holiday in Nassau on Friday. He'll be at the premiere of "Brewster's Millions" at the Rivoli on Saturday. He's starring in the film.

HOWARD CUMMINS will be one of the speakers at a massmeeting at Columbus Union tonight at which ratification of the Child Labor Amendment will be urged.

LEWIS HYMAN, vice-president of Principal Distributing Corp., is coming to visit New York and other key spots in the east. It'll be a six-weeks tour.

COL. JOHN BUCHAN, recently appointed governor general of Canada, is back in town where he has taken up "Steps," which Gaumont British filmed.

M. A. LICHTMAN has postponed for another week his planned visit here. Expect to get away from Memphis the first of next week.

GEORGE W. WEEKS, general sales manager for Gaumont British, went to Buffalo yesterday. He'll be back in town Saturday.

HELEN VINSON is on her way to town from the coast. She is headed for England, where she is to appear in a British film.

MICHAEL BALCON of Gaumont British gets back from the coast the latter part of next week.

PEGGY WOOD was one of the cruise passengers on the Voledogan which sailed last night.

BEN ROSENBERG of National Screen is on the road again—this time New England.

CHARLES LAUGHTON arrives from England on the Europa today.

John W. HICKS, Jr., vice-president of Paramount International Corp., leaves for Europe on April 10. With him will be GEORGE WELTNER, assistant manager of the company, and T. X. JONES, special New York representative attached to the Paris office.

HELEN WESTLEY, with a lot of Hollywood employment behind her, continues faithful to the Theatre Guild. She has joined the road company of "The Taming of the Shrew."

FRED C. QUIMBY, short subject sales manager of M-G-M, returned yesterday from a visit to the company's studios. He was away several weeks.

CLAUD RAINS, "The Invisible Man," drove a station wagon—know what we mean?—down Fifth Ave. yesterday, but he wasn't.

GEORGE BANKORT will strike New York's stages in the fall. Corr. and Amouse, who are a firm of producers, will do the honors.

JACK FLYNN, M-G-M district manager with headquarters in Detroit, has returned to the automobile city after several days here.

KATHERINE BROWN, eastern story head of Radio, has reached the coast, where she will confer with studio executives.

HARRY HUFFMAN of Denver was in town for a few hours yesterday and then sailed for a Jamaican vacation.

JAMES A. FITZPATRICK sails for Argentina about three weeks to start on his first independent feature.

TULLIO CARMINATI is in line for the lead of "Silhouette," planned for the stage by National Players.

JEROME LIPMAN, president of Lipman Corp., English producing company, is visiting these shores.

JACK COHN and AVE MONTAGUE may get back from the coast today. If not, it'll be tomorrow.

LARRY DARMOUR is back on the coast after conferences with Majestic home office executives.

BALLARD MCDONALD, tumesich, is doing the chores of "So Is Spring," stage vehicle.

NATE BLUMBERG was in Cleveland yesterday and is due in New York today.

A. CARTER GOODELL's play, "What Would You Do?" has gone to Metro.

JIM CLARK arrived from Philadelphia yesterday. He will return today.

HUBERT HENRY DAVIES' play, "Outcast," will be filmed by Warners.

NATTY SYVERTON, "Portrait of a Rebel," has been acquired by Radio.

W. RAY JOHNSTON hasn't returned yet from Atlanta. Any day now.

A. H. SCHWARTZ is back from Key West with plenty of fish stories.

Fabian Upstate Deal To Start Next Week

(Continued from page 1)

next week with Fabian supervising operations for RKO with the circuit buying and buying for the houses involved.

Fabian owns the Palace, Albany, which RKO is operating along with its Proctor's Grant. The two houses were pooled some time ago with Charles Buckley's Harmann Bleecker House at Rondout, Albany.

In Schenectady, Fabian owns the Plaza. RKO has been operating this house and the Proctor which were sold with Farley's State, Erie and Strand.

Entrance of Fabian into the upscale operation is a result of a compromise on Fabian's leasing deal with RKO on the two theatres he owns.

MIRIAM HOWELL TO "U"

Miriam Howell, who has had considerable experience in the agency field, joins Universal tomorrow as eastern production manager, succeeding Max Hart. Elsie Newberger, for eight years story editor in New York and then president of the company, continues without change.

Jerry Sackheim, western story editor, left for Hollywood yesterday.

MELVILLE SHAUER MARRIES

Hollywood, April 3—Melville Shauzer and Rosita Moreno are back from Yuma, Ariz., where they were married Tuesday.

MENJOU IS RECOVERING

Hollywood, April 3—Adolphe Menjou today was reported to be recovering in a hospital here from an attack of influenza.

Wall Street

Warner Pld. Leads on Big Board

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Technicolor Lone Curb Issue

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(Won this year on account of accumulations.

(Quotations as at close of April 3)

PATH TO GET LOANS

May 1, Says Poole

(Continued from page 1)

agreed upon will be turned over to the company. These will be used to pay off the balance of the funded debentures, according to plans, for $1,900,000. He added the loans will retire the remaining seven per cent bonds of the company, which would thus save about three per cent interest a year on the $1,900,000 and also receive a later maturity date on bank payments.

Poole reiterated that Path's policy would be to confine its operations to financing and printing for producers and laboratory work for distributors. He said that another source of income, more pronounced recently due to market conditions, has been the profit from the sale of the screen material owned by the company, contained in 2,000,000 feet of original negative. The sale of several stories from this material has been negotiated, Poole asserted.

Cooper Again Heads Canada Distributors

(Continued from page 1)

attendance had shown a slight improvement for 1934.

The following were named directors: C. HAGUE, Universal; A. W. PERRY, Empire; J. P. O'LOGHIN, Fox; M. A. MILLIGAN, Paramount; HENRY NATHANAN, Regal; L. M. DEVENAY, RKO; H. M. Masters, United Artists; H. O. Payten, Vitagraph.
go into your dance
Here’s a Warner musical you can step out with to the tune of the hi-de-
highest grosses since “42nd Street” days! To make your stepping easier
we’re showing you these four simple steps absolutely free. This is

step no. 3...

Start plastering the papers and your programs with the news that in “Go
Into Your Dance” RUBY KEELER does the most of the swellest stepp-
ing in her screen career—dancing in 7 different languages to the rhythm of
AL JOLSON’S great songs and Bobby Connolly’s rich chorus numbers.

A First National Picture
The BIGGEST space in the BIGGEST list of newspapers ever used in motion picture history. Leo's unprecedented ad campaign appears in 140 newspapers covering the 60 BIGGEST cities of America! A gift from Leo!

N EVER a dull moment with Leo the Showman on the job! He's working for you again to blanket America with the good news that "Naughty Marietta" is coming to your show shop! Think it over, Mr. Exhibitor... the billboard campaign on "Chained"...magazine campaigns on "Barretts of Wimpole Street," "Treasure Island," "David Copperfield" and other M-G-M attractions. Now he sets a new all-time record for newspaper campaigns with "Naughty Marietta." AND NEXT COMES A NATIONAL BILLBOARD CAMPAIGN ON "RECKLESS"!

IT'S SMART TO HAVE YOUR THEATRE LIONIZED!
FLASH!
The Biggest Event in New York's Amusement History!
Crowds! Crowds! Crowds!
Sensational World Premiere!

DON'T TAKE OUR WORD FOR IT
READ THESE RAVE REVIEWS!

"It's the top, the superlatives of screen and stage picture entertainment... in Nelson Eddy. No studio ever
produced a male screen star so ideally suited to the screen as Nelson Eddy... His fine, full
powered voice is admirably suited to the Herbert Harpers... It is a wonder in the business of
listening to Nelson Eddy in 'Naughty Marietta'. His sweet, breathy, gay and humorous
operation is a perfect picture of the type of music that he delivers. He is a joy to listen to and
his work is a delight to watch. The production is a joy to behold. The music is marvellous.
It is the best picture of the year. Nelson Eddy is the idol of the nation. He is the king of
the music world. He is the king of the screen. He is the king of all things in the world.
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Clearance on Scale Basis, Topic in K.C.

(Continued from page 1)

and it was not known whether the low scales adopted by the first runners would become permanent. Clearance board members feel that a theatre with a lower than established price is not entitled to the protection in force for all first runs.

If such an amendment is passed, it will involve the entire entertainment industry, and the present distribution schedules, which have already engaged the attention of the drafter for about a year. In view of the many delays and unsuccessful attempts few exhibitors and film men, in any, anticipate that a plan will be forthcoming from California in the near future.

The I. O. O. F. apparently has shelved attempts to obtain relief for subsequent weeks, as it set out to do several weeks ago. It did not make progress, however, when it obtained an agreement from Fox Midwest not to insist on protection for independent films for the balance of this season.

Excelsior Springs Film Case Dropped

KANSAS CITY, April 3.—The Fox Beyer, Excelsior Springs, Mo., will not have to show cause why its film service should not be stopped, as it was ordered to do by the local grievance board. J. Erwin Dodson, Casino, a member of the board, would not have joined in the complaint charging the Fox house has failed to abide by a cease and desist order on cash night.

Coast Clearance to Be Aired April 11

(Continued from page 1)

ents who have not had a previous opportunity to protest certain provisions of the order. A special clearance board will come on for the New York session.

R. H. Cochrane is chairman of the Camp meeting session, which will del- cide about 25 appeals tabled from last week's two-day session. A decision on appointment of impartial men as permanent chairmen of local boards is expected to be made today.

LOS ANGELES, April 3.—The Southern California I.T.O. and Associated Exhibitors are holding meetings Thursday to decide on representatives to the April 11 hearing in New York.

Orders New Complaints Filed

Pittsburgh, April 2.—On the ground they were improperly filed, complaints on non-theatrical competition brought against the Pittsburgh Athletic Association and the Metropolitan Club by Harris Amusement Co., Loew's and Warner Bros. Circuit, Management Association, the former dismissed by the local grievance board, which stated distributors serving the respondents should have been named as co-defendants.

To Give 24-Hour Service

Standard Ticket Register Corp., is enlarging its quarters to furnish 24-hour service for repairing and replacing ticket vending equipment, says George Head, general manager.

Brandt Authorized To Agree on Scale

based on the Brandt system, the first to be presented to Compliance Direc- tor Sol A. Rosenblatt. The I.T.O.A. head plans to leave for Washington within the next few days to confer with Rosenblatt.

In addition to the labor discussions, all film situation was aired. Louis Rosenblatt was appointed chairman of the code committee, Morris Fleischman, head of entertainment, Barr, Meyers, insurance; John Benas, film; Dave Weinstock, light and power, and commit- tee personnel. Fleischman was also appointed chairman of the board of directors. Benas was elected to motion picture the membership in addition to his appointment by Brandt.

Duels were not discussed, the matter being left for the general meeting on Tuesday.

Robbin to Stay as Supply Men's Head

J. Robbin is slated to be re-elected president of the Independent Theatre Supply Dealers' Assn., at the four-year's convention, which will start June 15. The session will be held at the Edgewater Beach Hotel. All other officers are expected to be named.

The code for theatre equipment firms will be the principal topic of discussion.

Declares Missouri Bank Night Lottery

ST. LOUIS, April 3.—Attorney General Roy McKittrick has advised prosecuting Attorney S. S. Managel of the state that banks, hotels and theaters are in violation of the anti-lottery laws of Missouri. Managel had sought advice concerning a cash prize plan in use by the Lyric Theatre, Lebion, on Friday nights.

Jack Hess Joins Mascot

HOLLYWOOD, April 3.—Jack Hess, who recently resigned as manager of the Orpheum, San Diego, has been ap- pointed publicist head of Mascot studios. Dave Flournoy, who has been pinch-hitting at the desk since Earl Hampton resigned, will continue as Hess's assistant.

Open Detroit Exchanges

DETROIT, April 3.—Jack Moss, former sales manager, has opened an exchange to distribute Fox productions in this territory. Another new ex- change will be opened this week by Al Dezel, who will distribute exploitation films.

Rowland Brown to Para.

HOLLYWOOD, April 3.—Rowland Brown, author of "By Any Other Name," which he recently sold to Paramount, has been signed to a con- tract, according to reports, for making a film of his own story.

"Black Fury" Approved

The New York board of censors yesterday finally approved "Black Fury." The picture will open at the Strand next week.

Para. to Sue Over Blumenthal Bonds

(Continued from page 1)

payment to Blumenthal was in viola- tion of the rights of other general creditors of Paramount.

Details of the Blumenthal settle- ment were brought out by Attorney Samuel Zirn, rep- resenting Paramount bondholders, during examinations of Ralph A. Server, former Paramount treasurer and Austin C. Keough, Paramount general counsel, before the late Re- feree Henry K. Davis. Server was called to give evidence of his dealings with Blumenthal and his husband, Donald, whom he had met in 1932 credit transaction with 12 banks and aside and to Ellin Productions Corp. dissolved. The latter company was organized to file a suit to recover 12 banks and pledge as security for the new bank credit.

At the time of the settlement de- tails of the case were kept confidential and records of testimony were removed from the court by mutual consent. This was done, it was said, to prevent other bondholders from instituting similar actions.

Money given in the examina- tions before Davis was that Blumenthal held 25,000 bonds, the market value of which at the time of the examination was about $7,500. It was stated that Blumenthal paid $25,000, the face amount of the bonds, and that the $1,000 balance was to go to Nathan Burkan, Blumenthal's attor- ney, Cravath, de Gersdorff, Swaine & English, special counsel for Para- mount, represented the company in the Blumenthal action.

Variety Club Gets Under Way in Omaha

OMAHA, April 3.—Variety Club is at last on its official way. At the first meeting every branch manager, the tre- ature manager, film salesman and minor executive was in attendance.

Race track bringing in final organization plans at Saturday's luncheon is composed of: Evert R. White, Walter Floyd, J. R. Hubner, Harry Shumow and Roy Miller. James Rogers has been named temporary treasurer.

Get Delay in Color Suit

SAN FRANCISCO, April 3.—At- torneys for Leon Douglas, who is suing Fox, Paramount and Walt Dis- ney claiming infringement of patents for the making of colored pictures, have obtained an extension to April 25 for the answering of 33 interrogatory- files by the Fox attorneys. Douglas' attorneys were first given 30 days to answer the questions, then obtained an extension to March 25.

Will Probe Marathons

BOSTON, April 3.—The Massachus- setts Theatre Owners' Assn. yesterday adopted a petition already passed by the Senate for the investigation of marathon performances. A com- mittee will be appointed soon.

Yacht Boys to Warners

Warners have signed the Yacht Boys to a contract calling for their exclusive services for eight two- reel Vitaphone shorts and a feature.

Confirmation Of Paramount Plan Expected

(Continued from page 1)

Morriss L. Ernst, member of the Van- derbilt debenture committee and rep- resenting the bondholders, will present the plan to the board and may be joined by Samuel Zirn, Archibald Palmer and other attorneys representing small bondholder groups.

However, the total claims against Paramount represented by the prob- able objectors are estimated to amount to $800,000 and will be given an estimated $30,000,000 of creditors claims which have assented to the plan.

Further discussions on the under- writing of the $6,400,000 of new Para- mount stock subscription warrants were held yesterday by representatives of the larger creditor groups in the office of Alfred A. Cook, counsel to the bank and for the Paramount stockholders' committee.

Again, no final decision was reached, although it is understood that the investment facility will be handled by several investment houses, including Kuhn, Loeb & Co., Haywood Securities and others. Only the lowest bidders for the underwriting are being given consideration, it was stated.

Tenture of Office Discussed

Director's terms of office of the proposed directors also were held, with indications given that the tentative agreement that two and three-year terms will be given H. A. Fortington, Stephen Callaghan, Floyd B. Olmum and John Hertz, will remain as such, while two and three-year terms will be apportioned finally among the other 12 directors at a later date, it was said.

The chairman of the officers of the new company continue to retain support for George J. Schaefer for president, Reuben J. Floyd for vice-president, and backing for Adolph Zukor and N. L. Nathanson is also in evidence. Any shift in creditor action on officers which left Zukor out of the presi- dency would probably result in his being made chairman of the board, according to statement now.

The hearing today may not be concluded with the first session, it is generally believed. However, it is felt that tomorrow or Monday should see the plan finally confirmed in the event of any delay.

Yoost Erpi Plea Delayed

The petition of William Yoost for leave to intervene in the Paramount-Publix reorganization proceedings for the purpose of entering objections to Paramount's proposed new domestic and foreign holding companies was denied. Judge Erpi was referred to Federal Judge Alfred C. Cox when it came before Judge Henry W. Goddard for hear- ing yesterday. Judge Cox is expected to act on the petition today.

Pre-Release Dates Set

According to Warners, 161 special pre-release key city engagements have been set on "Go Into Your Dance."
New Tax Plan Is Presented In California

Floridians Ask 10% Levy

TALLAHASSEE, Fla., April 3—Florida showmen now have a fight on their hands for the Florida Educational Ass'n plans to work out a plan for a general sales tax, and is going to ask the Legislature, which opened its session today, to put a 10 per cent tax on all amusements and allow the proceeds to go to the school fund.

According to an association, it could use $20,000,000, nicely, if it is willing to try and worry along with half that total. Tax of 10 cents per admission would bring in at least $3,000,000 a year, and stresses the point that this tax would be paid by winter visitors as well as the residents.

In addition to this amusement tax money, it will ask for another one from the general legislature. This, it figures, will make up the loss of revenue through the passage of the homestead exemption which went into effect this year.

Pa. Tax Fight Stirs Hope

HARRISBURG, Pa., April 3—Following a protest of some 300 exhibitors from all parts of the state yesterday against the proposed 10 per cent ticket tax before the Senate Finance Committee, there is a feeling here that the measure may yet meet defeat. The Senate is controlled by the anti-administration Republican party.

The measure has already been passed by the House.

Support Advertising Bill

BOSTON, April 3—Alfred B. Theatre of Massachusetts, M.P.T.O.A. unit, is actively supporting a bill pending before the Joint Ways and Means Committee of the Legislature providing for $15,000 appropriation for advertising the state. The theory is that it will increase the number of summer visitors.

Hold Missouri Hearing

JEFFERSON CITY, Mo., April 3—The Senate Ways and Means Committee held a hearing today on the Administration's two per cent sales tax bill which passed the House last week. Its passage is regarded as certain but films would be hit with a one per cent levy, which would drop with one-fourth of one per cent on the wholesale product. Other changes include a lower per cent severance on natural resources, two and a half per cent on gas and electricity, and two per cent on transportation.

Assemblman Chatters, author of the income tax, announced his intention to subpoena the records of the State Franchise Ass'n to learn what taxes films are paying to "disabuse the minds of the people that the industry is being discriminated against in a reasonable income tax measure."

Assemblman Patterson's six-hour, five-day week bill has been passed in the House without debate, but it is believed there is a good chance for reconsideration.

Looking 'Em Over

"Case of the Curious Bride" (Warner's)

Warren William and Allen Jenkins combine to present a very entertaining and amusing mystery film that will keep audiences guessing until the last reel as to the identity of the culprit. Mystery fans, in particular, when Jenkins is on, to satisfy.

Director Michael Curtiz never lets the action lag. He handles Tom Keed's screen play in such a manner that audience interest is maintained until the end. Tom Abell's photography is good.

William, as Perry Mason, ace crime and humorous detective, decides to help Margaret Lindsay discover the reason for the return of the husband she had believed dead. In the meantime she had remarried. The returned "dead man" is murdered and Miss Lindsay accused of his death. William and Jenkins, aided by the usual battery of newspaper men and hindered by the police at every turn, proceed to unravel the mystery. Laughs are handed out right and left during the film and it isn't until the final few feet that the killer is revealed in a surprise finish and Miss Lindsay vindicated.

William is excellent as the sensitive, debonair Perry Mason, and Jenkins reaches comedy heights as his assistant. Miss Lindsay has little to do. Claire Dodd, who turns in a first rate performance; Wini Shavi, Warren Hymer, Phil Reed and Henry Kolker round out the cast. This film should do well.

Production Code Seal No. 685. Running time, 60 minutes. "G."

"Unwelcome Stranger" (Columbia)

SAN DIEGO, Cal., April 3—Combining plenty of action, excitement, drama and humor, this is an entertaining film about two orphans, a freckle-faced kid and a horse, and how they win the big handicap.

The story deals with Jack Holt, a race horse breeder, whose pet superstition is orphans. His wife, capably played by Mona Barrie, without his knowledge brings into their home Jackie Searl, a lame orphan. Searl overhears Holt's betting commissioner (Bradley Page) conspire with a crooked jockey (Frankie Darro) to throw the handicap. At the last minute Searl rides Noma, an orphan, to victory in the big race. There is plenty of suspense as Searl is unscceted near the finish by his rival jockey to keep the audience on the edges of its seats.

Noma, however, wins when the commissioners disqualify the guilty jockey.

Director Phil Rosen has turned out a race track picture with a new angle that should appeal to all ages.

Names and the novel treatment of the picture should be stressed by exhibitors.

Production Code Seal No. 643. Running time, 65 minutes. "G."

"Life Begins at 40," this morning's opener at Radio City Music Hall, was reviewed by wire from Hollywood on Feb. 17.

"It Happened in New York," opening tomorrow morning at the Roxy, was reviewed by wire from Hollywood on Feb. 23.

"West Point of the Air," which opens tomorrow morning at the Capitol, was reviewed by wire from Hollywood on Feb. 23.

in spite of the fact that exhibitors and business men generally are threatening to insist upon a state referendum.

Pass Maine Betting Bill

AUGUSTA, Me., April 3—The House has passed its bill to legalize pari-mutuel betting on horse races by 93-15. It is expected to pass the Senate.

Kill Iowa Safety Bill

DES MOINES, April 3—The Iowa Senate has killed a bill to provide safety regulations for projection booths. It was opposed by theatres on the ground that it would increase the number of operators.

Defeat Delaware Dog Races

DOVER, Del., April 3—Combined efforts of Loew's, Warners and independent theatre owners are credited with having defeated in the House the bill to legalize dog racing. The measure, which permitted pari-mutuel betting, was defeated, 9-22.

Goldwyn Talks On Television, Color Outlook

Goldwyn denied he had come to England to discuss theatre purchases, but said he had conferred on production with Alexander Korda. Merle Oberon's next, which will start in May, with either Fredric March or Herbert Marshall as the leading man, also was the subject of a conference, it was stated.

May Produce in England

Samuel Goldwyn may produce abroad, he indicated yesterday morning as he debarked from the Olympic after a four-day visit in England on personal business. The U. A. producer said that his production plans in England depend on the California tax situation. Goldwyn stated he did not sign anyone while in London and will leave for the coast in a few days.

asked about theatre conditions, he declared that business is better in England than ever before.

International Study Of Television Begin

Institute, it has been announced by the League of Nations.

Reports of the League disclose that plans may be made for a series of shorts on the aims and work of the organization, proposals for which have been received from the Atlantic Film. The pictures would be given world distribution.

Recent meetings of the institute have been devoted to a number of film problems, including the negotiations for the adoption of uniform dimensions for small-sized film, which thus far have been inconclusive.

Comerford Still Gains

WASHINGTON, April 3—M. C. Comerford has been in the Emergency Hospital for several weeks, continues to show improvement, according to Dr. Walter A. Bloedorn. It will be several weeks before the doctor states, before Comerford will be discharged from the hospital.

Reliance Switches Title

Hollywood, April 3—Reliance's "Legion of Valor" is back to its original title, "Let 'Em Have It."
"""" Test Engagements in 4 Cities Furnish the Proof!

"PRIVATE WORLDS" » a Great Woman's Picture!

"""" CLAUDETTE COLBERT in "PRIVATE WORLDS"
with CHARLES BOYER, JOAN BENNETT, HELEN VINSON and JOEL McCREA
A Walter Wanger Production • Directed by Gregory La Cava • A Paramount Release
Coast-Coast Studio Flight Gets Up Steam

Bahamas Latest to Bid; Mayer States Views

Eastern studio projects are springing up like dandelions after a spring rain. Virginia, North Carolina and Florida have them and now the Bahamas has produced another for selling money on British quota pictures. Out on the coast Louis B. Mayer is assuring the public the industry really means to say goodbye. Governor Merriman's stratosphere tax program has already lost buoyancy, and if a fin should give way in the oratorical gale nobody would be surprised. The legislative crew might talk to the rubber boats on an everyman-for-himself basis.

The Bahamas project is advanced by Vincent Wray, managing director of British-American Cinema Studios, (Continued on page 2)

Aylesworth Favors Radio-Theatre Aid

Cooperation between the radio and film industries for the betterment of theatres was urged yesterday by Mer-lin H. Aylesworth, president of NBC and Radio-Keith-Orpheum Corp., before an overflowing audience at the Ampa.

"There is a great chance for fine cooperation between pictures and radio," he said. "We've offered to help get radio audiences to go to..." (Continued on page 18)

Blumberg Optimistic About Theatre Trip

Nate J. Blumberg, general manager of the RKO circuit, returned to New York yesterday from a trip bringing word that theatre business was general "pretty good" and that, more than ever before, real pictures are attracting real grosses.

Traveling by air, he visited Los Angeles, San Francisco, Portland, Denver, Kansas City, Chicago and Cleveland in two weeks.

Iowa Monopoly Suit Filed by Thornburg

Des Moines, April 4.—A suit charging conspiracy in restraint of trade has been brought in Federal court here by Don and Eunice Thornburg, operators of the Family, Mar- (Continued on page 2)

Ohio in New Outbreak of Tax Measures

COLUMBUS, April 4.—That 10 per cent admission tax sidetracked by the recent enactment of a three per cent sales tax is rattling around again like an army of skeletons in exhibitors' closets. In fact, all kinds of new taxes are rattling around only a few weeks after it looked as though the problem had been solved, temporarily, at least.

There has been some talk of presenting a constitutional amendment to exempt food and clothing from the sales tax. This would cut the estimated receipts by $50,000,000. Apparently Governor Martin L. Davey regards this amendment seriously, because he has taken the tax bill by the horns and is jostling it all over the legislative arena. What the Senatorial pickers and the House matadors will do about it remains to be seen.

Governor Davey says $30,00,000 to (Continued on page 18)

S. & C. at Work On Four New Theatres

In addition to the Tribune and Court which are now nearing completion, Springer & Cocalis are building two other theatres, one a 1,400-seat house at 204th St. and Broadway, and a second, a 1,200-seat theatre, at Hillside development at Boston Post Road. Both houses will be ready in September.

The Tribune, which will seat 600, is expected to be ready for opening May 1. The Court, also a 600-sitter, will be opened about May 15.

Tenn. Sabbath Bill Goes to Governor

NASHVILLE, Tenn., April 4.—The bill permitting Sunday shows by local option was passed in the lower house today, 60 votes to 32. It was approved yesterday by the Senate, 17 to 10. It is predicted Governor McAllister will sign it, though there is no official indication regarding his attitude.

All Clear!

The United Artists publicity department released a story about a new Mickey Mouse character named Arm-brose Kitten. The release contained the expression "let man..."

A telephone call was made down the street for a translation of the expression. Monroe, the New York man for Disney.

Move Started To Pick Dual Bills in K.C.

KANSAS CITY, April 4.—The Kansas City dual bill problem is on the road to solution with approval by the I. T. O. of the plan recommended by Fox Midwest that a committee be appointed to select features that may be dualled. The latest development follows the independents' demand that all product be released for dualling.

As tentatively agreed upon, the selection committee is to consist of two representatives of independents, one from Fox Midwest, one appointed by distributors and one first run member. A majority of the distributors have indicated their approval of the idea, and sentiment of the first run theatres is to be obtained. J. F. Rigney and (Continued on page 18)

Reade Hits Brandt Single Bill Moves

Decrying the cumulative protection in this territory by major circuits and striking a blow at Harry Brandt, sponsor of the current move to elimi-

inate duals locally, Walter Reade, says it's impossible to go single features.

A promise or contract from Harry Brandt to adopt single feature plans wouldn't be worth the paper it is written on," Reade stated yesterday. "Brandt would be running a single feature on Saturday and on Monday..." (Continued on page 18)

Starting of New Company Now Up to Creditors And Stockholders

Paramount Publix emerged from Federal court supervision yesterday with the formal completion of the company's plan of reorganization by Judge Albert C. Coxe.

The order confirming the plan brings to an end Paramount's re-habilitation processes after slightly more than 26 months of receivership, bankruptcy and reorganization proceedings. What remains to be done to complete the launching of the new Paramount company is almost wholly internal corporate procedure which may be undertaken independently of the court. This will include the immediate calling of a meeting of stockholders to formally elect the proposed new board of directors of 16 already agreed upon, the election of officers of the new company and the discharge by the court of the trustees of Paramount, Charles D. Hilles and Eugene Longe.

No change in the board of directors will be made. Judge Coxe cut short the voiced opposition of the board after listening to Morris L. Ernst and Louis M. Levy, attorneys for Paramount bondholders, with the statement (Continued on page 4)

Board Splits Rule On Century-RKO

By a vote of four to two the local clearance board yesterday split its de-

cision on the Century-RKO issue, de-

claring that the RKO Columbia and Strand in Far Rockaway were not competitive with the Century Fantasy in Rockville Centre but that the RKO Alhah, Jamaica, was.

Eugene Picker of Loew's and Rob-

era Wolff, RKO branch manager, were the two dissenting voters. This (Continued on page 4)

Laurel-Hardy Feud Ends; Resume Work

Hollywood, April 4.—Stan Laurel and Oliver Hardy have made up. They smoked the pipe of peace to-day and Laurel signed a new con-

tract with Hal Roach. As a result, they resume their new feature where they left off recently, and Hardy replans his plans for a series of two-

reelers.
A major industry disturbance came to a finish yesterday. Federal Judge Cox, from his bench in the United States District Court, placed his judicial seal of approval on the reorganized Paramount. Practically, and yet not actually, the company is now clear of the bankruptcy regime to which it was once an inhabitant for twenty-six months, plus one week. There remain details, many details, of rehabilitation, including election or directors, final submission of trustees' reports, their discharge by the bench which appointed them in the first instance. But they are details—picayune and routine by comparison with all which has gone before.

Relieved of its estate as a bankrupt, the atmosphere at Paramount immediately will clear. The job is not over, of course. From many angles, it is just beginning to take whatever form finally will emerge from the plans and ideas of its essentially banking board. To those who are in the saddle, it might be well to point out again the obvious pitfalls into which strangers to film technique may easily fall and to caution them in any manner of the wisdom of giving film men the right to run a film company.

Paramount is a valuable property, heavily mortgaged, with little kicks in the pants administered by the depression notwithstanding. Inherent in its structure are great strength and virility—no more significant proof of this evidence exists than the manner in which its production and selling machinery maintained speed under circumstances discouraging in the extreme. A colossus of this industry, it would be strange to contemplate what it would be without Paramount. There are those who believe that any other major elimination from the picture would mean little; that another company would take its place; that production output would continue at its level whether Paramount made its yearly quota or not. This column argues that the celluloid ensemble without Paramount would be like a family missing one of its minor members and that its removal from the scene would represent a void not easily to fill.

I have no desire any more to play in the commercial theatre. And the movies are purely commercial. My plan would be to use that economic independence, which the movies can give to an actor, to seek to eliminate the commercial theatre and to attempt to create the kind of a theatre in which, we, as actors, could find the opportunity to do the sort of thing we want to do.—Leslie Howard in The New York Times

At the risk of pouts and protests from feminine readers in comfortable Westchester surroundings, the temptation, irresistible, is to ask Howard why he does not do the things he so glibly talks about. Retiring and modest in his characterizations on screen and stage for which he has been working steadily and very lucratively in recent years, it comes as a shock to conclude that Howard, in life, is inclined to drift so far afield from those expert delineations of his.

Exactly what sort of regulation, if any at all, does Abram F. Myers, the general counsel of Allied States, look upon with favor? Citing that interesting Federal court decision in Denver the other day wherein the judge ruled that showmanship was intrinsically business and, therefore, not compelled to bow its will to the mandate of the NRA code, he told Allied members in the Northwest on Tuesday that the decision verified his original contention. His argument has been that exhibition was not subject to the code. So far he's in the clear. Whether you agree or not with his viewpoint has nothing at all to do with the case in point.

In the same speech, same place, if not in the same breath, Myers predicted Congress would enact a federal bill prohibiting compulsory block booking. Allied is openly on record with its approval of this proposed piece of legislation. What needs clarification is obvious if you have read thus far. Left hand: Myers opposes the code as constituted because theatre operation, he asserts, is not an interstate business. Right hand: He endorses the Pettengill measure which would exercise a Federal check on the selfsame intrastate business which he opposes. He must have his left hand guiding him anyway?

Ham and eggs, that good, old domestic institution, remain indivisible. In other words, since Laurel has ironed out his difficulties with Hal Roach and the team of Laurel and Hardy continues. A bright spot in the daily gris of the news.

Coast-Coast Studio Flight Gets Up Steam

(Continued from page 3)
Inc., who is now in New York from Miami.
The Bahamas, he says, are a "logical solution" of the British quota problem.
"Unfortunately, these quota pictures have been practically a total loss," he asserts, "due to the fact that they are rarely, even shipped to America. At dresses, "Quigpubco," Budapest, Lockhart, Mann, "Unreasonable Kent Colonel" the Unreasonable Kent Colonel arrived its address: 407 Broadway, New York, and its director was Edwin Holmes, the Vice-President of the company, and its Manager was Pierre Besen, who is still the Manager; its Representative was Allan, former Manager; its Cable address was "Quigpubco, London," and its address in Budapest was 28, Joseph Kon. Rutenberg, Representative; Paris 21, 47, Rue Cote; its Spanish Representative was M. Nuenez, Pierre Astre, Representative; Rome Bureau of the Associated Press, its Bureau Representative was Pierre Astre, and its Representative and Secretary; its German Representative was Charles Hainz, and its Bureau Representative, and Secretary; its French Bureau Representative was Maurice de Chavanne, and its Bureau Representative, and Secretary; its Australian Representative was James Harlow, and its Bureau Representative, and Secretary; its Spanish Bureau Representative was 600 George Street, Melbourne, and its Australian Bureau Representative was Mexico City Bureau: Avenida 707, James Lockhart, Representative; Glasgow Bureau: 61 Dumbarton Road, G. Holmes, Representative; Budapest Bureau: 3, J. Klapka, Budapest Representative. Entered as second class matter, January 4, 1926, at the Post Office at New York City, N.Y., under the Act of March 3, 1879. Subscription rates per year: in the United States, except Canada, $2 and foreign $12. Single copy: 10 cents.

Coast-Coast Studio Flight Gets Up Steam

(Continued from page 3)
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THE SIGN OF THE BIGGEST SHOW IN TOWN

Purely Personal

RAY NOBLE, composer of the songs “Warwick Manor’s Millions,” will be host to a group of fellow band leaders at a midnight showing of the film tomorrow night at the Rivoli. Among these leaders are Jack Pennicky, Pietro Deiro, Xavier Cugat, Ozzie Nelson, Freddy Martin, Ruby Vallee, Paul Whiteman, Hal Kemp and Abe Lyman.

HALVEY Raine’s of M-G-M will have his show, “The Eye,” given a tryout performance starting tonight at Mrs. Joseph Urban’s Waverley Place theatre at Yonkers and ending Sunday night. Raynev Colanz collaborated with Rainey on the mystery melodrama.

LOUIS Nizer was made an honorary member of the Ampa yesterday. Martin H. Aylesworth spoke briefly on Nizer’s past performances and presented the scroll on behalf of the organization.

TORSY GARLICK, art director at the Warner home office, will be represented by two oil paintings at the Society of Independent Artists exhibition opening at Grand Central Palace tonight.

CEsar Romero and Cameron Roberts, the first an actor in and the second adapter of “Cardinal Richelieu,” saw the film yesterday for the first time at a private screening at United Artists.

DAVE LOWE carries a prize golf score card with him these days to show to doubting Thomases. It’s signed by a caddie and Alexander KEMPEW—two’s good enough.

SAMUEL Goldwyn will not leave for the coast until Joseph M. Schenck returns from Hollywood yesterday. All Lichtman gets in Monday. Schenck next week.

MIRIAM HOPKINS will be heard in a dramatic sketch on the first Shell Chateau broadcast over the NBC network tomorrow night. Al Jolson and his Barzs will be on the same program.

Quiet of the Day

JIMMY Durante and Dorothy Mackaill have just completed one of the clowns at the A.M.P.A. yesterday. Dorothy planted a gard- ens and Chicagoland: "Mostly we’ve sat in his lap and threw her arms around him. All of this on the day." Jimmy dissingated himself, gave Dorothy her gardenia and, turning to Howard Dietz, said: "Do you think this will cause comment?"

MOFFY Humphries, at the same function and after two hours of the show, looked at his watch, discovered it was 2:45 and left, remarking: "I’m going now. This is where I came in."

ROBERT GILLIAM arrives from the coast today. He has been con- ferring on production plans with Paramount studio executives.

JOE Weil of Universal has just completed a striking press book in connection with the release of “Frankenstein.” It is 22 in. by 12 in.

ROBERT YOUNG appeared in person at the Capitol last night. It was for only one performance. He departs for Hollywood today.

FRANK C. WALKER is off for Pine- hurst to play golf with Attorney General Hoover Cunningham and some others.

HARRY BUXTAUM is due back from Florida today. He’s been away for three weeks.

JACK ELLIS has reached the boiling point and he’s showing signs of it on his neck.

MERLIN H. AYLESWORTH plans to go to Hollywood within the next few weeks.

EO LEVY was in from New Haven yesterday.

JACK BOWEN is back from a Florida vacation.

HAL ROACH is due in from the coast shortly.

Board Splits Rule On Century-RKO

(Continued from page 1)

was not unexpected, since Loew’s has the Hillside, Jamaica, which would accommodate the affair. The decision if Jamaica was held to be competitive with Rockville Centre.

Century is understanding more interest in the Jamaica situation than is Rockaway and will appeal.

The board argued for several hours, during which the session was called to a halt when it was found that the four men in favor of handing down the decision were the only ones present.

The decision was then signed and the board took up the clear- ance complaint of the Music Hall in Cleveland, Jr., against the Washing- ton, Washington, N. J. The situations were declared non-competitive.

Woff, who has held the post for the past five days, was on deck for the final voting. He did not feel well and left the session before the decision had been signed. He showed signs of fatigue during the entire meeting.

Bolognino Off Board

After the decision had been handed down on the Century-RKO case, on the recommendation of the assistant today he was officially off the local zoning board. He told Motion Picture Daily he had quit six weeks ago, the realization that became effective when the case wound up.

McNab Wins Delay in K. C.

KANSAS CITY, April 4.—The con- tention of A. B. McNabb, Newesho, Kan., that he needed a stimulator because his father, who was in the care of a doctor, had overbought profit won him a reprieve from the local grievance board’s deci- sion that he must immediately discontinue bank night.

The board called in McNab to show why his film service should not be stopped for failure to comply with a cease and desist order. He argued he could not operate without bank night and all the product he had was westerns. The board found him guilty of disregarding the original order, but stayed the order of the cease and desist order until Campi hands down a decision in McNab’s overbuying case against Klock.

It became necessary for McNab to cease bank nights when Klock filed a compliance on reduced admissions.

Hits Cleveland Clearance

CLEVELAND, April 4.—The clearance and zoning board is scheduled to meet Tuesday to hear a protest of the Inter- City Amusement Co., operating the Utopia, Parleisville, against first run theatres in Cleveland. The three days’ protection over Painesville, Inter-State wants this reduced to seven days.

In support of this protest, the protest- ant cites the clearance of seven days between Cleveland and first run theatres in Parleisville which is approximately the same distance from Cleveland, in the opposite direction from Painesville.

Stop Milwaukee Giveaways

MILWAUKEE, April 4.—The Holly- wood, which has been operated by Hollywood Co. of Milwaukee, Inc., has been ordered to discontinue giving away prizes by the local grievance board. The complaint against the house was brought by the Saxe Amusement Management’s Gar- field, both houses being competitive.

 Warners and Levins End Clearcase Row

WARNERS and the three Levin Brothers, Harry, Abe and Louis, of the Elwood, Newark, have patched up their disagreements which have been having difficulties with the result that the hearing slated in Washington for April 13 be- fore the Local Clearcase Board has been definitely called off.

Under the arrangement practically completed, Levins will produce pictures with Warners’ Regent, Newark, and Capitol, Belleville. The deal also provides for the clearance and zoning case which the Elwood has had pending in Washington for several months.

David T. Wilentz, attorney general of New Jersey, acted as legal repre- sentative for the Levins on the clear- ance issue. He was slated to appear before the NRA board on appeal.

Lou Levins and Levins yesterday admitted the get-together, with all sides happy over the arrangement.

Mason Ignores Code

WASHINGTON, April 4.—Lowell Mason, former counsel for the Dar- row board, completed his testimony before the Clearcase Com- mittee today without referring to the film code.

Mason paid his respects to several code officials who are investi- gated and also charged that many of the codes contained provisions permitting contracts which had been outlawed by the courts before the NRA was created.

Missourians Sign Code

KANSAS City, April 4.—O. W. Williams, Loveville, Broadfield, Mo., and Sam Yaffe, Uptown, Trenton, Mo., are the latest dissenters to the film code in this territory.

GUILD ACTORS Renew Fight Upon Academy

LOS ANGELES, April 4.—Opposing another decision of a board of the Academy where an actor demands his own concilia- tion board, the Screen Actors’ Guild has started a petition and word-of-mouth campaign among players and agents suggesting they refuse to ac- cept the studio contract clause giving a player the privilege of Academy arbitration.

The Guild’s opposition to the Academy is the result of the first month’s trial of the new working condi- tions system ruled effective March 1 by the latter. During the month, ac- cording to a Guild statement, 800 players accepted no arbitration other than its own. What has stirred the Guild is that many of these players were its own members.

The Guild suggests verbally and by letter that the studios use facilities of its conciliation committee.

Campi Hear 25 Appeals

Campi devoted its entire session yester- day to decisions on about 25 ap- peals. It will resume this morn- ing and work through the cases on the calendar. In addition to the appeals, other business, including appointment of new members of the board and chairman of local boards, will be taken up. Ed Kuykendall was chairman. He will continue in that post at the session today.
Jump with JOLSON—kick with KEELER! You’ll be that happy over the box-office goods they’ve given you in “Go Into Your Dance.” And when you’re strutting your showmanship on this great show, don’t slip up on 

step no. 4 . . . .

24-sheet the fact that “42nd Street’s” famous author has given this big Warner musical a real human-interest story—and that 8 supporting stars like Glenda Farrell, Helen Morgan and Patsy Kelly help tell it, under Archie Mayo’s direction.
Hyman Here to Talk
On O'Brien's Series

Louis Hyman, personal representa-
tive of Sol Lesser, president of Ather-
ton Prod, arrived yesterday for a 10-
day stay during which time he will con-
ter with Fox sales executives on the George O'Brien westerns. O'Brien is halfway through "The Cowboy Millionaire," third of four
planned for the current season. The
next, "The Four of O'Brien" with Dave Howard direct-
ing. Lesser will also make four of the same series for Fox on next year's schedule.

Hyman plans to visit every Fox ex-
change and confer with branch manage-
ners and producers on his way back to the coast.

ASC Reelects Arnold

HOLLYWOOD, April 4—John Arnold
has been elected to a fifth term as
President of the American Society of
Cinematographers.

Victor Legarreta has been reelec-
ted as vice-president, James C. Van
Trees is second vice-president and
Charles B. Lang Jr., third vice-presi-
dent. Fred W. Jackman is the new
 treasurer and Frank B. Good stays in
the same position.

John W. Boyle, Elmer G. Dyer, A.
L. Gilks, Charles Lang and Joseph
Wallace will serve three-year terms on
the Board of Governors.

Lazarus Is Reelected

NEW ORLEANS, April 4—Henry
Lazarus has been elected to a third term
as president of the Allied Oil Com-
nunity, a trust of independent oil
companies doing business in the Prout
properties, among which is the St.
Charles theatre, compelled him to
Joseph Alsim is second vice-president and
Henry Schulman secretary. The election
went on record in favor of dual bills.

Form Fashion Magazine

ALBANY, April 4—Fashion Maga-
zine of the Screen, Inc., has been
chartered at Albany with capital of
100 shares par value. Ethel Davis,
Rose Steele and Joseph Billik are the
incorporators.

M-G-M Holds Knight

HOLLYWOOD, April 4—M-G-M has
signed June Knight to a new long
term contract. Miss Knight will ap-
ppear in "Broadway Melody of 1935" as
her first assignment.

Talk Oil City Merger

OIL CITY, Pa., April 4—A deal is un-
der discussion here to combine the
management of the three local oil
houses—the Drake, Lyric and Laton-
na, H. L. Stahl and M. Marks would
be in charge.

New Short Completed

Cartoon Exhibitors, Inc., recently
formed, have produced and release short.
finished its third short, "That's a
Basket," which was made up of comments and gags con-
tributed by well known humorists ac-
companying by incidental music.

Fire at Kentucky House

MAYFIELD, Ky., April 4—Damage
estimated at $10,000 was caused by a fire
that originated in a room fan of
the Princess, owned by Warners.

"Brewster's Millions" (British and Dominions-United Artists)

The familiar yarn of Jack Brewster, who inherited $2,500,000 from his grandfather with $6,000 more from an uncle dangled before him until he spent the first fortune complete in six months emerges again. This time it is set to musical treatment and tempo with moderately pleasant results.

Jack Buchanan, young man of ingratiating personality, feet that are agile and voice that is agreeable, if small, plays the title role and in-
flames in pranks, fantastic and madcap, to squander the first millions in order to get the remaining six. He backs a musical show, buys a
palace in the form of a sumptuous yacht, saves the annual fiesta of a
small Italian village for its mayor and populace and very nearly loses
out when his play clicks and his stock investments sour. Comes the
course as Brewster, the lady can insures the delivery on
time of the cargo and thus save the line owned by Ann Sothern's father.
The two men clash immediately. When Miss Sothern is found a shod-
way on the ship, matters are made worse since she is engaged to
Buck-
ler. The latter does everything wrong and finally steers the ship off
its course into a hurricane. From it, finally, on the set, the matter of
the heart with all the beats pounding in unison on behalf of Nancy O'Neill.

Production values are sumptuous, but the picture either is overlong
or appears to be so in a number of its lengthier sequences. Some of
the gags, too, have a very familiar ring and more age on their shoulders than fresh quips ought to have if they are determined to remain fresh.

Production Code Seal No. 655. Running time, 78 minutes. "G."

"Eight Bells" (Columbia)

It will be "Eight Bells" for audiences, but all probably won't be well
until at least the fourth reel is reached, for up to there the action is still
boundled. In its attempt to get started, it is

R. William Neil's direction seems to have allowed too much dialogue
during the first half of the picture, but from that point on his work is
commendable. Joseph Walker's photography is exceptionally good.

The yarn has Ralph Bellamy, captain of a tramp steamer, denoted
in the story so that the latter can insure the delivery on
time of the cargo and thus save the line owned by Ann Sothern's father.
The two men clash immediately. When Miss Sothern is found a shod-
way on the ship, matters are made worse since she is engaged to
Buck-
ler. The latter does everything wrong and finally steers the ship off
its course into a hurricane. From it, finally, on the set, the matter of
the heart with all the beats pounding in unison on behalf of Nancy O'Neill.

Production Code Seal No. 679. Running time, 63 minutes. "G."

"El Dia Que Me Quieras" (Paramount)

Carlos Gardel and Rosita Moreno sing and dance through this feature in a most pleasant manner. It is Gardel's picture, however, particularly
because of his singing. The one number he does with Miss Moreno
where their voices blend is a favorite long remembered.

Despite the fact the film is in Spanish, so clear is the story and so
well is it handled by director John Reinhardt that it is easily followed
even if one has no knowledge of the language. The photography by
William Miller is good.

The story has Gardel, the son of a wealthy South American banker,
interested more in the theatre than anything else. He marries Miss
Moreno, a dancer, against his father's will and is disowned. Five years
later Miss Moreno dies because of the privations they have suffered,
but Gardel carries on with the daughter she has presented to him.

The scene then shifts to Europe, where Gardel and his grown child
are the sensations of the theatre and night clubs. Hollywood claims
them and it is while there that the daughter, also played by Miss Moreno,
meets and falls in love with Del Campo. Gardel's father dies and leaves
his entire fortune to Celia Villa and Del Campo, after discovering her true identity consents to their marriage. All ends.

Others in the cast are Tito Lusiardo, Manuel Pelufo, Jose Luis Tero-
tos and Celia Villa. No production code seal. Running time, 80 min-
utes. "G."

"Star Night at Coconut Grove" (M-G-M)

Gary Cooper, Bing Crosby, Jack
Oakie, Mary Brian, El Brendel, Toby
Wing, Sir Guy Standing and Mary
Pickford are here presented as being
graced by guest stars with Leo Carrillo
as master-of-ceremonies. Miss Pick-
ford speaks into a mike and Crosby
and Oakie put on a song and his
orchestra play. These are the out-
standing features of this typical short
presenting stars at play.

It is entertaining, particularly
since it is done in Technicolor.

Production Code Seal. Running time, 25 mins. "G."

"Hit and Run" (Radio)

The comedy and humor of this short are simple and puerile. Children will probably enjoy it but adults may be

Leon Errol and Eddie Kane, both
inhibited, run head-on into each other while driving their cars. Harry Bowen, a policeman obsessed with the idea he is a judge, is wedged between the two wrecked automobiles. Errol and Kane then cavort about, windoping in court after they sober up because of a sub-
poena meant for Bowen. The finish
finds Bowen being taken away to an ambulance. Both cars are

Production Code Seal, No. 684. Running time, 20 mins. "G."

"Flying Oil" (Educational)

This Terry-Toon is up to the aver-
age in entertainment set by previous cartoons of the series.

The reel opens with a "flying oil" scene, where a flock of the ani-
mals. They all buy and proceed to fly all over the countryside. The antics of the animals, particularly of the mice, should draw some laugh from audiences, especially from children.

Production Code Seal, No. 0375. Running time, 7 mins. "G."

"Three Little Pigskins" (Columbia)

The Three Stooges are featured in this short and their antics will proba-

bly have those audiences that appre-
ciate their type of comedy roaming. It is by far one of the funniest
comedy pictures they have ever made.

The boys are paddling when they are mistaken for three football stars and are signed up for a team run by Pat O'Brien. Pat reaches his height once they get into the game.

Highly recommended. Production
Code Seal, No. 305. Running time, 14 mins. "G."

"Buddy's Theatre" (Vitaphone)

Buddy as a theatre operator, is in
love with a star. He plays one of her parts and finds himself being pursued, on the screen, by three young and graduated.

Fairly entertaining cartoon. Pro-
duction Code Seal No. 574. Running time, 5 mins. "G."
"HELLO! FOX EXCHANGE? I WANT A SCREENING OF "$10. RAISE" THEY TELL ME IT'S TREMENDOUS!"

"THE BEST COMEDY IN YEARS! A CINCH!"

"DOUBLE MY USUAL ORDER. EVERYBODY IN TOWN IS GOING TO HEAR ABOUT THIS SHOW!"

"SPEND SOME EXTRA DOUGH ON THE HOUSE FRONT... I WANT A FLASH! WE'VE GOT A HIT TO SELL!"

"I LOVE IT, TOO! IT DOES ALL OF US GOOD TO SEE A GOOD SHOW!"

Make a date with yourself to see

$10 RAISE

at your FOX Exchange

"$10 RAISE" with Edward Everett Horton, Karen Morley, Alan Dinehart, Glen Boles.
Para. Setup
Is Approved
By the Court

(Continued from page 1)
that the selection of a board was not regarded as the court’s province and should remain in the hands of those “who own the property.” The following 16, agreed upon by creditor groups some time ago, now will be formally presented to the组成 the new company at the special meeting of stockholders to be called in the week. — Gerard B. Stephen Callaghan, Robert K. Cassatt, H. A. Fortington, William S. Gray, Jr., Duncan G. Harris, John D. Hirtz, Perry H. Johnston, Henry R. Luce, Charles A. McCallough, Maurice Newton, Floyd B. Odum, Charles E. Richardson, Elmer C. Stelzle, John M. Treadway, Fred A. Vanderlip and Adolph Zukor.

Joyce Submits Report
By-laws of the new company provide for a board of “not more than 18” members in which no provision is made to exist on the initial board and, it is believed, these will not be filled immediately.

Prior to continuation of the plan by Judge Coxe, a report was submitted by Special Master John E. Joyce, which also provided for the final claims against Paramount amounting to $30,351,297, which were entitled to vote only as holders of the shares and not as debenture holders. It was also noted that 77B of the bankruptcy reorganization statutes requires that in order for a reorganization plan to be confirmed by the court it must have the assent of two-thirds of the creditors and a majority of the stockholders. Among the plan received total $34,805,368, or approximately $840,000 more than required. In addition, the assets of $2,000,000 of the outstanding 32,221,000 shares of common stock were received.

No opposition to the plan itself was voiced by any creditor at yesterday’s hearing, and the opposition to the proposed board of directors was confined to Ernst, who was not present. The court also included confirmation of the plan of reorganization for Paramount Broadway Corp., holding company for the Paramount Blvd. and Theatre.

How Para. Troubles Began
Paramount’s financial difficulties, largely attributed to a lack of testimony given the Federal court, by a number of purchase obligations which maturred in 1920, and the situation forced Ernst to resign a month later and be replaced by Charles E. Richardson.

With the advent of the new Federal reorganization legislation for the purposes of reorganization and the three bankruptcy trustees were continued as trustees of the debtor company. Richardson resigned at the end of last year as the reorganization took final shape, and Hilles and Leake have since continued as trustees. The court’s final discharge by the court is now expected as soon as the formal election of directors and officials of the reorganized company has become a fact.

Attacks Do a Tail Spin
Attacks on the proposed new Paramount board of directors by L. Ernst and Louis M. Levy, attorneys, came off at yesterday’s hearing on confirmation of the plan. "A Cuck." And how they were advertised.

Ernst, a member of the Vanderlip delegation to the committee counsel for prominent writers, made a stirring plea to make room on the board for someone who knew something about the business, by taking a few bankers off the board who didn’t. He also suggested the board try to scope out the future possibilities of films in the educational field; someone who appreciated the relation of films to radio and another who would be an authority on foreign trade.

Referring to concluding instant, he was representing on the proposed board, he said that the body, as now constituted, "is an arena set up for combats and said nothing about the D’Hurteau should not be on the board because of his association with Lehman Bros., which is described as ‘bankers,’ in the court.

"It is my impression," Judge Coxe interrupted at this point, that "RKO is being handled by a trustee appointed by this court."

Ernst also voiced opposition to both the presence of Ernst and the presence of the board on which the association of Lehman Bros. was described as ‘bankers’ in the court.

"Moreover," Judge Coxe added, "if it was given to me to select a board, my inclination would be to pick business men in preference to professional men; professional men, who don’t have any art any good."
“THANK YOU MR. KANN—

FOR STOPPING THE PRESSES!”

The exhibitors of America are waiting for the first FLASH!

“RECKLESS PRESS NOTICES!

By Direct Wire from California Preview! Turn to next page and see—
RECKLESS! WOW!

**MOTION PICTURE DAILY**'s RAVE!
Hollywood, Cal.

“‘Reckless’ superb production plus big draw cast names makes this a certain money picture. Story gives Jean Harlow, William Powell, Franchot Tone great opportunities. Dialogue sparkles and action speeds along. Three musical numbers. Production lavish. Hits all types of audiences.”

**HOLLYWOOD REPORTER** GOES WILD!
Hollywood, Cal.

“M-G-M’s ‘Reckless’ certain hit! Powell, Harlow, Tone tops! Swell audience picture ripped right out of the headlines. Literally jammed with entertainment value, music and production numbers in a story that could have stood by itself. William Powell further distinguishes himself for the fans. Jean Harlow gives herself a lift way up. Writing is bright. Direction has tempo. Fleming has directed a swell picture, paced it well and has gotten excellent performances out of the players. All the music is good. The money poured into this picture is evidenced at every point.”

**COAST VARIETY** DOES HANDSPRINGS!
Hollywood, Cal.

“A picture that will live up to most anything press agents can say. Top notch entertainment expertly produced and directed. Everything in it for both male and female patrons.”

"RECKLESS" spells RECORDS!
SAN FRANCISCO, April 4.—"Ruggles of Red Gap" was the big noise among the first runs last week. It piled up $25,000, with the line by $13,500, at the Warfield.

At the same time "Gold Diggers of 1935" was doing a fine line at the Paramount by pulling $12,500. These grosses were outstanding, because every other downtown first run was selling against a poor market.

Total first run business was $78,500. Average is $8,000.

Estimated takings:

**Week Ending March 26:**

**ROBERTA** (Radio) GOLDS (—, —), 25c-35c-40c, 7 days, Gross: $2,600. (Average, $300.)

"Rumba" with Show $9,500 Top in Omaha

OMAHA, April 4.—With Mary Brian heading a show and "Rumba" on the screen, the Paramount began a fine week, getting $5,000, over average by $1,500. The house now goes back to split weeks with vandeville three days and duals four days.

"Gold Diggers of 1935" was strong at $5,100 in the Brandeis and "West Point has the line $5,000 at the Omaha. The Good Fairy" and "We Live Again" did not fare as well as at the Orpheum.

Total first run business was $28,100. Average is $4,000.

Estimated takings:

**Week Ending March 28:**

**RUMBA** (Music) PARAMOUNT—(2,000), 25c-30c-35c, 7 days. Gross: $4,300. Average, $615.

**THE GOOD FAIRY** (Univ.) ORPHEUM—(1,900), 15c-25c-35c, 7 days. Gross: $850. (Average, $125.)

Premier Now Excelsior

HOLLYWOOD, April 4.—Premier Pictures' "Little Men", a five-act stage show turned the movie business on its side last week.

The premiere got under way this week on the first of a series of nine pictures. "Hell Breaks Loose" is the title and Lester Hall is the star of the picture. "The Silent Man" is the Northwest thriller, and the picture will be released about the middle of this month.

**“Ruggles” $4,000 Leader in Lincoln**

LINCOLN, April 4.—"Ruggles of Red Gap" sent the Stuart into the profit column with a $4,000 take, $900 over average. (Average, $3,100.)

The Orpheum found out how bad a straight picture could be in its last half with "The Private Life of Don Juan" for four days. The first three with "Little Men" and a five-act stage show carried the week's load and handed up a bare $1,000, which is down by $500. The Varsity, too, slept with the second week of double features, "Let's Live Tonight" and "In Spite of Danger." Total first run business was $9,200. Average is $9,100.

Estimated takings:

**Week Ending March 25:**

**PRIVATE LIFE OF DON JUAN** (U. A. United Artists—(1,700), 10c-15c-20c, 7 days. Gross: $6,000. (Average, $860.)

"Robert" skyrockets the Palace gross to $30,000, leaving par $8,000 behind. Vic Oliver and John Fogarty headed a vaudeville bill.

"Gold Diggers of 1935" was also in the big money, getting $4,000 at the Chicago. Business was pretty dull elsewhere on the Loop. "Sequoia" was $1,000 up at $12,000 in the Roosevelt, but elsewhere the takes were at or below the mark.

Total first run business was $134,000. Average is $127,600.

Estimated takings:

**Week Ending March 26:**

**THE LITTLE LONE** (Col.) UNITED ARTISTS—(1,200), 25c-30c-35c, 6 days. Gross: $2,000. (Average, $333.)

"Ruggles" $4,000 Leader in Lincoln

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Estimated takings:

**Week Ending March 26:**

**THE LITTLE LONE** (Col.) UNITED ARTISTS—(1,200), 25c-30c-35c, 6 days. Gross: $2,000. (Average, $333.)

"Ruggles" $4,000 Leader in Lincoln

"Robert" April 4.—"Ruggles of Red Gap" sent the Stuart into the profit column with a $4,000 take, $900 over average. (Average, $3,100.)

The Orpheum found out how bad a straight picture could be in its last half with "The Private Life of Don Juan" for four days. The first three with "Little Men" and a five-act stage show carried the week's load and handed up a bare $1,000, which is down by $500. The Varsity, too, slept with the second week of double features, "Let's Live Tonight" and "In Spite of Danger." Total first run business was $9,200. Average is $9,100.

Estimated takings:

**Week Ending March 25:**

**PRIVATE LIFE OF DON JUAN** (U.A. United Artists—(1,700), 10c-15c-20c, 7 days. Gross: $6,000. (Average, $860.)

"Robert" skyrockets the Palace gross to $30,000, leaving par $8,000 behind. Vic Oliver and John Fogarty headed a vaudeville bill.

"Gold Diggers of 1935" was also in the big money, getting $4,000 at the Chicago. Business was pretty dull elsewhere on the Loop. "Sequoia" was $1,000 up at $12,000 in the Roosevelt, but elsewhere the takes were at or below the mark.

Total first run business was $134,000. Average is $127,600.

Estimated takings:

**Week Ending March 26:**

**THE LITTLE LONE** (Col.) UNITED ARTISTS—(1,200), 25c-30c-35c, 6 days. Gross: $2,000. (Average, $333.)
SMART.... SMOOTH.. POLISHED

BRILLIANTLY BOX-OFFICE

William

POWELL

with

PAUL KELLY
GENE LOCKHART
RALPH MORGAN • LESLIE
FENTON • J. FARRELL MACDONALD

FROM THE NOVEL BY
ARTHUR SOMERS ROCHE
RKO-RADIO PICTURE
Bringing two big names together for the first time . . . in a murder mystery-comedy that develops new depths of silken danger for the master of all screen detectives . . . and which reveals a new world of charm in the gorgeously-gowned starlet of "Divorcee" and "Roberta" . . . A CLASS SHOW FOR TOP MONEY EVERYWHERE!
Ohio in New Outbreak of Tax Measures

(Continued from page 1)

$35,000,000 more in revenue is needed for poor relief, old age pensions, school repairs and the payment of the money he now proposes renewal of the 10 per cent amusement tax, gross income taxes, one per cent personal income tax, sales tax of 30 cents a gallon, pay roll tax, a professional tax on physicians, dentists, attorneys and others; an increase in taxes on boxes and tourist homes; an increase in the rates on gasoline, motor vehicles, utility companies, transportation, chain stores, and a tax on matches.

The only thing that escapes is a tax. Governor Davey is a tax seer.

Lehman Gets Sunday Bill

ALBANY, April 4—Sunday legitimate theatre shows are now up to the Governor. The two Berg bills, one permitting, one not to expire the other day one off in seven for performers and theatre attaches, have passed both houses of the Legislature. Equity yesterday defeated revenue Lehrman protesting Sunday night performances for legitimate attractions. Theatre managers hold that they would close Monday night if the Sunday ban was lifted.

Dorgan Bill Is Embalmed

BOSTON, April 4—The Massachusetts House has refused a vote of 57 to 33 a substitute measure following an unfavorable report by its Public Welfare Committee on the petition of Representative Thomas Dorgan, former bus driver of Dorchester, to ban everyone under 14 from seeing pictures not passed by an appointed religious board. A similar Dorgan bill was killed last year.

The House's action was a victory for Arthur Howard of Allied, Joseph Bill, of the Federation, and Martha Ferris of the Film Board of Trade, who had waged a strenuous fight against the measure.

Delaware Sunday Bill Defeated

DOVER, April 4—A bill to permit Sunday films in Delaware after 1:30 o'clock in the afternoon was defeated here yesterday in the House, 8-20, just before the present session was over. This is the eleventh time the measure, which has caused more protests and controversies than any other bill, has been defeated in the General Assembly, and the 12th in the last five years. Judge James S. Duggan, another opponent, has developed a theatre licensing bill similar to one just defeated in Delaware. He believes, however, that it would authorize town and city authorities to impose any fees, regulations or restrictions they consider desirable.

Battle N. H. Tax Bill

Concord, N. H., April 4—A tax measure opposed by the Amusements Club has developed to a theatre licensing bill similar to one just defeated in the state legislature and would authorize town and city authorities to impose any fees, regulations or restrictions they consider desirable.

Defeat Daylight Bill

Concord, N. H., April 4—A bill prohibiting daylight saving, which was passed, 188-100, in the House, was voted down by the Senate today, 13-10. Under the terms of the bill fines would have been imposed for the display of clocks of any time except Eastern Standard Time.

Aylesworth Favors Radio-Theatre Aid

(Continued from page 1)

theatres, but nothing has been done about it.

“You will find more and more cooperation between the radio and screen, and in the future,” he prophesied. "Radio has kept people from going to the theatre and I feel that radio is one of the greatest exploitation mediums for pictures.”

"Newspapers have been a vital force in publicizing films, but I still feel that there is a greater opportunity for exploiting pictures by use of radio.”

Prior to Aylesworth's talk, Howard Thomas, in his introductory speech stated that Aylesworth had had an opportunity to be elected governor of Colorado, but preferred a radio post.

Taking his cue from Dietz, Aylesworth rose to the occasion and stated it was probably wise for Hollywood to make a "lousy" governor of Colorado and he has made out just as well as an RKO executive.

He commented on the work done by the "amateur critics" in the "amateur critics" were made pictures as good as you publicity men put them over we would be making a lot more money.” He said he was sincere about this.

He Touches on Television

Without stating that he had seen the article in Motion Picture Daily, Aylesworth said: “I read this morning in the trade papers that Samuel Goldwyn, from London, talks about color and television. I believe Goldwyn stated that color depends on the reception of ‘Bucky Sharp.” At this point he turned to Ned Depeint, attache of the 1935-36 season’s product at subsequent runs.

Cleveland Pact Up Today

CLEVELAND, April 4—The Cleveland M. P. Exhibitors’ Ass’n will meet Friday after lunch to discuss the single feature plan. An effort will be made to secure signatures for renewal of the present single feature agreement, but it is understood that those exhibitors now in direct competition to houses playing double features will not sign a new agreement.

Reade Hits Brandt Single Bill Moves

(Continued from page 1)

would be playing double features,” he said. “I have two double feature houses, the City and the Savoy,” Reade said, “and we are playing from 53 to 80 days after Broadway.”

Pointing out an example of the compound protection by circuits, Reade declared that he had to wait until now to play “Kid Millions” at the City. The U. A. film was released generally Dec. 26 last. He holds that Loew’s is responsible for holding up the date.

The Mayfair and Astor on Broadway are single feature houses. In the event the Criterion is demolished and Loew’s breaks the New York, Reade will adopt a two-reel program at the Mayfair, he says.

Burkan’s Col. Holdings

WASHINGTON, April 4—Nathan Burkan, a Columbia director, is listed as a regime to SEC as holding 25 shares of the company’s stock.

Passover Starts April 17

Passover, an important holiday for the Jews in the United States, starts April 17 and continues for eight days.
now in circulation

SPRING BUYERS NUMBE

A GUIDE TO THEATRE REMODELING AND EQUIPMENT REPLACEMENTS

Including the EQUIPMENT INDEX and THEATRE SUPPLY DEALERS the industry's standard equipment directories, completely revised.

SECTION TWO OF MOTION PICTURE HERALD
Footage Levy Emerges from Minn. Battle

Showmen Suefully Study Ticket Tax Victory

MINNEAPOLIS, April 5—With the 10 per cent amusement tax killed out of the Minnesota omnibus tax bill and a film footage tax substituted, industry representatives wonder whether they have won a victory or lost the war. Allied theatre owners moved in a body on the House and Senate committees hearing the bill Wednesday to protest against the amusement tax. They were accompanied by Minnesota Publicists representatives. They won their fight, BUT—. Announcement followed that a footage tax had been substituted.

Present sales contracts require that (Continued on page 3)

Industry Heads in Frisco Tax Confab

SAN FRANCISCO, April 5—Will Hays, Joseph M. Schenck, Louis B. Mayer and Winfield Sheehan were in conference here today with industrial leaders on efforts to promote a better understanding on the California tax situation.

The Hollywood delegation, according to reports, admitted no objection (Continued on page 3)

Bonus Plan Started For RKO's Managers

RKO theatre executives are inaugurating immediately a bonus plan that will apply to all managers and division managers. Bonuses, in addition to the regular salary, will be paid to all managers who improve the operating results in their theatres for the current year over last year. In a similar manner bonuses will be paid to all division managers who show improved operating results in their divisions.

Columbia Lineup to Be About Same: Cohn

KANSAS CITY, April 5—Columbia's new season lineup will be about the same as the current schedule, declared Jack Cohn, vice-president, upon his return from the coast early today by plane. He has been West for production conferences.

Harry Cohn is expected east in about a month, prior to the annual (Continued on page 2)

Hexapods Stirring Alarm

Hollywood, April 5—A movement is reported to be under way to put all the film colony's hexapods under strict observation and control. The Academy technical branch has taken no official action as yet, but it has been learned from a member of the Actors' Guild that widespread alarm has been caused by Grace Bradley's bite.

The idea is to see that the gold fish are fed, but without danger to the feeder.

Ordinarily, a properly housebroken hexapod curls up into a small round ball with nothing but his outer shell exposed when (Continued on page 3)

Early Call to Be Issued for Para. Election

Stockholders to Round Out a Board of 16

The election of eight new Paramount directors to complete the proposed board of 16 is scheduled for a special meeting held by stockholders to be called in the near future and will mark the beginning of actual resumption of independent corporate proceedings by the company after more than 26 months of Federal court and trustee supervision.

Eight of the 16 directors agreed upon by creditors will be formally elected to the board in December. A ninth, Dr. Julius Klein, elected at that time, will resign in the near future, leaving eight additional members to be elected. The eight who are already members of the board are: Robert B. Proctor, William M. Duckworth, John E. Melcher, James B. Luse, James R. O'Brien, General Executive, Loew's, Los Angeles, Harry S. Seel, and John E. L. LeBoutillier, general executive, Loew's, New York City.

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Criterion and Loew's To Be Sold April 26

Sale of the Criterion and Loew's New York theatre property at auction is scheduled for April 26 to satisfy a $4,353,444 defaulted mortgage on the property held by stockholders of the0

s

Schulberg to Make New Para. Proposal

B. P. Schulberg will submit a new production proposal to the new Paramount board in the near future, as a result of the vetoing of the original deal by Paramount's creditor representatives recently, it was learned yesterday.

The new proposal is expected to call for the production by Schulberg of 14 (Continued on page 2)

Educ'l to Observe 20th Anniversary

On May 8 next, Educational will celebrate its 20th anniversary. The short subject company was formed in 1915 with Earl W. Hammons as president and has retained its name and head through the years.
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CHARLIE to Washington Monday night to be on hand for the Senate Finance Committee hearing on the NRA. He is particularly anxious to hear what Abram P. Myers will have to say.

Mickey Walker regaled Jack SPRING, Sam Cocalis, Edie GRAINGER, and Joe Lee, amongst others with stories at The Tavern yesterday. GRAINGER, by the way, is on another sales trip Monday.

Quip of the Day
Producer, excited about rain in a print of his favorite picture and taking it up with the lab:

"What are you trying to do, rain me!"

"Don't get excited. It's a new service to save production costs. Whenever your script calls for rain, you don't have to bother with it. We'll add it in the lab for you at no extra cost."

DAVID LOEW, back from the coast, is silent on coast tax problems, which scares in Europe and the roughness of the plane trip, but on the subject of that 75 he turned in on his last round of golf -- !

SYDNEY SAMUELSON returns today from Minneapolis where he attended the two-day annual session of the Allied Theatre Owners of the North-west.

CHARLES B. PAINE counts among his lingering memories the manner in which the Universal gang observed his birthday the other day.

TYREE DILARD, Jr., will be in Washington Monday and will confer with Compliance Director Sol A. ROSENBLATT for a few days.

HOOH GIBSON leaves today for a trip. He arrived Thursday from the coast for a brief convivial with First Division executives.

SAMUEL GOLDSWYN shifted his plans, which are not unusual for him, and left by plane for the coast last night with Mrs. G.

CARRIE ROMERO is giving a cocktail party Sunday afternoon at the Lombardy.

LEW BROWN leaves for Hollywood in a few days to join SAMUEL GOLDSWYN.

BRUCE GALLUP takes over his new duties at Columbia Monday.

HARRY C. ARTHUR gets back from St. Louis on Monday.

Purely Personal

STANLEY L. FRIEDMAN, member of the Paramount Vander lipr de- livery committee, yesterday closed his offices he has maintained in the Paramount Bldg. throughout the reorganiza-
tion, marking the wind-up of the activities of the firm and the court confirmation of the reorganiza-
tion plan.

HELEN VINSON arrives here by plane today to visit her mother for two weeks. She will then sail for England and make a picture for Gaumont British.

FRANK A. VANDERLP and Percy H. JOHNSTON, Paramount board mem-
bers, have returned from the coast after visits at the Paramount studio.

ARTHUR BISHBE was given a private showing of M-G-M's "Buried Lust," first of a "Crime Doesn't Pay" series of two-reelers, by OSCAR DOON.

JACK SIMONS, Poli manager in New Haven, and Don RS, Loew manager in New York, were home office visitors yesterday.

... New Haven

HARRY ROGGVIN and Sam ROSEN can wait to get home from Flor-

ida and wired the wives to meet them in New York.

BARNEY PITKIN is yearning for con-

ventions and Ben LOUBRE is chasing white pills around the local courses at dawn.

Ben SIMON is reviving dreams of a Fox screening room on the strength of a shipment of chairs from the old Boston office.

EARL WIGHT to New Hampshire to attend his brother's funeral.

... St. Louis

Seen along the row. BUCK LEWIS of Rolla, Mo.; S. E. PERRY of Jersey-

ville, Ill.; BILL GRIFFIN and MRS. I. W. RODGERS of Terre Haute, Ind.; CHARLIE DAWSON of Bowling Green, Mo.; VIC J. URBANSTE of Breeze, Ill.; D. O. HAMMOND of Carlisle, Pa.; FRANK BARNES of Carmi, Ill.; ART and MRS. BEARE of Chester, Ill.; C. W. CANNON of Ellisboro, Mo.; S. HAWLEY, Har-
din, Ill.; TED COLEMAN of Mount Carmel, Ill.; R. M. ASHEBY of Van-
dalia, Mo.; and VERNE COFFMAN of Morrow, Ill.

OPHELIA LORENZEN, cute Warner cashier, becomes bride of W. B. ADAMS, the former cashier and now salesmen in Kansas City, the bride's brother, RUB LOHNES, is a Warner salesman in Minneapolis.

V. CLIF FREDERICK, the heir apparent of "Picquelle," is out of his title of the world's best picker of women, assiduously pursued by ANN HAYES and EVELYN MAHLE.

Warner cashier, EVELYN RIEHER, is now the manager's secretary and EDNA FOX has been added to the sten-

ographic staff.

CHARLIE GOLDMAN, "Dingy" Moore and JIMMY MAHONEY talking about golfers, present company except-

ed.

Early Call to Be Issued for Para. Election

(Continued from page 1)


The underwriting of the $6,400,000 of Paramount stock subscription warrants is also expected to be agreed upon by the creditor groups in the near future, with present indications pointing to an offering by a group which will include Kuhn, Loeb & Co., Hayden, Stone, Lehman Bros., Lazard Freres & Co., and others. The new securities must then be approved by the Securities and Exchange Commission. Election of officers of the company will be held simultaneously. Inasmuch as there now appears to be little semblance of agreement among the creditors, it is quite possible that the latter will indeed occupy the top posts.

In all, the processes of corporate organization of the new company may require three or four months before it is not too late to be established.

The approval by the Federal court at Brooklyn of Allied Owners' $5,000,000 claim settlement with Paramount increases the assets to the Paramount reorganization plan to a total of at least $40,000,000, as compared with the approximately $51,000,000 of claims entitled to vote on the plan.

Schulberg to Make New Para. Proposal

(Continued from page 1)

pictures during the next two years, each of which would be budgeted at not more than 75 per cent, as contemplated in the original proposal. Production, however, will probably be divided among the studio, and a total of 50 per cent of the final gross cost will also be pro-

posed. The vetoed offer contemplated 50 per cent financing by Paramount and the remaining 50 per cent split between Erpi and Ralph Kohn. New objections have been raised by creditors to participation in the financing by either Paramount or Erpi.

Criterion and Loew's

To Be Sold April 26

(Continued from page 1)

45th Streets. The property was offered by Seneca Holding Corp., a wholly owned Paramount subsidiary, and has been offered for sale by the company on two different occasions during the past year and a half withot.

out an acceptable bid being received.
Footage Levy Emerges from Minn. Battle

(Continued from page 1)

Exhibitors pay this tax, if and when imposed.

In the new Minnesota bill the levy is one-half cent for each linear foot of film used in the state. This would be $30 on a 50-foot strip of 35mm film. Whether it would be levied just once after the arrival of a print at an exchange, or whether the payments would be worked out is not clear.

Exhibitors have expressed a will-

ingness to accept a fair share of the tax burden, they say, but what they were fighting for was to keep the in-
dustry from being taxed as if it were a luxury. One of the worries over the 1934

footage levy is its possibility that it might result in a reduction in the number of prints and their use until they become antiques.

That exhibitors will have to work with the tax is nothing new. It was proposed earlier and is regarded as a foregone con-
clusion.

Playdate Vet Seen Possible

COLUMBUS, April 5—Signature of Governor Martin L. Davey to the bill of Senator Howard W. Waldvogel, to prohibit designated playdates is being withheld pending a decision requested from Attorney General John W. Baker as to its constitutionality.

Belief that distributors, who have contended that the bill is unconstitutional, are exerting pressure in order to influ-
ence a veto, is strengthened by the fact that this is the first time since taking office in January that Governor Davey has asked advice from the attorney general, who is of a different political affiliation. Heretofore, he has sought legal information on legislative questions from attorneys on the state payroll, or relied upon his lawyer friends for the necessary counsel.

Delaware Beats Film Bills

DOVER, April 5—Not one of the four bills affecting films introduced in the Delaware Legislature had passed when the session adjourned sine die.

Only two, the bills to permit Sunday shows and dog racing, were called up for a vote. Both were defeated by the House.

One of the other bills called for a censor board and the other was in tended to apply a three-cent tax on each admission.

New Ontario Taxes Loom

Toronto, April 5—Theatre and exchange executives in Ontario are feeling furrowed brows as a result of an announcement by Premier Mitchell F. Hepburn that the province closed the fiscal year with a deficit of $30,599,000 and that new taxes will be imposed.

The change of the date of the fiscal year from Nov. 1 to April 1 is caus ing confusion in study of the state-
ments.

The statement of ordinary revenue for the past five months shows the amusement tax produced a total of $297,628, or an average of close to $60,000 per month. Yet the amuse ment tax item in the budget for the year starting April 1 is $850,000, which means that the Government ex pects to collect better than $70,000 per month.

The same situation is found in the censor board figures. During the past five months the Government has collected fees totaled $38,887 and the estimated receipts from this source during the next 12 months are $91,000.

Debate California Tax

SACRAMENTO, April 5—Continued debate over the income tax is continu-
ing to occupy practically the entire time of the House. A Democratic bill boosting the proposed rate from two to 25 per cent has been offered as an amendment to the Administration bill which calls for a third of the Federal rate.

The bill will come up again Mon day for amendments.

New Film Tax Up at Albany

ALBANY, April 5—A bill was intro duced in the Assembly today by Ber gard J. Moran, Democrat of Brook lyn, to impose a tax of two tenths of a mill per foot on all films before it is examined by the censor board.

Held Unconstitutional

AUSTIN, Tex., April 5—The Third Court of Appeals has ruled the state's anti-trust laws unconstitutional. This decision has on the trial court's dismissal of an anti trust suit brought by Attorney General James V. Allred against 17 oil companies.

Denies "Millions" Delay

Denying Loew's had held up the dating of "Top Hat," Warners' next production, David Loew yesterday stated that the U. A. picture was available for the territory embracing the City on Jan. 31.

Form Republic Prod.

ALBANY, April 5—Republic Prod. Inc., has registered a charter with State industry. "Top Hat," is scheduled to start Monday.

Astaire-Rogers to Start

Hollywood, April 5—The next Republic musical, "Top Hat," is scheduled to start Monday. Helen Broderick, Erik Rhodes and Eric Blore are also in the cast, with Mark Sandrich directing.

Industry Heads in Frisco Tax Contab

(Continued from page 1)

Industry heads in the proposed taxations, feel ing this would be fairer than the in come tax. Republican legislators have offered assurances that all industries would work together for fair legislation, with no discrimination against any particular one.

J. J. Bryson, legislative representa tive of the Hays office, was also pres ent at the conference, details of which were kept secret. Hays left later in the day for Sacramento.

Ludington to Come East on Film Talk

With Nicholas M. Ludington ex pected to arrive from the coast over the week-end, the board of directors of First Division Prod., will start the first of a series of conferences Mon day on production and sales poli cies.

Ludington has been ill on the coast and is expected to leave Hollywood by plane Sunday. All other direct ors of the company have been in town for the past week awaiting Ludington, who is president of the producing unit.

End Milwaukee Ad Row

MILWAUKEE, April 5—After several weeks, during which the Fox circuit refused to run any advertising in the Journal, the Ad Row battle between the circuit and the local daily newspaper has been ironed out and Fox's advertising is again appearing.

Warners Will Make Quota Films Longer

(Continued from page 1)

this section another week to 5,000 feet each. The new ones will run 7,000 feet.

A third sound stage will be built following Asher's arrival. It will be 100 x 120 feet. A new administration building and a new power plant are also on the new construction programs. Asher conferred with Harry M. War ner yesterday on these matters. Latest dates on the wiring settle.

No decision has been reached on taking American stars over for British pictures. Asher said he hoped to play another show but nothing is definite.

Laura LaPlante, his wife, will make your next season, the first of which will begin at end of May. It is tentatively titled "Water Nymph," an original by Guy Bolton. The star is now in Hollywood arranging to take her mother to England. She will be in New York in two weeks.

In making our new pictures, we will aim for a world market," Asher declared. "We are not going to make $500,000 and $500,000 pictures and not trying to compete with this type of production. We are trying to make good, salable product, and if we can do this we will have no difficulty finding a market." Jerome Jackson, formerly with Gaumont British, has joined the War ner management as associate producer under Asher.

"Production is booming in Eng land," the Warner executive said. "The market is good; in fact it's hard to get tickets at many the atres. This is due, I think, to good product."

Bette Davis with Donat

Hollywood, April 5—Bette Davis will play opposite Robert Donat in Warners' "Captain Blood."
MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Spring Tonic” (For)

Hollywood, April 5—This picture has a capable cast that is handicapped by story. Claire Trevor, Lew Ayres, Walter King, Jack Haley, Zasu Pitts, Siegfried Raunum and Douglas Fairbanks. The film handles its equal-giving plot in a way that occasionally laughs have been informed of black situations.

The story starts with Miss Trevor walking out on her wedding to Ayres. Taking Miss Pitts, her maid, she motors to a deserted summer resort which is used as a moonshiners’ hang-out by Rum-mern and Company. Playing near the lodge is a tiger to keep his wife, Tala Birell, busy by being a philanderer. Eventually the characters and the tiger chase each other all over the countryside with Haley, on the scene as a newspaper reporter, contributing a good part of the comedy. When the tiger is captured and proves to be a tame one, Ayres is restored to Miss Trevor and the other characters continue their business.

Clyde Bruckman has directed with slapstick technique, at times getting much out of the situations. The production of Robert T. Kane is suitable and the photography is all right.

Production Code No. 737. Running time, 57 minutes. “G.”

$100,054 Is Granted For Code Operation

(Continued from page 1)

MOTION PICTURE DAILY

KANSAS CITY, April 5—“Mississippi” was the Newman’s bell ringer, turning in $8,500 in seven days, above normal for the house. Total first run business was $33,600. Average is $32,500.

Estimations

Week Ending March 27: “THE MYSTERY OF EDWIN DROOD”

MAINSTREET—(2,000), 25c, 35c, 40c, 7 days. Stage: Lugo-Velez, Irone, Fournill Iron. Four Vespers, Pettet & Dorgan, Medley & Dwyer. Gross: $7,270. (Average, combination bills, $0.06.)

“MISSISSIPPI” (Para.)

NEWARK—(2,500), 25c, 30c, 40c, 7 days. Gross: $8,500. (Average, $0.60.)

“The Love of the Body” (20th)

UPTOWN—(2,000), 25c, 35c, 40c, 7 days. Gross: $9,900. (Average, $0.90.)

“TRANSIENT LADY” (Ung.)

TOWER—(2,000), 25c, 35c, 40c, 7 days. Stage: Six Lucks, Robert Walsh & LaZarr, Alfredo & Dolekas, Jack Car- ties. Gross: $6,800. (Average, $0.90.)

Grosses Generally Down on Broadway

(Continued from page 1)

May 1, probably in Cincinnati or Chicago.

“Mississippi” has its arrival from Chicago. Johnston conferred with Robert F. Withers, manager of Midwest Film Distributors. Monogram franchise holder. He left tonight for Pitts- burgh, planning to be back in New York Monday.

Aylesworth Rushes West

M. H. Aylesworth, RKO and NBC head, left by plane yesterday for Denver, from where he will go to Fort Collins, Col., to attend the funeral of his mother, Mrs. Georgia Shores Aylesworth, who died Thursday night following a long illness. Aylesworth is expected back early next week.

Tri-Ergon Cases Ended

SCRANTON, April 5—An official no- tice from the U. S. Supreme Court has been received in U. S. District Court today in behalf of Harland Holmend, third vice-president of the union, who charges misappropriation of $50,000 of union funds.

An accounting of the union’s books is asked in the suit, which charges Misapropriation of $50,000 of union funds.

MALOY: Malloy in the suit, which charges

U.A. Group Returning

PHILADELPHIA, April 5—Joseph M. Schenck, Al Lininger and Russell E. Phillips left by plane for New York today after a week confering with Darryl Zanuck, Edward Small, Irving Goetz and Walt Disney on future production and reviewing the California tax situation.
**NEW YORK, MONDAY, APRIL 8, 1935**

**TEN CENTS**

**The Leading Daily Newspaper of the Motion Picture Industry**

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**“Stupid” Law Moves Are Hit By Kuykendall**

Blames Sales Policies For Pettengill Bill

Responsibility for the harassment of the industry with “stupid legislative panacea,” such as the Pettengill Bill, is placed squarely at the door of distributors and their “stupid, shortsighted” sales policies by M. P. T. O. in the organization’s current bulletin released Saturday by Ed Kuykendall, president.

In an attack on the Pettengill Bill and consideration of its probable adverse effects on smaller theatres and the industry at large, the M.P.T.O. bulletin declares, in effect, that a reasonable cancellation privilege of 20 per cent granted to exhibitors without qualifying conditions, would close the door to the introduction of legislation.

(Continued on page 7)

**Seventeen of Paramount Lineup Already Set**

Seven of the 65 pictures Paramount will announce at its convention here starting May 13 are set. They are: "The Crusader" with Henry Wilcoxon and Loretta Young and produced by Cecil B. De Mille; Tullio Carminati in "Paris in the Spring" and "Mary Ellis"; "So Red the Rose," a King Vidor production; "Rose of the Rancho" with John Boles and Gladys Swarthout; "The Milky Way" for which no cast is set, and "Anything Goes" with Bing Crosby and "The Big Broadcast," which Barney Glazer will make, is likely to be included in the 1935-36 list. This is not yet set.

**Maine Betting Bill Signed by Governor**

AUGUSTA, Me., April 7—Governor Louis Brann has signed a bill legalizing pari-mutuel betting on trotters and pacers and the measure becomes effective 90 days after the current session of the legislature adjourns, which is expected in a few days. The new bill prohibits betting on Sundays and by minors at all times.

**Roosevelt, Beacon, Acquired by S. & C**

Springer & Cocalis have taken over the Roosevelt, Beacon, making the third house for the circuit in the town and ending a price war which has been

(Continued on page 6)

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**POOLS IN FOR ALL**

**British Quota Quality Will Receive Study**

By BRUCE ALLAN

LONDON, March 29—"Full consideration" to any suggestions which might be made by the Films Act Advisory Committee to improve the quality of British quota films, has been promised in the House of Commons. I. T. O. Burgin, Parliamentary secretary to the Board of Trade, in replying to this effect to Herbert Williams, pointed out that the act had 10 years’ duration and there was plenty of time to consider recommendations. An inquiry into the working of the act was not considered necessary, nor were developments in the trade regarded as having made it obsolete.

This reply is considered very significant in view of the fact that an

(Continued on page 2)

**CHARNOW WINS CASE AFTER SEVEN MONTHS**

After seven months of fighting, Julius Charnow of the Leonia, Leonia, won his clearance and zoning fight against RKO and Loew’s in New Jersey. Campi last week decided that he does not have to follow the two circuits’ theatres in North Bergen and Union City, but can play seven days after Englewood.

This is what Charnow has been seeking all along. His case had been

(Continued on page 8)

**Four Downtown Spots in Lincoln on Duels**

LINCOLN, April 7—Four of the nine downtown houses here are using double features now as a result of J. H. Cooper’s decision to put two films in the picture half of the week at the vaudeville Orpheum, the other Cooper spot now offering two is the Sun, both L. L. Dent houses, the warring Westland Kiva and Varisty, have duels, too. This is close to the one time record when six of the nine downtowners had two features on every program in the spring and summer of 1934. The Lincoln has also cut the afternoon price from 25 cents to 20 cents.
CAN the members of the exhibition family live in the same big house without tearing each other apart? Values in the written and unwritten history of the business say they cannot. Certainly the preponderance of evidence bears out the conclusion. Yet, longing something like the conversations current today in several quarters about the possibilities of and plans for theatre pools here, and there and everywhere throughout the country is an intangible idea which might be somewhat loosely defined as family harmony. A thought such as that very often springs from a comparison of the mutual objectives. The ill today is that theatre business improved, as it is over depression-depths days, is not what it ought to be; the objective, obviously, is to improve it.

Regardless of what makes the idea persuasive, the inclination today appears to be for pools and more pools to cut overhead, split available product, perhaps reduce clearance from a phantom to a fact and to bring about a friendlier, round-the-Maypole attitude where strife and drawn swords are a thing of the past. It is possible that trouble will come else tomorrow, for this business, by its makeup, is nothing if it is not volatile. But the plan, in outline, is interesting and something to contemplate. If mutual results time alone will tell.

In exhibition, also, another thought is shaping itself. This has to do with the theatre's primary consideration: product, how good or how bad, and from that point on, what? Generally recognized in the trade, but not perhaps so recognized in the trade, is the picture from all sources total somewhere in the neighborhood of only 15 per cent. Adver-

MARY K. SHAPIRO, Manager

JAMES A. CRON

Advertising Manager

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Studio Pace Lags; 38 Features Going

(Continued from page 1)
Walt Disney is in London, zero and two; Paramount, three and three; Paramount, two, one and three; Radio, two; and five; Universal, zero and two; Warners, zero and one; independents, nine, three and six.

Walt Disney is in London, zero and two; Paramount, three and three; Paramount, two, one and three; Radio, two; and five; Universal, zero and two; Warners, zero and one; independents, nine, three and six.

Walt Disney is in London, zero and two; Paramount, three and three; Paramount, two, one and three; Radio, two; and five; Universal, zero and two; Warners, zero and one; independents, nine, three and six.

Warner Aiding Dinner

Harry M. Warner is chairman of the dinner committee in charge of a testimonial dinner to be tendered by the American Jewish Congress tonight at the Hotel Astor in honor of Dr. Leonard S. Deutsch, president of the Board of Aldermen. Louis Nizer is chairman of the executive committee.

Skouras Awards Prizes

Los Angeles, April 7.—Charles Skouras has awarded bonuses and prizes to the directors and managing directors of the city's theatre houses who were the winners of the recent 13 week drive in a ceremony held over the weekend in the offices of A. M. Bowles, western division manager in San Francisco.

By RED KANN

British Quota Quality Will Receive Study

(Continued from page 1)
official announcement was made earlier in the week that the quota provisions were now in effect. This was read in some quarters as an assurance that no amendment of the act in any detail was contemplated.

Suggestions by local authorities that free film shows of a patriotic character shall be given to children, during the King George "Jubilee" celebrations have been generally negatived by C. E. A. branches. Epitomizing the general opinion of members of the exhibitors' association, the Scottish branch has passed a resolution that ordinary matinees' prices shall be charged at special "Jubilee" performances.

Associated British Pictures has declared an interim dividend for the first time, paying 5 per cent. Trading figures are believed to have exceeded all estimates and a final dividend of 10 per cent for the year is regarded as a possibility in financial circles.

Among British, leading rival of the Maxwell group, paid three per cent interim and its last year's total dividend was six per cent.

Immediate conferences will be held between exhibitor and distributor nominees of C.E.A. and K.R.S. to see if an agreement can be reached on a standard contract.

This was one of three urgent matters on which the exhibitors recently deposed distributors. A definite fuel has again been given by the K.R.S. to the suggestion that they should cooperate in a campaign against overbuilding.

A joint committee has been appointed to go into the question of varying "small exhibitor" preferential renting terms. Exhibitors want the classification extended to theatres taking an average of $275 a week.

Ward King has sailed for Singapore to make "Remarry, Remarry." "Tiger, Tiger" for Columbia's British office, with an all-native cast. Mrs. Beatty's book with the same title provides the story.

Century to Make Twelve


Darryl Zanuck will hunt bears in Alaska before starting on the lineup.

should express his gratitude in prayers if he utters any, as well as in autographs. Popular stars of other days and of other times have become second leads, character actors and even less in fewer seconds than it takes to read this...
They Haven't Taken the Intestinal Fortitude Out of 21* Movie Critics, Either!

Gus McCarthy of Motion Picture Herald dares to give his honest opinion of

PAUL MUNI in “BLACK FURY”

“One of the greatest dramatic pictures of this or any other year... It rips, tears and crashes into a powerful story!” (Warner Bros., Producers... A First National Picture.)
"Universal's 'Mr. Dynamite' Surefire Mystery Comedy...Here is a fast-moving, wise-cracking bundle of entertainment that fairly whizzes across the screen to establish a new character in murder mystery melodrama which should rival the popularity of the 'Thin Man'...‘Mr. Dynamite’ is sure-fire box office anywhere”!
— Hollywood Reporter
SUCCESSOR TO "THE THIN MAN"!
RAY NOBLE’S band is the latest addition to "The Big Broadcast." Benny Pizzare has joined the leader and his band to appear with Bing Crosby, William C. Fields, Burns and Allen and the Vienna Boys Choir.

Several international stars are being spotlighted in the Paramount film. The deals will be closed when Pizzare gets back on the coast. Barney Glazer, Consolidated, will close deals when Pizzare goes trekking west either tomorrow or Wednesday.

E. H. Goldstein today joins Consolidated. On Saturday he finished as vice-president of Majestic, which today moves its headquarters from the RKO Building to Liberty home offices.

Quip of the Day

Each hole on the private golf course which is part of Pembroke, Arthur Loew’s estate at Glen Cove, is named after a world capita in which the Metro foreign department operates theatres. Mort Spring played the course over a recent week-end and got lost in the rough just off Brisbane, Australia.

Nathan Yamins is back in Fall River, Mass., following the Minneapolis Allied meet. He flew to New York for last Thursday’s camp meeting.

M. B. Corrander of Scranton spent a few days in Washington last week visiting M. E. Corrander, who is recovering from his recent illness.

Mrs. Belloc Lownes, who penned "Letty Lynton," in which Joan Crawford has appeared on the screen, is at the Kitz Tower from London.

Pay Rooney and the missus were targets of a Friars’ celebration in club quarters last night. It was their 32d wedding anniversary.

Herma Reifer, auditor in the Fox New York exchange, is mourning the loss of his mother who passed away over the week-end.

Fred McConnell was in Albany and Scranton last week. The trip had to do with "The March of Time."

Sam Eckman, in charge of M-G-M activities in England, arrives tomorrow on the Ile de France.

Ralph Rolan has returned from a three-day trip to Kansas City. He plans both ways.

Joe Branot and his wife return today on the Statendam from a Mediterranean cruise.

Charles Stillman of "The March of Time" flew to Cleveland and back last week.

Cesar Romero will be interviewed by Bide Duley over WOR tomorrow.

William C. Salley, upstate circuit operator, returns today from Miami.

Meyer Schine of Gloversville was in town Saturday.

Will H. Hayes is expected back from the coast late this week.

... Onaha

Stan Brown, district manager for A. H. Blance, told Motion Picture Daily that Stan, Jr., was screen tested by M-G-M. Junior starred in U. C. L. A. "Campus Capers" and attracted film moguls’ attention.

Leo Blance, Vitagran manager, Minneapolis, dropped into the local office to have a conference with C. R. Olson.

Charley Schneider receiving congratulations for his winning an honorable mention in the Quigley Awards—the first in this part of the country to click in such a contest.

Alleen Fransen, "world’s most beautiful usherette" interviewed over the radio by Charley Schneider, A. H. Blance’s publicity man.

C. M. Hansen will open a new theatre at Dillon, Mont., about April 15, calling the Fren.


... Portland, Ore.

Frank Newman, Jr., of the Paramount theatre, in addition to making another high record with "Life Begins at 40" and entertaining the four Mills Brothers, is writing the highlights of his busy life.

Gordon Craddock of Universal giving out the advance program of the Oklahoma film gold tournament, in addition to heavy bookings on Universal features.

LaHiff's Tavern

LaHiff’s Tavern

A chop house of exceptional merit

154-8 West 48th St., N.Y.C.
“Stupid” Law Moves Are Hit By Kuykendall

(Continued from page 1)

by professional organizers through which have come the Brookart, Pettegill and other measures.

“We are opposed,” the bulletin states, “to the justifiable, legislative panaceas that have been proposed, which would perhaps cure block booking but would impose such severe burdens on exhibitors, that it is likely that the exhibitor that he would be destroyed. It cannot be improved through legislation any more than censorship laws can improve pictures. But the stubborn attitude of the distributors who, through their counsel, have blocked all reasonable efforts to modify their sales policies with respect to full-line forcing, gives the reformers a golden opportunity to raise hell with the movies.”

“We have fought for years,” the bulletin observes, “to obtain a reasonable, rejection privilege on group buys, partly accomplished in the code entirely through our persistent efforts. But it’s not enough, should be at least 20 per cent, each group of 10 or more features, without qualifications or tricks.”

Lists Points Against Bill

Reeling some of the injurious effects which the M.P.T.O.A. believes would result from enactment of the Pet- tett Bill, the bulletin says that “it is quite likely that it will double film rentals at the smaller theatres, and unfa- vored box-office attractions, provide a Roman holiday for lawyers in the endless, costly litigation it would breed, and rapidly spread unfair and disastrous non-theatrical competition throughout the country.”

“It’s like taking arsenic for a cold,” the bulletin states. “You can get rid of the cold, but the cure is so much worse than the disease that no one tries it—more than it’s worth.”

The bulletin compliments the Department of Justice on its efforts to obtain an early trial of the Federal suit against Ascap, and urges exhibitors to support the bill introduced by Senator Duffy of Wisconsin to amend the copyright laws, declaring that the measure would afford some relief and would curb “the Ascap monopoly to a limited extent.”

A plea for the retention of the exhibition code as an aid to the regulation of “unscrupulous competition” is made in the bulletin, which also strikes at dormant clearance and zoning plans in the face of the approach of a new selling season.

Pick MPTOA Executive Body

The new executive committee of M.P.T.O.A. has been elected by directors of the organization representing six sections of the country, it was reported Sunday by Ed Kuykendall, M.P.T.O.A. president.

The new committee includes the following: George A. Giles of Cambridge, Mass., for the New England and New York divisions; O. C. Lam, Rome, Ga., for the southern division; Jack Miller, Chicago, for the central division; Lewen Pizor, Philadelphia, for the eastern division; Charles Williams, Worma, for the mid-western division, and Morgan A. Walke, San Francisco, for the western division.

Kuykendall and Morris Lovenstein of Oklahoma City, M.P.T.O.A. national secretary, are also members of the executive committee.

Women Oppose Film Taxes

Los Angeles, April 7—The Los Angeles County branch of the California Federation of Women’s Clubs, with a membership of 12,000 voters and now in its fourth annual convention at Covina, has adopted a resolution which has been forwarded to the current assembly urging the legislators not to levy any excise taxes which may bear heavily on the industry and cause it to remove operations from the state. The organization cited the loss the state would suffer. A resolution expressing appreciation for the excellent pictures now being released was also adopted.

No Tax Cut, Paris

Talks of Closings

Paris, April 7—Threats of closing film theatres during May and August are being heard because the Chamber of Deputies adjourned without reducing theatre taxation, but they are not taken seriously in some quarters.

The failure to reduce taxes is laid to a maneuver by French exhibitors. The House reported in the pending bill a provision that houses showing American films would not get the cuts. A protest was lodged by the F.S.S. Government an the bill was allowed to die.

Kennedy to Cornwall

Cornwall, N.Y., April 7—Ed Kennedy will be the manager of the New Cornwall, 600-seat house, which is scheduled for opening the early part of May.

Ohio Playdate Bill Invalid

Ruling Holds

questions as to its constitutionality were presented to Governor Davey he sought a ruling from the Attorney General before signing it.

In his ruling the Attorney General said: “Each film, before it may be shown in this state, must first pass muster with the board of censors and the license of any exhibitor must be exhibited on any day of the week.

“Exhibition of motion picture films is, of course, subject to regulation in the interest of the public welfare, providing such regulation is not arbitrary and does not have some relation to the public health, safety and morals. This act does not seek to regulate exhibition, but arbitrarily prohibits the making of a contract within this state, whereby the seller, lessor or vendor makes such contract upon condition that the films must be exhibited or shown at certain times.”

“In 1927 a similar bill was before the then Attorney General and he held as follows: ‘The motion picture business is not so affected with the public interest as to justify legislation, as proposed, designed to regulate the making of contracts between producers or distributors and exhibitors.’”

Tracks Temporarily Checked

Boston, April 7—The Supreme Court here has granted an injunction preventing the State Racing Commission from issuing licenses for the operation of horse tracks in the state. A court hearing of the matter has been set for Tuesday morning.

Variety Club Chatter

Cincinnati

Cincinnati, April 7—Sam Gallanty, district manager Columbia, and a member of the Washington tent, was in town last week conferring with Allan Moritz, chief banker of Cincinnati No. 3, and local Columbia manager.

Mike Spanagel has returned from an extended selling trip through the sticks.

Mr. Stahl, who recently came here as United Artists manager, is the latest recruit into resident membership.

Des Moines

Des Moines, April 7.—Committees have been chosen for the newly organized Variety Club by President W. E. Banford.

G. Ralph Branton heads the temporary house committee; Harry Heytens of the family is chairman of the permanent house committee; Stanley Meyer, Fox manager, is chairman of the membership committee, and Stanley Bower, district manager for Tri-States, is head of the entertainment committee.

Kansas City

Kansas City, April 7.—According to present plans, the club will be encoun- tered in its new quarters in Country Club Plaza April 13. Housewarming is scheduled for two days later.

Chief Barker George S. Baker and other new officers are to be honored at a banquet in a few weeks.

A representative detachment of local bakers went on hand for “Kansas City Day” at which the tent at the other end of the state was host. The delegation included Finney, Jones, Arthur Cole, Dick Bishel, East Jameson, Sam Aberg, C. A. Schultz, William Wagner and Harley Luhk.

Subjects of mutual interest were discussed, and a tentative decision was reached to hold a joint meeting some time in the future midway between the two cities, either Jefferson City or Columbia.

With 35 winning games safely tucked away, it appears that Gus Kukitz’s Fox Film pinata will capture this year’s bowling league tournament—again.
Short Subjects

**“The Call of the Savage” (Universal)**
The background of this serial is the African jungle at the present time, and although the first reels are packed with thrills that should prove interesting to audiences, most of the situations are too far fetched. Fights between various animals have been clipped from several familiar jungle scenes, and the audience will pick many a flaw in the film.

The story has Noah Beery, Jr., a wild boy in the jungle, living with a chimpanzee. Beery had grown up with the animals after his mother had been killed and with his father, a doctor, was in the jungle searching for a paralyzing serum. Tragedy overtaking the family just as success reached the father, who wrote half his successful formula on a parchment and half on a silver talisman which he put on his son. It is the silver talisman that is the reason for all the trouble that besets Beery through the medium of two confederates of his father seeking to recover it.

Besides Beery the cast includes Dorothy Son, H. I. Washburn, Walter Miller and Fredric MacKay.

Louis Friedlander’s direction, up until the end of chapter three, keeps the action moving right along. The photography by William Fryer and William Dickson is good.

Adults may not appreciate this serial, but children will probably rave over it.

Production Code Seals No. 658, No. 659, No. 660. Running time, 20 minutes per chapter. "G."

**“A Nose for News” (Educational)**
Joe Cook is featured as a newspaper reporter and his comedy antics are better and funnier than in the other numbers of this series.

Assigned to police headquarters to interview a gangster, Cook finds himself mistaken for the crook. He escapes from jail several times, only to be returned. This gives him the opportunity for his usual gags and remarks. The second red wind up after a funny court scene with the gangster being captured and Cook freed.

Recommended. Reviewed without production code seal. Running time, 18 mins. "G."

**“Pardon My Grip” (Columbia)**
Featuring such well known wrestlers as Jim Londos, Ray Steele, Everett Marshall and Man Mountain Dean, this short will appeal chiefly to men and sport fans. It may be a little too rough for women, since it is a series of scenes from wrestling bouts. Production Code: No. 30. Running time, 3018. Running time, 10 mins. "G."

**Warners to Dine Jolson**
Warners will stage a dinner party at the Beverly Wilshire April 16 in honor of Al Jolson. It will be the eighth anniversary of the signing of Jolson’s first contract with the company, by which time he will have been called "Jazz Singer"—and sound. The festivities will be broadcast and a news reel made.

Well known stage, screen and radio personalities will attend.

**Looking ’Em Over**

**“Stone of Silver Creek” (Universal)**
Western fans should go for this. Buck Jones is his usual virile self, but there is plenty of action tied together by a good story. Director Nick Grinde made full use of all elements to present an entertaining picture. Photography by Ted McCord is satisfactory.

The yarn has Jones, disappointed in love in the east, attaining a position of prominence in the western town of Silver Creek as the owner of a gambling ball and saloon. Jones gets a half interest in a mine owned by Murdock McQuarrie when he saves the latter from crooked gamblers. Marion Shilling, McQuarrie’s daughter, tries to reform Jones by taking him to church where he strikes up a friendship with the minister, Niles Welch. The gamblers from whom Jones saved McQuarrie return and rob his saloon, so Welch helps to capture them. Jones then chases and captures them. In the meantime, the girl he lost in the east comes to work for him and Jones and she are reunited. Thus all ends well.

Others in the cast are Noel Francis, who turns in a good performance, Grady Sutton, Harry Senles and last, but not least, Silver, the horse.

In small towns and neighborhoods and where westerns are liked, this picture should have no trouble. Production Code Seal, No. 668. Running time, 60 minutes. "G."

**Charnow Wins Case After Seven Months**
(Continued from page 1) In the hands of a committee for several months, Charnow had decided that because of the North Bergen and Union City protection, he has had to wait from 60 to 90 days for pictures after they have been shown on Broadway.

**Want Protection Shifts**

**Philadelphia, April 7—Shifts in protection where first runs reduce admissions is to be demanded by the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. There have been a number of such cuts recently in this territory and the unit is seeking help from the city. It was also decided that Code amendments are needed and a committee was named to formulate a program on these.

Weekly payments on shorts were opposed and the unit again went on record against the proposed Pennsylvania 10 per cent ticket tax.

After some debate a letter was sent to Columbia expressing opposition to the circulation of its picture, "The Pa., because J. A. Wodock, operator of the Strand and the only exhibitor there, refuses to play Columbia pictures.

**Sports Program Set At M. P. Club Forum**
The M. P. Club’s luncheon forum tomorrow will offer an All Sports program, headed by Jimmy Johnson, general manager of Madison Square Garden, bolstered by an array of sport writers and champions in many fields of sports.

Included in the guest list are: "Hype" Igoe, sports editor of the Evening Post; Bennie Leonard, former lightweight champion; Paul Callisko of the News; Bennie Friedman, professional football star and former University of Michigan All-American quarterback; Marcus Griffin of the Enquirer; Ned Brown, sports writer; Harry Hershfield; Jack Doyle, heavyweight champion of Ireland and amateur vocalist; Bob "Believe-It-Or-Not" Ripley; Bugs Baer; Gene Sagar, squad champion, and Alfred Le-Tournier, six-day race champion.

**“Mississippi” Hits a Record On the Coast**

Los Angeles, April 7—In the face of warmer weather which didn’t do most theaters any good the Paramount broke a record at $23,000 on "Mississippi." This is $5,000 over normal.

Total first run business was $79,325. Average is $9,200. Estimated takings for the week ending April 3:

**“FOLIES BERGE” (U.A.)**
CHINESE—(2,800), 26c-5c, 6 days.
Gross: $8,875. (Average, $12,500)

**“CHAPAYEV” (Amkino FILMARTE—(600), 46c-5c, 7 days.
Gross: $2,750. (Average, $2,750)

**“GARST PIMPERNEL” (U. A.)**
4 STAR—(600), 46c-5c, 6 days, 2nd week.
Gross: $3,330. (Average, $2,350)

**“TRAVELING SALESLADY” (F. N.)**
HILLSTREET—(2,000), 26c-6c, 6 days.
Gross: $7,600. (Average, $6,000)

**“FOLIES BERGE” (U.A.)**
LOEN’S STATE—(2,000), 26c-5c, 6 days.
Gross: $7,300. (Average, $14,000)

**“MISSISSIPPI” (Para.) PARAMOUNT—(1,100), 26c-5c, 7 days.
Stage: F. & M. revue, Etta Moten, Robe Wall and his orchestra. Popeye and Olive Oyl. Gross: $2,250. (Average, $18,250)

**“CAR 99” (Para.)**
UNITED ARTISTS—(2,100), 26c-5c, 6 days.
Gross: $2,200. (Average, $2,200)

**“TRAVELING SALESDOLLY” (F. N.)**
WARNER BROS.—(3,400), 26c-6c, 6 days.
Gross: $8,600. (Average, $8,000)

**“ROBERTA” (Radio) WARNER BROS.—(Downtown)—(4,400), 26c-6c, 6 days.
Gross: $9,600. (Average, $2,600)

**“BROKEN MELODY” (Olympic) “MYSTERY MAN” (Monogram) PANTAGES—(1,000), 26c-6c, 7 days.
Gross: $2,900. (Average, $3,000)
Kent Assures Booking Ban On Fitzgerald

L.E.P.A. Wisconsin Move Gets Prompt Reply

MILWAUKEE, April 8.—As the result of a protest to Sidney R. Kent by the I. E. P. A. against buying and booking combination of H. J. Fitzgerald, general manager of the Wisconsin Amusement Enterprises, Inc., Fox subsidiary, members have been advised that Fox does not intend to permit its theatre department to book product for a booking fee.

It is charged by the independent association that Wisconsin Amusement is interested financially in only about six theatres in Wisconsin, but is doing booking on a percentage or flat fee basis for some 30 other houses.

This situation, as well as other problems, including the present four per cent tax on gross receipts now before (Continued on page 6)

Ohio Playdate Bill Is Unsigned Law

COLUMBUS, April 8.—The Waldvogel law banning designated playdates is headed for a court test. After the Attorney General had ruled that it was unconstitutional, Gov. Martin L. Davey, on Saturday, allowed it to become a law without his signature.

It becomes effective July 5.

Governor Davey gave as his reason for not signing or disapproving the measure the fact that he wanted to (Continued on page 8)

Theatre Liability Rates Are Shifted

A change of premium computation for theatre liability insurance made known yesterday by the National Bureau of Casualty & Surety Underwriters makes the number of admissions at the individual theatre the basis (Continued on page 6)

Drive on Duals Is Off Indefinitely

Harry Brandt's move to eliminate duals and increase admissions locally yesterday met a temporary setback when the I.T.O.A. head called off (Continued on page 6)

Loew's Seen Developing National Radio Network

Code Exodus Threatened; Want Changes

By BERTRAM F. LINZ

WASHINGTON, April 8.—Threatening abandonment of the Blue Eagle unless present conditions are remedied, representatives of independent exhibitors today demanded of the Senate Finance Committee modification of the recent NRA order prohibiting changes in the code to provide for more equal representation on Code Authority and its subordinate boards.

In the presence of Compliance Director Sol A. Rosenblatt, Deputy (Continued on page 4)

Code Cost Change Will Be Taken Up

By CLARENCE LINZ

WASHINGTON, April 8.—Possibilities of securing an exemption from the recent NRA order prohibiting assessments on a flat or bracket basis will be discussed with Washington officials within the next day or two by John C. Flinn, counsel secretary.

Flinn will bring to Washington data to show that the present setup comprises the best method of basing (Continued on page 4)

Californians Want L.A. Schedule Now

KANSAS CITY, April 8.—En route to New York by plane to resist the granting of a rehearing to F. W. C. Berenstein, representing Southern California independents, insisted here today that there could be (Continued on page 4)

ADOLPH OCHS

RIPE with the fallacy of his years, highly esteemed by his fellows and a wide public, Mr. Adolph Ochs, publisher of The New York Times, has passed on at the end of a career of extraordinary distinction. His death brings feelings of regret, made the more poignant by the demise of his close associate, Mr. Louis Wiley, only a few days before. A generation of a great newspaper is going.

Mr. Ochs attained success in the building of The Times and his other newspapers by policies of sincerity and adherence to the causes of the common good, with a calm, unrelenting persistence that will long stand as exemplary in the fevered world of journalism.

Many institutions, both here and abroad, conferred honors upon Mr. Ochs. He conferred honors upon the profession and industry of publication which he served with rare ability from the days of his newspaper beginning. His memory will survive among the foremost of the great names of American journalism.

—MARTIN QUIGLEY

Take Amalgamated Out of Inactivity

A revival of the Amalgamated Vaudeville Agency, an M. E. Comerford enterprise, was started yesterday with Ed Fay, prominent New England exhibitor, appointed the new head of the agency.

Amalgamated will start immediately with the booking of the Comerford houses at Scranton, Wilkes-Barre, Binghamton and Rome and the Fay houses at Providence. Others may be added later. Services of the (Continued on page 6)

Three in New England Added, More on Way Shortly Now

Station WIXBS, Waterbury; Station WPRO, Providence, and Station WMX, Boston, tied in with Loew's, Inc., on Sunday as a three-way move in what is looking as the development of the third nationwide chain of broadcasting stations. Three or four more deals are in various stages of negotiation with the probability a strong one that their annunciation will be clucked in a week or 10 days.

The New England outlets are the remnants of the Amalgamated Broadcasting Corp., founded and fathered some months ago by Ed Wynn, who later withdrew from the enterprise.

The move gives Loew's four stations to date, the groupings of the budding network being Station WHN atop of Loew's State Building in New York. At the same time, there has been formed, but not yet incorporated, the WHN Artists' Bureau in which the William Morris Agency and Loew's are equal partners. This ent- (Continued on page 2)

Fabian Says Bid on Fox Met Is Not Set

Numerous details remain to be set before a competitive bid for Fox Metropolitan Playhouses is made by Si Fabian and associated interests. Fabian said yesterday, expressing doubt as to whether a definite bid could be put before the court by Monday, the date set for hearing of the Joseph M. Schenck-Fox Theatres reorganization plan.

Fabian said it has not even been determined yet whether the bid, if made, would constitute a plan of reorganization for Fox Met or an outright purchase. Likewise in doubt are the operating plans which would be in- (Continued on page 8)

Koplar to Head New St. Louis Circuit

ST. LOUIS, April 8.—Harry Koplar, pioneer exhibitor here and one of the original franchise holders of First National, has resigned from the F. & M. unit which has been operating the Ambassador, St. Louis, Missouri,
Purely Personal

A RTHUR HORNBLOW, Paramount associate producer, leaves Hollywood en route to England on April 21. He is scheduled to sail from New York May 2 to get Rudyard Kipling’s approval of the screen play of “The Light That Failed.”

HUGH WILLIAMS, who has been before many cameras in Hollywood, is a member of the cast of “Flowers of the Desert,” the new Katherine Cornell show which opened at the Martin Beck last night.

ELISABETH BERGER’s play, “Escape Me Never,” closes in a few days after which Miss B. leaves for Italy and that villa, which, legend says, she owns but has never seen.

Quip of the Day

“All Gags says: ‘That the only monopoly which exists in the film industry is the one that Columbia has on the Academy awards.”

FRED ALLEN has turned down an offer to appear in “The Big Broadcast.” He wants to star in a picture by himself or not at all. So far it’s the latter.

BONNIE BUSCH of the British American Cinema Studios is in town looking over the story mart and negotiating for current stage offerings.

MIRIAM HOPKINS packs and goes west sometime this week. That makes her vacations here shorter than planned. Or, at least, announced.

BURST SHAYER and OLIVE and GEORGE, the two midgets who were in “The Mighty Barnum,” open at the Roxy this week.

J. H. DAVIE has just produced his second featurette. Her name is Diana Morin. Sound is “by two lunge power,” papa puts it.

CHARLES GLETT, of Audio Prod, will leave shortly on a transcontinental jaunt that will wind up at the San Diego Fair.

SAM H. HARRIS fooled ‘em. He reached New York ahead of schedule, but stage producers are like that sometimes.

NICHOLAS M. SCHRECK is a director of 109 corporations, according to the 1935 edition of “The Directory of Directors.”

MAY ROBIN, now at work on “The Age of Indiscretion,” has been assigned by M-G-M.

GRANVILLE BATES is off to Hollywood for a role in “Mutiny on the Bounty.”

SAM ECKMAN, London head of M-G-M, gets in today on the 11e de France.

ROBERT YOUNG, on vacation here, leaves today for the coast.

ROBERT WOLF, local Radio branch manager, has gone to Miami for a rest.

Y. FRANK FREEMAN returned yesterday from a southern business trip.

L OUIS STAHL, manager of Skouras’ Palace, Bergenfield, N. J., was recently voted the most popular manager of the circuit in Jersey. As a testimonial, all Skouras houses across the Hudson are holding a two-weeks’ drive in his honor. The drive winds up April 14.

H ENRY RANDAL and HARRY BRANDT will be pitched against JACK ALCOATE and JACK SHAPIRO in another whirlwind pool (exhibition) at the M. P. Club next Saturday. Winners of the first contest held last Saturday were RANDAL and BRANDT.

JOHN D. CLARK, PAUL J. GREENHALGH and GEORGE ENGEL will appear before the Admissions Committee of the Motion Picture Club Friday.

CHARLES MACDONALD, WILLIAM E. SHAPIRO, and RAY BYRON, all of RKO, sail tomorrow on the Queen of Bermuda for a week’s vacation.

SIG WITTMAN is due back from London today. He has been making a tour of a number of Universal exchanges in the east.

LILLIE MAYER is back from a motor jaunt to Charleston, S. C., where she was able to improve her work in water colors.

M A R Y ROGERS, whose puppy is WILL, will play summer theatres at Skowhegan, Me., this year.

L. W. CONROW, eastern sales executive for Erpi, has joined the ranks of jubilant fathers.

C O N S T A N C E BENNETT will be a guest artist at At. Johnson’s radio hour next Saturday.

O R RY KELLY, Warner costume stylist, is vacationing here. He is at the Lombardy.

C H A R L E S KÖRNER, RKO division manager in Boston, is in town for a few days.

NICHOLAS M. LUTDINGTON, due yesterday from Hollywood, has not yet arrived.

Compliance Director Sol A. ROSENBLATT was in town over the weekend.

E D D I E CARRIE, M-G-M exploiter, got back from Texas yesterday.

L O U IRWIN is the latest recruit to join the M. P. Club.

B R IDGEPOR T, Conn.

Ted HOLT, manager of the Globe, gets his recreation through an airplane ride every Sunday afternoon.

A L B E R T HAMILTON, manager of the Empress, South Norwalk, back after visiting neighboring parts.


D EAN HUNT now doing a daily film column on the Stanford Advocate.

(Continued from page 1)

terprise, while it is not designed to confine radio talent bookings to the Morris office, will foster and develop acts of other outlets, boost studio talent over the air and be instrumental in placing popular radio turns in local theatres.

While executives of the circuit will not concede that there is afoot any fixed and definite plan to extend a network from annual contracts, such an idea is known to be in their minds. The latter day development of WHN which actually is a combination of three outlets, the others being originally WPAP and WRNY, notation foretold on a 17 or 19-hour day without recourse any longer to the use of electrical transcriptions.

IEPA Hits Chicago Moves

PHILADELPHIA, April 8—The Independent Exhibitors’ Protective Ass’n in its official bulletin predicts dire results for M-G-M should Loew’s go ahead with its program to invade Chi- cago.

Assenting that M-G-M “may make an exhibitors’ cause celebre of this Chicago situation,” the bulletin continues:

“We warn the Loew executives that if they build theatres in opposition to the independents who cannot use their films because the terms are unreasonable, they may witness and be the victims of an uprising that will leave a far more lasting impression on them than was left on the Paramount of 1921.

The reference to Paramount has to do with this company’s alleged efforts 15 years ago to force exhibitors to accept its terms on product on threat of setting up competitor theatres.

Gordon Is Expanding

BEAUMONT, Tex., April 8—Sol E. Gordon of the Jefferson Amusement Company has purchased the Pic-Wic-Theatre; Rialto in Jacksonville, Aus- tin in Seguin and Stone Fort in Nacogdoches from Inca Theatres, Inc. headed by the Deseret, the new G. Underwood.

This presages the end of Inca’s activity on its own.

Ampa Slate Ready

Official announcement of the new Ampa slate will be made tomorrow by Mel Heymann, secretary.

The regular nominating committee is under- stood to be set on a selection for the candidacy for the presidency. The opposition committee has presented its list of candidates.

AFA Extending Offer

The American Federation of Actors is extending its special membership offer, which expired March 31, to May 6.

Hays Calls Producers

Hollywood, April 8—Following several postponements, Will H. Hays has called the annual meeting of the Producers Ass’n for Thursday.
Hollywood's Most Famous Bad Man Joins the "G-MEN" and Halts the March of Crime!

Leave it to Warner Bros. to make the first big picture of America's greatest battle in the war on crime!

The producers of "The Public Enemy" have trained their cameras on the men who trained their guns on the craftiest killers of this day and age.

They've brought the G-MEN, mighty man-hunters of the Department of Justice, out of the shadows of secrecy into the brilliant glare of the picture screen.

Yesterday's screaming headlines are a feeble whisper compared to the sensational revelations in this shot-by-shot dramatization of gangland's Waterloo.

It's all here!... every graphic detail of how the deadly trap was set—and sprung—on the Mad Dog of the Mobs, and of how the Big Shot no jail could hold kept his rendezvous with death!

"G-MEN" would be a great picture without any star. But the fact that Jimmy Cagney, the historic "Public Enemy" of 1931, now plays the lead in this epic of the end of gangdom, makes its appeal infallible.

As usual, Warner Bros.' "G-MEN" will be the first picture of its type to reach the screen.

You will be the first in your city to show an authentic story of Uncle Sam's sensational secret agents if, and only if, you show "G-MEN".

So 'phone for a date today before the cream is taken off this rich box-office theme.

A First National Picture with James Cagney, Ann Dvorak, Margaret Lindsay, Robert Armstrong. Directed by William Keighley
Withdrawal From Code Threatened

(Continued from page 1)

Administrator William P. Farnsworth and others, while recognizing the need of the code, declared that the committee "should be eager to ferret out the inequities of the organization itself." He pointed out that the Big Eight completely dominated the negotiation of the agreement and that an inquiry by Senator King, Democrat of Utah, as to who actually wrote the code, had been made without success. Burkan drafted it, because he did not think he had the grasp of the industry problems, or, perhaps, the subtlety to draft a code like this." He intimated that he thought that Nathan Burkan exercised considerable influence in its creation.

Continuing his discussion of the negotiations, Myers told the committee Allied had been treated as a group of small concerns and had never been invited to sign the code before it was sent to the President.

Sees Protection Nullified

The executive order which accompanied the code, he said, held the promise of protection which his group sought but was frustrated by an "interpretation" charged to have been secured by the Big Eight, which virtually nullifies the order. As a result of the Code Authority setup, he continued, there is a fixed division of seven to three on all matters which is always decided by the buyers and between the different classes of theaters. Myers read the committee a letter from Nathan Yamin of Fall River, Mass., in which it was charged the producer-distributor members of Code Authority were permitted to name the members of the local boards who were to represent them without any input from the exhibitors, and the latter were permitted to name the exhibitor members, all of whom were approved only after investigation and approval by the distributor members.

Yamin charged evasion of the code by the insertion of provisions in contracts not to be enforced, and the fact that his company had refused to send protests on this matter to the legal division of the NRA for an opinion. It was charged that, when a matter comes up in which a member may be disqualified to sit because his company has an interest, interpretation of the code provision to define "sitting" as voting makes it possible for such a member to enter into the argument which precedes the decision, Yamin continued.

Holds Independents Slighted

"My conclusion after one year's service on Code Authority," he said, "is that the independent receives little or no consideration from the body as a whole, and conflict with some of the affiliated members.

The present code, he concluded, is unfair to small exhibitor interests and is being administered against the interests of independents and in favor of the interests of producer-distributors.

Although Rosenblatt two months ago recommended that Code Authority study and submit recommendations for revision, nothing has been done, he asserted, and when the matter is brought up by the executive secretary it is immediately tabled. The independents have several times recommended to the National Film Board of Recovery the necessity for the code to be reopened and have received only "the most evasive" replies, Myers charged.

Assessing with Senator Barkley, Democrat of Kentucky, the assents to the code by exhibitors, the witness found that exhibitors who signed up, not because they approved the code, but because in no other way could they secure their kind of appeal or other privileges which it held forth.

Barkley, who had apparently been given a copy of the code on the committee, asserted that there were 10,143 theaters in operation Feb. 1, of which 9,169 had voluntarily consented and 9,650 of them being independent operators.

"You do not contend that these evils did not exist prior to the code?" Barkley asked.

"What the code did," Myers replied, "is to make it easy for them to cause a draw-down, and, without materially remedying them, incorporate them in the code."

"And revitalize an entire code of the NRA?" Barkley asked.

Asks Better Board Setup

"No," said Myers. "On the contrary, I am complaining only of the motion picture code in its present setup. The exhibitors are threatening to withdraw their cooperation unless the necessary changes are made so that there is a better balance of the boards."

Asked by the Senator as to the operation of the local boards, Myers declared that "so far as I know, no exhibitor has received any adequate assistance through that method." He asserted the witness for an expression which would show that the provision covering forcing had been refused and that the witness had been unable to admit that the exhibitors had received any national benefit.

He read into the record the resolutions adopted by the New Orleans meeting last December, and also referred to a telegram sent to the committee by the New Orleans exhibitors last week, meeting last week incorporating the resolution demanding revision of the code.

"From your experience as a member of the Federal Trade Commission and an assistant attorney general, do you deplore the fact that the Federal Trade Commission or the Department of Justice or any other department that has to go through long drawn-out litigation in order to decide cases between two people can be effective in eliminating unfair practices by which large groups of businesses industries have to injure their competitors?"

"Yes," answered Myers. "On the contrary, I think that with fair codes and proper safeguards for the public, undoubtedly it can be better done by a code system."

Offers New Code Provision

As a means of remedying the situation, Myers suggested that there be included in any legislation drafted by the committee for continuation of the code a provision that "all codes which authorize the code authority or other board or agencies of the Government with power to act to make a deciding vote in case of a tie; provided that such code or authority or other board or instrumentality shall be composed of an equal number of bona fide representatives of each branch of the industry embraced in such code and shall also provide for a reorganization of the Government with power to cast a deciding vote in case of a tie; provided that such code or authority or other board or agencies of such code which is engaged in the manufacture or production of any commodities or products, or in making the investigation, holding of hearings, or otherwise, in the buying or exhibiting of such commodities or products, may be represented on any such code, board or agency only in its capacity as a manufacturer, producer, or original seller, or lessor thereof." He added that unless the code was amended the exhibitors of New York will haul down their Blue Eagles, the committee was voting to recommend the formation of an order of the Regional Labor Board to reestablish certain employees and had sought to have the three members of the courts, which it has not done, because, he charged, "they know the code could not stand invested with jurisdiction under the present code,"

Says ITOA Distrusts Boards

Members of the I.T.O.A., he continued, refuse to take cases before the local board because they know they will not get justice, but are continuing to take them to the courts, as they did before the code.

Referring to the Darrow report, he said that the review board found that Rosenblatt was biased and prejudiced in favor of producer-distributor interests and that Rosenblatt was put in opposition to the exhibitor-assigner, "yet, despite the report of that committee, Rosenblatt is still the head of the motion picture code and theรวบรวม of the Government; any kind has been made to determine that finding of fact by the Darrow group."

New York independents have not signed the code, but have defied it and the Regional Labor Board. Senator Darrow referred to the provision in the code permitting the appearance in controversial cases of anyone who is an attorney or has been employed as an attorney for producers-distributors sat in all cases, and that attorney's opinion is included on the record of the board so that, indirectly, the witness charged, he influences the decision. He added that "in cases of producers-distributors," he said, "were the first to consent to the code. The exhibitors knew nothing about it and they were rammed down their throats. We feel that we need a code, but the independents will not approve the code they now have."

In the hearings, he concluded, it is anticipated Rosenblatt will seek an opportunity to appear before the committee in response to a request made by Myers and Albert.

"U" Cancellation Case Up

First complaint against Universal for "U" cancellation, and appeal, has come up on appeal yesterday before a Campi committee composed of Wal- len, Tannenbaum, and S. A. Myers. Protestant in the case was the Lincoln, Cincinnati. Other appeals were: Samuel A. Tannenbaum, Palace, Atlantic City, against the Lyric, same city, for holding...
CAMERAMEN long ago decided that Eastman Super Sensitive "Pan" is fit company on any flight of genius. And results vindicate their judgment. For four years in succession the great bulk of the really inspired motion pictures have been photographed on this superlative film.


EASTMAN Super Sensitive
Panchromatic Negative
Kent Assures Booking Ban On Fitzgerald

(Continued from page 1) the state legislature, will be aired at a statewide independent exhibitors' meeting to be held April 12 at the Hotel Plankinton in Milwaukee.

The board of directors of the association has also authorized Abram F. Meyers, president for Allied, to represent association members on hearings on the Pettegill bill. It has also agreed to support him in his testimony given at a hearing of the Senate Finance Committee, on the NRA. The association informed Kent that unless something were done to curb the Fitzgerald buying-book combination, it would use "increasing and relentless efforts to persuade independent exhibitors to refuse to buy Fox product next season."

Drive on Duals Is Off Indefinitely

(Continued from page 1) a session scheduled for today at the Astor.

Leading independent and circuit heads were notified by mail last week to attend the session, but yesterday telephone calls to all of the exhibitors slated to appear informed them that the concave had been postponed indefinitely. Another date is expected to be set later.

Regular meetings of the I.T.O.A. membership will be held bi-monthly. The next session is slated for April 17. However, the Wednesday morning board of directors' sessions will be continued. The film situation will be the topic for tomorrow's session.

Duals Cause End of Para's Two-Reelers

Double featuring has virtually eliminated the market for two-reel short subjects, Tom Diamond, Paramount head, said yesterday in making known Paramount's plans to produce only single reel shorts next season.

Diamond predicted that the "racy, fluff-dub and aimless slapstick" of lengthier subjects would be replaced next season by "snappily made single reel subjects."

Delay Chicago Dual Suits

CHICAGO, April 8—The suits of James Roder of the Astor and Jack Rubin of the Public, seeking injunctions to prevent the enforcement of minimum admission and anti-double feature clauses in distribution contracts, were continued today to April 19.

W. Va. Holdup Nets $700

MORGANTOWN, W. Va., April 8—A bank hold up away from any town in West Virginia netted some $700 yesterday after trussing up the cashier at the Metropole here.

Jessel Has Appendicitis

COLUMBUS, April 8—George Jessel was rushed by plane to New York tonight for treatment for appendicitis.

MOTION PICTURE DAILY

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Bride of Frankenstein"

(Continued)

Tuesday, April 9, 1935

"The Bride of Frankenstein" (Universal)

Hollywood, April 8—Skilfully constructed, cunningly produced and bringing out new horror angles to give audiences fresh creeps, this is a smart and worthy successor to "Frankenstein" from the viewpoints of the box-office and production.

If anything, the camera work, lighting effects, music and direction are better than the original, blending dread fear and morbid curiosity for more intensified thrills.

John Balderston and William Harburt achieves a human note in giving the monster, Karloff, childlike emotions in the scenes with a violin playing hermit, O. P. Heggie, and ascribing primitive romantic inclinations as he meets his strange bride, Elsa Lanchester, who is created by devilish sciences Ernest Thesiger and Colin Clive.

Besides picturing Karloff as a fiend satisfying those who like murder thrillers, the imaginative element of man creating man by scientific means has appeal to highbrows.

Karloff is startling in his makeup with the characterisation weird and seamy. His screen maiden gives a great performance. Ernest Thesiger is a rare portrait of a hellish character. Colin Clive, Miss Lanchester, Heggie, Dwight Frye and others support well. James Whale's first class direction is attuned to the hair-raising mood. John Mescall's photography, Charles Hall's sets and Franz Waxman's music rank among the best in the business.

Junior Lammle's first independent effort aimed at the box-office hits the target.

No production code seal. Running time, 90 minutes. "A."

Looking 'Em Over

"In Spite of Danger"

(Columbia)

Neighborhood houses should find this film nicely suited to their needs. With Wallace Ford and Marian Marsh playing the chief roles, "In Spite of Danger" offers a fast-moving narrative packed with action and excitement. It is well acted, too, not only by Ford and Miss Marsh, but also by Arthur Hohl, Charlie Grapewin, Charles B. Middleton and a young-timer named Jack Whelpley. Miss Marsh's maid gives a great performance.

To be sure, the villainy is hardly subtle and some of Ford's escapes from death smack somewhat of the miraculous; still the film has enough good points to overlook these faults.

Ford is a racing driver forced to give up his risky business as result of an accident on the track. He goes to a farm owned by Grapewin, who operates a trucking business in competition with Ford. Ford becomes a partner in Grapewin's business; but with Hohl determined to put the Ford-Grapewin venture on the rocks, there is a tough road ahead for the duo.

Hohl tries every trick in the screen villain's bag and he holds the upper hand until shortly before the end, when he dies a victim of his own villainy. The film is filled with scenes of speeding trucks that ought to stir the youngsters in particular.

Worked into the story is a romance between Ford and Miss Marsh, Grapewin's daughter, Lambert Hillyer directed.

Production Code Seal No. 637. Running time, 55 minutes. "G."

"Strauss' Great Waltz"

(Tom Arnold Prod.)

Here is a film that will charm music lovers because of the immortal compositions of the two Strausses, father and son, but except for this, there is little else in the way of entertainment. American audiences will probably fail to appreciate what little music is presented and the character portrayals are weak, except on the part of Jessie Matthews and Edmund Gwenn.

Tired of the jeers of his father at his lack of musical ability, young Strauss (Eamon Knight), the behest of his sweetheart (Miss Matthews), leaves music to join her father in his confectionery business. An accidental encounter with a counter (Fay Compton) revives his interest.

Theatre Liability Rates Are Shifted

(Continued from page 1) for the premium charged, rather than the seating capacity of the house, as heretofore.

Thus, the old rate of 40 cents per seat paid by $10,000 of liability insurance on theatres in the metropolitan area now becomes 11 cents per 100 admissions. On the other hand, the rate in M-G-M theaters is raised 2 cents and in most territories throughout the country the old rate for standard policy buyers is increased 15 cents a year.

Under the new plan, the rate for these theatres is six cents per 100 admissions for the same limits. This is now set by Herbert R. Ebenstein of Stebbins, Letterman & Gates, Inc., insurance brokers, that liability insurance premiums for theatres in the metropolitan area can remain the same as before only if average daily admissions for a year equal the seating capacity of the house. By exceeding it the new rates can be higher, but otherwise they will be lowered.

For theatres outside the metropolitan area, the new plan is regarded as likely to result in substantial increases in liability insurance costs. For these theatres, if average daily admissions for a year exceed 30 per cent of the seating capacity, a higher premium than formerly will result, but if they are less than 30 per cent of the seating capacity the premium will remain the same.

The new plan provides for a reduction for liability limits in excess of $5,000. If a theatre will continue to be subject to credits on application wherever warranted by "loss experience."

G. B. to Sell 13 Here Next Season—Balcon

Hollywood, April 8—Michael Balcon's Gaumont British agency will sell 13 pictures in America next season. The Gaumont British executive, who signed a new contract with the company in England, is expected to appear in these pictures.

Gaumont British has completed arrangements with M-G-M for the services of the latter's contract players as they become available.

Madge Evans has been signed for G.B.'s forthcoming, "The Tunnel." She will play the feminine lead, while Richard Dix, signed last week, will have a prominent role opposite Con- rad Veidt, who stars in the film.

Maureen O'Sullivan and C. Aubrey Smith will play in "Soldiers Three" by Rudyard Kipling for Numa York. O'Sullivan, who recently returned from a visit to India, is now in India shooting exteriors.

Boris Karloff and Peter Lorre have also been signed.

Take Amalgamated Out of Inactivity

(Continued from page 1) Dow Agency, which has been booking some of the Comerford houses during Amalgamated's recent period of inactivity, will be discontinued.

Fay, who has headquarters in Providence, will transfer most of his activities here. His production assist- ant will be Harry Puck, formerly with the Shuberts.
“Pimpernel”

Pittsburgh’s Top 2d Week

PITTSBURGH, April 8.—Lent seems to be hitting hard this year, with grosses dropping from week to week. The only exception last week was the showing of “The Scarlet Pimpernel,” which collected a nice $5,500 in its second week after an opening figure of close to $9,000. The Stanley, too, fared well with “Mississippi,” getting around $9,000, which is $1,000 above par.

Elsewhere, however, things were pretty dull, with stage shows particularly falling down. The Penn, with “West Point of the Air” and Dave Appolito’s revue, took it on the chin with $12,000, while the Alvin with “The Myth of Edwin Drood” and the Dorsey Brothers orchestra with Bob Crosby, had nothing to crow over at $9,500. Things weren’t so good at the Warner, either, with “The Whole Town’s Talking” and “Even Song” were second appointment at $4,400.

Total first run grosses were $45,400. Average is $46,500.

Estimated takings for the week ending April 7: “MYSTERY OF EDWIN DROOD” (Univ., Alvin-2,000), $25c-40c, 6 days. Stage. Box office $5,000, gross $9,500. Average, $1,600.

“THE SCARLET PIMPERNEL” (L. A.) FULLTON-2,000, $25c-40c, 4 days. Stage. Box office $2,000, gross $3,500. Average, $875.

“WEST POINT 6d” (Northwestern, Penn-1,300), $25c-40c, 4 days. Stage. Dave Appolito’s revue. Gross $4,500. Average, $1,125.

“MISSISSIPPI” (Para.) STANLEY-1,000, $25c-40c, 6 days. Gross $9,000. Average, $1,500.

“WHOLE TOWN’S TALKING” (Col.) “EVENSONG” (Gaumont British) WARNER-2,000, $25c-40c, 6 days. Gross $4,400. Average, $733.

“Ruggles” $11,000

Lead in Montreal

MONTREAL, April 8.—“Ruggles of Red Gap” stood up well in the Capital at $11,000, which was quite a bit above par. “Gold Diggers of 1935” started off well as the second attraction at the Palace since this house reopened and wound up with $10,000 for the seven days.

Total business was $39,500. Average is $6,000.

Estimated takings for the week ending April 7: “RUGGLES OF RED GAP” (Para.) “RUMBA” (Para.) CAPITOL-1,200, $25c-40c-45c-60c, 6 days. Gross $11,000. Average, $1,833.

“STORIES OF WATERFALL” IMPERIAL-1,900, $25c-40c-45c-60c, 7 days. Stage: World Cruise musical show. Gross $9,000. Average, $1,286.

“DEVIL DOGS OF THE AIR” (Warner) LOP-W'S-$1,150, 30c-40c-45c-60c-75c. Average, $1,200.

“GOLD Diggers of 1935” (Warner) PALACE-1,000, $25c-40c-45c-60c, 6 days. Gross $10,000. Average, $1,666.

“LET’S LIVE TO NIGHT” (Col.) PRINCE-1,300, 30c-45c-60c, 7 days. Gross $7,000. Average, $1,000.

Gensler in Para. Post

Hollywood, April 8.—Lewis E. Gensler has been made an associate producer at Paramount.

First of Pathe News Broadcasts Goes Out

The first of a series of bi-weekly radio programs under the title “Pathe News of the Air” went out last night over a network of five stations from WOR.

The initial presentation included interviews with speed champions, heavyweight contenders and pilots of old and new transport systems, among others. The total effect was distinctly that of a newsreel showing. Some phrases of it proved to be reminiscent of “The March of Time.”

Para. Properties May Offer Revamping Plan

LOS ANGELES, April 8.—Paramount Properties, Inc., owners of the Paramount theatre and studio properties, today was authorized to submit a plan of reorganization to bondholders and creditors under Section 77 of the new bankruptcy act at a hearing before Federal Judge Charles G. Briggles.

Dinner for Al Somberge

BOSTON, April 8.—A dinner in celebration of Al Somberge’s elevation to the presidency of the G. B. Lothrop Co. after 35 years’ continuous service with the organization was given at the Copley-Plaza Hotel tonight. The affair was sponsored by the managements of the Fox theatres of Mass., M.P.T.O.A. affiliate, of which Somberge is a member.

Joseph Brennan, executive secretary of Allied, was in direct charge of arrangements. Louis M. Boas and Stanley Sumner acted as treasurer and secretary, respectively.

“Adopt” a Boy

Omaha, April 8.—Columbia exchange has unofficially adopted a four-year-old boy. The kid, whose home lies in a hovel across the alley from Columbia, wandered in hungry and ragged.

The entire office and back-office force swung into action. Within an hour, the lad had new clothes, a bath and food. His father is in jail and his mother only recently gave birth to another child. The boy has become a part of the Columbia organization, the backroom girls seeing that he is kept clean and shaves his lunch with him. Salesmen take him out for rides week-ends.

Short Subjects

“Impressions of Seville”

(Gem’s Foreign Sales Corp.) A running travel subject, but one entirely devoid of off-screen dialogue or any comment. Rudolph Perak has composed a special musical accompaniment that varies with the subject being shown and, in some places, he succeeds. Scenes of Seville life that are repeated in some instances are shown and they range from busy sidewalks and church doors down to quiet, secluded gardens. For sheer architectural beauty this subject is recommended, but it has little entertainment value. Reviewed without production code seal. Running time, 10 mins. G.”

“Remember the Alamo”

(Viphone) The third of the “See America First” series being produced by R. W. Newman and slightly below the standard set by the previous two. The reel opens with shots and explanatory remarks about West Point and Annapolis and then shifts to Texas, where it covers various historical monuments and buildings, winding up with views of the Alamo. Reviewed without production code seal. Running time, 18 mins. G.”

“Desert Harmonies”

(Universal) This is one of the better Montene productions chiefly because of the singing of Robert Halliday and Evelyn Herbert.

As usual in these productions, the story is such that a group of night club or vaudeville entertainers are worked into the film. They perform in a hotel in Algiers.

Besides Miss Herbert and Halliday, Moran & Casper, Phillip Ryder, the Four Black Jacks, Gracella & Theodore and the 12 Montenegretes are in the picture.

Entertaining. Production Code Seal No. 0362. Running time, 20 mins. G.”

“Ibbetson” for Cooper

Hollywood, April 8.—Paramount has definitely set “Peter Ibbetson” as Gary Cooper’s next. Sidney Howard is doing the screen play, and Henry Hathaway will direct. Production will start late this month.

Ella: What’s a Werewolf, Betty?

Betty: I dunno, but I’m sure gonna see the picture to find out!
Ohio Playdate Bill
Is Unsigned Law

(Continued from page 1)
test its validity despite the Attorney General's opposition.

P. J. Wood, business manager of the Independent Theatre Owners of Ohio, said his organization planned no immediate action.

“We believe the law is O. K.,” he said, “until the courts hold adverse-
ly. We can prove many facts which, we believe, will justly position. Despite the Attorney General’s opinion which we think the courts to iron the matter out.”

Governor Davey late today issued a statement in which he said: “I did not allow the Waldo vell bill to become law without my signature to hasten its day in court.”

The governor added: “There has been widespread public opinion favoring the control of pictures of sex and gangster types. The act is good and the attorney general’s opinion on its constitutionality being adverse, I decided to let the bill become law without my signature.”

Any attempt to enforce the law is expected to lead to an immediate legal battle in view of Attorney Gen-
eral John W. Bricker’s ruling Saturday which held the measure unconsti-
tutional.

Press Jersey Dog Bill

TODAY, April 8.—A bill on dog racing legislation is expected in the Assembly tonight when Assemblyman Vorsanger will try to force his pari-
mutuel经营 legislation to a vote.

The measure is another attempt to legalize dog race betting, although the Court of Chancery ruled last summer that such gambling was unconsti-
tutional.

Despite the court ruling, word was received here today that At-
tantic City officials will attempt dog racing again this summer in the municipal auditorium. A certified government check for $25,000 has been deposited with city officials to guarantee pay-
ment of rent. Shore exhibitors, whose business suffered last year from competition of the dog track, were informed that Attorney General David T. Willits will prosecute any one attempting to operate dog tracks in violation of the court ruling.

California Tax Bill Up

SACRAMENTO, April 8.—When the Assembly battle over income taxes be-
gins its second week here today, As-
semblyman Meanen, Oakland, will in-
ject a bill calling for a state sweep-
stakes lottery similar to the Irish Sweepstakes. It is estimated such a lottery would raise $50,000,000 an-
nually.

The Chatter income tax bill, calling for one-third the Federal rate for state income, faces its test this week in the House with the author confident the necessary two-thirds can be mustered. The more conservative Senate is ex-
pected to cut the rate, however.

Florida Gets Tax Bills

TALLAHASSEE, Fla., April 8.—Two bills have been introduced into the state Legislature here this session dealing with industry taxes. The first, proposed by Senator Smith of Lake City calls for an annual license fee of $50 on all horse grooms less than $10,000 annually. From $10,000 to $25,000 the fee would jump to $1,000, and any amount over $25,000 would require a license costing $5,000.

The second bill, introduced by Sen-
ator Bass of Live Oak calls for a 10 per cent tax on admissions.

Satisfaction

(Opposite page 1)

Looking ’Em Over

“Strauss’ Great Waltz”

(Continued from page 6)

hopes of achieving fame and her encouragement results in his com-
posing the “The Blue Danube.” A break with his sweetheart occurs when he conducts his orchestra’s concert, the countless arraying of old Strauss (Gwenn) be delayed that Schani may have his opportunity. Gwenn is enraged at the trick but accepts the inevitable when his wife is a natural, she agrees to help him. The film brings their differences and all ends well.

The direction of Louis Levy places stress on the music and neglects the story and characters. Photography and sound are fair.

Where English pictures are liked this modest well if particular stress is placed on the musical angle by exhibitors. No production code cal.
running time, 72 minutes. “G.”

fe would have better the 75 cents on the $1 offer made by the Schenck-Fox The-
atre’s plan.

Koplar to Head New St. Louis Circuit

(Continued from page 1)

Grand Central and Fox here for the past 18 months. He intends to develop-
a circuit of suburban and sub-
sequent run houses, the field in which he started before joining with the Skour-

as brothers, number of years ago. Koplar, in association with a num-
ber of local financiers, has organ-
ized St. Louis Suburban Theatres. His brother, Sam Koplar, builder and managing director of the Park Plaza Hotel, is associated with him in the new company.

The first of his new circuit will be a new house to be erected in the West End and North Grand district. The


Wall Street

Small Gains on Big Board

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Technicolor Continues Curb Gain

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Most Rise on Bond Market

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(K and v) Paid this year.

(Quotations as at close of April 8)

A second, he says, will be at the corner of Natural Bridge and Grand Ave. A third will be on the South Side around Gravois, and a fourth will be in the Maplewood center. He expects to have them ready in 90 days. Other spots will be acquired, according to his plan.

• High Intensity Projection allows ample general illumination for immediately comfortable vision. It gives satisfaction from the moment of entrance by dispelling that annoying period of blindness.

National High Intensity Projector Carbons bring the further satisfaction of perfect projection. They improve the depth, realism of black and white and reveal the full beauty of colored pictures.

Available for Theaters of Every Size

NATIONAL CARBON COMPANY, INC.

Carbon Sales Division, Cleveland, Ohio
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New York · Pittsburgh · Chicago · San Francisco
Erpi to Reach Decision Soon On Servicing

Will Finish Experiments Upon General Work

Erpi’s experiments in connection with the servicing of all phases of theatre engineering are expected to be concluded within the next 60 days, at which time a final decision will be made on Erpi’s entrance into the extended servicing field on a permanent basis, it was stated.

The experiments in general theatre engineering servicing have been going on for several months in a number of theatres throughout the country on a non-commercial basis. Results to date have indicated the possibility of savings to theatre owners ranging from $300 to $3,000 per house annually, in all types of theatres, an Erpi official reported.

It was again stated that if a decision is made to make the extended service a permanent feature of the Erpi organization, an announcement will be made immediately.

(Continued on page 2)

Burr-Maynard Case Dropped by Campi

Holding that Charles C. Burr had failed to post a necessary bond in time for exercising an option on Ken Maynard’s services, a special Campi committee unanimously dismissed the complaint against Burr by Larry Darnour, Majestic, Maynard and the Small-Landau Agency.

Declaring that the Dallas grievance board erred in finding a violation of (Continued on page 2)

Capra to Head Unit At Columbia Studio

Plans are under consideration for the development of a separate production division at the Columbia studio to be headed by Frank Capra, the “ace” director on that lot.

The development, it is understood, is aimed to give Capra heavier rating in the studio setup on account of his record of box-office successes, topped (Continued on page 2)

U. S.-France Agree On Tax Reductions

WASHINGTON, April 9.—Ratification of a convention under which France will discontinue the double taxation now imposed on American (Continued on page 2)

MOTION PICTURE DAILY

NEW YORK, WEDNESDAY, APRIL 10, 1935

TEN CENTS

Major Circuits Agree to Give NVA 10% of May 20 Receipts

The major circuits—Fox, Loew’s, Paramount, RKO and Warners—have agreed to donate 10 percent of their May 20th receipts to the N. V. A. fund. At the same time, it has been decided to abandon the long-standing plan of “passing the hat” around in theatres.

Other plans are embryonic, but the acknowledged attitude is to raise sufficient funds to keep the N. V. A. sanitarium at Saranac well financed in order to assure its continued operation.

A. P. Waxman of Gaumont British is acting as honorary chairman of the advisory committee this year. He has appointed Ben Serkowitch publicity director of the campaign.

(Continued on page 2)

Ohio Senate Blocks Move On Tax Bills

COLUMBUS, April 9.—To prevent passage of additional tax bills, and other legislative measures now pending, including a recommendation of Gov. Martin L. Davey for a two-year moratorium on the principal of bonds of political subdivisions, the Senate has adjourned, leaving only the House to function. The adjournment was accomplished by the upper chamber declaring a “five minute recess,” after failure of House members to heed the Senate’s plea for adjournment.

Paul M. Yoder, majority floor leader, said that the Senate would return only when the House adopts (Continued on page 10)

N. E. Allied Pledges Pettengill Bill Aid

BOSTON, April 9.—Allied Theatres of New England voted unanimously today in support of the Pettengill anti-block booking bill and for an (Continued on page 10)

Verbal Bouquets Hurl At M. P. Club Sport Forum

By J. M. JERALD

Verbal bouquets in the sporting world are wrapped around bricks so that recipients can take them when passed, or exercise footwork. The idea spread to the film contingent at the M. P. Club forum yesterday. Charles C. Petijohn started the bombardment by introducing himself as one of the only two real Americans present. The other one was Chief Little Wolf of the Navajos. Pettijohn didn’t say whether he was a Winnebago or a Leni Lenape, but he was emphatic on the point that he and the Navajo wrestler were the only two “off color” citizens present. It was sports day for the forum. (Continued on page 16)

U. A. Theatre Expansion in England Seen

Expected to Work With Odeon-County Merger

London, April 9.—John Maxwell has taken over the three London house houses of the M-G-M, and L. B. Bobbs are in Wandsworth, Putney and Kensington.

This is regarded as merely a prelude to other big theatre deals by Maxwell and other major operators in the British exhibition field.

By BRUCEALLAN

London, April 9.—United Artists Theatre Circuit, Inc., by authoritative report, will enter British exhibition on a wholesale scale by association with an amalgamation of Odeon Theatres, Ltd., and County Cinemas, Ltd., which today number approximately 70 houses and expect to have 100 by the end of 1935. Viewed in some quarters here as a definite move to develop a third nation wide chain in competition with Gaumont British and Associated British Cinemas, Ltd., the impression in several well informed directions is that the step is more directly aimed at the former than the latter, which is John Maxwell’s company. Heard also is comment that M-G-M may tie in, the basis for the impression noted, with a view of the close relationship between Joseph M. Schenck of United Artists and Nicholas M. Scheinberg of Louis and (Continued on page 10)

Britain’s Building Gains, Says Eckman

“Approximately 50 new theatres have been built in Great Britain during the past year,” Sam Eckman, in charge of M-G-M’s activities in England, stated yesterday upon his arrival on the Le de France for his annual three-week vacation here. (Continued on page 10)

Subpoenas Demanded In Patents Inquary

WASHINGTON, April 9—Declaring that a number of witnesses invited to testify before the House Patents Committee have refused to appear, Representative Shriver of New York has (Continued on page 2)
MOTION PICTURE DAILY
Insiders' Outlook
By RED KANN

A N ENT the position, struck in this space a handful of days ago, having to do with cell-ulu reproduction of recognized works as the author wrote them or not at all, the Memphis mail brings this from M. A. Lightman, an exhibitor with a thinking cap usually found perched on his head.

"The best thing you said (he points at us in the article was: 'Fidelity is an attribute which Hollywood, it is this opinion, is expected to observe.' I think it is an obligation of the industry that Hollywood be authentic in reproducing stories of well-known authors and writers..." in the first place, it is good, sound business to do so. People from unfamiliar with a book or the work of some well-known author, are attracted to the screen version very often on account of that knowledge. Naturally those who go to the theatre, expecting to see a true adaptation, are disappointed and thoroughly disgusted when they see a distorted or mutilated version. If there is any value at all to the name we destroy it in other words. A well-written go to the theatre on account of the story and they see it in its true form. Others stay away because, of course, it is impossible to make slight changes in instances where the author has taken liberties that the screen could not afford to take."

More from the same communication:

"There is another exception and that is why I said I agree with you almost entirely. Sometimes a story does offer a very good idea that is not adaptable for use on the screen. I don't think it is entirely amiss for writers in Hollywood to rewrite or change some of such a story provided all that they take from it is an idea and rewrite a different story. As a matter of fact, in such cases, the name should be changed. Sometimes an occasional title chosen by an author is impossible to use in pictures and a better title might be chosen. That should be permissible, particularly if the press book and advertising carry the line 'adapted from'."

Comment, some guarded and some loose, about Consolidated and Herb Yates' Monogram and Ray Johnston, Majestic and Herman Gluckmann, Liberty and M. H. Hoffman. I may find itself in the future and have forgotten any day now. True, a deal has been cooking. It's taken many forms because many interests are involved. The latest turn may easily prove to be no turn at all, for prospects of a deal, any kind of a deal, are slipping into the mist..."

METRO is not kidding when it fanfairs its policy of refusing to deal with booking combines. Letters signed by Felix Feist have gone to every exhibitor in Texas and ditto in Wisconsin where Sidney Kent has just stepped on an idea along above lines fostered by Harold Fitzgerald of Wisconsin American Enterprises, an outgrowth of the old Fox Midwest outfit. "If you want Metro, deal directly with them, and nobody else is authorized to sell you," is the gist of Feist's communication. Metro's stand on the issue, the relative merits of which have no place in this space at this moment, must rate commendation. Wherever distributors have proceeded under yes and no policies, apparently valid, the shipshape the issue, Metro has remained adamant, frequently at a sacrifice..."

"Was there something complaining in his voice when Merlin Axelson told the Ample the other day: "Every suggestion I have offered to RKO and NBC has been turned down, but you may yet get a chance to have one of my recommendations adopted."

Or was he merely plaintive?..."

Arlis Set for Two On Gaumont's List

(Continued from page 1)


Michael Balcon, production head, has also closed a deal with M-G-M for four projects that when available and it is expected that Maureen O'Sullivan will be the first player to work for Gaumont British, under the new agreement. She will probably be Dinah in Kipling's "Soldiers Three," which will go into work shortly.

Delay RKO-M.G.M. Case

Arbitration hearings of the RKO-M-G-M 'Schneider breach of lease charges involving film purchasing policies at the Hollywood and Apollo theatres in New York will be postponed tomorrow. Indications are that a further postponement will be taken tomorrow due to conflicting engagements of attorneys involved.

Most Gain Slightly on Big Board

Barclays vtn. Mass. 407 401
Consolidated. Inc. 53 56 56 + 4
Cons. pfd (4v) 186 187 187 - 4
Paffr & O'Shea 122 123 123 - 6
Fox "A" 987 987 986 - 1
Loew's 285 285 285 - 2
New York pfd. 108 108 108 - 6
Paramount Pfd. 59 60 60 - 1
Pathé 121 120 120 - 1
RKO 118 116 116 - 6
Sonic 58 59 59 - 1
Warner 346 343 343 - 3
Warner, pfd. 20 18 18 + 2

Curb Issues Gain
Net
Technicolor Inc. 106 106 106 - 0
Trans Lux (10K) 234 234 234 + 0

Bond Market Steady
Net
High Low Change
56 56 0
56 56 0
0 0 0
0 0 0
105 105 105 - 1
50 50 0
90 90 0
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U.S.-France Agree On Tax Reductions

(Continued from page 1)

concerns having branch offices in that country will be announced today by the State Department. The agreement will become effective Jan. 1 next. At present, in addition to the various taxes imposed upon the income and dividends of French subsidiaries of American companies, an additional 10 per cent tax is assessed upon the parent corporation in this country, based upon the dividends which they have declared, on the theory that a portion of the increased earnings and profits were derived from French sources. Under the convention France will no longer collect the tax if the American subsidiaries located in France comply with certain procedural conditions. In the case of American firms operating through an unincorporated French branch, the dividend tax will be eliminated if a corresponding tax is paid upon three-quarters of the profits derived in France by the branch."

Somerbee Made Colonel

BOSTON, April 9—Al Somerbee became a Kentucky colonel at a dinner given at the Glover-Plaza last night in celebration of his ascending to the presidency of the G. B. Lothrop Co. He received his full regalia at the hands of Governor Curley of Massachusetts, who handed the ceremony. Somerbee was presented a coffee set valued at $600.

Martini in Circuit Deal

DALLAS, April 9—A. Martini has closed a partnership deal with the Interstate Circuit in which his three houses, the Martini, Key and Dixie, become units in the state's most powerful theatre chain.

Wall Street
Rate Collapse Warning Given
By Berinstein
(Continued from page 1)
risen 40 per cent in the last six months,” Berinstein declared. “The 15-cent admission will now be boosted to 25-40 cents,” he averred.

“This is due to the hopes held by exhibitors that the New York, and all the road houses at boosting prices will be of no avail. The former levels will be put into force again.

There is no good reason why the schedule should be held up,” Berinstein declared. “F. W. C. has raised a matter of a few cents which is trifling.”

With his arrival yesterday, the coast exhibitor was drafted as a member of an appeal committee by John C. Flinn. “I have asked the last verdict and dismissed all actions against the respondents. Frels and Long came to New York to try the case on appeal. Long retained Louis Nizer as counsel. Frels presented his own arguments.

A request for clearance for Public Theater States theatres in Portland, Decatur, Quincy and Springfield, Ill., first run houses, was turned down by Campi.

In 16 instances Campi sustained local boards handing down decisions against respondents employing various forms of bank nights under Article V-E, Part 3, Section 1. The bank night complaint by V. E. Hamm, Gem, Muskingum, O., against the Broadway and Yale, same city, was dismissed because the issue was brought before the Dallas grievance board instead of the Oklahoma City branch.

Campi upheld Loew’s College, New Haven, in the clearance complaint filed by J. B. Fishman’s Dixwell. The college, a second run, by negotiation reduced the regular clearance of 60 days downtown first runs to 30 days, which

Burr-Maynard Case
Dropped by Campi
(Continued from page 1)
the code in the four complaints filed by Ruben Frels against Jefferson Amusement Co. and C. J. Luog, Code Authority reversed and dismissed all actions against the respondents. Frels and Long came to New York to try the case on appeal. Long retained Louis Nizer as counsel. Frels presented his own arguments.

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"reissue"

Warning

ATLANTA, GA.
Miles A. Metzger, secretary and treasurer of the Kiney circuit, is fast becoming a real "George crater"; he eats grits every morning for breakfast. Miles his¬
ger sends his regards to all his old associates in the Publix office in New York.

Bob Wilby of the Wilby-Kiney circuit, predicts that block booking is certain to be abolished by leg-
islature in the very near future. Jimmie Harrison, the Wilby booker, has been with this organization since he wore long pants.

Harry Ballance, Fox district manager, whom we first met in L. A. dashing out of Paramour’s of¬
ifice one noon in 1920, received his first lesson in air acrobatics when a Ford ran over him, car-
ying him 100 feet before he made a pancake landing. Harry is now a loyal transport pilot and uses his “Condor” to ferry approved contracts from the different Fox offices in his territory.

W. H. Kimberly, president of Visigraph Film, announces a new program of préstor frequent charge on all announcement trailers. This organization has a trailer service and is also making progress with its projectors in Georgia and Florida.

Joe Jack and C. E. Adair, owners of the Liberty Film Lines, Dallas, were visiting along Film Row last week. These boys were looking over the Georgia and Florida terri-
itory with a view of starting a film trucking service here, the prospects not being very bright.

Bernie Shapiro, Triangle Poster and Printing Co. manager, is in trouble in Pennsylvania. Last week the Maine Superior Court held that Jack Shapiro dropped in from the Middle West for a conference with Bernie.

Code Authority held not improper. No opinion was expressed on any part of the proposed schedule for the city of New Haven.

Reade Tosses Verbal Bomb
Walter Reade didn’t mince words yesterday when brought before the local grievance board for discussion of “service” complaints. The film was at the Astor on complaint by Howard S. Cullman, trustee for the Roxy. Cullman was in New York and Irving Lesser appeared in his stead.

“You shouldn’t entertain complaints from a bankrupt, receivership-oper-
atized theatre,” Reade thundered. “They have no standing here. The Roxy is unfair competition; it pays no salaries and is not subject to any under a political court order.

“It is the most unfair outfit in the business,” he added. “We have 39 the-

Omaha, April 9 — The grievance board has charged Fred Metzger, owner of the Magic, downtown second

service a permanent adjunct of Erpi’s activities to merchant’s deal parts or equipment other than that having to do with sound reproduction, is con-
templated. A letter from M. R. S. Co., it was stated that operators’ locals not only have made no official protest to the contemplated servicing by Erpi engineers, when in fact are asking that the ex-
sernt experiments are being conducted, have regarded the new service as an increase to the year the expense favored its con-
tinuance, it was said.

Numerous Erpi sound equipment service agreements are expiring cur-
rently and are being replaced, and the new agreement which offers an optionable number of service calls annually, for a fixed amount of money, was the result of the supplemental agreements made by Erpi with exhibitors. Under the usual agreements, use made for a two-
year period, the exhibitor has been granted the right to negotiate a new contract. If both sides are not in agreement, the agreement expires at the expiration of the supplemental agreement.

Wider Choice Offered
The new contracts offer either 12, 17 or 26 service calls per year, with correspondingly reduced charges for the lesser number of calls. The old contracts were for 26 calls exclusively, the present contracts are for a total of 26 calls, made with large de luxe houses, which are still being offered. The new con-
tact are to be made for one, two and three-year period.

With the simultaneous expiration of a number of service contracts in the Detroit area recently, Erpi was faced with competitive servicing bids made to the local theatres by Allied of Chicago. Erpi’s contracts were let by the single unit headed by H. M. Rich, and the Detroit operators’ local. New con-
tacts were closed recently; however, between Erpi and the Strand-Trendle theatres and the Butterfield circuit, Paramount theatre operating partnership is still in effect in the process of closing new servicing agreements with Erpi. Since the first of the year only one large theatre group not to renew has been War-
ers, which developed its own service department.

Kuykendall to Build
COLUMBUS, Miss., April 9—Ed
Kuykendall, owner of the Princess, will soon start his second theatre. Work is being put down on another house. When the two are completed Columbus will have three. Kuykendall said the old Princess would be completely remodeled, the work to start at once.

run, to stop two-for-one admissions. Ralph Goldberg, complained, told the board that it would know him by the same privilege, namely, “ladies free when accompanied by men,” he would without complaint. The board refused, so Goldberg wrote to the Town, rewrote his complaint against Segal and the latter changed his policy after the board gave him orders.

COLUMBUS, Miss., April 9—The gravy

Erpi to Reach Decision Soon
On Servicing
(Continued from page 1)
AS POWERFUL A STORY AS THE MOTION PICTURE HAS EVER PRESENTED!

SAYS SHOWMAN'S TRADE REVIEW OF DARRYL ZANUCK'S TRIUMPH

20th CENTURY PICTURE

Released thru UNITED ARTISTS
Wednesday, April 10, 1935

Ohio Senate Blocks Move On Tax Bills

(Continued from page 1)

a sine die resolution in advance of the day fixed for final action. This move seems to serve as a definite safeguard against enactment of legislation which might upset the present tax system.

The income tax bill, proposing rates more drastic in the lower classifications than in the upper, recently has been recommended for passage by the House Taxation Committee, but no vote has been taken.

Attack Tax on Grosses

HARTFORD, April 9—An attack on a recommendation of the Fairchild special tax commission which would impose a five per cent rate on the gross receipts of amusement enterprises was led today at a hearing before the finance committee of the Connecticut legislature by Rev. LeRoy Bowers of the T. O. A. of Connecticut, and Jake Fishman, president. There were no spokesmen for the hearing who favored the proposal.

Levy contended that the tax, if imposed, would discriminate against the operators of legitimate art entertainment as the moderately-priced picture theatre. He described the proposal as a violation of the right of the state, in the application of the long-standing principle of taxation and declared that the theatre industry is already greatly overtaxed.

That theatre operators are taxing themselves as a nuisance and retaliate by remaining away from the taxes was the contention of Arthur Lockwood, oper- ator of the Middlesex, Palace and Capitol at Middletown.

"There are 150 theatres in Connecticut," he said, "Most of them are little towns and open only a few nights a week. Many of these would be forced to close because the public would not support a nuisance tax and the theatre owners would be unable to absorb the tax."

Levy is a lawyer, operator of the Crown, Hartford, told the committee that 17 per cent of a theatre's revenue goes to the state. And city, state and federal governments. Others who spoke against the proposal included Joseph Shulman of the Rivoli, Hartford, who stated that while the tax might raise $600,000 for the state it would decrease theatre grosses by $600,000. More than 100 theatre owners and managers appeared in opposition to the measure and were augmented by I. A. T. S. E. members and representatives of numerous other amusement enterprises in the state.

California Tax Hits Bumps

SACRAMENTO, April 9—The greatest stumbling block in the state administration's efforts to balance its $256,000,000 budget was thrown in its way today in the course of an income tax debate in the State Assembly.

A new development in the tax and budget muddle is the prediction by Administration leaders that the Chatters bill carrying a third of the Federal rate on incomes will pass by a majority of five votes. Anti-administration leaders are still claiming enough votes to substitute a Democratic tax measure carrying higher rates intended to produce

$45,000,000, as against the Administration's $28,000,000.

Compromisers are ironing out both bills and hope soon enough to make the income rates produce $35,000,000 biennially.

Lieutenants of Governor Merriam said that bills to raise the bank cor- poration franchise tax rates and place a new tax on real estate transactions will be brought to a roll call as soon as the income tax has been settled.

Assemblyman Latham's substitute for Merriam's budget plan with a gross transactions tax measure and the production tax measure which precedes it were canceled by the Committee on Re- venue Taxation late today. A fight over it is believed certain.

The Legislature is well along in the week without passing a single bill to help out the state's budget muddle and without an important revenue bill passed in either house.

Still Weigh Minn. Playdates

MINNEAPOLIS, April 9—Al Steffes reports that the playdate bill is still in committee and that the film footage tax probably will be tackled in the con- ference committee. The House is sticking to a 10 per cent admission tax. Daylight saving has been re- ported out unanimously by a committee of both houses.

Signs Tennessee Sunday Bill

NASHVILLE, April 9—The ban on Sunday films has been partially lifted by a bill of a local origin, sponsored by Gov. Bill McAllister. Communitys can now decide the problem by popular vote.

N. E. Allied Pledges Pettengill Bill Aid

(Continued from page 1)

investigation of the film code by a special committee appointed by Code Authority member, presided.

The next meeting of the organization was tentatively set for March 25th for participation at the national Allied's convention, then May 14 to 21, will be discussed.

are about 25 Allied members from here will attend the Atlanta gathering.

Labor Law ChargeFiled

OKLAHOMA CITY, April 9—Charges of violating state child labor laws in employment at the Circle of Keith Wayne Schultz, six-year-old va- sulelle performer who was killed Sat- urday in a traffic accident, have been filed against Regal Theatres.

The complaint was made before a justice of the peace by Mrs. Zelde Harrell, deputy labor commissioner.

Britain's Building Gains, Says Eckman

(Continued from page 1)

“There are now about 4,500 theatres in Great Britain,” he added.

M-G-M has one theatre in England, and, as far as Eckman knows, no others are planned, he said. He re- sponded all questions on production plans by the company abroad to Arthur Loew, foreign chief.

Theatre business in Great Britain is the subject of concern, Eckman declared, “Good pictures do the business and had ones don’t.” He was accompanied by J. J. Friedler, counsel, and Albert Webb, attorneys for the company in England, who is here on his first visit. Wright plans to speak to New York, he said. Wright is also a director of M-G-M, Ltd.

Margaret Sullivan and her husband, Joseph A. Haines, father of her first boy, had a lease for $600,000. She was on the French liner and Ar- riage for the theatre by 10 p.m. at the last minute.

Sybil Jason, six-year-old actress, came over on the French liner and was to arrive by 10 a.m. at the latest. Her plans include a role in the Vivienne studio. Patience and the next few days.

Mayer Shaping Plans

HOLLYWOOD, April 9—Louis B. Mayer is expected to make an an- nouncement on Thursday of M-G-M production plans to be made before the week is out. It is understood he has been corresponding with Arthur Loew, head of the Mayer organization, in regard to making pictures and is ready to be back for a definitive announcement within the next few days.

Capra to Head Unit

At Columbia Studio (Continued from page 1)

by “It Happened One Night,” which is the current holder of the Academy award.

The plan, as conceived, would set Capra as virtually a producer on his own with an organization at the studio concentrating its activities on Capra productions solely. Additional personnel, prospects for which are now being interviewed, is to be arranged for.

The director has had a long string of credits prior to this production. He is the man who made “The Better Tea of General Yen” and “Lady for a Day” in 1933 and “It Happened One Night” and “Broadway Way” in 1934. In 1935 it is understood it “It Happened One Night” is Columbia’s heaviest grosser, a picture that has grossed $3,500,000.

Columbia executives in New York last night stated “not a whisper” had come through from Hollywood along the above lines.

Closes Booking Deal

DALLAS, April 9—W. M. Shields, operator of the New Liberty in Athens, Georgia, has closed a booking deal with Texas Consolidated Theatres, Inc. a subsidiary of Interstate Circuit.

Shields will continue operation of the New Liberty, with the Consolidated offices in Dallas handling his booking.

U. A. Theatre Expansion in England Seen

(Continued from page 1)

M-G-M Joseph M., incidentally, is expected to leave New York for Lon- don on April 23 to complete plans with various British cinemas. Mr. U. A. headquarters here are reticent, going only so far as to intimate that Schell soon will be able to announce the- mor this latest, but extremely impor- tant, move on the domestic exhibi- tion front.

On the scene controls Odeon and Charles J. Donada, County Cinemas, Reginald Bromhead is to join the board of the combined companies and a large public stock issue is in the offing. A big figure in the deal is J. A. Parkes, whose company, Donada’s financial backers and previously associated with the Brom- heads. It is generally believed along Wardour St. that the Hallfax Build- ing Society’s millions are behind Deut. A broadcast of this theatre alliance on the recent flotation of the Scophony, Ltd., a private company capitalized at £400,000 is viewed as significant. It was one of the few investors in Odeon & Co., a financial house, to take over the old Scophony Co., and its television de- visions.

Reginald Bromhead’s are, according to Mr. Deut, as well as Deutsch and Arthur Le- vey, who were directors in the old corporation, join the new board, of which the directors are: Sir Bonham Carter, director of Falk & Co. The deputy chairman is W. S. Deut, former chairman of E. K. Cole, a large radio concern.

Scophony plans televisions in cooperation with Baird and E. M. for a system which reduces standard-width film one hundredth of its present length in the picture recording. This also makes the door to conjecture if the plan is not designed to be in opposition to Gaumont’s British activities in the field of television.

No Comment Available

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, stated last night the London cable seemed to him like activities concerning United Artists Theatre Circuit. He, therefore, re- ferred inquiries to Harry D. Buckley, who could not be reached at his office.

Arthur M. Loew, vice-president of M-G-M and in charge of the company’s London operations, likewise could not be reached for comment on the angle tying in M-G-M.

Stallings on Coast

HOLLYWOOD, April 9—Laurence Stallings has arrived by plane to re- join his old pal, Basil Newhall, for William Slavens McNutt on the screen play of Parma- mount’s “So Red the Rose.”

Sporadic engagement, Margaret Sullivan and Pauline Lord.

Stallings has an arrangement with Fox Movietone News whereby he can obtain leaves of absence to engage in writing, it was stated yesterday. He resumed his editorial duties with the reel in about four weeks.
The ERPI exhibit at the recent M.P.T.O.A. convention at New Orleans

Electrical Research Products Inc.
250 West 57th Street, New York, N. Y.

Northern Electric in Canada
And so it came to pass that Universal gave unto the Monster a bride—
“The Bride of Frankenstein”!
A Carl Laemmle, Jr., Production
Various committee reports were discussed by Allied Jersey yesterday at the Lincoln. Sidney Samuelson, president, was chairman.

A report on the local film situation which he made next Tuesday will be the subject of a session at the Doherty Hotel, Newark. Next Monday the eastern committee will be held at the DeWitt Clinton Hotel in Albany. About five members from New Jersey were present.

The Harry Huffman code decision in Denver, legislative matters dealing with dog racing in New Jersey, the Pettingill Bill, non-theatrical, shortage of prints, the hearing in Washington Monday by the Senate Finance Committee, the Atlantana convention, and resolutions adopted at the Allied of Northwest meet in Minneapolis were among topics discussed. The Chicago invasion by Loew was not stressed, but came up as one of the Minnesota resolutions.

After the session, Samuelson said: "We made no motions, we passed no resolutions and we made no errors."

L. M. COCHRAN, operator, and C. W. CURTIS, manager of the New Ponpon, Lynchburg, Va., were here yesterday defending the reduced admission complaint filed by R. D. Bradshaw of the Crewe, Crewe, Va. Bradshaw is still on hand.

FRANCES WILSON, Sam FRANK and Murray Spector, Universal home office amateur talent, walked off with first honors in an amateur theatrical contest sponsored by the Asiatic Petroleum Co. in Radio City.

WILLIAM FABIAN, eastern story editor for SAVEL GOLDWYN, the Harbor Sanitarium and is recuperating at home from his recent appendicitis operation. He hopes to return to the office this week.

HARRY BUXBAUM is having a hard time today, trying to explain the deep color he inherited in Miami. It makes a swell contrast with his silvery-gray hair.

H. G. KNOX, Erpi vice-president, and H. B. SANTEE, head of Erpi's programming department, returned yesterday from a three weeks' coast trip.

GEORGE RAY has finished work on his latest picture and is due to arrive here for a short vacation. He plans to fly east, but the weather is holding him up.

PHILIP MOESSLER is again in the ranks of the Theatre Guild, having just returned from the coast where he directed "Kitty" in "Break of Hearts."

AL HAMPTON, Fox West Coast attorney, is from today attending the Chase Housing program tomorrow on the Los Angeles schedule.

MAURY COHEN of Invincible is still in the Mt. Vernon Hospital recovering from the effects of an operation for appendicitis.

BEN BERINSTEIN hopes to return to the studio Friday, but Er RUYKENDALL may induce him to stay over a couple of days.

EDWARD SCHNITZER, local Columbia branch manager, is down again. The inclement weather isn't helping him.

MAX GORDON leaves the M-G-M studio for Times Square in a couple of weeks. They say he's going to Europe.

LIONEL HOUSE, head of the World-Telgram staff has been added to the Columbia scripters and is at work on an original.

AL ALTMAN, leaving the winds up Broadway yesterday, but still with his eyes open for talent for M-G-M.


PICTURE

MOTION PICTURE DAILY

Wednesday, April 10, 1935

Jersey Allied Takes Up Several Reports

State $100,000 Was For “Defense Fund”

CHICAGO, April 9—In the suit for an injunction to prevent the Chicago Allied union funds alleged to have been misapplied during the Tom Maloy regime there are several interesting legal charges. One of these is that Thomas J. Reynolds, president, withdrew $100,000 of the local's funds on July 1, 1931, "for the pretended and unlawful purpose of a so-called defense fund for himself and others who were under indictment in criminal court." Except for an entry showing a return of $1,250, the sum is unaccounted for, the bill charges.

Reynolds's action is expected to wind up a complete renovation of the local union's affairs. Previously a group of operators who had rebelled against Maloy had sought a similar accounting. Their actions were temporarily halted when Fred Oster, leader of the group, shot to death in union headquarters by Ralph O'Hara, a union organizer. O'Hara was acquitted on self-defense plea.

It is rumored that the rebel operators who had been unable to secure employment under the Maloy domination now hope to find themselves behind the projectors once more. Holmden's house cleaning is expected to include the "kick" of the "officers." Among the operators, who, it is been charged in the past, were placed in theatres with the understanding that they would "kick over" 10 per cent of their weekly pay to the union.

“Worlds” Does $19,000

“Private Worlds” ended its second week at the Paramount last night with the approximate $17,0000 over $12,000 earned in its first week, according to the studio.

In its first week, the cost of making "Worlds" was $8,000.

Hoover Takes 1,900 for Defense Fund

President H. F. Hoover, president of the Allied of the Northwest, has been retained by the local union to defend himself against charges of alleged malpractice in the Tom Maloy period.

Hoover, who is from San Francisco, was thrown into the fight by the local union, which has already been threatened with dissolution.

The local union has asked the court to have Hoover’s defense fund raised to $100,000, which is $50,000 above the original amount. The defense fund is already $25,000 short.

The defense fund is to be used to pay the costs of the court action and to reimburse Hoover for his legal expenses.

Hoover is expected to be in court today to present his defense case.

In his house for the first three months of 1935 is 15 per cent ahead of 1934.

... Houston

The Carrie Nation act put on by the Texas Rangers with Governor J. ALLISON as m. c. has earned the lights of the night spots but made things rosier for the picture shows; very welcome aid during Lent.

FRANCIS DARLING, new manager for Loew's, is apartment hunting; the missus is due from St. Louis.

VINCENT SHOLL, one time Publicist and Interstate manager in Houston and Dallas, is now a teacher of Phoenix, Arizona; giving up theatre work, says he.

FRANK STARR, who handles district publicity for Interstate, spent a couple of days here accompanied by ANN FOOTE, representing “Mary of Scotland.”

Fans still disappointed because ROBERT YOUNG’s step over from San Antonio, where he made personal appearance at the premiere of “West Point of the Air” and still talking about CLARK GABLE’s visit to his “home town” for his steadfather’s wedding.
Mr. Red Kann,
Motion Picture Daily,
1790 Broadway,
New York, N. Y.

Dear Red:

Your publication, the "Motion Picture Daily," is certainly a dandy.

My observation has led me to the deliberate conclusion that it prints the news red hot off the griddle, accurately and concisely, without fear or favor; being neither biased nor prejudiced, for or against any particular political clan or class; investigating thoroughly, all news items before publication in order to be sure they are accurate in truth and in fact.

There has been such an inclination during the chaotic days of the industry to print "anything" so long as it is a story, that it gives me great pleasure to state to you that I consider your daily publication the best daily on the market today.

Very sincerely yours,

Sol E. Gordon

seg-wh
Short Subjects

"Birobidjan" (Amkino)
The Soviets are using this Soyuzy production as a means of letting the world know what they are doing for their Jewish population. As may be expected, they lose no opportunity to tell Communist propaganda is blessing to the Jews of Russia. They make sure to point out that 'twas never better for the Jews.
The film is a record of life in the Jewish province of Birobidjan, which enjoys complete autonomy. It is but mildly entertaining, although in Jewish communities it may find a warm welcome. The production is most interesting in those scenes showing the struggle of the Jews to reclaim the wilderness and hew out a new life for themselves.
The film has been provided with subtitles in English and Yiddish.
No production code seal. Running time, 35 mins. “G.”

“Old Age Pension” (Universal)
Henry Armetta fans will be disappointed in the comedy their favorite hands out in this short. All of his old tricks are there, but despite the assistance of Arthur Lake his clowning appears to fall flat.
The film is built around a dream that Armetta has about losing all his money and living, as a result, on a government old age pension. His family treats him through two reels of film and he finally wakes to find he is still financially secure and the head of a happy family.

“Pop Goes the Easel” (Columbia)
The Three Stooges run riot again, this time in an art school. Their antics are still funny, but not as rib-tickling as some of their previous efforts.
Chased by a cop for stealing three brooms, the boys hide in an art school and disguise themselves in smocks, pretending they are students. Their antics with paint and brushes are typical of them. Their usual manhandling of each other is also present. The film winds up in a fight with everyone hurling clay at each other.

“The Mormon Trail” (Pitaphone)
This, the fourth of the "See America First" series being produced by E. H. Newman, is entertaining and very interesting from an historical point of view.
The reel opens with views of the early homesteads of Abraham Lincoln and Ulysses S. Grant and then shifts to the Mormon Trail, where the monuments to Mormon history are pictured, with off-screen dialogue to explain the significance of each historical relic.
Recommended. Production Code Seal, No. 327. Running time, 10 mins. “G.”

Verbal Bouquets Hurler At M. P. Club Sport Forum

(Continued from page 1)

Pettijohn was pinch-hitting for Jack Allocote. He presented Chief Louis Nizer with a champion of champion toasters.
Hype Igoe was the only speaker who was not the prize of the evening. Nizer described him as a "noted writer and brilliant cartoonist," and Harry Hershfield agreed with this view but most people who said was lost behind the microphones.
Benny Friedman, presented as "one of the greatest quarterbacks of all time," told a story about a young Jewish newspaper man who couldn't understand why he was satisfied with a sweater bearing a large "M" as the reward for a season's football work at Michigan. Immediately afterward, Nizer made Friedman scowl by remarking that "even movie men couldn't understand rewards such as some football players get nowadays."
James Braddock, heavyweight contender, and Alfred Letournier, six-day bicycle race champion, were introduced, but Nizer's remarks about "bicycling," while amusing the audience, didn't cause Letournier to crack a smile.
Marcus Griffin of the Examiner interviewed Chief Little Wolf on the subject of wrestling. After the chief had admitted that he could beat all comers, "Chief" Hershfield remarked: "When man falls in love himself it's the beginning of a lifelong romance." He said he had once met a wrestler who didn't mind the wrestling, but found the "rehearsals were hell."

Six Days to Get Nowhere

Then he looked at Letournier and remarked: "This is the only country in the world that would stand a six-day race three times a year, ride around and around for six days and at the end of the sixth they are in the same place."
The verbal bouquets were flying around.
Hershfield was serious, however, in talking about "One." He described it as really one of the "great writers and great cartoonists of the day."
"He has done a lot in these hard days to keep up the morale of the people," declared Hershfield. "Thirty years ago I was a cartoonist on the Chicago Daily News and Francisco Chronicle, and I know."
Benny Leonard spoke briefly. He was followed by James J. Johnson, matchmaker for Madison Square Garden.
He was in rare form. Some of the present day champions are a "disgrace to boxing," he said. "They don't fight. If Braddock could meet Baer," he said, "maybe we would have a heavyweight champion who would do more fighting and less talking."
"This boxing game is getting to be a nondescript affair," he went on. "It's something like your game. We try to work up a great show and sometimes we are ashamed of it."
He recalled the time when George "Kid" Konitz was promoting "Quo Vadis." He said: "If I had money in films, Johnson continued. "If I had, maybe I'd be down at Miami bathing in the sun right now instead of up here sleeping with one eye open to see that they don't take away from me what little I've got."

Cincy Lyric Cuts Scale

Cincinnati, April 9—Prices at the RKO Lyric have been reduced to 25 cents for any seat until 1 P.M., with a 30-cent matinee rate. Evening scale is 30 and 40 cents for balcony and lower floor, all prices including service at 3-cent per cent state tax. Former scale was 35 cents for matinee and 42 cents evenings.

Mrs. Looran Reports 96% of Films Clean

Hollywood, April 9—Speaking at a luncheon given for her at the M-G-M studio today by Louis B. Mayer, Mrs. James F. Looran, film chairman of the International Federation of Catholic Alumnae, declared that because of the improved tone of pictures since July of last year her organization was able to endorse 96 percent of the product of major producers. She said the alumnae body had come to the realization that the function of the screen is to entertain only.
Ripoff J. C. Cantwell praised the new trend in film entertainment as indicating that America possesses conscience.
Will Hays said the cooperation of producers had made the improved quality of films possible, pointing out if good pictures are not supported bad ones will come back again.
The clean film agitation has benefited the industry, Mayer asserted. The production of entertainment without offense was seen by him as the solution of one of the industry's biggest problems. He expressed the wish that more members of the clergy and welfare bodies work with producers on this score.
The clergy, welfare workers and players made up most of the gathering.

Nicholas Schenck Coming

Hollywood, April 9—Nicholas M. Schenck left on the Chief for New York tonight. A passenger on the same train is Myron Selznick, who said it is purely a business trip.

Tony: Hey, Joe, whatsa dees Werewolf?

Joe: Everybody wantsa see one, but nobody wantsa be one!
Parent Group Aims Include Federal Rule

M. P. Herald Quotes Its Printed Prospectus

In spite of denials by Mrs. B. F. Langworthy of the National Congress of Parents and Teachers that the organization is backing the Pettengill anti-block booking bill as an entering wedge for Federal control of the industry and a means of fostering non-theatrical competition, Motion Picture Herald will state today that the objectives of the organization include these projects.

In its current issue, out today, the Herald quotes from the organization's printed prospectus of its objectives to show that these are included in its program.

Mrs. Langworthy called the reports "utterly ridiculous" and said any such

(Continued on page 4)

New London House Is Expected Soon

By BRUCE ALLAN

LONDON, March 28—Sold at auction on a 99-year's lease at $11,000 a year, the site at present occupied by the Geological Museum in Piccadilly is expected to be taken over by amuse- ment interests, with the probability

(Continued on page 4)

Gallup Tops Ticket Forampa's Election

Bruce Gallup heads the ticket to be submitted by the Amra nominating committee at the closed annual meeting at the M. P. Club today.

The result of the ticket follows: Vice-president, Charles Leonid; secre-tary, Alexander Gottlieb; treasurer, Martin Stahr; board of governors,

(Continued on page 4)

Very Unusual

Kansas City, April 10.—While the guests of Harris P. Wolfberg, M-G-M district manager here, Nelson Eddy read a newspaper rave in which the writer said he was "born with a magnificent baritone voice."

The comment of the "Naughty Marietta" star was that as far as he can recollect he was a soprano at birth.

California's Footage Tax Meets Defeat

Committee Opposes It After Hard Battle

SACRAMENTO, April 10.—A film tax of a half cent a foot intended to raise $20,000,000 biennially has been killed in the Revenue Taxation Committee after a bitter battle.

The tide turned against the bill after C. J. S. Williamson of the Los Angeles Chamber of Commerce had written that the imposition of unjust tax would cause the industry to leave California and do irreparable damage to the state.

"There has long been exerted eastern pressure for the film industry to move closer to New York, New Jerse-y or Pennsylvania," Williamson told the committee. "If you pass this

(Continued on page 4)

Brandt’s Audubon Appeal Withdrawn

Harry Brandt, operator of the Audubon, has withdrawn his appeal from a decision by the local grievance board ordering him to cease and desist from handing out "pay envelopes" to children on Saturday matinees. The complaint was brought by Loew’s Rio with Eugene Picker representing the circuit and walking off with the point set for April 15, but Brandt, through

(Continued on page 6)

Loew’s Closes for Five Chicago Sites

Loew’s has closed for five sites in Chicago where new theaters will be erected in line with the circuit’s invasion plans.

This leaves seven more which have been authorized and deals for which are expected to be consummated any day. Various details are being investigated before these commitments are signed.

Robert Lynch, Philadelphia branch manager, was in the Windy City working on the Loew theater developments.

Old Saenger Affairs To Be Cleared Soon

NEW ORLEANS, April 10.—Final wind-up of the Saenger Theatres re-organization is expected within the next 10 days or two weeks as a result of the consent to the dissolution of the

(Continued on page 4)

Schenck Silent

When asked yesterday to comment on a London dispatch to Motion Picture Daily to the effect that the United Artists Theatre Circuit, Ltd., was contemplating an expansion of exhibition activities in Great Britain in conjunction with a merger of Odeon The- atres, Ltd., and County Cine-mas, Ltd., Joseph M. Schenck said he had "nothing to say at this time."

He arrived from the coast yesterday.

The proposal, according to the London dispatch, is designed to take in 100 theatres by the end of 1935. M-G-M was also mentioned. Arthur M. Loew said yesterday he had neither read the story nor heard of it. He, therefore, refused to comment.

Chicago Board Of Alternates Is Challenged

CHICAGO, April 10.—The case of Pablix Great States theatres against E. E. Alger Amusement Co. before the local grievance board on the matter of cutting off Alger’s film service was continued until next Tuesday. An impasse was reached when Alger’s attorney, Thebrenberg, Toomin & Stein, objected to alternate members serving on the board and amplified this objection with the declaration that industry code boards generally did not conform to the NRA.

Rosenberg, Toomin & Stein are also attorneys for Charles Roder of the Astor and Jack Rubin, Public, in the current case of these exhibitors in U. S. District Court charging conspiracy on the part of local distributors, circuits and exhibitors.

Taking the stand that their client could not get an impartial hearing

(Continued on page 6)

L. A. Clearance Up Before Campi Today

Hearing on an application by Fox West Coast for reopening the Los Angeles clearance and zoning sched- ule will be held today by Ben Berinstein and Harry Vinnicoff, rep- resenting the I.T.O. of Southern Cali-fornia.

The session opens at 10:30 with J. Robert Rubin presiding. The coast plan will be the only matter on

(Continued on page 6)

Peace’s Dove Seen Soaring Over K-A-O

RKO-Meehan Balance on Board Is Continued

The lines of demarcation within the board of Keith-Albee-Orpheum Corp., principal RKO theatre subsidiary, which have existed for several years past and have brought the faction rep- resenting the large M. J. Meehan stock interest into sharp conflict with RKO interests over theatre financial policy on a number of occasions, were reported to have been wiped out yester-day with the election of the new board of K-A-O at the annual stockholders’ meeting.

A balance of representation be-tween RKO and Meehan will effect a year ago with the entrance of Herbert B. Swepe into K-A-O. The pro- visional truce thus effected was so successful in quieting opposing fac- tions on the board, it was said, that yesterday’s meeting was influenced to make the armistice a permanent peace. The meeting relected 12 of the 13

(Continued on page 6)

K.C. Groups Agree On Dual Bill Plan

KANSAS CITY, April 10.—Details of the five-man “releasing board” to select films which may be dually in Kansas City have been agreed to by exhibitors and whether it will go into effect now hinges on acceptance by distributors. Branch managers are contacting their

(Continued on page 8)

Report Roxy Behind New Delaware Group

WILMINGTON, April 10.—A group of persons said to include S. L. (“Roxy”) Rothafel, Alfred V. du Pont and Charles Topicks, the latter

(Continued on page 8)

20 Yarns Set

Hollywood, April 10.—Bright- ing visible indication of its full intention to continue on its own. Universal has lined up 20 vehicles for 1935-36.

James R. Grainger has been playing a significant part in the selection. He left her for New York this evening to prepare for the convention in Chicago the end of May.
Willard McKay, Charles Payne, Ned Definett, Arthur Schwalb, and Leslie Thompson, Crisson Smith, Herman Robbins were among those who indulged in the gastronomic delights at "21" yesterday. Also N. L. Nathanson and his wife.

A. K. Mills, assistant to Ralph Rolan of March of Time, Inc., left by plane early this week on a tour of North Carolina, South Carolina, Alabama and Louisiana.

Merie Oberra arrives in town today from the coast for a short vacation before returning to work in "The Dark Angel" for Samuel Goldwyn.

Quip of the Day

With apologies to Solomon, we reprint a par from his column in The New York Evening Journal.

Three men, an Irishman, a Scotchman and a Hebrew entered a hotel in London to make a small wager: the first to land in a slightly used theatre, on inspection, the theatre seats were found to be in need of repair.

"Let's cover them with plaid," the Scot offered.

"Ya, they would look better in green plush," argued the Irishman.

"Me, if you are asking," said the Hebrew, "I would prefer we cover them with people."

George W. Weeks, Gaumont British sales manager, has left for Chicago, Detroit, Cleveland and Pittsburgh. He will return in a week.

Gwen Helles of Warner's home office advertising and publicity department was married yesterday in Seattle to Howard Lang.

Percy H. Johnston, member of the new Paramount board, will not be back in town from his coast visit until the first of next week.

Mort Blumenstock, in charge of advertising and publicity for Warner theatres, left last night for Albany on a short business trip.

Y. Frank Freeman, J. D. Clark, Austin C. Kroug and Sam Eckman put in one of those rare appearances at the M. P. Club yesterday.

Adolph Zukor has been confined to his home for the past few days with a minor illness, but he is a solicitous sick man of the family.

Rubinoff on Broadway yesterday and all smiles. Someone was pouring something into his ear.

Albert Warner, Grabwall Sears and A. W. Smith plan to fly to the coast today, weather permitting.

Jules Levy is in a tussle with la grupe.

Nicholas Ludington, president of First Division Producers, is due in town today for the executive meeting of the board of directors. The meeting, scheduled for later this week, will get under way this morning. Ludington is ill and could not stand an air ride.

Philip Meiller, who recently completed direction of "Break of Hearts," has arrived in town to direct the Theatre Guild's last production for the current season. Only in June he will return to the Radio studios for his next assignment.

John W. Hicks, Jr., George Welte and T. X. Jones, all associated with Paramount International, sailed yesterday on the Washington. They will return in time for the annual sales convention at the Waldorf on May 23.

Ben Piazza goes back to the Paramount studio today after lining up talent for "Big Broadcast." He arrived in town yesterday after a week of looking over the European market.

D. T. Lane, film attorney and former secretary of the Salt Lake City Film Board of Trade, heads west today to a Dice and several days here.

Charles Koerner, RKO division manager in Boston, headed for bean-town yesterday after a one day visit at the home office.

John Beaux of the Rosenblatt-Welt circuit made a report on the local film situation at a meeting of the I.T.O.A. board of directors yesterday.

Walter Emerhardt heads into New England again next week. All for the cause of Wide Range.

Jack Golden, divisional head in Rochester for RKO, was in and out yesterday.

Barney Glazer left for the coast by plane the other day.

Cleveland

Abe Kramer, official of Associated Theatres circuit, and Mrs. Kramer have returned from a Mediterranean trip.

P. L. Tomney, Princess, Wauseon, is losing his appendix.

Louis Kaufman of the Warner home office is around for a few days.

Fred Wilson, hailng from Detroit, is now headquartered here as field superintendent of the Warner checking department.

Rufus Young, a Perryburg, Ohio, exhibitor by night, operates an automobile sales agency by day.

Martin Smith of Toledo journeyed to town to attend the first local clearance and zoning board meeting of the year.

Jack O'Connell, Ohio Theate, Toledo, frustrated a "stop service"

No Registration for Pathe's New Issues

The new Pathe securities, issuance of which was postponed over the weekend, have not received the recent approval of the company's plan of financial reorganization, need not be registered with the Securities and Exchange Commission, due to the fact that the Pathe financial reorganization does not come within the meaning of the Securities Act. It was learned yesterday.

The fact that registration is not required is regarded in Pathe as simplifying and hastening the final steps of the reorganization. The actual transfer of assets of the old company to the new Pathe company, originally scheduled to become effective as of March 30, has not taken place yet due to the fact that preparation of the company's balance sheet has not been completed. This and several other minor phases of the reorganization are expected to delay the formal election of directors and officers of the new company for several months, it was stated yesterday.

To Build at Great Neck

A 700-foot de luxe house is to be built at Great Neck for an unnamed client of D. Seymour Wolson, Manhattan. A plot has been leased from Forest, on Middle Road, opposite the entrance to Great Neck Estates and Eshelman to be built. The house will be ready for use about Oct. 1, according to the plans.

Reade Holds Two Films

Warler Reade is holding "It Happened One Night" and "The Man Who Knew Too Much" a fourth week at the Astor and Mayfair, respectively. The Columbia film for the third week garnered around $4,800 and the Gaumont British picture tailed in the neighborhood of $6,400.

order of the grievance board by a last minute signing of a compliance order.

Harry Young, Universal salesman, bases on the job for a few weeks' absence due to an automobile accident which did him plenty of damage.

Dan Stearns, Willoby Theatre, Willoughby, has been re-elected president of the board of trade there.

Kansas City

Elmer Rhodes and Leo McCarthy of Fox Midwest inaugurating the season at Lake of the Ozarks, riling on Rhodes' cruiser.

John McManus and Lawrence Tupper, W. L. and A. Inglis, recent exchange to C. M. Morris, model M. G., staged a miniature picture contest for "West Point of the Air."

Jean Baldwin, Max Roth's secretary at Columbia, is mascot for Jack Finney of Universal Pictures studio basketball team.

Lester Martin of Des Moines, former Allied tycoon, in town on business with C. A. Schultz of Commonwealth Theatres.

L. J. McCarthy had his Fox Midwest managers in tow for a district confab at the Variety Club.
'G-Men' Gathering Here to Rub Out Last of Mobsters

Scores of "G Men," the famed secret agents of the Department of Justice, are converging on Memphis for America's greatest battle in the war on crime. Thursday is the date set for Uncle Sam's final showdown with the marauding mobsters who have terrorized the country for the past five years.

The heroes of the greatest manhunt in history have at last bottled up the notorious Central Station killers, the Big Shot no jail could hold, and many others.

Leading the Federal men is none other than Jimmy Cagney, once celebrated as Public Enemy No. 1, now enlisted on the side of the law.

The grippingly sensational story, based on famous headline cases, reveals many details of the "G Men's" remarkable operations never known before.

The success of "G Men" is sweeping the country. It is a picture all Memphis will be talking about. Don't forget the date — Thursday morning at the Warner!
California's Footage Tax Meets Defeat

(Continued from page 1)

bill you are helping the east to accomplish its aim."

Williamson said the industry could move, according to large property holdings, from a city of 30,000 or 40,000 overnight and through the means of deals, make enough to pay for the costs of moving back. Assembleyman Voigt, a proponent of the bill, who has M-G-M, Roach and RKO in his district, assailed Louis B. Mayer as a tax sharker and said he thought threats to move the industry out of the state were a bluff. He added that if these studios did move, they would be replaced by others.

We can get along without Mayer. I hope we will move out of Cali-

ifornia," he said.

Assemblyman Morgan, also a pro-

ponent of the bill, who has the Fox study to move to a city if the industry can pay Irving Thalberg $900,000 a year and "some putty faced girl $25,000 a year, it can afford to pay the tax."

The 30-hour week and the income tax bill came today before the House.

Minnesota Levy Opposed

St. Paul, April 10.—A strong Farmer-Labor minority in the Minne-

sota Legislature is battling to keep the 10 per cent amusement tax out of the new omnibus tax bill.

Efforts to get a committee to kill this part of the bill last week resulted in substitution of a footage levy, but this action was reversed before the final report.

Special features of the bill are a sales tax, check tax and amusement tax, by means of which the sponsor hopes to lighten the load on real pro-

property.

Exhibitors are now centering their efforts on a movement to persuade Gov. Floyd B. Olson to take a hand. He learned of tax facts from minorities who may be expected either to demand that the sales, check and amusement taxes be eliminated, as his cohorts propose, on a tax cut.

Al Steffes is confident that the amusement tax will not be included.

Florida Tax Held Certain

Tallahassee, Fla., April 10.—As a result of a favorable report by the joint Judiciary Committee of the Leg-

islature, which recommended that a 10 per cent amusement tax will be enacted. This joint committee is working under a new legislative pro-
cedure adopted this year.

The tax is sought by schools as a substitute for a general sales tax pro-

posal.

Nebraska Tax Killed

Lincoln, Neb., April 10.—The two per cent sales tax measure in the state, designed to con-

sume along with gross proceeds on commodity sales, all tickets sold to places of amusement, went down in de-

bate and by a vote of 58 to 25 here today. This action kills out the one of three anti-theatre bills before the
A CHALLENGE from a SHORT SUBJECT!

"THE LOST CHICK" will fight it out with any feature for the top applause of the show! This M-G-M Happy Harmony Cartoon in Color has an unbeaten record! Name your date (Easter's a perfect time) and let "THE LOST CHICK" do the rest!

One of the melody series known as HAPPY HARMONIES. Bringing fame to its producers HARMAN-ISING and joy to M-G-M
under the present setup of the code board. The directors and the judges were concerned to develop legal situations obviously beyond the scope of the sitting board. IMDb reports Judge Henry For- ter, saved what might have been an interminable session with a closed meeting of principals and their attorney.

At the conclusion of the huddle M. M. Rubens of Great State Theatres asked for a continuance.

Nate Wolfe, independent exhibitor member sitting as chairman, then attempted to draw from Alger’s counsel an expression as to a board personnel which would be agreeable. He was told that no board would be acceptable—unless it was one composed entirely of exhibitors.

Rubens then asked that a written opinion be obtained from Camp- sources on the matter of board personnel. In the meantime counsel for Alger indicated willingness to appease before the regular board at the next meeting. At that time they indicated they would face one of two courses—either to admit other objections to the board setup or pursu- ing the case in other channels.

Omaha Passes Start Row

OMAHA, April 10.—A. H. Blank’s Paramount will face the grievance board Friday on charges of free ad- mission. The complainants are four neighborhood managers. The Parramount, located somewhat west of the regular business district, has joined in with adjacent merchants in an attempt to create a business district of their own. Merchants have tied in with Paramount newspaper ads on a recipro- cal basis.

Last week Manager George Bick- ford distributed free tickets to all the merchants personally and their em- ployees as a goodwill gesture. The neighborhood managers filed charges immediately.

Mr. Bieber and Iris Gossick, managers of the Miege; Epstein Theatres, Inc. operator of the Circle; L. B. Groeck, manager of the Mueller, and G. A. Ruth, manager of the Military.

Object to N. H. Board

NEW HAVEN, April 10.—Clearance disputes involving Stamford first run and Darien, New Canaan and Nor- walk have been postponed as a result of objections to the makeup of the clearance and zoning board brought by James E. Casey, Playhouse, New Canaan. Casey contended the board included three subordinate managers. He objected particularly to Joseph A. Davis, alternate, from Southington.

L. A. Cleanup Urged Before Campi Today

(Copied from page 1)

The calendar and another meeting may be called for tomorrow to discuss other business. A Hansen, city manager for F.W.C., arrived from the coast by plane yesterday to assist W. T. Pow-

Chicago Board Of Alternates Is Challenged

(Copied from page 1)

K-A-O directors and was described as a “bloodless affair” regarded in some quarters as a rarity in K-A-O stockholders’ meetings. The thir- teenth director elected was Montana Goldwater, law partner of Edward F. Flynn, whom he replaces on the board without change in the repre- sentatives.

Directors reelected were Swope, chairman of the board; David Sar- noff, M. H. Aylesworth, V. M. Reynolds, representative; Meeman, Maloney, Goldwater and Kingsburg, Meeman representatives; Salditch, David and Eddy; constituents; G. H. Collier, chairman of the board and Thompson, president. These are the divisions, however, the complaint today remains, a wiped out by yesterday’s election, with everybody voting for everyone else, regardless of past alliances, to achieve a “perfect unanimity” of the board.

The board will meet in about two weeks to elect officers, with no im- pact on the standing directors in the present line- up expected.

The meeting also approved a profit- sharing plan by which Swope and certain K-A-O officers nominated by him and approved by a non-participat- ing board committee, will divide 10 per cent of the net earnings of K-A-O after a sufficient amount to take care of preferred stock dividends has been set aside. The proposal is simi- lar to that given Swope as an induce- ment to come into K-A-O a year ago and is understood to have been exten- ded to include other officers of the company at his suggestion.

The committee which will pass on Swope’s recommendation to participate in the plan consists of Sarnoff, Mazur, Maloney, Altschul and Goldwater, who will, not them- selves, participate in the dividend.

Brandt’s Audubon Appeal Withdrawn

(Continued from page 1)

Weissman, Quigley, Allain & Spe tt, advised the local board and Campi that the practice had been discontinued and the appeal withdrawn.

The newspaper firm above mentioned, Melvin Albert has filed three reduced admissions complaints for the Theatre, Brooklyn, a member of the I.T.O.A. The protests were against the Comet, Bobby and Impe- rial, and were submitted to the board by the local board next Tuesday.

In Washington on Monday, Albert told the Senate Finance Committee that members of the I.T.O.A. refuse to take cases before the local board because they insist they will not get justice, but are continuing to take cases to the courts, as they did before the code.

Peace’s Dove Seen Soaring Over K-A-O

(Continued from page 1)

Look' Em Over

“Circle of Death” (Syndicate Pictures)

Indians attacking wagon trains, performing their ceremonial dances and on the warpath, are revived in this western in a manner that audi- ences in neighborhood houses will get a kick out of this picture. Be- sides the redskins there is a plausible and well presented story.

Frank Glendorn’s direction keeps things moving right along. The photography of James Diamond is fair.

The story has Monte Montana adopted by a tribe of Indians when a small baby after his parents had been massacred. He grows up and believes himself to be a member of the tribe. Returning to an old hunt- ing ground preferred by an aged chieft, Montana meets the daughter of the rancher who owns the property and with the aid of his fellow tribesmen aids her father in saving his cattle from a cunning gam- bler.

Love blossoms between the girl and Montana and the finale has the two lovers in each other’s arms when it is revealed that he is really a white man.

Children should get particular enjoyment out of this film and there is enough action to satisfy adults. Others in the cast are Tom Glendorn, Yakima Canutt and Princess Altheenah.

Reviewed without production code seal. Running time, 60 minutes. “G.”

“Four Hours to Kill,” now at the Paramount, was reviewed by wire from Hollywood on March 30.

“Black Fury,” yesterday morning’s opener at the Strand, was reviewed from Hollywood by wire on March 26.

“Star of Midnight,” opening this morning at the Radio City Music Hall, was reviewed by wire from Hollywood on March 26.

“Princess O’Toro,” which will open at the Rialto tonight, was reviewed by wire from Hollywood on March 18.

“Fauness,” which opens at the Capitol Friday morning, was reviewed on Feb. 15 from Hollywood.

“My Heart Is Calling,” to be previewed tonight at the Roxy, was reviewed from London on Jan. 21.

Telegram Sent Flinn

LOS ANGELES, April 10.—Telegrams were sent today by a number of I.T.O. of Southern California mem- bers to John C. Flinn protesting any delay in making the local schedule operative. The general tone of the wire was that Campi should put the plan into effect, and if any changes are in order they should be made out here and not in New York.

Among those sending the missives were H. W. Chotiner, president of the unit; Jules Woolf, Lincoln; Max Sinker, Empire; H. Lewis, Los Feliz; Irving Carlin, Alvarado; M. A. Kurr- ston, Boulevard; Earl Johnson, Knoll; Edward L. Thompson, Metro, all in Los Angeles; Roland Levinson, Oriental, Hollywood; A. W. Wardman, Whittier, Whittier; James Ed- wards, Monterey Park, Alhambra.

and as before A. L. Alperson in presenting arguments for delaying the schedule.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“The People’s Enemy” (Select-Radio)

HOLLYWOOD, April 10.—This weak gangster melodrama is at best of only double-bill caliber. The story deals with the triumph of the Fed- erals over Public Enemy No. 1. Strong exploitation along these lines may aid the film in some spots.

Preston Foster is the people’s enemy who, after evading the law on numerous occasions due to the efforts of Lawyer Melyn Douglas, is sent up the river on a new charge. Douglas follows Foster’s instructions and tries to financially aid Lila Lee and the young daughter of Foster’s family when a romance starts.

Douglas fails in a parole plea due to the work of a crooked politician (Herbert Rawlinson) and Foster breaks jail to put Douglas on the spot, believing the tips supplied by his brother (William Collier, Jr.).

Rawlinson and Foster die at the climax, with Douglas carrying on Foster’s romantic obligations with Miss Lee.


Production Code Seal No. 599. Running time, 60 minutes. “G.”
A long time ago a man named Emerson wrote a life-time success-story in a few simple words . . .

He said . . . "if a man preach a better sermon; write a better story; invent a better mouse-trap or build a better house than his neighbor, even though he live in a forest, the world will beat a pathway to his door" . . .

Fifteen years ago the men who conceived the idea behind National Screen Service said "we'll give them the best exploitation idea ever devised on a complete service basis covering every picture they book" . . . and today four out of every five exhibitors in the field . . . more than 9,000 in all . . . use
Rogers’ Film
Hits $23,400,
Detroit High

Detroit, April 10.—Will Rogers piled up a terrific gross at the Fox last week. The $23,400 take passed par by $8,400.

It was the only big business in town.

“Vanessa” was $1,200 up on a $21,200 gross at the Michigan and “Mississippi” went over the line $600 on a $10,600 gross at the United Artists, but elsewhere business was pretty dull.

Total first run business was $64,700, Average $8,100.

Estimated takings for the week ending April 4:

“FLY LOVE ALWAYS” (Col.)
“RENOVENCE AT MIDNIGHT” (Fox)
“ADAMS STATE”—(Para.)
“BEGINNINGS” (Fox)
“DEVIL DOGS OF THE AIR” (Warners)
“SOCIETY DOCTOR” (M-G-M)
“MYSTERY OF EDWIN DROOD” (Univ.)
“TARA” (Unit)
“LADY” (Col.)
“GRAND OD Y” (Radio)
“ROBERTA” (Radio)
“IRON Duke” (Fox)
“CAR 99” (Para.)

K.C. Groups Agree
On Dual Bill Plan

(Continued from page 1)

general sales managers to determine what was agreed to participate in the plan, which is said to be similar to Chicago’s. All branch managers seem to favor the plan, according to R. O. Rogers’ $10,600, 54,200.

age, $3,100.

was $600. Average, $10,000.

NEBRASKA Town Again
Beats Sunday Shows

Beatrick, Neb., April 10.—Sunday shows lost in the city election here yesterday by a small margin of 161 votes and the town retains the last seat in the state of any size to have a ban on Sabbath shows. This was the seventh time the issue had been brought to vote. The population of the town is over 10,000.

Mercy Circuit Meets

Pasco, Wash., April 10.—Managers of the mercy circuit met at this point to discuss policies for the coming season.

Among those present were Frederick Mercy, Jr., Arch Bartholet, S. G. Turner, H. A. Gillespie, Arch MacArthur, Jack Wright, Carl Jones, Don Gisler and Milt Wright.

Darmour Gets G. B. Task

Hollywood, April 10.—Michael Balco of Gone With The Wind appointed Larry Darmour special Hollywood representative to continue the company’s talent negotiations. The job will not interfere with Darmour’s own production plans.

Loeffler in New Fox Post

Hollywood, April 10.—Louis R. Loeffler today resigned as an associate producer for Fox and will become director of the booking department at Movietone City.

Colman as Sidney Carton

Hollywood, April 10.—Ronald Colman was signed today to play Sidney Carton in M-G-M’s “Tale of Two Cities.” He may do a dual role.

G. B. Plans 16

Gaumont British is rounding out plans for the distribution in this market of 16 features for the 1935-36 season.

This matches the company’s current schedule.

“Roberta” Is
Still Up 4th
Seattle Week

Seattle, April 10.—“Roberta” had all the first run managers wishing they were playing it instead of the Music Box. In its fourth week it was still $300 over a first week average on a take of $4,300.

“Grand Old Girl” proved a good attraction at the Music Hall with a stage show headed by Al Pearce. The take was $7,100, up by $600. “Folies Bergers” took a fair $4,100 at the Blue Mouse.

Total first run business was $36,400. Average is $37,000.

Estimated takings for the week ending April 6:

“FORBIDDEN BERGERE” (U.A.)
BLUE MOUSE—$5950. 25c-40c-55c, 8 days. Gross: $4,100. Average, $500.

“RUGGED SAVAGES” (Para.)
“GRAND OLD GIRL” (Radio)
“IT LIFTS” (Col.)

“A NIGHT AT THE RITZ” (Warners)

“THE IRON DUKE” (Fox)
CAR 99 (Para.)

4TH “HAPPENED ONE NIGHT” (Col.)

“Lady” with “Folies” Wow
In Cleveland

Cleveland, April 10.—“Transient Lady” and the “Folies Bergere” review cracked a two-year record at the RKO Palace. The $39,000 take was $24,000 over normal and was within about $1,000 of the mark set by Glenn and Gross two years ago.

Three holdovers were strong. “Life Begins at 40” took $7,100, or $1,000 over average, in its second week at the Hippodrome. “Roberta” was $2,000 up with $5,100 in its fourth downtown week at the Allen. “It Happened One Night,” a revival, did the biggest business in the Circle since the opening of the house.

Total first run business, the highest in 18 months, was $70,200. Average is $4,100.

Estimated takings for the week ending April 3:

“ROBERTA” (Radio)
ALLENS—(3,400). 25c-35c, 7 days. 4th week downtown. Gross: $5,000. Average, $700.

“LIFE BEGINS AT 40” (Fox)
WARNERS’ HIPPODROME—(4,500), 25c-35c-40c, 7 days. 2nd week. Gross: $7,100. Average, $1,000.

“TRANSIENT LADY” (Univ.)

“MISSISSIPPI” (Para.)
LOEW’S STATE—(3,400), 30c-35c-40c, 7 days. Gross: $3,000. Average, $400.

“RUMBA” (Para.)
LOEW’S STILLMAN—(3,900), 25c-35c, 40c. 7 days. Stage: Four acts vaudeville. Gross: $6,100. Average, $860.

Dowager: What is this Werewolf picture you’re announcing?

X. Ibitor: From all accounts, it looks like it’s going to be a box office miracle!
Cancellation Increases To Be Fought By Majors

FWC's 9-Zone Plan Attacked Before Campi

Moves by Fox West Coast to merge the 28 different zones proposed in the Los Angeles clearance schedule into approximately nine zones and increase the present seven-day protection to 14 days for each five-cent advance in admissions were attacked yesterday by Harry C. Arthur at the Campi hearing on the coast plan. Arthur declared that the "extension of zones as proposed by Fox West Coast would perpetuate a monopoly and would put independents out of business." He added that "the only chance independent exhibitors have is to play within the zones as constituted."

The issue came up when Al Hans, Los Angeles city manager for the Fox, suggested that the 9 zones of the Monogram clearance schedule, which Arthur was opposed to, were the same as the 9 zones proposed by Fox West Coast.

Court Bars Move to Upset Hub Clearance

Boston, April 11.—No matter how many weeks a first run house may hold over a feature, clearance for subsequent runs is to be figured as being after the initial week, a local court has decided in effect. RKO was first refused an injunction to prevent Fox from showing key houses with the "Little Colonel" within 28 days, normal clearance time, after the first week at the Keith Memorial. The matter was taken to court to obtain a definite decision.

Need Quality In Supply and Demand: Hays

Hollywood, April 11.—Speaking before the M. P. Producers' Ass'n at its annual meeting here today, Will Hays emphasized that quality in supply and quality in demand are twin necessities. He stated the purpose of all thoughtful leadership in the industry is to continue the production of a diversified program of entertainment, confident quality can be produced in quantity, and public support can be enlisted further.

Hays asserted letters and editorial

Frisco Business Men Hit Industry Taxes

San Francisco, April 11.—Directors of the powerful and influential Downtown Ass'n, comprising all the principal commercial establishments, have declared jump would be gift costing them million or over.

Sell Fox Western Units on April 23

Kansas City, April 11.—The sale of Fox Midland and Fox Rocky Mountain assets was set today for April 23 in bankruptcy court here. It is understood the only bidders will be interests representing National Theatres and no competitive bids will be entered.

The Woolf-Shanberg claim of approximately $600,000, the last of large secured claims to be satisfied, is reported to have been paid in full by agreement. All claims are understood to have been taken care of.

F. & M. to Operate In Three Divisions

Operation of all Fanchon & Marco houses will be divided into three sections, the supervision being split between New York, St. Louis and Los Angeles. The plan goes into effect in the fall when Warner Morris will shift his

Farnsworth Confers On Reels' Schedules

Deputy Administrator William P. Farnsworth yesterday met with the heads of the various newsreel companies on the interpretation of the hour schedule for cameramen.

Lecture Started Hammons

E. W. Hammons' switch from real estate to films was due to a speech he made before a Red Cross group at Briarcliff 20 years ago. Gordon White says so.

Hammons' talk was about a scenic picture produced by Robert C. Bruce, a friend. He took the film with him, and became interested in it.

That's why Fox has set aside next month for a special sales and booking campaign for Educational in honor of the company's 20th anniversary.

Hammons' original idea, after the Briarcliff talk, was to produce non-theatrical programs of an educational nature for schools and clubs, but it spread out.

Carload of Pennies

Olympia, Wash., April 11.—A carload of pennies has been received by Washington state banks to be used by the public in paying the amusement tax which will go into effect early in May.

The state expects to collect some $300,000 in tax on theatre admissions alone.
Insiders' Outlook

By RED KANN

OVER mountain grades and across desert and plains comes word—disquieting word, it is true—about the status of matters at large on the Paramount lot. There, the new regime under the guidance of Ernst Lubitsch and Henry Herzhorn, with enough to do in the matter of making pictures, finds itself confronted with the problem of morale and how to prevent its dissipation. That is always a heartache of a task.

The background of the current condition appears to embrace the actions, intentional or thoughtless, by two prominent Warner subsidiary heads closely identified with the company's reorganization. Percy Johnston, the 1879 Chemi- cal National Bank and, at least, once on record for a Paramount dominated as well as operated by bankers, is said to have engaged the services of an investigator to report directly to him on the way the studio discharges itself. The investigator, an ex-producer who never cut much ice, presumably landed the job through a devious set of circumstances. His wife happens to be the wife of a prominent official of the Chemical Bank. The story spins itself in this vein, at any rate.

One of the more outspoken executives on the Paramount lot, so it came to pass, met the investigator while he was about his work of investigating and inquired why the move was made. Instead of responding, the investigator is reported to have remarked:

"People who are on the job have nothing to fear from my findings."

Snapped the outspoken executive.

"But even competent people are made inefficient by investigation, their morale is lowered by useless prying. The studio is interested in making pictures. They don't want to get involved in the politics of the company. They don't want to be made the football for financial opponents."

He said more:

"Studio people know how such investigations stir up strife and encourage knifings. In self-defense entire studio becomes charged with a spirit of unrest. How, in that kind of atmosphere, can you produce good pictures and how do they expect the best from creative talent under circumstances such as these?"

Imparting little, the investigat-

Present Contracts
In M. & S.-RKO Case

Film contracts made by RKO theatres with Warners were introduced yesterday with the resumption of arbitration hearings of the breach of lease charges brought against RKO by Meyer & Schneider, lessors of Loew's Hollywood Apollo. Testimony as to film playing policies at the houses while under Meyer & Schneider control was given by Benjamin Sherman, former M. & S. operator, and Charles Steiner, former charge of the Hollywood.

M. & S. feels that RKO has failed to play the same product concurrently in the Hollywood and Apollo that it plays in other RKO neighborhood houses because the two houses compete with Loew's Avenue and Delaney. M. & S. contends that the alleged failure resulted in breach of the lease made with by RKO. The hearings were begun before the last contract expired more than two months ago. They are scheduled to resume again today.

Ramsaye Discusses Stage and Pictures

"Relations between the Stage and Screen was the subject of a discussion before the Cinema Guild of the Young Men's Hebrew Ass'n delivered by Terry Ramsaye, editor of Motion Picture Herald. At its meeting yesterday, Terry Ramsaye was introduced by Paul Kalblass, president of the guild. The Cinema Guild of the Y.M.H.A., has a membership of several hundred. It holds periodic screenings of pictures of special appeal. Its next program is "The Cowboy and La Libert." will be presented. William Kolodney is educational director of the association, and Ellis Katz is chairman of the speakers' committee.

Grainger Sets Dates For 6 "U" Features

Hollywood, April 11.—Before leaving for the east on the Chief last Wednesday, Carl Grainger, general sales manager for Universal, stated some releases had been delayed by casting difficulties, but he definitely set a number of dates. "Magnificent Obsession" will be ready in August, he said, with "Show Business," starring John Boles, Margaret Sullavan and Charles Winninger, to be released Oct. 1, a second Margaret Sullivan feature Oct. 15. He also confirmed dates on "Hunchback" and "Hangover's Paradise.

Next season's leader will be "Under Two Flags," he stated.

"Miserables" Out Soon

"Les Miserables" is not to be read- shown, according to Joseph M. Scherck, it will go into the Rivoli April 20, and will be released generally after its run there, he says.

Machetie to Coast

N. L. Munthe, foreign sales manager of Universal, left Sunday for Hollywood by air to discuss 1935-36 production plans with Carl Laemmle, Sr.

whispering campaign launched, deliberately or unwittingly, by its own banking affiliates. There is something sinister and outrageous in an attitude like that.

Ludington Grounded; Delay 1st Div. Meet

Because Nicholas M. Ludington was grounded in Albuquerque yesterday on his flight from the coast to New York, the scheduled meeting of First Division Pro, scheduled for yesterday was again postponed until the president's arrival in New York.

Meanwhile Al Friedlander flew to the coast yesterday after three weeks here waiting for the meeting to take place. Ludington is expected to arrive today.

Warner Group Off To the Coast Today

Albert L. Warner, accompanied by Gradwell Sears and A. W. Smith, departs by train for the Warner studios today, and gets in Jack Warner's new lineup with Jack Warner, Plans for the sales convention to be held in June will be set at the same time.

"Cucaracha" for Russia

The RKO Export Corp. has sold "La Cucaracha" for exhibition in Russia. Akinlo handled the deal for the Soviets. P. Hillemann represented the American company.

Reports "Fury" Record

"Black Fury" was seen on its opening day, Wednesday, by 17,103 pers- sons, a record for a single day at the Strand. It was reported yesterday by Warners.
A good time will be had by all!

"Refreshiing fun is this show's entertainment and showmanship quality. It is continuously light, gay and airy and, as it tells a catchy comedy romance story, there is never a serious moment. The show is the kind of entertainment in which audiences always find amusement."

— Motion Picture Herald

IT'S A SMALL WORLD

SPENCER TRACY
WENDY BARRIE
RAYMOND WALBURN

Produced by Edward Butcher
Directed by Irving Cummings

From the story "Highway Robbery" by Albert Treynor. Screen play by Sam Hellman and Gladys Lehman
Friday, April 12, 1935

Frisco Business Men Hit Industry Taxes

(Continued from page 1)

go on record opposing "discrimina-
tory" action by the state legislature that would tend to discourage continuation of any legitimate industry in California.

Action was inspired as a result of threatened adverse film legislation in Sacramento.

"Soak the Rich" Plan Fails

SACRAMENTO, April 11.—The "soak the rich" amendment to the state ad-
ministration's income tax has been killed in the Assembly by a vote of 27 to 27. The amendment, sponsored by the Democrats, would have made the rates two to 25 per cent—more severe in some brackets than the Federal tax.

By a vote of 70 to five the As-
sembly today passed the administra-
tion bill calling for a third the Fed-
eral rate. Trouble on the bill was forestalled by a resolution presented in the Senate calling for the creation of a three-man commission of both houses to mold the present mass of tax legislation into a program to raise $400,000,000 in revenue to meet current needs and unemployment relief in the bennium.

Sees Nuisance Tax Flood

COLUMBUS, April 11.—Exemption of food and clothing from the sales tax "would result in the greatest mass of nuisance taxes ever levied on any people," declares Carlton S. Darg-
usch, vice-chairman of the Tax Com-
mittee. This would include re-
instatement of the 10 per cent admis-
sion tax.

"If the Legislature enact's a proposal now before it to ban food and cloth-
ing from the levy, the estimated revenue of $65,000,000 for the year would be cut approximately in half," he said.

What action the Legislature will take is anybody's guess right now.

Maine Bans Open Sunday

AUGUSTA, Me., April 11.—Moves to legalize Sunday sales on which liquor has been made in committee. The Committee on Legal Affairs reported the bill unfavorably. The House refused to consider it. The Senate turned it down, 24-6.

Some houses have been giving Sunday "benefit" shows lately.

Colorado Tax Killed

DENVER, April 11.—Adoption of the Legislature automatically killed a bill calling for a per cent per tax. The two per cent sales tax now in effect expires next week. The industry escaped adverse legislation.

Approves Ohio Labor Bill

COLUMBUS, April 11.—The House labor committee yesterday approved a bill to limit the working time of all women and girls under 18 to six days a week. The measure, intended al-
legedly to supersede the code, would prove costly to exhibitors.

Para. Is Bowling Champ

By winning two games out of three from Consolidated in the final com-
petition of the M. P. A. 18 to 6 days league, Paramount has carried off first prize, having won 55 contests out of a total of 63 for a high score of 927. Other team records were: RKO, 46 games won; Fox, 39; Columbia, 30; Consoli-
dated, 29; United Artists, 19; M-G-M, 18; Warners, 16.

M. C. GORDON and Harry Kettel, who are among the fore-
mest of Hollywood's tunemasters, will do the same sort of job for "Saratoga Chips," stage music in which the author, Hugh Wallace, and Eugene—will appear.

Herman Shumlin is Hollywood-
bound to confer with Lillian Hill-
man, now on Samuel Goldwyn's pay-
roll, about her next play. You guessed it: Shumlin will produce it.

Frank Finlayson, special Paramount home office foreign department re-
presentative, is on the high seas bound for Paris after a visit to the home office and coast studio.

Quip of the Day

Will Rogers, acting as master of ceremonies at a recent dinner tendered by the Fox studio to World Director John Young, Miss Golden, brought up the subject of the studios moving to South Carolina.

"Imagine once we got down there and Mr. Kent goes into conference with Mr. Sheehan. It might go something like this:"

"How you all like it down there, huh?"

"Sure, anybody thinkin' eas-
ies gonna be heat right?"

"And if the studios move to Jersey," Rogers continued, "imag-
iner Garbo going through a logic scene (plus moustachy)."

"Aye tank (dof) ay go (shut) home (lap-dlap)."

Henry Mollison, British actor, who came in on the lle de France, leaves for the Universal studios on Monday to work under a long-termer.

Eldott McManus gave a dinner for the trade press and members of the Marble Hill younger set Wednesday night.

Merle Oberon, due to arrive from the coast yesterday, canceled her trip at the last moment because of a slight illness.

Anita Kurits, winner of a screen contract in the metropolitan area, in association with M-G-M's traveling studio, leaves Monday for the coast.

Charles B. Garrett, RKO Havana representative, is bound for his office there after a series of conferences at the home office.

Gus Schaffer, general manager for Paramount in Europe, sails on the S.S. Hermione April 19 for Paris, his headquarters.

Frank Melch, former production manager of George O'Brien westerns for Sol Lesser, is en route from the coast by automobile.

Bob Wolf, RKO exchange manager here, is in Florida pursuing the "finny ones."

Louis Hyman plans to stay around another week yet before hitting the road.

David Bernstein is observing his 3Oth year with Loew's.

Harry C. Arthur gave a few impermanences yesterday while waiting in the Code Authority ante-
room. Among his audience were Felix Feist, E. M. Schmers, Irving Les-
ser, Ben Bernstein, Harry Vinn-
coff, E. L. Alperson, Bill Powers, Al Hanson and I. Levinson. And has be a riot—but without success. There were no bookings.

St. Farlan's deal to pool his two upstate New York houses with RKO has not yet been signed. Hence, no definite date when it goes into effect. Of course, the two men of them by the way—are in the lawyers' hands.

Milton Weiss is also an imper-
sonator. Try and get him to try Hitler as he did yesterday at the Amo meeting.

Arthur Poole, Pathe treasurer, is back at the home office after two months in Hollywood looking after Pathe coast relations.

Jimmy Finlayson will arrive from London April 16 en route to Hal Roach's studios. He will fly to the coast following his arrival here.

Hal Roach gets into New York on Monday. He will be accompanied by Mrs. Roach.

Charles Reagan of Paramount fell asleep during the hearing yesterday on the Los Angeles schedule.

Howard S. Croman, vacationing in Florida, is expected back in about a week.

S. Barrett McCormick is due back from the coast Monday.

. . . Boston

D. D. Segal is managing Phil Baker on a long-term contract. Al's place as publicist for the Shubert theaters in town is being filled by Dorothy Jor-
don.

Angeline Maney, assistant to Pub-
licist S. Fox at the Metropolit-
ian, is back after an illness.

Lucille Mann of the suburban Ideal is recuperating from an opera-
tion.

Sonia Bogner of Czechoslovakia is visiting her cousin, E. M. Loew.

Jack Curran, who handles exploitation for Columbia in New England, had a birthday.

Morey Green of Franklin Prod. is laid up with a fractured ankle.

. . . Salt Lake City

Manager J. Gleason of the Studio Theatre is meeting success through distribution of 5,000 hand bills in packages as a slep with merchants.

Frank B. Benson, formerly with the Ross Federal Checkers, is now ac-
cessory manager for Universal, taking the place of John Rowberry, pro-
moted.

R. D. Thompson is the new mana-

F. & M. to Operate In Three Divisions

(Continued from page 1)

headquarters to St. Louis and operate the middle western houses from that city. He will also move his home there. Jack Partington will have charge of New York and the east, while Marco Wolff will have charge of the Pacific coast.

Fanchon & Marco's theatre setup includes four in New England, five in St. Louis, two in Salt Lake City and 23 on the Pacific coast. As a result of the resignation of Harry Koplar last week, the St. Louis houses are now being supervised by Harry Greenman and Charles Kurtzman.

Three of Tri-Ergon Cases End; More Up

(Continued from page 1)

Cinelab. Those pending are Consoli-
dated Film Industries, Film Labora-
tories, Broadcasting, and Dry Art Productions, the latter of which is between H. E. R. Laboratory and AmerAnglo Corp. A similar action against Mal-
colm Film Laboratories was dismissed by Judge Goddard on Tuesday.

Col. Signs Chatterton

Hollywood, April 11.—Ruth Chat-
terton has been signed by Columbia for two pictures, "Feather in Her Hat" and "A Modern Lady." She re-
ports June 1. The actress is now on her way to New York, from where she will sail for Spain.

Alice Brady in "U" Film

Hollywood, April 11.—Universal has cast Alice Brady in the role in "Lady Tubbs" for which May Robson had been borrowed. Work on other films has made it impossible for the latter to start in the picture on Mon-
day, when production gets under way.

Popular to Make 'Zorro'

Popular Pictures will produce "The Mark of Zorro," the Alexander D'Arcy script of a series of 18 pictures planned for 1935-36. The company will also distribute.

Hugh Braly, district manager for Paramount, is spending 10 days in the Salt Lake office.

Mau. A. H. Hudson of the local Paramount personnel just returned to duties after a five-weeks' absence, having undergone an operation.

J. T. Sheffield of the Sheffield-
Monograph exchanges spent some time here before heading for Seattle.

A. H. Huot, new branch manager for Sheffield-Monograph, due to take up his office duties this week, having moved from Idaho and Montana terri-
ory en route.

Jos. H. R. Rayburn, uninterested mem-
ber of the grievance board here, head-
ed east for a month's visit.

L. W. Griffin will open his Star at Escalante, Utah, this week, having installed sound, remodeled and re-
named the house.
FOR YOUR 1935-1936 BOX OFFICE UNIVERSAL ANNOUNCES

3RD

"DIAMOND JIM"

From Parker Morell’s nationally advertised best-seller...the life and times of Diamond Jim Brady!

with EDWARD ARNOLD
JEAN ARTHUR - Binnie Barnes

An EDMUND GRAINGER PRODUCTION

1 "THE HUNCHBACK OF NOTRE DAME
2 "THE HANGOVER MURDERS"
3 "DIAMOND JIM"

WATCH FOR THE OTHERS
"SENSATIONAL! WILL GET PLENTY OF MONEY"

SAYS HOLLYWOOD REPORTER OF DARRYL ZANUCK'S NEWEST TRIUMPH!

20th CENTURY PICTURE
 Released thru UNITED ARTISTS
Cancellation
Jump-Opposed
By All Majors

(Continued from page 1)

drawn with the Recovery Administration, it is indicated by the pre-

vailing distributor attitude.

Sales executives, expressing themselves as never before, are

anxiously in cancellation would be equivalent to throwing out the win-
doors. Any increase in production costs for each company, depend-
ing upon the number of pic-
tures on the company's annual sche-

dule, and where a fixed percentage, 10

per cent increase in cancellation was

granted. Exhibitors, they contend, would

be playing with the playing of pictures for moral rea-
sons, but to side-step those of low-
gross possibilities, whether a picture was

capable of returning a profit to the

exhibitor or not.

Doubt Would Better Product

Distributors disagree with exhibitor

leaders who assert that a higher can-
cellation privilege would spur pro-
ducers to better efforts and thus bring

about a higher quality of product with

resultant increased playing time of

the better pictures, higher admissions

and higher grosses and rentals. The distribu-
tors assert that increased can-
cellations would spur producers to delib-

erately set out to make an inferior pic-
ture, and the chances that sub-quality

product will result are just as great as

with 25 features at a substantially

higher negative cost than was allotted to Monogram productions. In

addition they would increase for westerns, eight of which will feature

John Wayne and additional product may be added to the schedule from

the time the Company stated. The production program will be assisted,

Johnston said, by $2,000,000 of new capital which will be made available for production purposes.

Foreign Affiliate Formed

In addition, Republic International

Corp. has been organized to handle foreign distribution for the new

company, with Norton V. Ritchie, presi-
dent; Johnston, vice-president, and

Louis A. Lerner, general sales manager; while national advertising and

publicity. The Monogram name will be per-
mitt to lapse after the current sea-

son's products are released. Ernie

Ritchie is secretary and treasurer of

the new company and Edward A.

Golden will continue as sales manager. Edwaq Ritchie, described

as head of advertising and publicity.

Republic Prod., Inc. has been or-

ganized as a wholly-owned produc-
ting subsidiary of Republic Pictures. Rob-

ert E. Welsh continues as executive

producer; Herman Schlitz is produc-
tion manager; Ernie Hecken, tech-
nical director; Lindsley Parsons, west

cost publicity director, and William

Leyser, editor of Republic's house

organ, "The Co-Operator." Produc-

tion will be continued at the Pathe

studios in Culver City and the pres-

ent Monogram production personnel

will be retained intact.

The company's new season schedule will call for 25 features at a substan-
tially higher negative cost than was allotted to Monogram productions. In

addition they would increase for westerns, eight of which will feature

John Wayne and additional product may be added to the schedule from

the time the Company stated. The production program will be assisted,

Johnston said, by $2,000,000 of new capital which will be made available for production purposes.

Looking 'Em Over

“Red Morning”
(Radio)

This picture, after close analysis, doesn't appear to have much body,

but it is nevertheless a good hour's entertainment. It has been built

around a fair story that is packed with hair-raising action for the most

part.

The character portrayals, particularly on the part of Steffi Duna and

Regis Toomey, are good. Director Wallace Fox concentrated his ma-

terial for a maximum of excitement, and the pictures now receive all the playing time they are worth.

In addition, it was pointed out by

some sales executives that a number of companies would refuse to grant

a cancellation privilege regardless of whether or not they would.

Such companies, it was stated, would have an unfair advantage over

those granting a forced cancellation in being in a position to take advan-
tage of full-line forcing for extra play-
time made available by the exhibi-
tors' cancellation of the other com-

pany's product. In this connection, distributors hold that the code lacks

sufficient safeguards to prevent others from benefiting at the expense of

the companies granting the increased can-
cellation from those that did not, and for

that reason they would oppose exhibitor efforts to bring about in-

creased cancellation via the code.

Another View of Matter

If the enforcement provisions of NCA are kept intact, and if there is

the Recovery Administration, it was intimated by a few, at least suffi-
ciently so to cost the organiz-

ation that it would suffer no unfair

advantage at the hands of a competitor, its movement for a moderately increased cancellation privilege might not

be opposed. This view, however, was,

distinctly a minority one in distribu-
tion ranks. The attitude popularly

held by sales executives was that the

present 10 per cent cancellation, even

as now administered, is costly to dis-

tribution companies and wholly un-

justified.

Farnsworth Confers
On Reels' Schedules
(Continued from page 1)

were Jack Connolly of Pathe News,

Sid Richardson and William P. Mon-
tague of Paramount News, Charles
Ford of Universal Newsreel and Mike
Clawson of Hearst Metrotone News.

Employees presented a different in

opinion on the working hour basis

of cameramen. One group stated that cam-

eramen should work 16 hours per day,

and the second group would like to

work 10. Another group stated that

even if they do not work on the ground all

the time. Another group stated that

even if they do not work, they have

no one to sit around in order to get credit

for full time. The background of this

argument is that about a year ago Pat
Casley met with these various groups

and reached an agreement on working

terms for cameramen. However, to-

day there is a difference of opinion as

to that agreement, although a compre-
nise is said to have been effected. Farnsworth will meet Louis Krouse,

first vice-president of the I.A.T.S.E.,

for the union's angle on the contra-

versy and then will decide whether to

hold a joint session of all parties to

iron out the situation.

Farnsworth has been endeavoring to

get in touch with Krouse in Wash-

ington for the last couple of days with-

out success, he said. Krouse spends at least three days a week in that city

on union matters.

NVA Widening Its Drive

All independent theatres throughout

the country are being lined up for

the annual NVA drive by the com-

mittee in charge. The plan is to have

the theatres donate 10 per cent of the

May 20 receipts.

Time Gets Out Campaign

March of Time has issued a novel

campaign sheet on its third release,

set for April 19. It's a nappy two-

color two-model release with red done on

four sheets of heavy coated stock.

It starts off with: "Call in the boys!" and continues: "March of Time is

with the big new third release cam-

paign of the March of Time." To

make the campaign catch a pack-

age of cigarettes is attached.
F.W.C.'s 9-Zone Plan Attacked Before Campi

(Continued from page 1)

F.W.C., asked that Burbank and North Hollywood be combined into one zone. He further retaliated by saying that each of the towns should support their own theatres and that the council should hold the same utilities. Arthur denounced F.W.C.'s moves in the presence of Harry A. Babcock, who was an official observer for the Federal Trade Commission in Washington.

Babcock told Motion Picture Daily that he was making a record for the commission because of the F.W.C. consent decree.

Alperson answered Arthur stating the only one affected by the revised Los Angeles schedule is F.W.C. and we're not asking for anything we did not have already.

Bernstein Asks for Speed

Ben Bernstein, who represented the Los Angeles board and also the I.T.O. of Southern California, demanded that the schedule be put into effect immediately or that, if any changes were necessary, protests could be filed with the local board later.

During a part of the testimony Bernstein hit the major circuit's buying power when he said: "What chance has a small man to buy against Fox and West Coast?"

Hanson did not see this. He brought along a map on which the zones in Los Angeles and its adjacent towns were divided. After he had finished explaining his reasons for the elimination of certain zones, Bernstein followed in rebuttal. In some instances, Alperson followed Bernstein.

Among the 13 situations to which F.W.C. objected were the Forum-Uptown, the Camel-Marque, Egyptian-Gem-Apollo, Hollywood-Sun, Lomita, Florence-Huntington Park, Fox Village in Westwood-Beverly Hills, Belvedere Gardens-Whittier, Cosmopolitan-Glendale and the Balboa.

J. Robert Rubin, chairman, reminded the various principals that the session would be run in orderly manner and asked that ticking and inmuendoes stop. At a time when Golden insisted on asking Hanson and Arthur for certain facts that had not been brought out, Rubin said: "Either you or I am chairman," whereupon Golden apologized.

Alperson Warns of Price War

Alperson warned the board that the very next day after the schedule is put into effect there will be a price slashing contest.

Arthur, who was general manager of F.W.C. a number of years ago, gave the board a complete breakdown of the coast protection situation, holding that at the time he was in charge clearance was set up according to the circuit which had the biggest percent. He also said that eventually every county in the Los Angeles area will be zoned as one group.

In addition to the various speakers, attending were Charles Reagan, Paramount western division manager; Felix Feist, general sales manager, and Edward M. Saunders, west-

Wall Street

Small Losses on Big Board

(Continued from page 1)

their theatre properties are charged by the plaintiffs.

The suits are aimed at the block-booking system.

The firms named include: Warner Bros. Pictures, Inc., and 10 other Warner-controlled concerns; United Artists Corp.; Columbia Pictures Corp.; RCA; several RKO companies; Fox Film Corp.; Paramount Pictures Distributing Corp., and five subsidiaries; First National Pictures, Inc.; Vitagraph, Inc.; Vitaphone Corp., and the Stanley Co. of America.

The individuals are Albert, Harry M. and Jack L. Warner, and Joseph Bernhard and Don Jacobs, all of Warners.

Grand Jury Favors Two Men in Booths

Devra, April 11—A bondshill was exploded among exhibitors by a grand jury report to the county court which urged two men in a booth. The report pointed out that because of the isolation of most booths it is hard to get assistance hurriedly and that such could happen in case of fire.

Ohio Goes Giving Warning On Late Tax Returns

Columbus, April 11.—The State Tax Commission has issued notice that beginning this month exhibitors will be assessed a penalty for failure to make sales tax returns in accordance with the law.

N.J. Houses Sue 27 Firms for Conspiracy

(Continued from page 1)

comment from all over the country voiced the fact producers had proved successful in meeting the important test of the industry's ability to use its opportunities to discharge its responsibilities. He added the industry stands today in a position of friendship and high respect, with an ever-increasing appreciative public.

The present turnover of films was said by Hays to represent a year's labor in developing a quality demand and to answer the requirement that major dramatic themes be treated with full regard for their entertainment values yet with the utmost consideration of their social usefulness and good taste.

Louis B. Mayer was reelected president for the fifth consecutive term. All other officers were also reelected, including Jack L. Warner, first vice-president; Winfield Sheehan, second vice-president; Fred W. Bezton, secretary-treasurer; Joseph I. Breen, director of Production Code Administration.

The board remains unchanged except for two changes, Henry Herzsman replacing Emanuel Cohen for Paramount and Stanley Bergrman succeeding Carl Laemmle, Jr., for Universal.

Hays, accompanied by his wife, left for New York tonight.

Coast Crosses Gain By 15-20%—Hanson

At Hanson, Los Angeles city manager for Fox West Coast, states that theatre business on the west coast has been up show more than 13 percent to 20 percent in the last year. He also states that all industries on the coast are gaining. He is in New York attending hearings on the Los Angeles clearance and zoning schedule on behalf of the Fox West Coast. He plans to leave for home Monday or Tuesday.

Hanson has 27 theatres under his supervision and reports that the four drives a year conducted by Fox West Coast are very successful and that it is really a profit-sharing plan with managers benefiting according to the increase in their receipts.

Charles Skouras has taken over the operation of the four first runs in Los Angeles. These houses were formerly under the supervision of Reeves Espey, who resigned to join Samuel Goldwyn several week ago.

Free U. A. Program Hit

Washington, April 11.—Free handling by broadcasters of the United Artists' radio program, "Last-Minute Flashes," has been outlawed by the radio code authority as "commercial propaganda" which should be handled only at commercial rates, according to a bulletin issued to the broadcasting industry.
Not a line of type of any of the previous editions of this famous work is being used in Richardson's new BLUE BOOK OF SOUND AND PROJECTION. Alert to the refinements in equipment, accessories and practices of the last several years that have made his previous editions obsolete, Richardson has written a completely new book. Leading engineers and projectionists who read it in manuscript rate it as the most comprehensive and useful treatise on the subject that has yet been published. It contains over 700 pages and 153 illustrations. The new edition is 6 x 9 in size, allowing for large readable type.

Author Will Autograph the First 200 Copies

Because of the wide demand from projectionists and theatre managers for autographed copies of the new BLUE BOOK, Mr. Richardson has consented to autograph 200 books to go to the first 200 buyers. The prompt return of this coupon will reward you with one of these highly prized autographed copies.

Nearly 700 Pages of Text

QUICK-FINDING INDEX SYSTEM

The indexing system used in the new Blue Book is another of Richardson's many important contributions to the art and science of motion picture projection. It is comprehensive and extremely simple and enhances the value of the work to every theatre technician. Since Richardson's books are designed to be used as part of each day's projection routine it is essential that the projectionist find what he wants within the instant. By the indexing method Richardson has especially devised for this new Blue Book a twirl of the pages with your thumb is enough to take you at once to the text dealing with your problem. Projectionists of long experience in projection rooms will be the first to appreciate this time-saver.

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A PRACTICAL GUIDE TO GOOD OPERATING AND QUICK TROUBLE-SHOOTING

IN ONE HANDY VOLUME

Richardson's new Blue Book is complete in one handy volume. It is a great improvement over the former expensive and cumbersome three-volume sets. The new book, running to nearly 700 pages (containing 153 illustrations), is up-to-the-minute in sound and projection practices and equipment, and has the most efficient, quick-finding index yet devised for an information text. It is handy to keep and handy to use.

COMPLETE AND UP-TO-DATE

The new Blue Book does a three-fold job: (1) it gives a valuable and detailed description of the construction, wiring and functioning of every piece of sound and projection apparatus used in a modern projection room. (2) It gives careful instructions on the operation and maintenance of this equipment, and (3) it contains a complete trouble-shooting department, enabling the projectionist to spot and repair sudden breakdowns. It displaces all previous texts because of its completeness and up-to-dateness.

Send for It Today

Do not delay. Clip the order blank on this page now and mail it to the Quigley Bookshop with your remittance by next mail. Remember that only the first two hundred copies ordered will bear Richardson's autograph—and you want to be sure that yours is among these highly prized copies. Remittance must accompany order to insure the autograph. Act promptly.

Charts and Operating Data

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GENTLEMEN:
Please send me F. H. Richardson's new BLUE BOOK OF PROJECTION, Sixth Edition, autographed by the author. Enclosed find remittance of $5.00.

Name

Street

City

State
MISTER MIDDLEBURG DOES THE CHARLESTON!

TELEGRAM TO M-G-M

"The people of Charleston and surrounding towns have voted NAUGHTY MARIETTA with Metrotone News Metro Color Cartoon and Fitzpatrick TraveTalk the finest bill ever shown at the Capitol Theatre stop thousands have come the second third fourth fifth and sixth time to see the picture stop Charleston is a city of sixty thousand and we played this picture ten days and in spite of an all day downpour our business on the tenth day nearly doubled our business of the first day stop regards"

Charles A. Midelburg

"NAUGHTY MARIETTA ... YOU'RE A BUSINESS GETTA..."
GIVEAWAYS ON ROAD TO RUIN, SAYS LICHMAN

Heading Industry Back to Nickelodeon Days

Giveaways, two-shows-for-the-price-of-one, bank nights and similar stunts are heading the industry straight back to nickelodeon days, asserts Al Lichtman, vice-president and general manager of United Artists.

Lichtman states these giveaways are "equivalent to telegraphing producers to 'stop making good pictures,'" he insists. "The film industry," Lichtman says, "is no longer thought or spoken of as being in 'swaddling clothes.' With the release of such intelligent and highly entertaining pictures as 'David Copperfield,' 'Les Miserables,' 'One Night" (Continued on page 3)

TRI-STATES TO MEET SUNDAY AT MEMPHIS

Memphis, April 12.—The semi-annual convention of the M.P.T.O. of Arkansas, Mississippi and Tennessee opens here Sunday. It will continue through Monday. A large delegation from the tri-state area is expected, according to William Landers, president. No election of officers is scheduled for this session, the annual election being held at the fall meeting.

Ed Kay Kendall, M.P.T.O. president, left New York last night for Memphis to attend the semi-annual Tri-States convention.

MOVE TO REORGANIZE FOX THEATRE, B'KLYN

A petition for reorganization of the Fox, Brooklyn, under Section 77-B of the bankruptcy law was filed in Federal court here yesterday by the holders of $3,000 of the theatre corporation's bonds.

The petition states that interest payments are overdue on a $5,675,000 first mortgage bond issue outstanding on the theatre building and that the present valuation of the property "is not more than $3,000,000."

STEUER TO WITHDRAW M. & S. MONEY CLAIM

Max D. Steuer, counsel for Mayer & Schneider, yesterday agreed to withdraw any claim for money damages against SKO as a result of the breach of lease charges brought (Continued on page 3)

BRITISH FILM PRODUCERS TO RECEIVE CODE DATA

Martin Quigley Accepts Invitation to Explain—Carl E. Milliken Going as Hays Office Representative

Will H. Hays has received from the Film Producers' Group, Federation of British Industries, an invitation to present at a conference in London an explanation of the production code under which the organized industry in the United States is operating. The conference is intended better to familiarize British producers with the requirements of the code in order to facilitate distribution of their pictures in the American market.

On account of engagements in the United States which make it impossible for him to attend the conference, Hays has invited Martin Quigley, editor-in-chief of Motion Picture Herald and Motion Picture Daily, to attend in his stead and has designated Governor Carl E. Milliken to attend as secretary of the association. Quigley has accepted the invitation and together with Governor Milliken will arrive in London on May 2.

"For many years," said Hays, "Mr. Quigley has cooperated actively in the industry's plans and arrangements to provide effective self-regulation of the moral character of motion pictures to the end that pictures should attain the widest possible acceptability with the public."

In the development in 1930 of the production code to its present scope and character, Mr. Quigley played a leading part. Prior to that time and since, he has taken an active interest in the work and is well qualified to detail for the information of British film interests the production code as it affects the exhibition and distribution of motion pictures in the United States.

"Mr. Milliken, in his official capacity, is thoroughly familiar with the details of the industry's progress under the code, and will be of assistance in meeting the purposes of the British invitation."

"The Association and myself are gratified that Mr. Quigley and Governor Milliken are able to attend the conference."

CALIFORNIA'S HOUSE PASSES TAXON INCOME

Sacramento, April 12.—Bill to place a tax on incomes for 1935 was passed by the Senate, it being the Senate's first step toward raising $3,000,000. The measure is designed to raise money for charitable purposes in the state.

The bill provides for the imposition of a tax on incomes of $2,000,000, to be used for the support of the state universities and other educational institutions.

The measure was passed by a vote of 26 to 14, the only opposition coming from the Republican side. The bill now goes to the Assembly for consideration.

CAMPIL DELAYS L. A. ZONING TO APRIL 23

Code Authority hearings on West Coast's application for a rehearing of the Los Angeles clearance and zoning plan were described as "illegal procedure" yesterday by Ben Berstein, president of the I. T. O. of Southern California, following Campil's postponement to April 23 of a ruling on the F.W.C. application.

Berstein declared that the Los Angeles plan had been approved by the exhibitors of the territory and by Campil and that the code does not prescribe or authorize petitions for rehearings such as the one in progress, nor provide for changes in an adopted clearance and zoning plan by any process (Continued on page 3)

ELOWOOD-WARNER CASE APPEAL IS DISMISSED

Washington, April 12.—Informed by David T. Wilkens, attorney general of New Jersey and counsel for Louis Levin, operator of the Elwood, Newark, that a satisfactory agreement had been reached in the controversy with Warners over a 14-day clearance for their houses, the Industrial Appeals Board today announced the dismissal of the appeal pending before it.

SIRIOVICH TO START ART BILL HEARINGS

Washington, April 12—Representative Sirio维奇 of New York, chairman of the House Patents Committee,
**Purely Personal**

M AURICE BLAND, LUIPE VELEZ, RUDY VAREZ, MIRIAM HAV- KINS, SOPHIE TUCKER, A.C. BLUM- ENTHAL, MR. and MRS. J. ROBERT RUBIN, JOE M. SCHNEICK and WALTER CONBELL decided among those seen at the charity affair given by the St. Xavier Society at the St. Regis Thursday night.

ALBERT RICHARD, Paramount news- reeler, C. A. CROCEB, English director, and MARCEL DE SANG, French producer for M-G-M, will be among the outgoing passengers on the Ile de France today.

GEORGE RAFT arrives from the coast today. He was to have arrived yester- day, but bad flying weather forced him to take a train in from Pittsburgh.

Quip of the Day

An exploitation man recently attended a Community rally social affair and in the course of conversation, he was asked by one of the radicals the nature of his trade. He answered he was an exploiter.

"Ah, explained the Com- munist, "an exploiter. Don't you know an exploiter has no place in our system?"

With that, the press agent was calmly, but forcibly, ejected from the premises.

Bill Udin of Warners tells this.

ADOLPH ZUKOR was reported to be showing slight improvement yester- day at his home, where he has been confined for the past week with a minor ailment.

M. E. STATLER, accompanied by MRS. STATLER, sails tonight on the Volendam for Bermuda and tropical waters east of Florida.

RUBY KEELER gets into town Monday to be on hand for the dinner to be given for AL JOLSON, her hubby, at the Casino de Paris Tuesday night.

JULES LEVY leaves for Canada today, returning next Friday and a couple of hours later that same day will plane it for the coast.

RUDOLPH, and his violin, have been signed by DARYL F. ZANUCK for a part in 20th Century’s forthcoming “Sing, Governor, Sing.”

MONROE GREENEThAL’s desk littered with newspapers from all over the country and he scans them all for comment on U.A.’s latest special.

RUTH CHATTERTON and Julius and Mrs. STEGEL sail today for Europe on the Conte di Savona.

OBBY-KELLY, Warner stylist, will be interviewed by BUD DULLEY over WOR this afternoon.

H. J. YATES hopes to be able to get off to the coast next week. It will be via the air, route, of course.

ARE WAXMAN walking in the rain on Broadway. Saturday makes the trees and the flowers grow pretty.

IRENE DUNNE braving the weather on Park Ave.

**Soviet Films Fail To Draw in Boston**

BOSTON, April 12—Showing of Soviet films at the Majestic has been stopped by Letrav Corp. The American Legion demanded the stoppage on the ground that reds were rocking to film.

AL Tulipan, manager, retorted that if reds had been rocking to the place must have been rocking through the stage door, because the cash drawer was getting rusty.

Mr. Tulipan said the extreme right decided to let Boston get along without arty cinema.

**Forum to Hear Flyers**

Aviation and air transportation in general will be the topic at the M. P. Club Forum next Tuesday, Igor I. Sikorsky, designer of the flying boats now being tested on the proposed trans-Pacific line; Harold Gray, vice-president and general traffic manager of United Air Lines; Clarence D. Chamberlain, transatlantic flyer; Clyde Pangborn, round-the-world pilot; Rex Cleveland, aeronautical editor of the New York Times; and Jack Barber, Air photographer, Casey Jones and James Mollison will be among the guests.

**Produce New Color Film**

Eastman Kodak has produced a new tinted color film called Kodachrome which can be used in ordinary cameras without special lenses and can be projected with the regular lamps, it states. The film is in the same size as a house organ, Cine-Kodak Salesman.

The effects are obtained by three very thin emulsions on the negative, each of which is sensitive to a pri- mary color. The film is claimed to be not much thicker than regular black and white stock.

**Philadelphia Gets Break**

PHILADELPHIA, April 12.—The local Warner outfit is getting a break on an important picture appearance. Nelson Eddy, a Philadelphian, now on concert tour in the East, was here tonight for a personal engagement with the "Marianetta," which got off to a big opening yesterday at the Boyd. Al Jolson will stop over next Friday night to at- tend the opening of "Go Into Your Dance" at the Stanley. Hugh Herbert started a week at the Earle today.

**Goetz on Talent Deals**

To further cultivation of talent between United Artists’ links and Lon- don Films, Goetz, vice-presi- dent and general manager of 20th Century, will sail April 20 on the Pan for Europe. Mrs. Goetz will accompany him.

Included in the trip, which will last until June 1, will be stops in Paris and Rome and openings of "Les Mis- erables" and "Cardinal Richelieu."

**Hollywood, April 12.—** William Goetz left for New York tonight.

**Tri-Ergon Claim Voided**

An order expunging the American Federation of Musicians’ agreement with Publix for an indeterminate amount for alleged patent infringement was signed today by Federal Judge AL- fred C. Coox. The order was the re- sult of the Supreme Court ruling holding the Tri-Ergon patents to be invalid.

**Miami Sees “Richelieu”**

MIAMI, Fla., April 12.—“Cardinal Richelieu” opened yesterday at the Colony here.

**Strand to Hold “Fury”**

“Black Fury” will go a second week at the Strand, beginning Wednesday.
Campi Delays L. A. Zoning
To April 23

(Continued from page 1)
creditee such as that being invoked by F.W.C. "If the plan needs changing after being placed in effect," Bernstein said, "the proper procedure would be for exhibitors and contractors to appear before the Los Angeles with their complaints." Bernstein stated, however, that he would remain in New York in order to be on hand when Campi rules on the subject at the adjourned hearing. The postponement was taken because Campi required a stenographic transcript of Thursday's hearing on the F.W.C. application in order to make its decision. While this would complete only day or two of the other adjournment was taken because Ed Kuykendall, Campi member, is schedule to attend a national exhibition meeting in the south west next month and cannot be back in New York before the time set for the next Campi session. The I.T.O. of Southern California wants Kuykendall to be present when the Campi decision is made.

LOS ANGELES, April 12.—The news local the schedule had been postponed to April 23 received an angry reception here from Judge Charles A. Dewey, who refused to grant the Central States Theatre Owners, an organization of the board and six major distributors from interference with the practice. Counsel for the plaintiff took issue with the board's contention that bank night is an interstate matter and borders on a lottery.

Two Held in Bombings
PORTLAND, Me., April 12.—Herbert Wilkins and Wood Hedgeship, former stage employees at Keith's here, one of the Liebman theatres lately the target of bombers, were held yesterday for the grand jury on charges of conspiracy to kill with arranged scenery bags, Louis Foss, an employe at the same house. The case may solve fires and other violence perpetrated against the Liebman and E. M. Loew circuits and other theatres, it is believed.

Lloyd and Para. Sign
Hollywood, April 12.—Contracts were signed today between Harold Lloyd and Paramount on "The Milky Way" and Leo McCarey was assigned to direct.

Chatkin Closes Office
CLEVELAND, April 12.—David Chatkin has closed his Cleveland office and will henceforth operate the circuit from New York, with weekly visits here.

Wall Street

Most Show Gain on Big Board

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(Continued from page 2)

MOTION PICTURE DAILY

Saturday, April 13, 1935

Move Started
To Make Code
Use Voluntary

(Continued from page 1)
will start on the last lap of its hearings, hoping to clean up early the controversy with the appointment of former Recovery Administrator Hugh S. Johnson and probably other officials of the Recovery Administration. The subject of charges by witnesses. Included in this group may be Compliance Director Sol A. Levine, who was referred to by Abram F. Myers, general counsel of Allied, in conjunction with the drafting of the code, at which time Rosenblatt was a deputy administrator.

F. & M. Will Close
2nd St. Louis Unit

(Continued from page 1) weeks notice. While the ambassador is closing, plans are under way to re-instate Grand Central in about two weeks for revivals of old films. F. & M. will continue to show their Class A films at the Fox and Class B, on the Missouri both in Grand Boulevard. The ambassador, a downtown house, in recent weeks has been showing films only, but for several years had put on elaborate stage shows with a large orchestra.

F. & M. also control the St. Louis which is now dark. Alleged inability of the controlling company to maintain product for these five theatres was one of the charges that led to the Federal indictment alleging conspiracy to violate the Sherman Act against major companies and individual company officials.

Connected with the recent resignations of Harvey Koppel from Fanchon & Marco's St. Louis operation, Allan Snyder has also withdrawn from the Semiconductor terminal setup there, it was learned yesterday.

Steuer to Withdraw
M. & S. Money Claim

(Continued from page 1) against the latter by M. & S. in connection with film playing policies at the Hollywood and Apollo.

On behalf of his clients Steuer agreed that if M. & S. had suffered damages as a result of the alleged breach of the leases, it would be impossible to establish the financial extent of the damages. The admission came with the resumption of testimony before the board of three arbitrators hearing the charges. Charles Stein- er, former head of the Apollo, testi- fied that when film rentals provides of the two houses from 1929 to 1933, and designated the product available to the houses prior to RKO operation.

The hearings will be resumed on Monday, with Steuer about ready to conclude the complainant's case. RKO will begin its defense immediately after- ward and expects to conclude the case on Wednesday. Steuer's remain- ing objective will be to require speci- fic performance of the Hollywood and Apollo leases by RKO in the future, it was said.

Sirovich to Start
Art Bill Hearings

(Continued from page 1) today announced that in response to many requests he will open hearings Monday on his measure to create a department of arts and sciences. Under the legislation, films and other arts would be encouraged by a separate department in the Government, which, this session at least, is about on a par with that of winning the Irish sweepstakes.

Giveaways on Road to Ruin, Says Lichtman

Bank Night Charges
Are Delayed in K. C.

KANSAS CITY, April 12.—Action by the county prosecutor against bank night operators was delayed a week when Prosecuting Graves was called out of town. After the Lind- bergh Theatre, had sought to obtain warrants for the arrest of R. W. McEwan, the possibility of securing and Rube Finkenstein, Belmont, for running bank nights in violation of the state lottery law and the prosecutor informed here the men were entitled to a preliminary hearing which was to have been held yesterday. The hear- ing will be held next Thursday, and, if the evidence warrants, formal charges will be filed according to the prosecutor.

McEwan said bank nights will con- tinue at the Belmont and will open at other houses.

Dress List Dropped
By Casting Bureau

HOLLYWOOD, April 12—The Central Casting Bureau today abandoned its dress list to conform to the new system, effective immediately, eliminating all classical distinctions in extra roles with the exception of the reclassification of extra talent into groups as provided in the code. In the future the bureau will give studies the established right to select, retain or advance employes on individuals.

The elimination of jealousy and ill- feeling was given as the reason for the change.

M. & S. had Macculloch at the same time was made vice-president of Central Casting without relinquishing his title of manager.

Wis. ITPA Favors
Further Code Probe

MILWAUKEE, April 12.—The Wisconsin Independent Theatres Protective Ass'n went on record here today for further investigation of the code and endorsed a bill in the state legislature to outlaw preferred playdates and the stand taken by exhibitors against the Fitzgerald buying and booking combinations.

The meeting was attended by 127 exhibitors.

Technicolor Deficit Up

Technicolor and wholly owned subsidiary Technicolor Embossing, lost $249,396, after capitalizing expenditures of $36,830, representing research, development and patents costs.

(Continued from page 1) of Love's and others, files attain their full maturity.

I was impressed, on my recent trip to Hollywood, by the amount of money producers are spending. A good picture costs not less than $400,000. One of the pictures already has run up to $1,700,000.

"And yet in Chicago alone exhibitors are giving away $30,000 worth of pottery a week on premium nights. That money eventually comes out of the producer's pocket, because it forces him to make cheaper pictures. When an exhibitor spends so much for premiums he is forced to chisel elsewhere. The cheering which is channeled to make the public funny, the vicious circle is completed.

"They can't see a double feature, I say give it to them, but not two features for the price of one. This is only a cutthroat practice and exhibitors should remedy it by charging admissions fair to producers and thereby encourage the making of better pictures.

"The entire business is only as good as the pictures it makes and the producer can't make pictures unless his return is commensurate with the cost. Lower costs mean cheapened product. The problem is squarely up to the exhibitors. And he well ask of himself:

"Will it be a dignified product with the support of the public, or are we to return to the days of the cachephy nickelodeon?"

(Continued from page 1)
California’s House Passes Tax on Income

(Continued from page 1)

iors the highest combined Federal and state income tax in the country. The Senate Labor Capital Committee has killed 20 hikes in 28 bills in spite of Democratic efforts to get them through.

Explaining Florida 10c Tax

Tampa, April 12—Members of the Florida legislature, returning to their homes for the week-end, following the opening week of the session, in which a bill was introduced to tax amuse-
ments 10% on the admission scale, have done some explaining of the proposed measure.

According to these members, the bill is not a straight 10c tax on all admissions, but in any case all dog track dog tracks there would be an added tax of 10 cents on each ticket. The price at most all dog tracks, a 20c tax with the state is this going to the state, so that should the bill pass, the admission total would be 30 cents with 10c going to the state. To straight 10c per ticket tax would also apply to automobile, motorcycle and horse racing; to boxing and wrestling bouts and games. Agricultural fairs, educational, charitable and war veteran entertainments would be exempt from the tax. A 10c tax would apply to theatres, cabarets, night clubs and the like.

Another proposal that developed over the week-end was an amendment to the bill to charge a license fee on bank night, which has been declared illegal by the Attorney General, provided the purchase of a ticket is not required in order to win.

Favors Mass. Betting Bill

Boston, April 12—The Massachu-
setts legislative committee on legal affairs has favorably reported a bill allowing betting on pari-mutuel horse and dog racing. Injunctions, pending legislation and other measures are still checkmating the efforts of which licenses have already been granted.

A hearing will be held Tuesday before Supreme Court Judge Field of the petition for an injunction prohibiting the Eastern Racing Ass’n horse track in East Boston on the ground its li-
"Looking ’Em Over"

cees was unlawfully issued. Work on this track has been so delayed that only by a miracle could it be ready for the 37 days racing schedule announ-
ced to begin June 29, even if they were allowed to operate.

An appeal to the full bench of the Supreme Court, if Judge Field rules against the film interests on Tuesday.

Oppose Conn. Two-In-Booth Bill

Hartford, April 12—A large dele-
gation of the M.P.T.O. of Connecticut appeared before the judiciary commit-
tee of the General Assembly here today objecting to a pair of operators in every booth, no matter how small the theatre. The measure favors the support of organized labor. Theatre men contended the state police already have sufficient jurisdiction in the matter to order as many men as deemed necessary for safety.

A bill creating a Connecticut board of censorship received no support from anyone at the hearing. Several private bills of Hartford opposed a measure to permit Sunday shows.

Columbia Picks Title

Hollywood, April 12—"After the Dance" has been picked by Columbia as the release title for the third fea-
ture in which Nancy Carroll and George Murphy will be teamed.

"Bride" Gets $10,656

"The Case of the Curious Bride" grossed about $10,656 last week at the Strand Theatre, while "Brewster’s Millions" in its first week at the Ri-

did approximately $13,400.

Answers “Night” Suit

Tampa, Fla., April 12.—A demurrer has been filed to the suit brought against the Times by Hazel Green, who is seeking to obtain $650 which she drew in a bank night contest at the theatre on Feb, 1 although she was not in the audience at the time. The defendant asserts the bank night idea does not constitute a valid con-
tract between theatre and public.

Lesser After Story

Hollywood, April 12—Sol Lesser is seeking an audience with Victor Mansfield for rights to an original called "Clancy from De Lancy," writ-
ten by the pair. The yarn is a drama of the streets of New York. Lesser is planning it as a special on his 1935-36 schedule.

"Pimpernel" Loses Some Only Groser

Los Angeles, April 12.—Lent and heavy rains soaked grosses all along the line. The only first run attraction to show any strength was "The Scar-

red" at the 4-Star where it took $5,300.

Even "Life Begins at 40," a hit elsewhere, could not make it. It took a week $8,500 at the Chinese and was down to $12,100 at Loew’s State. In its second week at the Paramount Mississippi garnered $15,500, with the help of a stage show, but else-
where managers hoped for better days. Total first run business was $66,200. Average is $91,200.

Estimated take for the week ending April 12:

"LIFE BEGINS AT 40" (Fox) CHINESE—$2,500, 30c-5c, 6 days. Gross: $8,500. "CHAPAYEV" (Ambine) FILMART—$2,500, 2nd week. Gross: $1,600. (Average, $2,750) "LADY MADAM" (Par.) 4-STAR—$2,000, 6 days. Gross: $1,200. Average: $200) "LADY" (Radio) HISTRIA—$2,500, 6 days. Gross: $6,100. (Average: $900) "BIG BROTHERS" at $500. LOEWE’S STATE—$2,500, 30c-5c, 6 days. Gross: $3,300. (Average: $4,000) "MISSISSIPPI" (Para.) PARAMOUNT—$1,900, 30c-5c, 7 days. Gross: $4,000. Average: $570. "FLORENTINE DAGGER" (Warners) POLO GROVE—$1,000, 26c-5c, 6 days. Gross: $5,500. Average: $916. "LIBERTY" (Film) WARNER BROS. (HOLLYWOOD) — $3,000, 26c-5c, 6 days. Gross: $5,700. Average: $950. "DYNASTY" (M-G-M) WARNER BROS. (DOWNTOWN) — $1,000, 25c-5c, 6 days. Gross: $5,500. Average: $916. "GREAT GOD (M-G-M) WARNER BROS. (DOWNTOWN) — $1,000, 26c-5c, 6 days. Gross: $1,200. Average: $200)

"West Point" Gets $5,500, Oklahoma

Oklahoma City, April 12.—"West Point of the Air" grabbed top honors last week with $5,500 at the Criterion.

"Gold Diggers of 1933" reached a par $4,000 at the Midwest.

Total first run business was $12,100. Average was $13,500.

Estimated takings for the week ending April 6:


Coast Jockey Club Quits

Sacramento, April 12.—The Pacific Coast Jockey Club, a $700,000 Dela-
ware corporation, folded today with notice to the Secretary of State from Howard Spreckels, secretary, that the corporation would be dissolved.

"Roaring Road" (Ajax Picture Corp.)

Telling a story that is plausible and unhurried by far-fetched situations, this picture should prove excellent fare for children. There is enough, also, in the character portrayals and fast-moving action to hold the interests of adults.

Director C. Edward Roberts has concentrated his efforts on those sequences that have particular adolescent appeal and brings his story up to an exciting climax. The photography of Robert Cline is good.

The yarn has David Sharpe the ward of two maiden aunts who have almost ruined his life by protecting him and the great fortune he has inherited. Fed up with the treatment of the two women, Sharpe runs away from home and picks up Mickey Daniels, a homeless hitch-hiker. Driving along they run into Gertrude Messinger with her brother’s racing car and strike a friendship with the girl. The brother, Jack Mulhall, had been injured driving his racer so Sharpe volunteers to race it in an attempt to win enough money to pay off a mortgage they have on their home. After several amusing sequences followed by a few exciting ones, Sharpe wins the race, is forgiven by his aunts and a romance between him and Miss Messinger is hinted at the fade-out.

Sharpe is good in his part of the "poor little rich boy." Daniels, aided by Mary Kirkman, produces several comedy hits.

This film should do well. Production Code Seal No. 663. Running time, 58 minutes. "G."

"Doubting Thomas" (Fox)

Hollywood, April 12.—As usual with Will Rogers’ films which are high in laugh content and entertainment values, this one also hands out Rogers’ personality, plus enjoyment.

Based on George Kelly’s stage play "The Torch Bearers," depicting a comedy of errors attendant on amateur theatricals, this film, adapted for the screen by William Conselman, covers domestic drama, bursting slapstick, some romance with a new Hollywood slant and a Rogers impersonation of a crooner that will have them rolling in the aisles.

The story is of Rogers trying to dissuade his wife, Billie Burke, from expressing her suppressed desire of exhibiting her talent at an amateur show. Rogers pays off the town barber, John Quaalen, to impersonate Von Blitzen, a Hollywood director, thereby discouraging his wife and insuring domestic tranquility and bringing Frankie Albertson together with Frances Grant, Alison Skipworth, Andrew Tombes, Sterling Holloway, Mark Silling, Jack Garagiola, Pauline Lord, Gordon Jones, Deanna Durbin, Scott Kolden, and George Cooper contribute to the laughs.

David Butler, in his direction, has concentrated on a hilarity of an explosive type with the Hollywood angle, novel and exploitable.

Will Rogers’ name in a well known farce gives ample assurance of good box office.

Production Code Seal No. 720. Running time, 78 minutes. "G."
**Purely Personal**

SOPHIE TUCKER will be honored by the Executive Council of the American Federation of Actors Wednesday night at the Hollywood where she is being starred. Among those expected to attend are GEORGE JESSEL, VICTOR MOORE, HARRY BURNS, CHAD COLLINS, EMERI CANTOR, BILLY GAXTON, BOB HOPE, DAN HEALY, JOE LAURIE, JR., DOUGLAS LEAVITT, CHARLES MOSCONI, GEORGE OLSEN, JAY SHERMAN, JULIUS TANNEN and PAT ROONEY.

Quip of the Day

* A ranking theatre executive, second in importance only to the head of his firm, was questioned by a Motion Picture Daily reporter on the veracity of a report involving an important change in the company's operating policy. He declared, "I don't know anything about the subject." The专访 was-wildered executive replied, "But then," he added, a little plaintively, "that doesn't necessarily mean the report isn't true. I first learned about the last policy change when I read it in your paper."

ELIZABETH BERGER terminated her New York stage engagement in "Escape Me Never" Saturday night. Her plans call for a trip to Italy, but it is hard to draw definite conclusions from Berger plans.

AL DURIN and HARRY WARREN, the song-writing team, are in town for a short vacation from the coast. While here they'll attend the opening of "Go Into Your Dance."

GEORGE DAWES called off that Chicago Jaunt Saturday.

HERB CRUIKSHANK goes west shortly.

GEORGE WHITEY is on his way here from Hollywood to start work on

**Ohio Epidemics Hit Theatres in 3 Spots**

CINCINNATI, April 14.—Prevalence of spinal meningitis in this city is due to an epidemic of German measles at Urbana and a number of cases of meningitis in Minerva have.exhibitors warned.

In the General Hospital here 100 victims have been treated since Jan. 1.

MOTION PICTURE DAILY

VOL. 37. NO. 88

NEW YORK, MONDAY, APRIL 15, 1935

TEN CENTS

**Memphis Blue Law's End Set For April 28**

**First Spot to Act Under New State Enactment**

MEMPHIS, April 14.—Tennessee's dozen-year-old Sunday blue laws are at an end. Memphis will have legal Sabbath shows on April 28 for the first time since 1923. Both houses have acted, the Governor has signed the bill, and the matter is now in the hands of local government throughout the state. The Memphis City Commission, first to act, has passed at first reading an ordinance legalizing the showing of films for admission charges after 1 o'clock on Sunday afternoon. There are no other restrictions in the local

(Continued on page 10)

**Approval of Para. Deals Up to Court**

Reports approving with minor changes the proposals of the Paramount Publix trustees for settlement of the Chicago Marks Bros. litigation, retention by Paramount of the Astoria, L. I., studio and film depot and the dissolution of the Elwood theatre property at Miami were submitted Saturday by Special Master John E. Joyce. The reports go to Federal

(Continued on page 10)

**Tax and Code Topics At Tri-State Meet**

MEMPHIS, April 14.—Tax problems, the matter of changes in the code. Sunday pictures, and other industry questions will be considered by the M. P. T. O. of Arkansas, Mississippi and

(Continued on page 10)

**Salem Was Where It Began**

Boston, April 14.—Theatre radio auditions, there appears to be evidence, had their birth in New England, as did double features, the Motion Picture Daily reports. Then begins the M. & P.-Publix Paramount in Salem and a veteran theatremen, started the thing during the latter part of 1931. At that time he sold the idea to Myron Sherman, then district manager and now on the West Coast. At present, the circuit is using the original scheme in more than two dozen New England theatres and is adding spots.

Observing four years ago how many self-made recordings a Salem friend sold, Phil Bloomberg got the idea of drawing crowds

(Continued on page 11)

**All for 15 Cents**

Kansas City, April 14.—Bigger, not better, inducements seems to be the policy at some of the local suburbs. The other night the Colonial offered two features, a comedy, cartoon, four acts of vaudeville—"good" acts, according to the newspaper ad—and a piece of china, all for the single admission of 15 cents. On subsequent nights the same bill, minus the china, was sold for a dime.

**MPTOA Sees Restrictions On Music Fee**

Prevention of arbitrary price fixing on music performance rights through amendments to the copyright laws are expected in the near future by MPTOA, it was learned Saturday. Already, "considerable progress" toward this end has been made, according to Ed Kuykendall, MPTO.A. president, who adds that the efforts under way are expected to result in making the copyright laws "fair and equitable to all concerned," so that "no one organization can"

(Continued on page 11)

**Cancellation To Be Pushed By Kuykendall**

Declares Increase Would Ease Outside Attack

M. P. T. O. A. will continue its planned efforts to obtain a revision of the code to permit an increased cancellation to $5 per week despite the prevailing distributor attitude of opposition to such a move at this time, Ed Kuykendall, M. P. T. O. A. president, said Saturday.

Replying indirectly to Motion Picture Daily's disclosure last Friday of the solid opposition within distributor ranks to any move to obtain an increase in cancellation, Kuykendall said that the fight would continue and that, in his opinion, "any distributor who opposes this cancellation (about 20 per cent is merely diminishing his own light."

Answering the common distributor declaration that an increase in cancellation would be a "costly, one-way gift, with no one but the exhibitor benefiting," Kuykendall declared that

(Continued on page 11)

**Republic Studies N. Y., Phila. Move**

Republic Pictures, new national distributor which will succeed Monogram with the advent of the 1935-36 season, is seriously considering the launching of its own exchanges in New York and Philadelphia in both of which territories First Division is now distributing its lineup. In other territories,

(Continued on page 10)

**St. Louis Spots to Get An Overhauling**

St. Louis, April 14.—Two local houses, the Ritz and the North Grand, are scheduled to close shortly for a complete remodeling. C. C. Assell, operator of the Ritz, will overhaul his house and install a cooling system, while the Best Amusement

(Continued on page 11)

**More of Tri-Ergon Cases Are Quashed**

Orders finally disposing of four more patent infringement actions brought by American Tri-Ergon in Federal court were signed by Judge Henry W. Goddard on Saturday. The actions dismissed were those

(Continued on page 10)
ON invitation of the Film Producers' Group of the Federation of British Industries, the mysterious-to-some production code, shortly now will be aired and explained to the men who make England's pictures. The step is not only a significant one in drawing closer the film relations existing between the two principal English-speaking nations, but a sound, commercial endeavor as well. Why this is obvious is dealt with in the paragraphs which follow.

Take a look at the facts. The production code finally assumed shape and form because a segment of Hollywood simply could not part itself from the conviction that the way to commercial glory was most quickly reached by the offensive in stories, treatment, sequences and dialogue. It was concluded that an anti-nationalism and inflamed egos that these wisecracking hot boys thought the party, as they conceived it, would run on forever. But the brakes were applied from the outside and by sources which recognized what many producers have consistently either failed to recognize or did not want to recognize: that the problems here are inseparable social connotations which must be observed. In high-light and with many significant angles removed in the cause of brevity, this is what led into the discussion which, in turn, led into the code.

The document is the law today. How much, producers, to a man, long since signed it. By so doing, they, of course, agreed to abide by its regulations. Today, no picture, either produced by or distributed through a major company can reach the public without first passing through the rigorous machinery of the code. If English studios, or other studios, now aiming directly at international distribution, want a release in this market, it is fundamentally simple business for them to learn what the code is all about and then to observe. Obvious should be the reasons. Their acceptance will eliminate difficulty, make their job easier, their product safer, their sailing smoother. Whether producers here or producers there like the code is another story. The point about it all is that the code is with us and from this time there can be no escape.

Furthermore, substantial and sound judgment in high places in the industry here agrees no escape should be sought, for the code and the holl at unbridled liberties which it called definitely belong. The favorable impression which the current crop of pictures has left on the average pictures fan is a sufficient answer to any doubts about the code's efficacy. The quality of product is up. As a matter of fact, it is decidedly up. Types of stories are existing coming through from Hollywood today which never would have been thought of as recently as a year ago. Maybe Artie Hoag, who knows how to tickle funnybones, was right when he remarked recently: "The code made producers read books and that's why pictures are becoming... even if it's a matter of the cause, there is no argument about the effect."

It began a long time ago. All through the years that W. Ray Johnston has been part and parcel of the picture business, both at home and abroad, the majority which he is about to reach in Republic Pictures. Outgrowth of Monogram which has been doing all right by itself and by its franchising at home, the new enterprise, which gets going with the first flush of the 1935-36 season, is designed to step into a new and higher notch in the film schedule of things. Johnston, with plenty of financing, plans his new company as a national distributor, not on paper or in conversation, but as the McCoy. Contracts, for instance, will be approved by him in New York; district managers are in the offing as a later development. Four pictures, and perhaps a fifth, will be placed on the public's schedule of 26 with a negative cost for each which no company of comparable size has attempted until now. Johnston is confident that next year and understands that the shortest cut to that objective is to catch on celluloid sufficient of the necessities in entertainment to rate consideration of first run operation. His theory is sound and his experience amply to place that objective within his reach.

Now that the Waldvogel bill banning preferred playing time in Ohio has become a law by action on the part of Governor Davey, the question which looms large and inexplicable is how new product deals will be made distributors in that state. And also, do they make designated playing time contracts in view of the attorney general's interpretation which maintains the law is illegal? Or must they abide by the tenor of the law now on the statute book?

Universal's history over the years demonstrates that, exactly when the company needs it most, a wow picture hits the deck. Advance word from Hollywood would indicate an attraction in this line is "The Bride of Frankenstein." "Laemmle luck" so far has never failed Uncle Carl. Like the hero riding to the heroine's rescue in the nick of time, the age-old melodramatic situation may repeat itself.

"The March of Time" is in the throes of something again. All new outfits in this business have a habit of going through the same growing pains; it's the price which youth pays. Messrs. Larsen and Rollan may find comfort of a fashion in this.

Probably you have never heard of Sybil Jason. The extremely youthful Miss Jason—she's six—arrived from London the other day with screen tests in the offering. She may be Warner's Shirley Temple.
AND NOW 13 MORE* COURAGEOUS CRITICS STAND BY THEIR GUNS FOR THE FREEDOM OF THE SCREEN!

*2

William Boehnel’s fearless World-Telegram review strikes the piercing keynote for N. Y.’s unprecedented critical reception of PAUL MUNI in "BLACK FURY"

“Most courageous and vital social document that Hollywood has produced... It lashes forth with the fury of a wounded animal at bay. So tense and thrilling that it may leave you slightly blanched around the gills but also blissfully happy with excitement.” (Warner Bros., Producers... A First National Picture)
"West Point" Philadelphia Money-Maker

PHILADELPHIA, April 14—"West Point" sustained the big noise in a week that otherwise showed signs of considerable slump from recent high levels. It took $16,000, up by $4,000, from last week's business.

"Private Worlds" also was in the money at $15,500, which is $3,500 over the Business of the week."The Mailer," with a stage show at the Earle, pulled well with $15,000. The only other above-par draw was,"911 Raise," with a vaudeville bill at the Fox.

Total first run business was $81,800. Average is $81,900.

Estimated takings for the week ending April 4:

- "THE WEDDING NIGHT" (U.A.)
  (2,400), 25c-35c-40c, 6 days, Gross: $4,500, Average: $750.
- "THE WEARY MARRY" (Fox)
  (2,500), 25c-35c-40c, 6 days, Gross: $5,500, Average: $920.
- "THE PRINCESS" (M-G-M)
  (2,400), 25c-35c-40c, 6 days, Gross: $5,700, Average: $950.
- "THE RAISE" (Fox)
  (2,000), 25c-35c-40c, 6 days, Stage show, Gross: $2,400, Average: $400.
- "THE MAN OF COURAGE" (Italian)
  (240), 25c-35c-40c, 6 days, Gross: $1,500, Average: $250.

Estimate takings for the week ending April 11:

- "ROSSO" (Radio)
  (1,500), (3,246), 6 days, Average: $1,500.
- "WASHINGTON" (Metro)
  (2,000), 25c-35c-40c, 6 days, Stage show, Gross: $2,400, Average: $400.
- "THE CASE" (M-G-M)
  (2,000), 25c-35c-40c, 6 days, Gross: $2,400, Average: $400.

Intermediate Plans New Suburban Theatres

DALLAS, April 14—A general building program calling for new suburban houses in all the principal cities of the Intermediate circuit is in progress. Of these will be the Tower, suburban, ground for which has been broken in the Heights near town.

Locations are being surveyed in Houston, Fort Worth, San Antonio and other cities. Sites are being leased, it is said.

One prediction is that 15 or 20 of these houses will be started before the end of the summer.

Form Three Companies

ALBANY, April 14—New incorporations here include B. K. Blake, Inc., William B. Sharpie, Inc., Ehrlich and Elizabeth Foder; Broadway Prod., Inc., exhibition, Howard M. Anteville, George Levy and Hannah Frasher; Theatre Campano, Inc., Prinventio Flores, Jesus Martinez and Hyman Bernstein.

Build at East Detroit

DETROIT, April 14—A new theatre seating at least 600, will be built in East Detroit, Michigan. The building will be owned and operated by the Roseville at Roseville, Mich. Plans are now being prepared and work will commence within two weeks.

"Marietta" Pulls $8,500, Portland

PORTLAND, April 14.—"Naughty Marietta" was an unusually heavy draw at the United. It took $8,500 over the average of $3,500.

"Baboon" at the Paramount, plus a stage show, secured $7,500, or $2,500 more than other houses were average and under.

Total first run business was $30,700.

Estimated takings for the week ending April 6:

- "TRAVELING SALESLADY" (F. M.)
  CASINO MURDER CASE (M-G-M)
  BROADWAY—(1,912), 25c-35c-40c, 7 days, Gross: $4,500, Average: $643.
- "THE BEST MAN WINS" (Col.)
  MAYFAIR—(1,912), 25c-35c-40c, 7 days, Stage show, Gross: $3,000, Average: $429.
- "HUNGRY MARIETTA" (M-G-M)
  ORIENTAL—(2,000), 25c-35c-40c, 7 days, Stage show, Gross: $1,500, Average: $214.

"Scandals" at Frisco Draw; Gets $9,000 in 9 Days in K.C.

SAN FRANCISCO, April 14—"The Wedding Night" at the Upstairs Artists started its first run which managed to combat the Lenten slump. It took $9,000, over the line by $1,000.

"Weaver of the Air" among the best of the other money-makers, reached $23,500 at the Warfield, up by $500.

Total first run business was $72,500 over the $61,000 of last week.

Estimated takings:

- Week Ending April 2:
  "ROSSO" (Radio)
  "GEORGE WHITE'S SCANDALS" (Col.)

- Week Ending April 3:
  "IT HAPPENED IN NEW YORK" (Univ.)
  "THE WEARY MARRY" (Fox)

- Week Ending April 4:
  "MISSISSIPPI" (M-G-M)

- Week Ending April 5:
  "MISSISSIPPI" (M-G-M)

- Week Ending April 6:
  "MISSISSIPPI" (M-G-M)

Boston, April 14.—"Private Worlds" with $12,500, led on the strength of the Metropolitan run up a sensational $41,000 last week. The normal take for the house is $22,000, and the average that competition in "Roberta" was still strong in its third week. It topped by $400 for a take of $16,800 at Keith's Memorial.

Total first run business was $90,000. Average is $66,500.

Estimated takings for the week ending April 4:

- "GOLD DIGGERS OF 1937" ( Warners)
  "THE DANCER" (M-G-M)

- "THREE'S ENOUGH" ( Warners)
  "ROBERTA" (Radio)

- "CABARET" (M-G-M)
  "WEDDING" (M-G-M)

- "PRIVATE WARS" (Para.)
  "NIGHTINGALE" (M-G-M)

- "THE EASTERNER" (M-G-M)
  "THE BEGINNING OF THE END" (M-G-M)

- "THE EASTERNER" (M-G-M)
  "THE BEGINNING OF THE END" (M-G-M)

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- "THE EASTERNER" (M-G-M)
  "THE BEGINNING OF THE END" (M-G-M)
“TOPS ALL PREVIOUS HORROR PICTURES ... A SMASH HIT” ... Variety
“A JOY ... BEAUTIFULLY ACTED AND DIRECTED” ... Hollywood Reporter

The Bride of Frankenstein

Carl Laemmle presents KARLOFF in a Universal Picture

with COLIN CLIVE, VALERIE HOBSON, ELSA LANCHESTER, UNA O'CONNOR, O. P. HEGGIE, ERNEST THESIGER
Directed by James Whale
"Only one picture in a decade can match its spiritual qualities with its box-office power. 'Les Miserables' is that picture!
—Louella Parsons in the great chain of Universal Service newspapers.

"Here, at last, is the perfect picture—the picture by which all talking screen achievements of the future will be compared!"
—Eileen Percy in the far flung chain of Block Publications.

"It is not often that we really go into raves over a picture, but 'Les Miserables' warrants unloosing every adjective."
—Dan Thomas, Motion Picture Editor, Newspaper Enterprise Association

"Les Miserables' is a picture in a million!"
—Alice Tildesley, Philadelphia Public Ledger Syndicate

JOSEPH M. SCHENCK presents
VICTOR HUGO'S
LES M

Released thru UNITED ARTISTS
Your grandchild and your grandmother will be equally thrilled by 'Les Miserables'—destined to be the year's outstanding picture!"  
—Wallace X Rawles, International News Service

"It is a sensational picture!"
—Mollie Merrick, North American Newspaper Alliance

"The book, 'Les Miserables' is the greatest epic and dramatic work of fiction ever created, and the talking picture of the same name may well go down in history as the greatest of its kind!"
—Peg Murray, "Seeing Stars," King Feature Syndicate

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—Peg Murray, "Seeing Stars," King Feature Syndicate
NEW YORK
CRITICS
GO
OVERBOARD
WITH
PRAISE!

... top money looms for more than 100 key-runs Easter Week...

"Offering the most...

N.Y. Daily
entertainment... good

.... "A happy break for
drama... A grand mystery

bright and easy it makes the story fresh and entertaining

"Jaunty, light-hearted, Springtime entertainment...
American.... "Lively, amusing and effective, standing

sumptuous drawing-room background

.... "Diverting entertainment... The

N.Y. Evening Journal.
mystery, suspense, humor and romance, 'Star of Midnight' is easily one of
musing and absorbing comedies to come out of Hollywood this season."

ews..."The new film at the Music Hall is a sleek, witty and engaging
vely fun...recommended both as humor and as melodrama."...N.Y. Times
usic Hall audiences...Mingled moods of carefree laughter and taut melo-
ory, one of the best."...N.Y. Sun..."Sparkles and entertains...Dialogue so
...Powell and Miss Rogers a charming team."...N.Y. Daily Mirror....
right a bit of wit and nonsense as the new season has seen."...N.Y.
gh among the examples of this enlivening school of cinema story telling."

Y. Herald Tribune..."Gay, witty and exciting murder mystery enter-
inment, a thriller de luxe...consistently clever...extremely ingenious."...N.
orld-Telegram..."A neat and nicely turned out talkie...Has
inger wears gorgeous clothes. Bill is a male fashion plate."...N.Y. Post
icture is handsomely mounted and nicely acted by its well-dressed cast."...
MOTION PICTURE DAILY

Monday, April 15, 1935

Memphis Blue Law's End Set For April 28

Ordinance, which must pass at two addi-
tional meetings of the City Commis-
sion to become law.

Other cities throughout the state are ex-
pected to act in a similar local-action
measure within the next few weeks.

Credit for its passage is generally given
to the Memphis Daily Appeal and the
Tennessee, Memphis having con-
tended for the right to have Sunday
amusements ever since the blue law
was passed 12 years ago.

May Test Beatrice Law

Beatrice, Neb., April 14—With
Sunday films definitely defeated again,
there was talk here that the three the-
atres, operated by Phil T. Hill and Frank
Hollingsworth, will open another day
on a Sunday in the near future in the
hope of beating the law.

Opening in defiance of the election
result would force the issue from a dif-
ferent and untried angle. City Com-
mmissioners would be forced to close
all other amusements and, with com-
mercial businesses, it is contended.

Fox Met Creditors

Study Plans Today

(Continued from page 1)

secured creditors have had an oppor-
tunity to study the circuit court
plan submitted late last week by the
Banks & Mortgage Co. and Alfred
M. Greenfield, Philadelphia
realty investor.

According to report, the latter bid
proposes a sale, rather than a reor-
ganization, of the theater circuit
with the operation of the circuit to be
handled by Si Fabian. Unofficial bondholder
committee spokesman said that the
sale and discontinuance of the
Skorau and Randolf operating con-
tacts createdleshpool complications
and, in addition, left secured credi-
tors with causes of action against the
company.

The Schenck-Fox Theatres plan,
under which the 86 Fox Met houses
would be absorbed by United Artists
Theatre Circuit, with operation by
Skorau and Randolf continued
would not disturb existing leases or
contracts and would bring about the
end of all legal action involving Fox Met
by its unsecured creditors, of which
Fox Theatres, owner of all of the
common stock of Fox Met, is the
largest.

Rep ublic Studies

N. Y., Phila. Move

(Continued from page 1)

deals with the current Monogram fran-
chise-holders either are set, or will be.

W. Ray Johnston, president of the
new company, has acquired The
Leaves'sized papers by Anna June
Catherine Green for production by Repub-
ic. James Tierney has joined Ritchie
International Corp., and Republican
International Corp., new company formed to
handle foreign sales, as head of the
accounting department.

Variety Club Chatter

Albany

Albany, April 14—William Wil-
liam Haskell, dramatic editor of the
Albany Times Union, is recovering from a
serious illness.

Milwaukee

Milwaukee, April 14—Variety
Club entertainers with Billy Snyder
as master of ceremonies performed at
the luncheon at the Plankinton hotel.

J. H. Fitzgerald and Etta Wex-
ner, who entertained at a previous
Treasurer Art Schmitt recently re-
turned from several weeks of sunning
in Bermuda.

Plans are being formulated to raise
money to use for charitable purposes.

Every Thursday night is club night.

Chieftian Barker E. K. Sweeney
told the meeting that the membership
is up to 2,200.

Philadelphia

Philadelphia, April 14—Barber
Milton Rogasen and Samuel
Schwartz have been selected by the
board of directors to attend the Va-
rietv Club meeting in Chicago later in
April.

Philadelphia Tax and Code Topics

Tennessee at Tri-State Meet

(Continued from page 1)

which had been brought against Con-
solidated Film Laboratories, H. E. R.
Laboratory, Anerioo Corp., and
Filmlab, Inc. Four additional Tri-
Ergon actions were dismissed earlier
by Judge Goddard as a result of the
Supreme Court's recent refusal to re-hear
Tri-Ergon's double print and flywheel patent
cases.

Mexican Strike Schedules

Dallas, April 14—Nine of
Mexico's largest cities are
completely dark as a result of the strike of
electricians who walked out in sympathy with electrical workers of
Tampico who struck last week.

The situation is attempting to settle the
Tampico difficulties in order to clear up
the entire matter.

"Schenecty" Gets Westerns

Arthur Schenecty, Trans-Occident
Pictorial Co., has acquired the
foreign rights on a series of Harry
carey westerns.

"Robertta" Up

As Rain Hits Chicago Loop

Chicago, April 14—Four days of rain brought down the grosses and only
two spots were over $5,000. As a result, "Robertta" took $24,000, up by $2,000,
in its third week at the Palace.

Total gross was $110,000.

Estimated takings:

Week Ending April 11:

WILLIAMSPORT (Pa.)

CHICAGO—$1,800, 25c-30c, 6 days.

CINCINNATI—$3,200, 25c-40c, 4 days.

CARNIVAL (Col.)

ORIENTAL—$3,800, 25c-40c, 7 days.

JIM LUNCEFORD & "Harlem Ex-
press" company. Gross: $7,000. (Average,
$1,000.)

"ROBERTA" (Radio)

PACEL—(2,596, 25c-50c, 3 week,
Stage: Vic Oliner, John Fogarty, Bebe
Barry Dancers. Gross: $10,000. (Aver-
age, $1,000.

"LIFE BEGINS AT 40" (Fox)

GARRICK—$9,600, 25c-40c, 2nd Loop
3 days. Gross: $5,000. (Average, $400.

Week Ending April 12:

VANESSA" (M-G-M)

UNITED ARTISTS—$7,000, 25c-40c,
6 week. Stage: Mogen & Blaine. Gross:
$7,000. (Average, $1,000.)

TRAVELING SALESLEAD'S "Warr-
ner " (M-G-M)

PACEL—(2,396), 25c-40c, 6 days.

Gross: $10,000. (Average, $1,000.)

EVERGREEN" (Gaumont Brit-
ish)

UNITED ARTISTS—$4,000, 25c-40c, 7
days. Gross: $4,000. (Average, $571.)

STATE-LAKE " (2,766), 25c-40c, 3
days. Gross: $1,000. (Average, $174.)

STATE-LAKE " (2,176), 25c-30c, 7
days. Gross: $3,000. (Average, $571.)

STATE-LAKE " (1,400), 25c-30c, 7
days. Gross: $1,400. (Average, $133.)

They were kings for the day on
April 10. The 24th luncheon will
be omitted because of the Passover.
Next regular luncheon will be held
May 1.

Washington

Washington, April 14—April
(x) Pools' day was appropriately cele-
brated at the smoker of Tent No. 11.
Chieftain Barker E. K. Sweeney
and Alan Bacharach who offered a
huge pile of neatly wrapped packages
to the assembled barker.

The packages contained something
—or nothing—and the size was not
dictative of the value of the enclosed
testament.

Many a surprise was forth-
com ing.

Monday's gathering took the form
of a luncheon, for which the kings for
the day were NELSON B. BILL and
AL PRATT.

Chieftain Barker E. K. Sweeney
has announced a series of parties, many
of which will be open to women. The
first will be an informal dance at the
Willard. Move this. . .

A reception and buffet sup er will
be held in the club rooms, with
dancing in the adjacent Cabinet Room.

Harry Brown is chairman.

Next on the list for May 15 will be
a golf tournament. SAM A. GALANTY
will be the chairman.

Tentatively dated for July 20, is a
Shakespeare Night, with Edward HALEY
and CARTER T. BABB, chairman of the
entertainment committee, will be in
charge.

A committee on welfare and pub-
lic charities headed by A. E. LICHT-
MAN, is planning a charitable drive.

Kings for a day for the next few
weeks have been tentatively named as
follows:

April 15—CLARK DATES and
JAMES B. FITZGERALD; April 22—
MASON PETERS and HARRY SUMMER-
BERG; May 20—BEN GORKIN, PETER
LAND and DAVE S. TERRILL; May 6—
CARTER T. BABB and HARRY E.
LOHSEY; May 13—CHARLES KRAUSZ
and SAM WHEELER; May 20—HARRY
HUNTER and JOE MORGAN.

TAX and CODE TOPICS

At Tri-State Meet

(Continued from page 1)

The board of directors has consid-
ered new applications for mem-
bership.

Chief Barker E. K. Sweeney has
notified the members of the night
trade shows scheduled for April.

Barkers Eddie Concannon and Jerry
Crawley were kings for the day on
April 10. The 24th luncheon will
be omitted because of the Passover.
Next regular luncheon will be held
May 1.

More of Tri-Ergon Cases Quashed

(Continued from page 1)

a prize-
fighting picture with Max Schmeling and Aston Ondra.

Cancelling To Be Pushed By Kuykendall (Continued from page 1)

"the exhibitors would continue to play the same number of pictures each year that they are now playing, therefore the same number of pictures would have to be bought.

It is the opinion that an increase in cancellation would "do more than any other thing to counteract our work with the public" and "is one of the essentials to a better understanding and friendly relations between the theatre owner and the exhibitor."

Also, in answer to the distributor opinion that the code lacks teeth with which to enforce effectively an increased cancellation provision, as a result of which some companies could sue and counteract it with any number of unfair trade advantages over competitors who fulfilled the provision, Kuykendall offers the belief that "if completely determined by the government as to what shall and shall not be continued in the various code setups, that out of it will come a revised code for the industry that will force and make binding those things that are right and constructive."

He believes that the M. P. T. O. A.'s code revision committee will go ahead with its plans for meetings with Comptroller, Secretary of the Interior, and Code Authority for discussion and recommendation of code changes and revisions.

"This committee," he said, "will not be radical but will be composed of gentlemen who understand the mechanics of this business based upon many years' experience as exhibitors."

St. Louis Spots to Get An Overhauling (Continued from page 1)

Co., owners of the North Grand, plan to completely rebuild the theatre.

W. A. Collins, head of the Collins Circuit, has completed plans for the erection of a new house at DeSoto Mo., and it is expected that the new theatre, now in construction at Clim- bumbia, Mo., will open early next month.

Has Hungarian Film J. H. Hoffberg, Inc., have acquired the American distribution rights to the Hungarian film, "March Tale." The picture, which will be released next month, was made by Ibusz in Buda- pest.

Paramount Sets Title Hollywood, April 14.—Paramount has set "Men Without Names" as the final title for the picture which has been known until now as "Federal Dick."

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.
DUPONT NEGATIVE IS STILL THE FASTEST NEGATIVE FILM ON THE MARKET . . . .

WE INVITE COMPARATIVE TESTS UNDER ANY CONDITIONS

DUPONT

Du Pont Film Manufacturing Corporation
35 WEST 45TH STREET
NEW YORK CITY
PLANT...PARLIN, N. J.

SMITH & ALLER LTD.
6656 SANTA MONICA BLVD.
HOLLYWOOD, CAL.

THE DUPONT TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
Stuart W. Webb Resigns From Post as Pathe Head

Stuart W. Webb yesterday resigned as president and director of Pathe Exchange, Inc., and will be succeeded by Robert Atkins, a broker.

Webb's resignation, understood to have been pending for several days, was tendered the Pathe board of directors and accepted yesterday. Webb was not available for comment last night and the Pathe board is reserving issuance of a formal statement until some time today. It is reported, however, that the resignation was impelled by dissatisfaction within the board and from Dupont Film Mfg. Co. with several financing arrangements closed by Pathe recently.

While it is rumored Webb may also resign as chairman of the board of First Division and as a director of Dupont, this could not be confirmed last night. Pathe owns 49 percent of the Dupont Film Mfg. Co.'s stock and was elected to that company's board by Pathe's stock representation. He was also elected chairman of the board of First Division several months ago as the representative of Pathe's financial investments in that company. Webb became president of Pathe Exchange about four years ago following.

Colonels Meet Soon

Louisville, April 15.—That much-discussed gathering of the regiment of Kentucky colonels starts here today and, if the pari-mutuels work out all right, it will continue to May 4.

It's a mere coincidence that the Derby takes place at the same time. All military maneuvers will take place at Churchill Downs.

Alarm Will Bid For Fox Met, Court Is Told

Statement Is Made While Schenck Plan Is Up

RKO, through its theatre subsidiary, Keith-Albee, will submit a plan of reorganization for Fox Metropolitan Playhouses, Federal Judge Julian W. Mack was told yesterday by Howard Lehman, attorney of Cook, Nathan & Lehman, following the first day's hearing on the Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Met.

Lehman's association with the offer was interpreted by observers to mean that K-A-O probably would have the financial aid of the Lehman Bros. bank in the submission of a Fox Met plan. Lehman, the attorney, is related to the heads of the Lehman banking interests.

Judge Mack observed that he had been advised that "several others" were interested.

Selznick Has Offer, But Silent on Plans

Hollywood, April 15.—David O. Selznick admits he has received a "handsome offer" for a production post with another organization, but refuses further comment on a report that he is to leave M-G-M.

First reports that he might make a change included a rumor that he would form a new producing organization with Myron Selznick associated with him, but it is now denied that the latter will be with the new company. It is understood here that a new producing unit is definitely under way.

Conspiracy Charged In Suit at Lincoln

Lincoln, April 15.—State Theatres, Inc., has brought suit against the Lincoln Theatre Corps. of Delaware and Nebraska; J. H. Cooper, New York; and Universal Set

Unusual

Memphis, April 15.—Vaudeville played simultaneously at two first runs here for the first time in years when Paul Ash was headed at the Orpheum and Larry Rich at Loew's State.
Darryl Zanuck Here For 2nd Anniversary

Darryl Zanuck, accompanied by his publicity head, Harry Brand, are due in town today for a celebration of the second anniversary of Zanuck-Village Pictures. One of the features of the observance will be a party at the Normandy from 4 to 8 p.m. on Sunday.

While here Zanuck will attend the opening of “Cardinal Richelieu” at the Music Hall Thursday and “Les Miserables” at the Rivoli on Saturday.

Delay Skouras Hearing

A hearing scheduled for yesterday on the second appearance of the Louisiana-Paramount Wire per-toride acting contracts between Paramount and Skouras was postponed by Special Master John E. Joyce to April 29.

MITCHELL MAY, Jr. COMPANY

INC.

SPECIALISTS IN FILM AND THEATRE INSURANCE

75 Maiden Lane 100 W. 6th St. New York 8, Los Angeles Cal.
Leading the Easter Parade
to the Doors of America’s Great Theatres April 20th... the Most Exciting

song and dance

Combination Ever Presented In Any Warner Bros. Musical! . . . .
SHE DANCES in 7 different languages to the tune of "Latin From Manhattan," "About A Quarter to Nine" and "An Old-Fashioned Cocktail."
go into

*Also "The Little Things You Used To Do," sung by Helen Morgan
In Warners' Cap Another Feather
For Bringing These Two Stars together

IN A REAL STORY
by Bradford Ropes,
famous author of
"42nd Street"

SUPPORTED BY 8 STARS, including
Glenda Farrell, Patsy Kelly, Helen Morgan,
under Archie Mayo's direction.

SURROUNDED BY GIRLS in spectacular
dance numbers arranged
by Bobby Connolly.

A PRODUCTION THAT'S "TOPS AMONG THE MANY MUSICAL FILMS... everything about it is absolutely grand"—Los Angeles Herald-Express.

A First National Picture
Action Again Delayed Upon Missouri Tax

(Motion Picture Daily)

Per cent, and they say the problem can probably be solved by broadening the base of the tax.

Approve Ohio Lotteries

Columbus, April 15—The House Judiciary Committee has recommended for passage a proposal to submit to a vote of the people an amendment permitting the state to operate lotteries, the proceeds to be used for poor relief, old-age pensions and possibly schools.

The amendment, which would be written into the 1935 session, if passed in the state, would provide for the sale of tickets, and it is believed that there would be a better chance of winning a lottery.

Predict California Cuts

Sacramento, April 15—Chairman Duval of the Senate Revenue Taxation Committee predicted today that severe cuts in the state's budget, if passed, would be the result of the Assembly being the holder of the Senate. An attempt was made to reach an agreement through the Senate-Assembly Steering Committee.

It is probable that a compromise will be reached, and if the Legislature is to be cut through the Senate, it is believed that there would be a better chance of winning.

Legislative Passes Heavy

Lincoln, April 15—The Nebraska Legislature will have 30,000 free admissions if not more, it is estimated by showmen here. Four houses granted legislation the privilege for 14 weeks to April 1, and at the end of another month and extension has been granted. About 20,000 were used during the regular period.

Mark Time on Sunday Shows

Memphis, April 15—Talk of rushing through Sunday picture shows has been hushed up here. Managers declare they have waited too long and can afford to wait a couple of more weeks until the City Commission takes formal action.

Illinois Sales Tax Killed

Springfield, Ill., April 15—The House has killed the proposed three per cent sales tax bill, one of which, proposed inclusion of public utilities, admissions and other items.

New Orleans Votes Against Time Shift

New Orleans, April 15—There will be no time shift this summer in New Orleans this summer, the Commission Council has definitely decided. There will, however, be a referendum next week on proposals for daylight saving time next summer.

The council decided to hold the question in abeyance for one year, due to the fact that no referendum could be held this year.

Looking 'Em Over

"Goin' to Town"

(Paramount)

San Diego, April 15.—Mae West, wise-cracking "How Am I Doin'"gal, goes to town in a big way in this picture. The film has genuine box-office possibilities judging from the enthusiastic reception by a preview audience.

In the story by Miss West she is a "blues" singer in the Texas oil district who loses to Fred Kohler, a cattle rustler, in a dice game to see whether she will marry him. When Kohler is killed before the marriage, Miss West inherits his millions and falls hard for an oil field manager, Paul Cavanaugh. She follows him to Buenos Aires and, with the aid of her manager, Gilbert Emery, tries to crash the social gate to win him.

There, she wins a thrilling race with Cactus, her Texas-bred horse, after her faithful Indian servant, Tito Coral, foils a plot by Ivan Lebedoff and Marjory Gateson, her rival, to put the nag out of the race. In a plan to gain social prestige, Miss West marries Monroe Owsley, related to Miss Gateson, and goes to his estate.

Miss Gateson then tries to frame her with Lebedoff's aid. Owsley is shot by the Russian when the former is caught robbing Miss West's bedroom safe to pay a gambling debt. It looks bad for the boxer but with the aid of Coral she outwits her enemies, and, as usual, gets her man.

Best shot shows Cactus being put to bed in Miss West's palatial Buenos Aires home.

Other players are Grant Withers, Luis Alberni, Paul Harvey, Adrienne D'Arbicourt and Mona Rico.

Although racy in spots, the picture has ample comedy relief and drama to make it popular.

Production Code Seal No. 695. Running time, 60 minutes. "G."

"The Return of Chansu"

(Principal)

Although Bela Lugosi has one of the scenes, the new picture, that Edmund Lowe put into the original screen role of Chansu, the Magician, he is, nevertheless, convincing and real in the part. Director Ray Taylor keeps things moving at a fast pace and inserts just enough "magic" into the film so as to make some of the weird incidents convincing. Photography is excellent.

The story has Chansu again protecting Princess Nadji (Maria Allora), this time from the clutches of a mysterious Egyptian sect trying to sacrifice her in order to restore a lost kingdom. Lucien Prival, leader of the mysterious group, captures the princess in the home of Chansu and takes her to a deserted house. By means of his magic ring, however, Chansu rescues and takes her abroad Bryant Washburn's yacht for safe-keeping. She is pursued, and captured again.

Chansu arrives in the nick of time to foil Prival, however, and Washburn loses his life aiding him. The party puts into Suva, and Chansu, with the cooperation of the police, kills Prival and disperses his cult.

There are plenty of thrills and action in this film, enough to entertain any audience. Children, especially, should appreciate it.

Reviewed without production code seal. Running time, 60 minutes. "G."

"Fighting Lady"

(Principal)

Using a theme that is more than familiar to audiences and presenting it in a haphazard manner, Director Carlo Borosque has here produced a picture slightly below average in entertainment value and a very dubious one for general patronage.

The yarn has Peggy Shannon a scheming young woman determined to get ahead socially in her own way, and therefore, she marries a rich man. This man, she discovers, is not what she thought him to be, and she is forced to face the fact that her first love is her husband. When she finally wins, Peggy Shannon refuses to give him up, but is forced to

(Continued from page 12)

Booking Bill

Dangers Cited

By Kuykendall

(Continued from page 1)

best results for the boards. It would be no help to the small town operator if he was forced to go to an exchange to see all the product before buying, and it would be demoralizing to the production end of the industry.

Other speakers included M. A. Lightman, Harry Martini of the Commercial-Appeal and Jack Bryan of the Press-Scimitar.

A testimonial dinner was given Sunday night in honor of W. E. Site, Universal branch manager. It was its 25th anniversary on the job.

The annual banquet and a dance closed the sessions tonight.

N. Y. Allied Favors

Pettengill's Bill

Albany, April 15—Support of the Pettengill anti-block booking bill was pledged at a meeting of directors of the New York Allied unit here today.

The bill was formally introduced today and it was predicted delegations would attend from New England, New York, New Jersey and the District of Columbia.

The next eastern directors' meeting will be held in June. Directors of the advertising and promotion board today were Robert Goldblatt, A. Papayanakos, H. C. Morse, John W. Gardner and R. P. Merriman.

Conspiracy Charged

In Suit at Lincoln

(Continued from page 1)

R. R. Livingston, Lincoln; and over a dozen film companies here in Federal court, are amending three to $44,000,000. Defendants named include M-G-M, Paramount Publix, Paramount Pictures, distribution division, Vitagraph, first National, RKO, RKO-Pathe, Universal, United Artists and others.

The charge is made that the State was organized as a corporation only for the benefit of its officers, G. L. Hooper and George F. Monroe, who had been assured they would be sold to run to pictures distributed by the defendant companies. After that the theatre began operation, the plaintiff charges that through combination and conspiracy between T. C. and the majors, the latter refused delivery.

It is further alleged that the L. T. C. of Delaware was washed up in 1932, and the present Nebraska corporation formed on a transfer of the assets, a move designed to defraud the former's creditors.

The suit is being handled by Attorneys Paul Good, former state attorney general and Youncelcus case victor, and Loren Loughlin.

Writers' Board Meet

Hollywood, April 15—The new board of directors and its work was the main topic of the Writers' Guild's first meeting here tonight. Committees on membership and conciliation and arbitration were discussed. Appointment of an advisory council was also considered.
FIK FILM CORPORATION
INVITES THE SHOWMEN
OF AMERICA TO THE

20th

BIRTHDAY PARTY
OF

Educational Pictures

MAY 3 - JUNE 6

Special entertainment provided by...

JOE COOK
BUSTER KEATON
SYLVIA FROOS
BUSTER WEST
CHARLES CARILE

WARREN HULL
TOM PATRICOLA

NORMAN CORDON

CASIM KIDS
PAUL TERRY-TOONERS

*New releases featuring these stars available for showing during anniversary celebration.

EARLE W. HAMMONS
Founder and head for 20 years
of Educational Pictures
20 Years
OF SHORT SUBJECT SPECIALIZATION
LEADING THEIR OWN FIELD ALWAYS...
CONTRIBUTING ALWAYS TO THE SCREEN'S
PROGRESS THROUGHOUT THE PERIOD OF
ITS GREATEST GROWTH.
Looking 'Em Over

“Fighting Lady”
(Continued from page 9)

Then one of her early lovers commits suicide and exposes her past. The fadeout has Miss Shannon turning to Earl for protection and the picture ends with the hint she picks up her former life with him. The editing of the film appears spotty. Scenes shift at times without apparent reason. The photography of Ernest Miller is fair. Others in the cast are Marion Lovesey, Mary Carr, Edward Woods, Betty Blythe and Alice Moore.

No production code seal. Running time, 56 minutes. “A.”

“Men of Tomorrow”
(Munsum)

This London Films production is a tale of youthful love and English academic life made interesting primarily by the fact it has been filmed and Oxford surroundings. Fashioned from “The Young Apollo,” Anthony Gibbs’ novel, it is familiar material for the most part. While of no great importance, the film holds a certain amount of pleasant entertainment with its humor doing much to help matters along.

The cast possesses two British players who have come to be well known to American audiences—Robert Donat and Merle Oberon. The former plays a sort of college hero who is indirectly responsible for the expulsion of a fellow student (Maurice Bradel), a sensitive soul unable to adjust himself to the ways of the world. Miss Oberon is a co-ed in love with Bradel which takes her out of his life when he marries another student (Joan Gardner).

The latter half of the film concerns itself with the efforts of the young people of the story to adjust themselves to the realities of life. The romance between Bradel and Miss Gardner comes perilously close to disaster, but is saved in the end when the former decides to meet the world on its own terms and Donat makes his peace with him and helps to promote a happy ending. This is not exactly an easy thing for Donat to do, for he is in love with Miss Gardner himself.

The direction is by Leonide Sagan, the woman who directed “Maedchen in Uniform.” Emlyn Williams is also in the cast.

No production code seal. Running time, 55 minutes. “G.”

“Mississippi” Is
Oklahoma City Hit

OKLAHOMA CITY, April 15—“Mississippi” was the big noise of the week at the Criterion. It pulled $6,000, topping averages by $1,600.

“The Whole Town’s Talking” went into the doldrums at the Midwest with a gross of only $3,000. “ Falk” took a strong $2,500 at the Capitol. “Under Pressure,” with the help of a stage show, reached $2,200 for four days at the Liberty.

Total first run business was $14,800. Average is $3,500.

Estimated takings for the week ending April 15:

“MISSISSIPPI” (Para.)
CAPITOL—$6,000, 30c-40c-50c, 6 days.

“WHOLE TOWN’S TALKING” (Col.)
STANLEY—$2,500, 35c-40c-50c, 5 days.

“UNDER PRESSURE” (Paramount)
LIBERTY—$2,200, 15c-25c-40c, 6 days.

“TWO ALONE” (Radio)
LIBERTY—$1,500, 15c-25c-40c, 4 days.

“ROBEERTA” (Radio)
KEITH’S—$1,100, 35c-40c-50c, 9 days.

“MUSICAL” (Param.)
CAPITOL—$800, 25c-35c-45c, 7 days.

“WHOLE TOWN’S TALKING” (Col.)
STANLEY—$3,000, 35c-40c-50c, 5 days.

“MISSISSIPPI” (Para.)
CAPITOL—$1,200, 35c-45c-50c, 7 days.

“WHOLE TOWN’S TALKING” (Col.)
STANLEY—$2,000, 35c-40c-50c, 5 days.

“MUSICAL” (Param.)
CAPITOL—$1,100, 25c-35c-45c, 7 days.

“FRECKLE FACES” (Fox)
CAPITOL—$365, 15c-25c-35c, 5 days.

“THE THREE MUSKETEERS” (Para.)
CAPITOL—$1,000, 35c-40c-50c, 6 days.

“MUSICAL” (Param.)
CAPITOL—$500, 25c-35c-45c, 7 days.

“FRECKLE FACES” (Fox)
CAPITOL—$150, 15c-25c-35c, 7 days.

“SHIRLEY TEMPLE” (Fox)
CAPITOL—$200, 15c-25c-35c, 7 days.

“FRECKLE FACES” (Fox)
CAPITOL—$300, 15c-25c-35c, 7 days.

“MUSICAL” (Param.)
CAPITOL—$1,500, 25c-35c-45c, 7 days.

“THE THREE MUSKETEERS” (Para.)
CAPITOL—$1,000, 25c-35c-45c, 7 days.

“SHIRLEY TEMPLE” (Fox)
CAPITOL—$200, 15c-25c-35c, 7 days.

“FRECKLE FACES” (Fox)
CAPITOL—$300, 15c-25c-35c, 7 days.

“MUSICAL” (Param.)
CAPITOL—$1,500, 25c-35c-45c, 7 days.

“THE THREE MUSKETEERS” (Para.)
CAPITOL—$1,000, 25c-35c-45c, 7 days.

“SHIRLEY TEMPLE” (Fox)
CAPITOL—$200, 15c-25c-35c, 7 days.

“FRECKLE FACES” (Fox)
CAPITOL—$300, 15c-25c-35c, 7 days.

“MUSICAL” (Param.)
CAPITOL—$1,500, 25c-35c-45c, 7 days.
For twenty-two years we've been printing specialists, setting the pace with improved production methods and ever-prompter service... designing and building machinery to control quality and assure uniformity... developing modern plants so efficient and extensive that they could satisfy the print requirements of the entire world. Send your productions to the screen on Consolidated Certified Prints. There is a difference.
KAO Will Bid
For Fox Met,
Court Is Told
(Continued from page 1)

plans of reorganization for Fox Met were in preparation and might be submitted in the course of the next few days. He added, however, that he was unaware of the identity of the other bidders. The remarks were made in connection with a discussion as to the legal propriety of the court's entertaining consideration for the Fox Met bid being made by S. Fabian in association with the Bankers Bond & Mortgage Co. and Alfred M. Greenfield of Philadelphia.

Bids Lack Required Support
It was pointed out that the new bids lack the 25 per cent creditor support required by Section 77-B of the bankruptcy law for submission of a plan of reorganization for a debtor corporation. The court held that it would continue the hearings of the Schenck-Fox Theatres' plan and that it would hear sponsors of other plans in connection with whatever criticism of that plan they had to make. Presumably, this would give sponsors of other plans the opportunity to point out any weaknesses in the Schenck-Fox Theatres' plan as developed by comparison with their own plans. As a result of these hearings, Judge Mack said the court might find the Schenck-Fox Theatres plan to be unfair and inequitable and reject it, subject to modification, amalgamation or revision, and at the same time entertain new plans.

RKO's interest in the disposition of Fox Met is considered vital. It is pointed out that even if the Schenck-Fox Theatres' plan is accepted, placing the 25 houses under United Artists' management, RKO's metropolitan product supply might be jeopardized by the sale to Fox Met of United Artists and 20th Century product for first run. The withdrawal of this product from Loew's, to whom it is now under contract, would precipitate a vital contest for remaining product, involving Loew's and RKO, and possibly Fox Met, as well, observers believe.

Schenck, Weisman, Rinzler Quizzed
Schenck, Milton C. Weisman, who is receiver for Fox Theatres, and Sam Rinzler, Fox Met operator, were subjected to lengthy questioning on the Schenck-Fox Met plan at yesterday's session. C. Frank Reves, attorney for interests associated with the Fabian bid, sought by his examination of the witnesses to pick flaws in the Schenck-Fox Met bid.

The principal testimony developed was that while there was no binding assurance that Schenck would remain with the reorganized Fox Met company indefinitely, it was given by Schenck as his desire and intention to make the association permanent. To this end, Schenck said he stood ready to make any long term contract with the new company which could be approved. In response to questions he also stated that it was not his intention to sell the Fox Met stock which he would receive under the plan.

Schenck was asked whether Fox Met would have any assurance of receiving United Artists and 20th Century product first run if his plan was accepted, and replied that it would receive "preferential treatment" and "would certainly be given the benefit of the pictures I control on fair terms."

Attorneys for Fabian's interests placed particular stress on the fact that the Schenck-Fox Theatres' plan provides for payment to bondholders of 75 cents on the $1 for their claims, whereas, they said, their plan would give bondholders 100 cents on the dollar. It is understood that the Fabian plan contemplates cancellation of Skouras and Randolf operating contracts, with operation being transferred to Fabian.

A date for resumption of the hearing will be set by Judge Mack today and will probably be later this week.

Scale Boosts Seen in Rules On Clearance

(Continued from page 1)

plaint by Peter M. Pegadellites of the Colonial and Capitol, Farrell, Pa., against the Warner Colonial, Sharon, Pa., recommended that if Pegadellites' charges 20 and 25 cents the 25-day protection Warners has will be automatically reduced to two weeks.

The Farrell houses now charge 15 and 20 cents, and Pegadellites stated at the hearing that on unusual pictures he increases each price five cents. The committee, consisting of Ben Bernstein and Henry Randolf, felt that the present admission did not warrant a smaller clearance, but if the prices were increased he could get pictures 14 days after Sharon.

"Life Begins" Big Indianapolis Draw

INDIANAPOLIS, April 15.—This town goes for Will Rogers' homespun philosophy in a big way. "Life Begins at 40" garnered $7,500 at the Apollo, which is almost double the normal take for the house.

"Mississippi" was $2,000 up on a $9,000 gross at the Indiana, and "George White's Scandals" at the Lyric and "Naughty Marietta" at the Palace were in the money.

Total first run business was $35,250. Average was $25,000.

Estimated takings for the week ending April 13:

"LIFE BEGINS AT 40" (Fox)
APOLLO—$1,100, 25¢-40¢, 7 days. Gross: $7,700. (Average, $1,050)

"WHOLE TOWN'S TALKING" (Col.)
CIRCLE—$2,000, 25¢-40¢, 7 days. Gross: $13,700. (Average, $1,900)

"MISSISSIPPI" (Para)
INDIANA—$1,100, 25¢-40¢, 7 days. Gross: $9,000. (Average, $1,200)

"GEORGE WHITE'S SCANDALS" (Fox)
LYRIC—$2,000, 25¢-40¢, 7 days. Gross: $13,700. (Average, $1,900)

"NAUGHTY MARIELLA" (MGM)
PALACE—$3,000, 25¢-40¢, 7 days. Gross: $25,200. (Average, $3,600)

Dietrich Screening Today

Paramount will hold a trade showing at 11 A. M. today at the Grand Theatre in Columbus of Marlene Dietrich's "The Devil Is a Woman."
Whitman, which today celebrates the first birthday of its amateur program, will undergo a change in name, it has been announced. Jimmy Dearborn, nine, after consultation on the advisability of renaming the station WMGM. The reason given for the change was that WHN has become fixed in radio fans' minds as one of the leading local stations and a change in name would wipe out the background of the station. Two is that WHN is a shorter and easier symbol to remember.

Since Louis K. Sidney took charge about a month ago, the amateur hour is now a daily show and the fun is being added to the shows. (Continued Tomorrow). The change in the show and the fun of the shows is being added to the shows.
"It will probably go down in film history as one of the great pictures of all times. It will attract millions to the box-office. It is a certain hit and a smash one at that."
—Hollywood Reporter

"Definitely of roadshow calibre. Should be one of the biggest box-office leaders of all time."
—Motion Picture Daily

"A picture of distinction that will live in memory just as the famed classic has become indelible in the minds of the millions who have read this human story."
—Showman's Round Table

"All that any exhibitor could want to sell or patron wish to see!"
—Motion Picture Herald

"Finally the words 'stupendous' and 'terrific' are given a legitimate place in the motion picture language."
—Welford Beaton, Spectator

"It may confidently count for heavy support on its appeal to worldwide legions of constantly replenished Hugo readers, and will carry on sheer dramatic merit to masses who may never have heard of Hugo and his immemorial character, Jean Valjean."
—Hollywood Variety

"Will ring a great box office bell."
—Bob Wagner, Script

Joseph M. Schenck presents
Darryl Zanuck's production of Victor Hugo's
RABLES

Fredric March
Charles Laughton

Cedric Hardwicke • Rochelle Hudson • Frances Drake • John Beal
Directed by Richard Boleslawski

Based thru United Artists
BY PUBLIC DEMAND!
Popular, New Producer, to Have 18 Films

Sets $2,000,000 Budget; Bryan Foy in Charge

A series of 18 features to be made at a total cost of more than $1,000,000 has been lined up by the newly organized Popular Pictures for 1935-36, it was revealed yesterday. Each picture will be produced at an announced outlay of $75,000 to $250,000.

Bryan Foy, Ben Stoloff and Lou Berman are listed among those interested in the company. Foy will have complete charge of production.

A distribution system covering the United States and Great Britain has been set up to handle the company's product. Distribution is said to have been arranged in every key city in the country.

(Continued on page 6)

F. F. Kolbe Chosen New Head of Pathe

Frank F. Kolbe of Young, Kolbe Co., investment firm, was elected president and a director of Pathe Exchange, Inc., succeeding Stuart W. Webber, who resigned. Robert W. Atkins, a broker and a director of Pathe, was elected executive vice-president, a new Pathe post. All stockholders are expected to meet today.

(Continued on page 6)

Loew Closes a Deal For Madrid Theatre

In line with M-G-M's plan to invade all foreign countries where the company is not getting a break with its product, Arthur Loew has completed negotiations for purchase of the Capitol, Madrid, the newest theatre in that city. The house seats about 2,500. Management of the house does not change hands until the fall. It will be operated from the Paris office.

Quigley to Exhibit Exploiteers' Work

A permanent exhibit of exploitation campaigns will be maintained at the offices of Quigley Publications as a result of the interest displayed in the Showmanship section recently held at the M. P. Club under the sponsorship of Motion Picture Herald.

This was revealed yesterday by A-Mike Vogel, chairman of the Managers' Round Table Club of the

FAVORS SHUTDOWN TO HIT DUALS

Zanuck Says Layoff of Month Would Starve Public for Shows

Closing studios for one month and "starving" the public for picture entertainment would hit a powerful blow at the dual problem and improve pictures, declared Darryl F. Zanuck upon his arrival here yesterday from the coast.

Zanuck came in by plane for celebration of the second anniversary of 20th Century and to attend the openings of "Richelieu" and "Les Miserables."

A production vacation would also be a benefit to producers, Zanuck indicated, because it would permit them to study suitable story material.

He has already applied his theories to 20th Century production. His schedule is so far advanced that he will not resume until July 1.

Zanuck frankly expressed disappointment with the first half of his current output, but was highly enthusiastic over his next three—"Richelieu," "Les Miserables" and "Call of the Wild." He will have 12 for the season.

(Continued on page 4)

K. C. Moves to Put Clearance On Price Plan

College Shows Baffle Campi; Study Ordered

KANSAS CITY, April 16—First-run protection would be graduated according to admissions under an amendment to the proposed Kansas City clearance schedule adopted by the local board. It is also provided that when a first run's protection is cut, as a result of price slashes, all subsequent runs are moved up accordingly in availability.

The amendment, which has been sent to Campi's, takes the place of a resolution which was submitted along with the final draft of the schedule. It is predicated on the board's belief

K-A-O Might Hold Skouras With Fox Met

Bid "Protective," Says Swope in Explaining

Skouras and Randolf may be retained as operators of Fox Metropolitan Playhouses under any plan of reorganization for that circuit which is submitted by Keith-Albee-Orpheum, Herbert Swope, chairman of the board of K-A-O, said yesterday.

Swope, however, described the operating function as "supplementary" to K-A-O's principal concern over the disposition of Fox Met, which, he said, was a desire to protect its own theatres from an invasion of the metropolitan hold by a new, first run circuit and its consequent effects on the local product situation. In this light, he emphasized that any effort which might be made by K-A-O to obtain control of the 84 Fox Met houses would be a protective move, "not one of hostility or aggression."

"K-A-O is greatly concerned by any change in a factor of such importance as Fox Met in the metropolitan theatre area," Swope said.

(Continued on page 6)

Say Walker Again Refuses Para. Job

Frank C. Walker, treasurer of the Comerford circuit, is reported to have been again offered a place on the new board of directors of Paramount, and to have again refused.

Walker's refusal leaves the new Paramount board at 16 members. Final agreement among the principal stockholders.

(Continued on page 4)

John R. Dillon Gets Place on Fox Board

John R. Dillon of Hayden, Stone & Co. was elected to the board of directors of Fox Film Corp. at the annual meeting of stockholders yesterday to fill the vacancy caused by the death of Richard F. Hoyt.

Other members were reelected and, following the stockholders meeting.

(Continued on page 4)

Carr Lining Up New Republic Schedule

Hollywood, April 16—Tren Carr, vice-president of the newly formed Republic Pictures, is swinging into line on production of the new com-

(Continued on page 8)
“THE MARCH OF TIME” steps up a notch in its third release. As interesting as was its first number, the debut subject merely pointed up what might be in store for subsequent treatment was judicious. Number Two was better than Number One and Number Three ahead of Number Two. Alternately decisive, provocative, and about interesting, the current effort spreads itself over four subjects. Iron heels stamping the capitals of Europe telling the story of an an Old World re-armed for conflict is the first. Louisiana and beyond and the story of Huey Long is the second. Third is Mexico, where Socialist government is pitched off the cupboard. Fourth is an episode, complete, of the America’s race to span the Pacific with the potentially rich markets of China the ultimate goal.

This time, “The March of Time,” veers definitely and sharply in the direction of editorial opinion; its own, of course. Sir Basil Zaharoff, war god and munitions financier, is shown; then the narrator tells more about him while the screen flashes tragic shots of war cemeteries. You see the town of Bedford, England; a gun captured from the Germans during the last frivolities and mute but powerful evidence on the gun itself to prove the lethal weapon was manufactured in the very factory that supplied the men the Germans shot down.

Southern neighbors and many of those in the Gulf country, in particular, won’t like the treatment in the second episode which describes Huey Long’s regime as an “un-American dictatorship.” They won’t cheer over the famous—or infamous, if you like—the episode at Sands Point from which the Kingfish emerged with a blackened optic. But the opportunist tactics of Long and his numerous underlings in the moronic mind are lighted in startling clarity. Huey here—has a pin stuck in him so neatly you can almost see and hear the hot air escaping. The Mexican item, in a few minutes, conveys the essential facts in the why and how of the struggle between temporal and spiritual power and ends on a note of wastes indignation when the Instructor who has been teaching atheism to his pupils, is strung up by outraged and incensed pecs.

Trans-Pacific, as the final yarn is dubbed, is a re-enactment of the first flight—to come—of the new clipper ship from San Francisco east. It touches on the economic spoils which are in China and, by map, describes the race of the nations to establish effective regular air contact with this sleeping Oriental colossal. Intimate views aboard the four-engined ship which Pan-American Airways placed in the field on behalf of America carry the audience across the ocean from Frisco to Honolulu, to the Midways, to Wake Island, to the Philippines and, finally, to the eastern terminus. Splendid, dramatically tense camera work and staccato editing are strained through.

Pictorial journalism, unafraid and bold, reaches a new high in “The March of Time’s” about-to-be-released two-reeler. Inpective makes its appearance through most of the footage, but reaches its peak definitively concentrated form in the chapter dealing with the makers of munitions and how they operate. Perhaps the shortest of the four, it packs a significant, thought-provoking commentary on the sort of a world this is, 1935 model. More of it on the screen would be a genuine, humanitarian service.
IT HAPPENED ONE WEDNESDAY!

"NAUGHTY MARIETTA...YOU'RE A BUSINESS GETTA..."

WEDNESDAY BEATS OPENING FRIDAY! LOOK!

12% better in Baltimore
14% better in Bridgeport
32% better in Dayton
8% better in Columbus
81% better in Harrisburg
30% better in Providence
95% better in Reading
18% better in Springfield
50% better in Syracuse
54% better in Toledo
75% better in Wilmington
37% better in Indianapolis
20% better in Kansas City
8% better in St. Louis
40% better in Atlanta
43% better in Nashville

HOLD EXTRA TIME FOR "NAUGHTY MARIETTA"
TURN THE PAGE AND WATCH IT BUILD!
K. C. Moves to Put Clearance On Price Plan

(Continued from page 1)

that when the price clearance is on a level with or not much higher than a second city run, or below other first runs, it is not entitled to existence clearance, but is subject to the first runs regardless of admission.

For first runs charging more than 25 cents, the amendment would maintain 35 days' protection over second city run of 25 cents or more. But where the first run price drops to 25 cents or less, the period would be curtailed to 21 days. The price is arrived at by comparing day and night adult admissions and taking an average.

The Tower, which charges 25 cents for vaudeville and pictures, would be affected under the proposal. Local Mandel's Manhattan, which had its first run admission in town, 15 cents for matinees in the balcony. The RKO Mainstreet referred to would lose a feature two weeks ago but retains the 25-cent price in the balcony at night.

Campi Wins Iowa Decision

DES MOINES, April 16.—Campi has won its first court victory in connection with bank nights.

Federal Judge Dewey in the Southern District Court here has dismissed the application by Central States Theatre Corp., operators of the Strand, Owl and Rialto, Fort Dodge, Ia., for an injunction against the local grievance board, M-G-M, Fox, RKO, Paramount and the union.

The board some time ago handed down a cease and desist order against Central States for refusing to stop bank nights and set a deadline, after which the respondent's film supply would be shut off.

In the decision Judge Dewey refused to grant the injunction on the ground that even if a bank night were not a technical felony, the manner in which it was conducted was a subterfuge.

Omaha Complaint Withdrawn

OMAHA, April 16.—Evert R. Cummings, district manager for the A. H. Blank circuit, explained the apparent free admission to the Paramount business area had been meant for them personally and their employees as a consideration for the merchandising campaign conducted in newspapers. The tickets, however, got into the hands of the general public through a misunderstanding and merchants doped them out.

Complaints were August Her- mann, manager of the Orpheum; L. B. Grobeck, manager of the Meuller; G. A. Rath, manager of the Military, and Epstein Theatres.

Pushes K. C. Bank Night Flicht

KANSAS CITY, April 16.—The crusade against bank nights here being waged by Mrs. A. Baier, Lindbergh

FAVORS SHUTDOWN TO HIT DUALS

1935-36 season, he said. Of these, 10 scripts have already been selected.

He was emphatic on the tax program pending in the California legislature, "We made the state," he said, and now the state singles out the industry for the bulk of its taxes. "I deplore the opinion that producers would be diverted from California unless the tax situation is definitely cleared so that the problem would not recur at every legislative session.

Among the stories already chosen, an "Invasion," adapted from the novel by Sir Walter Scott. It will be produced as a "most assured" property and will have an all-star cast.

"The Man Who Broke the Bank at Monte Carlo," starring Ronald Colman, and Theatre, was given added impetus by the filing of a complaint with the local grievance board against Rube Finkelstein, Belmont, and F. L. Scoville, Prospect. These two operators were the first to receive a notice after the attorney general had stated bank nights were in violation of the Missouri revenue law.

In addition to filing a complaint with the local board, Mrs. Baier is also seeking criminal prosecution of Finkelstein and Scoville.

The local board is scheduled to hear the complaints Wednesday.

To Talk Writers' Code Pact

HOLLYWOOD, April 16—B. B. Ka-

hane, chairman of the Producers' Branch of the Academy, and Wal- demar Young, chairman of the Writers' Branch toward an appointment of conference commit-

tees to review the writer-producer code pertaining to the working conditions of free-lance writers.

The committee appointed for the writers will be comprised of Howard Estabrook, Howard J. Green, Robert Riskin, Carey Wilson and Young. Representing the producers will be Fredric March, Harold Englund, Irving Thalberg, Hal Wallis and Sol W. Wilkin.

The committees are slated to study the practical experience of the studios with a revised procedure for the determination of the screen credits adopted after the conference last July. The entire code will also be reviewed to determine whether any changes or extensions should be made.

The first joint meeting of the committees is scheduled to be held within three weeks, with alternates appointed later if necessary.

Counter-Charges in Brooklyn Cases

Brought before the local grievance board of David Weinstock, partner of Harry Brandt in the Empire, 

Brooklyn, for reducing admissions by distribution of "service" and "tax" cases, were Drolin and Jacob Leff of the Comet, Herman 

Savage of the Bobby, and Irving W. Kirschenfeld and Harry Weinstock of the same practice.

The four defendants claimed that their sales to Marvin and in which 

Brandt was interested, were the same code in the same manner, but Weinstock did not bring them before the

Savage, Drolin and Kirschenfeld charged with making promises which Drolin, "It Had to Happen," by Howard Smith.

It was revealed at the meeting yes-

terday that prior to filing of the complaints, exchangers stepped in and ordered the theatres to stop.

John R. Dillon Gets 

Place on Fox Board

(Continued from page 1)

the directors reelected all current of-

ficers.

Those board members reelected were: Sidney R. Kent, president; W. C. Michel, executive vice-president; Winfield Sheehan, vice-president in charge of pro-

duction; Sidney Kove, treasurer; Felix A. Jenkins, secretary; John P. Edmondson, assistant secretary; J. H. Demar, assistant treasurer; Robert A. Bell and R. B. Simonson, assistant treasurers.

Those board members reelected were: Kent, Michel, H. B. Clark, Har- 


Russell Moon Quits Fox

Rusell B. Moon has resigned from the circulation department of the Fox Film, effective May 1. Moon will operate his own business, the Motion Picture Ad-Sales Printing Co., which he launched a year ago. He will specialize in novelty advertising.

Shirley's Birthday Set

Shirley Temple's sixth birthday next Tuesday will be celebrated in 26 RKO houses in Greater New York by the free distribution of 52,000 Charny's lollipops to children attending the circuit's houses that day. "The Little Colonel" is being day-and dated in all RKO houses starting Friday.

Skourases Return to L. A.

LOS ANGELES, April 16,—Spyros Skouras, accompanied by his brother Nick, Mike Rovich and Charlie Crampen, arrived at Fox West Coast headquarters here today, completing a tour through all the 15 theatres of Searcy theatres. Spyros Skouras leaves for New York later this week.

Agfa Anso Cuts Loss

Agfa Anso reports a net loss for 1934 of $286,106 after charges, depreciation and income taxes. This compares with a net loss of $319,474 in 1933.

College Shows Baffle Camp; Study Ordered

(Continued from page 1)

Yamins declined to clarify the code proposal.

At a meeting of an appeal commit-

te comprising Gordon C. Youngman, Nate Cohen and Barnett H. Strozier and Robert E. Bryant, Rock Hill exhibitors, protested against Winthrop College showings for its students and personnel of 10 cents admissions on Saturday evenings.

According to one of the ruling of the institution's board, students are not permitted to attend any of the three local theatres, Dr. Phelps, president of Winthrop, explained. He stated that the college tries to control the pictures seen, time spent and expenditures of the girl students.

It was reported that the college was unfair competition in that it buys pictures away from the three houses and also permits its students to see "no-nude" shows at Charlotte and theatres in the town.

Say Walker Again Refuses Para. Job

(Continued from page 1)

creditors group on the tenure of office of each of the 16 directors is expected this week. It has been conceded al-

ready by Roy, Stirling, Stephen A. Callaghan, Floyd B. Odlum and John D. Hertz will have two and three-

year terms appointed, among them. The by-laws of the company provide for one, two and three-year terms for directors.

Para. Moves Approved

Orders approving Paramount's peti-

tions to participate in the settlement of litigation involving Marks Bros., Chicago, and the Continental Illinois Bank; the leasing of the Astoria studio by Paramount News for a period ending in 1941, and the dissolution of the Elwood Theatre Corp., Miami, were signed yesterday by Federal Judge Alfred C. Coxe.

Producers Royalty Gain

Net profit for Producers Royalty Fund was $17,761 after taxes, in-

ter, depreciation and other charges, but before depletion and properties charged off. This compares with a net of $4,486 in 1933.

May Meet in Chicago

Columbia is considering holding its annual sales meeting in Chicago some time in June.
SO THIS IS THURSDAY!

IT HAPPENED ONE WEDNESDAY!

MARIETTA YOU'RE NAUGHTY BUT NICE.... TO THE BOX-OFFICE

THURSDAY BEATS OPENING FRIDAY! WATCH IT BUILD!

45% better in Dayton
4% better in Columbus
87% better in Harrisburg
45% better in Providence
86% better in Reading
7% better in Springfield
48% better in Syracuse
68% better in Wilmington
41% better in Indianapolis
16% better in Kansas City
52% better* in Atlanta
53% better* in Nashville

*MARIETTA!* YOU GET BETTA AND BETTA! HOLD EXTRA TIME! NEXT PAGE TELLS WHY!
K-A-O Might Hold Skours With Fox Met

(Continued from page 1)

and the company, naturally, wants to take an active and necessary part in protecting its own theaters.

Swope declared that the actual submission of a K-A-O reorganization plan for Fox Met would probably require some additional time, and that its terms most likely would be shaped by developments stemming from hearings on the Joseph M. Schenck-Fox Theatres’ reorganization plan for Fox Met, which are now under way before Judge Julian W. Mack. Creditor criticism of the Schenck-Fox Theatres’ plan, it is inferred from this, will probably be of the same nature in determining the exact terms of whatever offer Fox Met is submitted by K-A-O.

Heardings Resumed Friday

The hearings on the fairness of the Schenck-Fox Theatres’ plan will be resumed Friday morning, with the court having declared itself as willing to bear all opposition to the plan from others without any need for this help in determining the acceptability of the plan now before the court. Si Fabian, in association with the Bankers Bond & Mortgage Co. and Alfred M. Greenfield of Philadelphia, are also in the arena with a plan which, while it offers Fox Met a Plan B, does not require the $1 for their $12,875,000 of claims, makes no provision for unsecured creditors and proposes the cancellation of the Skorans and Randforce operating contracts. The latter proposal would vest operation in Fabian and would result in the loss to Fox Met of the Skorans and Randforce Fox film franchise. The court was told on Monday that this franchise was “exceedingly valuable” to Fox Met, not only in supplying it with 50 of the 156 features it requires annually, but also in featuring occasional speciality playing agreements for product controlled by other circuits in return for permission to exhibit them in the Dolo house with Fox Met houses. Such an agreement has been in effect between RKO and Fox Met for the past three years.

It was also stated that the Fox film franchise makes that product available to Fox Met at rentals appreciably below prevailing film costs. Sidney Kent was quoted by Schenck as having said that the franchise held by Fox Met “costs Fox Film $400,000 annually.”

Ohio Passes “Fury”

COLUMBUS, April 16.—Despite senatorship of the Buckeye State, one of the other states, which, at first, it was feared might influence the Ohio board, “Black Fury” was passed here with but two in the negative column.

Mae May Do “Klondike”

Hollywood, April 16—Paramount has tentatively set “Klondike” as the title for the next Mae West picture. Mae West will write the script herself, and the locale will be Alaska during the gold rush days. “Goin’ to Town” is now in the cutting room.

MOTION PICTURE DAILY

K-A-O Might Hold Skours With Fox Met

Looking ‘Em Over

“Escape Me Never” (British & Dominions—United Artists)

LONDON, April 6—Elisabeth Bergner, in her famous stage role. Undoubtedly one of the most sincere, sensitive, and moving performances it is possible to recall. In whimsical humor, in sorrow and in tragedy the performance is wonderful; her voice, exceptional in its range of expression, is remarkably recorded.

With the prestige of an international stage success behind it, “Escape Me Never,” certainly one of the best films ever made in England, ought to make a box-office worthy of outstanding artistic merit.

Although Miss Bergner dominates the film, it is by no means a manufactured star vehicle. There are considerable, and very original, story values and variety of settings. The predominance of Gemma Jones, half-lover and victim of Sebastian, ultra-temperamentally member of the Sanger family of “Constant Nymph” fame, is the inevitable result of a delightfully original literary invention. Bergner’s genius gives it perfect expression.

The play has made the main plot of Gyllen, familiar, Gemma, schoolgirl in appearance, makes a tempestuous entry to the ultra-respectable salon in Venice, of Sir Ivor and Lady McLean, shocks them by the casual disclosure that she is mother of an illegitimate child and shocks them still more by revealing that she is living with Sanger, son of Sanger, the great magician. Jumping to the conclusion that her lover is Caryl Sanger, fiancée-designate of Fenella McClean, the family hastily leaves Venice for the Dolomites to enable Fenella to get over her shock.

Gemma’s companion is really Sebastian, neer-do-well brother of Caryl. An accidental meeting of the brothers reveals the unintentional deception played upon the McCleans. The two Sangers and Gemma, penniless, thereupon tramp into the mountains and find Fenella, telling her the truth. Fenella, reconciled to Caryl, is attracted by the Bohemian Sebastian.

Later in London, Sebastian marries Gemma, but keeps Fenella, whose infatuation for him increases, unaware of the fact. Gemma’s baby dies because, working as a servant to keep the good-for-nothing, she is unable to give it proper care. Heart-broken, she interrupts a rehearsal of Sebastian’s ballet to tell him the news, but he brutally hurls her away. That night he plans to run away with Fenella, but Caryl interrupts them and nearly strangles him. Gemma returns and, knowing the worst of him, still takes him back.

New Sebastian characters, as well as Bergner’s Gemma lives. This figure is the film, but the support is good right through, Hugh Sinclair as Sebastian and Griffith Jones as Caryl both interpreting the Margaret Kennedy characters as she wrote them. Penelope Dudley Ward makes an excellent debut as Fenella. Lyn Harding, Irene Vanbrugh and Leon Quentinnaire are admirable types.

The exteriors in the Dolomites are finely done and there is a very effective stage set in the ballet incident.

Undoubtedly, from any Hollywood studio, “Escape Me Never” would attract special attention. Coming from England it should be a striking demonstration, at least to this American public, of the technical and artistic achievement of the bigger London studios.

Running time, 80 minutes. "A." 

“Escape Me Never” was covered by a flash cable from London April 3

Popular, New Producer, to Have 18 Films

(Continued from page 1)

F. F. Kohle Chosen New Head of Pathe

(Continued from page 1)

other officers of Pathe remain as before.

Kohle’s election to the presidency is regarded in reliable quarters as the end of the first division and would take a vacation immediately. He said he had not yet considered resigning from the board of Dupont Film Mfg. Co., or as chairman of the First Division. He declined to comment on reports linking him with an active post in First Division.

Kohle’s resignation was said to be the result of dissatisfaction within Pathe over financing deals recently closed with First Division and other independents producers.

Quigley to Exhibit Explorers’ Work

(Continued from page 1)

Quigley, at a meeting of Skourans managers of first division area held in the Paramount Building.

Among campaigns in the exhibit miles, the Quigley’s have been a number of which have won Quigley Awards.

Vogel told the theatre managers that the Quigley prizes had done much to lift theatre grosses and bring about managerial promotions.

"If managers would stop worrying over the proximity of opposition houses and concentrate on getting a fair share of business from their immediate drawing areas, a happier state of affairs would come about for all concerned," asserted Vogel.

"Many of the shows which came in the subrolls are fat grossers on pictures that have not been milked dry in the first runs. These men have forgotten the existence of competition theatres as far as they are concerned are dates are first runs and are so expelled. That they are right on the track is proved by gratifying grosses and by their success in the Quigley competitions."

Fifth Dual at Lincoln

LINCOLN, April 16—A fifth dual feature house has been added to the local picture. C. Fraser’s Joyo, suburban second run spot, has started spotting two at a time.
"YOU NEVER MET A ...... GAL LIKE MARIETTA!"

2nd WEEK
(Watch it Build!)

WEEK-END BUSINESS OF SECOND WEEK BEATS OPENING WEEK-END! A PLEASURE!

Dayton    Atlanta    Philadelphia
Toledo    Indianapolis    New Orleans
Columbus    New York    Harrisburg
St. Louis    Wilmington    Providence
Kansas City    Baltimore    Reading

And the List of 2nd Week Hold-Overs is growing!

TAKE A TIP! HOLD EXTRA TIME FOR EXTRA "NAUGHTY MARIETTA" PROFITS!
Looking 'Em Over

"The Royal Cavalcade"
(Continued from page 6)

transport. Notably this is so with the series of shots of flight in its various stages, from Paulahan to Amy Johnson and Lindbergh.

It is doubtful whether American audiences will want to see the succession of royal marriage ceremonies and episodes of the King's critical illness and of the general strike also seem to call for curtailment.

A certain continuity is aimed at by the fact that a penny, newly minted in the year of King George's accession, turns up in different hands throughout the years; at one time it is claspéd in a dead soldier's hand. Weakness of real continuity is scarcely a fault in a film of this type.

Running time, 90 minutes. "G." ALLAN

"Revenge Rider"
(Columbia)

The ghosts of "Bat" Masterson, Billy Smith and "Wild Bill" Hickok, when they hear of the gun play exhibited by Tim McCoy in this picture, will probably return to marvel and to praise him. In six reels McCoy plays 11 men with his six-gun, rides around the countryside solving a murder and carries on a romance with Billie Seward. All in all, it could not be better. Entertainment and there is enough suspense and plausible action in the film to satisfy.

The yarn has McCoy trying to solve the murder of his brother on the ranch of the girl's father. During his investigation he uncovers evidence that implicates the father, played by Frank Sheridan, with the crimes. It is proven that Sheridan is innocent and that the culprits were paid gunmen in the employ of Jack Clifford, who turns out to be the cause of all the trouble. After generous use of his gun McCoy cleans up the difficulties and the fade-out has him and Miss Seward riding away after their wedding.

Producer David Selman has added this interesting story into a fast-moving film. The photography of Benjamin Kline is good.

Others in the cast are Robert Allen, Edward Earl and Jack Mower.

The film should have particular appeal to lovers of westerns, but there is enough body to it to draw generally. Reviewed without production code seal. Running time, 60 minutes. "G."
HE'LL BE A RAVING, TEARING SENSATION!

HALF-MAN!  
HALF-BEAST!  
and  
ALL BOX OFFICE!

CARL LAEMMLE PRESENTS

WEREWOLF OF LONDON

A UNIVERSAL PICTURE with

HENRY HULL • WARNER OLAND
VALERIE HOBSON

LESTER MATTHEWS • SPRING BYINGTON
CLARK WILLIAMS • LAWRENCE GRANT

Directed by STUART WALKER
A STANLEY BERGERMAN PRODUCTION

Robert Harris, Associate Producer
Berinstein to Seek Duals Ban on Coast

Another attempt to eliminate duals and triples in coast theatres will be made upon the return next week of Harry Vinnicoff to Los Angeles, he declared yesterday.

Vinnicoff, who accompanied Ben Berinstein to New York to attend Cinema Canada meetings, where a big list of duals in schedule, operates four theatres in Los Angeles, all double bill houses. He believes twins and triples are the wave of the future, and a member of the I.T.O. of Southern California he will ask his organization to call a general session to discuss the subject.

About a year ago 76 per cent of theatres in the Southern California territory agreed to drop duals, but when the matter was presented to Fox West Coast, the major circuit refused to go along.

A bill was in Elmina, N. Y., yesterday to visit his brothers, Harry and Jules, and is due back today.

Plagiarism Charged In Suits Filed Here

Two suits charging plagiarism and asking for $1,500,000 damages were filed against United Artists and Warners in Federal district court here yesterday. Both were directed against United Artists also names Samuel Goldwyn and Eddie Cantor, and alleges that "The Day Scandal's" plagiarism a comedy entitled "Oh, Shaw," written in 1920 and said to have been submitted to Cantor in 1924. The action is brought by Miss Emissar, Clare Bellar, and Robert Shayon and asks an injunction and accounting and damages of $500,000.

The second action names Warners, First National and M. Witmark. It is brought by Irving Gielow of Chicago, who alleges song and story plagiarism in "Frighten Walk" of Gielow's drama entitled "Give Me This Night."

The plaintiffs ask an injunctive relief, an accounting and damages of $500,000.

Plan Rally April 25

PHILADELPHIA, April 16—The I.F.P.A. has called a special meeting to be held at the Broadwood Hotel here April 25 when block booking and clearance will be discussed. Invitations have been extended to exhibitors in Western Pennsylvania, West Virginia, Southern Jersey and Maryland.

AF A Seeks Circus Talent

Efforts to get circus performers to join the American Federation of Actors will be made at a mass meeting to be held at Union Church Hall, 22 West 87 St., Thursday night at 11 o'clock.

Westerns to Guaranteed

Guaranteed Pictures Co., Inc., has acquired all foreign rights to the current series of eight Kermit Mayhew productions which Ambassador Pictures is now producing. All the series has been adapted from stories by James Oliver Curwood.

Take Chalapin Picture

DuWorld Pictures has closed a deal with Vladimir Bell for release of the Fedora Chalapin picture, "Don Qui.

Roach to Base Two On Amateurs' Work

Hal Roach will produce two comedy shorts next season dealing with amateur performers in theatres and on radio. One of the pictures will be made in the east and the second at the coast studio.

Roach plans a tieup with WHN and Loew theatres whereby winners in amateur contests at the radio station and in every Loew house will be the stars of Roach films.

The box-office reception of "Beginner's Luck" indicates the enormous popularity of pictures built around amateurs," he said.

Accompanied by Mrs. Roach, the M-G-M short subject producer left yesterday for Los Angeles to arrange additional films to be made and spent the Easter holidays with his son, returning early next week to resume production conferences with M-G-M sales heads.

M-G-M Plans "Amateur Hour"

M-G-M stated yesterday it would produce a picture titled "Amateur Hour." The suggestion for it came from the program now featured over Station WHN, which is owned by Loew's.

RKO Booker Witness In M. & S. Hearing

Cross-examination of John O'Connor, head booker and film buyer for RKO, by Max D. Steuer, counsel for M-G-M, probably will result in the ending of yesterday's session on the hearing of breach of lease charges brought against RKO by Loew's M-G-M, and will probably result in setting back the closing of the hearings until Saturday. RKO counsel had expected to conclude the case today.

Steuer will continue with his cross-examination of O'Connor when the hearing resumes today. Following him on the witness stand for RKO will be Nate Blumberg and Major L. E. Lambert.

McGuire to M-G-M

HOLLYWOOD, April 16—William Anthony McGuire has been signed to a contract with M-G-M, the terms of which make him an associate producer.

William Wellman and Edward Sloman have joined the M-G-M directorial staff.

It's Thomas, Not Hill

Due to error, it was stated in yesterday's Motion Picture Daily that Edwin C. Hill was commentator for 100,000 News. It should have read Lowell Thomas.

Chotiner Doing Well

LOS ANGELES, April 16—Harry Chotiner, owner of the I.T.O., in Southern California, is recovering from an appendicitis operation which he underwent on Sunday.

of the first motion pictures from the air which he did for J. Stuart Blackton, "Our Wright plane had a top speed of 45-miles-an-hour," he said. Chotiner, who believes, all accounts are, the greatest danger to aviators was "starvation," and he was grateful to his flying days that he gained him many free lunches.

Forum Told of Big Planes

And Non-Stop World Flight

By J. M. JERauld

Word pictures were painted yesterday at the Motion Picture Club forum—painted with a matter of fact nonchalance that made the incredible credible the fantastic, commonplace.

Igor Sikorsky said it was perfectly possible to build a plane now that could carry 100 passengers, but not practicable, because there is not enough concentrated traffic to make it profitable. He predicted 24-hour flights across the Atlantic in the immediate future. Clyde Pangborn detailed his plans for a one-and-half day non-stop flight around the world in July, with a 500-watt radio set that will permit him to talk to the world from a world ghoul.

Noting the gasps his prediction evoked, he said he had sent a code message from north of Australia with a set that has been served around the world, and with the same set had talked with Manila from above.

Visits of the future were more future pointed by references to the fact that at that moment Sikorsky's new clipper was on its way to England and the islands and that Laura Ingalls was in the air some place between San Diego and New York.

Louis Nizer described history as "sent," and Rex Cleveland, aviation editor of The Times, pointed out that the whole history of heavier-than-air flight was well served by one article. And it was only 20 years ago when the first "dog fights" took place over the western front, and but seven years since Lindbergh flew to Paris.

Sikorsky Takes the Floor

The pageant of events unreeled with the speed of film.

Nizer introduced Sikorsky as the man who "translated dreams into reality." When he was an engineer in Russia, Sikorsky, a mild-mannered man of medium height: slightly bald, with a fountain pen and pencil fastened in the pocket of his shirt and a large watch in his pocket, spoke in a musical foreign accent of recent happenings and developments to come.

His comparisons were fascinating. A heavy object dropped from the tip of the Empire State Building, he said, would fall only half as fast as the 400-mile-an-hour speed recently attained in Italy, and the speed of this plane was half that of a bullet.

In his recent experiments with the trans- Pacific clipper ship between Miami and Porto Rico passengers were served on the plane and it was so steady his coffee didn't even slop over.

"The time is only a short distance away," he went on, "when planes will be built with lounges, libraries, sleeping quarters--every convenience of a first-class railroad. That is a mistake--and so Europe will be 24 hours distant, the remote places of the world only three and one-half or four days away. This is the answer to the man in the street who says 'when

America, Sikorsky said, is "incapable of building transport planes for other countries in its transport service."

Clarence Chamberlain, the first man to fly Germany, related that when E. and Thomas, automobile manufacturers, heard in Miami about the Wright's first flight they offered them financial assistance. They refused, but they had a future vision. Also, he did not see planes was the building of seven or eight of them for the Government to use in scouting ahead of cavalry.

Distance flights for publicity purposes, he said, had been valuable in drawing attention to the possibilities of flying.

Harold Crary dipped lightly into what now seems a distant past, saying that the first transcontinental plane schedules four years ago were 36 hours and cost $400 and passengers crowded into the mail sack compartment.

The cost had come down, he said, from 15$ cents a mile to $20 cents a mile this year, but $600,000, a number of passengers by air, on his flight around the world. The cost of the flight, he said, was $1,000,000.

Angeles, April 17, 1935
WE'RE STILL WORKING ON OUR FIRST THOUSAND

1000

...But Not for Long!

- Remember only 1,000 tickets will be sold this year...

after that you'll have to come as a waiter to get in...and

that won't be very much fun, on account of how there

will be no speeches to break up by dropping dishes!

- So step right up to Paul Benjamin of National Screen

Service and lay your money on the line...$7.50 per each

for all the food, entertainment and dancing you want!

880
SOLD TO DATE

You and 119
OTHERS
CAN STILL GO IF
YOU HURRY!

Naked Truth Dinner
A.M.P.A.
APRIL 27, HOTEL ASTOR
Purely Personal

Lamar Trotti, Fox writer, is expected to return to the studio late next week. He underwent a major operation some time ago but is convalescing.

Norman H. Moray, Vitaphone executive in charge of short sales, has returned from a ten week tour of the company’s branch offices.

Quip of the Day

In presenting his views on the film business as he is rotating today,” Max Shabbas, Hollywood exhibitor on the fringes of the town, says:

"In picture circles today all we hear is the vested rights of producers—the vested rights of the exhibitor.

So that gives us a code with two vested."

George Skouras will open the Capitol, Haverstraw, N.Y., on Sunday. It’s the latest addition to his local circuit.

Harry Brand, head of the U.A. studio publicity contingent, came east with Darryl Zanuck yesterday.

Gladys Swarthout, opera singer, heads for those California hills in a few days now.

Vera and Nathan Gordon arrived at the Hotel Edison yesterday from Hollywood.

Ruth Gordon (do you remember "A Sleeping Clergyman"?) returns here tomorrow from Hollywood.

James E. Grant’s Liberty Magazine story, “The Whipsaw,” has been acquired by M-G-M.

Bill Scully returned from Boston yesterday, bringing with him one of his famous colds.

S. Barrett McCormick arrived from the coast last night, but doesn’t report at RKO until this morning.

Adolph Pollak has purchased a half interest in Marcy Pictures Corp., local independent exchange.

Fred McConnell flew to Detroit yesterday. "March of Time" business, of course.

Margo, the dancer, heads west shortly for more picture work.

Milt Kusel is back from that Mediterranean cruise.

James Finlayson got in from Europe on the Paris yesterday.

Rachel Crothers arrived from the coast yesterday.

Dave Bernstein will call it another year Sunday. It’s his birthday.

Lou Berman is back from the coast.

HARRY VINNICOFF, in New York on the L. A. clearance and zoning hearings, is wearing a hat for the first time in 25 years. Ben Bernstein warned him that if he didn’t cover his head (VINNICOFF) would return to the coast with a nice little cold.

Ray Gallagher, that young fellow on the advertising staff of Motion Picture Herald, is observing his 25th anniversary in this business. He began with Vitaphone in 1910.

Atlanta

W. B. Fulton, who has resigned from the U.A. sales force, has joined Arthur C. Bromberg Attractions.

Herbert Oates, formerly of the Memphis Warner office, succeeds C. E. Peppiat, Atlanta branch manager, resigned.

Osco Oleskow will build a $100,000 suburban theatre in the Techwood district, to be managed by Alpha Fowler, who also operates the Empire, another Olderkin suburban.

Memphis

Quigley-Award Winner Bill Hendricks has sprouted bushes on his upper lip.

Charlie Mensing, ex-Orpheum manager, called to Williamsport, Pa., by the death of his brother, Lieut. Frank L. Mensing.

Helen Hayes and Paulling Frederic of “Mary of Scotland” cast appearing as guest stars on first in new series of radio programs featuring Harry Martin, motion picture editor of The Commercial Appeal.

Byron Adams promoted to management of Warner exchange, succeeding Herb Ochs, who goes to Atlanta.

3rd release
April 19

"KINGFISH" OR "KING?"

If war comes—Who profits most?

THE MARCH OF TIME

The March of Time is no mild, after-the-fact moving picture, but the re-creation on the screen of the casus of the world’s news.

A new kind of pictorial journalism, packed with the liveliest sort of audience reaction. The kind that brings your audience back month after month to see each new issue!

March of Time for April is backed by an unusually large advertising campaign in newspapers, national magazines, billboards and radio—more backing, in fact, than is given many a Hollywood feature.

A lot of box-office will accrue to theatres showing THE MARCH OF TIME. Will yours be one? A fair national price policy has been worked out for every size city, town and theatre. If you want the details, write MARCH OF TIME DISTRIBUTORS, R.K.O. BUILDING, N.Y.C.
Crammond Is Named B.&D. Board’s Head

To Share Direction with Marshall, Norton

By BRUCE ALLAN

London, April 17—E. Ronald Cram- mond has been named chairman of the board for British & Dominions Films to succeed Hubert Marsh, who died recently. He joined the board in 1933 as a nominee of financial interests when reconstruction of the company was in progress, and has acted as chairman since the death of Marsh. The plan is to have Crammond, Herbert Marshall and Richard Norton share direction of the company.

William Henry Cockburn has also been added to the board. He was a partner of Price, Waterhouse, Fuller & Co. in South America.

Henigson Resigns as Universal Producer

Hollywood, April 17—Henry Henigson today resigned his post as a producer at Universal. His contract with the studio, which had several years more to run, was canceled by mutual consent.

Henigson will leave for New York the latter part of the week. No new affiliation was announced by him.

Stage Show Big Hit In a Tour of Texas

Dallas, April 17.—Interstate Circuit has scored a success with a stage attraction, “Mary of Scotland,” starring Helen Hayes, Pauline Frederick (Continued on page 4)

Ohio Employment Up Over Opening of 1934

Columbus, April 17.—Despite labor disturbances in some of the industrial centers during the first three months of the year, employment in the state was up 14.7 per cent over the same period last year. The report was made by the Bureau of Labor Statistics of the Ohio Department of Commerce.

Goetz on Production

Harry M. Goetz, for years treasurer of Consolidated Film Industries, Inc., has been eliminated from the company’s new board to permit him to concentrate his activities on Reliance Pictures which release through United Artists.

Winchester Gives In

Boston, April 17.—After 15 years of consistent defeats, Winchester has finally voted in favor of filming a film theatre, 2,175,1,717, out of a total registration of 6,294.

Arguments that a theatre would be unsightly beside the limpid Aberjune River, that children would be led by the streets for admission money, despite the fact that Winchester is one of the wealthiest towns in the country, and that undesirable would be attracted to the community finally referred to on this problem began back in 1929. It finally took a house-to-house campaign, a parade of youngsters carrying banners and other things to put the project across.

Florida Sales Tax Sponsors Gain Support

Tampa, April 17.—With the opening of the third week of Florida’s Legislature it looks as though the “sales taxers” are in the saddle again and riding strong. At the opening of the session, the schools, which had advocated a sales tax to raise $10,500,000, asked to be included, decided to drop the general sales tax idea and asked for a 10 per cent amusement tax, with an additional cut in the gasoline tax instead.

Bills were introduced in both the House and Senate to assess a 10 per cent amusement tax (Continued on page 2)

Tampa Paper Blasts At Bank Night There

Tampa, April 17.—The editor of the Tampa Tribune, leading daily in this section of Florida, comes out in the Sunday issue with a scathing editorial against bank night, under the heading, “Stop This Racket.” A part of the editorial follows.

“Bank night, which has been running in Tampa theatres since September, has become a public nuisance, a community evil. It blocks streets, (Continued on page 4)

Operator Row Hangs On NRA’s Extension

Moves to end the local operator dispute between the I.A.T.S.E. and Allied M. P. Operators and Empire State have been put off until President Roosevelt signs the bill to extend the NRA for an additional two years if it is passed by Congress. Compliance Director Sol A. Rosenblum, who played an active part in trying to get the variety projection union interests together, has temporarily (Continued on page 4)

Lenten Slump Bumps Takes In Most of the Key Cities

Lent began to make the full weight of its depressing effect on grosses felt in the week ending April 4.5. Tales for 139 theatres in 22 key cities declined sharply to $1,242,487.

The drop was abrupt and followed three weeks of excellent totals which set in during the second week of March. For the week ending March 21-22 the total was $1,385,560 and the following week it reached $1,334,375. The falling off for the week ending April 4-5 was fairly uniform for all

Giveaways in New York Area Stir Protest

ITOA and Jersey Allied To Discuss Problem

Giveaways in the local area have reached the netting point in local exhibitor-organizer groups in New York and New Jersey. Both the I.T.O.A. and Allied of New York are preparing to hold special meetings for discussion of the present situation and bank nights.

While the distribution of gifts in theatres is prevalent in approximately 50 per cent of the Greater New York houses, bank nights are far and few between. They are principally encouraged on Long Island.

Exhibitors declare that the giveaway gag has reached the point where it will ruin the business if continued at its present pace.

Some theatres give house furnishings and chinaware to patrons from (Continued on page 4)

Campi March Costs Placed at $24,252.95

Total expenditures for Campi and its various agencies amounted to $24,252.95 for March. Of this sum, $10,161.80 was spent in the home office expenses, $1,982.15 for Hollywood and $12,108.82 for the local boards.

Exhibitors’ assessments received during the month tallied $6,533. Receipts from producers and distributors amounted to $330. Cash on hand as of April 1 was $49,771.17.

Century-RKO Appeal To Be Heard May 3

Campi has set Friday, May 3, as the date for the appeal hearing on the Century-RKO clearance dispute in Long Island. The local board recently handed down a split decision declaring the RKO houses in Fort Rockaway non-competitive to the Fantasy, Rockville Center; that the RKO-Allen-Jamaica was competitive to the Century, Jamaica house. Both sides appealed.

Starring the Code

Nat Cohn says Columbia is going to make a new series next season. It will be called the code cancellation group.
Thursday, April 18, 1935

S AM ECKMAN, JR., Ned E. DEPP-
NET, HERMAN ROBBINS, WILLARD
MCKAY, CHARLES B. PAINE, SAM
DAYBO, JR., MYRON SELNICK, BILL
ANDERSON as Ben and JACK
GOETZ, MERLIN ("Daisy") AYLES-
WORTH, WALTER VINCENT and RALPH
EDWARD RUGBY are already in
the New Jersey winter resort.

MORRIS KUTINSKY and his family
left yesterday for Lakewood to spend
the Jewish holidays. EDWARD SCHNIT-
ZER and LOUIS FRISCH, SAM KINZLER
and EDWARD RUGBY are already in
the New Jersey winter resort.

HARRY ROWSON, former joint man-
aging director of Ideal Films, Ltd.,
which subsequently became part of
Gaumont British, left for London yes-
terday. He has been in New York
several weeks.

Quip of the Day

CINCINNATI, April 17 — Local film
representatives called this one on a
suburban exhibitor,

"Such a thing you should say to
me," retorted the exhibitor.

"You got terror enough with
texas?" Salesmen, in going over list of
pictures, mentioned "Texas Ter-
mor" in a ear to Carroll "Vavmites" uni
starte this week at the
pictures in Elizabeth, N.J. The deal
was handled by the William Morris
office.

RAVI FULI's story of Maine's
shipbuilding communities, "Time Out
of Mind," has been bought by Uni-
versal for Margaret Sullivan.

COL. CHARLES E. McCARTHY is shop-
ing for spurs and putties. His pocket
from Gow, Ruby LAF-
FOON arrived yesterday.

ANN SOTHERN arrived on the
morning plane from Hollywood yest-
erday for a short holiday here.

MORRIS ROSENTHAL of Poli's Ma-
ject, Bridgeport, was in town for
a while yesterday.

H. J. YATES, president of Consoli-
dated Films, leaves for the coast to-
orrow.

NELL KELLY has been signed by Al
CHRISTE to appear in several
pictures.

. . . . . . .

OMAHA

BEN FISH, SAM GOLDWYN's brother
and personal representative; CHARLES
SCHLAIFER, A. M. Blank's advertising
manager; and ART WHITE spotted at the
Paxton bar discussing Alicea's act
which played the Paramount.

L. A. BASQUE and her hus-
band, actor ED HAY, have
made themselves with local newspaper
folk by giving every kind of interview
and even appeared not in, in addition to buying
drinks.

JACK GOLDHAR, U. A. traveling rep-
rresentative, has returned.

EVERETT CUMMINGS, A. H. Blank
district manager, receiving plaudits for
the elegant stage show he produced at the
Paramount. He was up to 3 A.M.
several days putting it together.

Florida Sale
Tax Sponsors
Cain Support

(Continued from page 1)
...AND RIGHT ON TOP OF "BLACK FURY" WARNER BROS. BRING YOU "BLACK FURY"

G-MEN

"TOPS IN CINEMA excITEMENT...AS THRILLING AS TOMORROW'S HEADLINES...WARNERS MAKE THE 'G'IN 'G-MEN' STAND FOR GUTS!"

—Jimmy Starr, Los Angeles Herald Express
Giveaways Disturb Local Theatre Men

(Continued from page 1)

three to five nights a week. This is regarded as a competitive situation that even the best picture cannot over-shadow.

What moves will be taken by members of the two independent exhibits has not yet been decided. Unless 75 per cent of the exhibitors in a territory vote for banning premiums nothing can be done about the practice except by agreement within the organizations.

Operator Row Hangs On NRA's Extension

(Continued from page 1)

porarily dropped the matter, devoting all his time to NRA business in Washington.

Harry Brandt, who proposed one of the three scales recently was delegated by the I.T.O.A. to confer with I.A.T.S.E. officials and Rosenblatt. Preliminary conferences held between Brandt and Louis Krouse, vice-president of the international, but no conferences have been held with the former since the fact-finding committee disbanded.

Rosenblatt is anxious to clear up the unsettled situation in the metropolitan area, but has decided to wait until the NRA bill is signed before giving it any more of his time.

Chicago Code Test Seen

CHICAGO, April 17.—The special session of the local grievance board called in the case of Great State Theatres against E. E. Alger Amusement Co., was continued until April 22 because of the inability of the original board membership to sit.

A previous hearing resulted in an impasse when attorneys for Alger challenged substitute members. As a result of this technicality, the local board secretary refused to call a meeting until the original board is available. On the original board were Alan Usher, Paramount branch manager; Irving Mandel, with RKO Pictures; James Coston, Warner Theatres, and Nate Wolfe, unaffiliated.

Regardless of the fact that the original board will be sitting at the next meeting, it is expected that Rosenberg, Toomin & Stein, Alger counsel, will challenge the validity of the board as a whole under the NRA. Protest against substitute members at last week's meeting is viewed as merely the beginning of a court attack to prove that the code board is unfairly constituted and the prevailing setup does not offer a fair appeal to Alger.

Alger is charged with unfair competition through use of free merchandise, newspaper tickets, and giveaways. The case is arousing much local interest since the complainant is the powerful Great State Theatres. Alger's feature is a very strong one and the purpose of the forthcoming meeting is to set a date for cutting off freebies.

New Audubon Protest In

Loew's has filed another code complaint against the National Audubon Society for "Lucky Night." The Rio is the protagonist.

Several weeks ago Loew's got a cease and desist order against the Audubon for giving out "pay envelopes" to children on Saturday mornings.

Lenten Slump Bumps Takes In Most of the Key Cities

(Continued from page 1)

sections of the country except in Minneapolis, New York, Philadelphia, Cleveland, Indianapolis, Los Angeles, and Seattle.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Theatres</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 27-28</td>
<td>132</td>
<td>$2,410,815</td>
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<tr>
<td>Oct. 4-5</td>
<td>132</td>
<td>2,414,624</td>
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<tr>
<td>Oct. 11-12</td>
<td>132</td>
<td>2,345,317</td>
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<tr>
<td>Oct. 18-19</td>
<td>132</td>
<td>2,385,533</td>
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<tr>
<td>Oct. 25-26</td>
<td>133</td>
<td>2,360,935</td>
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<tr>
<td>Nov. 1-2</td>
<td>135</td>
<td>2,388,992</td>
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<tr>
<td>Nov. 8-9</td>
<td>134</td>
<td>2,386,755</td>
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<tr>
<td>Nov. 15-16</td>
<td>135</td>
<td>2,389,743</td>
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<tr>
<td>Nov. 22-23</td>
<td>136</td>
<td>2,350,450</td>
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<tr>
<td>Dec. 19-20</td>
<td>135</td>
<td>2,376,080</td>
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<td>Dec. 27-28</td>
<td>136</td>
<td>2,450,000</td>
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<tr>
<td>Jan. 3-4</td>
<td>135</td>
<td>2,161,987</td>
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<td>Jan. 10-11</td>
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<td>2,361,450</td>
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<td>Jan. 17-18</td>
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<td>2,250,130</td>
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<td>Jan. 24-25</td>
<td>138</td>
<td>2,354,350</td>
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<td>Jan. 31-Feb. 1</td>
<td>137</td>
<td>2,332,415</td>
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<td>Feb. 7-8</td>
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<td>Feb. 14-15</td>
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<td>Feb. 21-22</td>
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<td>Feb. 28-29</td>
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<td>March 7-8</td>
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<td>March 14-15</td>
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<td>April 4-5</td>
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Comparative weekly totals:

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<th>No. Theatres</th>
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<td>Chicago</td>
<td>8</td>
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<td>Denver</td>
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<td>26,300</td>
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<td>Detroit</td>
<td>6</td>
<td>64,700</td>
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<td>Kansas City</td>
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<td>Los Angeles</td>
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<td>Seattle</td>
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<td>Washington</td>
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<tr>
<td>Washington</td>
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<td>80,300</td>
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</tbody>
</table>

Republic Signs Up 80% of Sales Force

(Continued from page 1)

vice-president of general sales manager, respectively, of Texas Republic Pictures, Inc. Under this agreement they will continue to operate as in the past.

Six-year contracts will be closed with exchanges now affiliated with Warner, pending the final picture, and these will be merged in the new organization. Republic is buying into the exchanges, the 
Herald says.

Under the agreements the exchanges will distribute Republic product exclusively.

Stage Show Big Hit In a Tour of Texas

(Continued from page 1)

and Philip Mercivale. R. J. O'Donnell says it's a record, in view of the size of the towns and number of performances.

The show opened in Dallas at the Melba April 5 for three performances. The last day matinee and Saturday night—and grossed $13,750. It is estimated that the end of the tour, a total of 10 performances at Fort Worth Saturday, chucked up $46,320, including Federal tax. This exceeds Katharine Cornell's gross last year and is away ahead of the "Ziegfeld Follies."

Interstate regards it as a signal of a general upturn in business. Broken down by towns, the grosses were: Dallas, $13,750; Houston, $13,550; San Antonio (one night), $6,710; Austin (one night), $4,150; Fort Worth (Saturday matinee and night), $7,700.

Tampa Paper Blasts At Bank Night Time

(Continued from page 9)

congests traffic, disturbs everybody with 'sound wagon' ballyhoo, keeps thousands of citizens in a continuous state of expectation and disappointment. Essentially, it is as much of a lottery as bolita or 'Cub.' The lucky one gets no prize, no element of skill enters into the winning; simply 'gambling chance,' with an element of 'each man for himself.' The Postoffice Department has declared it a lottery, will bar the manufacturer of any newspaper printing any advertising bearing that that should determine its legal status.

Flash Reviews

The Swell Head —Good fare for neighborhood houses with a heavy kid audience against the individual 'player.'

Cognate—... It's highly hilarious stuff.

These Slaps will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Fox Selects Chicago

Chicago is the choice in which the Fox convention will be held this latter part of May. Hotel and dates are not set, but it is believed the meetings will last from five to seven days.

Roxy Eight Years Old

The Roxy celebrates its eighth anniversary this week. A special stage and screen show will be put on for the birthday week.
HE GETS FOUR STARS!

The addition of wonderful natural color to his de luxe travel pictures has met with enthusiastic response by exhibitors and audiences. Fitzpatrick Traveltalks are featured in theatre advertising and get critical acclaim by all film reviewers. Be sure that your theatre is in step with the latest and greatest in travel films.

THEY GET FOUR STARS!
HOLLAND in Tulip Time
SWITZERLAND—The Beautiful.
ZION—Canyon of Colour
IRELAND—The Emerald Isle
ZEELAND—The Hidden Paradise
RAINBOW CANYON
COLORFUL GUATEMALA
—and others to come

FITZPATRICK TRAVELTALKS
IN TECHNICOLOR
The Pride of M-G-M
Ohio Employment Up Over Opening of 1934

(Continued from page 1)

months of this year, employment in Ohio increased 6.7 per cent over the first quarter of 1934, according to information just released by the Ohio State University bureau of business research.

The breakdown in percentages was: Cincinnati, 5.2; Dayton, 4.8; Toledo, 4.7; Cleveland, 4; Youngstown, 2.7; Stark County, including Canton, 2.4; Columbus, 1.4, and Akron, 0.6. A return of 1.3 per cent was reported outside of these situations.

DAYTON, April 17—Business generally shows a marked improvement here, and exhibitors report that they are getting their proportionate share. This is due to a decided pick up in manufacturing and retail activities.

According to report just released by A. C. W. Wolfe, in charge of the Dayton Clearing House Assn, March payrolls were more than a million dollars greater than in February. Figures with March payrolls of $3,044,865.53, February was $3,739,418.

The March payrolls this year were $137,614,44 more than for March, 1934.

O’Connor on Stand In M. & S.-RKO Case

All of yesterday’s session in the hearing of lease charges preferred against RKO by Meyer & Schneider was devoted to continued cross-examination of the ‘principal responder’ in the Ottinger film and booker and film buyer for the defendant.

The hearing will be continued today with session scheduled for tomorrow. It will be resumed Saturday. Counsel for RKO yesterday was not certain the case would be completed by then. Nate Blumberg, Major J. E. Lambert and A. J. Handel, the later’s assistant, are still to testify for RKO.

Joseph O’Connor, president of O’Connor Corp by Max Steiner, counsel for M. & S., was on stories which appeared in trade papers. O’Connor resumes his testimony Monday and it is likely Blumberg will take the stand in the afternoon.

“Roberta” Tops List
Of March Champions

“Roberta” leads the list of box-office champions for March, compiled by Motion Picture Herald, out today. The other winners are “Rogues of Red Gap,” “The Little Colonel,” “The Scarlet Pimpernel,” “Follies Bergere,” “The Whole Town’s Talking,” “West Point of the Air,” and “Sequoia.”

Walsh Succeeds Winn

St. Louis, April 17.—Hall Walsh, for the past ten years a salesman in the local branch office of Warners, has been promoted to manager of the newly appointed James Winn, who in turn has been promoted to the management of the Chicago office as successor to Edward G. Sullman who resigned.

Higgins Circuit Bankrupt

STAMFORD, Pa., April 17.—The Higgins circuit, operating six theatres in this town, Tamaqua and Langsford, has gone into bankruptcy. It is one of the oldest circuits operating in Pennsylvania. John Higgins is head of the circuit.

Short Subjects

“Spinning Mice”

(‘Van Beuren-Radio')

The old fable of the spinning mice is presented in a color cartoon. It should be particularly pleasing to children as well as grownups.

Two children notice a spinning mouse and ask him why he spins. The mouse tells them that long ago an old man tried to change nature and got himself into trouble. All spinning mice, therefore, don’t ask why the mice are forced to revolve all the time but merely go on doing so, all the while remembering the fate of the old man.


“Bolero”

(Toscani-Metropolis)

This musical film, filmed against the background of Ravel’s “Bolero” is excellent entertainment. It should appeal to everyone.

Photographed to the accompaniment of the music as played by the Paris Symphony Orchestra, the reel tells the popular Spanish tale of the young gypsy girl who travels from lover to lover, crushing men’s hearts on her way till she finds the end for what she truly is. It is all dramatically presented.

Highly recommended. No production code seal. Running time, 14 mins. “G.”

“Rainbow Canyon”

(M-G-M)

Grand Canyon and Brice Canyon are featured in this Fitzpatrick Travel talk done in Technicolor. All the shifting colors are captured in their natural hues, and some of the shots are breath-taking. It is the color scenes that lift this short to a position slightly above the ordinary because the ground covered has been gone over many times before in similar pictures.

Recommended. Reviewed without production code seal. Running time, 8 mins. “G.”

“The Old Camp Ground”

(Educational)

Featuring Charles Carlisle, this “Song Hit Story” is entertainment that should please audiences, particularly those that like music.

Against a Civil War background, several old-time numbers are presented, such as “Dixie,” “Tenting Tonight on the Old Camp Ground” and “Reel to Reel Mother.” Carlisle sings several solos in a pleasing manner.

Recommended. Reviewed without production code seal. Running time, 10 mins. “G.”

“I Haven’t Got a Hat”

(Vitaphone)

It is commencement day in the high school and all the students in the school and all the students, including their parents, come to see each other perform. Some recite, others sing and dance or play the piano while the reel winds up with a very funny sequence.

An entertaining color cartoon that should please all patrons. Reviewed without production code seal. Running time, 7 mins. “G.”

47,745 pictures

PICTURE DAILY

MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

“Daring Young Man”

(Hollywood, April 17.—Dubdoubt inspired by the Welfare Island prison scandal in New York, this film treats the subject as a farce comedy.

James Dunn, reporter covering fires, weddings, funerals and show biz, falls in love with Mae Clarke, sent on the same assignments by a rival sheet. On their wedding day Dunn is assigned to write a jail story from the inside and leaves Mae Clarke waiting at the church. He finds the jail run as a country club for big shot gangsters with Warden Sidney Toler admitting Warren Hymer, a crook, to hide him from the police. Eventually Toler, learning Dunn’s identity, has Hymer and William Pawley chase him to town, where Dunn goes to see Mae Clarke. They bring Dunn back before a raid by the prison superintendent.

Slapstick comedy follows the raid, ending when Toler and Hymer shower each other with stolen money and Dunn and Miss Clarke straighten out their misunderstandings before the wedding.

By refusing to treat the incident seriously, Producer Robert T. Kane has made a picture with wide appeal. Director William Seiter has pointed the comedy scenes well. William Hurffatt’s screen play from Sidney Skolsky’s and Claude Binyon’s original is workmanlike.

Production Code Seal No. 746. Running time, 74 minutes. “G.”

“Mississippi,” which was previewed at the Paramount Tuesday night, was reviewed by wire from Hollywood on Feb. 23.

“Reckless,” opening Wednesday, was reviewed from Hollywood, by wire on April 2.

“Cardinal Richelieu,” this morning’s opener at the Radio City Music Hall, was reviewed from Hollywood, by wire on April 3.

Les Misérables,” which goes into the RKO on Saturday morning, was reviewed by wire from Hollywood for April 1.

“Love in Bloom,” to be previewed tonight at the Roxy, was reviewed by wire from Hollywood on Feb. 27.

Against Pettengill Bill

MEMPHIS, April 17.—Resolutions condemning the Pettengill anti-block booking bill and the practice of distributors of encouraging the opening of rival theatres in small towns where established houses fail to buy their product and have been passed at the closing session of the M.P.T.O. of Arkansas, Mississippi and Tennessee.

Van Beuren Pickets Out

Two pickets yesterday paraded in front of 720 7th Ave., with placards charging the discharge of employees at Van Beuren for union activities. The employees let out were members of the Animated M. P. Workers Union.

Bromberg Party Returns

Hollywood, April 17.—Arthur C. Bromberg, Monogram franchise holder, and a group of 11 salesmen return to their respective territories tomorrow, completing a week’s studio visit.

Path Board to Meet

The regular monthly directors’ meeting of Pathé Exchange will be held next Tuesday. No important issues are on the calendar for the session.

Depinet to Coast

Ned E. Depinet, president of the RKO Distributing Corp., yesterday started on his trip to the coast tomorrow. Over the airline.

R. H. Clemmons to Build

NEW ORLEANS, April 17—R. H. Clemmons says he will build a 1,400 seat house in Lake Charles, as well as open houses in Crowley and Lafayette.
banker          broker          producer

distributor     exhibitor      player

director        writer         artist

technician      cameraman     casting agent

journalist      legislator    lawyer

Everybody

for authentic
information on any
phase of the motion
picture industry
turns to

MOTION PICTURE ALMANAC

1935-36 Edition Now in Preparation
"Throttle Pushing"
By H. E. N.

North Carolina

This state is in the throes of the greatest theatre building and remodeling campaign we have ever witnessed. Many executives wish to keep up, and as a result, they have to spend a tremendous amount of money on buildings, materials and decorations. We have only just started to drive this state and the few towns we have called upon, furnish this:

SPINDALE—P. L. Champion is building a 400-seat house with all modern features. He has taken back his lease on the Carolina from Harrill. Messrs. Yelton, Setzer and Harrill are building a 450-seat house, to be called the New Carolina. This is a modern brick structure and will open May 1 with De Forest Sound.

GASTONIA—W. T. Gray will close the Loray for a complete remodeling and enlarging. He will call for 700 seats, modern ventilating and equipment throughout; cost $10,000. Unique cooling plant; local ice company plant adjacent will be hooked up with theatre in summer. J. E. Simpson, owner of Lyric, will build a Class A structure, seating 900, on the site of the old Ideal. Lyric policy will be Class B. Bill Conn Webb, which is modern in every detail, will play along with what he has.

FOREST CITY—J. W. Griffin of York, S. C., has taken over the Romina here and is remodeling same.

DUNN—Worth Stewart, operating the Paramount, Farmville, N. C., has taken over the Dunn from "Heck" Huff. This house will be completely remodeled, restated and carpeted, and will open soon.

BELMONT—E. E. Wade, Iris Theatre, will start within the next 30 days to entirely remodel and enlarge to 500 seats. Plans call for an entire new house with the present walls only used. Strictly modern.

KINGSTON—A. B. Huffs, Oasis, which was partially destroyed by fire recently, will be entirely rebuilt along the latest modern lines.

GRAHAM—Mrs. A. B. Thompson's new house, the Graham, will open May 15.

ASHVILLE—Sam Revin will close the Eagle in the next 60 days for complete alterations. This house, when finished, will be one of the most modern colored theaters in the Carolinas.

South Carolina

GEORGETOWN—Morris Abrams, Peerless Theatre, is opening a new house in Anderson, date of opening not available.

CLINTON—May 1 is a banner day for Jack Sheely, owner of the Carolina here and the Capitol at Laurens. His new house of 450 seats will give Clinton theatergoers an up-to-date and modern house. New Erwin opera chairs, Simplex machines, Walker Screen furnished by National Theatre Supply, have been installed.

SENeca—Mrs. K. Richardson has closed the Richardson for a complete remodeling of same. Five hundred Erwin seats to be installed. Air cooler, new carpets, lighting fixtures and marquee. Expect to be open in 30 days.

DILLON—B. B. Benfield will open a new house at Myrtle Beach May 15. The house operates Chesterfield, McColl, and runs another one in the near future.

“Marietta” Pulls $10,200, Buffalo

BUFFALO, April 17—“Naughty Marietta,” on which plenty of money was spent locally, grossed $10,200 at the Hippodrome, overboard by $2,200. “Private Worlds” also toppednormal at the Buffalo, but otherwise pickings were slim. Weather mostly balmy.

Total take was $41,600. Normal is $42,000.

Estimated takings for weekend ending April 12

"PRIVATE WORLDS” (Para.)
BUFFALO—(3,300), 25c-35c, 7 days. Stage: Emil Corbin. Vaudeville, with $1,000 in Meserve, the Four Aces, and Mrs. John H. Beek, dance for $3,500

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Zanuck Would End B Films, Halve Output

Declares It Would Hit Duals, Aid Industry

If every major company in the business would end its B film program in half and concentrate on A pictures it would go a long way toward solving the dual problem and help to the industry, declared Darryl Zanuck, vice-president in charge of production of 20th Century, yesterday.

"This business of turning out for five cents a dozen, allotting $100,000 for this one, $150,000 for that one, $250,000 for the next one and stopping when the money is spent is the bunk," he declared. "It can't be done.

"To make it worse, every picture is advertised the same way—as the biggest and the best. What's the answer? If a man happens to see three of these B pictures in a row he gets disgusted and stays home to listen to the radio. The only way he can tell (Continued on page 11)

Dog Racing Repeal Voted in Bay State

Boston, April 18.—The House has voted 115 to 85, in support of repeal of the dog racing provision of the new pari-mutuel racing bill, thus overriding an adverse report on the measure by the State Administration Committee. Representative Gustave Everberg is leading the fight. The bill has been referred to the House Ways and Means Committee.

The action of the House is a victory for theatrical interests, with much credit going to Joseph Breman of the M.P.T.O.A.

Fitzpatrick to Use Lives of Explorers

"David Livingstone" will be the first feature James A. Fitzpatrick will make, following his recent plan to extend production activities. The picture, which is to be based on the lives of Livingstone and Stanley, African (Continued on page 2)

Gaumont Will Hold Sales Meet in May

Gaumont British will hold its first sales convention the latter part of May. The meetings, which will last from three to four days, will not be held in conjunction with the Fox an-

To Cheer Up Iowa

Des Moines, April 18.—A "Let's Be Happy" statewide campaign to improve busi-

ness has been started by G. Ralph Stanton, manager of Tri-State Theatre Corp. It's to begin Easter Sunday and continue for six weeks.

Theatre parties are to be given unfortunates. Merchants are cooperating.

Goldman Expanding In Phila. Section

Philadelphia, April 18.—Approximately two years after he resigned as local zone manager of Warners theatres, William Goldman again takes a strong position in the local territory, this time as an independent operator, with announcement today that he had acquired the Strand and Victor, Potts-
town, from Warners. He also has the Hippodrome Theatre in acquisition (Continued on page 4)

Production Holds 36-Feature Level

Hollywood, April 18.—Production last week showed little fluctuation over the previous seven days with 36 features and seven shorts in work as compared to 38 features and three shorts for the preceding week.

M-G-M continued the lead with seven features shooting, one preparing and nine in the cutting room, Fox had six (Continued on page 9)

British Newsreel Departmentalized

By BRUCE ALLAN

London, April 18.—British Movietone News is to be departmentalized with specialist commentators on various subjects in pretty much the same way Fox Movietone News was re-

vamped when Laurence Stallings be (Continued on page 4)

College Agitation Stops Hearst Reel

Williamstown, April 18.—A boycott instituted by the Williams College students against the Hearst Metrometree Newsreel, because of alleged militaristic propaganda, reached a climax today when Calvin King, manager of the Wadens, the only house in the town, announced that there will be no further showings of the newsreel.

Blumberg on Stand In M. & S.-RKO Case

Nate Blumberg, general manager of RKO theatre operations, was on the witness stand all day yesterday in the course of the arbitration hearings of the Meyer & Schneider complaint against RKO alleging breach of lease agreements on the Hollywood and (Continued on page 7)

Federal Aid Given In Bank Night Row

Los Angeles, April 18.—The U. S. Government has stepped into the bank night cases here involving Oxnard theatres and the San Gabriel Theatre (Continued on page 9)

JOHNSON DEFENDS WORKING OF CODE

Says 9,509 of 10,143 Houses Utilize It; Hits at Critics

By BERTRAM F. LINZ

Washington, April 18.—Characterizing the film code as "real experiment in industry self-government," General Hugh S. Johnson, former NRA administrator, today made a point of the document before the Senate finance committee.

"If there is any antagonism to the code on the part of independent exhibitors," he declared, "it must be well concealed because out of the 10,143 theatre exhibitors, 9,116 have signed the code and 340 additional have taken its benefits without signing, so that 9,509 out of 10,143 have either signed or accepted the alternative benefits of the code."

The former administrator added that the code probably needs some revision, but asserted it was his understanding that the NRA is prepared to make needed changes in the near future.

"But when a code authority composed of such divergent elements as (Continued on page 9)

Industry Can Move In Hurry—Schiller

New Orleans, April 18.—"The in-

dustry can move out of California so quickly it will make Upton Sinclair's local swim," declared E. A. Schiller, vice-president of Loew's Inc., while here.

"It will do it," he continued, "if his men in the Legislature make it impossible by taxation for the industry to do business. Film companies fought (Continued on page 10)

Radio Nights Spread To 50 N. E. Theatres

Boston, April 18.—At least 50 theatres in New England are using radio audition nights at present. M. & P.-Dubbs is the largest user and is still adding more theatres to the list, but smaller circuits like E. M. Loew's are capitalizing on the stunt.

Broadway Grosses Hit by Holy Week

Hollywood, April 18.—The U. S. Government has stepped into the bank night cases here involving Oxnard theatres and the San Gabriel Theatre (Continued on page 9)

(Continued on page 10)
Insiders’ Outlook

By RED KANN

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 37, April 19, 1935, No. 97

FRIDAY

ARTICLES

Publicated daily except Sunday and holidays by Motion Picture Daily, Inc., 333 West 53rd Street, New York City. Published in the city of Chicago, Illinois, and printed at the expense of said company. Martin Quigley, president; Martin Quigley, editor; Edward B. Haring, managing editor; Nancy E. Nezich, business manager; Donald Bolander, Washington bureau director; J. Murray Moe, eastern news editor; Horace Farnum, western news editor; Harry G. Hartman, advertising manager.

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FRIDAY, April 19, 1935

MOTION PICTURE DAILY

Insiders’ Outlook

By RED KANN

LARGELY undetermined so far but the object of considerable and serious discussion in parleys headed by Herbert J. Yates, that big laboratory of Consolidated, is a plan to add more law and order to the independent field. One step in this general direction is the deal whereby Monogram becomes Republic and a national selling organization in the true sense of the word. Yates is supplying the financial backing, which is passing on no secret at all.

A second and separate step swings around other enterprises in which Consolidated's ex-charger is the factor of weight. In which Yates plans the district, Majestic and Mascot.

When you talk merger, you talk difficulties arising from personal and individual ideas current in the separate corporate entity.

When you consider a strengthening of these entities by the elimination of one of them to bullied the other two, that's something else which happens to hit very closely to the scheme, on paper so far, but afoot nevertheless. Serious thought has been applied to distribution, the relative importance of the local exchanges now handling the products individually, how the available ingredients might be reshuffled in an endeavor to rate movie and better commitments to playing time as well as on price.

In the field, to go specific about it, a particular exchange may have a region without the other two with which, in turn, makes its selling too diffused and too scattered to approximate maximum. Another exchange may be weak in point of product and a realignment, as a consequence, may transform it into a distributor sufficiently fortified to achieve better results. In other words, the companies are in the 20th-Fox-and-the-Republic financial race have so many pictures releasing through so many exchanges. Available being what they are, why not add here, subtract there, and re-distribute the cards along lines which will mean an increased return?

On the urging of producers to film classics and near classics as well, without the handicap of minus distortion and embellishment, H. E. Jameson, district manager for Fox Midwest, has something to say, perhaps more about literature than any showmen in the Kansas City area. He is credited with having interested Fox in the production of "David Harum," which starred Will Rogers and is largely responsible for the campaign launched by Fox Midwest to interest champions of good literature in patronizing pictures drawn from meritorious printed pages.

On this subject then, which is one of this department's phobias, Jameson's word is this:

Some years ago I won some harsh criticism for the suggestion that the theatricals were committing a form of fraud when they advertised the work of some great author, and then gave the public something entirely different. In spite of the abuse that was heaped upon my poor head at the time, I still stand by my guns.

If the literary construction of a novel is such to make faithful presentation impossible, then I say that should not be produced. We have no more right to mislabel our screen fare than a manufacturer has to mislabel merchandise, and it would not surprise me a bit to see the Federal Trade Commission sometime take cognizance of the fact.

Liabilities of the ethical phases of the matter (which to me are paramount), I think it's bad business! To produce "Cyrano de Bergerac" in a modern setting is a crime comparable to mayhem! You have insulted everybody that has paid its admission and you haven't added to your audience.

It is not to mean to imply that it's always necessary to save every detail of a novel in its screen presentation, nor am I arbitrarily stating that the book has to be produced without any changes whatsoever, but the public is entitled to see substantially what they read.

The evidence seems pretty conclusive that faithful reproductions of novels, not only will win approval—but theatre attendance. With the glowing examples of "David Copperfield," "The Little Women," "David Harum" and a dozen others I could mention, standing before them as an object lesson, I cannot understand why any motion picture producer would contemplate the rewriting of the books that fall into his hands.

 Echoed by this editorial type-writer.

IMPOSITION of fines of $1,000 to $5,000 on companies found guilty of contemptious acts, or merely the contem- porrity matter, whether art or publicity was brought about several months ago through an amendment to the Advertising Code. The fines apply only to cases in which the objectionable material has been used after having been rejected by the Adver
tising Advisory Council. Contrary to reports, there is no provision in the Advertising Code for the discharge of employees responsible for any use of the banned material. The amendment was adopted to increase the enforceability of the pact by strengthening it with penalties somewhat similar to those under the Production Code last year. Publication of the story lastly would indicate some of this depart-
ment's conferences in various directions have been resting on their heels.

Warners, who made a reputation and box-office busy places with fast, action melodramas based on newspaper headlines, are back in the field they know so well with "G Men." First of the eight, ten, or maybe it's twelve of the pictures now in work on the coast and dealing with the Federal Bureau of Narcotics under Justice men this First National attraction has tempo, pace and excitement and enough of all three to turn it into first-class business. The Warners had others along similar lines which are to come, there may be some doubt. Not here, however. Priority is important in cycles and near cycles. The Warners know it, are making plans to rush the film out and yesterday set the first two dates: the Roger Sher-
man, New Haven, and the War-
ner's drive in San Francisco on the 28th. Other keys and semi-key runs immediately thereafter. Smart handling.

Praise paragraph: To all hands who perspired, conspired or wrote wherever they were found on the daily newspaper display of the opening of "Les Miserables" at the Rivoli tomorrow morning. Simple, yet dignified, and with a capital H, it merely showed a figure of Valjean, central figure of the story, standing in the flush of a rising sun and with hands outstretched paying mute tribute to the epic drama of the book.
LET'S LOOK AT THE RECORD!

• PARAMOUNT, every month during the 1934-35 season, has delivered at least two outstanding BOX-OFFICE attractions per month.

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<td>February</td>
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if it's a PARAMOUNT PICTURE, it's the best shown in town!
MOTION PICTURE DAILY

Friday, April 19, 1935

British Newsreel

Departmentalized

(Continued from page 1)

came editor and Lowell Thomas chief commentator.

The first issue under the editorship of Sir Malcolm Campbell will be April 25. Tom Webster, Daily Mail cartoonist; Guy War, correspondent and politician; Capt. R. C. Lyte, British Broadcasting Co. racing expert; Gayne, Bader, and Beryl Querton, style authority, will have charge of various departments.

Walter J. Hutchinson, Fox general manager here, emphasizes that Fox is only selling agent here for British Movietone News. The changes indicate the strength of the Daily Mail-Harmsworth interests in the organization and also reflect the prevailing acute newsreel competition.

Want Show Tax Dropped

LONDON, April 8 (By Mail)—An influentially supported movement to obtain exemption from the entertainment tax, or a preferential scale, for theatres offering stage shows either in the form of drama, music, or vaudeville, obtaining increased publicity on the eve of the budget.

The argument is that these theatres provide the only straight film houses and that much of their material has a "cultural" value. As a national asset, it is claimed, they deserve similar encouragement to that extended to the Old Vic and Sadler's Wells "Art" theatres, which have a tax exemption.

Implementing an undertaking given at a League of Nations conference early in 1935, the Chancellor of the Exchequer will embody in his budget proposals for the admission free of duty of all strictly educational films. The British Film Institute already issues certificates of approval to educational films and it is expected that it will be officially given the duty of defining imported films as qualified for free admission.

Guitarists

Penelope Dudley Ward, the English society girl who made a success of the part of Fenella in the B. & D. "Escape Me Never," has been signed by Alexander Korda for London Films.

Western Electric theatre wirings in the United Kingdom now number 1,787 with 13 more for early completion. W. E. has carried out 404 replacements of other systems.

"Escape Me Never" broke all records for the London Pavilion as a United Artists house. The week, week-end and Sunday takings at the opening all set up new marks.

The annual Film Weekly vote for the best British film for 1934 has been selected for 1934 A.B.P.'s "Blossom Time," Paul Stein, director, and Richard Tauber, star, will in another production at Elstree this month.

Open New Guthrie House

GUTHRIE, Okla., April 18.—Opening of a new house here by the Gem Theatre Co., operators of houses at Norman and Chickasha, Okla., gives Guthrie its second new house since the first of the year.

Purely Personal

HERMAN RIFKIN, Republic representative in Boston, is in town for the Easter holidays. Claude EZELL and William Underwood of Dallas, Jack S. Jossey and Nat Lefton of Cleveland, have returned to their respective cities.

W. G. Van Schmus, managing director of the Music Hall, gave a dinner last night for Darby, Zang, in honor of the world première of "Cardinal Richelieu" at the Music Hall. Among those present was Joseph M. Schenck.

Frederick Zimmermann, who recently completed a film for the Mexican government, has been signed by Samuel Goldwyn as an assistant director under Sidney Franklin to make "Dark Angel."

Quip of the Day

Ambitious reporter complaining of the lack of news at a certain movie company because he is a member of the publicity department with the following:

"What do you think? You know things are always slow around here between bowses?"

Herk Bese's various cuts about the eyes are healing nicely. He still insists his 18-month-old son reached out and tripped him so that he fell and broke his glasses, hence the cuts.

Lily Pons sails for Europe at noon Saturday on the Paris. She'll be on the other side until June and she'll report to the Radio studios in July for her first picture.

Tom Ripkin, Monogram district manager for New England, arrived in town from Boston yesterday. Mrs. Ripkin and her younger son are with him.

A. P. Waxman distributed packages of matzo rolls to all employees in his department the other day. Passes was not passed over by the C. B. advertising counsel.

Joseph M. Schenck, William Phillips and A. C. Blumenthal, made an interesting threesome at the Brass Rail during the lunch hour yesterday.

Michael Balcon was seen around the M-G-M legal office yesterday conferring on those talent deals for Gaumont British.

Bert Lytell, who refuses to discard his derby, arrived down Broad- way yesterday with a brand new top coat.

Guy Eyles has broken with the Radio.

Mildred Hopkins visiting the Radio home office yesterday.

Edward Finney chatted up another birthday yesterday.

Spyros Sgoras is due tonight from the coast via the air lines.

Ed Golden is due in from Cleveland today.

Bill Rowland is shaping plans for a series of musicals to be made in the east. Production may be centered at the Biograph plant in the summer. Distribution has been arranged as yet.

N. L. Manheim, foreign sales manager of Universal who has been conferring on next season's lineup with Earl Kaemmer, is on his way from Hollywood. He will see the air lanes.

Jack Bannyn will sail for London, either May 12 or May 26. He plans for the London "Town's night spots under the guidance of Joseph Schenck and A. C. Blumenthal.

Nana Bryant of the legitimate stage soon begins work on her first motion picture, when Columbia's "Unknown Woman" starts shooting.

Betty Goldsmith, Jim Mulvey's secretary at Samuel Goldwyn Prod. Co., has been selected to assume the same pose with the producer at the studio.

Gertrude Styn on an invitation to the Columbia University will visit the Erpi studios next week to hear some of her recent recordings.

Nat Wolf, Warner Cleveland zone manager, has returned to his native heath after two days of home office conferences.

Cesar Romero has arrived back on the coast after a vacation here. He'll be away shortly in "Diamond Jim" at Universal.

Charlie Moskowitz has completed plans for a "two week" seat in the sun at Miami. All matters being equal, he will leave tomorrow.

John and Mrs. Cosentino (he is the traveling representative of Amity Pictures) are the proud parents of a son, born Wednesday night.

Norman S. Hall's "Manhunters" has been acquired by Romain E. Bumstead for the new Republic Company.

Henry Randel, Brooklyn Paramount exchange manager, hies to the coast in about 10 days for a vacation.

Mort Blumenthal gives as reason for his rosy cheeks hard work and clean living.

George Burns of the Burns and Allen team has been made a Kentucky colonel.

Walter Reade is going to take a long rest at his Deal, N. J., country home.

Singer's Midgets will be the main

Bill Rose

Goldman Expanding in Phila. Section

(Continued from page 1)

the two new houses gives him complete control of Pottstown.

He plans to reopen the dark Victory for traveling shows and community affairs and gatherings. In addition, Goldman said he would take over the Park, Hanover, and the Box and the 5th St., both local houses. The latter is being remodeled and will reopen in September.

The Bandbox goes to Goldman after a long lease expired and the daily with the U. S. Circuit Court of Appeals upholding his previous victory.

Goldman now controls six houses in this territory and it is expected four more will be added within the next few months.

The announcement of the Warner deal in Pottstown came as a surprise to Film Row here, although it is known that he is friendly with Harry M. Warner, Goldman's name has been linked with other houses in the east, but with his operations even reported to be extending into Pittsburgh, but the official announcement today gave complete details of his operations. He is expected to be a vital force in independent exhibitor circles.

National to Get Fox Units for $1,550,000

(Continued from page 1)

offered of each company's stock, representing assets.

It is expected the Federal court will confirm the sale as of Tuesday, with the transfer of assets taking effect May 4, when the affairs of the bankrupt estates will be liquidated after more than two years under court supervision.

Plans for the new setup are going forward in New York and it is said here operations will continue undisturbed.

stage attraction at the Roxy starting today.

Y. FRANK FREEMAN returned yesterday on a business trip to the middle west.

ADOLPH ZUKOR, fully recovered from a week's illness, is back on the job.

E. B. TISHMAN, of the Paramount trustees' staff, is on the sick list.

Eddie Cantor shoes off for California on May 4, Via the Canal.

Howard Cullman is back from his Miami vacation.

Harry Cohn has called off his contemplated New York trip.

Arthur Dent is due from London any day now.

Henry Randel and Abe Blumenstein are dieting—between meals.

Ralph Harris is doing a film review period once a week for W.H.N.

Diana Boubon's "Roaming Lady" has been purchased by Columbia.

Bob Wolff returns from Miami and a fishing vacation Monday.
EVERYBODY'S GOING RECKLESS
From the best-seller by
GEORGE BARR McCUTCHEON
set to gorgeous, enchanting music by
RAY NOBLE
directed with lavish production value by
THORNTON FREELAND
who directed "WHOOPEE" and
"FLYING DOWN TO RIO"

A HERBERT WILCOX PRODUCTION. Released thru UP.
"REPRESENTS ‘JACK’ THROUGHOUT — IN A BUCHANAN AND MONETARY SENSE. AS NEAR 100% FILM ENTERTAINMENT AS CAN BE!"

— VARIETY
“Eight Bells” Los Angeles’ Hit, $22,500

Variety Club Chatter

Cincinnati

Cincinnati, April 18.—May 11 is the date definitely set for the tent’s second annual dinner dance, which will be given in the Pavilion Caprice of the RKO Palace Plaza.

Allan S. Moritz, chief Barker, has appointed the following committees: Arthur Frudenberg, entertainment; Ralph Knoblauch, stagework; Maurice White, decorations; Paul Krieger, printing; Noah Schecter, publicity; Elmer Dressman, radio; Ira Jep, treasurer, and Jim Grady, tickets.

Grady will be assisted by the following Barker’s: Halbro Bernstein, E. M. Booth, Jake N. Gelman, Stanley C. Jacques, Sam Kramer, H. J. Wessel, Paul Krieger, Joe Oulahan, Al Shamb, Manny Shure and Maurice White. 

Charlie Weigel is looking for the fellow who has been inserting notices in the trade and other publications that he is spending the winter in Florida. He wants to thank him for the compliment.

Col. Arthur Frudenberg, head man of the side show committee, is taking time out in his Hotel Gibson suite while recovering from a sprained ankle sustained when he tripped over a dropped chain at the RKO. 

Karl Roos, skipper of a theatre bearing his name at Cynthiana, Ky., has a third member in his family. An eight pound son and heir arrived during the past week.

Max Lefowitz, president of the Community Circle, Cleveland, and a member of that ten year old crew week end, was accompanied by the Mrs. They have a son in college.

Noah Schecter is busy readying publicity incident to the early opening of Arrowhead Inn, local night spot.

Cleveland

Cleveland, April 18.—Cleveland Variety Club is holding regular business and pleasure meetings in the club’s Statler Hotel quarters. Every Saturday night a large crowd gathers to play keno.

Lunchons are held each Monday, most of them without outside entertainment. There will probably be one more “king for a day” lunchen before the end of the season. Every alternate Wednesday is ladies’ day. Mrs. Henry Grenzburger, wife of the circuit owner, and Mrs. Deppenhaun, wife of the RKO Palace artist, were queens at the luncheon held last week. There have been few out-of-town visitors during the past few weeks.

Omaha

Omaha, April 18—Harry J. Shug- 
man, manager of the M-G-M branch manager, has been elected Barker of the Omaha club.

Evert R. Cummings, district manager for A. H. Blank, was made first assistant Barker; John Gillen Jr., of WOW radio station, second assistant Barker; M. G. Rockers, of Film Trade magazine, associate Barker; E. M. Booth, attorney and alternate code board member, property man.

Casino: Joe Scott, Fox branch manager; John Casey, a member of the house committee, Tony Matretz, directors, Ray Colvin, join Walsh, Eder, B. E. Klein, Harold W. Evans and Ruby S. Rens. 

First big event under the new administration will be a dance April 20.

Washington

Washington, April 18.—Announcement of the new classification of all-Marine has dazzled the recent election season: Vice-president, Barness Rosenthal and Joe Garrison; treasurer, George Weiland; secretary, George Grosjean; chairman of the house committee, Tony Matretz; directors, Ray Colvin, John Walsh, Eder, B. E. Klein, Harold W. Evans and Ruby S. Rens. 

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Louisiana Tax Decree in

New Orleans, April 18.—A final decree declaring the newspaper tax act of 1934 Legislature to be unconstitutional and enjoining Superior of Public Groesman from enforcing it has been filed in Federal court here. Motions by the state to dismiss the newspaper’s suit are dismissed in the decree. Also dismissed are motions by the state to dismiss certain portions of the petition to require the newspapers to particularize the taxes they are protesting.

The office of Miss Groesman was charged with the costs of the proceedings.

St. Louis Houses Drop

St. Louis, April 18.—The annual report of License Collector Renick reveals that 1272 theaters operated here during the last fiscal year ending June 1, 1934. For the previous year there were 152.

New Firm Is Chartered

Albany, April 18.—Westchester Square Enterprises Corp. has been chartered. Louis A. Hulnick and Freda Weiniger are directors.
Johnson Hits Code Critics; Says It Works

(Continued from page 1)
(this one, with the interests of affiliated big and small producers, distributors and exhibitors, buyers and sellers, can cast approximately 94 per cent of its votes on any question brought to the floor. It is a divergent wildcat group which I believe that in its operation it constitutes a real experiment in independent self-government. At the same time, it is well to point out that there are various classes of film industry that may be brought and are still being brought by the Department of Justice where common law practices and conspiracies in violation of the anti-trust laws is charged, and that there is not one provision of the code which, so far as I know, constitutes such combination in restraint of trade as would be indictable under the Sherman Act.

General Johnson denied that the big members of industry wrote the code, asserting that "the most persistent and consistent opposition to the code has been the big interests, while the most zealous advocates of the code have been the small business men."

The former head of NRA paid his respects to the Darrow Review Board, which had set up a moral code by faith, charging that the board was not in good faith, but "was a political tool to recommend communism. There was not one fair hearing before it," he said.

They disregarded NRA, packed the board with pro-code witnesses and disregarded every judicial rule of fairness known to man, solicited and accepted statements that were strictly or ignored testimony unfavorable to their purposes, hazed witnesses on that side, insulted NRA officials, and for this spent $50,000 of government money.

I would not mention these things if this committee had not seemed to accept a great deal of testimony from Mr. Darrow and Mr. Mason as important, or had it called Mr. Sinclair of that board who resigned in protest and disgust."

Sears Exhibitors Benefited

Explaining that distributors are essentially sellers, and exhibitors are buyers of film and that they had antagonistic interests, General Johnson told the committee that under the code exhibitors "have been given rights and privileges which they never could have achieved except by changes in our copyright laws or by a statute regulating the transportation of film in interstate commerce."

"As proposal after proposal was placed before the distributors," he continued, "the position that NRA had no power to make provision in derogation of their legal rights, as copyright proprietors and they insisted that they were entitled to have their rights taken from them only by court action, changes of statutes or their acquiescence and voluntary consent. NRA secured their voluntary consent and acquiescence."

As examples of the concessions secured by the NRA from the various groups, he cited the 10 per cent cancellation clause, under which exhibitors so far have cancelled approximately 18,000 playdates; the provision against overbooking, affording the independent exhibitor relief which "he could not have secured in any court in the land or under any statutes written in any of the statute books;" and the clerical exhibitions.

Every organization of labor having anything whatsoever to do with the motion picture industry was a separate corporation, the code, the former administra said, and, finally, "I want you to understand that this industry pays any assessment whatsoever unless the firm has signed the code or an exhibitor has taken its affirmative benefits, such as the privilege of cancellation from the block of films purchased.

"I call this code one of our great voluntary contributions and I believe that in its operation it constitutes a real experiment in independent self-government. At the same time, it is well to point out that there are various classes of film industry that may be brought and are still being brought by the Department of Justice where common law practices and conspiracies in violation of the anti-trust laws is charged, and that there is not one provision of the code which, so far as I know, constitutes such combination in restraint of trade as would be indictable under the Sherman Act."

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Federal Aid Given In Bank Night Row

(Continued from page 1)

versus the local grievance board. At the General Homer S. Cummings has instructed Attorney M. Pierson Hall to file an answer on behalf of the grievance board. Hall has wired the San Francisco NRA board for cooperation.

The theatres won the first title recently when Judge McCormick ruled exhibition in intrastate commerce and consequently outside NRA jurisdiction. The grievance board was given 20 days in which to file an answer.

Goldwyn Drops His N. Y. Publicity Man

Samuel Goldwyn has closed his eastern publicity office and in the future all his publicity will be handled by United Artists.

George Daws, who was in charge of publicity for Goldwyn here, is now doing special promotional campaigns for Walt Disney on Mickey Mouse.

Tri-Ergon Claim Heard

No opposition was voiced yesterday to the Paramount trustees' petition to have the American Tri-Ergon claims against the company for an indeterminate amount for alleged patent infringement repaired. Special Master John E. Joyce, before whom the petition was heard, reserved decision.

Blumberg on Stand In M. & S.-K.RKO Case

(Continued from page 1)

Apollo through film playing policies at those houses. Blumberg was questioned on the making of the leases with M. & S., the formation of policies for the houses and the Loew's-K.RKO product agreement which resulted in Loew's releasing to K.RKO certain product for non-competing situations.

No hearing will be held today, but attorneys expressed hopes of completing the presentation of testimony on Saturday, after which the case will go to the board of three arbitrators for a ruling.

Production Holds 36-Feature Level

(Continued from page 1)

two and three: Columbia, four, one and four; Warners, four, one and ten; Radio, four, zero and five; Paramount, three, two and three; Universal, two, zero and three, with the independents registering six, four and seven.

Short subject activity jumped a notch with M-G-M showing one short working, one preparing and two cutting. Columbia had one, one and one; Warners, one, zero and zero; Radio, one, three and one; Roach, zero, one and three; Universal, zero, one and one; and the independents, three, three and three.

NEATEST TRICK OF THE WEEK

Ruth Eddings

(Phone Hollywood 5151—or see "In Caliente")

Revamping of Fox Theatres To Start Soon

(Continued from page 1)

Corporation under section 72B. "Weisman's firm of Weisman, Quinn, Allen & Spett has been retained by the Flatsch & Nevin Corp. to formulate a plan of reorganization.

Such a plan is now being formulated, Weisman said, and will most likely be filed in the Southern District Court in about two weeks. Under the plan a five-year leasing deal will be made. Weisman has on the Fox will be canceled, he stated. It is understood that a syndicate or an important circuit is ready to put up $1,000,000 cash to further the reorganization. According to the petition filed by Chess, interest is overdue on a first mortgage bond issue of $5,075,000 and the present value of the property "is not more than $3,000,000."

Weisman believes that the Joseph Scheck-Fox Theatres plan now before Judge Julian W. Mack for reorganizing Fox Met will be accepted by the court. The hearings resume today and are expected to continue for three additional days.
MOTION PICTURE DAILY

Broadway Grosses
Hit by Holy Week
(Continued from page 1)

with "The Heart Is Calling," talked about $17,500, "Princess O'Hara" at the Rialto ended with approximately $9,700. The Rivioli, on the four days of the second week of "Gretry's Millions," took in something like $3,800.

The Man Who Knew Too Much," in the five days of its fourth week at the Mayfair, got $2,600. At the Astor, $3,500 was chalked up for the fourth week of "It Happened One Night." "One Night of Love" opens there this morning.

New pictures opening within past few days off to good first day grosses. The Paramount, which plans to keep "Mississippi" from two to three weeks, will return to Friday openings after the current tenant winds up its engagement.

Industry Can Move
In Hurry—Schieller
(Continued from page 1)

Sinclair in his campaign and all his friends now direct tax arguments against the industry. Some of the stars are already paying 50 to 60 per cent of their incomes to the Government. If the state comes in for another big share, they'll move.

Mayer Writes to Saylor
WILMINGTON, April 18—John G. Mayer, secretary of the Laboratory Committee, has received an acknowledgment from Louis B. Mayer of his invitation to visit industry. He is locate in Delaware in case tax problems got too acute in California.

Comford Holds Gains
WASHINGTON, April 18—Condition of M. E. Comford, veteran theater operator, continues to show improvement, according to Walter A. Bloedorn. Comford may be discharged in about two weeks.

Wall Street

Eastman Up 6½ on Big Board

High Low Close Change

Columbia vte 41½ 41½ 41½ –
Consolidated 43½ 43½ 43½ + ¼
Loew's 17½ 17½ 17½ + 6¼
Eastman, pld 154 154 154 + 14
Fox 10½ 10½ 10½ + ½
Lowe's, pld 10½ 10½ 10½ + ½
Loew's 3½ 3½ 3½ + ½
Paramount 25¼ 25¼ 25¼ –
Pathe 15½ 15½ 15½ –
Paramount 10½ 10½ 10½ –
S.R.O. 11½ 11½ 11½ –
Warner 3½ 3½ 3½ –
Warner Bros. 25¼ 25¼ 25¼ –

Technicolor Gains ½ on Carb Net

High Low Close Change

Technicolor 56½ 56½ 56½ + ½
Trans Lux (J2K) 25¼ 25¼ 25¼ –

Para. B'way Bonds Rise ¼

High Low Close Change

General Theatrical 87½ 87½ 87½ –
Empire, 66 40 eit 83½ 83½ 83½ –
Loew's 66 66 66 66 –

w w d rights 104½ 104½ 104½ –
Paramount B'way 53½ 53½ 53½ + ½
Paramount 53½ 53½ 53½ + ½
Paramount F. L. 66 66 66 66 –

6a 92 71½ 71½ 71½ + ¼
Werner Bros. 6a 92 71½ 71½ 71½ + ¼

(K and e) Paid this year.

(Quotations as close of April 18)

Looking 'Em Over

"Cowboy Millionaire"
(Sol Lesser-Fox)

HOLLYWOOD, April 18.—As a definite departure from routine western melodrama, with a maximum of love interest and a minimum of riding, George O'Brien also goes in for more comedy than usual. The film, because of the romance angle, has a much stronger feminine appeal than the average O'Brien western.

O'Brien plays the boy who nets on a fake stage coach holdup for a dude ranch to get enough money to develop his rich mine. In a real runaway he incurs the anger of Evalyn Bostock, an English girl. She sets out to pay him when she thinks that he has wagered $10 on her availability. A chase follows con men, who are after the mine, to England, where a fight at an inn ensues, before the final clinch.

Edgar Kennedy adds to the laughs as O'Brien's dumb partner. Others in the cast are Maude Allen, Alden Chase, Dan Jarrett, Lloyd Ingraham and Thomas Curran.

Ably directed by Edward F. Cline from a story by George Waggner and Dan Jarrett, it strikes a new note in westerns. By stressing the comedy and romance in exploitation, the film should draw better than the usual O'Brien productions.

No code seal. Running time 68 minutes. "G."

"The Swell Head"
(Columbia)

Columbia timed this baseball story for opening of the big league season. It may be possible to get the customers in on the strength of the current interest in the national pastime. Some intensive exploitation will probably be needed, though, to stir up adult enthusiasm.

Ben Stoloff used Sammy Cohen, pal of Wallace Ford, star bater, for his comedy gags. Ford is good and doesn't care who knows it.

The romantic interest centers around Barbara Kent, waitress in a lunch room. Frank Moran, pitcher, takes her to the theatre and this starts a training-quarter fight between Moran and Ford. Moran asks for his transfer to the Detroit club and gets it from Mike Donlin, manager. In the next game Moran beans Ford while he is arguing with J. Farrell MacDonald, the umpire. He gradually goes blind, but an operation cures him at the finish and all ends well.

The story is not without a touch of satire. It tells of a worker who, upon being made the director of a factory, forgets his humble antecedents and permits his good fortune to go completely to his head. He comes to look upon himself as a Napoleon and spends his time putting up a gram for himself. Being quite the ludicrous figure of himself. Business he neglects to the point where the factory workers, once his fellow-employees, rebel and advance upon his mansion at the height of a party. Dressed as Napoleon and entirely plastered, he confronts the men and announces that he has abdicated in favor of his son-in-law. This wins over the crowd. It's highly hilarious stuff.

Tramel plays the title role effectively, if a bit on the side of burlesque. The other players include Therese Dorn, George, Christiane Virido, Christian Delyne, Jean Mercantin and Andre Roanne. The direction is by Louis Mercantin.

No production code seal. Running time, 91 minutes. "G."

"Hayseed Romance"
(Educational)

Buster Keaton clown and ciphers through the manner that made good comedy that should more than please audiences.

Keaton answers an advertisement for a helper on a farm and after being accepted, proceeds to do everything wrong. In the meantime he has fallen in love with the niece of the woman who owns the farm and is desperate, thinking he has to marry the old woman. The windup finds him getting the young girl. Keaton fans should get a particular kick out of this short. Production Code Seal No. 624. Running time, 21 mins. "G."

"The Old Grey Mayor"
(Vitaphone)

Those who have seen Bob Hope perform in person will probably be greatly disappointed in the comedy he presents in this short. It is far below the average entertainment he usually hands out.

Cast as the tutor for the hand of a mayor's daughter and refused permission to marry by the mayor, Hope plays upon his image of the girl despite the objections. The dialogue and jokes that follow border more on the silly side than on the comic. Production Code Seal No. 325. Running time, 21 mins. "G."

"All-Star Vaudeville"
(Vitaphone)

Pat Rooney and Pat Rooney, Jr., singing and dance; Blossom Seeley and Benny Fields do a song routine in the manner that they are well known in old time vaudeville; the On-Wah troupe, Japanese acrobats, exhibit some surprising contortions, and The Runaway Four, a comedy acrobatic quartet, wind up the reel. It's only mildly entertaining. Production Code Seal No. 192. Running time, 11 mins. "G."

U. A. Handling Westerns

Guaranteed Pictures, Inc., foreign distributors of the current series of Bob Hope Westerns, has closed a deal with United Artists whereby the latter will distribute the series in Latin America, Mexico and the West Indies.

Hold "Black Fury"

"Black Fury" will be held at the Strand for a third week.

(Additional review on page 11)
Zanuck Would End B Films, Halve Output

(Continued from page 1)
when a good one comes along is by word of mouth advertising."

Zanuck wasn’t attached to his subject and chewed off the end of a cigar a foot long. He’s emphatic and outspoken when he gets started.

"We don’t have the exhibitors for dualing and cutting scenes," he went on. "Some of the stuff they have to show isn’t worth a quarter of two of them."

Zanuck admits that he tried a couple of B pictures, but declared he soon found out they weren’t worth making.

"We’re only company absolutely concentrating on A product," he declared. "We have no budget. If the idea is good and we have faith in it, we’ll keep at it until its finished—whether it costs $400,000, $500,000 or a million. And we don’t try to chop it down to 7,000 feet. You can’t get up naturally at a greater length."

He paused to light a match. "Personally," he went on, "I’m in favor of the longer ones if they’re good. Exhibitors won’t dual them; they’ll stick in a newshew and a couple of shorts.

The system has its drawbacks, he admitted. "We can go broke or make a fortune quicker than any other chief of a company. We has no confidence commitments to absorb the weak ones. They stand up or fall on their individual merits."

Calls Legion Drive Aid

Zanuck is convinced the Legion of Decency has been a good thing for the industry. Some great pictures have been turned out in the last eight months, he insisted. The Legion, educators and the audience have rallied to the support of "les Misérables," he says.

Guessing the basic idea and its timelessness is the biggest production problem, he says. "House of Rothschild was timeless," he declared, "because it treated an old problem that has developed anew. We’ve got the same thing in Les Misérables."

Any man who thinks he’s taking some hard knocks now will look at Jean Valjean and get a new mental uplift out of it.

After he takes an Alaskan vacation and gets his next three in work, Zanuck is going to experiment with a new idea on audience reactions. He will make a three-week tour by plane in August, with the south especially favored, for the purpose of studying audience in theaters in small and large towns. He doesn’t intend to introduce himself to exhibitors in getting their likes and dislikes and those of their audiences.

Zanuck thinks color has a future; that Technicolor will be more successful than any other and will eventually reach perfection, but he says he hesitates about using it on dramatic subjects. A picture of a Charles Larrue film can mean a lot to a scene, he says, and any pronounced color that diverts attention can damage the effect.

In musicals and spectacles where pictorial results are the principal requirement he is strongly for it.

"The Youth of Maxim" (Aminko)

Although "The Youth of Maxim," a Lenfilm production, was one of three films to win first honors at the Russian film festival recently held in Moscow in celebration of the 15th year of the Soviet industry, it is no better suited for American consumption than the rest of the Red propaganda pictures.

The film covers familiar ground, which is something not to be unexpected in a propagandist production. Its unrelieved grimness exerts a most depressing effect, although there can be no denying that it is a powerful, realistic and earnest attempt to place on celluloid the story of the laboring classes under czardom.

For its material "The Youth of Maxim" goes back to the days when the Russian workers started to become class-conscious and implanted the germ that was to become the Bolshevik revolution.

The Maxim of the tale is a young worker who turns to the cause of revolution when he sees two bosom friends sacrificed to the brutality of the czarist system. Much of the film, which has been well photographed, records his difficulties with the authorities and his work in spreading the gospel of Lenin.

The title role is played by Boris Chirkov, who is supported by Stepan Kayukov, V. Khabarina and M. Tarkanov. All do good work. Gregory Korchinsky and Leon Taranov were directed.

The film has English subtitles.

No production code seal. Running time, 80 minutes. "G."

"Song of Happiness" (Aminko)

Produced by Vostokfilm, this is another Soviet reminder of what is being done in Russia today to develop the culture of the people.

To illustrate its point, the film tells the story of a toiler in a Russian province with a consuming love for music. The time is 1924. A home-made flute is all the boy can afford. There seems no hope for him to develop his musical talents. His love for a peasant girl only makes him sadder and more dissatisfied. Believing he has killed his employer, he flees from home.

Ironically enough, he doesn’t get the opportunity he has always wanted until he lands in a reformatory as the accomplice of a petty thief. When the prison head learns the youth’s ambition, he arranges to have him study at a conservatory.

While he is obtaining a musical education the lad’s sweetheart is learning to read a common book. In five years he is a full-bladed flutist and he returns to his people, who receive him with honor and acclaim, and his romance with the peasant girl is resumed.

The film has been splendidly photographed, with the Volga as a background, and the acting is good. V. R. Gardin, M. Victorov and A. Safronov are outstanding in the minor part players. M. Donovsky and V. Legoshin directed.

American audiences may find this moderately entertaining. There are English subtitles aplenty.

No production code seal. Running time, 86 minutes. "G."

"On Probation" (Hollywood)

This is pretty dull stuff even for the neighborhoods. Built of old material, it blunders along stupidly and uninterestingly to the end. The film offers the cast little opportunity to rise above the level of the story.

The picture brings Monte Blue to sight again. He plays a big-shot racketeer who is involved in a city contract. Lucille Browne, his ward, falls in love with William Bakewell, a society chap, who is willing to be duped, for he burns up blue apathy, for his interest in the girl is more than philanthropic. So he goes about making things hot for Bakewell.

Blue tries to use force to have Miss Browne accompany him to the Orient when the police get the goods on him. In struggling with him the girl wins over the former lion tamer. The girl thinks she has killed him. In fact, even the audience thinks Blue has been crooked until the last minute that he survived the lion’s attack.

Of course Bakewell and Miss Browne are married at the fadeout.

Barbara Bedford, Matthew Betz and King Kennedy are other players. Charles Hutchinson directed this Peerless production.

No production code seal. Running time, 62 minutes. "G."

Norris on the Coast

Hollywood, April 18.—Marshall Norris of Principal Pictures Distributing Corp., has been transferred from the New York to the Hollywood office by Lewis Hyman.

"Marietta," Rogers Film

Kansas City, April 18.—“Naughty Marietta” and “Life Begins at 40” literally wound ‘em, the result being $34,000 for the Midland and $8,400 for the second, at the Up-town. Those grosses are far above the normal for a Monday. “A Midsummer Night” was held for a second week, and it looks like an extended run for the Will Rogers opus.

“Gold Diggers of 1935” turned in a very good $9,000 at the Mainstreet in eight and one-half days, the picture opening Wednesday night. Not in years has Kansas City had such a swell Leinent week.

Total first run business was $42,000. Average gross $1,950. Estimated takings:

Week Ending April 11:

“GOLD Diggers of 1935” (F. N.) MAINSTREET—$1,000. 36-40, 84 days. Gross: $9,000. (Average, 8 days, $700) MARIETTA—(Amkino) 27-30, $84 days. Gross: $7,200. (Average, $260) MIDLAND—(15c, 8c-20c, 6c, 7 days. Gross: $6,600. (Average, $900)

“ROCKY MOUNTAIN MYSTERY” (Par.) NEWMAN—(25c, 30c, 40c, 60c). 7 days. Gross: $3,500. (Average, $500)

“LET’S LIVE AMERICANA” (Col.) TOWER—(25c, 30c, 40c, 60c, 7 days. Stage: “Anniversary Antiques,” with Red Donohue & Uno, Condor Bros., Sara Anne McColl Jordan Trio, others. Gross: $6,600. (Average, $900)

Week Ending April 12:

“LIFE BEGINS AT 40” (Fox) UPTOWN—(25c, 30c, 45c, 60c). 6 days. Gross: $8,400. (Average, $1,400)

Ruth Etting Plans To Retire at Ampa

Ruth Etting has “graciously consented to appear at this benefit ball celebrating the 15th anniversary of the Astor Ball as last gesture to the amusement world,” states the Ampa publicity committee.

She will retire “definitely and forever.”

“Many of the outstanding personalities of motion pictures, stage and radio will be present at this gala event,” the committee goes on. The committee forgot to mention the party would be held at the Astor, April 27.

Lazarus Off on Tour

Paul N. Lazarus, western sales manager for United Artists, left by plane yesterday on an extended tour of the 11 branch offices under his supervision. Detroit was his first stop, and from there he will visit Chicago, Los Angeles, Washington, St. Louis and Denver, winding up on the coast. Lazarus expects to be back here in six weeks.

Republic Signs Mrs. Reid

Hollywood, April 18.—The first signature to a contract with the newly formed Republic Pictures Corp. is that of Mrs. Wallace Reid, who will get a post as story editor, terminating a year as a Monogram producer.

Ascap Seizes Theatre

New Orleans, April 18.—Ascap has taken possession of the Segall at Monroe, La., to satisfy a judgment.
THREE OF A KIND

"YOU CAN GO TO TOWN WITH THE HOOSIER SCHOOLMASTER"

—The Film Daily

"Vivid... An all family attraction."
—Motion Picture Herald

"Genuine and pleasing entertainment..."
—Showmen's Trade Review

"3½ stars... Fine quality... excellent performance."
—Screen Book

"Unusually good entertainment..."
—Motion Picture Daily

Directed by Lewis D. Collins
From the novel by Edward Eggleston
Screenplay by Charles Logue
Balcon Feels
British-U. S.
Entente Begun

Says Coast Trip Helped
"Cement Good Will"

Michael E. Balcon, executive pro-
duction head of Gaumont British, left
London on the Berengaria last
night in the belief that, while here, he
had started to accomplish what he
described as his mission of "cement-
ing good will between the American
and British industries."

Denying his visit to Hollywood, where
he spent a number of weeks, had
been converted into any "raid" on
talent, he stated the players and
writers he had signed were for specific
tasks in specific pictures. The group
(Continued on page 2)

Tax Reports Show
Box-Office Gains

WASHINGTON, April 19.—Improved
box-office takes were disclosed
today by the Internal Revenue
Bureau in its reports of admission
taxes for March. The total is $1,
283,595, compared with $1,207,373 for
the corresponding month last year.
For the first nine months of the fiscal
year collections totaled $11,600
261, a gain of $783,893 over the $10,
886,568 collected for the same period
last year.

Simon Rowson Made
Head of P.D.C. Board

LONDON, April 19.—Simon
Rowson, formerly joint managing
director of Ideal Films, Ltd., recently
absorbed by Gaumont British, has be-
come associated with Producers' Di-
stributing Corp., serving as chairman
of the board and sharing the manag-
ing directorship with Ronald Smith.
It is learned at the same time that
P.D.C. plans to increase its capitaliza-
tion and extend its production and
distribution activities.

Faralla Quits F. D.;
May Join Paramount

Darlo L. Faralla has resigned as a
director and treasurer of First Divi-
sion, effective Monday. It is reported,
but unconfirmed, that he will join
Paramount a week later on the coast
as assistant to Henry Hertzburn who,
with Ernst Lubitsch, is now in charge
of that company's production.

Balcon Likes Production Code;
Expect British to Cooperate

"I am keen for the production code and foresee any subscri-
ting to it by British producers as a progressive step," said
Michael E. Balcon last night. The executive production head
of Gaumont British made the comment as a personal, not as an
official, expression of opinion.

"I was very much impressed by my talks with Will H. Hays
and Joseph L. Breen, Production Code Administrator, while I
was in Hollywood. They explained the machinery to me and I
became convinced of its practicability. After all, the code is in
work here; pictures made in Hollywood and under it have im-
proved. If we in England want distribution in this market, it is
entirely logical that we should be prepared to observe the code
principles."

Allied Sets
Program for
Atlanta Meet

WASHINGTON, April 19.—Allied has
completed plans for the annual con-
vention to be held at Atlanta, May 21,
22 and 23 and has decided to transfer
it from the Robert Fulton to the
Piedmont Hotel in order to get more
space, according to the latest bulletin.
Appointment of regional committees
is urged in the bulletin. Sentinel will have been crystal-
lized on the extension of the NRA and
(Continued on page 3)

Liberty Starts Its
New Series June 15

Hollywood, April 19.—With 12 set
for the production schedule next sea-
son, Liberty plans to put "Hollywood
Hotel" first of the series, into pro-
duction June 15.

The current lineup of 12 has been
completed and M. H. Hoffman is
working on stories and casts for the
new dosen. Production costs on the
1935-36 pictures will be increased.

Daylight Time
Shift Spreads In New Areas

Takes in 263 More Towns;
To Start April 28

Daylight saving shows decided gains
this year in tabulations compiled by
the Merchant's Ass'n. of New York.
A total of 794 communities in the
United States will make the change
this year, a gain of 263 over last
year.

In all the places in this country
where the change is to be made the
new time becomes effective the next
Saturday at 5 a.m. and continues to Sept.
29. Canada has no uniform starting
time. Some start it May 1, 2, 5 and
20; others delay the change to June
1, 11, 29 and 30. The length of time
it remains in effect also varies.

Great Britain, Northern Ireland,
France, Belgium, the Netherlands and
Portugal also shift their clocks.

For the first time, the time change
has made inroads in the south, the
association states. Atlanta, Jackson,
Miss., and other spots have adopted
(Continued on page 4)

California Tax Plan
Now on New Slant

Sacramento, April 19.—Indications
are that the Governor's control over
his tax program is fading and that
sentiment is veering toward a gross
transactions tax of one per cent de-
signed to raise $250,000,000 biennially.
This would replace the proposed per
(Continued on page 4)

Huey Says "No" in
N. O. for His Film

The Huey Long sequence in the
third release of "The March of Time"
is being deleted in its entirety in New
Orleans, it was reported in New
Orleans last night. "The Kingfish's"
political influence was the uncon-
firmed reason behind the step.

New Orleans, April 19.—The
"March of Time" reel came through
without the Long shots, according to
Loew's State officials.

WHN Amateur Hour
Taken by Schenley

Louis K. Sidney, temporarily in charge
of WHN for Loew's, has sold the
Tuesday night amateur hour to
(Continued on page 3)
Purley Personal

ILL GOETZ called most of the numbers and so coughed up most of the tickets he will sell. At a meeting in Toronto yesterday with Jor Moskowitz a swallow runner-up. What was launched as a modest affair developed into a real one as the afternoon grew older. The attendance included Archie Mayo, Lou Irwin, Arthur W. Kelley, Harry Ballard and Norman Herrington, of the Northern Transport Co., who is visiting from London. Darryl Zanuck leaves for Hollywood by air Monday to preview "The Call of the Wild" and then off to Alaska for bears. He has hired a yacht which he will pick up at Vancouver. His wife and two children go along.

Quip of the Day

Sam, the barber and an attaché of the Canada line, told Zanuck's establishment on the coast, will be one of the hunting parties. Zanuck called him yesterday in Alaska. Coaching Sam on equipment, Zanuck told him recently an essential something near the field. The day was fine, the field were very apt to prove wearing.

Zanuck smiled shyly.

"What for? When you get home at night, you're still outside.

Sam is the same guy who was asked what he thought of a recent 20th Century preview:

"I'm not looking for advancement, it didn't like it so much."

Hal Roach took the air lines to Culver, Ind., yesterday to visit his son. Due back Monday. He will produce one of the two amateur shorts he plans in the east before heading for the coast.

Travis Banton, Paramount style creator, who has been abroad for the past two months, arrives Tuesday in Montreal. The Agitator. He'll spend a few days in town before leaving for the coast.

Arthur Hornblow, Jr., arrives Wednesday from the coast. He will stay here a short time before sailing for Europe May 3 on the Majestic for a vacation.

Hannah Holtzman, who has been on the Fox reading staff for some time, has sold the company an original, "Deuces Wild," as a vehicle for Shirley Temple.

Tito Guizar, radio tenor who recently completed his first picture for M-G-M, is expected here some time next week for a short vacation away from the studios.

Elissa Landi, seen walking on Fifth Avenue, all decked up in a little red Easter chapeau, but hiding her Easter finery under a mink coat.

Nate L. Manheim, foreign sales manager of Universal, is back from production conferences with Carl Laemmle. Hollywood was the scene.

Henry Rottberg, Jr., chief tear sheet man in the RKO publicity department, leaves today for a week-end in Atlantic City.

Leon Schlesinger, producer of cartoon shorts for Warners, is on his way here from the coast for home office conferences.

Jimmy Grainger is the latest recruit to patronize "21." Willard McKay, who is in Florida over the week-end, brought him over.

Morris Kutinsky came in from Lakewood for a few hours yesterday to wind up some pending theatre business.

At Jolson is back from a short personal appearance tour of Albany, Pittsburgh and Philadelphia.

Florence McKinney is due at the Warwick Monday for a vacation. It will be her first New York visit.

Winifred Cooper, film critic of the Utica Observer Dispatch, arrives in town today for a short stay.

Archie Mayo, just in from Europe, will be in town about three weeks.

John Emerson, the architect, paid the M. P. Club a visit yesterday.

Ben Goetz takes the birds' route to the coast today.

Herman Coehle, of RKO hires back to Hollywood this afternoon.

Tom Connors has returned from a Canadian trip.

Lily Pons sails at noon today on the Paris for the continent.

U. S. Nearer to Place In Copyright Union

WASHINGTON, April 19.—The Senate today passed the way for entry of the United States into the International Copyright Convention by ratifying the Berne Convention as revised at Rome in 1928.

The convention gives to American authors the right to authorize the filming of their works in all foreign countries which have joined the convention and gives full protection to pictures. A feature of the agreement is the granting to the author, independently of his copyright and even after its assignment, of the right to object to de- formation, mutilation or other modification of his work which may be prejudicial to his honor or reputation.

To Caricature Diners

Arthur "Bugs" Baer and a flock of caricaturists, made a dash for the diners at the Naked Truth Dinner at the Astor last Saturday night, according to the committee's latest outgoing.

Sniping on "Reckless"

DiAngelis Ad Service is sniping the town on "Reckless" posters.

Balcon Feels British-U. S. Entente Begun

(Continued from page 1) includes Walter Huston, Helen Vinson, Richard Dix, Madge Evans, C. Aubrey Smith, Boris Karloff, Noel Neff, Peter Lorre, Maureen O'Sullivan as well as Arthur Caesar and Ran Jones, writers.

G. B.'s 16 planned for American release next season will be drawn from the parent company's 52. Of Alice Goddard he had not abandoned his plan of making a comedy in Hollywood with Jack Hulbert, although decision on that point will be made later in London. If an opinion was unconfirmed, particularly after seeing "Ruggles of Red Gap" that a Hulbert picture with Welles or the coast is entirely feasible," he said.

The British executive was enthused over his coast-made deal whereby Gaumont British will have available M-G-M contract players when such players are not working. Four pictures, all of which will be made available to Metro when they are available.

Golding Resignation Causes RKO Changes

With the resignation yesterday of Lou Golding, manager of Proctor's, Newark, to join Si Fabian as division manager of upstate houses, the independent has taken over, RKO has made several changes in the managerial line.

Robert Ungerfer, formerly of the Franklin, Bronx, succeeds Golding in Newark and Mike Edelstein of the Apollo is transferred to the Franklin. Murray Lafayette of the Alhambra succeeds Frank Howard, and Frank Howard, assistant manager of the Alhambra, is now in complete charge.

Patrons Seek Punch, Says Albert Warner

HOLLYWOOD, April 19.—Exciting pictures with punch are demanded by theatre patrons today, says Major Albert Warner, here on his semi-annual visit. He adds it is a mistake to think the public is slated for a milk-and-water film diet.

"We are dealing in subjects with tremendous dramatic interest in the most exciting possible way," he asserts.

Getting Arliss Set

Rufus LeMaire, casting director for M-G-M, sailed last night on the Berengaria to spend four weeks in London getting George Arliss set on his next project for Gaumont Britain. In addition to his M-G-M post, Le Maire is Arliss' manager, while the English actor also solicits American talent. Le Maire stated prior to his sailing.

F. P. Canadian Pays 50c

Famous Players Canada has declared its first dividend of 50 cents since June 25, 1932. The dividend is payable April 27.

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Vanessa" Grosses $21,000 at Capitol

"Vanessa" garnered about $21,000 at Capitol last week. "Star of Midnight" at the Music Hall grossed nearly $6,000 and "The Little Colonel" at the Palace took in about $10,000. Opening day's receipts of "Carmelina Richelieu" at the Music Hall were $13,000, indicating that the U. A. film will approximate around $30,000 for the week.

"Laddie" goes into the Roxy starting May 3.

Hoffberg Gets Westerman

J. H. Hoffberg has closed with Willis Kent for the world rights of "Outlaw Rule" and "Ranger Wars," featuring Roy Rogers and "Circle of Danger." J. R. Westerman is to handle the film.

The deal does not include American distribution.

Joan Bennett Re-Signed

Hollywood, April 19.—Joan Bennet has been signed by Walter Wanger to a new four-year contract. Her next will be with Bing Crosby in "Two for Tonight."

May Knight Maxwell

London, April 19.—John Maxwell may be knighted when the king's list next appears.

Street Closed Friday

Wall Street and the Stock Exchange were closed yesterday in observance of Good Friday.
Charge Code's Unfair Denied
By Rosenblatt

(Continued from page 1)

gather with the reports of the several
advisers, the reply to the Darrow
10 of the standard contract
orders regarding code administration

and amendment.

Rosenblatt referred to the
testimony of Lowell Maxwell, who
served as counsel for the Darrow
board, that the standard contract
form is contrary to the Supreme
Court decision in the Paramount case.

He explained that the opinion
prohibited the use of a form which
would produce "material and unreasonable
restraint of interstate commerce." 
Rosenblatt declared that the provision
in Article 1005 was advocated
without a dissenting voice by the
code-formulating committees in the
industry.

"It is a fair and non-oppressive
agreement," he asserted. "The
provision, if an agreement 'shall be the form
of license contract to be used by distributors
for exhibiting the motion picture
which is uniquely used, that there is
not a different form be used."

The only criticism that I have ever heard
is that it is not accurate, in the sense
that the provision is not strict enough
in compelling the exclusive use of such
form of agreement.

With regard to arbitration, he
continued, there is nothing mandatory
and the optional method provided for is
"customary to the industry, and so is
the controversy appoints its represen-
tative. In case of disagreement,
the matter is submitted to an impartial
umpire.

Answers Charges One by One

The charges made by Myers and Al-
bert were the same. Mr. Robert
Rosenblatt. With respect to the
procedure in drafting the code, nam-
ing the committees and names
of the Code Authority, he said his report
on the code as deputy administrator
covers the question of procedure.

"The rule was made with respect
to the participation of Nathan Burkan
in the drafting of the code are declared to be unequi-
"on condition of Mr. Burkan and no
more to do with the draftsmanship of the
motion picture code; as approved by the
President, than did any of the
pages of the Senate.

"Myers' statement that the code
was signed in secret is not cor-
rect. It was an open signature, in the
presence of the signatures and
as sent to the code at the time
the code was approved by the President
12.00 Noon—Barbecue, Stone Mountain.
2:00 P.M.—Business session, Atlanta Ath-
letic Club.
8:00 P.M.—Banquet - dinner dance, East
Lake Country Club.

Committees and their chairmen are:
Atlanta Convention and Tourist Bur-
ce, Mrs. Betty Peerless; badges and
registration, W. G. Browning; ban-
quet and entertainment, M. Fay El-
more; distinguished guests and exhibits, Ike Katz; finance and program, N. H.
Waters and A. Julis Benedic;
and entertainment, J. R. Roach.
Bromberg; hotels and housing, Frank
H. Dowler and W. W. Anderson;
meets, Loui Bach; printing and de-
corations, Leslie D. Teddy; railroad and bus fare,
A. Julis Benedic; refreshments, Frank
Roach; sightseeing, Charles Lester;
special screening, S. J. Borisky;
transportation, A. B. Abercrombie;
general chairman, Sam Borisky.

WHN Amateur Hour
Taken by Schenley

(Continued from page 1)

Schenley's liquor concern, under a
wholly owned subsidiary, is be-
ing retained as master of ceremonies
by the commercial account. The first
sponsored broadcast starts Tuesday.
Although WHN has an arrange-
ment with WMEX, Boston; WPRO,
Providence, and WIBX, Watertown,
the broadcast operation of Schenley's will be confined to
WHN. Pending deals to tie in with
several other out-of-town radio sta-
tions have been dropped for the pres-
ent.

Des Moines Club to Meet

Des Moines, April 19—Another
meeting of Variety Club will be held
Wednesday for the purpose of com-
pleting the organization.
Fabian Buying Of Met Notes Up at Hearing

(Continued from page 1)

plan for Fox Met before Federal Judge Julian W. Mack.

The disclosures were preceded by a change in the board of directors of the Schenck-Fox Theatres, headed by Isidor Kresel, counsel for Schenck and the Fox Theatres receiver, that Fabian's purchase of the Met was not presented in good faith, but for "an ulterior motive," and, therefore, should not be considered by the court as a basis for comparison with the Schenck-Fox Theatres plan. Without disclosing the alleged "ulterior motive," Kresel stated that Fabian "was tied up with Max Horwitz," a member of the Fox Met bondholders' committee and a partner in Fabian & Kresel, an accounting firm. Kresel proceeded to develop the trading in Fox Met securities engaged in by these principals and associates, who were also members of the Fox Met bondholders' committee.

In disclosing the securities' trading link between Fabian & Kresel, Fabian, Kresel and Greve, Kresel completely reversed the anticipated procedure of the day by placing the criticisms of the Schenck-Fox Theatres plan on defense, rather than being placed in the position of defending that plan against the proponents of the Fabian plan.

$44,000 Bought for Horwitz

It was brought out that Horwitz had purchased $44,000 face amount of Fox Met notes for $13,250 and bonds for $17,375, as reported in the National, from $6,25 to $11,75, from March to Oct., 1932, and later had sold $31,000 face amount of notes for $13,25 and $10,000 face amount of bonds at $21,75, for a profit of $2,768. Horwitz retained $3,000 face amount of the notes. The trading was through the Schenck & Co. in Horwitz's own name. Another Hallgarten account, known as "No. 158," was identified by Frederick Fabian and Greve as a former of the company's statistical department, as a joint account maintained by Fabian, Kresel and Hallgarten & Co. for trading in the Fox Met notes. This account bought a total of $38,000 face amount of notes, with each of the three principals participating equally with $119,500 face amount of notes.

In answer to a question put to him by Kresel, Horwitz said that when the joint account was formed he knew that Fabian was "the highest paid employee in the Fox Met receivership," earning $1,000 a week, and that he had access to all the books and records of the company through Horwitz. Kresel stated that he had traded in the securities because he "believed in the future of Fox Met and, consequently, bought at prices higher than the purchase price on Met notes that his company, Hallgarten, had originally sold to the public at a lower price," he said.

In question Horwitz said that he considered Fabian's proposal for reorganization of Fox Met to "look better on the face of it" than the bondholders' committee's own plan, advanced last spring, or the Schenck-Fox Theatres' plan. He added, however, that the Fox Met bondholders' committee "hasn't had time to consider the Fabian proposal yet."

Counsel for Fabian succeeded in having the latter excused as a witness yesterday when Kresel revealed his intention to question Fabian in an effort to show that the Fabian proposal was subject to "in bad faith" devices. Judge Mack stated, however, that all records pertaining to trading in the Fox Met notes and the accounts and activities were "of vital concern and would be open to the fullest investigation."

In any event, one of the Fox Met operators, recalled to the stand to give additional testimony to operating the Fox Met, was also recalled by the court. Judge Mack stated, however, that all records pertaining to trading in the Fox Met notes and the accounts and activities were "of vital concern and would be open to the fullest investigation."

A witness, one of the Fox Met operators, recalled to the stand to give additional testimony as to operating the Fox Met, was also recalled by the court. Judge Mack stated, however, that all records pertaining to trading in the Fox Met notes and the accounts and activities were "of vital concern and would be open to the fullest investigation."

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

"The Scoundrel"
(Hecht and MacArthur-Paramount)

Hollywood, April 19.—Brilliant dialogue and perfect casting, direction and photography make "The Scoundrel" an outstanding offering for ultra-sophisticated audiences.

Noel Coward makes an enormous appeal in his first screen role as a sex-crazed book publisher conducting innumerable affairs with a cold, calculating detachment.

Julie Haydon surges with a vivid, emotional power as a young poetess. She throws over Stanley Ridges for Coward, believing her love strong enough to break the latter's pose of heartless philanderer.

She fails. There is an immense scene when she warns no one will weep over his death.

Lost at sea chasing another woman and given a month to find one regretful friend, Coward returns to hear his epigram-spouting circle say, "When a man dies one weeps. When a pose does, one shrugs one's shoulders."

Great confusion is built during his search for Miss Haydon and understanding tears.

Alexander Woolcott, not given screen credit, plays an important part.

Kosita Moreno, Martha Sleeper, Hope Williams, Ernest Cossart, Everly Gregg, Edward Cianelli, Helen Strickland, Lionel Stander, Harry Daventry, Isabelle Foster and Madame Schenck.

Lee Gardens's photography and special effects are spectacular. The macabre, sophisticated theme rates critical nips, but is baffling for suburban audiences in spite of its great emotional appeal.

Production Code Seal No. 758. Running time, 68 minutes. "A."

California Tax Plan
Now on New Slant

(Continued from page 1)

sonal income, admission, sales and other so-called nuisance taxes.

A steering committee has been named to decide on revenue measures.

In the meantime the Assembly has furnished another exhibitor worry by passing a dog racing bill with pari-mutuel betting. It has an amendment calling for local option.

Hague Bids for Studios

Hollywood, April 19.—Mayor Frank Hague of Jersey City, Demo- cratic candidate for re-election, was a figure in national politics, conferred here yesterday with all the principal distributors except Warners, on a pro-posal to establish production in the Hudson County metropolitan downtown Manhattan.

Hague is said to have told the majors they could write their own ticket on tax matters.

After listening to the proposals the producers decided to engage John Milton as their attorney and representa-tive. Milton is a former corporation counsel of Jersey City, a former judge and close associate of Hague.

Engineers will be sent to Jersey City to study the plans, it was stated after the meeting.

Those present were Harry Cohn, Winfield Sheehan, Irving Thuilberg, Henry Herzbrun, Fred Beetsam, Pat Casey and Louis B. Mayer.

Another meeting is planned for May. The expected, Harry M. Warner, Nicholas M. Schenck and Adolph Zukor will be present.

A number of sites are available in Jersey City, it is understood, among them being "Boyle's 30 Acres" where a huge boxing stadium was erected several years ago.

Republic Acquires Three

Republic Pictures have acquired the film rights to "With A Past" by Frederick and Fanny Hutton, "The Big Show" by Dorothy Red and "The General From Louisiana" by Tristram Tupper for its 1935-36 lineup.

Open Hungarian Film

"Suszarszelem" (Emmy), a military opera, is claimed to be one of the outstanding Hungarian films of the year. Saved at the Wobbs, First Ave. and 78th St., tomorrow. It is being handled by Danubia Pictures.

May Robson 70 Years Old

Hollywood, April 19.—May Robson's seventy birthday was celebrated today with a reception at M-G-M on its stage and screen for 52 years.

"Marietta" Portland Hit

Marietta "Portland Hit" April 19.—"Naughty Marietta" was played by 56,700 persons in the first two weeks at the United Artists, it is claimed, and the picture is to be held for a third week.

Franklin "Legit" Again

Hollywood, April 19.—Harold B. Franklin, now operating Standard Theaters Inc., also has plans to return to stage production on Broadway next season.

Flash Reviews

Ladies Love Danger—... cleverly contrived comedy mystery. ... The entertainment value is all right for many.

The Phantom Fiend—On dual bills and in small-town houses the picture should do well if exhibitors concentrate on it. ... These films will be reviewed in full in a later issue of Motion Picture Daily.
Future of NRA Seen Drifting Toward Rocks

Report Roosevelt May Call Extra Session

By BERTRAM F. LINZ
WASHINGTON, April 21—Recovery legislation yesterday appeared to be drifting toward dangerous shoals with the disclosure that 12 of the 21 members of the Senate Finance Committee are opposed to extension of the NRA.

Strengthened by an arrangement of the recovery operation in a report published last week by the Brookings Insti- tute, opponents of the NRA are seen for the first time in a position effectively to block an Administration measure.

Faced with the repudiation of one of the most important steps in its recovery program, President Roosevelt, (Continued on page 7)

Production Drops:
32 Features Going

Hollywood, April 21—Production continued to fall slowly last week. Short subject production gained slightly. The weekly checkup showed 32 features and 10 shorts before the cameras as compared to 36 features and seven shorts for the preceding week.

M-G-M continued to lead, having six features shooting, none preparing and nine in the cutting room. Fox had five, two and eight Paramount, four, four and three; Columbia, four, two. (Continued on page 7)

Old Timers to Talk
At M. P. Club Forum

Forty years of theatre history will be reviewed at the Motion Picture Club forum tomorrow. Daniel Froh- man will be one of the principal speakers.

Miss Victoria, the "Waiting at the Church" girl of the London stage, who is in this country visiting her (Continued on page 7)

Fulton Blocks K. C. Dual Releasing Plan

KANSAS CITY, April 21—In setting a warning on distributors that he will resist the projected double bill re- leasing plan for Kansas City, W. D. Fulton, operator of five suburban houses, has thrown a monkey wrench into exhibitors' efforts to secure twin (Continued on page 7)

GB Plans 'Changes
In South America

Next step in the penetration of world markets with its own distribution machine will be taken by Gaumont British in establishment of ex- changes throughout South America.

This market is viewed as a produc- tive one with nations of which GB has understood, it is understood, will continue to have, a generous quota in its program.

A story department at New York headquarters is also planned.

Wisconsin Showmen Fight 4% Tax Plan

MADISON, Wis., April 21—The Carow bill, which would place a four per cent tax on the gross receipts of theatres, was assailed by exhibitors from all over the state at a committee hearing on the measure held here.

Speaking for Wisconsin Amusement Enterprises, Inc., Attorney Benjamin Miller, Milwaukee, asserted the court- circuit could not afford to pay a tax of (Continued on page 4)

Senate to Retrace Move on Copyright

WASHINGTON, April 21—A Senate which usually takes its own good time stepped out briskly Friday and ratified the copyright convention without knowing just what that document contained. As a result, it will be asked Monday to reconsider its vote, in order that legislation writing into our own copyright law some of the (Continued on page 4)

Want Ruling Clear Before Servicing

Local exchange heads are demanding a clarification of the recent Campi- decision on the Leonia, Leonia, N. J., clearance issue before serving Julius (Continued on page 7)

A 1935 Carrie Nation

KANSAS CITY, April 21—In Kansas some years ago a crusader named Carrie Nation sprung from the prairie soil to lead a fiery assault on the saloon. Now there’s a new crusader in Kansas City who is being compared to hatchet-wielding Carrie, only her efforts are directed to smashing not the saloon but the lotteries operated by theatres under the name of bank night.

The modern crusader is Mrs. Abe Baier, who owns and operates the Lindbergh. She believes bank nights and premiums are a bad (Continued on page 7)

Most Annoying
Said one Kansas City exhibi- tor to another: "I don’t mind when you pass out free tickets in my neighborhood, but when you left one at my home that burned me up."

Survey Shows
4,994 Houses
In U.K., Erin

By BRUCE ALLAN
LONDON, April 12—On April 1 there were 4,994 film theatres in the United Kingdom and Ireland, according to a survey completed by the statistical department of April E. Of the total, 4,638 were active, including one silent house, and 356 were closed. This is a net reduction of 309 houses since the last survey was com- pleted in 1930, but the many new super erections in the period more than balance the seating capacity of disappeared smaller houses.

The distribution of houses, accord- ing to W. E. 's analysis, is:

<table>
<thead>
<tr>
<th>Country</th>
<th>Number of Houses</th>
</tr>
</thead>
<tbody>
<tr>
<td>England</td>
<td>3,549</td>
</tr>
<tr>
<td>Scotland</td>
<td>514</td>
</tr>
</tbody>
</table>

(Continued on page 8)

Blind Booking Still Intrigues in England

LONDON, April 12—Walter Runci- man, president of the Board of Trade, stated in the House that he intends to consider very carefully any sugges- tions for the more effective prohibi- tion of blind booking made by the Ad- visory Committee of the Films Act. A question by Lieutenant Comman- der W. G. Agnew had asserted the booking restrictions imposed by the Court were being increasingly evaded as a sequel to "the development of large theatre circuits."

Cuts Looming Next Season
In 2-Reelers

Duals to Force a Jump
In Single Subjects

Increases in single reel subjects and decreases in the number of two-reel- ers made by producers this season will be reflected in 1936 announce- ments by major distributors.

The reason for the demand for one- reel shorts is due to persistent objec- tion by exhibitors throughout the country to playing two-reel subjects. Theatre owners contend that because of the absence of room for a two- reel subject on a program with two features and a newsreel.

The newsreel is considered more or less necessary to every program, as it is a short comedy, but because of (Continued on page 4)

Omaha Worries Over
New Outdoor Sports

OMAHA, April 21—Exhibitors are looking forward to a dismal summer as far as competitiveness is concerned. Besides a night football league, this summer will see a night football league for which a new park, with lights has been equipped. Horse races have been legalized by the legislature and a major running is due in May. Outdoor night clubs are being started in the hills all around the city are springing up faster than spring violets. Last year, the ice of legal beer was, tough, but this year liquor is legal, too.

Detectives Watching
Theatres Hereabouts

Fearing trouble as a result of re- newed picketing by the three local operators' unions, independent exhibi- tors are reported to be spending $1,000 a week for employment of spe- cial detectives in theatres.

The special officers maintain a steady watch for persons entering theatres with packages and also see to it that the sandwich men parading in front of the various houses do not foment trouble, it is stated.

L. A. Zoning Verdict
Seen by Bernstein

Ben Bernstein, who came from the coast to attend the Campi hearings on the Fox West Coast application for changes in the Los Angeles sched- ule, feels that Code Authority will (Continued on page 7)
THE faithful reader may feel he is being imposed on, so lengthily runs the published account of the obstacle which Fox Met is running. He should be told, as he is now being told, that this was several times earlier, that the way this bankrupt circuit, originally put together by Bill Fox with the aid of A. C. Blumenthal and William Brandt, goes is the way the dominance of the Greater New York situation may go. The future of the richest of the three in the United States is something to conjure with. Also to write about.

Loew and RKO, for years, have viewed the metropolitan area as their two. The dominant circuits with perhaps as much as $75,000,000 to $100,000,000 invested in theatre properties, have had their tongues and, no doubt, will continue to ring off the exiguities of each season's problems have often loomed as barriers not easily surmountable, somehow or other the two outfits have worked out their destinies as far as competitive endeavor has allowed.

While a particular problem, such as this, has never been apart from the issue of their collective control of the area. That brings the tale to its latter day aspects which is where Fox Met enters the picture like the lovely heroine on whom covetous eyes are being cast, if the spoils in the case are sufficiently rich, although latent, to launch a third and powerful chain in this sector. Obviously, this is not to be desired by Loew any more than it is by RKO. Important as a consideration from the Loew angle is to keep Fox Met in hands friendly. If Joe Schenck's offer wins out, the ownership obviously will be what then. Whence I am to answer as far as RKO is concerned... RKO, acting through KAO, its most lusty theatre subsidiary, realizes the evil that might befall it here by marrying the occasionalness, likewise obvious, for its keen interest in the disposal of Fox Met. Whether or not a middle ground can be reached, it is both speculative and ominous, beginning and ending with this department, so far as it knows. A Fox Met somehow divided between Loew and RKO, or KAO, is a more sensible idea of the fracas than a Loew and an RKO divided into sharply drawn camps with blood in eye and the arena warfare raging up and down the city's five boroughs...
AND NOW "LIBERTY" JOINS THE 36* FAMOUS CRITICS WHO HAVE CHEERED WARNER BROS. FOR RESTORING MANHOOD TO THE MOVIES!

*3 "Four Stars.—Warner Bros. have shown a great deal of courage in making . . . . this superb film

PAUL MUNI in 'BLACK FURY'
It is certain to be included in the best of the year . . . . To miss it is to miss an unforgettable picture.” (Warner Bros., Producers . . . A First National Picture)
Wisconsin Showmen Fight 4% Tax Plan

(Continued from page 1)
$2,000 a week on its 34 houses. Car
task Miller if the property tax
would be paid on the theatres, which
would be repealed by the bill, did not
more than equal what the new gross
receipts tax would amount to, but Mil-
ler declared he had no figures on that.

Opposition to the measure by the
Independent Theatres Protective Ass’n
was led by F. J. McWilliams, Madi-
son, chairman of the organization’s
legislative committee. The bill would
also oblige all theatres to secure a
license at an annual fee of $5.

Wisconsin exhibitors also are fight-
ing a bill to legalize pari-mutuel bet-
ing on horse racing.

The measure has the support of the
Wisconsin Ass’n of Fairs directors and
provides that license fees and per-
centsage would be paid into the state
general fund, from which $50,000
would be paid out to the state fair

Joe Friedman of the National
Screen office in Buffalo is in town
to close the holidays and visiting local ex-
hibitor and exchange friends. Fried-
man formerly hailed from this terri-
ory.

Quip of the Day
Harry Brand, making a pass at
catching checks at “21”:
“Remember how I used to grab
checks when I was at Fox? Now
I do it for 20th Century.”

Emilio Azcarraga, president of
XEW radio station in Mexico City,
left yesterday for home after con-
fering with Joe Hornstein for sev-
eral days on equipment for a new
3,000-seat house he will build.

Fay Wray has completed her two
pictures for Gaumont British and is
on her way back here. She docks May
2 on the Washington.

The Duke and Duchess of Rich-
leieu will be the guests of W. G. Van
Schmus at the Music Hall today to
see “Cardinal Richelieu.”

Leo Abrams, Universal local sales
head, returns today from Pittsburgh
where he has been visiting his in-laws.

and $300,000 to counties, agricultural
societies, dairy and livestock associa-
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priations to be retained in the general
fund.

Ohio Racing Bill Dies
COLUMBUS, O., April 21—The
Handley dog racing bill, which passed
the Senate several weeks ago, was
reported out of the House committee
seems to have gone the way of all
ash, temporarily, at least.

The measure was on the House cal-
endar for a vote last week, but Speaker
J. Frer Bittinger is responsible for
the statement that it will not see
the list of day during the present ses-
ion. It now is so far down on the
calendar that only the House Rules
Committee can lift it to a point where
the body is not disposed to do any lifting
it is understood.

Bay State Boiler Bill Out
BOSTON, April 21—Leave to with-
draw a measure introduced in the
State Legislature which would require
the employment of licensed engineers
instead of janitors to operate certain
types of boilers has been accorded
order of the house. The measure
which was strenuously opposed by
theatre men, would have increased
theatres costs appreciably.

Publicity Men to Confer
Hollywood, April 21—A publicity
committee meeting has been called by
the Producers’ Ass’n for next Thurs-
day.

Myrna Loy Gits Up Role
Hollywood, April 21—Myrna Loy
has been relieved of her role in
M-G-M’s “Masquerade” at her own
request. She felt she was miscast.

Wisconsin Showmen Fight 4% Tax Plan

(Continued from page 1)
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centsage would be paid into the state
general fund, from which $50,000
would be paid out to the state fair
"Did someone drop a pin?"

An exhibitor said to us:
"My audience was spellbound. Their attention was galvanized by the drama of that 2-reel subject. You could hear a pin drop during the screening of ‘Buried Loot.’ I’m looking forward to the entire ‘Crime Doesn’t Pay Series’ next season."

WE’RE GETTING COMPLIMENTS FOR “BURIED LOOT”!
A new dramatic idea in short subjects that has captivated audiences. Play “Buried Loot” now and we’ll guarantee your patrons will ask for more! Leave the rest to M-G-M! Next season’s tallest shorts!
"Ruggles" Is Washington's Repeat Smash

WASHINGTON, April 21.—"Ruggles of Red Gap," in a return engagement at the Metropolitan, was a sensation. It went on for five days, to a total gross of $8,100. Second week of the return engagement of "The Little Foxes" at the Coliseum went $1,100 over a par $3,100. Among the first runs "Mississippi" at Loew's Palace did the best business with an average of $18,000, or $3,200 over the par gross, $14,500. Loew's Fox, with "West Point of the Air" and Cab Calloway's band on the stage, clicked off at the top par gross of $25,000, the best total money of the week.

Total first run gross was $81,000. Average $1,600, exchange $7,120.

Estimated takings, exclusive of tax:

**Week Ending April 10:**
- "EVERGREEN" (Gaumont British) 1935, 18c-20c, 7 days, Gross: $1,700.
- "MISSISSIPPI" (Para) LOEWS --1,800, 19c-21c, 7 days, Gross: $7,500.
- "THE LITTLE COLONEL" (Fox) LOEWS --COLUMBIA (--1,100, 19c-21c, 7 days, Gross: $7,000.
- "TRAVELING SALESMAN" (Warner) EARLY (--1,200, 19c-21c, 7 days, Stage: House: $7,000.
- "KEEN TWINS & Vic & LaMerr, Gil Lomb & Marion Bellet, Gross: $5,000. (Average, $7,000.

Looking 'Em Over

"Congo Raid" (London Films--United Artists)

LONDON, April 12.—Spectacular values of a highly original kind predominate in this London Films production. It is a pageant of African native life, emphasizing tribal customs and rituals, with a strong connecting story and several good characterizations to maintain dramatic interest.

There is a notable use of sound. The reproduction of native dances, war chants and of the jungle signal drums is an integral part of the pageant, immeasurably increasing its realism. Interpolated songs for Paul Robeson are a markedly popular type without clashing too obviously with the genuine native music. They are magnificently rendered.

Altogether, box-office values have been blended with an authentic and impressive picture of primitive life in a strikingly successful way and the individual. In "The Song of the Spear" and other specially written numbers he has musical material for his followers. Nina Mae McKinney is not given much chance. Leslie Banks, as Sanders, the

"Roberta" is Boston Draw In 5th Week

Bosworth, April 21.—What this town will do for good grosses after all the "Roberta" prints wear out is beginning to worry the owners of the K40 Boston. In its fifth downtown week and its second at the RKO Boston, the Radio musical was at all, a big success, garnering $7,000 for itself. This is over a week normal take by $1,000 at this house. The same bill took a par $7,000 at the Paramount. "The Scarlet Pimpernel" fell off to $10,000 in its second week in Boston.

Total first run business was $65,000. Average $6,500.

Estimated takings for the week ending April 19:
- "CASE OF THE CURIOUS BRIDE" (Warners) "HOLD 'EM, YALE" (Para) $4,500. (Average, $4,300)
- "THE SCARLET PIMPERNEL" (Radio) $1,000. (Average, $1,000)
- "ONE NEW YORK NIGHT" (M-G-M) "I'LL LOVE YOU ALWAYS" (Col.) $7,000. (Average, $6,000)
- "TRAVELING SALESMAN" (Warner) METROPOLITAN (--3,900, 19c-21c, 7 days, Gross: $3,600.
- "TICKET" (Radio) "RUNNING WAGONS" (Fox) $81,000.
- "HOLD 'EM, YALE" (Para) PARAGON (1,750), 25c-35c, 7 days, Gross: $9,000. (Average, $10,000)
- "ROBERTA" (Radio) RKO BOSTON (--1,340, 25c-35c, 7 days, Gross: $3,500. (Average, $4,000)
- "THE CASE OF THE CURIOUS BRIDE" (Warner) $12,000.
- "HOLD 'EM, YALE" (Para) $7,000. (Average, $7,000)
- "ROBERTA" (Radio) $12,000.
- "TICKET" (Radio) $12,000.

Wins DeMille Award

NEW YORK, April 21—Lawrence S. Cukrash was voted third prize and $500 in the essay contest launched last year by the American Library Association. Lawrence S. Cukrash is from Brooklyn. He was turned down in the tryouts for "Yale News" reporting.

Lawrence S. Cukrash is a son of Herbert Cukrash, well known writer on film topics.

Add Pair of Admirals

COLUMBUS, April 21.—Gov. Ruby Laffoon's annual Derby list of honoraries, just released, contains 52 Kentuckians and two admirals. The regiment of colonels includes J. Reel Neth, local circuit operator, and Williams, Warden of the National Theatre Supply Co., Cincinnati. One woman and two pastors received appointments.

Col. Re-Signs Langdon

Hollywood, April 21.—Harry Langdon has been signed for a new series of shorts by Columbia. The comedian finished his first year attraction was a dual at the Fenway, "Case of the Curious Bride" and "Hold 'Em Yale," which garnered $5,000. The same bill took a par $7,000 at the Paramount. "The Scarlet Pimpernel" fell off to $10,000 in its second week in Boston.

Total first run business was $65,000. Average $6,500.

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"Congo Raid" was covered by a flash cable from London on April 3

less hostile tribes. "Lord Sandi" appoints an escaped native convict chief of a tribe whom he has, unauthorized, brought to order and Bosambo becomes his chief ally against slave traffickers and the "Old King" over the mountains, who fears nothing in the world but the white man.

Sanders goes on leave. A false report of his death is started by gin-runners and spread throughout the country by drum signals. The King takes heart, kills Sanders' deputy and captures Bosambo's wife, Lilongo, in order to lure Bosambo into his hands. Sanders returns by aeroplane and effects a last minute rescue.

Outstanding among the scenes showing native ceremonial are the wedding dances and war chants set with their actual native music and impressive river procession of warrior-laden canoes is magnificently done. Plane shots of veldt and jungle introduce effective pictures of herds of big game.

Robeson, physically well fitted to the part of Bosambo, is the outstanding standing series of pictures. In "The Song of the Spear" and other specially written numbers he has musical material for his followers. Nina Mae McKinney is not given much chance. Leslie Banks, as Sanders, the

"Congo Raid" was covered by a flash cable from London on April 3
Future of NRA Seen Drifting Toward Rocks

(Continued from page 1)

who has been kept advised of the situation, is reported ready to call an extra session of Congress should the present session adjourn without taking action on the legislation.

Should such an event appear to be inevitable, it is understood he will ask the adoption of a resolution giving a 90-day present law until a special session could convene.

It is considered probable that the Administration would be able to secure such a ruling without great difficulty, but should it fail the NRA and the codes would collapse June 16.

Want Ruling Clear
Before Servicing

(Continued from page 1)

Charnow films in compliance with the ruling.

Branch managers contend that if they follow the Code Authority ruling contracts with Adam Adams of the Park Lane, Palisades Park, and George Skouras of the Pacific, Westwood, would be breached. According to facts entered into the Westwood and Palisades Park, both houses involved play 14 days after Englewood. The Campi decision gives Leonia the right to play seven days after Englewood with the arbitrary right to play a week ahead of the Park Lane and Pacific, which have always run before Leonia.

Charnow has been around the exchanges for bookings under the code decision, but branch managers are refusing to concede to the edict unless the ruling is clarified so that they are cleared in the event a breach of contract suit is brought up.

L. A. Zoning Verdict
Seen by Berstein

(Continued from page 1)

definitely hand down a decision tomorrow when it convenes to deliberate on the testimony of April 11.

What action coast exhibitors will take on changes, if any are made by Campi, depends on whether or not anyone is hurt by the decisions reached. If changes are made for the benefit of the exhibitors, they will naturally be accepted without hesitation, he says. Berstein hopes to return tomorrow night with Harry Vinickoff, who accompanied him east.

During the April 11 hearings F.W.C. suggested several changes in the proposed schedule which all parties agreed would not affect anyone. It is understood that some of the changes will be adopted by Code Authority.

Brandt Bookers Shift

With the resignation of Joe Schwartz as chief booker for the Brandt circuit of around 30 houses, Arthur Schwartz, formerly his assistant, assumes the vacated post. Joe Ingbar, who has been with the local Universal exchange, has been named assistant to Arthur Schwartz.

A 1935 Carrie Nation

(Continued from page 1)

commercial influence and unfair competition. She is assertive enough, but unlike bemoan Carrie's, her methods are entirely peaceful even if forceful.

Last fall Mrs. Baier waged a campaign against bank nights and as the result of her complaints the local grievance board, supported by Campi, drove them from the city after a while a couple of persistent exhibitors. With resumption of the stunt at two theatres recently, Mrs. Baier sniffed the smoked of battle again and once more plunged to the fray, this time declaring a "war to the finish."

Armed with an opinion from the offices of the attorney general of Missouri to the effect that bank nights, cash nights and similar devices are lotteries any way you look at 'em, Mrs. Baier is seeking the prosecution of bank night distributors and exhibitors on a charge of criminal violation of the lottery laws of the state. When she applied for warrants, the Jackson County prosecutor here suggested it would be only fair if she agreed to a preliminary hearing for the alleged violators. "Being a lady," said Mrs. Baier, she acceded, but when the scheduled hearing was postponed a week and then set over for another week she smelled a rat and announced her suspicions that one of the exhibitors she seeks to prosecute, Rube Finkenstein of the Belmont, "had a drag" with the politicians.

Prior to the second postponement bank night proponents warned her she "better be careful what she tells the prosecutor," whereupon Mrs. Baier retorted: "I'm a lady and always careful."

Mrs. Baier is convinced the prosecutor's office is giving her "the run-around" and is determined to get action this week if she has to warm a bench all day in the office where they issue warrants.

When the attorney general tells them they're running a lottery, and still they persist then they're inviting nothing but trouble," she asserts.

Meantime, her complaints against Finkenstein of the Belmont and F. L. Scovill of the Prospect were dismissed by the grievance board which agreed with counsel for the bank night group that the distance between those theatres and the Lindbergh and the price variations between respondent and complainant houses precluded any element of competition. But Mrs. Baier insists that when a theatre in any section of the city sends its ballroom truck into another neighborhood to advertise bank night it is again in case of unfair competition and is telling her story in an appeal to Campi.

Fulton Blocks K. C.
Dual Releasing Plan

(Continued from page 1)

bills charges against Emanuel Rolsky, designated I. T. O. member on the proposed dual releasing committee.

The independents and Fox Midwest have agreed on a plan whereby certain product will be periodically released, but Fulton maintains since some of the major companies permit dupling of all their lines in the theatres in other cities, the same privilege should be extended independents here and all product undeservedly should be released for duals at subsequent runs.

Old Timers to Talk
At M. P. Club Forum

(Continued from page 1)

desk;

Production Drops;
32 Features Going

(Continued from page 1)

and three: Warners, four, one and nine; Radio, three, three and five; Universal, two, zero and one; and Columbia. One, one and one; in one, zero and zero; Universal, zero, one and one; Radio, zero, two and one; and one, the independents checking up with four, three and four.

Hague Goes to Honolulu

LOS ANGELES, April 21.—Mayor Frank Hague and Mrs. Hague of Jersey City have left here for Honolulu on a vacation trip after declining the invitation of several producers to sit in on a conference on his return and discuss the proposed removal of the industry to New York.

To Study Technicolor

Hollywood, April 21.—Mr. Adrian Baillie, Bombay producer and studio owner, has arrived here to investigate Technicolor with the view of purchasing the British rights to the Technicolor patents.

"U" Re-Signs Jones

Hollywood, April 21.—Duck Jones has signed a new contract with Universal.
Survey Shows 4,994 Houses
In U.K., Erin

(Continued from page 1)
Wales ... 340 0
Ireland ... 234 0
*

Members of the Council of the Cinematograph Exhibitors’ Ass'n, have conferred with the five newscast editors, and explained the confusion arising from the present system of bidding for "exclusive" pictures.

Stating that all newsreel secured pictures of all the events, the C.E.A. suggested the abandonment of competitive bidding, which merely put up the price of news films without giving either the producer or the exhibitor the exclusive rights for which they pay.

Discussion is believed to have turned on two alternatives—a refusal to bid for exclusive rights under any conditions or an agreement among newsreel to respect such rights when obtained by a competitor.

Although GB held exclusive rights for the Grand National, Mowbray, working through the Bobe, Pemberton and Universal combined to "pirate" a picture. The next "exclusive" event will be the football cup final and it is said to say all reeels will carry scenes of the event.

H. G. Kinemas, Ltd., will proceed immediately with the erection of a new house at Kilburn, London. The building of the new house is almost completed. The Kilburn house was announced in connection with the booking agreement between H. G. & GB, now abandoned. At that time it was stated the capacity would be 4,700 and the cost £550,000 ($1,750,000). The directors of H. G. & K. (Kilburn), Ltd., is about £3,000.

* * *

Sam Peffer of Manchester, originator of a new organization of British exhibitors, from which circuits will be excluded, says representatives of 25 independent theatres have affirmed support.

The Peffer organization is planned to "act as the representative of independent exhibitors in their dealings with manufacturers and renters. . . . The organization will undertake bookings for its members and the advantage gained by booking for a large number of halls will be passed on to the members." * * *

At a press lunch preceding the presentation of A.B.P.'s "Royal Cavalcade" at the Regal, John Maxwell announced a gala performance would be given on May 3 in aid of the King George V Jubilee Fund. He hopes to raise £10,000. H. G. would contribute £5,000 of this amount, said he. First night receipts of the film in British overtures would also go to the fund, he added.

Ed. McGann Honored
Boston, April 21—At a dinner given in honor of Edward McGann, projectionist at the Uptown, who died last week, by the Motion Picture Post of the American Legion, he was a brother of John McGann, assistant manager for Warners here.

Looking ’Em Over

"Congo Raid"
(Continued from page 6)

"The Morals of Marcus"
(Twickenham-Gaumont British)

London, April 12.—W. J. Locke wrote the original of this as a novel way back in pre-war days; later it became a considerable theatre success. That is rather a long time ago and so the material looks pretty thin today. It cannot be said that much advantage has been taken of the opportunities of modernizing and speeding it. Even Lupe Velez, with a sent-from-heaven spirit fire part, is afflicted with Edwardian demeanour.

The story is that Sir Marcus Ordeycene, who has just succeeded to his title and a fortune after a half-lifetime spent in schoolmastering, gives a girl native from a Syrian harem, who stows away in his steamer cabin. In London, there is scandal when the news of the one-time woman hater’s "ward" gets round. Carlotta’s unconventional behavior, in performing harem dances on a restaurant floor and similar escapades, increases the sensation.

Judith, English woman, who loves Marcus, gets her divorce and, in order to get Carlotta out of the way, persuades her that she is an obstacle to Marcus’s happiness. Carlotta goes to Paris with Pasquale, a friend of Marcus, but leaves him to earn her living singing in a cafe.

In due course Marcus finds her. She has improved morally but, there is very little conviction in the story. Miss Velez’s restraint is foreign to her and her part and Jan Hunter, in the world’s worst suit, is more hick than bookworm. Noel Madison’s professional seducer part is cut to pattern, and the same applies to Adrienne Allen’s plaintive widow.

Neither a period piece nor a modern version, "The Morals of Marcus" will scarcely get by critical audiences although its sentimentality may recommend it where the Victorian mentality lingers. It is scheduled for distribution in America.

Running time, 75 minutes. "G." ALLAN

Short Subjects

"Screen Snapshots No. 7" (Columbia)

An excellent member of the series. It shows more than please audiences that like to see what their stars do on their days off.

The reel opens with a shot of the Hotel Ambassador Dog Show and almost every big name in pictures is caught showing his prize animal.

From there things shift to a fashion show, with Helen Vinson and Marian Marsh as the chief models. The red wins up at the new Santa Anita track.

Recommended. Production Code, No. 647. Running time, 10 mins. "G.""

"Roumania" (Fan Bouren-Radio)

Here is a beautifully photographed and interesting travelogue showing cities in Roumania with intimate scenes of Bucharest, Hungary, and its surrounding lands where the land and the life is also covered as well as industries. Dowager Queen Marie is shown in the reel in several intimate scenes. Recommended. No production code seal. Running time, 10 mins. "G."

"The Singing Silhouette" (Vitaphone)

An excellent member of the series. It shows more than please audiences that like to see what their stars do on their days off.

The reel opens with a shot of the Hotel Ambassador Dog Show and almost every big name in pictures is caught showing his prize animal.

From there things shift to a fashion show, with Helen Vinson and Marian Marsh as the chief models. The red wins up at the new Santa Anita track.

Recommended. Production Code, No. 647. Running time, 10 mins. "G.""

"Hold That Shark" (Columbia)

The latest of the World of Sport series here presents a fight between fishermen and a shark. It is pretty obvious that most of the scenes are faked, but fishermen, in particular, will get a kick out of the scenes where the monsters are harpooned. Several shots of fishing off the Grand Banks open the reel.

Fairly entertaining. No production code seal. Running time, 10 mins. "G."

"Life Begins" Leads Detroit With $18,400

Detroit, April 21—"Life Begins at 49" and "Naughty Marietta" did the bulk of the business here last week, with the former having an edge by grossing a new and a total of $18,400 at the Fox. The take on the M-G-M musical at the Michigan was $22,800.

Total first run business was $64,400. Average is $6,000.

Estimated takings for the week ending April 21:

"GREAT HOTEL MURDER" (Fox) $4,600
"GIGOLETTES" (Radio) $5,200
ADAMS—(2,750) 18c-40c, 7 days Gross: $4,600.
(2,975) 14c-40c, 7 days Gross: $4,500.
"FOOL'S PARADISE" (Fox) $5,500
FOX—(1,500) 18c-50c 7 days, 2nd week Gross: $6,000. (Av-
"DAVID COPPERFIELD" (M-G-M) $13,000
(Second Run) $7,000. (Av-
"BEHIND THE GREEN LIGHTS" $4,000
"SHADOW OF DOUBT" (M-G-M) $3,000
STAGE—(1,000) 18c-30c, 7 days Gross: $4,600.
"NAUGHTY MARIETTA" (M-G-M)
MICHIGAN—(4,000) 18c-50c 7 days, 2nd week Gross: $5,500. (Av-
"BRAHMA" (M-G-M) $5,000
"JUDEA" $4,000
UNITED ARTISTS—(600), 18c-50c 7 days Gross: $6,600. (Av-

Extras Form a New Coast Organization

Hollywood, April 21—Cinema Players, Inc., an extra organization working independently of any other film player group, has been started here. Incorporation papers have been filed by Carlton E. Griffin, secretary and treasurer.

The group is being organized for the purpose of amicably settling disputes between players and others through the mediation process.

J. R. Meyer, president of the group with the other officers including Harris Gordon and William Blum are a girl fugitive and vice-president, respectively; Mand Louis, chairman of the women’s advisory board, and Esther Hoch, secretary.

The board of directors includes Wallace Dean, Herbert Howard, King Lockwood, Ace Novinsky, Harry Strathy, Elmer Grover and William, Bert LeBaron, Jerry Rousseau, Victor Delinsky, Charles Melkin and Thomas McDonald. Edna Alston, Hazel Houghton, Esther Hoch, June LeVeere and Nina Smirnov complete the Women’s Advisory Board.

Al Woods on the Coast

Los Angeles, April 21—Stage Producer Al Woods has arrived here from the Midwest to produce "Abide With Me" and "The Night of January 16," with Hollywood players. He is also scheduled for several out of towners with producers late this week.

Services for Godfrey

Hollywood, April 21—Funeral services are being arranged for Sam Godfrey, 43, who died here late last week of intestine cancer. Godfrey was a stage producer before coming to Hollywood about four years ago.
Hays Office Moves to Hit Ads in Films

Resolutions Adopted and Study Will Be Made

Advertising on the screen came up for discussion at the session which completed the annual meeting of the M.P.P.D.A. yesterday when it was decided to make a study of the problem because "much concern" is felt over its possible effects.

The sentiment of the meeting was that screens should be reserved exclusively for entertainment, and that advertising should not be allowed to creep in directly or indirectly.

The session was a completion of the one adjourned from March 23. Resolutions covering advertising were adopted as follows:

*Much concern is felt over the reports that various projects are now*

(Continued on page 2)

Delay Expected for M. & RKO Ruling

No decision from the board of three arbitrators which heard the Meyer & Schneider breach of lease charges against RKO is expected for at least a month, it was stated yesterday, because of the extensive testimony taken.

(Continued on page 8)

National Theatre Is Aim of Senate Bill

WASHINGTON, April 22—Incorporation of the American National Theatre and Academy is provided for in a bill

(Continued on page 2)

$60,000 to $65,000

"Les Miserables" grossed $11,200 on Saturday, its opening day, and $10,006 on Sunday at the Rivoli. At an anticipated average of $8,000 for the remaining five days, the first week's gross is expected to land at $60,000 to $65,000. Figures were supplied yesterday by United Artists. Eight shows are scheduled daily at a price scale starting at 40 and ending at 99 cents.


Producers-Exhibitors Out Of Code Seen As Possible

Shirley 50 Times

With "The Little Colonel" playing day-and-date in all local RRO houses in addition to a number of independent theatres, Fox has a total of 50 prints in work this week. The usual quota is 28, but for specials, 52.

Campi Upholds Boards on 58 Bank Rulings

Within the past seven and a half months Campi has upheld local boards on 58 bank night appeals. All decisions of the lower boards have held that bank nights are code violations in competitive situations with Code Authority upholding previous verdicts on appeal.

First bank night case to come to the attention of Code Authority was

(Continued on page 4)

Gluckman to Take On Regional Sales

The Republic franchises for New York and Philadelphia territories go to Herman Gluckman, head of the Capitol and Majestic exchanges here. The new contracts call for Gluckman

(Continued on page 2)

Mae Seems Surprised

Hollywood, April 22—"I’ve had a lot of things come my way on Easter—colored eggs, flowers and candy, rabbits, etc.—none of it made me think of marriage," Mae West says, "but this is the first time I ever got a husband for a present."

This is her comment on a report from Milwaukee that relief workers reindexing old Milwaukee records had found that Mae West married Frank Wallace, an actor, in that city on April 11, 1911. "How old do you think I am?" she asked.

Nobody answered.

Spring Brings in Theatre Activity Like a Floodtide

Advent of spring this year has brought with it more activity in reopened and returned theatres than has prevailed in several seasons, in the opinion of observers.

Yesterday’s developments included these:

*Building Three in Minneosta*

Three new theatres are now being built by Minnesota Amusement Co. and will be opened in the early summer, John J. Fried, president and general manager, stated yesterday upon his arrival from Minneapolis. The new additions will make a total

(Continued on page 8)
Gluckman to Take On Republic Sales

(Continued from page 1)

to handle the Republic product for the next six years.

It is contemplated that other independent exchanges in the Philadelphia local territory will be taken over by Gluckman and combined with the new setup.

Gluckman has also been added to the Republic advisory committee.

In commenting on his new organization, W. Ray Johnston again stated the original franchise will be given only to those exchanges which handle that product exclusively. On the other hand,Republic's Majestic does not contemplate disobeying its exchanges or production unit.

Merger in Cincinnati

CINCINNATI, April 22—First Division and Majestic exchanges here will merge on April 27 under supervision of Lee Goldberg. Maurice Chas. Levy and Goldberg jointly own Big Feature Rights Corp., which is operating as independent exchange in exchange for the year. For its first year, Republic Majestic does not contemplate disobeying its exchanges or production unit.

The merger exchange will probably be known as First Division-Majestic and use the Majestic quarters.

Golden in Toronto

TOMATO, April 22—Edward Gold- en, general sales manager of Monogram Pictures, is expected here Tuesday to discuss sales conditions with Oscar Hanson, president of Empire Films, Ltd., Canadian distributors for Monogram. It is reported Golden will team with Hanson to handle Republic.

Republic Plans One Here

Republic will produce one of its 1935-36 productions in the east this summer. The picture, "Manhattan Merry-Go-Round," will go before the cameras at Biograph. Ellery Queen's "The Spanish Cape Mystery" has been bought by the same company for production.

Two More Units Started

BOSTON, April 22—Following the formation of Republic Pictures Corp. of Texas, with former Monogram franchise holders in the territory, William G. Underwood and Claude Erell, named as president and vice-president, respectively, Republic Pictures of New England has been formed here under Massachusetts law with Herman Rifkin as president.

Rifkin is the former Monogram franchise holder in this section.

Republic Buys Story

HOLLYWOOD, April 22—Rober t Eden's story, "Dancing From a Reeve's" which was syndicated in 55 daily newspapers and published in book form, has been

bought by the newly formed Republic Pictures.

Mrs. Wallace Reid has been signed to the first contract of Republic Pictures. She will be story editor. She formerly was a supervisor for monogram.

Hays Office Moves To Hit Ads in Films

(Continued from page 1)

under a strict limitation of advertising films into entertainment programs, and the association will conduct a study of the matter. A report and recommendations will be presented to the board at a later date.

"The motion picture theatre is and always will be an entertainment. The motion picture theatre screen is not a proper medium for advertising, whether this be by direct presentation of outright advertising films, or by some indirect effort to present advertising films under the guise of entertainment."

Resolutions were also adopted praising the work of Louis Lumiere on this the 40th anniversary of his work on the screen.

The legislative situation in California was discussed, but no action was taken, it was stated.

Major Sales Forces To Help NVA Drive

Plans whereby major companies will cooperate with the N.V.A. Fund committee were discussed when distributors' representatives met with Leslie E. Thompson at the M. P. Club.

Eddie Cantor will make a trailer for "Laid Back," which was released in April, and will handle the distribution. About 4,000 theatres will show the trailer.

Sales forces of the various companies will contact exhibitors throughout the county for pledges for 10 per cent of the receipts on May 20.

The following representatives were Felix F. Feist of M-G-M, William Kupper of Fox, Joseph J. Unger of Paramount, and David M. Maclaren, executive vice-president of Universal.

The N.V.A. has already raised $85,604 by this method.

Billard Webb to Be Laid to Rest Today

HOLLYWOOD, April 22—Funeral rites for Millard Webb, the director, who died in a hospital here yesterday from an intestinal disease in his 43rd year, will be held in Hollywood on Tuesday.

Webb, who was taken ill after he returned from Europe nine months ago, is survived by his widow, the former Mary Eaton; a daughter, his parents, two sisters and a brother, all resident of Los Angeles.

The director, who was also known as a writer, was born in Clay Center, Kan.

F. A. Dahme Is Dead

F. A. Dahme, for years a leader in the title printing field, died suddenly early this week-end from a heart attack. He was 56.

Funeral services will be conducted at 11:00 A.M. today from his home, 101 W. 1st St. His widow and a son, Jerome, survive.

Pennsylvania Sunday Show Hope Gaining

(Continued from page 1)

Seweller, chairman of the House Finance Committee, has proposed a state tax on services such as professional, taxicab, garage, barber service and similar items.

The state's budget is understood to be balanced except for $6,000,000 for old-age pensions.

No action has been taken on the new proposal as yet.

Bann Washington Betting

SEATTLE, April 22—Wagering of any kind on dog races will be prohibited again this year in Washington, Gov. Clarence D. Martin has assured interested sportsmen who visited his office.

The governor's statement came as a result of a report that California interests were planning to operate dog tracks in the state. With legalizing betting, the tracks cannot be operated profitably.

James F. Hope, executive secretary of the Allied Amusement Corporation of Wash-

ington, was assured by Governor Mar-

tin that the state police would handle the situation if the sheriffs of the coun-

ties involved failed to prohibit wager-

ing.

Says Catholics Back Pettengill Measure

Catholic organizations are lining up behind the anti-block holding bill, according to a bulletin sent out by the M. P. Research Council.

Those that have endorsed the measure, the council states, are: Knights of Columbus, National Council of Catholic Women, Catholic Cen-

ters (N.Y.), National Catholic Congress of German-American Catholic Women), Catholic Order of Foresters, Catholic Labour Union, the United States, and the Detroit Council of Catholic Organiza-

tions.

Other organizations and individuals that have taken similar action, according to the council, are: American Ass'n of University Women, Na-

tional Council of Catholic Women, Catholic Cen-


National Theatre Is Aim of Senate Bill

(Continued from page 1)


The academy is to be a non-profit or-
ganization to present theatrical produc-
tions in competition with the best ac-

tors and actress, at minimum cost.

Names as incorporators are Mr. and Mrs. Lawrence, Mrs. George H. Lorimer, Mrs. Stanley McCormick, Miss Anne Morgan, William Green and Mrs. Felix Du Pont.

"It's Meet Set Back"

Universal has set back its annual sales convention on Education day by Sena-

tor Robert Wagner of New York.

The academy is to be a non-profit or-
ganization to present theatrical produc-
tions in competition with the best ac-

 tors and actress, at minimum cost.

Names as incorporators are Mr. and Mrs. Lawrence, Mrs. George H. Lorimer, Mrs. Stanley McCormick, Miss Anne Morgan, William Green and Mrs. Felix Du Pont.
'G-MEN' WIN U.S. CRIME WAR


"PUBLIC ENEMY" BECOMES SOLDIER OF THE LAW as Jimmy Cagney leads the "G-Men" on greatest man-hunt in history in the bullet-streaked story of Gangdom's Waterloo — the screen's greatest novelty of the last 5 years!

GANGSTER'S WIFE TIPS G-MEN in breath-taking nation-wide search for underworld's most notorious kidnappers.

GATS BLAZE ON THE MID-WESTERN FRONT as cameras show gangland's last stand in northwest woods hideout, the hunt for the Central Station killers, and unrevealed details of other headline cases!

Lead the Field! — Play Warners' "G-MEN" Next Week!

A First National Picture
MOTION PICTURE

DAILY

4

Boards Upheld on
58 Bank Rulings
(Continued from page

Unanimous

In Kansas City and Milwaukee 10 appeals
were filed, in Los Angeles, eight.
Dallas had seven. Chicago is credited
with four. Atlanta, San Francisco,

countenancing the practice.

Omaha and Des Moines had

three.

In Oklahoma City and Denver there
Indianapolis and
Minneapolis has one each.
Lotteries in the form of screeno,
Seattle,

country store, gift night, food night,
prosperity night and money night
totaled 34. Unlike bank night, Campi
ordered four rehearings by local
boards and reversed one lower verdict.

Indianapolis leads the list of 15
boards where appeals have been taken.
This board chalked up seven appeals
while Chicago and Minneapolis had

Critical Praise
in coining phrases and

—

has

come

American At last a picture
town to lift the screen from its fortydays of doldrums, and burst, brilliant as
an Easter sun, upon a public drenched in
movie mediocrity. Such is "Les Miserables." And after more than a decade of
to

loving labor in the cinematic vineyards of
the metropolis, this star-gazer forecasts
that when the roll is called out yonder,
this magnificent achievement will be listed
large as one of the major accomplishments
of the present season. Or any other.

—

Mirror

an ambitious, brilacted, elaborately staged fihn ver-

Daily
liantly
sion of

sober,

the

It

Victor

is

Hugo

novel,

faithful,

and impressive.

stately

—

impressively transDaily News (****)
To Richard Bolesported to the screen.
lawski's masterful direction of the picture,
which had its world premiere at the Rivoli
yesterday, have been added superb performances by Fredric March in the leading role,
by Charles Laughton as the implacable
Javert, by Sir Cedric Hardwicke as the
benevolent Bishop and by little Marilynne
.

.

.

in the role of young Cosette.
Evening Journal Producer Darryl Zanuck
has made an impressive picture of "Les
Miserables," a richly mounted, splendidly

Knowlden

—

acted

down

Herald-Tribune The great and tragic
story of Jean Valjean is told once more by
the cinema in a handsome, well acted and
earnestly loyal screen version. With Fredric March providing the best performance
of his Hollywood career as the noble fugitive, and Charles Laughton offering a brilliant interpretation of the human bloodhound, Javert, Mr. Zanuck's production of
the mastodomic Hugo work has an excellent
head start to dramatic success.
If
the
photoplay seems episodic and possesses a

in connection with reducing admissions below prices stipulated in
contracts totaled 18. The 13 boards
and cities from which appeals were
taken are Kansas City, four Charlotte and Philadelphia, two; Atlanta,
San Francisco, Los Angeles, Dallas,
Oklahoma City, Milwaukee, Cleveland,
Detroit, Pittsburgh and Albany, one.
Yesterday a committee comprising
Dan Michalove of Fox, Charles
;

:

the Victor Hugo classic.
liberal translation of the
arrestingly in general outThe episodes selected
line, and meaning.
were taken with an eye to pictorial as well
as dramatic value, thus uniting spectacle
and melodrama with the action demanded
by the screen.
*

*

version

*

of

While a

book, follows

it

—

Moses of Century circuit and Roy days, Code Authority decided to postH. Haines of Warners heard 20 ap- pone the session until it could go over
peal cases involving bank night, cash all the various recommendations.
However, it is said that the Forumnight, cash novelty gift night, premiums, prizes, purse night, jack-pot
night and throwaways.

Producer-Exhibitor
Out Held Likelihood
1)

inated as in most instances distribution is handled separately.
If a producer who sold his output to a distributor was held to be outside the
code, the natural result would be the
setting up of separate distribution

organizations by

producers.
All thisj however, it is added, is
dependent upon a final adjudication
of the Denver decision.

Several changes in the Los Angeles
schedule will be made by Campi today,
Harold S. Bareford
it is understood.
of Warners will be chairman of the
session.

Uptown

decision declaring the houses
non-competitive will not be changed.

(Syndicate Exchanges)

With the coming of spring
featurette is good entertainment,
ticularly since many people will
their minds on fishing.
The fare

trace of heaviness, then the insistence on
fidelity to the original is responsible.
Post Here, indeed, is a superlative effort,
a thrilling, powerful, poignant pic
ture, produced on a tremendous scale, yet
retaining all the color, passion and inti-

—

macy

Hugo's

of

fiercely

dramatic tale of

nineteenth century France.

Sun—
will

be

*

*

a

picture

so

that

fine

many

years before anyone
another production of the

attempt
classic.

*

*

it

dares

Hugo

* *

"Les Miserables" has drama enough

for

Somehow it flows along
subordinating its backgrounds of
melodramatic and elaborate costumes to the
undiscussed, never forgotten central theme.
This is a picture of power and hope. It
Or peris the perfect picture for Easter.
haps it is just the perfect picture.
* * * unbelievably thrilling in
Times
all
the departments of its manufacture,
and it makes for a memorable experience
in the cinema. You will surely be hearing
about it for a long time.
In a work which represents the perfect
a dozen pictures.
easily,

—

collaboration of
to

award the

many
laurel

talents,

it

is

adequately.

_

difficult

But we

can come pretty close by applauding Richard Boleslawski for his direction, Gregg
Toland for his remarkable photography^ W.
P. Lipscomb for a screen play which is a
model of telescopic rewriting and the distinguished performances of Fredric March
and Charles Laughton. * * * "Les Miser-

virile,

is

NRA

Expect Compromise
On Cleveland Duals

—

Cleveland, April 22. The single
feature situation for the coming season
is
still
an unknown quantity. The
committee of the Cleveland M. P. Exhibitors' Ass'n. has not completed a
report, but it looks as though single
features are doomed, or, if not entirely
doomed, at least subjected to a compromise which will permit duals on
specified days of the week.
The report is expected within a week.

Alterations will be made on the 13
points protested by Fox West Coast
at the Campi hearing on April 11.
At the hearing both Al Hanson, city
manager for F. W. C, and Ben
Berinstein,
representing
Associated
if
Exhibitors,
held
that
certain
Washington, April 22. The Senchanges were made it would be agreetoday
ate
reconsidered
able to them.
the
vote
These undisputed shifts in zones are whereby last Friday it ratified the
expected to be approved by Campi. copyright convention and returned the
The changes suggested are in the treaty to the calendar pending action
record and, because the testimony on the copyright bill which is soon
could not be transcribed for a few to be introduced.

Return Copyright Treaty

—

have
pre-

however, and

its

A

Wilfred Lucas is clear and interesting.
Marine Prod, produced.
Recommended.
Production Code
Seal, No. 0398.
Running time, 30
minutes.

"G."

Union Will Picket
In Orchestra Drive

Picketing of all theatres not employing orchestras is expected to get
under way shortly unless musicians
are installed, according to a bulletin
* *
* deserving of
issued yesterday to members of MusiWorld-Telegram
rank among the cinema's finest achieve- cians' Local 802.
ments. Acted with fine feeling by a supe"If the bosses will not yield, we
rior cast and beautifully directed by Richard
Boleslawski, it flashes across the screen must call upon all the craftsmen in
without losing a whit of its power and the entertainment field to go out on
forcefulness. * * * "Les Miserables" may
soften once or twice, or it may slacken its a general strike," the bulletin reads,
pace here and there, but it never relaxes "unless our demands are granted."
its emotional power and strength.
The bulletin urges solidarity within
the ranks and shorter hours of employed musicians for the distribution
ables" bulks impressively among the most
notable contributions to the talking screen
and it is sure to be remembered when the
time comes to appraise the 1935 cinema.
It deserves to run for months at the Rivoli.

—

Plan Television in
Nine Key Spots Soon

of work.

Television stations in New York,
Philadelphia,
Boston,
Washington,

Wall Street

—

entered the
in 1933 as a deputy
administrator at $6,000 a year, now
has a salary of $8,948, it is shown by
the official register just published by
the Civil Service Commission. Only
nine others in the NRA, one of them
Donald R. Richberg, receive more
than Rosenblatt.

this

par-

appeal to women is a bit doubtful.
California fishing boat takes a
camera crew down to the game waters
off Mexico.
With the aid of an
underwater camera swordfish, sharks,
tuna, octopi, giant mantas and even
a fight between a whale and a swordfish are shown as they are captured.
The film is conventional material
for the most part, distinguished only
by the excellent photography, except
for the fight between the whaie and a
swordfish.
These scenes alone should
be enough to satisfy any audience.
Max Stengler's photography is exceptionally good and the narration of

Chicago, Los Angeles, San Francisco
and either Portland or Seattle are
Rosenblatt Gets $8,948
planned within the very near future, it
Washington, April 22. Compli- is learned. Each of the stations will
ance Director Sol A. Rosenblatt, who cost in the neighborhood of $250,000. Warner Pfd Gains

all

Expect L. A. Changes

"Fish from Hell"

New York critics yesterday went all the way
applying adjectives to "Les Miserables" which had its world premiere
Consensus of their opinions follows:
at the Rivoli Saturday morning.
sented here

four. Milwaukee, Omaha and Denver
had three and Buffalo two. Charlotte,
Los Angeles, Kansas City, Oklahoma
City, New York, Portland, St. Louis
and Cleveland had one.
Appeals brought on decisions handed

(Continued from page

Short Subjects

Accorded

1)

the appeal of the Family and Ritz, La
Grange, Ga., on Aug. 23, 1934. The
complaint was brought by the Gablex,
LaGrange. The last decisions were
handed down April 4 and about 25
appeals are pending for disposal.
Only 14 of the 32 boards have been

were two.

99

"Les Miserables

Tuesday, April 23, 1935

The

Eastman
Fox "A"

ment.

M-G-M

Each

station will have a useful ra-

dius of 75 miles with a non-interfering
radius of approximately 60 miles. It is
believed that the combined stations will
reach more than half of the population
in the country if, and when, this population has television sets installed. The
price of a set is figured at about $200.

Jersey Unit, IEPA
Will Meet Together
Members

of Allied of

New

Jersey
and the I.E.P.A. of Eastern Pennsylvania, Southern New Jersey and Delaware will hold a joint meeting in
Philadelphia on Thursday to discuss
topics of mutual interest. As a result,
the regular Tuesday meeting of Allied has been called off today and instead Sidney Samuelson will confer
this afternoon with a few members of
his unit at a special session.
About 15 exhibitors from northern
New Jersey are expected to attend the
Quaker City meet.

1% on Big Board
Net

High.

the eight stations is reported near completion in Philadelphia,
and, according to the plans, one studio
will be used for sending out films and
a second studio for variety entertainfirst of

Columbia vtc

.... 43}4

Consolidated
Cons, pfd (lv)

A

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Low
42J4

Sl
1854

5 /tt
18

13554

133J4
9v»

.

w/i

Loew's

39
28

2%

Paramount
Pathe
Pathe "A"

l

RKO

Warner

21J4

%

3Vt

21%

+V/t

m

3854

28

Vt,

9
154

3%
20J4

—%

+ Vt
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(Quotations as at close of April 22)


We've taken the guess-work out of film printing with controlled production. Order ten prints or a thousand and all will be uniform—unerring reproductions of your original. Only Consolidated can accomplish such precision; only Certified Prints can bring your pictures to the screen looking their best and sounding their best on all the screens of the world.
Famous Canadian to Restore Dividends

TORONTO, April 22—So satisfactory was the financial showing of Famos Players Canadian for the year ending Dec. 29 that the directors voted to pay a dividend of three cents a share, payable April 27 to share-holders of record April 24. Earnings were at the rate of 80 cents a share on the 278,000 shares issued. Earnings were $320,625, compared with $104,885 for the previous year. This will be the first dividend since Sept. 1932.

In connection with this announcement, it was stated that an additional 18,946 shares of common had been offered at $10 per share to holders of record April 25, the right to subscribe being available until June 1 at the rate of one new share for every 20 held.

A substantial improvement was shown in working capital, the net working total being $1,539,648 as against $875,362 one year previously. The increase total, which revealed total assets of $23,100,616, included a surplus of $3,762,036 at the end of 1934 as compared with $3,489,411 one year before. For the full year the surplus was $1,639,372 or more than $300,000 greater than in 1933. Fixed assets increased by $2,251,375, and working capital showed a 22 per cent depreciation was $679,496. Investments in subsidiary companies not included with fixed assets totalled $2,071,000. Total capital stock at present is $8,991,725.

Announcement was made that George J. Schaefer of New York, vice president of Paramount Public Corp., has been elected a director of Famous Players in Canada.

Act Against Blumenthal

A complaint was filed against A. C. Blumenthal in Supreme Court here yesterday by Charles D. Hilles and Eugene W. Leake, who have been Paramount Publicx trustees, in an attempt to recover $36,000 and interest since Sept. 28. National Bank is charged with obtaining unfair preference in the redemption of his 20-year notes at cent dentures of Paramount Publicx.

Midwest Takes "Time"

KANSAS CITY, April 22—Midwest Film Distributors has effected a deal for distribution of "March of Time" in Kansas City, Omaha and Des Moines territories.

First Division operates no offices in the above territories.

Melbert Gets 3-Reeler

Melbert Pictures, Inc., have acquired world-wide distribution rights of "Fish From Hell," a three reel special feature.

Registration List Passes

Hollywood, April 22—The extras registration list died a natural death today with the standing committee on legal duties on compliance Director Sol A. Rosenblatt to return it for a check-up for possible errors.

Ford Signed by Zanuck

Darryl F. Zanuck has signed John Ford to direct Ronald Colman in the forthcoming 20th Century production, "The Man Who Broke the Bank at Monte Carlo."

Option Ginger Rogers

Hollywood, April 22—Radio has lifted its option on Ginger Rogers.

Schrader Leaves Firm

SEATTLE, April 22—Byron G. Shraer has disposed of his interest in Schraer Film Distributors to Robert E. Sedgwick, M-G-M manager. Schraer has been a Johnson Film Company stockholder.

Another Cut in Frisco

SAN FRANCISCO, April 22—Another drop in admission price has occurred here as the long standing 55-cent downtown house, has gone down to 45 cents with the opening of "Cardinal Richelieu." It followed the move of the Warfield, topnotch first run spot, which skidded from 65 cents to 55 cents.

"Mutiny" Company Back

Hollywood, April 22—The "Mutiny on the Bounty" location unit has returned to the M-G-M Studio after a tour in Mexico and mostly in tropical waters of the Pacific. Frank Lloyd, who is directing the film, was "leader of the company, which was away two months.

Tippy Making Series Of Indiana Speeches

INDIANAPOLIS, April 22—Dr. Worth M. Tipp, executive secretary of the Commission on Church and Social Work of the Federal Council of Churches of Christ in America, with headquarters in New York, opened a speaking tour throughout Indiana here today under the sponsorship of the Indiana Council of Church Women in "the interest of better motion picture pictures." Exhibitors have been invited to attend.

Dr. Tippy will also speak in Lafayette and Crawfordsville today, in Richmond, Tuesday; in Elkhart, Wednesday; South Bend, Thursday; Marion, Friday; here again, Saturday, and Fort Wayne, Monday.

The Federal Council of Churches of Christ in America here told the local district private television that no future trips were planned by Dr. Tippy, and that this was the first such excursion he has made in six months. Dr. Tippy has long been a motion picture lover and at one time crossed the continent on a lecture tour, but this is the first time he has left the New York area since the departure of the Legion of Decency drive.

Takes Over Irish Film

"Norah O'Neale," produced in Ireland by Clifton-Hurst Prod., has been acquired by Guaranteed Pictures Co., Inc., for American and Canadian distribution. The Abbey Players are featured.
COME, YOU LUCKY TWO HUNDRED AND TWENTY-SEVEN!

And only you lucky 227 people can come! The rest of the tickets for AMPA'S speechless party have been sold! So if you expect to mingle with filmdom's finest on the 27th, you'd better tell Paul Benjamin about it right away.* And Paul can't hear a word unless it's accompanied by $7.50, the ridiculously low price of tickets for the . . .

NAKED TRUTH DINNER

A. M. P. A.

APRIL 27, 1935 • HOTEL ASTOR

*Tickets may be obtained from Paul Benjamin, National Screen Service, 630 Ninth Avenue.

Typography by Royal Typographers, Inc. • Engraving by City Photo Engraving, Inc.
More of Fabian's Fox Met Deals Out

(Continued from page 1)

by Joseph M. Schenck and Fox Theatres.

Isidor Kresel, counsel for the pro-
ponents of the Schenck-Fox three-
plan, drew from Frederick Peyer, a part-
ner in Hallagan & Co., the in-
formation that Fabian and Greve had each had an agreement with a brokerage
house for trading in Fox Met bonds in addition to the Hallagan accounts in which the two had last week to participate to the extent of $119,500 of par value notes each. With Greve on the stand yesterday, and Mr. Federal Judge Julian W. Mack, presiding, Kresel drew ad-
missions from the latter of his in-
ter-organization. It is now under-
stood that, instead of which dealt in Fox Met notes.

Perceval Jackson, counsel for a Fox Met noteholder and believed to be friends of Kresel, read off a
friendless plan of reorganization, charged that the disclosures were being made "to force Fabian on the market" and to enable Schenck-Fox Theatres to acquire the Fox Met assets "as cheap-
ly as possible." The company plans to "en-
sure the payment to Fox Met bond-
holders" above the $75 cents on the
$1 proposed in the Schenck-Fox Theatres plan.

Greve admitted that in addition to his account with Hallagan, he had dealt directly with Fox Met through Low, Wood, & Co. through Isaac Roshalisky, an investor, and through other houses either in his own name or in the names of various holding or corporations he controls. He said the total extent of his dealings was $280,100 face amount in Fox Met.

Admits Schenck Stock Offer

An admission that Schenck had offered a block of stock in the new Fox Met company proposed under the plan to Skouras and others was made by George Skouras, on resuming the stand yesterday. Skouras said the proposal had been discussed by Schenck on the phone with Richard Hoyt of Hayden, Stone & Co., but had not been resumed with anyone for any period of time. Richard Hoyt of Hoyt & Co. When Motion Picture Daily pub-
ished this information in its issues of March 16 and 21, it drew a written denial from Mr. Schenck, who, as receiver for Fox Theatres, is one of the proponents of the Schenck plan of reorganization.

Skouras testified to the belief he had that the Schenck plan "to be better for both the operators of Fox Met (Skouras and others) and for Fox Met bondholders than the re-
organization plans for the circuit pre-
sented by Fox Met operators." This was based on an investiga-
tion testimony as to the value of the Fox Film franchise to Fox Met, which would have been under the Schenck plan, but would not have been.

It was also brought out that the Skouras and Randorf stock interests in the theatres of the Fox Met operating com-
panies could be disposed of to Schenck or to Fox Theatres providing one of the latter first sold its stock interest in the parent company to the other.

Warnings Start a Drive

Warnings yesterday started a five-
week sales drive.

Spring Brings in Theatre Activity Like a Floodtide

(Continued from page 1)

of 71 for the circuit which it is re-
versing. It is expected that it will take
six weeks to two months before the company will be taken out of receivership.

The new houses are: El-Jay, Man-
Kato, Minn., seating 400; Gem, Col-
orado Springs, 400; Ely, Ely, Nev., 350, 400; El-
Eau Claire, Wis., 500 seats. The four
first houses will probably be ready in June while the third house may be opened in May.

RecentlY, MInnesota Amusement Co. reopened its third house, the Orpheum, Minneapolis, Minn. A new
lease was also closed some time ago on the Grand, Fargo, N. D.

Discussing conditions in territories
other than Minnesota, Mr. Fried declared that for the first time in years there is a healthy outlook ahead. Within the past few weeks, they have seen
rain and snow, indicating good
prospects for the farmers, which will be reflected at the box-office.

Buchanan, partner with Minnesota in three houses in Superior, Wis., is accompanying Fried, Buchan-

Gen'l Talking Suit Vs. Erpi Under Way

By CLARENCE LINZ

WILLIAMSTON, April 22—Trial of the anti-trust action of General Talking Pictures and Duvoac Radio, which is no longer an active organiza-
tion, will begin in the Federal Court
at Superior, Wis., tomorrow. The action, brought by the
Erpi Theatre, was opened at 3 o'clock with a waiting ticket line a full block long.

The theatre was opened by the
company of a man and woman, as
presumably producers agree
to distribute films produced on producing apparatus only to exhibitors supplied with Erpi reproducing apparatus and equipment.

It is also charged that exclusive agreements are to be given to producers who agree to distribute films produced on equipment supplied only to exhibitors.

Stanley Co. of America was a co-
plaint in the case but has since
sold its grievances with the defend-
ants.

The defendants amended their answer to charges before the trial opened today. The state-
ment that Duvoac, since the case was instituted has gone into bankruptcy and the circuit is no longer an active company and hence is not entitled to any injunc-
tive relief. To this, Samuel E. Dar-
on, attorney for the defendant, objected, stating, the plaintiff, said that "the vice not exist Duvoac might still be in the business of manufacturing erpi reproducing apparatus.

Universal to Make Six Spanish Films

Universal will produce six Spanish pictures for distribution abroad next season. They will be originals and not versions of vehicles designed for the American program. L. N. Man-
heim, foreign sales manager of the company, completed the arrangement while in Hollywood last week.

Plans for European production will be set following conferences here or abroad by Manheim with Universal's representatives.

"Frankenstein" Off To Big Coast Start

"Bride of Frankenstein" is getting off to a flying start, according to tele-
grams reaching James R. Grainger, Universal, San Francisco, Los Angeles, Seattle and Portland are going for it in a big way, it seems.

The Orpheum, Seattle, evolutioned "Frankenstein" Wednesday, March 25. It opened at 3 o'clock with a waiting ticket line a full block long.

The play was opened by the
company of a man and woman, as
presumably producers agree
to distribute films produced on producing apparatus only to exhibitors supplied with Erpi reproducing apparatus and equipment.

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on, attorney for the defendant, objected, stating, the plaintiff, said that "the vice not exist Duvoac might still be in the business of manufacturing erpi reproducing apparatus.

Also approved was a petition for expunging a $10,000 claim against Paramount by W. E. Cannon based on promissory notes issued by the Coo-
conut Grove Theatre, Miami, Fla.
Atlas to Make Offer for All Of Para. Issue

California's Corporations Tax Advanced

Attitude of Groups on Board Not Clear

The Atlas Corp., large investment organization headed by Floyd B. Odlin, a director-elect of Paramount Pictures, with whom it is understood he underwrote the entire $6,500,000 of new Paramount stock subscription warrants to a meeting of the Paramount board today.

Odlin is identified with the so-called Fortington group of Paramount creditors and the offer is regarded as influencing creditor circles as evidence of a threatened division of interests within the new board. It is pointed out in these circles that any underwriting offer which fails to include all financial groups interested would probably be considered as a threat.

(Continued on page 6)

Ampa Set to Elect Gallup as President

With no opposition in sight, Bruce Gallup will be elected president of the Ampa at the annual elections tomorrow. He will succeed William R. Ferguson. Gallup heads both the official nominating committee's slate and a second ticket signed by seven qualified members.

From a consensus of opinion in the trade, it appears that the second ticket has a stronger lineup of names than the first slate. The elections are expected to be anything but serene and tranquil. The induction takes place today at the Naked Truth Dinner at the Astor.

Comerford Walking Again After Illness

Washington, April 23—His improvement having been steady and sure, M. E. Comerford, who has been in the Emergency Hospital here since Feb. 22, is now able to leave his bed and move about, reports Dr. Walter A. Bloodom, attending physician.

Dr. Bloodom states that Comerford will not be fully recovered for several weeks yet.

Car Strike in Omaha Hits Theatres Takes

By J. M. JERAULD

Turning back the pages of theatre history to those dim nights when Tony Pastor was lighting the way for an exciting adventure into that mysterious emotional borderland where laughter and tears play hide and seek with each other.

Those who made the history flicked the pages lightly yesterday at the Motion Picture Club forum. Laughter predominated. It was a masterly exhibition of showmanship, but tears crept into the scene at the finish. Vesta Victoria furnished them.

Franklin Reported After 15 Theatres

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

VOL. 37. NO. 96 NEW YORK, WEDNESDAY, APRIL 24, 1935

TEN CENTS

New Sales Pushed In Chicago Areas

Chicago, April 23—Prior to sales conventions and product announce-ments local exchanges have already accomplished a substantial selling job on 1935-36 product in the country territory. Among a half dozen distributors, new season deals running from $25,000 to $50,000 have been made.

Radio Star Appeals For NVA Are Sought

Arrangements are being made to have practically all the leading radio stars appeal to the public to attend theatres May 20, for it is on this day that theatre owners will give 10 per cent of their gross receipts to the current N.V.A. Fund Appeal. Major L. E. Thompson, Harold Rodner, William Farnsworth and Eddie Cantor are lining up the various stars of the networks to make the appeals.

Report NRA Tuesday

Washington, April 23.—The Senate Finance Committee expects to report the new industry recovery bill before the next Tuesday, it was disclosed today by Chairman Pat Harrigan of Mississippi.

The bill will be materially changed, Harrison said, but he declined to say in what particulars and announced that no details would be divulged until it is reported.

Independents On the Coast Win on Zoning

Southern California independents won a smashing victory yesterday when Campi adopted only one of the 13 recommendations in the petition of Fox West Coast for changes in the Los Angeles schedule proposed by the local board.

After previous decisions declaring Warners' Forum and Fox UpTown non-competitive and placing them in different zones, Campi yesterday reversed the lower ruling and put them in one zone. While Warners were defeated in this instance, Harold S. (Continued on page 6)

First Division List Talks Up Next Week

First Division will launch discussions of its long-deferred production plans some time next week when Nicholas Ludington, now in New York, returns from a quick Hollywood trip which will eventually the end of this week.

In the meantime, Harry Thomas, president of the company, leaves tomorrow or Friday on a two-week (Continued on page 13)

Pages of Theatre History Flicked Lightly at Forum

By J. M. JERAULD

Turning back the pages of theatre history to those dim nights when Tony Pastor was lighting the way for an exciting adventure into that mysterious emotional borderland where laughter and tears play hide and seek with each other.

Those who made the history flicked the pages lightly yesterday at the Motion Picture Club forum. Laughter predominated. It was a masterly exhibition of showmanship, but tears crept into the scene at the finish. Vesta Victoria furnished them.

Franklin Reported After 15 Theatres

Hollywood, April 23.—Harold B. Franklin, whose latest venture in exhibition is Standard Theatres, Inc., is understood to have secret deals under way for 15 houses in Southern California.

Against a Fox Franchise For Loev, RKO, Fabian

Fox Film would endeavor to cancel the franchise for its product held by the operators of Fox Metropoli-tan Playhouses if Loev's, RKO or Fabian became operators of the circuit. Sidney R. Kent, Fox Film president, told yesterday at the hearing of the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met.

Kent declared, however, that despite the fact that he considered the Fox Met franchise a good deal, financially, for Fox Film he regarded the Skouras and Randorf operation of Fox Met in a favorable light. His testimony was regarded by observers as the most favorable and impressive yet given in support of the Schenck-Fox Theatres' plan and led to predic-

(Continued on page 7)
Wednesday, April 24, 1935

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Wall Street

FIRST expressions from Hollywood tycoons on current movie picture stories, and this column's unspeakable belief they should be filmed as the authors or playwrights conceived them or left strictly alone.

Cecil B. De Mille: "If a classic is worthy of being screened in the popular sphere, there are liberties with the plot. However, he should be allowed certain latitude as far as settings and costume are concerned. For instance, costumes should only give the feel of a period, if the period happens to be one in which ugly clothes were worn. Also characters should not be made to speak in English. You say, but their speeches should rather be put in words which a modern audience can understand. This is absolutely necessary, they cannot be made to lose track of the plot by missing dialogue.

George White: "I believe that 'classic' is a Greek word for Shakespeare. But the Bible stories I have filmed and done under English names are classics as are the works of many other English writers."

Samuel Goldwyn: "Dramatic license cannot be destroyed. An artist chooses his own medium of expression, and if his art is translated into another medium, the translator must be allowed to make such changes as fit the new medium. But such changes cannot destroy the original work any more than an ugly frame can destroy a beautiful painting."

To De Mille: You subscribe to the argument the producer must not take liberties with plots, yet you argue he should dress up dialogue and costume. Costumes, you say, do not matter, should give only "the feel of a period." We suppose that, pursuing this theory, you conceivably would sanction dressing Julius Caesar in slacks and polo shirts.

To Goldwyn: Aren't you handling Hollywood a lot with the generally loose and usually abused convenience described as "dramatic license"? You say such license cannot be destroyed. But what about destroying the tempo and the mood of literary works which he developed from years of sweat and toil? If you filmed "Nana" not as Zola wrote it, but as you wanted it filmed for commercial purposes, of course, you would destroy the results were not Zola, Goldwyn. Thereby, you argue you transgressed not only your rights, but your dramatic license as well.

Wall Street

"Reckless" Holds Over

The Capitol will hold over "Reckless" for a second week.

MOTION PICTURE Daily

Insiders' Outlook

By RED KANE

Hollywood, April 23—The Screen Writers' Guild board of directors met last night and elected Seton I. Miller chief conciliation commissioner, Joel Sorensen chief membership and the membership committee and E. E. Paramore vice-chairman of the membership committee. John Gray, Frances Goodrich and Ben Markson were re-elected members of the Finance Committee.

Skouras Men to Meet Los Angeles, April 23—Charles G. Smith, this placing a meeting of all district and house managers of Fox West Coast and subsidiaries either May or June.

The session will be held on Fox Rocky Mountain and Fox Midwest coming out of bankruptcy. The date set is May 4, but may be held up to May 10. Sypros Skouras is due from New York in two weeks for a general supervisory and negotiated with the brothers and National Theatres has not yet been signed, but is expected to be as soon as the two representatives such units are turned over to National.

Six Tri-Ergon Suits End

Six additional American Tri-Ergon patents in infringement actions were withdrawn yesterday under leave granted by Federal Judge William Bondy as a result of Supreme Court decision holding Tri-Ergon patents to be invalid. The actions withdrawn were those against Columbia, M-G-M, Uni- versal, Metro, Loew's and 20th-Century-Fox, Universal, and Paramount Pictures.

May Tour Loew Houses

The Loew circuit is considering a personal appearance tour of Anna Sten in some of its outlying theatres. The deal, discussed once before, is still undetermined.

Plans "Lorna Doone"

Hollywood, April 23—Samuel Goldwyn has signed Merle Oberon for the title role of "Lorna Doone." Production starts in November.

Miller to Mediate
For Writers' Guild

Hollywood, April 23—The Screenwriters Guild board of directors met last night and elected Seton I. Miller chief conciliation commissioner, Joel Sorensen chief membership and the membership committee and E. E. Paramore vice-chairman of the membership committee. John Gray, Frances Goodrich and Ben Markson were re-elected members of the Finance Committee.

Eddie Alperson upped to the "Reckless"—Edwin Wheeler

In his dual role as a producer and director, he is making a great film. The producers are quite satisfied with the work and have given it all the attention it deserves. The story goes something like this: Fifty pictures. Eight in Group A; twelve in Group B; fifteen in Group C and a similar number in Group D. Shirley Temple, now as old as six, will appear in either four or five. Shorts will lift the same number as the current season's. Furthermore, exhibitors do tell, they are to be sold on the weekly payment plan. Which means exactly what it says, the greater the price for the year's abbreviated product, divided by fifty-two and payable each week, win, lose or draw.
RECKLESS! WOW! HARLOW POWELL TERRIFIC! ROAR LEO! YOU'VE DONE IT AGAIN!

NATIONWIDE HOOK-UP!
Fred C. Kelly of Colliers' called *Black Fury* "the most powerful picture I have ever seen" . . . . . .


Michael Jackson of Liberty called *Black Fury* "the greatest picture to come out of Warner Bros.' studio"

Andre Sennwald in the New York Times wrote that *Black Fury* "achieves a melodramatic vigor which is rare in the Hollywood cinema" . . . . . .

Martin Dickstein in the Brooklyn Daily Eagle said that *Black Fury* "easily surpasses anything that has come out of Hollywood for the last two years" . . . . .

Al Sherman in New York Morning Telegraph promised that *Black Fury* "will stir you as you never have been stirred" . . . . . .

Regina Crewe in the New York American declared that *Black Fury* "possesses strength, suspense and daring seldom encountered in motion pictures" . . . .

Mayme Ober Peake of the Boston Globe called *Black Fury* "the most stirring picture I have ever seen"
THEY HADN'T SEEN
G-MEN
First Great Story of the Men Who Halted America’s March of Crime!
Watch for preview critics’ opinions of ‘G-MEN’ in trade papers tom’w!

Starring JIMMY CAGNEY, with Ann Dvorak, Margaret Lindsay, Robert Armstrong, in huge cast.

Another Cycle- Starter from Warner Bros.!—Play It Next Week!
Independents On the Coast Win on Zoning

Constant Reader

Arnold Van Leer got the idea of yesterday's show at the Motion Picture Club while reading a paper some time ago. He should keep right on reading. It was a great show. He rates a bow.

Atlas to Make Offer for All Of Para. Issue

(Continued from page 1)

Arthur. (Continued from page 1)

Bareford, attorney for the company, told Ben Bernstein "we're not through with this yet." Despite the Uptown-Forum reversal, F. W. C. was more vitally concerned with Harry Berthus, now president in Los Angeles. Campi adopted the company's board's recommendation to put the house in a separate zone outside the city group so it can day-and-date with other Los Angeles theatres charging 40 cents. There are 12 40-cent houses in Los Angeles.

F. W. C. executives are up in arms over the Balboa verdict, claiming this house was taken as part of an assimilation in Los Angeles. Al Hanson, city manager for F. W. C., Edward Al- person and William T. Powers took time off to attend the appeal party in honor of George Skouras at his brother's house at Mamaroneck, George's home on Long Island - to make him a Kentucky colonel. Several pictures were screened, but before the various circuit men took up the coast matter.

It is understood F. W. C. will file an appeal with the NRA in Washington. Powers last night asked Deputy Administrator William P. Farnsworth for quick action in the event an appeal is filed.

Another F. W. C. Request Denied

Request by F. W. C. for a clearance of 14 days between nickels was also turned down in favor of the local board's price schedule. The board's schedule provides from 10 to 11 days between nickels for theatres after downtown, charging 40 cents the clearance is 21 days; 35 cents, 31 days; 30 cents, 42 days; 25 cents, 15 days; 10 cents, 119 days; 10 cents, 182 days, five cents, 365 days.

Hanson, who expected to be back on the coast today to celebrate his 25th wedding anniversary, will probably take a plane back today or to- morrow, depending on the outcome of the session last night at Skouras' house.

A resolution was passed by Code Authority that the schedule be put into effect not later than May 15. It is most likely the local board will make May 9 the effective date. Another resolution was passed covering the consent decree finding, so that if first run admissions are lowered the clearance is reduced in conformity with the schedule adopted.

During various stages of the Campi session, Hanson and Bernstein were called in to explain certain phases of the 13 points as they were being dis- cussed.

Last night, Hanson and Bernstein declared that Arthur had paid Bernstein's fare east and that Arthur was "determined to have no more charges and objected to bringing per- sonalities into the situation.

Bernstein early in the afternoon promised a sizzling statement, but when advised that practically all of the suggestions of L. A. were adopted, a change of heart took place. However, he was amazed at the reversal in the Forum-Uptown direction.

Prior to the close of the Campi hearing, Bernstein was somewhat dis- gusting with the whole affair and that he was waiting in the anteroom stated he was sorry he did not walk out of the April 11 session when F. W. C. was granted the appeal, this he now feels charged that he was not there.

Aided by Harry Vinnicoff, who represented 178 houses in the Southern California I. T. O., Bernstein left for Los Angeles with his wife. They will hop a plane to get gay. In a few moments the singer came into the Forum Picture Club while reading a paper some time ago.

Constant Reader

Arnold Van Leer got the idea of yesterday's show at the Motion Picture Club while reading a paper some time ago. He should keep right on reading. It was a great show. He rates a bow.

Atlas to Make Offer for All Of Para. Issue

(Continued from page 1)

challenge to the groups ignored. Simply, it was stated, an underwriting proposal was presented to the board. The offer of the company had been made in good faith and that if a rejection could be made it would be as a business proposition.

The Atlas offer is understood to be in a flexible form, adaptable to any direction whatever that might be given. "Combating the groups, developments at today's board meeting, however, may result in its being altered or abandoned. The seven new nominees to the Paramount board, not yet formally elected, will be represented at today's meeting of the nine direct- ors. Crawford H. Johnson, who now constitute the board.

It is also understood that the terms of the several directors who will comprise the board, initial board of 16, which were agreed upon recently, may be ratified at today's meeting.

Indications are that the Federal court hearing scheduled for tomorrow may be postponed because of the large amount of work requiring court approval which remains to be done. This includes the charter of incorpora- tion of the new company, its new by-laws and the form of new indenture which must be approved by the court.

from the Smoky City today for home. Prior to leaving, Vinnicoff reiterated he will make every effort to eliminate deals on the coast. He said if he could line up 70 per cent of the inde- pendent's plan would go through. Vinnicoff will not become a party to any agreement, an executive for the circuit stated last night.

Ed Kuykendall leaves tonight for Washington, where he will spend to- morrow and Friday, returning here next Monday. He is supposed to have his last train for Pull River, Mass., and to stay over until this morning.

No other business was taken up and the meeting adjourned, will be held a week from Thursday.

Detroit House Gets Film

Detroit, April 23.—In the first de- cision given by the local grievance board in which an independent exhibi- tor has scored against an affiliated the- ater, A. C. Early's Royal and Grand at Kalamazoo have been given relief.

The board, after hearing a complaint filed by Early against P. C. Schram and the Butterfield house at Kalamazoo, found that, although the exhibitor respondents were not guilty of conspiracy to prevent him from ob- taining a fair share of business, the de- respondents, Columbia, Fox, Vitagraph and Universal, "independently or in connivance with each other, or with re- spondents, on the basis of substantial cir- cumstantial evidence, did without justification operate to prevent the competition of the house and their res- pective motion picture releases."

The board ordered the distributors to cease and desist from their action within 10 days from date of the ruling.
Kent’s Stand Held Help to Schenck Plan

(Continued from page 1) tions that with the expected conclu-
sions of the hearing today the court
would give its tentative approval to
the Schenck reorganization, an issue
subject to probable changes which may
be recommended by the court.

Meanwhile, FT and K, who own
the Fox Film franchise for a percentage
of the Fox Met gross, which has more
than six years still to run, will do so
with Skouras and Randof to the forty
Kent’s, entry into Fox and added that
he would not have made the deal if he
had thought Randof would not back
the franchise. He estimated that the
franchise was costing Fox Film $215,000
to $240,000 a year. K would not back
the franchise or operation of Fox Met if
the deal to RKO or Loew’s became
final, he said, and that under a pro-
corporate-affiliated operation Fox Met
would be a “dumping ground” for poor
product to the circuit’s disadvan-
ages and, consequently, to that of Fox.

Kent Approves of Schenck

Asked specifically what he thought
of Schenck as the proposed head of
a reorganized Fox Met, K said he
would look favorably, pointing out that
Schenck had no conflicting theatre interests
which might receive preferential treatment
to the detriment of Fox Met. In reply to a similar
question as to his opinion of RKO operation,
K said he considered the company to be a good
operator “as far as its own properties were
concerned,” but added that he would not
make RKO an offer. RKO as it now stands “is
the go.”

In reply to a question as to his
opinion of RKO operation, K said he
considered the company to be a good
operator “as far as its own properties were
concerned,” but added that he would not
make RKO an offer. RKO as it now stands “is
the go.”

K said he had been told that a reorganized
Schenck-Fox Theatres’ plan had been
made such a request and had been refused,
as had Nicholas M. Schenck, head
of Loew’s and M-G-M, at the time
that a joint bid for Fox Met was made
by Loew’s and Warners last summer. He
tested that RKO had also made
such a request recently and that the
Fox Met bondholders’ committee,
which drafted a reorganization plan
of its own last fall, under which it
would have been authorized to dis-
pay up to 40% of the $57,156
that had been told that Fox Film would
not agree to an assignment of the
franchise unless it was given the right
to propose a new operator of Fox Met.

K asked as his reasons for refusing
the assignment of the franchise his satisfaction with the
Skenk and Randof operation and the fact that he had no assurance of
what the operating policy for Fox Met
would be in the event of a change
of operators. When it was suggested to Kent yesterday by
Trustee Archibald Palmer that Skouras
and Randof might be able to dis-
pay of their stock in the new Fox
Met operating companies and with-
drew, Kent declared that “if they
(Skouras and Randof) left Fox Met
for another company” he would not
consider it.

Kent earlier remarked that while he
had not made the any-minorities
association for Fox Met yet by
Skouras and Randof,” he consid-
ered that, under the conditions of un-
controllable which have prevailed in the
situation “they have done at least as
well as anyone else could.” At an-
other point, when questioned as to
his opinion as to whether or not he
believed Skouras and Randof could
achieve a 25 per cent improve-
ment in Fox Met earnings, which
would comfortably care for the in-
terest and sinking fund provisions,
Kent said that in his 18 years’ experience
in the industry he “didn’t know any
one who could have done a job in
Fox Met than Skouras and Randof
and no one who he considered
would do a better under improved,
general conditions.”

Holds Schenck Valuable

Kent also testified that he believed
Schenck’s “ability to give the public
company to be of tremendous value
to it. “He has the reputation of a
fighter and of one who looks after
his own interests,” Kent said. “How-
ever, his position in the industry
makes him a person who must be
listened to. He is the head of the
industry. Everyone in the industry who must
be bargained with in the operation of
Fox Met.”

He also testified as to the value of
Fox Met to the Fox Film franchise.
The court later remarked that
Fox Met was more than the sum of
Fox Met bondholders “worth off,” while loss of the
operators (Skouras and Randof)
would be a misfortune but their
removal couldn’t be made impossible
in a reorganization plan.

Kent was followed on the stand by
the President of the Schenck-Fox
Theatres plan, for the sale to Fabian.

Greve denied, however, that he favored Fabian’s
Fox Met reorganization proposal.

Greve stated that he thinks Fox
Met to be worth approximately the
par value of the bonds outstanding,
and that “any consideration that a sub-
stantial part of the payment should
be in cash. He also said he believes the
Schenck-Fox Theatres offer to be in-
teresting and suggested that if the
Skouras and Randof operating
contracts could be canceled both Para-
mount and Loew’s would probably be
in the field with a bid for the circuit
in 18 months with the expiration
of the product deal between the two.

Reveals Why Extra
List Was Recalled

Hollywood, April 23.—The story
behind the holding of the extra reg-
istration list yesterday, when the
standing committee asked Compliance
for a postponement of the hearing on
the list for a checkup for possible
errors, is related by Eugene H. Mar-
cus, attorney for represented organ-
izations in Washington recently.

The lawyer says that Rosenblatt,
although not approving the list, lated
the idea of the committee to ask for
the list to be submitted to him for voluntary re-
call.

California’s Corporations
Tax Advanced

(Continued from page 1) away as prizes, 55 per cent to the state and not more than 10 per
cent to the city. The measure would be self-executing upon the ap-
proval by the people and would make feasible other lottery notes now being
carried out outside the law.

Lehman Signs Sunday Bill

Albany, April 23.—The Berg Bill
providing for a one-day lottery in seven for employees and actors in
gentile theatres.

Defeat Mass. Licensing

Boston, April 21.—An attempt to
force an act for licensing stage hand by
the Commissioner of Public Safety
through the present session of the leg-
islature has failed.

His Choice of Spokesmen

Los Angeles, April 23.—The indus-
try would have made more pro-
gress in its taxation fight if it had been
wiser in its selection of spokesmen,
Mr. Louis Lehman yesterday said in an
editorial of the San Francisco Chronicle, in an
address at Town Hall yesterday.

He said the record of high taxes was
due to an absence of cooperation of
state and local governments and
added it was his opinion the industry
had little to fear since it had suf-
ficient political influence to ward
off adverse legislation.

Ohio Endurance Bill to Governor

Columbus, April 23.—The bill
prohibiting endurance contests lasting
longer than 12 hours was passed by
the House today, 94 votes to seven.
The measure has already been passed
by the Senate, Governor Davey is
expected to sign it. A penalty of
$50 to $300 or 30 days in jail, or
both, can be imposed. Each offense
would be considered a separate viola-

For Missouri Sales Tax Cut

Jefferson City, Mo., April 23.—The
Missouri Senate today voted to
reduce the rate in the proposed retail
sales tax from two to one-half of one
per cent.

Columbia Planning 12
Westerns for ’36-35

Columbia will produce 12 westerns
next season, Four will be from stories
by the studio’s staff writers and eight
together with eight others to be made by Ken
Maynard will constitute a major por-
tion of the company’s program of westerns.

“Johnny Harris Week”

Pittsburgh, April 25.—All of the
home papers are celebrating "Johnny Harris
Week” way of observing John’s official
return to exhibition.
BANG!

BY DIRECT WIRE FROM

WESTERN UNION

JAMES R GRAINGER=

DEAR JIM YOUR PREDICTION WAS CORRECT THE BRIDE OF FRANKENSTEIN BROKE ALL RECORDS SINCE WE REOPENED THE THEATRE TWO YEARS AGO BIGGEST DAY WE HAD WAS IMITATION OF LIFE THE BRIDE OF FRANKENSTEIN DID BETTER TWO HUNDRED SATURDAY STOP IT DID BETTER SEVEN HUNDRED SUNDAY REGARDS

ALEXANDER PANTAGES.

UNIVERSAL FILM EXCHANGES INC ROCKEFELLER CENTER=

THE BRIDE OF
FRANKENSTEIN

IT'S SUCCESS!
IT'S GROSSNESS!

BANG!

BY DIRECT WIRE FROM

WESTERN UNION

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEY
FIRST VICE-PRESIDENT

1253 S.

SIGNS
DL = Day Letter
NM = Night Message
NL = Night Letter
LC = Deferred Cable
NLT = Cable Night Letter

Ship Radiogram

J R GRAINGER GEN SALES MGR=

FRANKENSTEIN OPENED ORPHEUM AT THREE O'CLOCK TODAY WITH
WAITING TICKET LINE A FULL BLOCK LONG EACH WAY FROM BOX
OFFICE THESE CROWDS CONTINUED THROUGHOUT UNTIL CLOSE OF BOX
OFFICE STOP GROSS SENSATIONAL FOR THIS HOUSE STOP
UNQUESTIONABLE WE HAVE SMASH HIT PICTURE REGARDS=

W J HEINEMAN.
THEY'RE SCREAMING
THEY'RE GOING CRAZY!

BANG!

WESTERN UNION

NJ23 52 DL-XV SEATTLE WASH APR 20 1935 421P

E T GOMERSALL, WESTERN SALES MANAGER=

UNIVERSAL FILM EXCHANGES INC ROCKEFELLER CENTER NY=

BIG ALL DAY LINES GREETED OPENING BRIDE OF FRANKENSTEIN AT
HAMRICKS ORPHEUM SEATTLE TODAY STOP THIS RECEPTION
PARTICULARLY GRATIFYING AS BRIDE BUCKING STIFFEST COMPETITION
TOWN EVER BOASTED STOP CRITICS RAN AWAY WITH THEMSELVES
TOWN TOWING PICTURE AND CONFIRM PUBLIC ESTIMATE BRIDE PRONOUNCED
IT FAR SUPERIOR PRODUCTION MORE ENTERTAINING MORE THRILLING
ORIGINAL FRANKENSTEIN REGARDS=

L J MCGINLEY...

UNIVERSAL

"THE BRIDE OF
FRANKENSTEIN

IT'S RECORDS
AZY WITH JOY!

BANG!

UNION

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

H. C. WIGLEVER
PRESIDENT

N. B. WHITE
II

The filing time as shown in the date line on full-rate telegrams and day letters, and the time of receipt at destination as shown on all messages, is STANDARD TIME.

M 14 40 DL=XY PORTLAND ORE APR 20 1935 345P

E. T. GOMERSALL, WESTERN SALES MANAGER=

UNIVERSAL PICTURES INC ROCKEFELLER CENTER NY=

BRIDE FRANKENSTEIN OPENING ORPHEUM GOOD FRIDAY TO POSITIVE SENSATIONAL BUSINESS CONTINUED LINES ALL DAY STOP THE CROWDS WERE SO GREAT IT BECAME NECESSARY TO ISSUE REFUNDS A THING UNHEARD OF THESE DAYS STOP IT WILL UNQUESTIONABLY ESTABLISH NEW HOUSE RECORDS=

G. C. CRADDICK

Extra!

PALACE, CHICAGO:
"ONE OF THE SWELL WEEKS OF THE YEAR!
..AUDIENCE REACTION FINE!"

—Nate Blumberg,
General Manager,
RKO Theatres
“Life Begins” Survives Twin Cities’ Sloom

MINNEAPOLIS, April 23.—A scarlet fever quarantined school children and Holy Week combined to hit grosses in both cities. “Life Begins” at 40 survived the strain by getting $594, 3c-5c, 5 days. Average, $4,402. (Average, $4,000).

“Marietta” Is Philadelphia Wow, $22,000

PHILADELPHIA, April 23.—“Marietta” completed its first Holy Week slump by slipping through to a big $22,000 at the Boyd, just $10,000 over average. It will probably go through the week.

The rest of the town slumped though the stage show theatres, the record being the Century with its averages with $12,500 for “The Iron Duke” at the former and $13,500 for “Traveling Salesman” with Hugh Herbert on the stage, at the latter. Week’s most drastic nose-dive was taken by “Brewster’s Millions,” which pulled only $3,900 at the Aldine.

Total first run business in Minneapolis was $26,000. Average was $2,600. Total in St. Paul was $17,000. Average was $1,550.

Estimated takings:

Minneapolis:
Week Ending April 18:
“THE MYSTERY OF EDWIN DROOD” (Univ.)...
ALVIN—(4,000), 25c-40c, 5 days. Five acts average $5,000. (Average, $4,000).

“LIFE BEGINS AT 40” (Fox)
CENTURY—(1,600), 25c-40c, 7 days. Gross: $8,600. (Average, $4,000).

“WHEN A MAN’S A MAN” (Fox)
RIVIERA—(1,800), 25c-40c, 7 days. Gross: $3,500. (Average, $1,500).

Week Ending April 18:
“MURDER ON A HONEYMOON”
ORPHEUM—(2,000), 25c-40c, 7 days. Stages show. Gross: $6,000. (Average, week, $1,500).

“WEST POINT OF THE AIR” (M-G-M)
STATE—(2,000), 25c-40c, 7 days. Stage show. Gross: $4,000. (Average, week, $1,500).

“IN OLD SANTA FE” (Mascot)
TIMELINE—(2,000), 25c-40c, 4 days. Gross: $500. (Average, week, $1,500).

“A BUCK AND A LANDLORD” (Radio)
TIMELINE—(800), 25c-40c, 4 days. Gross: $700. (Average, week, $1,500).

PALACE—(400), 25c-40c, 7 days. Five acts average $3,000. (Average, $3,500).

“THE UNFINISHED SYMPHONY” (Gaumont British)
WORLD—(2,000), 25c-40c, 7 days. Gross: $3,000. (Average, $3,000).

St. Paul:
Week Ending April 18:
“LIFE BEGINS AT 40” (Para)
PARAMOUNT—(2,000), 25c-40c, 7 days. Stages show. Gross: $6,000. (Average, week, $1,500).

“WEST POINT OF THE AIR” (M-G-M)
RIVIERA—(2,000), 25c-40c, 4 days. Gross: $2,000. (Average, week, $1,500).

“A NOTORIOUS GENTLEMAN” (Univ.)
ORPHEUM—(2,000), 25c-40c, 4 days. Gross: $2,000. (Average, week, $1,500).

“WHEN A MAN’S A MAN” (Fox)
TOWER—(1,200), 25c-40c, 7 days. Gross: $2,500. (Average, week, $1,500).

THE RUNAWAY QUEEN” (U.A.)
WORLD—(600), 25c-40c, 7 days. Gross: $1,500. (Average, $1,500).

Technicians Issue
378 Screen Credits

HOLLYWOOD, April 23.—The first issue of the technicians’ credits publication just issued by the Academy of Technicians’ Branch covers 92 productions made during Jan. 1 and April 1, 1935, by Columbia, Fox, Samuel Goldwyn, M-G-M, Paramount, RKO, Warner Brothers, Universal, Warners and First National.

A total of 378 technicians received credits for art direction, camera work, editorial, photographic effects and sound recording. Names of laboratories making negatives and release prints are included.

Bank Reports Show Big Gains in West

SALT LAKE CITY, April 23.—Bankers’ reports here are said to indicate that business in Idaho, Nevada, Oregon, Utah and Washington is better than any time during the past three years.

The reports covered 30 cities and included bank debits. Banks cashed $2,361,000,000 in 30 cities during March—more than any month since December, 1931, it is said.

Stage-Films Split Weeks

Omaha’s Top

OMAHA, April 23.—The split week policy at the Paramount continues to be the big noise here. All the King’s Horses” on the screen and a stage show that included Thelma White in a reprise of her role, was garnering $5,800. During the remaining four days a return engagement of “It Happened One Night” and “Great Expectations” piled up $2,350. “George White’s 1935 Scandals” was slightly over average at $3,200 at the Omaha. “Traveling Saleslady” and “Enchanted April” were good for $4,800, up by $1,300, at the Brandeis.

Total first run business was $25,650. Average is $22,500.

Estimated takings:

Week Ending April 14:
“ALL THE KING’S HORSES” (Para.)
PARAMOUNT—(6,000), 25c-40c, 3 days. Total, $18,000. Total, $18,000. (Average, $6,000).

“IT HAPPENED ONE NIGHT” (Col)
PARAMOUNT—(2,500), 25c-40c, 4 days. Second run for “It Happened One Night” in Omaha. (Average, for four days, $3,500).

“ENCHANTED APRIL” (Radio)
Paramount—(1,500), 25c-40c, 7 days. Gross: $4,500. (Average, $3,500).

Week Ending April 18:
“TRANSIENT LADY” (Univ.)
ORPHEUM—(1,000), 25c-40c, 7 days. Gross: $7,200. (Average, $7,000).

“O’Hara” the Only Draw in Providence

PROVIDENCE, April 23.—Houses here left the Holy Week slump, the RKO G. O. M. official had taken in $7,000 with “Princess O’Hara” on the screen and Don Redman and his orchestra in the stage show.

Loew’s did $7,000 with the second week of “Naughty Marietta” and Fay’s was close to its $7,000 with “The Perfect Crime” and the “Pigman Guinan Gang” on the stage. The Strand was $100 under average with “The Great American Lie” and “The Mysterious Mr. Wong.”

Total first run business was $33,350. Average is $40,500.

Estimated takings for the week ending April 18:

“MACKENZIE’S FLATS” (Para.)
PARAMOUNT—(3,000), 25c-40c, 5 days. Total, $6,000. (Average, $1,200).

“THE PERFECT CRIME” (Chesterfield)
Majestic—(2,400), 25c-40c, 7 days. Stage: “The Perfect Crime” (Profit). (Average, $3,000).

“STREET MEET” (M-G-M)
LOEBE’S STATE—(3,000), 25c-40c, 7 days. Stage: “Street Meet” (Profit). (Average, $3,000).

“PRINCESS O’HARA” (Univ.)
M-G-M—(1,000), 25c-40c, 7 days. Stage: Don Redman and orchestra. Gross: $7,500. (Average, $1,000).

“BORN TO BATTLE” (Cameo)
RKO VICTORY—(6,000), 25c-40c, 7 days. Gross: $4,150. (Average, $1,000).
Milwaukee to Get a Second New Theatre

Milwaukee, April 23.—A new 1,000-seat theatre to be called the Sherman, to be built on the corner of State and Wisconsin Corp. on the west side. This is the second neighborhood building project here recently. Time Theatre Co., operated by W. C. Fischer and J. A. Eskin, is building one.

To Take Milwaukee Strand Milwaukee, April 23.—With the announcement that Harold Mirisch, Warner district manager, had joined Standard Theatre Co., comes the report that the new Wisconsin circuit, now operating houses in the state, will take over operation of the Strand, dark for many months.

The Strand company operates no theatres in Milwaukee, but has houses in several state spots formerly operated by Warners.

It is reported that Lester Krieger, Warner executive in New York and Chicago, will take over Mirisch's job.

Build at Bridgeport, Me.
Bridgeport, Me., April 23.—The Bridgeport State Theatre Corp. has been organized by a local corporation, having authorized capital of $25,000 for the purpose of putting up a 600-seat theatre at Madison and Main. The company's president is Lee Jones, manager of the State, the building of which has been sold to Samuel Kur- son of Bangor, president of the new corporation. Mrs. Dorothy Mill- lett is vice-president and treasurer, and J. B. Pike is secretary. An opening sometime in July is expected.

To Open at Tuskegee Tuskegee, Ala., April 23.—The Mau- cot, a new house, will open April 29. It will cost $30,000. Ralph W. Braswell, Jr., for the past year manager of the Rose, will be in charge.

Beginning early in May, Sunday shows will be given as a result by a two-to-one vote.

Lease Missouri Houses
Kansas City, April 23.—Common- wealth Theatres, of which C. A. Schultz is president, has effected long term leases for the Lee, Clinton, Mo., and Plaza, Trenton, Mo., taking the properties over from Lee Jones and Lenhart Bros. on May 1. The Lenharts will remain as managers.

Form G. T. Amusement Albany, April 23.—G. T. Amuse- ment, Inc, Brooklyn, has been chartered with $1,000 capital to operate film theatres. Freda Jarst, Miriam M. Rosenblum and John G. Zelnier are directors and subscribers.

Get Wellsburg Palace
Wellsburg, W. Va., April 23.—The Palace has been acquired by Uring & Anderson, circuit operators.

Sue to Bar New Theatre
Baltimore, April 23.—Sue has been filed in Circuit Court by Mr. and Mrs. Leo Schlegel, property owners on Liberty Heights Ave, seeking an in-

Variety Club Chatter

Buffalo
Buffalo, April 23.—Strange practices of exhibitors in the Far East and in Latin America were related to barkers by William Moss, foreign sales manager of the American Film Co., at the semi-monthly April luncheon. Second Assistant Chief Barker Jack H. Kaplan and Canvassman Rouza F. Murphy were kings for the day. First Assistant Chief Sydney Sam- son, Canvassman Matthew V. Sulli- van and Barker Simon Rosenbaum won the gifts of the day.

Barkers generally agreed that 30 min- utes after the time allotted to speakers, was far too little to permit Moss to cover his field, so the crew was asked to invite him to an evening meeting.

There is a banquet in the offfice to celebrate the success of the Independ- ence Campaign. E. R. Greiswohl of Govanda, N. Y., was the winner. Barkers Samson, Nate Sauber, Carl W. Kemper, E. L. Martin and Prop- erty Master W. E. J. Martin were on the campaign committee, headed by Chief Barker E. K. (Ty) Greene. A member of the club's board of governors, has been reappointed by Mayor George Zimmelman to the board of exam- iners for operators.

New Barkers inducted this month are George H. Meekes of Hollywood Film Exchanges, Inc.; Frederick Schweppe of the Capitol, Elmira, and Elmer E. Smith, business representa- tive of the Buffalo stage employees' union.

Recent visitors to the Buffalo Tent were George Alrows, Camp Tent No. 1, and B. Mills of Albany Tent No. 9.

Cincinnati
Cincinnati, April 23.—An Easter egg hunt was one of the highlights at the Saturday night open house and proved a pleasant avenue of diversion.

Lupe Velez, headlining the bill at the RKO Shubert, was guest of honor at one of the spring gatherings. She entertained the barkers with typical Velez antics.

Sam P. Gorrill of Cleveland No. 6 was among those attending.

D. McRae, Boston; Milton Linden- ton, Brooklyn, and Joseph Lunk (the Mtv.), Danville, Ill.

Col. Arthur Friedenfeld, although

New Sales Pushed
In Chicago Areas

(Continued from page 1)
30 to almost 50 per cent have been signed.

The unusual situation is reported due to the fact that last year one dis- tributor, said to be Fox, beat competitors by getting the drive before the thaw was out of the ground. Usually the drive for country business has approximated sales coming in, but this year profit- ing by last year's experience, dis- tributors sent their crack salesmen out to the Hopkins in the search as early as the middle of February.

Exchange managers are reluctant to discuss the situation on account of possible further action by the exhibitors and for fear anything they say might be construed as interpreting sales policy for next season. They state however, that deals closed are prin- cipally among exhibitors running one and two changes per week. In these situations third or fourth, or even the early bird has the best chance of tying up business. The competition this year is expected to be sharp.

Another exchange manager stated that he has been selling the same lineup as last season, adding "these early buyers know we will play ball with them later in the season."

The early selling has been confined entirely to the smaller country houses.

Car Strike in Omaha
Hits Theatre Takes
(Continued from page 1)
smacked in the midst since Saturday morning.

Everett Cummings, district manager for A. H. Blank, estimated Saturday's losses over Sunday's business in the Post- mount, Orpheum and Omaha had taken a loss of between two and three thousand dollars. Mr. Cummings, as- sistant to Will Singer, manager of the Brandie's, declared his house didn't feel the strike Sunday as bad as on Saturday when business took a bad soaking.

Publicity Lineup on
Coast Gets Shakeup
(Continued from page 1)
manager. Herbert Monillon has been appointed publicity director in head, Pine's former post. Pine's depart- ment, effective Monday, will also han- dle publicity for Walter Wagner Pro.

Reports current some weeks ago are around again and insist that changes at another major studio are pending. Pine has been named as publicity director for Sol Lesser. His successor has not been named.

First Division List
Talks Up Next Week
(Continued from page 1)
visit to exchanges. His itinerary will include Boston, Albany, Buffalo, Pittsburgh, Cleveland, Detroit, At- lanta and perhaps Cincinnati.
News!

Announcing A NEW NATIONAL Offering 1

First Release In July

POPULAR PICTURES INC.

If it's a POPULAR PICTURE it's TALKED ABOUT 1776 BROADWAY, NEW YORK
OF THE UTMOSt IMPORTANT TO THE INDUSTRY!

Distribution Offices in Principal Cities To Be Announced Soon

DISTRIBUTION ORGANIZATION

8 PRODUCTIONS in 1935-6

and they'll all be POPULAR Pictures
L. A. Houses Act on Ads on West Picture

Los Angeles, April 23.—Definite action today from angry exhibitors here following the Fox Wisconsin Theatre's advertising a Mae West preview in the daily papers yesterday.

In a registered letter sent by Robert Poole of the I.T.O. to C. Peacock, manager of the Paramount exchange, the former said: "I regret to inform you I have had a storm of protests from member theatre owners throughout the entire territory regarding the advertising of the preview, and in accordance therewith I am instructed by the board of directors of this organization to write to you demanding this picture. Because of its being advertised it must be considered a first run and as such all exhibitors are demanding the film on the availability from this date."

Although no written agreement has been drawn regarding this type of advertising, local exhibitors have a verbal agreement clarifying the stunt as unethical.

It is reported also that Associated Exhibitors are planning a similar action immediately.

Nebraska MPTO Will Take Votes by Mail

OMAHA, April 23.—Formulation of policy on a number of subjects discussed at last week's meeting of the Nebraska-Western Iowa M. P. T. O. is to be left to a mail referendum among members. Among issues up for discussion are the Pettegill Bill, the code, state legislation and local administration.

Charles Williams, president, will head a committee of four to tabulate the replies.

Graham McNamee's Father Passes Away

COLUMBUS, April 23.—Joesph B. McNamee, 77, retired Columbus attorney and father of Graham McNamee, died here last night of pneumonia.

He was a native of Gasien, Wayne County, and came to Columbus after spending a year at the University of Michigan. He was a graduate of the University of Michigan in 1896 and the Ohio State University law school in 1897.

Mr. McNamee was associated with the law firm of McNamee, O'Hara & Oxley for many years and was a member of the Columbus Bar Association.

Mae West on Air Friday

Hollywood, April 23.—Mae West will make her bow as a radio entertainer on the Columbia network on Friday evening from the "Columbia Hotel" broadcast in a scene from her latest picture, "Goin' to Town."

Pete Smith Recovered

Hollywood, April 23.—Pete Smith, M-G-M sports commentator, is back at the studio after three months at Palm Springs recuperating from an illness.

Purely Personal

Robert E. Sherwood, Lawrence Stallings and Sidney Howard are among those who may produce their own stage plays next season, with financials advanced by an unnamed, but large, film company, according to the New York Times.

Arthur Hopkins is mentioned as executive director of the collaborative effort.

Andie Sennwald, film critic on The Times, is figuring on a coast inspection trip a little later on. Reuben Green, who wrote the post on The American, leaves May 15.

Howard Waugh, Warner zone manager at Memphis, dropped into Motion Picture Herald's Managers' Round Table Club headquarters yesterday and found Robert M. Meriam pinching hitting for A-Mike Vogel.

Quip of the Day

Ali Garga, our old friend is back in town again, suggesting an "Ali Garga Award be created to be known as the 'Admirable Restraint Prize' which is to be presented to the shorts producer who does not use any of the following titles for comedies: "Hives of a Bengal Lancer." "The Whole Town's Squawking." "Mr. Sipp." "Right Life of the Gobs." "Little Kernel." "One More String." "Case of the Furious Bride." "Purple Punchbowl." "It Happened One Night in New York." "Saw Music."

Charles Boyer, the lead opposite "Kitty Heflin in "Break of Hearts" behind him, leaves Hollywood for Paris the end of next month, plans to make two pictures to be made there are calling.

Warren Newcombe, M-G-M scenic director, will be represented at an exhibit opening at the Grant Gallery on April 29 by a painting of Garbo, Garbo in a scene from "Anna Karenina."

Baxter, now that he has completed the "Making of the Moulin Rouge," is on his way to Honolulu for a three weeks' vacation.

Margaret Sullivan and her husband, William Wyler, are returning here on the Rex, due to dock Thursday.

Robert Edmond Jones, stage designer, is coming to New York to attend the opening of "Becky Sharp.""Herald's

Ann Harding has returned to Hollywood from Fort Bliss where she visited army friends.

Ed Grainger won't see the New York skyline again until May 1 of thereabouts.

Tom and Betty Wonder, comedy dance team, open Friday at the Roxy.

Si Seabird is battling a cold. A few days ago, it was a bad toe.

Ben Koenig, Nat Levine's personal representative, is flying here.

Al O. Bondy is in Detroit.

Atlanta Takes Fox As City Auditorium

ATLANTA, April 23.—The Fox, 4,500-seat de luxe semi-suburban here, built for Fox Theatres Corp, several years ago, and now operated by Lucas & Jenkins, has been given deals with three other de luxe houses, the Paramount, Georgia and Capitol, has been bought by a holding company for the city of Atlanta as a municipal auditorium. Original cost of the theatre and Marseille, built for the Srinivasa Ramachandran, was $2,600,000, but the city has taken it over as a 25-year amortization for $725,000, to be paid out of profits, if any. The latter and Lucas & Jenkins lease has until Jan. 1, 1937, to run.

"Imitation" Back In Downtown-Pittsburgh

PITTSBURGH, April 23.—"Imitation of Life," which played its first run at the Stanley here several months ago, has been booked by Mort Shea for a second run at its local key spot, the Fulton. It opens there May 6 for a run despite the fact that it has already run out its string in this territory, in which the Fulton will keep its present scale of 40 cents.

Although "Imitation of Life" did well in this trade at the Stanley, it has been sensational in the subsequent runs.

Katz Has No Houses First Time in Years

ATLANTA, April 23.—Ike Katz is quite a new venture as a result of the sale of the Dexter and Tivoli in Montgomery to Robert K. Kincy is stirring speculation among his friends.

Katz is president of the G.F.T.A. Motion Picture Co., and in ascertaining when he will continue in this post is uncertain.

Four Give Testimony Against 3 Electrics

WILLIMINGTON, April 23.—Four witnesses substantiated the charges of General Talking Pictures and Duquesa Radio on the second day of the anti-trust action against Ergo, Western Electric, Duquesa, and Telechron and Telegraph in the U. S. District Court here today. They upheld the claims of the defendants, through contracts with exhibitors, exercised a virtual monopoly of the industry.

The witnesses were A. M. Loew, president of Loew's Theatres Enterprises of Boston; Edward Levy, New Haven, counsel of the M. P. T. C.; and president of the M. P. T. O. of North and South Carolina, and Harry Pearlman, associate of the Allegheny and Lehigh, Philadelphia.

Depositions were read this morning. The plaintiffs are seeking a permanent injunction restraining the defendants from continuing their allegedly "monopolistic" practices.

Suit Halts Sale of Fox Theatre Units

(Continued from page 1)

holders, who obtained an order from Federal Judge Albert L. Reeves enjoining proceedings until further order.

Lee H. Hamlin, Jacob Smith and William Snower, all of Kansas City, filed petition for themselves and others who may want to intervene, setting forth they hold General's lever enterprises aggregating $89,000 and attacking the scheduled sale of the theatres as one of a series of manipulations by the Chase Bank to gain control of Wesco and its subsidiaries to the exclusion of General Theatres bondholders.

The Court also set a hearing for Thursday on National Theatres' offer of $1,580,000 for both companies. It is expected that the court itself may vacate the restraining order in a day or so. The attorneys for the theatre companies planned to file an application Wednesday, however, to set the injunction aside. It was also said that the suit was without a basis as the claim is against General Theatres, which is not involved in local bankruptcies.

\[\text{**Four Give Testimony Against 3 Electrics**}]

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KAO-Schenck Make Product Deal for Met

Court Told of Move as Hearing Is Resumed

Keith-Albee-Orpheum, under an informal agreement reached yesterday between Herbert Bayard Swope, chairman of the board, and Joseph M. Schenck, will have a participation in the Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses which will eliminate Fox Met as a competitive bidder for product against K-A-O.

Federal Judge Julian W. Mack was apprised of the agreement following a brief appearance by Swope at the resumed hearing yesterday on the Schenck-Fox Theatres' reorganization plan. The court was told that

(Continued on page 6)

Court Move May Not Delay Midland Sale

KANSAS CITY, April 24—There may be no delay in the sale of Fox Midland and Fox Rocky Mountain Theatres to the recently organized National Theatres Corp. as a result of a split among General Theatres Equipment board members who yesterday obtained an injunction in Federal Court.

Attorneys for the theatre companies are planning to ask the court to set

(Continued on page 5)

Bank Night Spreads Around New England

NEW HAVEN, April 24—Warners have contracted for bank nights in 13 Connecticut and seven Massachusetts houses, according to Ad Johnston, agent for the stum, who first tried it in his own house, the Strand at Hamden.

Despite houses are introducing similar stunts rather than making complaints to the grievance board.

M. & P.-Public and the Fishman Circuit are said to be planning a stunt on their own along somewhat similar lines.

Ohio Codes Are Held Void in Court Test

CINCINNATI, April 24—Ohio industrial codes, provided for under the National Industrial Recovery Act, are unconstitutional and invalid, accord-

(Continued on page 8)

Bergerman Is Out of “U”; Unit System Is Adopted

HOLLYWOOD, April 24.—Stanley Bergerman, associate producer at Universal, confidant of Carl Laemmle, Sr., and his son-in-law, has resigned, purportedly because of family differences, it was learned today. It was reported coincidentally with his resignation that B. P. Schulberg was in line either as studio production chief or a unit producer.

A statement issued by Laemmle said Bergerman had resigned under the most friendly circumstances.

Following his acceptance of Bergerman’s resignation Laemmle announced

(Continued on page 4)

Campi Budget Of $359,575 Set for Year

By CLARENCE LINZ

WASHINGTON, April 24.—Campi expenses for the current year are fixed at $359,575.01 under a budget approved today by the National Industrial Recovery Board. Permission is given to expend up to $171,197.77 to June 16, and, in the event the Industrial Recovery Act is extended beyond that date, the sum of $188,377.24 will be authorized for the remainder of the year.

No changes are made in the bases of assessment, rates for exhibitors running from five dollars for houses of less than 500 seating capacity in towns of less than 10,000, to $60 for

(Continued on page 8)

New Copyright Treaty Limits Story Changes

By BERTRAM F. LINZ

WASHINGTON, April 24.—A provision assuring to the author, regardless of the disposition made of the copyright, the right to object to deformation, mutilation or other modification of his work which may be prejudicial to his honor or reputation is one of the main features of the international copyright convention which the Senate ratified April 19, only to rescind its action April 21 because necessary legislation had not been enacted.

This provision is also incorporated in the new copyright bill which is expected shortly to be introduced, paving

(Continued on page 6)

FWC Delays Moves On Coast Schedule

Fox West Coast is awaiting official release of the revised Los Angeles clearance and zoning schedule before deciding whether to appeal to the NRA Industrial Appeals Board in Washington, it was stated yesterday.

According to unofficial sources, the

(Continued on page 8)

Contract Rush on In Talent Lineup

HOLLYWOOD, April 24—Windup of current schedules and preparations for the new season output are resulting in a flurry of contract signing for players, directors and writers.

In the talent field Barbara Stanwyck has just been signed to a one-picture contract by Paramount for a

(Continued on page 4)

K. C. Is Studying Legal Angles of Dual Bill Action

KANSAS CITY, April 24—Possible legal entanglements in the dual bill releasing plan sought by Kansas City exhibitors are being studied by distributors, it is reported, as a result of objections raised by W. D. Fulton, suburban operator.

While the legal questions are delaying the distributors’ decision, independent suburban exhibitors are growing impatient and in some instances are dueling for pictures which the companies have restricted this year to single bills. A

(Continued on page 2)

Para’s Board Accepts Atlas Finance Offer

Stockholders’ Meeting Is Set for May 15

In a placid session which dispelled early fears that the Paramount Public board might split into warring camps over the allocation of the $5,300,000 underwriting of the company’s new stock subscription warrants to a single financial interest, the Atlas board has reached agreement to handle the issue alone by accepting the bid of only $64,000, or approximately one per cent of the issue, and in the face of the economical proposal, from the company’s viewpoint, no competitive bids were made. It was agreed at the meeting that the name of any Paramount director, or directors, who

(Continued on page 8)

Florida Kills 10% Admission Tax Bill

TALLAHASSEE, April 24—E. J. Sparks is being given credit for the defeat of the proposed 10 per cent tax on admissions. The fact that a strong move is under way to get producers to manufacture here also had something to do with it.

The admission tax bill died in the House Judiciary Committee, Sparks, whose bill has been headed

(Continued on page 6)

Report 40 Set for New Columbia List

Columbia is reported set to release 40 features in addition to 12 westerns. Four of the westerns will be from a selection of Peter B. Kyne stories.

Home office executives are understood to be considering Atlantic City as the convention spot. Chicago was being eyed for the sales meet, but is said to have been dropped.

Efforts to check with Jack Coln, vice-president, yesterday were unavailing.

Gift Stamps Start With K.C. Splurge

KANSAS CITY, April 24—Fox Midwest’s gift stamp premium plan got off to a flying start last Sunday when 33,000 books were distributed to

(Continued on page 4)

F. C. Walker Named To Clear Work Fund

WASHINGTON, April 24—Frank C. Walker has been named to take charge of a new division of the National Emergency Council which will act as a "clearing house" for allotment of the $4,800,000,000 work relief fund. It will probably be several days before the new organization is in full operation. Walker is vice-president and general counsel of M. E. Comerford's firm.

The new setup will be known as the Division of Application and Information. Walker’s title will be Director of the National Emergency Council. He succeeds Donald R. Richberg, who, at his own request, will devote himself exclusively to his post as a director of the National Industrial Recovery Board.

Zanuck Back on Coast

Hollywood, April 24—Darryl Zanuck arrived from his recent trip to New York. With him was Harry Brand, chief of publicity for 20th Century-Fox.

He immediately took a look at "The Call of the Wild."
if you want the lowdown on
the industry's cycle-starters!

"Warners, who made a reputation and box
offices busy places with fast, action melodramas based on newspaper headlines, are back in the field they know so well with "G-Men." First of the eight, ten, or maybe it's twelve of the pictures now in work on the coast and dealing with the activities of Department of Justice men, this First National attraction has tempo, pace and excitement and enough of all three to turn it into first-class audience stuff. About the others along similar lines which are to come, there may be some doubt. Not here, however. Priority is important in cycles and near cycles. The Warners know it, are making plans to rush the film out and yesterday set the first two dates: the Roger Sherman, New Haven, and the Warfield, San Francisco, on the 26th. Other keys and semi-key runs immediately thereafter. Smart handling"...

. . . . . . "Red" Kann in M. P. Daily

G-MEN

First Shot-by-Shot Dramatization of Gangdom's Waterloo! Available for Dates Next Week!

WHEN YOU GET IT FROM WARNER BROS. YOU GET IT FIRST!
**MOTION PICTURE DAILY**

**Thursday, April 25, 1935**

**Contract Rush on In Talent Lineup**

(Continued from page 1)

role either in Ferenc Molnár’s “The Pastry Baker’s Wife” or “Invitation to Eurocopia,” a joint effort by Franz Schutz and Arnold Belgrad.

Joan Crawford has just been set for another role in “Claustraphobia,” a story by Abbe Carter Goodloe; Michael Bartlett, opera singer, will have an important role in Grace Moore’s “Forever a Rose.” Radio has signed Peggy Wood for “Jaila”; Charles (Buddy) Rogers has closed a deal with RKO for a picture with options on others; Warners have borrowed Roscoe Karns from Paramount for “Front Page Woman”; Lloyd Hughes, Mahlon Hamilton, Phillips Smalley and Howard Hickman have been signed by “Where’s His Wife?” Tutta Rolf, European import, has been set by Fox for “The Dressmaker.”

Radio has closed a deal with John Robertson to direct “Freckles” and M-G-M has signed James McKay to know “Horror of the Womb” as the first on a term contract. George Fitzmaurice’s first under his new M-G-M pact will be “Suzy.”

DeMille is said to be looking at the signing of Milton Krims by Radio to do the script on “Portrait of a Young Man.” Metro is said to be shopping Charles Rogers by Hal Roach to do the story and gags for the new “Carl” and Hardy comedy, “Bonnie Scotland.”

M-G-M has also lined up a number of song writers. Walter Donaldson will do the music for Miss Joan Crawford who has an additional music on “The Great Ziegfeld”; Gus Kahn and Arthur Johnson have been assigned to do music for “Elegance,” and Nacio Herb Brown and Arthur Freed have been set for songs in an unannounced picture.

**Gift Stamps Start With K.C. Splughe**

(Continued from page 1)

patrons at the 12 participating theatres in Kansas City. In all, 60,000 stamp booklets will be given out.

Announcement of the plan was made in large advertising space in the Sunday Kansas City Star. The words “free” and “premium” were not used, but it was stated that “valuable gifts” can be obtained by saving the stamps available at listed theatres.

Beginning next Sunday, stamps will be given out at a box-office at the rate of one stamp for each five cents paid on admission. When the books are filled they are to be turned in for more stamps ranging in value from $3 to $30.

While the first run Uptown is included, the stamp idea is primarily designed to help the subsequent runs and meet the giveaway craze at the independent houses.

Besides the U, which has issued the stamps are the Isis, Benton, Rockhill, Waldo, Vista, Plaza, Warwick, Apollo, Majestic-Dam, Sunset, Rialto, Theatres in Kansas City, Kan., are not included.

Adoption of premiums by Fox Midwest leaves 12 out of the 18 downtown theatres here steering clear of giveaways.

**Bergerman Quits’U; Unit Plan Adopted**

(Continued from page 1)

Universal production would immediately be placed on a 100 per cent unit basis.

The new setup calls for 36 features divided among a group of producers. They will picture generally supervised by Laemmle. It was said other executive posts would remain the same.

Laemmle expressed the view that the new system would provide better pictures and greater efficiency and economy, that it would exercise greater authority and responsibility, would exercise more care in the selection and development of stories.

Laemmle revealed that Bergerman’s resignation would also force him to give his attention to the development of stories. Joe Pasternak, at present in charge of European production from Universal, is slated for a unit at Universal City.

**Seven More Testify Against 3 Electrics**

WILMINGTON, Del., April 24.—Denuculation of alleged monopolistic practices of Erpi, Western Electric and American Telephone and Tele- graph continued in U. S. District Court here today when seven witnesses testified in the anti-trust action brought by General Telephone Pictures and Duovac Radio. One deposition, that of George E. Quigley, vice-president and general manager of Vitaphone, was also read.

Max Weiss, former president of Art Class Picture Corp. and present head of Art Class Film Exchange, testified that the practices of defendants brought about the ruin of the former company.

William Jessop, New York, chief projectionist for the Yoost circuit, said Erpi repairmen damaged Duovac tubes, rendering them useless, and then ordered exhibitors to use only Erpi products.

Sanford New, New York, independent repairman, told of allegedly exorbitant repair charges by Erpi and parts costs.

Others to take the stand for the plaintiffs were: David Garrison Berger, New York, attorney for William Roland-Monte Brice Prod.; Sam Stein, general manager of the Yoost circuit; Henry D. Behr, former sound engineer and consultant for Paramount, Publix, now technical expert for Wilmer and Vincent, and John Miller of the Brunswick Radio Corp.

**W. J. Couter Recovers**

RICHMOND, April 24.—Walter J. Couter, circuit operator, is back on the job after several days in a hospital.

Al Novitsky, manager of the Colonial, is also well again. Johnny Marvin, radio and stage singer, is recovering from poisoning.

**Close Jackson Theatres**

JACKSON, O., April 24.—All theatres, schools and churches in the state have been ordered closed by the city health authorities in an effort to curb an epidemic of scarlet fever.

**Looking Em Over**

**“The Phantom Fiend”**

(Continued on page 8)

(Continued from page 1)

Mystery lovers will probably appreciate this Julius Hagen production from England’s Twickenham studios, but the film moves too slowly and the plot is just a bit too thin to appeal generally. The acting, particularly of Ivor Novello and Elizabeth Allan, is fine for the most part and the chums are vividly sketched.

Maurice Elvey directed with an eye toward maintaining suspense, and it isn’t until the last few feet that the culprit is revealed. The photography by Sidney Blythe, Basil Emmott and William Luff is good.

The story concerns a mysterious killer loose in London. He picks women as his victims and every day finds another unfortunate female lying some place in a park with her throat slit. Scotland Yard brings a foreign police inspector in on the case and he describes the murderer.
Ho-hum

But every day's a busy day at National Screen Service ... we daren't get tired ... more than 9,000 theatres all over the country depend on our trailers to help sell their show ...

We must be alert ... we've a big job to do ... and our 700 employees ... all wide-awake ... all working together ... make trailers a business and right service a habit ...

It's the zip in the service behind those "full-of-vitality" seat-selling trailers that have made

NATIONAL SCREEN SERVICE

prize baby of the industry
Frankenstein Weds

San Francisco, April 24— "The Bride of Frankenstein" is a reality here. She is Mrs. Alfred Frankenstein, wife of the producer of Frankenstein Chronicle. They were married a few days ago in Chicago, Illinois, formerly of New York.

Incidentally, the picture, "Bride of Frankenstein," opened at the Orpheum here on the day of the wedding. The Chronicle did not print a notice of the wedding.

Wall Street

Eastman Gains 1 1/2 on Big Board

High          Low       Close

Columbia, etc.  425 425 425
Cons, pfd (1v)  184 217 171
Eastman      91 1/2 87 1/2
Loew's        90 1/2 90 1/2
Pathé          3 1/2  3 3/4  3
RKo           21 1/4 21 1/4
Warner       39 1/2 39 1/2 39 1/2

Technicolor Off on Curb

High          Low       Close

General Theatre 195 185 185
Trans Lux (Chat) 5 15 12
Keith, B. P. Bonds 3 1/2 3 1/2

Florida Kills 10% Admission Tax Bill

A delegation at a hearing. He pointed out that passage of the bill would be an "unfriendly gesture to California producers.

The House passed a resolution inviting producers to the state and pointing out that the state has no income taxes for either individuals or corporations.

A bill prohibiting walkathons has been passed by both branches and is awaiting the Governor's signature.

Table Iowa Ticket Tax

Drs Monks, April 24— Iowa's proposed 10 per cent admission tax has been tabled in the House.

New Copyright Treaty Limits Story Changes

(Continued from page 1)

the way for ratification of the convention under which the United States will become a member of the international copyright union.

The question of the changes which may properly be made in an author's work by a dramatist or scenario writer has been a burning problem. Film and play producers contend that the requirements of the treaty necessitate the following of certain formulae, in which authors agree, but frequently as a result of these "necessities" an author has been deprived of the opportunity to do original work in the picture or play.

The authors, in brief, contend that the necessity of making changes does not necessarily place a tax point where a story of desperadoes on the western plains shows up in the theatre with the locale changed to a bedroom in New York.

The copyright convention undertakes to assure the author of protection in a moral right in his works, it was explained by the Senate Foreign Relations Committee in its report on the treaty; "that is, to preserve his works, when in the hands of others, from mutilation or distortion that would injure his own honor or reputation. This is a right concerned with the common law in the United States and it is one that is valued very highly by writers and musicians."

The convention leaves to the individual countries the greatest flexibility in interpreting and legislating for the maintenance of this right. The section dealing with moral rights in the bill now before the committee on patents is declared to have been framed with the idea of striking an equitable balance between authors and those who use their works.

KAO-Schenck Make Product Deal for Met

(Continued from page 1)

the agreement would be effective in the event the Schenck-Fox Theatres' plan was approved by the court and that a settlement in a permanent continuance of the existing product agreements between K-A-O and Fox Met, which is permitted to day and date Radio and certain other product under first run contract to K-A-O in return for K-A-O's day and date playing of Fox product, which is under franchise to Fox Met.

While the court was told that the agreement did not prevent K-A-O from submitting a reorganization plan of its own for Fox Met, it was learned on good authority that no plan would be advanced by K-A-O if the agreement with Schenck is formally consummated and the Schenck reorganization plan adopted. It was also learned that the K-A-O-Schenck agreement does not contemplate anything like a pooling of K-A-O with Fox Met under single operation, but embraces only an arrangement under which there would not be an impairment of essential product in the event Fox Met is developed as a new first run circuit.

Schlosser, Niver on Stand

Yesterday's hearing brought Alvin J. Schlosser and Ernest W. Niver of the Fox Met bondholders' committee to the stand. Niver is chairman of the committee and a vice-president of Halsey, Stuart & Co. Schlosser is also a member of that investment house. It was testified that Schlosser did not engage in the Fox Met bond market while Niver had engaged in only two transactions, having acquired a $500 bond in December, 1931, and a $2,000 bond in December, 1932, both the same year. He disposed of the bonds in June of last year at a total profit, it was said.

Both men admitted having aided in the drafting of the Schenck-Fox Theatre's plan of reorganization. Niver stated that he had not met with Schlosser's committee or the bondholders' committee to obtain a vote on the Schenck-Fox Theatres' plan of reorganization. Niver stated that he had not met with Schlosser's committee.

This interlude caused Judge Mack to continue by asking what the difference would be, if any, of an offer made which would produce a large sum in cash for Fox Met bondholders. This is another type of new bonds such as are proposed in both the Schenck and Si Fabian plans.

"While I am not the guardian of the average man," Judge Mack commented, "I do believe that this is a speculation. I believe that the average man should not invest in securities based on future earnings, rather than on the present day. In any event, he ought to buy United States Government bonds. Moreover," the court remarked, "I do not favor such a bid as was made yesterday's and Warners last summer, which put so many conditions in with their $4,503,000 cash offer that there was no chance of it ever going through.

At another point, in discussing the Schenck-Fox Theatres' plan, the court remarked that the plan "might be fair only if it included a provision not now present, tying Schenck to the new company for five years, if not 10 years, and with a provision for a billing for the sale of his pictures (United Artists and 20th Century) to Fox Met."

Raymond W. Whemple, an auditor for Irving Trust Co., as trustee for Fox Met, testified that Fox Met had $9,876 cash on hand for last 31 days, and an additional $225,533 cash in the possession of the trustee under the mortgage.

Milton Weisman, who, as receiver for Fox Theatres, is a participant with Schenck in the reorganization plan before the court, was treated to an uncomfortable half-day's session on the stand yesterday by Frank C. Reavis, attorney for Si Fabian. The cash payment to bondholders under the plan is $192.60 for each $1,000 bond. There are approximately 13 partners in the Fox Met, and the plan calls for the presentation by Schenck and Fox Theatres of only $75,000 in new cash, the balance required being the present value of the bondholders being intended to be derived from the unmortgaged cash of Fox Met. The amount of the un-mortgaged cash has not yet been determined and Reavis wanted to know what assurance bondholders would have of receiving the promised $192.00 in the event the unmortgaged cash was insufficient to make up the difference between that amount and the pro-rata share of the $750,000 of new cash.

Weisman appeared to be at a loss for a definite answer until Schenck volunteers to make a commitment that he would make up any difference which might develop between the amount promised and the amount available.

Faced With Alleged Threat

Weisman was also faced with alleged threats made by him intimating that Fabian would lose his operating company if he proceeded with the transaction. Weisman had said that the trustees of the Producers Corp. would repudiate the sale of the Fox Met. The amount of the Fabian by Allied Owners Corp. and that the transaction was to be investigated by the Sabbath committee.

Weisman was also questioned concerning an article which appeared in Motion Picture Daily of April 15, quoting Weisman as saying that the operating contract on the Brooklyn Fox would be canceled when the theatre is reorganized. Weisman will resume the stand this morning for further questioning.

Harry Brandt, operator of 33 houses in the metropolitan area, president of the I.T.O.A., for which Weisman is counsel, testified as to the condition of the original contract between Fabian and Fox Met circuit and as to the difficulty of a local independent operator obtaining a first run film franchise regardless of the number of theatres he operates.

Trial in 30 Days

CHICAGO, April 24.—The Roderick case involving ten cents admissions probably will come to trial in about 30 days.

New Copyright Treaty Limits Story Changes

(Continued from page 1)
Cameramen’s INSPIRATION

CAMERAMEN long ago decided that Eastman Super Sensitive “Pan” is fit company on any flight of genius. And results vindicate their judgment. For four years in succession the great bulk of the really inspired motion pictures have been photographed on this superlative film. Eastman Kodak Company, Rochester, N.Y. (J. L. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super Sensitive Panchromatic Negative
Campi Budget Of $359,575 Set for Year

(Continued from page 1)

de luxe first runs in cities over 1,000,000 population, while the rates for producers and distributors will run from $50 for those whose revenue last year was not over $12,000 to $11,500 for those with revenue over $20,000. The rates are for the first half of the year and are 50 per cent of those imposed last year.

It is provided that if any member of the producers or local theaters prefers, he may pay to Code Authority one-eighth of one per cent of his total gross for the first half year in lieu of the assessment in the schedule.

If producers or distributors whose 1934 receipts were over $750,000 contribute more than $9,000 to the budget for the first half of the year, the excess will be credited to the members in that group pro rata. The same is to apply to receipts from the producers and from exhibitors, should the total contribution made by one or more exceed 50 per cent of the budget.

The order will become effective in 15 days from which time objections may be filed by anyone objecting to the basis of the assessments.

FWC Delays Moves On Coast Schedule

(Continued from page 1)

zones eight and nine were continued separately after an analysis by Campi. Zone 20, which takes in the last tier and Golden Gate, also continues as recommended by the Los Angeles board. Zones two and three, the much disputed region, are not over $750,000 contribute more than $9,000 to the budget for the first half of the year, the excess will be credited to the members in that group pro rata. The same is to apply to receipts from the producers and from exhibitors, should the total contribution made by one or more exceed 50 per cent of the budget.

The order will become effective in 15 days from which time objections may be filed by anyone objecting to the basis of the assessments.

Looking 'Em Over

"The Phantom Fiend"

(Continued from page 4)

His description fits Novello, who has arrived mysteriously at the home of Miss Allan as a boarder. The latter and her family are dragged into the case by Jack Hawkins, a newspaperman in love with Miss Allan and all aid materially in solving the crimes after Novello is arrested.

The Bracken family turns out to be his brother, and when 10 miles away, is released the romance that had sprung up between him and Miss Allan is cultivated in their marriage.

Others in the cast are A. W. Bascomb, who supplies all the film's comic relief; Barbara Everest, Peter Gawthorne, Shayne Gardner and Drusilla Willis.

On dual bills and in small town houses the picture should do well if exhibitors concentrate on its mystery angles. Reviewed without production code seal. Running time, 74 minutes. "G."

Films in Beauty Shop

Boston, April 24.—A beauty parlor here has adopted an idea that might be Art White's pattern, and those who have been taxed with having their faces dried and their permanent waves set. It relieves the boredom.

Exhibitors might try a "Permanent Wave Night," with each woman guaranteed two features, a set of dyes and a wave.

Gavin Best RKO Bowler

Dick Gavin is RKO's champion bowler. He finished top among 50 contestants in the inter-office competition. Emil Schwab's five won the team championship with 50 games won and 22 lost. The season began in October.

Captain McEntee's team won the high score of the week, Art White and Frank Taylor's five tied for second with 891. RKO finished second to Paramount in the M. P. Bowling League.

Push Action on West Ads

LOS ANGELES, April 24.—The Southern California I.T.O. today forwarded information regarding the alleged advertising of a preview of "Goin' to Town," the new Mae West picture, by the Fox Welfare, to Attorney Frank S. Huton, now in Washington, in an effort to get official action in the event the Paramount exchange doesn't act.

Macdonald, Eddy Again

Hollywood, April 24.—Jeanette MacDonald and Nelson Eddy will be teamed in another musical by M-G-M, "American Coast Song Too." The film will feature American composers and will go into production when Eddy gets back from his concert tour.

RCA Drops Coast Suit

LOS ANGELES, April 24.—RCA has dropped its suit against the Hollywood M. P. Equipment Co., one of several actions instituted against small equipment manufacturers over a year ago.

Para.'s Board Accepts Atlas Finance Offer

(Continued from page 1)

would have a participation in the underwriting, would be revealed to the Federal court at a hearing scheduled for today (Thursday) before Judge Floyd B. Ould, head of the Atlas, is a member of the Paramount board of directors, apparently there would be no interest in the financing.

The board set May 15 as the date of the stockholders' meeting at which present member of the board will resign and eight new members will be formally elected. Yesterday's presiding board consisted of Gerald Brooks, Dr. Julius Klein, Duncan G. Harris, Percy H. Johnson, Homer R. Hume, Charles A. McCulloch, Maurice Newton and Adolph Zukor. Frank A. Vanderbilt is also a member of the board at this time, but did not attend yesterday's session, as he was unable to return from a business trip to Chicago until today.

On May 15 Dr. Klein will resign from the board and the following eight designated directors will be formally elected: Rudolph A. Bing, Edward F. K. Cassatt, H. A. Fortington, William S. Gray, Jr., John D. Hertz, Floyd B. Ould, Charles E. Richardason and George J. Schaefer. All of these directors-elect with the exception of Cassatt attended yesterday's meeting.

Charters a New Unit For Saenger Houses

Dover, Del., April 24.—Paramount-Richards Theatres, Inc., the new holding company for the Saenger stock, has been incorporated here to conduct theatres, listing a capital of $60,000. Officers selected are J. H. Ringling, J. C. McCulloch, B. R. Jones and Walter Lenz of Wilmington.

WABC Radio and Television Corp. of Pennsylvania and Philo Radio and Television Corp. of Michigan have been incorporated to operate and maintain television and radio equipment, listing a capital of $1,000 each. The incorporators of both companies are Edward B. Hodge, Jr., Edward Collins, Jr., and Philip Dechert of Philadelphia.

"Red" Hershon Writing

Hollywood, April 24—"Red" Hershon, former held man for Universal in Philadelphia and New York, is now preparing the continuity and dialogue on the Frank Merriwell series, which Universal will make as a serial. Ansel Friedman will supervise and Ray Taylor is tentatively set as director. No cast assignments have been made.

Skouras Extends Lease

In addition to a five-year lease signed with RKO recently for operation of the Strand, Rockville Center, L.I., Skouras has signed a 10-year lease. The RKO agreement expires in 1935 and, according to a new deal made by Skouras with Powwad, the Corp., the owner, operation will be continued until 1949.
Local Theatre Combine Falls Through Again

Move to Get 125 Houses Together Dropped

Revived efforts to merge from 125 to 150 theatres in New York and about 75 houses in New Jersey into one or two circuits in an effort to bring about reductions in film rentals have again failed, it was learned yesterday.

According to the plan, exhibitors pooling houses into the two new companies would have been given stock proportion to their interests. Operation would have been continued by the present lessees or owners.

It was figured that Loew's, RKO, Warner, have closed a deal with Springer & Cocalis, Prudential and other circuits in the local territory

All Major Circuits To Aid NVA's Drive

All major circuit theatres, some 2,000 in number, are now pledged to donate 10 per cent of May 20 grosses to this year's N. V. A. drive, it was reported yesterday. Independents will be asked to sign pledge cards.

"To make it easy on the exhibitors, a week of intensive national and local publicity publicity has been arranged, so that grosses will be increased beyond the amount of the

Evergreen Control Will Be Localized

Los Angeles, April 25—The Evergreen State Amusement Corp. of Washington and Oregon, now operating in conjunction with F.W.C. from the home office, will be handled under district managers in the future, it was revealed here yesterday.

Under the new plan, Frank L. Newman, president, will supervise all first runs, and Al Rosenberg and Al Finkelson will head the Portland

Republic Deals Set In Albany, Buffalo

Jack Berkowitz and Bernard H. Mills, Standard Film Exchanges of New York, have closed a deal with W. Ray Johnson of Republic Pictures for the Buffalo and Albany franchises of the new company. The Standard

Paramount Set

Annual sales convention of Paramount will be held in New York June 13-16. The place will be the Waldorf.

KA's Share Of Met to Be From 20-25%

Swope Details Agreement Before Judge Mack

Keith-Albee-Orpheum's stock ownership participation in Fox Metropolitan Playhouses may be a maximum of 25 per cent or a minimum of 20 per cent if the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met is successful, Herbert Bayard Swope, chairman of the board of K-A-O, testified yesterday before Federal Judge Julian W. Mack.

If KA-O's 25 per cent stock participation could be had, it is to the present understanding between Swope and Schenck, only if Fox Theatres does not exercise his option under the reorganization plan to purchase 50 per cent of the Fox Met stock. In that event all of the Fox Met stock would be sold and Swope would

Three Houses Share In Para. Financing

Lehman Bros. and Hallagen & Co. will participate with Atlas Corp. in the underwriting of the $6,400,000 issue of new Paramount Pictures corporation warrants, Federal Judge Al- fred C. Coxe, who approved the underwriting proposal at a hearing yesterday, was told.

The proposal calls for a combination of one per cent, or $6,414, for the commitment which may run to next September, as Paramount stockholders

“Richeieu” Pulls $103,000 into Hall

“Cardinal Richeieu” was a gross- getter for the Music Hall last week, garnering $103,000 for the first seven days. The Palace on the second week of “The Little Colonel” ended with approximately $9,000, “Black Fury” in its second week at the Strand took in about $21,735

IEPA-Jersey Allied Effect Affiliation

Philadelphia, April 25—The independent Exhibitors Association of Eastern Pennsylvania, Southern New Jersey and Delaware effected a union today with Allied of New
MOTION PICTURE DAILY

Insiders’ Outlook

By RED KANN

MORE on Hays office concern over advertising films and their encroachment possibilities in the entertainment field. Make no mistake about the extent of the worry; it’s gotten and predicated on sound, if so far theoretical, reasoning. To tell the story means to approach it by a circuitous route. The leaders in the field, who are advertising individually spend millions each year. A substantial portion goes to newspapers and class magazines; a lot to radio. Indicative of how generous is the splurge in broadcasting is the $2,500 or $3,000 paid Claudette Colbert recently by Lux soap for an hour’s condensation of “Holiday.” Either time was another item and a generous one; newspaper advertising heralding the program, another; supplementary cast and music, still others. Combined into what was called “Hollywood As Seen” on one Sunday, the same cost calculation applied to the remaining fifty-one weeks conveys an idea what this company alone spends annually on radio ads. It has plenty of competition from other business fields.

National advertisers have done a good job in newspapers, magazines and in radio. Combined with the alert for new angles on which to spend apparently limitless budgets, an approach to theatres must be recognized as entirely a logical one. What worries certain of the directors of the Hays office is the manifestation of what may come as evidenced by current activities in Hollywood as well as in the field of commercial Electric and General Motors which are financing and having made advertising talkers hallowing their Frigidares, Chevrolets and Cadillacs with professional performers in the cast.

There appears to be some evidence indicating that the G.E. and G.M. flyers do not embrace invasion of the theatre industry, but plan their films for conventions and dealers. Yet envisioned around a convenient sign is an extension of the idea to embrace other territory. Perhaps such feature in length and in treatment, with important players as part of a scheme which would depend upon radio advertising to attract owners without any cost to them. Advertising reels today get quite a play in some instances and the playing time accorded is not confined to important theatres by a long shot. Imagine what a well-rounded, well-planned and well-executed feature with a genuine box-office name handed out as largesse by its sponsor might do to the regularly constituted production and distribution business! 

In their essence, these are the principal reasons behind the Hays office attitude and explain the statement of the other day as well as the reason for study of the matter and which is being undertaken. Peering ahead into a something which does not, but which may, exist today or tomorrow is a sound method of tackling any problem; that’s why it is under way. Repeating our slant, a practical method of checking off a potential trouble would seem to be direct action by the men who do the employing on the coast. The luther untouched angle which makes the picture more or less complete is a fear the production code may be transgressed and the voluntary agreement of major producers to keep their skirts clean violated in the eyes of church and public. Belonging to no integral part of the industry, national advertisers entering production obviously are not bound by the Hays code. It is a fact which they did not sign and in which they could have no direct or indirect concern.

This observer felt a need for bright, cheeky sunshine and no shadows yesterday morning after a look at “The Bride of Frankenstein.” No doubt designed to be a precautionary piece and in comparison, this horror-shocker sequel is supercharged with blood-curdling, skin-chilling episodes which may be fantastic but without the proper mood of the subject matter, James Whale’s direction fits glove-like. Photographically and in point of sets, John Mescall and Charles Stuart hand their respective jobs with something approaching the superb. While it may have nothing to do with the case, this is as good a time and a spot as any to sound a note for dramatic lighting through black and white photography when expertly applied. Color, for instance, would have added nothing to it, if it would obviously have detracted from, “The Bride of Frankenstein.” Technical notwithstanding.

Expect 150 at SMPLE Spring Session Here

Advance information indicates that 150 members of the eastern division of the SMPLE will attend the spring convention at the Roosevelt May 20-24, according to W. C. Rummam, vice-president in charge of the convention.

A tentative program for the meeting has been drawn up and will be announced shortly.

Second Ampa Ticket Makes Clean Sweep

(Continued from page 1)

votes it was found that the opposing slate was carried six to one. John C. Flinn talked briefly to the members about past presidents. After the election, William T. Ferguson, retiring head, forgot his Scotch habits and bought drinks for everyone present. Installations took place Saturday night at the Naked Truth Dinner at the Astor.

The name was as follows: Bruce Gallup, president; Gordon White, vice-president; Edward F. McNamee, secretary; Herbert S. Metzler, treasurer; directors: Ferguson, Paul Benjamin, Marvin Kirsch, Melvin H. Heymann, Alexander Gottlieb. Trustee for three years, out with committee; Paul Gulick, Edward Finney, Vincent Trott, National Counselor, Hal Horie.

Seventeen personalities have been selected to alternate as master of ceremonies for the Saturday affair, among whom will be featured, Sober Harry Hershfield, Joe Laurie, Jr., Ed Sullivan, Jay C. Flippen, Ted Bergman and Phil Baker.

IEPA-Jersey Allied Effect Affiliation

(Continued from page 1)

Jersey at a joint meeting here attended by 58 theatre men. The session was a closed one and the talk was barred, presumably at the request of Sidney Saunders, head of Allied.

The joining of the two groups had been discussed as a result of an organization of the I. E. P. A. and marked the end of negotiations starting more than a year ago, when Saunders first counseled the new group that it should arrange its financial setup before it could link with Allied.

Republic Deals Set

In Albany, Buffalo

(Continued from page 1)

name of R.C. Pictures of Upper New York.

Sam Selpoin of Monogram Pictures, Inc., has also closed with John- son for the Michigan franchise of the new concern. The name of his corporation will be changed to Republic Pictures Corp. of Michigan.

All three men who signed the new deals were former Monogram franchise holders for their territories.

Evergreen Control

Will Be Localized

(Continued from page 1)

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Richard Rumor Denied

A report that A. J. Richard would be transferred or supplanted as head of Paramount was, brought through a denial yesterday from Austin C. Keough, general counsel for Paramount and vice-president of the reel.

Local Merger Falls

Through Once More

(Continued from page 1)

are receiving benefits in buying because of the number of houses represented by the companies joining the group. Under the proposed plan, the combined buying strength would have been approximately 200 theatres. Renewal of the proposal was brought about because of the proximity of the new buying season. It is believed the “Phantom Fiend” is acceptable to members of the local exhibitor organizations, all details could be completed before intensive selling gets under way.

Exhibitors are skeptical and hesitant about discovering deeds and other papers involved.

All Major Circuits

To Aid NVA’s Drive

(Continued from page 1)

contribution,” according to a statement sent out by the organization of the drive, which hopes to enlist 4,000 houses.

It was revealed yesterday that eight major distributors have agreed to waive their interest in 10 per cent of May 20 receipts of all theatres, pledging their support as their contribution to the fund.

Criterion Now Single

Starting today the Criterion will show The Phantom Fiend on a single feature basis. The film originally appeared as part of a double bill with “Behind the Green Lights.”

Second Ampa Ticket Makes Clean Sweep (Continued from page 1)

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Three Houses Share In Para. Financing

(Continued from page 1)

Having used their option to exercise their subscription warrants. The offer was generally conceded to be highly favorable to Paramount as the commission was estimated at an actual cost of the underwriting or less than cost. No objections to the Atlas proposals were voiced at yesterday's hearing.

The agreement including Lelahn Brothers and Hallgarten Co. in the underwriting is understood to have been reached yesterday, subsequent to ratification of the proposal by the Paramount board on Monday. Thus three Paramount directors will have an interest in the underwriting. They are Floyd B. Odlum of Atlas, John D. Hertz of Lelahn Bros. and Maurice Newton of Hallgarten.

It was reported yesterday that Odlum may be compelled by other obligations to resign from the Paramount board at an early date, but will probably designate his successor in that event.

The underwriting proposal was the only subject presented to the court yesterday. May 10 was set as the hearing date for hearings on the remaining matters incident to organization of the new Paramount company, such as approval of its charter of incorporation, its by-laws, security forms and offices. The stockholders meeting for the formal election of directors of Paramount will be held May 15.

Corporations Formed For Skouras-Century

Skouras Theatres Corp. and Century circuit have set up eight new corporations in Albany in anticipation of the pooling deal now in progress and which is expected to become operative on May 4. Signing of the agreement has been held up because of the presence of George Skouras at the reorganization hearings of Fox Met.


Suit Halting Sale of Fox Units Up Today

Kansas City, April 25—The claims of General Theatres Equipment bondholders seeking to block the sale of Fox Midland and Fox Rocky Mountain will be tried out in U. S. District Court tomorrow. The petitioners have been ordered to show cause why the injunction halting the sale should not be vacated and the petition dismissed.

Herbert V. Jones, Fox Theatres' trustee, in his answer claimed the suit was not a valid action since the companies were not directly involved in General Theatres Equipment complications. Sale to National Theatre may be confirmed late tomorrow if the injunction is vacated.

Green Heads Committee

Hollywood, April 25—Howard Green was elected chairman of the Academy writers' committee last night.

MOTION PICTURE DAILY

Friday, April 26, 1935

Purely Personal

(Continued from page 1)

the Chicago theatre building program for Loew's, was in town yesterday conferring with home office executives.

Mark Hellinger, who was among the first of the Broadway columnists to appear in person in a theatre, returned to the State this week. Mrs. Hellinger, who was Gladys Glar with Ziefeld, will be in his unit.

Nat Steinberg and Barney Rosenthal of Republic Pictures, St. Louis, leave today for home after two days here conferring with W. Ray Johnston.

Amphiteatrua Julian Martin returned yesterday from three months in Florida, with the usual tan, and expects to travel again in a few days to California.

Quip of the Day

Cliff Work to Nate Blumberg: "Are vice-presidents born or made?"

EB Sullivan opens at the Metropolitan in Brooklyn today with his nightclub review. This is the second week of a tour of Loew houses he'll make this summer.

Howard S. Cullman will be one of the speakers at today's afternoon session of the eight annual conference of the American Ass'n for Social Security at the Astor.

David Faralla left for Hollywood by air yesterday to become assistant to Hal Heflin at the Paramount studio.

Morrie Berg was 10 months old yesterday. He celebrated more less quietly with his pa, H. Spencer Berg of the U. A. Bergs.

Felix Fiest led the M-G-M huddle at the Empire Club yesterday. Others present included Bill Rodgers, Eddie Saunors and Bow Lynch.

James R. Granger is off on a lengthy week-end. Wants to get rid of that cold which has been bothering him.

Gary Cooper pulled up New York states yesterday and started his return trip to the coast.

Archie Mayo, Joe Moskowitz and the two Louis, Irwin and Schreib, combined at lunch yesterday.

Chris Buckley was in town from Albany yesterday and his home office conference was the reason.

Eddie Golden returned from that quick business trip to Canada.

Al Lichtman is home. He has laryngitis.

Hal Roach expects to leave for the coast by plane today.

Wall Street

Eastman Jumps 5% on Big Board

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(Continuations as of close of April 25)

William Wyler Back Seeking a New Pact

Upon his arrival yesterday morning on the Rez with his wife, Margret Sullivan, after a-10-week vacation abroad, William Wyler. director, stated he had not been with Universal since January. He added that while in New York he will negotiate a new contract, but would not disclose what company. However, the belief is he will rejenuve Universal before he takes a place on Hollywood on Sunday.

Miss Sullivan brought back two St. Bernard pups. She plans to stay in New York about 10 days doing a lot of shopping. Her next picture will be "So Red the Rose," on a loan from Universal to Paramount.

Gregory Ratoff was on the same liner. He said that while in England he made four pictures for three companies. For Warners he appeared in "Butter and Egg Man,' for British International, "Falling in Love" and "18 Minutes"; for Gaumont British "Forbidden Territory." He plans to stay in New York a week before returning to the Radio lot.

William Wyler said he might go back to London later in the year on some plans he has in mind.

NEATEST TRICK OF THE WEEK

Eleanor Bayley

of 1234 Rowland Ave., Burbank, Cal. Miss Bayley appears in the elaborate ensemble numbers of "In Caliente."
CRITICS BATTLE OVER 'G-MEN'!

Vic Shapiro in Motion Picture Daily says the

in 'G-Men' "means plenty of G's for showmen!"

Jimmy Starr of L.A. Herald-Express says "the

in 'G-Men' stands for guts!"  . . . . . . .

Sidney Skolsky, famed columnist, says the

in 'G-Men' stands for 'great'!  . . . . . . .

Bob Coons of the Associated Press says the

in 'G-Men' stands for 'grand'!  . . . . . . .

.. BUT THEY ALL AGREE THAT

With Ann Dvorak, Margaret Lindsay, Robert Armstrong, in huge cast. Directed by Wm. Keighley. A First National Picture.

IF YOU GET IT FROM WARNER BROS. YOU GET IT FIRST
...is the fastest moving, most exciting picture in years.”—Leicester Wagner of United Press

...faster than a machine gun—a thriller that will be hard to top—an undoubted winner—watch it go at the box office!”—Harrison Carroll of King Features Syndicate

...a grand tribute to the Department of Justice.”
—Louella Parsons

...tops in cinema excitement—as thrilling as tomorrow’s headlines.” —Jimmy Starr

...I don’t see what there is left for any other company to make in the line of ‘G-Men’ stories. It’s all in this picture.”
—Douglas Churchill of N. Y. Times
Something more than a great motion picture... a new emotional experience in the theatre... with dramatic impact that jars loose the traditions of the screen!
A PREDICTION
RKO-RADIO IS CONVINCED THAT EVERY CRITIC IN AMERICA WILL PLACE IT ON HIS LIST OF THE TEN BEST PICTURES FOR 1935.

JOHN FORD PRODUCTION

with

VICTOR McLAGLEN
HEATHER ANGEL
PRESTON FOSTER
MARGOT GRAHAME
Wallace Ford • Una O'Connor

FROM THE STORY BY LIAM O'FLAHERTY
CLIFF REID, ASSOCIATE PRODUCER
RKO-RADIO PICTURE
KAO's Share
Of Met to Be
From 20-25%

(Continued from page 1)

dispose of 25 per cent of it to K-A-O, the court was told. If the Fox Theatre option is exercised, however, K-A-O will be permitted to acquire only a 20 per cent interest.

Swope testified that K-A-O's concern is that any plan involving Fox Met by Schenck was solely with the problem of product which would contribute to a_mat of the circuit.

He said that a number of plans of action devised by K-A-O as a result of its concern over the situation were solely designed as protective moves and that there was no actual desire on K-A-O's part to acquire the circuit.

The protective moves enumerated by Swope included several conferences with Schenck in California as to his intended policies in the event he acquired Fox Met, which resulted in his being told by Schenck that the latter would be willing to "go along with" the present product arrangements between Fox Met and K-A-O. Swope said, however, that the declarations he received from Schenck were "not very reassuring."

Swope said he also wanted to find out whether Mr. Schenck of Loew's was involved in the Fox Met plan and that he, Swope, had been assured by David Sarnoff, chairman of the board of Radio Corporation, that they were not, and that the Loew chieftain also phoned him in California to tell him the same thing.

Says K-A-O Still Free to Bid

Swope persistently denied that K-A-O would not participate to participate in the Schenck-Fox Met Theatres' plan with the condition that K-A-O would not participate in the plan of reorganization of its own for Fox Met. He testified that while it was "highly unlikely" that K-A-O would now participate in the Fox Met plan, if the Fox Met plan is successful, the RKO theatre company, nevertheless, is still at liberty to do so. He added that, prior to the understanding with Schenck, K-A-O had discussed the possibility of present planning and financing it with an "outside source," with three different film companies and with Sir Fabian, who also is proposing a Fox Met reorganization. He said that one of the companies with which he had discussed a plan was M-G-M. The K-A-O head emphasized that his company was in no way interested in perpetuation of Fox Met's present operating status in order to "avoid excessive film costs and ruinous competition."

At one point during Swope's testimony Judge Mack remarked that "one of the things that interested me in the overthrow or rejection of Schenck's plan could be the probability of K-A-O offering a purchase plan if the Schenck plan is rejected."

Milton Weisman, associate of Schenck in the reorganization plan as a receiver, forthwith told the court that another uncomfortable session on the stand yesterday. He denied a statement in an article read from Motion Picture Daily of April 19 quoted him as saying that he believed the Schenck Fox Met Theatres plan would be approved by the court.

Judge Mack remarked that if the statement were true, he considered it highly improper for anyone to predict the outcome of a case before the court and such a remark, if true, "might influence the court now."

That is how the court placed on the record and interrogated on the proposal he has made for reorganization of Fox Met Met. The court told Swope that he has lost the Fox franchise of great importance to Fox Met in a reorganization as there would be an open film market in the territory in the absence of Fox with the assurance of only Radio and possibly Fox product. He said that the court has granted to Fox Met would be able to get Paramount product if it was reorganized under Fabian and that Herman Stor- and the latter, therefore, would be unable to "continue to sell these theatres."

Fabian offered the opinion that Fox Met and K-A-O would be "natural allies" and their combined buying power would eliminate all problems of obtaining product. He estimated that the sale of the plan Fox Met operated at an overhead $250,000 less than it was in 1934.

Fabian will resume the stand today.

Campi to Send Out Code Bills Shortly

With the NRA approval of the 1935 budget for $139,575, Campi within the next few days will send out bills to 9,000 code assentors for the first half of the current year.

The Los Angeles clearance and zoning schedule is expected to be ready to mail as soon as all sent to the air mail. It provides for 20 different price schedules, according to zones. The zoning board is expected to set May 9 as the date when the plan will become effective.

Hanson Confers with Flinn on Clearances

At Hanson, Los Angeles city manager for RKO, Campi called on houses under his supervision, yesterday morning with John C. Flinn on various details of the revised code schedule. Mr. Hanson is in charge of the circuit, also attended the session.

Meanwhile, FWC has taken no legal action on the schedule.

Hanson had planned to leave for the coast by plane immediately after the conference, but length of the session forced him to postpone his departures until today.

Film Congress Open; British Not Present

BERLIN, April 25—About 1,000 delegates said to represent 38 congresses planned for the International Film Congress here today, Dutch and British representatives were not present. Requests placed on days off were given as the reason. A British spokesman said the whole German industry was under the domination of the film combination and there could be no free discussion.

Report New N. O. Studio

NEW ORLEANS, April 25—Reports from the state capital that New Orleans is planning another stage studio near the Shushan Airport in Orleans Parish. The studio and rental of space are included in the plans, according to record.

Rosenblatt Charges To Grievance Board

Charges by Leon Rosenblatt of the Boston-Welt circuit against the Metropolitan Theatres, operating the Paca- westwood, employed unfair tactics in buying product away from the West- woody, have been accepted by the local grievance board by a Cami committee comprising Paul Surey and F. Thomas Murray after a hearing.

Rosenblatt claims that for the current season he could get only 40 Co- sambria films first run with Swope using the buying power of Fox West Coast to take away products he had been denied by Louis Weber, attorney for Skouras.

The Cami committee held that the local board had no right to certify the case to Code Authority and that a decision must be made after a rehearing of the controversy. On the other hand, the decision of the local board is appealed, preference will also be given on the appeal calendar.

Rosenblatt told the court during the hearing that Rosenblatt previously had won an overwhelming case for the Cause of City, agreed with the board, but when Campi finally handed down a verdict the ruling of the lower board was reversed.

Clearance Ruling Is Clarified in Boston

BOSTON, April 25—An executive session of the clearance and zoning board has clarified a recent Superior Boston decision that stated: "First Newton shall have clearance over Needham and Wellesley. Availability for Needham and Wellesley shall be immediately after Newton and Watertown. First run Newton shall have seven days clearance after first run Watertown."

The new decision of the board is:

"That play dates for pictures may be submitted either Needham or Wellesley, with no change for either Needham or Wellesley. It shall then be immediately available for the other, to be given by the exchange to the theatre immediately that such date is accepted with opportunity to be submitted and the date. The above only applies to dates submitted within seven days after Newton, after which time either may book irrespective of the other."

Mail Officers Order Out Frisco Bank Ads

(Continued from page 1)

they violate the Federal laws against lotteries. As a result no papers carried bank night notices today. After the previous advertisement the order will have the effect of practically closing up pending bank night advertising. Bank night ads have been described if theatres are unable to use the newspapers.

Liberty Buys "Sally"

Hollywood, April 25—Liberty has purchased "Sally of Show Alley," a novel by Homer King Gordon, as one of the 12 for next year.

Say Missouri Can Prosecute On Bank Night

The plan to the attorney general, indicated it was permitted in two additional circuits, and asked since the participant is not required to buy an admission to the theatre for a chance to win the prize, whether bank night falls within the lottery law "or is a legitimate advertising plan."

The opinion, written by an assistant attorney general and approved by the attorney general, recalled that the state law was passed pursuant to a mandate prohibiting lotteries and gift enterprises contained in the Missouri constitution. Numerous court cases were cited to show it is immaterial that participants do not have to pay a consideration.

Bank Nights Win Round in K. C.

KANSAS CITY, April 25—Bank night interests won a victory today when the Board of Censors, against R. W. McEwan, bank night distributor, and Rube Finkelstein of the Belmont was dismissed by the court, which said he was not acting as a complaint witness, which she refused to do on the ground that it might involve her in future complications.

Massachusetts Race Fight Tangles Anew

BOSTON, April 25—More complications have developed in the fight on horse and dog racing with pari-mutuel betting. Daniel Callahan, who sought an injunction to stop work on the Eastern Racing Ass'n. track, has signed an agreement to the effect that he will be given $200 for out-of-state racing interests to start the move.

The House has turned down the Senate bill to refuse appropriations to the State Racing Commission.

To help the proposed racing venture at Agawam, Governor Curley is seeking an extension of the racing days from 70 to 100.

Dog tracks seem to be doomed as a result of the general agitation, but horse racing may get started late in the summer.

Chicago Bans "G Men"

CHICAGO, April 25—Chicago has banned Warner's "G Men." H. M. Cos- tello, head of the Chicago Crime Pre- sident, who certificates, saw that while the film taught a moral lesson the machine gun was used to "prove over-stimulating for children."

"G Men" for Strand

Warner's yesterday changed their minds. The Warner theatre with "G Men" and the picture is now dated for the Strand May 1. "G Men" has been booked into the Capitol starting May 3.

Sisk Is Flying East

Hollywood, April 25—Robert Sisk is flying to New York with a print of Radio's "The Informer."
Senate Moves To Hold NRA Until March 1

Idea Is to Await Court Rulings Temporarily

By CLARENCE LINZ
WASHINGTON, April 26—Temporary extension of the Recovery Act in its present form, possibly until March 1, next, as a means both of avoiding a bigger fight in the Senate and of giving time for clarification of the situation through Supreme Court action, will be had before President Roosevelt over the weekend by Senator Pat Harrison, chairman of the Senate Finance Committee, it was learned today.

Prior to going to the White House, Harrison will discuss the proposal with Senator T. T. Corcoran, by whom it was suggested, and possibly (Continued on page 2)

State NRA Voided; New One Is Signed

ALBANY, April 26—For about an hour today the state had no NRA act of its own. The Court of Appeals declared the Shackano Act unconstitutional on the ground that it required the acceptance of codes drawn up under the Federal NRA act.

Recently the legislature passed a new act correcting this fault in the original act and providing that when codes are filed with the Secretary of State he can accept or reject them. Governor Lehman signed this new act an hour after the Court of Appeals ruling became known.

House Group Favors Present Ticket Tax

WASHINGTON, April 26—Members of the Ways and Means Committee of the House met today for preliminary discussion of the new tax bill and agreed to continue the admission tax at its present rate and with the present exemption.

Graetz Coming Here For Toepplitz Deals
By BRUCE ALLAN
LONDON, April 26—Paul Graetz, managing director of Paris Export Film Co., is on his way to the United States on the Champlain to negotiate talent deals for Toepplitz Prod. and to discuss the possibility of producing (Continued on page 2)

Paramount Disclosed As Possible Fox Met Bidder

Philadelphia Openings Stir Up Exhibitors

Philadelphia, April 26—Competition among the independent exhibitors is increasing daily in this territory with the reopening of several old theatres.

One of the old houses is the 50th St., which is to be part of the new Goldsmith chain. It has served lately as a meat market. Other independent exhibitors battle is expected in the near future in the city between David Shapiro and Leo Posel. Shapiro, who has the Admiral, 6th and Somerset Sts., has been negotiating with Posel on the old Bell, recently a bowling alley, at 6th and Leigh, one block away. Posel is opening the house himself. As a result Shapiro is getting a second house in the same neighborhood, the old State, lately a scenic (Continued on page 4)

Amper Boys All Set

Everything's all set for the Amper's Naked Truth dinner tonight at the Astor. The band, who is expected to be transformed into a continental night club. Dinner will get under way at 8 o'clock when the chefs are in good form, and the show will start about a half hour later.

Nearly all the stage, radio and screen names in New York have promised to show up, and a whole staff of masters of ceremonies has been lined up: Joe Laurie, Ed Sullivan, Ted Bergmann and Phil Baker will relieve each other.

Balboa's Scale in L.A. to Be Reheard

At the request of three Code Authority members, John C. Film has called a special session of Camp for next Wednesday to reconsider the Balboa situation in the Los Angeles clearance and zoning schedule.

During the rehearing of the coast plan on April 21, Harry Arvid, operator of the house, stated that the Balboa was charging 40 cents and was considering boosting the admission to 60 cents. Paul Hansen, president (Continued on page 2)

Justice Films Get Washington Frouns

WASHINGTON, April 26—Films based on the exploits of Uncle Sam's service have fallen under the ban of the men they seek to glorify. Edgar J. Hoover, head of the bureau of investigation of the U. S. Department of Justice, has instructed his agents throughout the country not to attend preview showings of pictures (Continued on page 2)

Wisconsin IEPA in New Move on Duals

Milwaukee, April 26—Plans for eliminating duals were discussed at the last meeting of Milwaukee county members of the IEPA. It was agreed that twin bills would have to be wiped out before any headway can be made (Continued on page 2)

Fabian Tells Court of Dicker on His Plan For a New Setup

Disclosures that Paramount Publix, through financial interests now represented on the board of directors of the company, discussed with S.I. Fabian the making of a $4,000,000 cash bid for Fox Metropolitan Playhouses, and that Warners sounded out Fabian on the possible purchase of the 18 Fox Met houses in New Jersey in the event a Fabian bid for Fox Met was successful, highlighted four hours of testimony of a sensational nature before Federal Judge Julian M. Mack yesterday.

Prior to the disclosure of Paramount's interest in Fox Met, and the associating of Fabian with it, it was charged by Issidor Kessel, counsel for the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met, that Fabian's present proposal is being made with the sole objective of blocking any plan which is presented at this time. Kessel later elicited from Fabian that the reason why Paramount did not come forward with its own bid at this time was, Fabian said he had been told by the Paramount associates, that it would be unable to do so until it was completely free of (Continued on page 4)

Paramount Bonds Up To New High Marks

Paramount Publix bonds rose six points to a new high of 87 in moderate trading yesterday while the certificates were up five points to a new high of 86%. Paramount - Famous - Lasky bonds rose 5½ to a new high of 85½ and the certificates were up six to a new high of 85½.

The sharp increase is generally credited to the optimism evidenced by the Atlas Corp., Loew Bros. and Hallgreen & Co. in underwriting the new Paramount stock subscription warrants at cost.

Criterion, Loew's Are Taken by Bank

The Criterion and Loew's New York theatre properties, excluding hotel and store units on 44th and 45th Streets, were sold for $4,486,000 to the City Bank Farmers Trust Co., holder of the $4,000,000 mortgage on (Continued on page 2)
MORRIN SCHENCK’S starbur- 
resettlement at his bedside Thurs- 
ting work all with the ribboning
and genuine compliments turned loose
in his direction by a long array of
speakers. On, the generally
wept incident in the evening was the paternal
ploy of LÖW SCHENCK, brother
of NICOLAS M. and JOSEPH M. An-
other was the pride evidenced in the
singing, but sincere words, from JAKE
LUKIN, under whose tutelage MARVIN
learned the vaudeville booking job
at LÖW’s. AL JOLSON came in late,
said he had nothing else to do and
was available for personal appear-
ance at the Capitol with “Go Into Your
Dance” next week. AL thought
SCHENCK ought to know about that.
A group, including ARCHIBALD
MAYO, ED CHURCHILL, S. SEABLER,
MILT BLUMBERG, and Bob GILKESIAM
dropped for their “saloon” for one nightcap. The
Hollywood was its name—the “saloon,”
not the nightcap.

• JOHN J. FRIED, president and
general manager of Minnesota Amuse-
ment Co., leaves today for Minneapolis
and returns in about a month on a
umber of important matters, includ-
ing reorganization plans for the
Paramount subsidiary.

• M. A. LIGHTMAN, who was ex-
pected to attend the Ampa affair
right, cancelled his plan at the last
minute. He’s knee-deep in prepara-
tions for the annual Cotton Carnival
which will be held in Memphis next
month.

• Y. FRANK FREEMAN and THOMAS
W. VARON of the Paramount cir-
cuit left for Miami and Jacksonville
late Friday night.

• Bob WOLF returned yesterday from
Key West, FLA, and says he caught
a five-foot shark. He contends there
are pictures to prove his statement.

• The Bob GILLHKESIAM and the LYNN
FARKOLS are spending the week-end in
Maryland.

• ARTHUR MAYO, in birthday yest-
derday and managed to stay away from
the Rialto to celebrate.

• JOE HORNSTEIN left for Virginia
yesterday to spend the week-end vac-
ings.

• ANN SOTHERN will be interviewed
over Station WHN by RABLE HARRIS
tomorrow at 12:30.

• SAM ECKMAN returned yesterday from
another trip to St. Louis. He’s
not set on his plans to go to England.

• JAMES A. FIEZPATRICK, producer,
will sail to day on the Reg.

Flash Preview

Wessemoff— ... keeps horror pace
established by Universal ... affords
wide field for sock exploitation ...

This film will be reviewed in full in
a later issue of Motion Picture Daily.

Clocks to Shift

Daylight Saving goes into effect at 2 o’clock tomorrow
morning. It will continue to Sept. 29.

Criticism, Loew’s
Are Taken by Bank

(Continued from page 3)

the property, at public auction yest-
nerday. No other bids were received.

All existing leases on the property
have been terminated and representa-
tives of the bank stated yesterday
that it was doubtful if new leases
would be made with the present oc-
cupants of the properties until a defi-
nite decision has been made as to
future plans for the site. Either the
erection of a new structure or the sale
of the property is a possibility, it was
said.

The auction ended Paramount’s
interest in the theatre and business block,
title to the property having been held
by the Seneca Corp., a wholly owned
Paramount subsidiary.

Justice Films Get
Washington Frowns

(Continued from page 1)

with a secret service theme and to
refuse any statements whatsoever re-
garding them.

The operators are permitted, how-
ever, when asked to comment by say
merely that such pictures are not
authorized by the Department of
Justice. The department has also
sanctions any films of this type.

The nature of the order is that
the bureau of investigation agents will
not be permitted to attend screenings
of these pictures or figure in any pub-
licity. The order by Hoover refers to
no particular picture.

Graetz Coming Here
For Toepitz Deals

(Continued from page 1)

some of this company’s program in
Hollywood.

Graetz was formerly in charge of
continental distribution for Toepitz.
He is now contact for the company
in all countries.

Graetz will leave for Hollywood
shortly after his arrival in New York
next Wednesday and will discuss of-
fers made to Toepitz to produce in
America, with a distinct possibility
that some of its films will be produced
there.

Wisconsin IEPA in
New Move on Duals

(Continued from page 1)

be made in the move to raise admis-
sion prices.

Saxe Amusement Management, Inc.,
a member of the independent oper-
ating group, is issued a new license by
State of Indiana and the properties
of single features April 28 at its Up-
town, Garfield and Modjeska.

The hope is that an acceptable plan
will be worked out which might be
beneficially effective June 2.

Erpi Club to Golf

The Erpi Club, composed of em-
ployees of Erpi, will hold its seventh
annual spring golf tournament May
16-19 at Briarcliff Lodge.

Moves to Hold NRA
Until March 1, 1936

(Continued from page 1)

with Senators Borah, Nye, McCar-
ran and other opponents of NRA ex-
tension to learn whether they would
accept another try for the purpose.

It is felt that by giving the present
law a temporary extension it would be
possible to extend other important ac-
ivities, while also giving Congress the
benefit of Supreme Court deci-
sions on the various points involved
in the present controversy over the
NRA.

While Harrison will take the sug-
gestion to the effecting the extension from
decision as to whether it shall be ac-
cpted or the matter fought to a finish
immediately will lie with the Presi-
dent.

If either the opponents of the
NRA or the President turn down the plan,
Harrison will take the issue to the
floor and has prepared a number of
amendments to the bill rewriting the
Recovery Act.

Under these amendments trade as-
sociations would be separated from
code authorities, but constituted, should
be under the authority of advisory
committees, and a definite statement
would be made of those things which
would be considered as granting immu-

balloon

senting Fox West Coast, stationed at the
time that the Arthur unit was charging
35 cents.

Last Tuesday, Campi decided to
place the Balboa, which is outside the
Los Angeles county line, in a separate
zone. The reason for the decision
was that since the house was charging
40 cents it could play 21 days after
its first run in the Los Angeles area
and day-and-date with the F.W.C.
Leimert and Mela, which also charged
40 cents.

In the Balboa zone, the price sched-
ule states that theatres charging 35
cents and up can play 21 days after
their first run in the downtown area. On
checking up the F.W.C. allegation, it
was found that the Balboa has been
charging 35 cents for the last month
and under the Campi decision can day-
and-date with the two F.W.C. houses.

At the Wednesday session, Campi
will either place the Balboa in the
same zone with the Leimert and the
Mela, which have the present schedule
for the zone it is now in.

Hanson, who was slated to leave
for the Balboa yesterday, canceled his
plane reservations and will stay over
for the rehearsing.

Given Choice of Chairman
Under a resolution adopted unani-
mously by Campi, members of the local
boards can now elect their own
chairman without the former
plan of rotating chairmanships.

Impartial members can also sit
as chairmen under the new ruling.
Here-

Balboa’s Scale in
L.A. to Be Reheard

(Continued from page 1)

and the city of Los Angeles, was
received by Pope Pius today in private
audience.

Henigson to Paramount

Hollywood, April 26.—Henry Hen-
igson, who resigned as picture
producer last week, signed with Par-
mount in a similar capacity last
night, terminating negotiations
covering two weeks.

Nicholass Eastbound

Los Angeles, April 26.—John
Nicholass, Metropolitan Laboratory
head, left on the Chief tonight.
He intends to inspect printing machines
now being constructed in Kansas City
and Chicago and arrive in the
DuPont and Eastman Laboratories.

Marion Davies’ Dad Dies

Hollywood, April 26.—Judge Ber-
ard H. Davies, 82, father of Marion
Davies, died last night at Beverly
Hills following a stroke. Three other
dughters survive. Duras had long
been a magistrate in the New York
City court.

“Frankenstein” Is Held

“Bride of Frankenstein” got off to
such a successful start at ruggedly
Hollywood; the Orpheum, San
Francisco; the Orpheum, Portland; the
Palais, Chicago; and the Orpheum, San
Diego, that it is to be held over.

At Portland it will be switched to the
Blue Mouse and in Chicago it will be
transferred to the Apollo.
TONIGHT'S THE NIGHT

The Big Night

In Fact All Night

ASSOCIATED MOTION PICTURE ADVERTISERS

"NAKED TRUTH" FUNFEST

HOTEL ASTOR • TIMES SQUARE

Life Begins at Eight

DINNER • DANCING • GALA SHOW
Para. Interest in Fox Met Is Told to Court

(Continued from page 1)

court jurisdiction in its own reorganiza-
tion proceedings and the new Param-
ount would not be likely to join in any such suit. Another month may be re-
quired before these developments could be realized.

Fabian who controlled the Atlas Corp. and H. A. Fortington as the Paramount financial interests involved in the pro-
posal. Fabian who is connected with the Paramount pool, is one of the designated new direc-
tors of Paramount. Atlas was awarded the underwriting agreement for Paramount's new $6,500,000
stock subscription warrants this week. Fortington, American representa-
tive of the various Paramount subsidiaries, including Royal, is also a director-elect of Paramount. Fabian's discussions were held with George Schaefer, Paramount's general manager and a director-elect.

MOTION PICTURE DAILY learned from a source familiar with the discussion that the Paramount discussions were based on a superficial interest of Atlas and Fortington in Fox Met as a Paramount adjunct and not on the strength of an agreement with any other members of the Paramount board than those named, thus negating the possibility of the probable-ability of a Paramount bid for Fox Met to extreme indifference. It was stated additionally that interest in the situation was centered on the prob-
able amount for which the circuit might be acquired, and whether or not a purchase price was put to the Paramount board for action depended largely on the estimated purchase price. It was stated definitely that the talks were not an endeavor to embroil Paramount in any costly competitive bidding in the event such bidding developed as a result of Paramount's entrance into the Fox Met area.

Says Schaefer Called Him

Fabian stated that he had been called to Schaefer's office the latter part of the week and that he had discussed the Fox Met situation. Schaefer told him, Fabian said, that "certain interests in our organization (Paramount) were interested and might make a cash offer."

"If you do that," Fabian said he replied, "my plan will be out and I'd like to go along with yours because I think that any cash offer made would be successful over any plan now in existence."

Schaefer then asked him, Fabian said, if Paramount could "come in on" Fabian's plan, to which Fabian said, Paramount didn't make its bid. He said he re-
p lied that he wouldn't consider that "at this time." In his own words, Fabian's bid was successful because he might discuss a participation for Paramount later. He also stated that he had told Schaefer he would like to have 25 per cent of Paramount's bid in the event one was made.

Fabian made it clear yesterday that Schaefer had told him Paramount product would be available for Fox Met if Fabian's bid was successful. Fabian stated that he had come to Schaefer to discuss product for Fox Met with Schaefer before coming to court with this bid.

In testifying that Herman Starr of Warners had told him that that company would like to buy the 18 Fox Met houses in Jersey in the event the Fabian bid was successful, Fabian said that he had vetoed the sugges-
tion, but had told Starr that he would be willing to discuss a pooling ar-
rangement of a confidential nature which he had received in his capacity as ad-
visor to Irving Trust Co., receiver for Fox Met, asked Fabian where he had delivered any of the docu-
ments to Warners. Fabian admitted that he had retained copies of these docu-
ments in his own possession, but de-
nied that he had given anything to Warners that had not been author-
ized by either the receiver or the Federal court.

The papers in question included in-
come and cost reports, audits, rent-
rolls, and other financial data, from the period from Jan., 1932, to Aug., 1935.

Schaefer then asked Fabian if he had not been accused by Alvin J. Schlos-
s, member of the Fox Met bond-
holders' committee, with having de-
livered confidential information to Warners just prior to the low-

Wall Street

Eastman Rises 2% on Big Board

Colombo, etc. 1935 1935 1935
Consolidated 5 5 5 + 5
Consol. (avg.) 1935 1935 1935
Eastman, pkd 1935 1935 1935
Loew's 1935 1935 1935
Loew's 1935 1935 1935
M-G-M 1935 1935 1935
Pathé 1935 1935 1935
RKO 1935 1935 1935
Warner, pkd 1935 1935 1935

Colorific Off ½ on Curb

Paramount F. L. Bonds Up 6 Net

Paramount General Theatre
Equis. 40 cts.
M-G-M
Warner Bros.

Openings in Phila. Stir Up Exhibitors
(Continued from page 1)

studio, and local exhibitors are en-
visioning a merry war for patronage. Meanwhile a new theatre is rumored for Frankford, at Frankford Ave. and Cottman St., while in Camden, the Valuable interests are finish-
ing a new de luxe house, the Savor, which will seat 1,800 and have stage shows.

Criterion Stays Dual

A spokesman for the Criterion yesterday charged Olympic Pictures Corp., who were to pull a last chance, that it stated the theatre was dropping "Behind the Green Lights" for a single feature bill effective yesterday. "On the other hand," he said, "we will add an opening, a new play. It will be another opening. The theatre added no such plan had been considered.

as would those of Slouars and Rand-
force, who, while not the oper-
ating contracts would be canceled under Fabian's plan.

Judge Mack, who, it was said, had put out a radio of the oper-
ating contracts would be canceled under Fabian's plan.

Judge Mack, who, it was said, had put out a radio of the oper-
ating contracts would be canceled under Fabian's plan.

The court reiterated its frequently expressed view that not enough cash was put in sight for the Fox Met bond-
holders who, Judge Mack said, "con-
tinue to hold the bag under either the 25 per cent plan or the Schenck-Fox Met's theatre plan."

The hearing will be resumed Mon-
day with further examination of Fabian and with his associate, Green-
field, also being called to the stand.

"The Call of the Wild"

(20th Century-United Artists)

Hollywood, April 26—Jack London's saga of the Klondike gold rush, as dully produced by Darryl F. Zanuck, unfolds a warm romance and virile action in this high-powered box-office attraction with Clark Gable and Loretta Young for heart and Jack Oakie for laughter. Motivated by the thrill of gold and the colorful drama of romance, Gene Fowler and Leonard Praskins have kept all the human attributes in the foreground without stressing the battle against the elements.

While London's novel dramatized the dog Buck, half wolf and half St. Bernard, the film merely uses Buck to counterpart leadership against the love call of Gable, the gambler, and Miss Young, the socialite.

The story, in highlight, tells of Oakie, an Alaskan hanger-on, who interests Gable, an adventurer, in a map showing where gold is to be found by the fistful. On the trek they meet Miss Young, save her and learn that her lost husband is the map owner. The three, using Gable's false name, knock over the chief of the Klondike, the heavy, finds the lost husband, Frank Conroy, and also locates the strike. Owen then shoots Conroy, hijacks Gable and, while returning with the gold, is caught in the rapids. Buck finds Conroy wounded in the woods, and Miss Young, after nursing his husband to health, returns with the gold.

Gable's and Miss Young's romance is strong and tenter. Oakie con-
tributes comedy and pathos in his best performance to date. Owen re-
veals a sharp portrait of villainy finely done. The balance of the cast is
good. The dog Buck plays an important role, loving Gable and Owen and finally answering the call of the wild.

The production is a scenic treat, harmonizing ruggedness with the beautiful.

William Wellman's direction is expertly fashioned and Charles
Rodgers's photography is topnotch. The film should go big everywhere, having made three successful film entries, and conflict to appeal to the high and low on Main Street or Broadway. Production Code Seal No. 777. Running time, 95 minutes. "G"
Schulberg and Ralph Kohn To Columbia as Executives

B. P. Schulberg and Ralph Kohn have joined Columbia. The former will be a producer and studio executive and the latter will act in a general executive capacity.

In explaining his reasons for the move, Schulberg said: "I have chosen Columbia as the seat of my future activities because I believe it is the most progressive company in the business, where a producer is assured the greatest degree of individuality of expression. "Columbia is no doubt going places in the industry and I am looking towards the future."

Kohn has been on the coast for some time and has been associated

(Continued on page 2)

Hits at Movietoers

Bedford, Ia., April 28—Miss M. E. Allen, in charge of relief distribution here, has issued an edict that automatically puts people who are caught attending local theatres, from full-time relief rolls to only part-time relief. "It is apparent if they can afford to attend motion picture shows, they have more money than they need for living expenses," she says.

Campi Totals

2,116 Houses As Affiliated

Revised total of affiliated theatres throughout the country is 2,116, according to Code Authority's official listing as of March 7.

Top circuit is Paramount with 975. Second is National Theatres and affiliated subsidiaries, the count being 471. Warners is next with 436, while Loew's takes fourth place with 135. Last of the five major circuits in the numerical lineup is RKO with 99.

On June 1, RKO takes over the Iroquois, San Diego, making an even 100 for the company. A deal has been completed with the bondholders and, when the management changes, Cliff Work will include that city in his division. He now has Denver, San Francisco and Los Angeles.

Independent code assentors total 7,053, bringing the combined number of code signers to 9,109.

Para. After New Stock in F-P Canadian

Asks Court to Sanction Buy of 18,236 Shares

Proposals under which Paramount would acquire an additional 18,236 shares of Famous Players Canadian Corp. and would cancel all existing contracts and claims as between itself and Skouras were submitted to Special Master John E. Joyce on Saturday for hearing on May 2.

Paramount now owns more than 96 per cent of the outstanding 37,790 shares of F-P Canadian and will have the right to subscribe at $10 per share to 18,236 shares of a new issue of 18,940 shares just authorized. Under a recent dividend of 50 cents per share declared by F-P Canadian, Paramount will derive $182,563, which the proposal intends to apply to purchase of the additional stock, F-P Canadian stock will have been outstanding for 1934 and has an earned surplus of $3,762,036.

Involved in the proposed cancellation of old Paramount contracts with Skouras Bros. arising out of St. Louis and Atlantic States' operating agreements between the companies and mutual cancellation of claims thereunder, is a provision by which Spyros Skouras agrees to pay to Paramount the balance of a $100,000 loan, amounting to $90,795 with interest, in quarterly payments over a six-year period.

Probe of Government Publicity Is in Air

WASHINGTON, April 28—Possibilities of a Senatorial investigation of government publicity, including the use of films by the Federal Housing Administration, are seen in recent attacks upon the extensive press setups in some of the Federal agencies.

For a number of years the employ

(Continued on page 8)

"Reckless" Gorges $37,000 at Capitol

"Reckless" gorges $37,000 during the first seven days at the Capitol. "Go Into Your Dance" goes in Friday with Abe Lyman and his band.

(Continued on page 8)

Chicago to Get Fox Meet May 30-June 1

Fox has set its annual convention for Chicago at the Congress Hotel May 30-31 and June 1. Next season's program will call for 50 features in

(Continued on page 8)

Postoffice Is Stopping Ads On Bank Night

Orders Are Issued When Question Is Raised

WASHINGTON, April 28—Numerous orders barring the mails to bank night advertising as in violation of the lottery laws are being issued by the Post Office Department, it was learned here yesterday.

Officials of the department explained that these orders are issued to postmasters who, in Washington whether such advertising is legal. No general order has been issued, nor is any contemplated, it was said.

The effect of the instructions sent to postmasters inquiring on the subject is to bar exhibitors in the affected community from the newspapers, if any copies of the papers are sent by mail, as well as to shut off any direct mail advertising. They do not, however, prevent exhibitors from advertising by handbills or posters or by any other medium which does not use the mails.

It was indicated that the department has no idea of undertaking any campaign against bank night advertising. However, when a postmaster asks for instructions the department can do nothing but quote the law.

Lesser Ends Office; Solomon Named Aide

Sid Lesser is closing the New York office of Principal Distributing Corp., within the next few days. He has appointed Ben Solomon, formerly auditor for the company, as its eastern representative. Solomon has his office in the Paramount Building and will handle all principal business from there.

Sheffield Sets New Deal with Republic

Seattle, April 28—Jack T. Sheffield, Monogram franchise holder for Seattle, Denver, Portland, Butte and Salt Lake City, has closed a deal with W. Ray Johnston, head of Republic

(Continued on page 2)

Five Dramatists in New Producing Unit

Incorporation papers have been filed in Albany by Arthur Hopkins, Maxwell Anderson, Phillip Barry, Sidney Howard, Robert Sherwood

(Continued on page 8)
Insiders’ Outlook

By RED KANN

TESTIMONY developed in the latter-day hearings on the Joe Schenck plan of reorganization for Fox Met before Federal Judge Julian W. Mack makes it appear to this sentinel’s disposition of that important and troublesome metropolitan theatre unit is no nearer settlement than it was even before Schenck's sale of the Fox Met arena, to be followed by Sj Fabian with a competitive reorganization proposal. . . .

Contributing more than anything else to this viewpoint is the disclosure to the court by Fabian, urged on by persistent questioning of Schenck’s attorney, that he has the interest of the amount and Warners in the ultimate disposition of Fox Met. These, added to fluctuating factors already known to the court whose concern is Fox Met is vital, such as Loew’s and K-A-O; Schenck’s United Artists and 20th Century, and Fox Film, whose important film franchise is involved, must give any interested observer a fairly accurate idea of the significance of the properties whose fate is involved. Else, why the scrabble? . . .

Contrast this existing interest with the bids made by either Schenck or Fabian, one of which would give Fox Met bondholders a maximum of $750,000 in cash, the other, $1,000,000, with new securities making up the balance of both bids, and decide for yourself whether the bondholders of Fox Met, the court’s frequently expressed hope of getting “a large amount of cash on the line” for the bondholders. . . .

The imposing array of prospective bidders for Fox Met, even more than the damaging disclosures of past theatre and production, the securities of Fox Met by principals in its reorganization, of alleged threats and counter-threats between bidders and prospective bidders and intimations of improper official conduct inside and outside of the bondholders’ committee, make it appear that the fate of Fox Met is as far from being determined now as it ever was. . . .

Consider what the $4,000,000 cash offer which Fabian said had been mentioned to him by Paramount associates as probable, could mean. With or without a possible Warner participation in such a bid, it is difficult to see how Loew’s could avoid again being drawn into the situation. K-A-O, too, would be forced in as well, no doubt. Several combinations of theatres and producing companies might be allied either defensively or in taking the initiative. The bidding for the 84 Fox Met houses conceivably could be skyrocketed under such conditions to a level you may name yourself. . . .

And if a sale were consummated under such conditions, the operation might conceivably be split into three or four major centers, with each a potential conflict of interest in the film market probably being forced to even proportionately higher levels than the price for Fox Met itself, for in its present phase a vital contest would be a fight for place, with the future of any one of three important circuits at stake. The bidding then would not be, as the operation destined for a splitting up of Fox Met, but on the necessity of self-preservation of existing circuits. . . .

Some believe such a situation could be avoided only if Fox Met, in its future operations, remained primarily a second run circuit or if, as is proposed under the operation destined for K-A-O and Schenck, it embraced some cooperative product deal or pool. Another alternative would be its joint disposition to Loew’s and Ratcliff pictures where it did not disturb existing theatre and film balances. . . .

The former comes up against the stone wall of the Federal court’s attitude on accepting a plan that involves only a modest cash contribution while a Fox Met operation destined for a second run policy might not hazard reasonably any large amount of cash in a reorganization. The latter, as pointed out in these columns as many as six major companies have been spotted at the hearings as observers. Other companies receive prompt and full reports of the day’s developments. Loew’s-M-G-M, K-A-O, and RKO, Warners, Fox, Skouras, Randforce, United Artists and 20th Century may be said to be directly involved in the proceedings. As a prospective bidder now is Paramount. Interested in future markets for their product, as a result of the proceedings, are Columbia and Universal. There may be others. . . .

Purely Personal

WALTER O’KEEFE is around handing out cigarettes instead of cigars. Joe M. Cohn, the former Robert S. Barnetson, presented him with a son last Thursday night.

FRID SCHWARTZ, HAROLD HERMAN, and MIKE SEGEL, all of Century circuit, return from Key West today. Bob WOLFF of RKO Radio, who is on the same fishing trip, gets back with the Century trio.

MURRAY SCHOEN of the Community, Queens Village, has returned from Atlantic City where he spent the Easter holidays with his mother.

DAVE CANAVAN, head of the RKO maintenance department, will leave today for Denver to look over the recently acquired Orpheum.

LOUIS HYMAN, personal representative for Sol Lesser, has left for a short trip to some Fox exchanges and will be back in a week.

HARRY KIRCHHESSE, manager of the Boston National Screen office, was in town over the week-end to attend the Ama affair.

HELEN FERGUSON, head of the coast publicity bureau bearing her name, arrived from Hollywood last night. At the Warwick.

HERMAN SHUMLIN is back from Hollywood and those conferences with LILIAN HILLMAN, author of “The Children’s Hour.”

CHARLES L. GLETT and LEO LIPP of Audio Prod, are off for Buffalo and Denver film historical spots in those cities.

SAM DEMROW has acquired a palatial estates at Ranchmont and will move his family to the barberonal mansion shortly.

ROBERT F. SISK in by plane yesterday. He had a print of “The Informer” with him.

HENRY RANDOLF left for the coast yesterday via the birds’ route. He’ll be gone two weeks.

HARRY E. NICHOLS (“Throttle Pusher”) heads for the Middle West today.

JOHN HAY WHITNEY arrived in town from the coast by plane over the week-end.

AARON SAFFERSTEIN is due from Chicago within the next few days.

RUT HERZHEINER resigned from Film Division Saturday.

HARRY ARTHUR returns today from an out-of-town trip.

AL BONDY is back from that Detroit trip.
ELEVEN FAMOUS WOMEN CRITICS ARE AMONG THE 49* FEARLESS FILM JUDGES WHO HAVE HAILED "ONE OF THE GREATEST PICTURES TO COME OUT OF HOLLYWOOD"

Irene Thirer, courageous critic of the N.Y. Evening Post, calls PAUL MUNI in 'BLACK FURY' "really one of the greatest motion pictures ever made! . . . A thunderbolt of film courage! . . . . It will be Michael Curtiz's claim to a directorial award for 1935." (Warner Bros., Producers . . . A First National Picture.)
'Frankenstein' in 1st Day Equals Previous Full Week in L. A.;

Los Angeles, April 23.

Though trade is better this year over the Easter Sunday week than last year, majority of the houses with top attractions are not clicking as anticipated. They had to overcome a stagnant Good Friday intake, with Saturday in most of the spots being way off and, in quite a few, Sunday little better.

Outstanding on the take was Pantages with 'Bride of Frankenstein.' Pic opened there Saturday with an 11-show grind that included two of the midnite affairs and hit over $2,700 on the day, which is on a par with the usual weekly take the house has had. Then Sunday ran along the same gait, with seven shows and a straight 40-cent admission, which equaled the previous day take, giving house one of biggest weeks it has had in its career.

Pantages (Pan) (2,700; 25-40)-'Bride of Frankenstein' (U). Best take house has had and with limited advance campaign did $5,500 on first two days, Sat and Sunday, at looks as though its first week will be a cinch, $13,000.

'Frankenstein' Big $24,000, Chicago;

(Best Exploitation: Palace)

Battling it out for the big coin this week are 'Bride of Frankenstein' at the Palace and Casino de Paree unit at the Chicago.

Smash full-page feature yarns, contest tie-ups with the newspapers and other angles were arranged for 'Frankenstein' by John Joseph of RKO and Duke Hickey of Universal here for a bang-up exploitation campaign.

Palace (RKO) (2,500; 25-35-55)-'Bride of Frankenstein' (U) an vaude. Excellent $24,000. Last week 'Roberta' (Radio) finished a wallowing four-week march to gre
‘Frankenstein’ Wow $12,000;

San Francisco, April 23.

Orpheum (F&M) (2,662; 30-35-40)
—‘Frankenstein’ (U). A wow at $12,000. House turned 'em away in droves on Good Friday, opening day. Looks like a sticker.

‘Frankenstein’ $9,000,

Seattle, April 23.

Orpheum (Hamrick) (2,700; 25-35) ‘Bride of Frankenstein’ (U) and vaude. En route to smacko $9,000.

. . . except that “The Bride of Frankenstein” is HELD OVER at the Pantages, Los Angeles, is HELD OVER at the Orpheum, San Francisco; moved from Portland Orpheum to Blue Mouse and CONTINUES its first run, moved from Chicago Palace to Apollo and CONTINUES its first run!
Ampa Show What Is Called Colossal Wow

(Continued from page 1)

their starched shirts, but that was to be expected.

There ain't no speech—and nobody missed them.

The highlight was a special “March of Time” re-enactment, Gridiron Dinner style, of current high jinks of the film industry in the form of imaginary telephone conversations written by the stars themselves. They knew their stuff and, because they did, didn't want any credit lines. That was strange enough for the house.

What the loud speakers spread over the smoke-filled air above the tables went like this:

### Telephone Bell Rings

**Carl Laemmle—** Long distance, please—Operator, I'd like to talk to Universal City, please—Mr. Carl Laemmle calling Master Carl Laemmle, Jr. (Pause.) Hello—Joohn—this is papa talking—

Junior—Hello, Pop—did you sell out yet?

Laemmle—Sh, don't be silly—didn't I tell you Universal is not on the market?

Junior—You're telling me—they haven't been on the big board for years—and how RKO stays there, God only knows!

Laemmle—Listen, Joohn, I ain't spending money for long distance calls about other fellows' troubles—they let stay off the Curb—and you stay out of it because I know it.

Junior—If that last crack means that I'm making dirty pictures—don't blame me—blame your son-law Stanley Bergerman. Say, Pop, I hear Stanley's leaving— we've got some one for his job—

Laemmle—How about your Tanta Millie's son, August—the one that lives in Carlbad?

Junior—No, Pa, please, the place is noisy with your relations now—

Laemmle—Is that a nice way to talk—Listen here, Junior—if I didn't have you for a relation—where the hell would you be?

### Telephone Rings Again

**Operator—** National Broadcasting Company, Schenck—Hello, Hello—NBC? Major or Bowes—

Girl—Major Bowes' office—

Schenck—Tell him Mr. Schenck is calling. Hurry, please. It's important.

Girl—For application to Major Bowes' amateur hour go to the nearest group of shots that are being taken on a born dated coffee— Get one of the applicant blanks and send it in within—

Schenck—I don't want to go on Bowes' amateur hour—I want to speak to him—Harry, please, I can't—It's vitally important—

Girl—You've also written him a letter. And remember that he judges from your letter whether you have any credentials for the preliminary audition. If you pass this first test then Major Bowes will see—

Schenck (furious)—But I'm a personal friend of his—I want to see him personally, not amateurish business. I'm a professional, I'm the one man banned from his loopy program a long time ago—

Girl—Sorry! You're the 169th one man band that's called today

### Another Telephone Ring

**Operator—Mr. Jack Cohn? Mr. Harry Cohn calling, Harry—**


### More Phone Buzzing

**Operator—** Senator Long calling! Senator Long calling Mr. Roy Larsen of “March of Time”! Larsen—Hello! Long—Say, look here, Roy. I've been trying to pin you down for the last two weeks on the phone and I can't seem to get hold of you. Now, Larsen—Why, I was just going to call you, Senator... or... I—

Larsen—That's all right, Larsen. But let me tell you something, I got a study going on about that last “March of Time” picture of yours and I want to-you should have seen me! Larsen—Why, I did want to talk with you about that—but—

Jack—Don't you know you have to know, Larsen, that I don't like it a bit—those pictures of me! Larsen—Why—er—what seemed to be the trouble, Senator? Long—Trouble? Why, when you and your camermen came down to Washington to shoot up a month ago, why didn't you give me some make-up? And maybe a wig or something. I look just plain God, next to those pictures Larsen—Why, Senator... Long—I look so damn slab-bang Garbo like you that the managers of the theatre down in New Orleans threw the “March of Time” right out of the theatre on its ear! Wouldn't let it show! Said I looked too much like a fella named Boris Karloff they had on the screen down there last week!

### Greta Garbo Calls

**Operator—** Miss Greta Garbo calling, Miss Greta Garbo—

Greta Garbo (worried) — Hello, hello, Mr. Arliss, please. Hello, George—Hello—Ah, Greta, my dear child—It is good to hear your voice—

Greta Garbo (George) — This is important. What picture are you making now?

George (the House of Wellington) — I mean “The Iron Richurd” — “Cardinal Rothschild.” Oh, I forget for the moment—something where I walk the world... with dignity, something—

Garbo—Yes, I know. But there is another—Arliss—Just a dash... a mere fill-up—

Garbo—You know—The League of Decency will allow no sex from now on.

### Arliss—Who will be left in Hollywood, Greta? What stars can shine, without sex?

Garbo—You and me, George. You and me!

### Zukor Has a Chat

**Operator—** Mr. Adolph Zukor, president of Paramount Pictures, calling Bob Gillham, advertising manager.

Zukor—Listen, Gillham, now that the bankers are running this company, we won't have to pay ten cents for pictures, Paramount—Well, we've started already, Mr. Zukor... all our publicities about Garbo are already certified by Price, Warehouse & House.

Zukor—That's right, my boy. Here—after, I want you to use this line in your advertising. ‘If it's a Paramount picture, you can bank on it.'

Gillham—But...

Zukor—And if truth now on the main title billing will read: ‘The American Bankers' Ass'n presents... A Paramount Picture.'

Gillham—Righto, Mr. Zukor? and if there's nothing else now, I'll be leaving.

Zukor—Writing? What do you mean, Gillham? It's only three o'clock—

Gillham—Bankers' hours, Mr. Zukor.

### Cohn Phones Once More

Girl's voice—Hello, operator. Long distance, please. I want to speak to New York City, please. To Mr. Jack Cohn. Columbia Pictures, Mr. Harry Cohn calling.

Jack—Hello—Harry—Jack, Wait a minute...

Girl's voice—Hello, Mr. Harry Cohn. This is Mr. Harry Cohn's secretary. Mr. Cohn will know.

Jack—Wait a minute—

Girl's voice—Hello, Mr. Harry Cohn. This is Mr. Harry Cohn's secretary. What did Mr. Harry Cohn want?

Girl's voice—Mr. Harry Cohn tells me to tell you to tell Jack that if he says 'Yes' on that deal, he'll say 'No'.

### Big Deal Goes Blooey

**Operator—** Mr. Laemmle calling Mr. Harry Warner...ready, Mr. Warner—

Laemmle—Hello, Harry, are you through with Bob—

Warner—Yes, Carl, what is it?—Laemmle—I'm calling about the sale of the studio. What do you say?—Warner—Well, go on—Laemmle—This is Mr. Harry Cohn's secretary, What did Mr. Harry Cohn want?

### Some Warner Conversation

**Operator—** Mr. Jack Warner calling...—Who's that speaking?—

Jack—Hello? Let me speak to Max Rheinhardt, please

Rheinhardt—This is Rheinhardt, Jack. This is Jack Warner, Max.

### End of Partnership Sought in K.C. Suit

**KANSAS CITY, April 28—** Receiver's dissolution of partnership has been asked in a suit filed in Circuit Court by Juliette E. Fulton against her husband, William D. Fulton, operator of five suburban houses. Mrs. Fulton alleged that she and her husband entered into an oral agreement three years ago, which became partners in the operation of the houses and that she put up the major part of the capital. A year ago, on March 22, she charges, her husband refused to permit her a share in the operation, and retained the profits without an accounting. Appointment of a referee is sought.

### Max—Hello, Jack—

Jack—Say, Max! How far are we going on "Midsummer Night's Dream"?

Max—"Midsummer Night's Dream"? Is it done?— It's beautiful—

Jack—Listen, Max. I gotta idea. We gotta do something about it right away.

Max—Idea? Don't you go to changing anything again, Jack... Jack—This isn't much, Max. And would help me out a lot.

Max—What you thinking about now, Jack?

Jack—Say, call in the script men and write in a part for Marion Davies, will you?

Max—Marion Davies! "Midsummer Night's Dream"?

### Ostrer-Waxman Talk

**Operator—** To all Charlie Schenck, please—Mr. A. P. Waxman, of New York, calling Mr. Mark Ostrer, at Gaumont British, London, England. (Pause.)

Ostrer—Are you there, Mr. Waxman?

Waxman—Hello, Mr. Ostrer. This is A. P. Waxman. How do you like that trademark I created—you know, the famous "G" and "G" in the middle. It was--Did you say the G De Giarffe?

Ostrer—Well, that's an idea, Mr. Waxman.

### Waxman—...and that slogan, "Top 'em All!" It's sensational over here. You know, giraffe, long neck, tops 'em all! Get it?—Ostrer—Get it... in the neck! (Punch) Waxman—I'd rather use "Man of Aran" painting of the fisherman's wife.

### Waxman—All right, Mr. Ostrer, if you say so. But what about the slogan...

Ostrer—The slogan? Nuts to you. Mr. Waxman!

### McCormick-Roxy Chat

**Operator—** Mr. Barrett McCormick calling...—McCormick—Hello, Roxy. This is McCormick. What do you think of your new contract? What happened to me when I returned to Indianapolis the other day?—Roxy—No, Barrett, what happened? McCormick—Well, Roxy. You know I used to run the Circle there and when I went back to put on the opening campaign for 'Roberta' all the old gang met me at the station with a brass band—Roxy—That's nothing, Barrett. (Continued on page 8)
Machine guns were useless against a killer they did not know until science re-created his exact appearance from a half-eaten apple, an old shoe and an oil-stained glove!

Microscopes, test-tubes, retorts... these brought him to life in a laboratory... his name, his weight, height, age, features, and even who his woman was! Then the cry went out: "GET 'EM AND...

"LET 'EM HAVE IT"
Connecticut 2 P. M. Opening Is Killed

HARTFORD, April 28—Theatre owners have lost their fight for Sunday openings after 2 P.M. The Senate has turned down the proposal.

The bill was introduced in the Senate after local exhibitors had failed to get an earlier opening permit from the Board of Aldermen. Their move on the legislature was joined by exhibitors all over the state.

Theaters open at 5 P.M., at present under a local option arrangement.

Shapiro to Talk

Hollywood, April 28—Victor M. Shapiro, manager of the Hollywood Bureau of Quigley Publications, will be the speaker Monday at the 267th meeting of the Present Day Club. His subject will be "The Motion Picture Industry." Following the talk he will answer questions regarding many phases of the industry.

Sue on "Sweet Adeline"

Suit has been brought in Supreme Court here against M. Witmark & Sons and Arnold A. Arminson, Herbert H. Arminson and Richard H. Gerard, who charge they failed to receive royalties for use of the song "Sweet Adeline," in the film of that name. The composers are suing for $250,000.

Zanuck Off on Trip

Hollywood, April 28—Darryl F. Zanuck, accompanied by Mrs. Zanuck and their two daughters, left here over the weekend for Seattle where they will sail this week for Alaska on a hunting expedition. Zanuck is expected to return early in June to start production on his new program.

Flash Preview

Oil for the Lamps of China—... As a study of big business in China the production should interest and satisfy those who like realistic entertainment of an industrial nature.

The film will be reviewed in a later issue of MOTION PICTURE DAILY.

Swedish Prince Set

Hollywood, April 28—Prince Sigvard Bernadotte of Sweden has been appointed assistant to James McKay, director of "Tarzan and the Vampires," at M-G-M.

Grant Quits Fawcett

Hollywood, April 28—Jack Grant, who was recently made editor of Fawcett's Hollywood Magazine, has handed in his resignation, effective May 6.

Bernstein Home Again

Hollywood, April 28—Ben Bernstein has arrived here after a trip to New York and Pittsburgh where he visited his sister, Harry Vinicoff accompanied him.

Franklin Denies

Hollywood, April 28—Harold B. Franklin denies reports crediting him with a return to legitimate stage production in New York in the fall.

New LeBaron Ticket

Hollywood, April 28—William LeBaron has signed a new long-term contract with Paramount as a producer.

Son to Frank Capra

Hollywood, April 28—Frank Capra is receiving congratulations since Mrs. Capra presented him with a son late last week.

MOTION PICTURE DAILY

Monday, April 29, 1935

"Reckless" Grosses $37,000 at Capitol

(Continued from page 1)

At the Paramount "Mississippi" garnered $30,000 today and is being held nine additional days before "The Devil Is a Woman" goes in.

"Love in Bloom" at the Roxy took in approximately $20,000 and "George Washington" current this week is headed for a better showing.

At the Rialto "Stolen Harmony" got $10,100. The Mayfair with "The Caine Mutiny" Case" ended with approximately $5,100 and the first week of "One Night of Love" at the Astor wound up in the neighborhood of $4,200.

Chicago to Get Fox Meet May 30-June 1

(Continued from page 1)

addition to four George O'Brien westerns to be produced by Sol Lesser. The shorts lineup for the coming season like this year's schedule which lists 58 one-reelers and 52 two-reel subjects, exclusive of the newreel.

William J. GFP, assistant to John D. Clark, is in charge of contraction arrangements.

Gac's headquarters will hold two regional sales sessions. One will be in New York and the second in Chicago. The Windy City confab is set for May 30 and will be the publication of "international" by the Fox office 

FIVE DRAMATISTS IN NEW PRODUCING UNIT

(Continued from page 1)

and Laurence Stallings for the formation of a play producing corporation. Hopkins will be managing director of the new concern and will supervise the production of all legitimate plays. It is also planned to produce a series of drama and comedies and to collect stories written by members of the corporation. At the present time, no definitive work has been worked out for film work and all efforts by the seven have been concentrated on the coming season play.
Britain's New Tax Light on Stage Houses

Theory Is Latter Give More Employment

By BRUCE ALLAN

LONDON, April 20.—Aside from the expected remission of entertainment tax on seats priced at 6d (12 cents) and less, the outstanding feature of this year’s budget is the differentiation in tax scale between film and stage entertainments.

The Chancellor of the Exchequer has undoubtedly established an important precedent by recognizing the claims of those associated with “the living theatre” that, both from a cultural viewpoint, and because they provide more employment, they should be put in a favorable position as regards “mechanical” entertainment.

As from July 1, a separate scale of duty will apply to “entertainments” (Continued on page 12)

Production Slumps; 31 Features Going

HOLLYWOOD, April 29.—Production hit a low ebb for the season here last week, with 31 features and six short subjects before the cameras as compared to 32 features and 10 shorts for the week preceding.

Warners headed the list last week with five features on the sound stages, none preparing and 10 in the cutting rooms. M-G-M had four, zero and — (Continued on page 4)

Film Examiners End Moves for a Union

Film examiners at the local exchanges have finally dropped plans to form a union. Lack of support from employees at many exchanges resulted in the move. Provided the idea materialized, an affiliation with the A.F.L. was to have been sought and demands made for increased wages and limited hours.

Some of the sponsors of the idea hope to revive the plan again, but for the present no more meetings will be held.

Mayer Closes a Deal With Harris, Gordon

Hollywood, April 29.—Lois B. Mayer today revealed he has become associated with Sam H. Harris and Max Gordon in the production of legitimate shows in New York, with M-G-M supplying most of the financing. Gordon leaves for New York on Friday, completing three months of preparatory conferences on the deal.

Dallas Court Gets New Film Stoppage Case

DALLAS, April 29.—Film stoppage orders based on bank nights have reached court again. This time the defendant is a member of the grievance board who has refused to comply with a cease and desist order. He has obtained an injunction against the board and major distributors in the 35th Judicial District Court, McLennon County.

Walter headed the grievance board to hold the matter in abeyance until (Continued on page 4)

Missouri Bank Night Situation Uncertain

KANSAS CITY, April 29.—The county prosecutor’s ruling that he will not act against bank nights except on complaint of an exhibitor leaves enforcement of the anti-lottery law up in the air in spite of the attorney general’s ruling that violators are subject to prosecution.

Mrs. A. Baier, who refused to sign a complaint when told this was the (Continued on page 4)

Ruling on Leonia's Clearance Up Again

HOLLYWOOD, April 29.—W. Ray Johnston has arrived here by plane from New York to close the two remaining franchise contracts on the (Continued on page 10)

Study Bank Nights

The legal status of bank night in the various states will be determined by Campi in the light of information requested from code board secretaries by Tyree Dillard, Jr., general counsel. Dillard has inquired if the proper officials have ruled on the legality of the scheme and proceeded against bank nights except in cases where the code board is also requested the names and addresses of bank night distributors.

Dillard explained that the compilation is being made for the Code Authority and the administrator with a view of getting a national picture of the scope of the practice.

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 37. NO. 101
NEW YORK, TUESDAY, APRIL 30, 1935
TEN CENTS

Is Greenfield’s Associate Behind Fabian Plan

William Fox was revealed yesterday to be one of two voting trustees owning a substantial amount of the stock of Bankers’ Securities Corp. of Philadelphia, the Albert M. Greenfield financing company which has agreed to loan $650,000 to Si Fabian for the latter’s plan of reorganization for Fox Metropolitan Playhouses. The loan would be secured by all of the stock of Fox Met, 25 per cent of which would be owned outright by the Greenfield bank.

Greenfield, who is the second voting trustee for Bankers’ Securities Corp., with Fox, disclosed the association of the former head of the Fox film and theatre enterprises with Fabian’s plan under questioning before Federal (Continued on page 4)

Paramount to Keep Its Flexible Sales

Paramount’s sales policy next season will be flexible, the same as this year, according to those present at a convention in Chicago and convening at the Waldorf June 13-16.

Sales heads expect to have every situation in the country closed by the time the first session gets under way. The reason for setting back the convention was the forecast that Fox would be the new (Continued on page 10)

King Bill Aims to End NRA on June 16

WASHINGTON, April 29—Legislation under which the NRA would be permitted to die on June 16 and all permissible activities would end. The Recovery Act be transferred to the Federal Trade Commission was introduced in Congress today by Senator King of Utah.

There is no probability of the bill being adopted, particularly in view of the demand by President Roosevelt in his radio address last night that the NRA be continued.

Fox Units’ Transfer Is Scheduled May 4

KANSAS CITY, April 29.—Transfer of assets of Fox Rocky Mountain and Fox Midwest to National Theatres (Continued on page 4)

Hollywood Bureau; Postal Union, Life Building, Vine and Eighth Sts., Wash. D.C.; St. James Manor, Chicago bureau: 624 South Michigan Avenue, Edwin S. Chif- ford; Daily Motion Bureau, St. Lo, 310 Regent St., London, W. 1, Bruce Berlin, new express representative; "Quigpeno, London"; Berlin Bureau: Berlin, Tanschul, Berlin Post. 11 Chausseestrasse 28, Joachim K. Rostben, Representative; Paris Bureau: 19, Rue de Cour- nois, Pierre Andre, Representative; Rome Bureau: Viale Gorizia, Filippo Mazzuogni, Representative; Budapest Bureau: 600 George Street, Cliff Hoti, Representative; Mexico City Bureau: 1629 Casa Lachkuri, Representative; Lisbon Bureau: 62 D. Domingos, Dr. Ihemes, Representative; Budapest Bureau: 3, Kapitul, Budapest II, Janos Peci, Representative.


"U" Name Given to Washington Branch

Washington, April 29.—The Universal Film Exchange, Inc. has superintended the interstate Film Exchange, it was revealed today. The move is nothing more than the making official on the part of Universal a title long accepted in the trade, and there will be no change in personnel at the Republic Pictures Corp., formerly Liberty Film Exchange, will open new quarters here before the end of the week.

Wyler May Join Para.

William Wyler, former Universal director, it is understood, will join Paramount in a commercial capacity under Henry Henigson. He left for Hollywood yesterday afternoon by plane.

Margaret Sullivan, who has been borrowed by Paramount from Universal for "So Red the Rose," plans to leave Thursday. She starts work May 6 in the Paramount film.

Lighton Joins M-G-M

Hollywood, April 29.—Louis D. Lighton, formerly a Paramount producer, has signed with M-G-M as an executive producer. He is slated to make six pictures a year. His contract becomes effective Aug. 1.

New Seymour Office

Seymour Premises, Inc., open new showrooms Thursday and Friday and is celebrating the occasion by holding open house.

Purely Personal

(Continued from page 1)

expected to leave here this week to report back to the Paramount studios.

GEORGE MANN, his wife and two children, are due to arrive from Washington this week in connection with the investigation of the Redwood circuit on the coast, is visiting his mother in the capital. He reached here Friday, he celebrated her 80th birthday.

VIRGINIA CHEKILE, en route to England to make a picture; Jack Whiting and his wife, Beth Sully, and Mrs. Jack S. Connolly, wife of the general manager of Pathe News were among the passengers on the Lafayette.

BARRON COLLIER, en route from the Sandwich Islands to the L.B. Wilson, has arrived in New York. He is the cosigner of a note to the Continental Bank, and is expected to report the development of the trip to the board of directors of his company.

HARRY BRADY, who recently returned to the coast after a short visit here, leaves Hollywood today for Paramus, for the Popular's vacations. Mrs. Brady accompanies him.

LINDSEY PARSON, head of the Rep.

Publicity office on the coast, is laid up at his home with a touch of goutman poisoning.

FRED ALLEN and Harry Stockwell have been signed by David S. Zar- nuck, for parts in "Sing, Governor, Sing."

SEAN O'CASEY's "The Plow and the Stars," dealing with political troubles in Ireland, has been bought by Radio City.

HARRY BUXBAUM has been ap-

pointed a member of the Lawrence L. I. zoning and redistricting board.

HAROLD WEINSTEIN, bookkeeper at the Universal New York exchange, has been promoted to assistant bookkeeper.

JACK KAPLAN of the Rivoli, South Fallsburg, returns from a four-months Miami vacation this week.

EDWARD ROWEY and Harold Robin of the R. & R. circuit in Texas are due in town this week.

OBIE-KELLY, Warner stylist, has arrived back on the coast after a three weeks vacation here.

BEN ROSENBERG of National Screen is back from a three-week tour of the west and midwest.

GEORGE VULK and William SHIFF-

ON are due from the coast within the next few weeks.

HAL ROACH is back in Hollywood. He arrived by plane over the weekend.

KARL BRENNER returns to Detroit in a day or so.

HARLEY BUCHANAN, Paramount partner in Superior, Wis., sailed on the Europa for a four-week tour of Budapest, Berlin, Vienna, Switzerland, France and England. He plans to return on the Bremen May 27.

SIDNEY JONES, now that he is act-

ing as alternate for George J. Schae-

fer at Campi meetings, has been allotted an ISRAEL reproduction Paramount at code appeal hearing.

PHILIP SUSSMAN, formerly man-

ager of the Capitol, Jersey City, has been transferred by Skouras to the Capitol, Havenstraw, N.Y.

HARRY THOMAS hasn't started on that swing of First Division branches yet. He was scheduled to leave late last week.

DAWSON TRUMER, of the Warner service department, is in New York for the current issue of The Saturday Evening Post.

AMOS 'N' ANDY have been signed for "The Big Broadcast of 1935." The deal was handled by the William Morris Agency.

FREDERICK JACKSON's "The Bishop Misbehaves," current on Broadway, has been acquired by M-G-M.

BETTY FURNESS has arrived in town by plane.

MYRON SATTLE is back from a two-

week cruise.

• • •

CINCINNATI

L. B. Wilson, operating a chain in Covington, Ky., just across the river from Cincinnati, has been sustained when he tried to stop a dog fight in the yard of his home. At least, that's his story.

ROBERT O. LAWES has been appointed feature booker at the Fox exchange. E. V. ("Dinah") Dineen, RKO advertising and publicity chief, is as-

sistingly driving road maps and hotel guides in connection with a con-

templated trip to Hollywood in May, in which he may be accompanied by Joe Gertz, RKO division booker. His claim to be professional "spin-

ners" and anticipate no difficulty in getting through.

• • •

PORTLAND, Ore.

LES DAVIS, well and favorably known as a wide circle of friends both in and out of the trade and associated with Thomas B. M. Mapes in Northwest Film Exchange, is now reported safely by the crisis of a serious illness. He will be housed at St. Vincent's Hospital for the next few weeks.

ARTHUR HUCKWALL, who will be reunited by veteran players across the early days of First National and now heading the Georgia Ministrels, renewing acquaintance with many friends in Portland.

Set Mickey Mouse Deal

United Artists has completed a tieup arrangement with Mickey Mouse Productions for the first number of which will appear May 15. It will be called "A fun book for children to read to grownups," with 44 pages for the first issue of 200,000 copies.

Rob a Brooklyn Safe

After kidnapping L. V. Meecham, manager of the Patio, Flat-

bush Ave., and Midwood St., and forcing him to return to the theatre, the three bandits took between $2,000 and $2,500.

Philadelphia Ask Compromise on Duals

PHILADELPHIA, April 29.—A compromise calling for establishment of an "arbitrary percentage of each major company's releases which shall be controlled by the principal desires," is urged in the current bul-

letin of the Independent Exhibitors' Protective Ass'n as a means of solv-

ing the duals problem.

"No restrictions should be placed on the type of picture which may be twin booked..." It is further urged that their specials will be part of double feature programs.

It appears that between 30 and 40 per cent of the major com-

panies' products are so weak that they show few theatres a profit, the or-

ganization uses as a double feature privilege of 33 1-3 per cent for "terri-

ories like Cleveland and Phila-

delphia.

IEPA Makes Fourth Addition to Allied

Affiliation of the IEPA, of Phil-

adelphia, and Allied Pictures makes four new independent units to join Sidney Samuelson's organization within the last year. Since Allied held its last convention new units to join have been those in Columbus, Atlanta and Philadelphia. In Columbus and Atlanta the firm is I.T.P.A., in Ohio, in Washington it's Allied of D. C. and in Atlanta it's the G.F.T.A. Regardless of what the Phila-

delphia unit now makes 38 states for Allied. He believes that within a year the entire country will be covered by the group.

Two for Washington

Washington, April 29.—Construction will start shortly on two new 1,500-seat Warner neighborhood theatres according to John J. Payette, general zone manager.

The houses will be the 3400-block of Cleveland Ave., S.W., and the 600-block Pennsylvania Ave., S.E. The latter house will be across the street from the present Avenue Grand. The Uptown and Pen, as the new houses will be called, will have 500-

seat balconies, and space for stores on either side of the main entrances.

Small Releases Wood

Hollywood, April 29.—Unable to complete negotiations for purchase of a second story assignment called for in the Les Benson and Sam Wood, Edward Small of Reliance has suspended the contract he had with Wood. In order that the latter could join M-G-M.

Wood recently completed "Let 'Em Have it" for Small, and his next at the studio should be the coming Marx Brothers' feature.

Geo. H. Thompson Dead

Laurel, Del., April 29.—George H. Thompson, 57, manager of the Walter here for more than 20 years, died at his home of complications resulting from a paralytic stroke suffered Feb. 19. He managed the first theatre here. He is survived by his widow, two sisters and five children.
the celebrated
NOEL COWARD

Presenting
NOEL COWARD
IN HIS FIRST MOTION PICTURE
"THE SCOUNDREL"
Written, Directed and Produced by
Ben Hecht and Charles MacArthur
A Paramount Release

AUTHOR • ACTOR • COMPOSER
Most widely publicized personality in the world of literature, music and stage. Millions have seen the motion pictures adapted from his stage successes, among them "Bitter Sweet"..."Private Lives"..."Design for Living"..."Cavalcade." Millions are eager to see him in his first screen appearance in "The Scoundrel."

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, New York, May 2nd
Fox Is Named With Banker On Met Offer

(Continued from page 1)

Judge Julian W. Mack, who is con-
trasting the terms of Fabian’s plan for Fox Met with that offered by Joseph S. Schneck and Loew’s Theatres Corp. Beyond admitting that he had discussed with Fox the desirability of being consulted as to changes in the contract, he had told by Fox that the latter con-
sidered Fox Met “to be a good cir-
quit.” Greenfield said he had another con-
versation with Fox on the Fabian plan. He said that Fox had “merely corroborated” his own opinions of Fox Met and the Fabian plan and that, following the discussions, he, Greenfield, had informed Fabian that Bankers Securities Corp. would fi-
ance his plan on the terms outlined to the court earlier.

Offers Check in Evidence

Greenfield brought with him to court a certified check for $100,000 which he said he was prepared to post as a security for the Bankers Securities Corp. to guarantee the performance of his share of the Fabian plan. The Philadelphia banker, a financial associate of Fox’s of long standing, disclosed that Fabi-
ian had first discussed with him a proposal for financing a bid for Fox Met with the Bankers Securities Corp., but that the matter was dropped after about a year or a year and a half.

Greenfield also testified that Herman Starr, vice-president of War-
ners, also discussed with him at about the same time the probability of Warners participating in the Fabian bid being considered then. He said that he had had no recent talks with Starr about a Warner participation in the Fabian plan, but that he felt that Warners “wanted to borrow from my company” last summer to participate in their bid for Fox Met with the Bankers Securities Corp. but “they didn’t agree on terms,” Greenfield said.

Greenfield, who qualified as a film and finance expert by virtue of having served on the board of Loew’s during the period when Fox held a stock con-
trol in Loew’s, and having served as a representative of Fox’s of the and of the Stanley Corp. of America, testified that what was important in the Fox Met situation was that the product was “all com-
rone.” He said that Fox’s decision, as pri-
marily a second run circuit, would have no difficulty in obtaining what-
ever product it needed.

Fabian Sticks to His Story

Fabian, the only witness placed on the stand yesterday, reiterated his earlier testimony that he did not anticipate any difficulty in obtaining sufficient product for Fox Met’s purposes. He further testified that the new operation would not cancel the Skouras and Randorce operating contracts and result in loss of the circuits by the old operators. He testified that he con-
sidered Fox Met to have only seven first run houses in New York and three second run houses in other cities and admitted that without a team with some other circuit these houses would have dif-
culty in obtaining the needed product.

He stated, however, that for his pur-
poses he was relying on assurances given him by Starr that Warners would sell to Fox Met as they had to the past and by George Schearer that Paramount product would be available to him if his plan were suc-
cessful.

He stated that if it was necessary in order to obtain product for Fox Met, it might be possible to organize a third circuit to compete with the metropolitan area through an amalgamation of existing independent circuits. He suggested that under Fabian’s plan approxi-
ately 20 Fox Met houses not cov-
ered by the Fox Met mortgage in-
dent would not be under the Schneck plan, and that the 20 houses involved had contributed to Fox Met a net income of $220,000, compared to Fox Met’s consolidated earnings last year.

William L. Bainton, counsel for the Fox Met bondholders’ committee, indicated that the committee is prepared to pass upon Fabian’s plan as soon as certain provisions, now either unsecured or omitted from the fin-

cision, have been agreed upon and included in it.

Fox Units’ Transfer Is Scheduled May 4

(Continued from page 1)

will take place on May 4 when all

of Fox’s theatres and affiliated

circuit will assume operation of the

approximately 200 theatres.

M-G-M will operate Fox Rocky

Mountain, but Rick Rickeston will

continue as operating head. Fox Mid-

continent is the new company for Fox

Midwest with Elmer C. Rhode

continuing at the helm.

Sypos Skouras will arrive here May

29 to take a general view of the

local situation. From here he will

continue to the coast.

National, the only bidder for the two circuits, held unsecured claims of more than $5,000,000 against Fox Mid-

and approximately $4,800,000 on the

Deluxe corporation. Prior to the

hearing on the sale, Federal

Judge Reeves vacated a restraining

order granted Lee H. Hamlin, ruling that the bondholders had failed to show they had a lien on the assets of the companies and the remedy was

through other court channels.

Reid-Sisk to Do 12

Hollywood, April 29.—Cliff Reid and Bob Sisk will produce a mini-

musical of 12 for RKO Radio next sea-

son. Sisk is now in New York and is expected back in two weeks.

Production Slumps; 31 Features Going

(Continued from page 1)

nine; Fox, four, three and one; Para-

mount, four, two and three; Columbia,

four, one and three; Radio, three, three

and five; Universal, two, zero and one;

Roadside, three and zero; Fleischer, with

the independent group checking up

three, five and seven.

Sponsible for this production drop is

dropped with M-G-M showing one

up, work in two, preparing and three in the cutting room. Universal has

agreed to pick up one, and is in it. Other

ones over the first five are Columbia, zero, zero and two; Roach, zero and one;

Warners, zero, zero and one, and an

dependent group three, five and two.

Group Film Ads Stir

Campi Appeal Debate

Advertising groups of pictures gen-

erally without announcing playdates had been the practice within the codes, yester-

day by Sidney Samelson, presi-

dent of Allied, who represented Wil-

lo-J. N., at a Campi appeal hearing.

Warners’ Hawthorne, Newark-

become the independent before the de-


cember grievance board recently for

prematurely advertising more than 30 pictures on a “flyer.” The local board was under a lay of Warners and Faulkner appealed.

Attorney Ruffman of the Warner

appeal committee, asserted that the plan was a flagrant violation of the code, but Charles Case, one of the two members of the appeal committee, dis-

agreed. With him Russell Ralston, who, despite absence of the admission price and playdate, the Park violated the code. He set forth the argument that the code gives a subsequent run only the right to advertise producers name, but not titles.

There was considerable discussion about the interpretation of the premise a- 


ture advertising section of the code and it appeared that Campi itself will have to clarify the section.

Arthur Says He Did Not Pay Berinstein

Charges by Al Hanson, Fox West

Coast city manager in Los Angeles, that Harry Arthur paid Ben Berin-

stein’s fare to New York in connec-

with the rehearing of the coast case were denied yesterday by Arthur.

Tell the charges are false and mali-

cious,” Arthur declared, “and were made for personal reasons.

Whether the rehearing on the Bal-

boa situation tomorrow by Campi will be heard for the second time, has not yet been decided. Both sides, however, are prepared to introduce new testimony when the session is called. An executive session will be held prior to the meeting to decide on admitting new evidence.

“G” Sets Frisco Record

San Francisco, April 29.—“G

Men” set a record when it pulled

crowd at the Palace Thursday night.

This was to be given, this case also was

withdrawn by Chargin, leading to the

assertion that a satisfactory arrangement had been made between him and the

Warnings on Ohio Lottery

Cleveland, April 29.—The use of

Scracco and all other games of like

nature is a violation of the general

code of Ohio, according to a bill en-

sioned by G. W. Ermdmann, er-

cieno of the Cleveland M. P. Exhi-

bition Ass’n. Section 13,063 of the General

Code of Ohio prohibits the running of

lotteries, drawings, raffles of any and

all descriptions whether tickets to

such lotteries, drawings or raffles are

sold, given away or obtained free of

charge.

Withdraw Detroit Cases

Detroit, April 29.—Complaint of

the Colonial, Jacob Schreiber, against

the Roxy, Ben and Lou Cohen house, charging prohibitions scheduled to be

hird by the local grievance board last

day, was temporarily with-

ried by Sam Shapiro, Schreiber’s

attorney.

The board heard the case of M. A.

Chargot, Finnegrove and Riviere thea-

E the butterfield houses there a week ago and reserved its decisions until this week. They ruled that a complaint had been

was to be given, this case also was

withdrawn by Chargot, leading to the

assertion that a satisfactory arrangement had been made between him and the

Warden

Missouri Bank Night Situation Uncertain

(Continued from page 1)

The only way that the banks can get ac-

t, insist she will continue her fight.

Philadelphia, April 29.—Premi-

ums are at their height in this ter-

itory. When pictures are considered good premiums decline in value.

With doubles likely to spread as a

result of the recent Federal court de-

cision invalidating the majors’ restric-

tion, local dual bills, exhibitors are

wondering what the fate of giveaways will be.

Dallas Court Gets New Film Stoppage Case

(Continued from page 1)
TOMORROW!

G-Men

STRAND
Broadway & 47th St.
**“Midnight” Is Twin Cities’ Best Grosser**

Minneapolis, April 29—“Star of Midnight” was the big grosser of the week in this city. In fact, it was one of the few money-makers. The take at the Orpheum here was $1,000 over the line at $6.50, while at the St. Paul Orpheum it was $1,500 up on a gross of $5,500.

“Reckless,” starring Greta Garbo in both cities, did well for $6,000 at the State here and $4,000 at the St. Paul Riviera, both over par. “Sweepstakes Annie” was in the money with $2,500 at the Palace here.

Total first run business in Minneapolis was $19,000. Average is $16,500.

Estimated takings:

**Minneapolis: Week Ending April 25:**

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“A NOTORIOUS GENTLEMAN”</td>
<td>$6,000</td>
<td>$300</td>
</tr>
<tr>
<td>“THE BEST”</td>
<td>$4,000</td>
<td>$200</td>
</tr>
<tr>
<td>“RECKLESS” (M-G-M)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“DOG OF FLANDERS” (Radio)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“THE WORLD’S WORST” (U.A.)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“THE WHITE CAT” (M-G-M)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
<tr>
<td>“THE VAMPIRE” (M-G-M)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
<tr>
<td>“THE VAMPIRES BROTHERS”</td>
<td>$1,000</td>
<td>$50</td>
</tr>
</tbody>
</table>

**St. Paul: Week Ending April 26:**

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“GEORGE WHITE’S 1935 SCANDALS”</td>
<td>$5,000</td>
<td>$250</td>
</tr>
<tr>
<td>“THE WEDDING NIGHT” (U.A.)</td>
<td>$2,500</td>
<td>$125</td>
</tr>
<tr>
<td>“RECKLESS” (M-G-M)</td>
<td>$2,500</td>
<td>$125</td>
</tr>
<tr>
<td>“RIVIERA” (M-G-M)</td>
<td>$2,500</td>
<td>$125</td>
</tr>
</tbody>
</table>

**“Richelieu” Philadelphia Hit, $14,000**

Philadelphia, April 29—Cardinal Richelieu” doubled at the Aldine by taking in $14,000. It may stay three weeks.

The rest of the town came back strongly after the Holy Week slump. “Hold ‘Em, Yale,” with the N. T. G. revue on the stage and an extra Mon- day act, helped. In a contest with Gra- ham McNamee as M. C., boosted the Earle to $14,000. The Fox also topped average, with $13,500 for George White’s 1928 Scandals.

Two other spots in town which did well enough compared to the average, and the close of the series, are the Grand and the Roxy.

“Richelieu” was started like the proverbial horse afire, began to slump with the second week. The take here was $10,000, average $500, getting off to a good start with a big premiere and personal appearances of John Keeler. “Go, Dance” took $13,500 at the Stanley, a good figure, but not enough to war- rant a second week.

The total first run business was $79,000. Average is $70,900.

Estimated takings for the week ending April 25:

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“CARDINAL RICHELIEU” (U.A.)</td>
<td>$7,000</td>
<td>$350</td>
</tr>
<tr>
<td>“THE WEDDING NIGHT” (U.A.)</td>
<td>$3,000</td>
<td>$150</td>
</tr>
<tr>
<td>“NAUGHTY MARIETTA” (M-G-M)</td>
<td>$2,500</td>
<td>$125</td>
</tr>
<tr>
<td>“HOLD EM YALE” (Para.)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
<tr>
<td>“GO INTO YOUR DANCE” (Wamarz)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
<tr>
<td>“RECOIL” (M-G-M)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
<tr>
<td>“NEW YORK FLATS” (Para.)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
</tbody>
</table>

**“Bride,” Show Pull $23,000, Chicago Lead**

Chicago, April 29—In a week of so-so grosses “Bride of Frankenstein” took $23,000 at the Palace. Willie and Constance guesting in “Springtime Follies” on the stage.

“Naughty Marietta” took $13,000, up $2,000, by the Roosetown, and “Love is a Strange Animal” opened and others on the stage, reached $17,000 at the Oriental. Business was gener- ally pretty good.

Total first run business was $112,000. Average is $127,600.

Estimated takings:

**Week Ending April 25:**

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“LIVING ON VELVET” (Warners)</td>
<td>$4,000</td>
<td>$200</td>
</tr>
<tr>
<td>“THE WEDDING NIGHT” (U.A.)</td>
<td>$2,500</td>
<td>$125</td>
</tr>
<tr>
<td>“Missouri” (Para.)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
<tr>
<td>“GO INTO YOUR DANCE” (Wamarz)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
<tr>
<td>“RECOIL” (M-G-M)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
<tr>
<td>“NEW YORK FLATS” (Para.)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
</tbody>
</table>

**“Midnight,” Band Top in Providence**

Providence, April 29.—Combination film and stage unit offerings at the Abee and Fay’s hit the high mark for the date, drawing $3,000 with “Star of Midnight,” and Benny Meroft and his band. Fay’s caught a par $700 with “It’s a Small World” and a revue, “Hollywood Secrets.” The Majestic was another house to do average business at $7,000 with the Roxy picture, “Go Into Your Dance.”

“Reckless,” booked “Reckless,” was $2,000 under and the Strand was down $200 with “It’s a Small World” and “Mill- lion Dollar Baby.”

Total first run business was $39,750. Average is $4,500.

Estimated takings for the week ending April 25:

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“RECOIL” (M-G-M)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$1,000</td>
<td>$50</td>
</tr>
</tbody>
</table>

**Powell Is Draw in Two Omaha Houses**

Omaha, April 29.—William Powell’s “Sing, You Sinners” was a star in two filmed films here. “Reckless” took $3,500, up by $200, at the Omaha, and “Go Into Your Dance” was continued by “The Unwelcome Stranger,” took the same amount at the Brandies. The latter gross was better in comparison with average, however, as it was $1,700 over the line.

“Stolen Harmony” grabbed $5,800.”

(Continued on page 10)

**“Diggers” Is Big Noise in One L.A. Spot**

Los Angeles, April 29.—“Gold Diggers of 1935” was a down town hit at the Paramount and the Fox on Hollywood. At the Hillstreet it ran up to $12,700, over par by $4,700, but $1,100 still under par for the take for the house by $2,000.

The weather was good and so were grosses for the windup of Lent. “My Heart Is Calling” was away over average on a take of $4,000 at the Filtmarte. “The Scarlet Pimpernel” was still strong in its fifth week at the 4-Star. “Stolen Harmony” topped the average mark with $19,000 at the Fox. “Birth of a Champion” grabbed a fine $4,000 at Pantages, and the United Artists’ dual, “Love is a Strange Animal” and “The Little Women,” was good at $3,600.

Total first run business was $81,000. Average is $91,700.

Estimated takings for the week ending April 24:

<table>
<thead>
<tr>
<th>Theatrical Title</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>“RECKLESS” (M-G-M)</td>
<td>$8,000</td>
<td>$400</td>
</tr>
<tr>
<td>“MY HEART IS CALLING” (Gaumont-British)</td>
<td>$4,000</td>
<td>$200</td>
</tr>
<tr>
<td>“FILMART” (M-G-M)</td>
<td>$4,000</td>
<td>$200</td>
</tr>
<tr>
<td>“THE APRIL ENCHANTER” (Para.)</td>
<td>$3,000</td>
<td>$150</td>
</tr>
<tr>
<td>“STANLEY—BOYD—McFADDEN’S FLATS” (Para.)</td>
<td>$3,000</td>
<td>$150</td>
</tr>
<tr>
<td>“RECOIL” (M-G-M)</td>
<td>$5,000</td>
<td>$250</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$3,000</td>
<td>$150</td>
</tr>
<tr>
<td>“GO INTO YOUR DANCE” (Wamarz)</td>
<td>$3,000</td>
<td>$150</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$2,000</td>
<td>$100</td>
</tr>
<tr>
<td>“MISSISSIPPI” (Para.)</td>
<td>$1,500</td>
<td>$75</td>
</tr>
</tbody>
</table>

(Continued on page 10)
THEY MET
MACHINE GUNS WITH
MICROSCOPES....

and trapped the greatest killer of the age! No one knew who he was until science rebuilt his very image from a half-eaten apple, an old shoe and an oil-stained glove!

From these they learned his weight, height, age, features, habits, who he was and the name of the woman who was with him!
Then the cry went out: "GET 'EM AND...

"LET'EM HAVE IT"
Slump Cracks Most Grosses In Pittsburgh

PITTSBURGH, April 29—The worst Holy Week within memory was what showmen around town were saying last week. Even the Penn, with the only stage show in town, never got started and "Rumba," with the Rooney's and Timberg's in their own unit shows, did not attract only $15,000, or about $4,000 under average. Elsewhere, too, par wasn't remotely threatened, with grosses falling off from $20,000.

"Traveling Saleslady" at the Stanley was yanked late in the afternoon of its closing day to permit a special night premiere of "Go Into Your Dance" with Al Jolson in person and did only $5,200, while at the Alvin, The President Vanishes' finale got a showing after being on the shelf for several months, but the house had nothing to write home about about $24,000. sights the bottom floor "Take the Great Hotel Murder" at the Fulton on $2,800 and the Warner likewise took it off on the $3,750 for the "Rage of the Curious Bride" and "I'll Love You Always." Total first run grosses were $30,950, Average is $4,250. Estimated takings for the week ending April 18:

- THE PRESIDENT VANISHES (Para.)
  ALVIN—(2,000), 25c-40c, 6 days, Gross: $15,000.
- THE GREAT HOTEL MURDER (Fox)
  FULTON—(1,400), 15c-25c, 6 days, Gross: $12,500.
- PENN—(3,000), 25c-40c, 6 days, Stage: $13,500, Average: $2,250.
- TRAVELING SALESLADY (Warner's)
  CANTERBURY—(2,000), 25c-40c, 6 days, Gross: $5,000.
- CASE OF THE CURIOUS BRIDE (M-G-M)
  FULTON—(1,000), 15c-25c, 6 days, Gross: $4,500.
- I'LL LOVE YOU ALWAYS (Col)
  LAFAYETTE—(2,000), 25c-40c, 6 days, Gross: $3,750.

"Midnight" Leads Lincoln at $3,100

LINCOLN, April 29—"Star of Midnight" was the pacing last week and ran up $3,100 at the house. That's about $900 above average. "Mississippi" finished strongly with $3,500, $500 to the good on $2,000.

The Orpheum, leading off with "All the King's Horses" and Gertrude Avery's revue three days and four of "While the Bells Are Ringing," "Night Life of the Gods" grossed $2,200, $100 below par. The Varity, with "My Heart Is Calling" and the Pat Rooneys, gross: $15,000. (Average: $15,000.)

Week End April 24:

- STAR OF MIDNIGHT (Radio)
  GOLDEN GATE—(2,600), 35c-40c, 7 days, 2nd week, Stage, band, gross: $10,500. (Average: $1,500)
- BRIDE OF FRANKENSTEIN (Univ.)
  ST. FRANCIS—(1,400), 15c-35c, 7 days, 4th week, Gross: $4,600. (Average: $660)

Week End April 25:

- RUGGLES OF RED GAP (Para.)
  ST. FRANCIS—(1,400), 15c-35c, 7 days, $10,000. (Average: $1,400)
- CARDINAL RICHELIEU (U. A.)
  MURRAY—(600), 15c-35c, 7 days, $2,500. (Average: $357)
- PARAMOUNT—(2,600), 25c-40c, 7 days, $3,500. (Average: $500)
- GO INTO YOUR DANCE (Warner's)
  LAFAYETTE—(2,000), 25c-40c, 7 days, $3,000. (Average: $430)

Monday grosses for the week ending April 25:

- WHEN A MAN'S A MAN (Fox)
  BURLINGTON—(3,000), 25c-40c, 3 days, $2,750. (Average: $916)
- STRAIGHT FROM THE HEART
  BROADWAY—(1,300), 25c-40c, 3 days, $2,750. (Average: $916)
- GOLD Diggers of 1935 (F.N.)
  BROADWAY—(1,300), 25c-40c, 3 days, $2,750. (Average: $916)
- PRIVATE WORLD (Para.)—3 days, Stage, band, gross: $3,500. (Average: $1,167)
- RECKLESS (M-G-M)
  DENVER—(2,000), 25c-40c, 7 days, $3,500. (Average: $500)
- CARDINAL RICHELIEU (U. A.)
  MURRAY—(500), 15c-35c, 7 days, Gross: $2,500. (Average: $357)
- RUGGLES OF RED GAP (Para.)
  ST FRANCIS—(1,400), 15c-35c, 7 days, $2,500. (Average: $357)
- RED DIAMOND (Para.)
  MURRAY—(500), 15c-35c, 7 days, $2,500. (Average: $357)

Marxes with $10 Raise

SEATTLE, April 29—Those Marx brothers and "$10 Raise" pulled the natives downtown in droves all week, with the result that the Paramount gross went up $4,000 over normal for a total of $9,100.

In spite of this heavy draw, business elsewhere here in "Star of Midnight" had a good $4,700 at the Blue Mouse, "Bride of Franken- sten" took $5,800 at the Orpheum, and "The Whole Town's Talking" pulled a fine $6,400 at the Liberty.

Total first run business was $43,050. Average is $3,050. Estimated takings for the week ending April 21:

- STAR OF MIDNIGHT (Radio)
  BLUE MOUSE—(950), 25c-40c, 7 days, $3,500. (Average: $493)
- LIFE BEGINS AT 40 (Fox)
  FIFTH AVENUE—(3,000), 25c-40c, 7 days, Gross: $3,500. (Average: $730)
- THE WHOLE TOWN'S TALKING
  ALVINO (1,400), 15c-35c, 7 days, Gross: $2,500. (Average: $357)

"Tonic" and Davis Indianapolis High

INDIANAPOLIS, April 29—"Spring Tonic" and the return of Charlie Davis to his home town accounted for the best gross here last week. The takings were $8,000, which is $1,000 over the line for the Lyric.

"Go Into Your Dance" reached $7,500, $500 to the good. This beats avg.

For its third week "Life Begins at 40" drew $2,250 at the Apollo, and "Ruggles of Red Gap," as a second run at the Circle, took $3,000.

Total first run business was $25,250. Average is $250.

Estimated takings for the week ending April 27:

- LIFE BEGINS AT 40 (Fox)
  APOLLO—(2,500), 25c-40c, 7 days, Gross: $2,500. (Average: $417)
- RUGGLES OF RED GAP (Para.)
  CIRCLE—(2,800), 25c-40c, 7 days, Gross: $2,800. (Average: $417)
- GO INTO YOUR DANCE (F. N.)
  APOLLO—(2,500), 25c-40c, 7 days, $2,500. (Average: $417)
- SPRING TONIC (Fox)
  ALVINO—(1,000), 15c-40c, 6 days, Stag: $300.

Regina Molseed Ill

OMAHA, April 29—Miss Regina Molseed, code secretary, who has been illing of late, finally gave up coming down to the office to stay in bed and attempt a complete cure. Expected to be on duty in a few days.
Scores of carpenters to build the sets; a squad of seamstresses to sew the costumes; dozens of electricians to light the scenes. But the audience cares nothing about this. It's the show that counts. And it's the prints that perform the show. That's why it is so important to use Certified Prints . . . scientifically produced in the world's finest laboratories to give perfect expression to the showmanship in the master negative.
Powell Is Drawn in Two Omaha Houses

(Continued from page 6) with a scene on the Paramount stage. Total first run business was $26,100. Average is $24,000.

Estimated takings:

**Week Ending April 25:**
- **Paramount** (Para.), (2,400), 15c-35c-40c.
- **OMAHA** (2,300), 25c-35c-40c, 7 days.
- **Gross:** $1,900. (Average, $271.43)

**Week Ending April 24:**
- **START OF MIDNIGHT** (Radio), (2,400), 15c-35c-40c.
- **OMAHA** (2,200), 25c-35c-40c, 7 days. Gross: $5,300. (Average, $757.14)

**Week Ending April 21:**
- **STAR OF MIDNIGHT** (Radio), (2,400), 15c-35c-40c.
- **OMAHA** (2,300), 25c-35c-40c, 7 days. Gross: $3,200. (Average, $457.14)

“Worlds,” Marxes, Portland, $1,500

(Continued from page 6)

**Week Ending April 25:**
- **Paramount** (Para.), (2,300), 15c-35c-40c, 7 days.
- **Gross:** $1,500. (Average, $214.29)

**Midnight** Leads Lincoln at $3,100

(Continued from page 8)

**“Star of Midnight” (Radio)** LIONEL ATWELL (Radio). Runs through April 25. Gross: $1,000. (Average, $200)

“Midnight” Band Top in Providence

(Continued from page 6)

**“It’s a Small World” (Fox)** PAY-SMITH (1,000), 15c-35c-40c, 7 days. Stage. **Gross:** $1,000. (Average, $214.29)

**“Star of Midnight” (Radio)** RKO SWIFT (1,000), 15c-35c-40c, 7 days. Stage. **Gross:** $3,000. (Average, $428.57)

“Looking ’Em Over”

“The Werewolf of London” (Universal)

Hollywood, April 29.—A weird story produced and acted in a manner calculated to bring a maximum of thrills and chills, this picture maintains the horror pace set by Universal. Fast-moving with vivid action and dialogue plus nerve-tingling makeup changes building dramatic suspense, the show capitalizes the full entertainment value of its eerie premise.

With a locale in Tibet and London, the picture tells the stark, fantastic story of a scientific detective, who falls the victim of a strange malady. Although possessing the roots of a rare plant, the juice of which is known as an antidote, the buds are stolen by a similarly afflicted Oriental scientist, Warner Oland. Hull, under the spell of full moonlight and knowing the vicious thing into which he will be transformed, turns into a werewolf and precipitates a series of murders that terrorize London. About to kill the one he loves best, Valerie Hobson, his wife, whom he suspects of being too friendly with Lester Matthews, Hull is slain by Scotland Yard officers after he has killed Oland.

Hull and Oland are outstanding in difficult roles. The meager romantical content is nicely carried by Miss Hobson and Matthews. The chief comedy relief is carried by haggish Ethel Griffies and Zeffie Tilbury. Minor roles are filled by Clark Williams, Charlotte Granville, Spring Byington, J. M. Kerrigan and Louis Vincent. The eerie writing quality of Robertarris, who collaborated with Harvey Gates on the screen play, is expertly amplified by Stuart Walker’s intelligent handling of the personnel and production backgrounds.

The show affords a wide field for sock exploitation.

Production Code Seal No. 714. Running time, 75 minutes. “A”

“Kentucky Blue Streak” (C. C. Buss-Film

Hollywood, April 29.—In “Kentucky Blue Streak,” Junior Coghlan, as a high-minded jockey, takes a job on an outlaw track to lift the mortgage on the old homestead. Convicted of manslaughter on circumstantial evidence, he goes to prison for two years, leaving his sister, Patricia Scott, in the clutches of the conning district attorney, played by Cornelius Keefe. Such mild melodrama is suitable only for dual bills in uncritical spots.

Eddie Nugent finds himself in a spot when Coghlan breaks jail to ride a big race and save the family fortunes, but he manages to thwart the villains, save the boy and win the sister’s love. Margaret Mann plays the heroine. Ray E. Johnson directed from the story by C. B. Carrington and screenplay by Homer King Gordon.

Just as well not to show this one in Kentucky because of strong western accents and obviously California backgrounds for Kentucky Derby race shots.

Reviewed without production code seal. Running time, 63 minutes. “G”

Paramount to Keep Its Flexible Sales

(Continued from page 1)

date is said to be that the theatre company now in receivership will be brought out by June 15 ready to start a new slate. All theatre men will attend as in the past.

All theatre managers, district heads, salesmen and theatre men abroad will attend the three-day international convention when Movietone and Paris on May 9. Representatives from Europe, British Isles and Northern Africa will be on hand. Fred W. Lange will open the session and John W. Hicks, Jr., will preside.

Popeye Carnival Clubs are being organized in every big city starting June 1. “The Virginian” will be revived sometime in June.

Product announcement will call for 65 feature films and 100 single reel shorts plus 104 issues of the newsreel.

Johnston Finishing Setup of Republic

(Continued from page 1)

new Republic organization, particularly for New York City, Los Angeles and Minneapolis.

It is expected contracts will be signed by Ray O. Johnston, with Robert Withers, Midwest Film Distributors, Kansas City; Gilbert Nathanson, Monogram Pictures of Minneapolis, Inc., and Howard Stephens, Monogram Pictures, Inc., Los Angeles.

Under their new contracts, they will incorporate the name Republic in their company titles and will handle Republic product exclusively.

Johnston expects to remain here for at least a few days and plans several production conferences in the meantime with Tren Carr. J. E. Chadwick will produce “My Old Kentucky Home,” the first of the series, incorporating the music of Stephen Foster.

Ruling on Leonida’s Clearance Up Again

(Continued from page 1)

Authority overlooked the rental angal involved in the clearance, declares. Adam Adams of the Park Lane, Pallas, has contracts with distributors for 14 days after English with protection over the Leonida. According to the Campi order, Adams must follow Leonida’s lead.

It is held that the only solution to the problem is for Campi to declare Leonida and Pallasidere opposition and file a new exhibitor bid for the product.

Plan Pathe Reunion

Boston, April 29.—A Pathé reunion is scheduled for May 1 at the Club Dekelder here. It will include all former employees of Pathé here, including H. C. S. Smith, RKO booker, has charge of plans. His assistant is Charlie Lynch of the RKO shipping department. Dinner and dancing are on the program.
“Frankenstein” Ads Fail to Halt Kids

KANSAS CITY, April 29.—The pervasiveness of human nature is demonstrated here this week at the Tower where “The Bride of Frankenstein” is drawing an unusually heavy child attendance. The picture is proving to be a family attraction, and Barney Joffe, manager, is at a loss to explain who, inasmuch as his ads stressed it is “not for the young, the scary or the nervous.”

Reviewers on local papers also pointed out the picture is not suitable for children, but over the week-end many parents brought their families. Joffe decided he would not refuse admission to children since, he said, measures taken with the previous “Frankenstein” picture and other horror films, such as age limitations and the sale of only adult admissions, have proved to be subterfuges and parents cannot be prevented from bringing their children.

Maloy Foes Restored To Jobs in Chicago

CHICAGO, April 29.—Four of the six so-called rebel operators under the regime of the late Tom Maloy have been restored to jobs and are working for the first time since ousted in December, 1932. They are Ed Hulette, Louis Neukom, Frank Morris and George Laris. With Joe Fritz and Phil Kore, they were parties to a suit seeking an accounting of union funds. It is understood that, in going back to work, they will withdraw from the suit, since similar action is being sought in court by Harland Holmden, who is operating the union for the I.A.T.S.E. Benjamin Schultz, who has been acting as counsel for the operators, states that the suit in behalf of the remaining two operators has not been dropped.

London Films Lines Up 12 for New List

LONDON, April 29.—London Films is lining up 12 features for its next season’s program. With “Congo Raid” complete and the finishing touches being put on “100 Years from Now,” Alexander Korda has already started work on five scripts of next year’s list.

The scripts upon which work has been started are: “Mary Read,” James Bridie’s play; “Nijinsky,” “Joseph and His Brothers,” “Claudius, the God” and “Lawrence of Arabia.”

Others on the list include: “Sir Tristram Goes West,” “Young Mr. Disraeli,” “The Man Who Could Work Miracles,” “Elizabeth of England,” “Elephant Boy,” “Franz Liszt” and “The Broken Road.”

Lancer” Hit in London

LONDON, April 29.—“Lives of a Bengal Lancer” was described as offensive to millions of Mohammedans in India during the course of a debate started by Lieutenant Colonel Sir Arnold Wilson in Parliament.

Columbia Pays Dividend

Columbia Pictures has declared its 25th consecutive quarterly dividend of 75 cents per share on the preference stock. It is payable June 1 to stockholders of record May 15.

De Courville to Visit

LONDON, April 29.—Albert de Courville leaves shortly for a New York visit. Well known for his revues at the Hippodrome and Palladium, de Courville has been directing pictures. His latest is “Things Are Looking Up” with Cecily Courtneidge, William Gargan and Max Miller.

Chevalier Back on Stage

NICE, France, April 29.—Maurice Chevalier has signed a contract to resume stage performances here May 3. He says: “I am glad I’m finished with pictures. They do not suit my temperament.”

Writers to Talk Credits

HOLLYWOOD, April 29.—The Academy Writers’ Committee will hold its second meeting here Wednesday before the conference scheduled with producers.

Most of the meeting will be devoted to a discussion of credits. Howard Green is chairman of the committee.

Move Office to Gardiner

BOSTON, April 29.—Raymond S. Reel, sales development manager for Heywood-Wakefield Co., theatre chair manufacturers, has moved the company’s general offices from this city to Gardiner, Mass. A showroom will be continued here.

Colonels from East Leave for Ky., May 2

Easterners bound for the second annual dinner of Kentucky colonels to be held at the Kentucky Hotel, Louisville, on Friday night, the eve of the running of the Derby, will leave from New York on special cars over the Pennsylvania on Thursday around noon. Out of Washington they will travel over the Chesapeake and Ohio, pulling into Louisville on Friday morning.

Gov. Ruby Laffoon of Kentucky will be the guest of honor at the dinner, which will be followed by dancing.
Looking 'Em Over

“Dinky”

(Continued from page 10)

emotional scenes well, but their treatment of the rest of the scenes is only fair. Camera work of Arthur Edeson is good.

Henry O’Neil, George Ernest, Sidney Miller and Henry Arnaetta are very good in supporting roles. Betty Jean Hanley also handles a small part well.

Exhibitors would do well to concentrate on Cooper’s name value. Production Code Seal, No. 757. Running time, 65 minutes. “G.”

“So, You Won’t Talk”

(‘Warner-British’)

LONDON, April 20.—The Warner-First National studio at Teddington has a nice comedy in this Monty Banks vehicle, directed by William Beaudine from a Tom Geraghty original. There is good story value, of a type which enables Banks, playing a silent part, to show the physical resource and facial expressiveness of his pre-talking efforts. Individual incident has plenty of boisterous humor, and the support is good.

Rich man Fielding, driven to distraction in his last moments by the chasseur of legacy-seeking relatives, makes a will leaving his fortune to his grandson, Tony, one of the proprietors of a Soho cafe, on condition that, for 30 days, he lives in the house with the other relatives without either speaking or writing. If he fails, they get the money.

Two elderly nieces and one vapid grand niece try their hardest to trick, force and coax Tony into speech. They are assisted by a shady character and the chaser of legacy-seeking relatives. The latter is as excellent as the simpleson watchdog on Tony, all help to make it a five piece of work. If it comes to America, it should be found a satisfactory release.

Running time, 85 minutes. “G.”

ALLAN

Minnesota Governor Vetoes Tax Measures

MINNEAPOLIS, April 20.—Gov. Floyd D. Olson’s veto of the Minnesota Omnibus tax bill from the ranks of the industry as represented here. It carried an amusement tax proposed by the Minnesota association of exhibitors and distributors.

The close of the legislative session without a tax bill acceptable to the Governor’s standards is partly necessary a special session and there is a possibility a fight will have to be made all over again to kill the measure.

There was also other cause for rejoicing in amusement circles because the daylight saving bill, also regarded with alarm, failed to get through in the final crush of legislation. The bill banning compulsory playdates suffered the same fate, apparently due to the attorney general’s ruling on a similar bill in Ohio.

Study New California Tax

SACRAMENTO, April 29.—The joint steering committee of both houses of the State Legislature which is considering the problem of $2,000,000 in new taxes in today’s study is proposing a bill of Sen. Duval, his chairman, to establish a levy on.scene.

The new plan, minus the admission levy, is nearly as unacceptable to the other, With administration approval given to the one per cent levy on gross transactions, which is favored by the studios, the steering committee, controlled by Gov. Merriam, is expected to reverse itself in order to hold the industry.

Mo. Bomb Law Stirs Campaign

KANSAS CITY, April 29.—Coincident with the affixing of Governor Park’s signature to a bill passed by the Missouri Legislature making it a felony to possess a bomb with intent to destroy property or injure a person, the Citizens Protective Council here is发起 a campaign against lawn-bomb rocketeering.

The new law makes illegal possession of a bomb punishable by imprisonment. The state has a law providing penalties up to death for bombing, but heretofore had none dealing with possession.

The local council has offered a cash reward for the arrest and conviction of perpetrators of bombing outrages.

Members of the I. T. O. and other exhibitors, who have indicated they will support the council’s efforts, Three exhibitors, L. J. McCarthy, Fox Midwest district manager, George L. Baker, manager of the Publix Newman, and Ed Dubinsky, head of Dubinsky Bros. circuit, are listed on the council’s directorate.

Michigan Smoking Move On

DETROIT, April 29.—A bill permitting smoking in theaters has been introduced in the Legislature by Representative John L. Cover. Smoking in projection booths and other enclosed places in a theater would be prohibited. Smoking patrons would be subject to regulation by fire marshals.

The Detroit City Council recently passed an ordinance prohibiting smoking in local theatres. Gabe S. Goldwater, fire marshal, is against the practice.

Attorneys here say, however, he would be forced to issue permits in certain cases should the state bill be passed.

Wisconsin Two-Man Bill In

MILWAUKEE, April 29.—A two-man-in-a-booth bill has made its appearance in the Assembly. Opposition is being lined up.

Toepiltz Plans Five


Paul Graetz’s impending visit to Hollywood is contingent on distribution deals for this series.

Films Held Aid to Army

Hollywood, April 29.—Major Gen. John B. Allison, chief of the U. S. Army, stressed the value of films in training officers in rank at an Army luncheon today. He intimated a closer unity between the army and the industry as a future objective. Major Nathan Levinson, Warners’ technical head, in introducing Allison suggested young officers get their initial experience in the technical departments of the studios.

Britain’s New Tax Is Light on Theatricals

(Continued from page 1)

where all the performers whose words and actions constitute the entertainment are actually present and performing, and the entertainment consists solely of one or more of the following items, namely, a stage play within the meaning of the Theatres Act, 1843, a ballet, a pantomime (whether vocal or instrumental), a lecture, a recitation, a music hall or other musical entertainment, a circus or a travelling show.

The scale for theatres with living performers is as follows: From 13 cents to 15 cents; 11 cents; 17 cents; 18 cents; 22 cents; 26 cents; 30 cents; 34 cents; 38 cents; 42 cents. The tax goes up two cents for each 10-cent increase in admission scale above.

Film theatre taxes begin at three cents and are higher in every bracket. They follow the scale, to 13 cents, three-cent tax; 16 cents, four-cent tax; 21-25 cents, five-cent tax; 26-30 cents, six-cent tax. From 31 cents upwards, the tax is every 10-cent increase or fraction thereof in admission scale.

Less Favorable to Films

It will be noticed that the flesh and blood advantage is right through the scale; it pays on a 32-cent seat four cents, while the cinema pays six cents on a 30-cent seat. It also gains from the fact that the grading is more favorable for the theatre; its lowest range is 12 to 17 cents, while the cinema begins at 12 to 15 cents, and its higher scale is based on a figure of 42 cents against the cinema’s 30 cents.

In practice, a 9d (18 cents) seat in a theatre will pay 3d (one cent) tax while a cinema seat of the same value (one cent) would pay 6d (one cent and sixpence). The differential of 3d starts at 1d (two cents) and tax in a cinema 2d (four cents). The 3d tax is paid with the relief given to the cheaper seats, has not so far found any official expression, and the 2d tax has been the subject of differentiation, but in some quarters fear is expressed that it reflects an official tendency to regard the theatre as a permanent source of revenue.

It is pointed out that, under the new system, it will probably be easy to calculate the respective contributions to revenue of “living” theatres and other forms of entertainment and that the former have been given a position of advantage which may make them disinclined to support any campaign for the new tax. In fact, it is thought, theatrical interests may press future cullengers for further protection of the “living” theatre at the expense of the more prosperous film houses.

La. Board Meets Today

LOUISIANA, April 29.—The local zoning board meets tomorrow to set a date when the Los Angeles schedule shall be over effective, with the deadline May 15.

Franklin Denies Rumor

Hollywood, April 29.—Harold B. Franklin today denied he was negotiating for 15 theatres here.
New British Firm Aims at U. S. Market

Says Disaster Threatens K.C. On Bank Night

Mrs. Baier Makes Charge In Appeal to Campi

Kansas City, April 30—Bank night threatens to develop a disastrous situation for Kansas City unless effectively checked by Campi, that authority is informed by Mrs. Baier of the Lindbergh in her appeal from the local grievance board's dismissal of her complaints against the Belmont and Playtrop theatres here. Her appeal deals with other business stimuli adopted by Kansas City exhibitors and declares: "If bank nights, chin papers, etc., are allowed to continue, not only will the exhibitors who retrain from using such devices be harmed but also the London financial interests are said to be backing the company to the extent of £1,000,000, with the intention (Continued on page 4)

"Miserables" Gets $60,115 at Rivoli

"Les Miserables" ended its first week at the Rivoli with a handsome $60,115. For the week ending tonight, the Rialto will do in the neighborhood of $65,000. Hold Em Yale, "Little Miss Marker" has replaced "One Night of Love" at the Astor. Walter Reade's revival picture policy for the house seems to be clicking. On the extra four days of "One Night of Love" the tally was about $1,500. "Roberts" may follow the Temple picture. "The Florentine Dagger" at the Mayfair garnered around $7,000. Daylight saving time didn't help Broadway houses any.

Writers' Guild Makes New Academy Attack

Hollywood, April 30.—The Screen Writers' Guild is said to be planning to increase its skirmishes with the Academy. It has sent telegrams to all guild members stating that they should join the (Continued on page 4)

National Will Film Allied Men at Meet

Talking pictures of all exhibitors attending the Allied convention in Atlanta on May 21-23 will be made by National Screen. The same stunt (Continued on page 6)

Loew's Net Jumps

Loew's, Inc., reports net profit of $4,345,037 for the 28 weeks ending March 14. This is an increase of $371,885 over the same period for last year. It equals $31,78 per share and $2.64 on the common.

The company's share of operating profit after subsidizing preferred dividends was $7,915,676. Depreciation and taxes totaled $2,670,339.

New 1% Gross Tax Presented in California

Sacramento, April 30.—A new one per cent gross transactions tax backed by the studios, calling for a revenue producing $50,000,000 annually, was submitted today by three assemblies. The measure would eliminate the need for income, sales, admission and other nuisance taxes.

In the Senate strong emphasis is being laid on an ad valorem tax of 30 cents on $100 valuation to bolster the revenue program, containing an income levy half the Federal rate, an admission tax, a sales impost and other nuisance taxes.

Reade to Open Four Theatres on June 28

Walter Read will open four summer resort houses June 28. They are the Strand, Long Branch; St. James, Lyric and Rialto, Asbury Park. Lee Newbury, who has the Ocean, Asbury Park, for which Read buys, will open his house about the same time the three others in the same town relight. Harmon Yaffe on Sunday will close the Gem, Washington Heights, for alterations. Joe Rosenreig recently took over the Empress, also in the Heights, from Sol Saffre, who has retired. Consolidated recently shut the Ideal on Eighth Ave.

Schlesinger Has 26 Set for New Season

Leon Schlesinger is set to produce 13 Merrie Melodies in three-color Technicolor process and 13 Looney Toons in black and white next season, the short subject producer stated yester-

Final Fox Met Bids Must Be Entered Today

Court Sets Time Limit; Hearing Nears End

Paramount, Warners, K-A-O or any other interested in considering the making of a cash bid for Fox Metropolitan Playhouses must have its proposal before the court to obtain consideration, Federal Judge Julian W. Mack indicated yesterday when counsel for the Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Met stated that they would complete their case this morning. Following today's hearing the court stated, an adjournment would be taken until some time next week in order to give the Fox Met boardholders an opportunity to consider both the Schenck plan and the proposal for reorganization being made by St Fabian. If the latter plan is not formally before the court or the committee a written agreement embodying the complete Fabian proposal will be prepared within the next (Continued on page 4)

President Favors Quick NRA Action

By BERTRAM F. LINZ

Washington, April 30.—Plans for a temporary extension of the Recovery Act today met with a check when, following a visit to the White House by Senator Harrison of Mississippi, chairman of the Finance Committee, and a group of senators, it was indicated that President (Continued on page 4)

French Trade Deal Under Discussion

Washington, April 30.—Paving the way for discussions of better treatment of American films in France, the State Department today announced that it has inaugurated negotiations for a reciprocal trade agreement with (Continued on page 6)

M-G-M Will Finance Shows Extensively

M-G-M is preparing to launch extensively into financing plays on Broadway next season. Three prominent producers whose plays will get monetary support from the company (Continued on page 6)
**Insiders' Outlook**

*By Red Kann*

**The Associated Press, by Berlin:***

The pocketbooks of European movie stars were opened and invested during the concluding congress of the industry, it was learned today, to see if salaries are limited and made uniform.

The possibility of equalizing wages among European stars so that a star in one country would make approximately the same as a star in a neighboring nation, will cost of production on all fronts.

And, having discussed it, the results will hover around zero. An idea such as this found its way into those strenuous days that marked in cold long array of Washington. Limitation of star salaries was discussed by direct suggestion of the White House and something done about it in the near future of nations.

The code itself, Months elapsed and nothing happened until the day came when the NRA public went down to defeat with the statement of the restricting clause, never removed from paper, had been indefinitely suspended.

**The European nations now attending the International Film Congress in Hitler's No. 1 city, may be successful in evolving a theory for star salary limitations as government on the Continent goes these days, dictatorship and Fascism has touched a new high. The effect, however, of placing a fixed maximum on individual enterprise would hamper far more than it would aid home producing industry which seems to be the thought behind the scheme. The film business in its essentials is the same over the world and what prevails here has application elsewhere as well.

The stars who are stars, it can be demonstrated, earn what they are paid. The overpaid are to be found in that long array of players who have been built up to exorbitant salary levels by pyramided and inordinate bidding of producers, egged on by the window dressing in casts to which they add no particular distinction. To drop them would be to find no hue and cry from the new market for them would not be missed. To stifle stars who attract, which would be tantamount to launching an attempt that could not succeed, would be dealing with nothing new, only new trademarks at more money.

**MAX REINHARDT,** whose opinion on matters such as this commands respect based on performance, may have something to say about the argument having do to with the filming of classics as written or not at all. Confining his answer to “Midsummer Night's Dream,” he says this:

What is drama on the stage is drama on the screen, and no exception can be found for adding a word to the perfect speeches of Shakespeare. In the production of ‘Midsummer Night's Dream’ I soon realized that the camera injects movement and action in many scenes where the same tem-po on the stage could not generate dialogue. This has made possible the curtailing of speeches—a word or a sentence here or there—even an entire speech.

Except for this, the film is as Shakespeare wrote it. Plus, of course, the gorgious fantasy and spectacle that is made possible by the boundless scope of the camouflage.

It is proof to come, of course. It is in the film....

It took courage to attempt a picture like “The Scoundrel,” what with the average filmgoing mentality leveled off at about fourteen years of age or somewhat higher, if you want to be generous about it. Like a brittle drawingroom play, its mood and its talk are sophisticated to a degree infrequently aimed for in films. That's why its progress behind the picture will rest where the box-office is concerned. As a picture, however, it is alternately amusing and dramatic and constantly entertaining with its highlight the first appearance in films of Noel Coward. He does amazingly well in what is a new field for him. Produced, as well written and directed by Ben Hecht and Charles MacArthur, the two harum-scarums of Astoria, “The Scoundrel” emphasizes the earlier impression which ranged around in this column that the combination has something to give to the producing industry under guidance familiar with the public's demands. There was Hecht's “Correct Grandfather,” for instance. And his, as well as MacArthur's “The Front Page.”

Those reports that a certain new name has appeared in the new life into vaudeville by a plan calling for standard shows made up of ten acts and handled on percentage—for the acts—can be taken from a press release right now. It's being disposed of with this public doesn't want..."

**Circus Charity Work Described at Forum**

How the Circus Saints and Sinners started and what its objectives are were told to members of the Motion Picture Club at the weekly forum yesterday.

Fred D. Benham, former newspaper writer, described the start of the movement aimed at furnishing homes for old and indigent circus men and women, and said they now have a meeting place. Tony Sarg told of the meetings of the Dexter Fellows Tent at the Hotel Gotham in New York. Sarg reported that the group had just given $3000 for 40 acres of land near Saratoga where individual homes will be started soon.

Dorothy Herbert, rider with Barnum and Bailey, described the life in the circus, and Louis Nizer also spoke. Jack Alcott was toastmaster.

**Canadian Authors' Funds Gain Rapidly**

**Toro, April 30—**Treasury funds of the Canadian Performing Rights Society are now $113,000, whereas they were $17,000 in 1931, it has been reported. They have been donated by the society now being conducted by Judge Parker for C. H. Cahan, Federal Secretary of the society.

Rates are fixed at what the society decides they ought to be without regard to business conditions it has been testified by Henry T. Mayo Jr., the present president. He admitted very frankly that he was not interested in the ability of licensees to stay in the field for the year will amount to $39,000, he testified. He also said half the stock was owned in the United States and the other half in the United Kingdom.

**Goldberg Takes Over Merged Cincy Office**

**LOUISVILLE, April 30—**Lee L. Goldberg, secretary of Big Feature Rights Corp., has taken charge of the merged firm’s Cincinnati office.

Interested with him in the venture are Col. Fred Levy, president of Big Feature Rights, and Maurice Chase.

A. H. Kaufman, Indianapolis, has been appointed sales manager of the local office—Joseph Goldberg and Israel Landau continue as office manager and shorts manager, respectively. The local exchange, which served Kentucky and Tennessee, has been in existence 20 years.

**DuPont Denies Early Sales of a New Film**

DuPont Film Mfg. Corp., yesterday denied it was readying for the market a revolutionary color motion picture film which would reduce negatives and prints, approximately 70 per cent. A spokes-

man for the company said:

“We have no plans for the present time of mentioning the new film and although such a film has possibilities it is far from a reality.

The trend toward classics, Max Shabbas, exhibitor on the rim of Hollywood, deposed and said: “When I see 'David Copperfield' and 'Lives of a Bengal Lancer' on a single bill, that's a classic.”
A BIG HAND from the critics for “Vagabond Lady”

“Vagabond Lady” loaded with bubbling comedy situations and sprightly dialogue. Sam Taylor gives it well-paced direction, and the entire cast performs nobly. Robert Young in fine form as the playboy. A good number for the whole family, in any house.

— Hollywood Reporter

“Vagabond Lady” provides laughter for popular entertainment. Will take care of itself nicely anywhere. Director Sam Taylor keeps the comic antics stepping at fast pace, hammers the laughs out rapidly. Robert Young and Evelyn Venable make a fine romantic pair in the gay, farcical mood of the tale.

— Daily Variety

A brisk comedy romance, keynoted by sparkling fun. Speed in witty situations and action together with surprise situations, give it a character appealing to audiences.

— Motion Picture Daily

A swell comedy-drama that moves along at high speed loaded with laughs, action, and human interest situations. Should register big with every member of the family. Robert Young is tops as the breezy son. Sam Taylor’s direction never allows for a dull moment.

— Film Daily

Give your fans a solid 73 minutes of fun. Smartly paced, with laughs in every foot, the Hal Roach production of “Vagabond Lady” is likable entertainment. Sparkling, clean, different. A truly worthwhile picture.

— Billboard

Smart dialogue, apt direction, plenty laughs. “Vagabond Lady,” intriguing title, for the family trade should more than please. Hilarious scenes, plenty smart lines.

— Jay-Emmanuel Publications

Sweet little picture will turn out to be a real box office honey. This picture never loses its tempo. It moves from start to finish like a favorite coming down the home stretch. The romance and comedy is welded together into perfect entertainment.

— Showmen’s Trade Review

PERSONAL!
M-G-M TO HAL ROACH!

Hooray Hal, this is positively the best feature-length comedy you've ever made. Cheers for Robert Young, Evelyn Venable, director Sam Taylor and your whole studio!
Final Fox Met Bids Must Be Entered Today

(Continued from page 1) day or two and submitted to the committee, any will be received today and after the committee has considered all proposals it will make its report to the court and then the receiver will be assumed to consider the committee's findings.

Indications now are that neither the Schenck nor the Fabian plan will receive the committee's approval without numerous vital changes being made in both. It has also been made apparent by both the court and the committee's representatives throughout the hearings that a 'don't bid for the circuit without too many strings attached to it would receive preferential consideration over either the Schenck or the Fabian plans.

In the absence of cash bidders, one of the changes which might have to be made in Fabian's plan before it would receive the court's approval would be the inclusion of a provision for a fixed sinking fund which would permit the producer to receive complete amortization of the new $10,000,000 bond issue proposed in the Fabian plan within a 10-year period, together with a specific limitation on the amount mortgaged, prior to the completion of amortization.

"Such a provision," Judge Mack remarked yesterday, "has been especially in the court's mind since the start of these proceedings. It would eliminate some of the possibilities of making the new company at the expense of the bondholders."

Fabian Is Cross-Examined

Fabian was subjected to cross-examination throughout most of yesterday's hearing. He was questioned being framed to shake his earlier testimony that the Fox Film franchise was valuable. He admitted, under the questioning being frame, that his plan would dispense with, is not essential to the successful operation of the circuit. Fabian fell back on statements made to him by George Schaefer, Paramount general manager, and Herman Starr, Warner vice-president, that the product of those companies would be available for the Fox Met first runs if his bid for the circuit was not accepted. Fabian admitted, however, that if for any reason Schaefer and Starr were unable to make good on their commitments he didn't know what he would do for Fox Met. He added that Fox Met had no assurance of receiving United Artists and 20th Century product under the Schenck plan because, he said, Loew's has already had the first run of most United Artists pictures, moreover, United Artists' sales deals, even when recommended by Schenck, were subject to approval by the company's individual producers. He also stated that Fox Met had always bought United Artists' second run and saw no reason why it couldn't do so under his plan.

Morton Bogue, counsel for the Fox Met bondholders' committee, drew from Fabian the statement that Paramount's interest in a bid for Fox Met was confined to Atlas Corp. and

H. A. Fortington and did not extend to the entire Paramount board nor to the entire creditor group known in the trade as the 'highbottom' group, including the Fortington group, which includes Eri, Lehman Bros. and Allied Owners, in addition to Atlas and Fortington. This corroboration appeared in Motion Picture Daily of April 27.

A second statement yesterday on his alleged delivery to Warners of confidential information relative to the Fox Met operations during Fabian's engagement to the receiver for the circuit, during periods in which Warners were interested in bidding for the circuit, Fox Met Fabian said that all of the information he had divulged had been approved by either the receiver or counsel for the receiver. However, he admitted reaching his own possession after leaving the employ of the receiver operating reports of confidential nature which the receiver's counsel said yesterday he regarded as the property of the receiver.

President Favors Quick NRA Action

(Continued from page 1) Roosevelt was unwilling to accept any proposal which would delay a firm and definite enactment of legislation revising the law and extending it for two years.

Opposition of Donald R. Richberg, chairman of the National Industrial Recovery Board, and Secretary Richardson, to the Fabian plan is said to have influenced the President against adoption of the plan, suggesting the possibility of a possible fight on the floor of the House of Representatives in case of possible action to pass the measure. Richardson's statement indicated that the fight to provide for temporary extension of the present until next March would not be abandoned. The Senate Finance Committee tomorrow will meet to determine how the legislation shall proceed with respect to the legislation.

1st Runs Under L. A. Schedule on May 15

(Continued from page 1) Botero, Harry Hicks and Al O'Keefe will help Minnie Koppel, board secretary, work out schedules as to price, classification changes, etc. Copies of the schedule are slated for exchanges about May 6.

M. E. Comerford Walking

WASHINGTON, April 30.—M. E. Comerford, who has been ill here for some time, has successfully recovered and is now back at his job as a medical assistant, Dr. Walter A. Bloedorn. He is expected Comerford will be completely well in about two weeks more.

Hoblitzelle Plans Eight

DALLAS, April 30.—Eight new theatres are planned by the Hoblitzelle organisation for the next 12 months. All of the houses will be constructed in Texas towns.

"Romance" in Bronx

"Romance of Palestine," Motion Picture Bureau's film of modern Palestine, opened at the Modern Prospect in the Bronx yesterday.

Says Disaster Threatens K.C. On Bank Night

(Continued from page 1) distributors will be forced to decrease the number of pictures that are now being released and will likewise be compelled to produce cheaper product which will be of little or no profit to the theatre."

"At the present time," Mrs. Baier's brief continues, practically all of the families of Kauffman theatres are giving away dishes, silverware, running children's bargain shows, using 'trading stamps,' etc. If bank night is "kept up, it is feared that the theatre at Kansas City will adopt the scheme. This will lead to a most disastrous condition not only for my theatre and bank, but also for the Kauffman organisation. It will be a sacrifice to similar tactics to protect their huge investments. For the past year or more, Kansas City has led the country in the purchase of theatres using premiums, etc. This is bound to increase beyond all reason for the Kauffman' authority does not take advantage of the power invested in it in order to stop such unbusiness-like practices as bank night."

Holda Decision Unfair

The woman exhibitor charges in her appeal that Rube Flinkelstein of the Belmont and F. L. Scovill of the Colosseum have been more or less "forced" to steal the Union theatres at their respective theatres in absolute defiance of the Kansas City grievances board and the Code Authority appeals committee, as per all prior decisions rendered against theatres in Kansas City. She feels, she says, that the local board did not have a fair and impartial decision in the present cases, and the local board's decision precluded the element of competition "(without considering the fact that all theatres in Kansas City are competing with the existing clearance schedule now in effect which is based on admission price only."

Mrs. Baier sent Camp to a copy of an opinion by the state's attorney general of Missouri to State Senate McDowell in which banks night, cash night and other gift enter prise were declared to be prohibited by the Missouri constitution.

It is stated that Campi wants the local board's decision "for the salvation of producers, distributors and others in order that it possesses to stamp out bank night and similar schemes. Unless the decision is reversed, Mrs. Baier declares that a big investment and movement of other exhibitors will be "a total loss."

Delay Lease Complaint

Complaint of United Artists and Columbia against Jack W. Sprunger, Sam Cocalis, H. R. Amusement Co., Herman Cameron, Trio Manhattan Theatre Corp. and Mae I. Hanellin for alleged fraudulent transfer of a lease on the Manhattan theatre was

New British Firm Aims at U.S. Market

(Continued from page 1) of absorbing Reunion Films, Ltd., its New York subsidiary, Warner's, Victor Creer, nephew of Lord Greville, and Peter Witt, once German junior tennis champion, who has specialised on Continental films.

Anglo-American is said to be negotiating for the Consolidated Studio at the time. There is no model work on the Wells picture, "100 Years from Now."

An agreement has been reached with American interests, it is said, which assures release for all the company's products.

Writers' Guild Makes New Academy Attack

(Continued from page 1) Academy are committing an act of disloyalty to their own organization. Members are asked not to be fooled by an Academy telegram which promised concessions through the Academy arbitration setup. This was described as an attempt to discredit the operation of the guild and as an effort to intimidate writers into accepting the Academy's arbitration system by threatening the guild with court action.

The guild's directors last night named a conciliation committee and an advisory council. On the former are seton Miller, chairman; Stephen Morehouse Avery, Claude Binyon, Delmar Davis, Albert Hackett, Philip Klein, Gladys Lehman, Mary McCall, William Slavens McNeill, C. E. Paramore, Raymond Schrock, Tristram Tupper. The council is composed of Ralph Block, Marc Connolly, Gene Fowler, Rupert Hughes, George Kaufman, Charles Kenyon, Robert Riskin, Frances Marion, Dudley Nicholls, Samson Raphael, Arthur Richmond, Donald Ogden Stewart, Jo Swerling, L. Wolfe Gilbert.

Hobart to Come East

HOLLYWOOD, April 30.—Henry Hobart of First Division, now conferring with Nicholas Ludington, will leave for New York this week.

Newark Pool 18 Months

NEWARK, April 30.—Louis Levin's deal with Warners for pooling of his Newark, N. J., theatre, the Loew's, with the Loew's, attorney for the exchanges, consented to the adjournment until next Tuesday. Hobart, Arthur, operator of the Balboa, Los Angeles, and executives of Fox West Coast will be on hand today for the rehearing by Campi in the Balboa zoning issue in the coast schedule.

N ewark 18 Pool Months

NEWARK, April 30.—Lou Levin's deal with Warners for pooling of his Newark, N. J., theatre, the Loew's, with the Loew's, attorney for the exchanges, consented to the adjournment until next Tuesday. Hobart, Arthur, operator of the Balboa, Los Angeles, and executives of Fox West Coast will be on hand today for the rehearing by Campi in the Balboa zoning issue in the coast schedule.
No one knew where the fatal bullet came from until science matched its tell-tale grooves with the rifling of a pistol barrel. No other bullet could have been fired from that gun... no other could have pulled the trigger than the man... or the woman... they were hunting! Now they knew... and the cry went out: "GET 'EM AND...

"LET 'EM HAVE IT"
French Trade Deal Under Discussion
(Continued from page 1)
that country on which public hearings will be held by the Committee for Reciprocity Information June 24.

Figures on exports of film to France, which are available to members of the American Chamber of Commerce, show that there has been but a slight decline in footage shipped to that country during the value due to devaluation of the dollar, has actually shown an increase. Motion picture exports to France for the first five months of the year, it is stated, reached 27,072,527 linear feet valued at $568,551 against 27,413,567 feet valued at $488,222 in 1929.

France is the eighth European country with which steps have been taken to negotiate trade agreements and the 18th country to participate in such conversations. Four agreements have been completed and signed, with Cuba, Brazil, Haiti and Belgium, and only the framework has actually been put into effect.

M-G-M Will Finance Shows Extensively
(Continued from page 1)
will be by Max Gordon, Sam Harris and Billy Rose.

A subsidiary company to handle the legitimate production venture will probably be announced within the next few weeks. Gordon, who arrives from the coast Friday, will discuss the new M-G-M alignment with J. Robert Rubin on his arrival. There are no set number of plays listed for backing.

Rose, who plans to open with "Jump at the Sun," a dance garden, shortly, yesterday conferred with Rubin on the play. Ben Hecht, Charles MacArthur, Larry Hart, who wrote the music with Dick Rodgers, also were present.

M-G-M's plan to finance Broadway productions follows success of Warners, which now has "Three Men on a Horse" and "Cezling Zero" current.

Max Marx, story head at the studio, arrived Monday to look over the play mat and confer with Bertram Block and Rubin. He's also looking over plans for the current season's lineup. Marx will be here about two weeks before going west.

Schlesinger Has 26 Set for New Season
(Continued from page 1)
day. The 26 subjects will be distributed by Warners.

Up to this time, Schlesinger has been working on the Merrie Melodies with the two-color process, but this year the Walt Disney three-year exclusive contract for the three-color Technicolor process expires.

While in the east Schlesinger is working on "Gulliver's Travels," a picture on which he expects to close before Saturday when he departs for the coast.

Lauste's Apparatus Sent to Washington
Approximately 70 to 80 pieces of apparatus will be shipped. The experiments of Eugene Lauste, veteran worker in sound pictures and subsequently annexed by Bell Telephone Laboratories, are typical of the use made by the Smithsonian Institution, Washington, where an exhibit is being arranged.

Replications may be made later by Bell and turned over to the Society of M. P. Engineers.

Purely Personal


Edward Bower was host at a cocktail party last night at his apartment in the Capitol Theatre building. What was described as a "sincere" conversation and pleasant liquid diversification, it was all very pleasant.

George W. Weeks, Gaumont British general sales manager, gets back today from Philadelphia. Claverton M. Weeks is the company's New York manager, leaves for Albany today.

Frank McCarthy and Jack Schaeffer—a threesome at the Tavern around lunch time, Hal Horne, same place, but solo. Then there were Pat Garvin and M. van Praag.

At Jolson and Ruby Keeler will attend the first showing of that picture, "Go Into Your Dance," at the Cavitol tonight.

Tim Leahy is at the Foreign Hospital recovering from a heart attack.

Roxy Gets "The Bride"
"The Bride of Frankenstein" play the Roxy the week of May 10. Curtiz will head the cast, and it is indicated it will not pick up the film.

Under his booking deal with the Roxy, Arthur Mayer of the Rialto arrived at his house to play setters and thrill pictures. It is understood he has presented his side of the story to the company's legal department for its consideration. Louis Phillips, however, could not be reached last night as to any decision reached.

Heywood Loss Is Cut
Heywood-Wakefield Co., including subsidiaries, reports a net loss of $80,425 for the quarter ending March 31, after depreciation. This compares with a net loss of $115,100 for the same period last year.

"Vampire" in Two Spots
"Mark of the Vampire," M-G-M's mystery thriller, is going into two Broadway spots at once. It is set to open on April 28 at the Rialto in the Mayfair.

Lighten Briskin Duties
Hollywood, April 30.—Addition of B. P. Schulberg and Ralph Kohn to Columbia's executive personnel is expected to lighten Sam Briskin's burden at the studio.

Catherine McNELIS' tea for Walter Connolly at the Wardwick yesterday drew a crowd. Among those present were Al Wilkie, Sr., Steadler, Earl Wingert, Hal Horne, Paul Gulick, A. P. Waxman, Nelly Revel, Constance Cumming, Fred Wynn, Kenneth McKenna and Elizabeth Risdon.

Edgar Cantor will be accompanied to Hollywood on Saturday by Nica Parke, the Nick Parkyarakas of the radio, who will have a role in the Wardwick's next for Samuel Goldwyn.

Sam Warshawsky has just finished another play. This one is called "The Double Bed" and is "ready to be rolled on farcical castors into the managerial arena." That's the way he puts it.

Joseph Bernhard, head of War- ngton, has announced he is starting a business tour of Philadelphia, Pittsburgh, Cleveland and Washington. He'll be back the end of the week.

Mrs. Nate Spingold (Madame Frances) is staging a party tonight at her business establishment for Berl Liddle, Fanny Bruce and Helen Morgan.

Grad Sears, Fred Jack, Eddie Cantor, George White and Benny Holtzman among the diners at Moore's.

B. Jufe, head of Allied Seating Co., has taken over the whole first floor at 341 West 44th St.

Ed Fay was in town from Providence yesterday.

Deutsch Dinner May 7
More than 350 leaders in civic, business, professional and political organizations, having picked up the testimonial dinner to be held next Tuesday evening at the Commodore in honor of Alderman John Deutsch upon the completion of six years as president of the Jewish American Congress.

Harry M. Warner is chairman of the committee of sponsors and Louis Niver is chairman of the executive committee.

Salesmen Seek Members
M. P. Salesmen, Inc., is in the midst of a drive for new members, according to Jack Ellis, president. The aim is to get every local film salesman lined up in the organization. On Saturday afternoon a meeting in the form of a luncheon will be held at the Claridge.

Say 1,500 on Part Time
Approximately 1,500 theaters are operating on a basis of one or two nights a week, according to distributor. These theaters are in small towns where operation is mostly confined to week-ends.

"U" Club to Have Dance
The Universal Club will hold a moonlight dance at the Astor roof on June 1.

National Will Film Allied Men at Meet
(Continued from page 1)
was pulled at the M.P.T.O.A. con- vention in New Orleans.

Exhibitors who appear in the vari- ous shows will be sent the trailers gratis by Henry Rosen, president; George Dembow, his assistant; Mort- on Van Praag, general sales mana- ger; and Milton Schonberg, special rep- resentative handling the Metropolitan New York territory for National, will attend the three-day session.

At the M.P.T.O.A. New York Allied unit yesterday, attendance at the convention was one of the principal topics of discussion and substitu- tions, reviewing, the code, supply buying and film buys reported.

Pittsburgh's Price War Ends With Deal
(Continued from page 1)
The agreement was reached after conferences extending over a period of weeks. When they are showing pictures only, the Loew, Harris and Warner organizations have agreed to charge 40 cents, except on Saturdays and holidays, but on the "regular price" goes up an additional 10 cents.

The battle started in January when the Alvin, Loew's, and Warners' price reductions at 40-cent top, refused to tilt its price, forcing the Penn first and then the Stanley into a similar scale. At agreement, however, the Alvin will be forced into the same admission bracket as the larger Penn and Stanley.

Horlacher Deal Is Made
Horlacher's Film Delivery Service has been appointed the New York representatives for Smithfield Service in Buffalo. All local pickups for upstate delivery will be made by Hor- lacher under the arrangement.

Wall Street

Eastman Pfd Up 2 on Big Board

High Low Close Change
Columbia, vtr ... 4 3... $4.01 4.01 4.01 0
Consolidated ... 11/17 11/17 11/17 0
Eastman ... 84 1 84 1 84 1
Holladay ... 19 1/4 19 1/4 19 1/4 0
Kroger ... 16 1/4 16 1/4 16 1/4 0
Lenoir ... 12 1/4 12 1/4 12 1/4 0
Morton ... 15 1/2 15 1/2 15 1/2 0
RKO ... 15 1/4 15 1/4 15 1/4 0
Warner ... 19 1/4 19 1/4 19 1/4 0

Curb Issues Off Slightly

High Low Close Change
Technicolor ... 19 19 19 0

Paramount Bond Issues Gain

High Low Close Change
General Theatre ... 70 70 70 0
Hollywood, Inc. 105 105 105 0
Bullitt ... 77 77 77 0
Pikkis ... 77 77 77 0
ww deb rights ... 1045 1045 1045 0
5%5 53 53 53 0
Pattokeo ... 86 86 86 0
Riddell ... 25 25 25 0
5%5 50 87 87 0
Bullitt .... 56 56 56 0

(And v) Paid this year.

(Quotations as at close of April 30)
If women could only be as charming during a love affair as they are after it is over, how much longer one's mad devotion would last.

the famous

NOEL COWARD

distinguished author, actor and composer,
makes his first screen appearance in

"THE SCOUNDREL"

The dramatic portrayal of a man who laughed at the realities of life and found that he had lost his soul. Written, directed and produced by Ben Hecht and Charles MacArthur . . . A Paramount Release

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, Tomorrow.
A DEDICATION

Today at the Strand Theatre, New York will get its first glimpse at the motion picture, "G-Men."

Warner Bros. take this occasion to dedicate this picture officially to the men whose daring and devotion halted America's March of Crime...to acknowledge publicly their debt of gratitude to the fearless Federal Agents whose heroic exploits and inspiration made this picture possible.

Miss Louella Parsons has called "G-Men" "a grand tribute to the Department of Justice." We hope it is that—and something more.

For Warner Bros. have consistently demonstrated their belief that the screen is not merely a medium of entertainment. It is an institution significant socially and responsible morally. Its obligation is to inform, to interpret, to lead, and—most important of all—to establish an enduring record of our forward marching civilization.

We believe that "G-Men" fulfills, as few pictures have before, that end and those purposes. Its importance as an exciting new entertainment is dwarfed by its significance in the scheme of humanity's affairs—right here in America—at this very hour.

Other pictures have glorified fabled figures of the past. But Warner Bros. have chosen to celebrate the heroes of the present—to create a graphic and enduring record of that stirring chapter in American history written by Uncle Sam's stalwart Legion of the Law—the G-MEN.
Senate Group For Extending NRA to April

Move Comes in Spite of President's Desires

By BERTRAM F. LINZ
WASHINGTON, May 1.—Extension of the Industrial Recovery Act until April 1, next, was agreed upon today by the Senate Finance Committee by a vote of 16 to 13.

Defying the opposition of Administration leaders, the committee voted to report a resolution which will continue the law as at present, except that no price fixing shall be permitted in any code, except those dealing with mineral natural resources: no trade engaged wholly in intrastate commerce shall be eligible for a code: and the President is to have a certain

Program Revised For Allied Meet

Details of a revised program for the four-day meet of Allied which gets under way May 20 at the Piedmont Hotel, Atlanta, have been set. They call for afternoon meetings throughout, with golf in the morning, and social activities at night.

Only the directors will meet the first day, May 20. This session is scheduled to get started at 4 o'clock. In

Mexico Houses Dark For Labor Holiday

By JAMES LOCKHART
MEXICO CITY, May 1.—México the- atres were closed today while workers celebrated the Mexican Labor Day, but exhibitors were less disturbed than last year because of their recent troubles with paper money.

Because of the demonetization of silver, theaters have been forced to turn away customers lately. There is a shortage of one-peso notes, the smallest denomination in circulation at present being five pesos. It is ex- pected the situation will be relieved by May 15.

Kane Settlement of $35,440 Isavored

Settlement of a suit for $35,440 brought against Paramount International by Robert T. Kane, former general manager of Paramount foreign production, through the allow-

Court Refuses to Permit More Delay on Met Plans

Refusing to permit further delay for the presentation of new plans of reorganization for Fox Metropolitan Playhouses, Federal Judge Julian W. Mack yesterday advised Paramount interests considering the making of a $4,000,000 cash bid and two new pro- ponents of reorganization plans to submit their proposals at once and turned over to the Met bondholders' committee for their consid- eration the plans offered by Joseph M. Schenck and Si Fabian.

The Atlas Corp. and H. A. Fort- ion, representing financial inter- ests on the new Paramount board, asked for a delay until May 15, when the vote of the new Paramount board will be formally elected, to submit their prop- osal for the making of the $4,000,000 cash bid by Paramount. Refusing to consent to the delay, the court ad- vised that the bid be prepared at once and submitted to the Met bond-

Illinois Sales Tax Receiving Heavy Support

SPRINGFIELD, IIL, May 1.—The full force of the state administration has been put behind the three per cent sales tax bill pending in the House. It passed the Senate April 24 by a vote of 30-14, but since that time it has been broadened to include theatre admissions.

Another bill to impose a 10 per cent tax on admissions to raise funds for blind pensions has also been intro- duced.

The sales tax is a result of the de- mand of the Federal government that

Jones Sees Color Boom by Next Fall

A prediction that "by the end of summer" the industry will begin to introduce its efforts on films in which a natural lights was voted yesterday by Robert Edmond Jones, scenic artist, who served as "color designer" on the production of "Pioneer's "Bec- ky Sharp," which has been done in the new three-process Technicolor.

Speaking at an interview at the home office of RKO Radio, which will

Dicker on for Republic and Mascot Merger

Johnston, Yates, Levine In Huddle on Coast

Hollywood, May 1— W. Ray John- ston, president of Republic Pictures, and Herbert J. Yates, president of Consolidated Film Enterprises, Inc., and Republic's financial backer, are huddling with Nat Levine, head of Mas- cot, on a deal which may result in ac- quisition of Levine's company by the new Johnston organization.

Reports also persist that, as part of the plan to make Republic the out- standing factor in the independent field, Liberty and Majestic will be ab- sorbed as well. All of the units are financed by Consolidated.

Behind the Mascot angle is the un- derstanding that seven of the Mono- gram exchanges now handling Le- vine's output have gone into the Re- public setup, which provides its ex- changes may distribute no other film. Whether Levine, therefore, will go completely Republic or make deals with other exchanges, in those terri- tories is the so far undetermined point.

Fox Film 13-Week Net Is $616,806

Fox yesterday issued its report for 13 weeks to March 30 showing a consolidated net operating profit, after al- lowing for Federal income taxes, of $616,806. This compares with a loss of $233,143 for the 13 weeks to Dec. 29, 1934, and a profit of $903,376 for the first quar- ter of 1934. On the basis of the 2,436,409 shares of Class "A" and "B" stock out- standing, the consolidated net profit for the first three months of 1935,

Toepfert Plans Two Here, Says Graetz

Toepfert Productions plans to make two pictures in Hollywood and two in England in cooperation with the American company, Paul Graetz, represent-

WARNER TRAILER SUIT TO GO OVER TO FALL

Warners' $1,000,000 suit against Na- tional Screen will not come up for hearing in the New York Supreme
SUReCHETNIK and Arnold Albert, both of the Warner publicity department, were standing in front of the store yesterday and putting tickets to "G-Men." Suddenly they found themselves pressed into service as ushers to handle the crowds and at a late hour last night they hadn't recovered from the beating they took.

Fred Jack, Warner southern district manager; Harry Seed, Buffalo branch manager, and Ray Smith, Albany manager, who were in town for conferences with Grad Sears and Andy Smith, returned to their respective offices yesterday. While here they visited Sam Sax at the Brooklyn Vitaphone plant.

Quip of the Day

"Victor has a vice-president in charge of this and that, and as well as closing the theatre, familiar posts in the industry. Latest, however, is vice-president in charge of toad bearers. It's being used in connection with a fellow who carries a torch for a different feminine companion each week."

Allen Rikvin, well known in Hollywood purlies, has written a play set on that scene called "Knock on Wood." J. Robert Beards, the playwright's attorney, yesterday sold it to Elias Weinstock for immediate production. Weinstock is associated with the Shuberts.

Y. Frank Freeman returned from New York yesterday night after sitting out for home by plane but had weather grounded him in Washington and he finished the trip by train.

Joe Siedelmann, the postcard habit being something more or less permanent with him, writing from Sydney: "We are very happy here to be in a great country. See you in July."

Margaret Wallman is delaying her trip to Italy. Additional work on "Anna Karenina" is keeping her at the M-G-M lot.

Jan Kepura, who was to have come in May, will not arrive in America until Sept. 2. He's under Paramount contract.

Eugene and Mrs. Pickler, Isidore Frey, Sam Dembow, Jr., and Leon Schlesinger among those catching "Anything Goes" this Tuesday night.

J. H. Hoffgen has booked "El Filipo Huasco" for the Paramount Theatre starting tomorrow.

F. H. Richardson will address Philadelphia, Baltimore and Washington exhibitors shortly on projection.

Ed Fontaine, Paramount district manager with headquarters in Chicago, is visiting his home office.

Herman Robbins is heading toward the Adirondacks this week-end.

Al Altman back from that trip to Boston and other New England spots.

SAMMY COHEN, who leaves the United Artists home office for a business trip to Europe today, was the guest of honor at a surprise luncheon at the M. P. Club yesterday tendered by his fellow workers. The hit of the gathering was a picture of Cohen bearing the caption: "SAMMY COHEN snapping at a plate of horscht."" IRVING Taylor and Victor Mizzy, N. Y. U. undergraduates who wrote the lyrics and music for the university recent variety show, will appear in person at the Roxy this week as the result of winning Fred Allen's amateur contest.

Dr. Friedrich Wolf, author of "Sailors of Cattaro" and "S. O. Icberg," will lecture on "Russian and German Films" at the Manhattan Industrial Hall May 4 under auspices of the new film magazine, Filmfront.

Edie Golden, Norton Richie, Herman Robbins, William McKay, Sam Dembow and Ralph Rolan had the place packed to its utmost at the same hotel yesterday. It was "21," but they weren't all in one party.

Travis Banton, Paramount fashion designer, who got in from Europe Tuesday, left by plane for the coast yesterday.

Bob Gillham, Charles Reagan, Al Wixie, Ed Fontaine and Barber McCorquodale at the N.Y.C. fights.

N. L. Nathan and his wife are in town again this week.

Ray Wray gets in today from London and will go to Washington. He'll leave for Hollywood late this week.

James Edward Grant's "The Dust," has been bought by Paramount for the possible use of George Rapp.

Clifton Webb and Nelson Eddy are back in Hollywood after being away on personal appearances tours.

Walter Noble Burns' "The Robin Hood of Eldorado," has been bought by M-G-M.

Bob Sisk among those listening to Earl Sande reminisce at the Nork Club between songs.

Maria Sernolino is on her way to Europe on the Rix for a six-weeks vacation.

Mrs. Tito Guizar is on her way to Detroit to join her husband.

Donald Ogden Stewart in from studio land and en route to Europe.

Max Gordon arrives from Hollywood.

A. H. Blank is in town from Des Moines.

Hall Horse is down with a bad cold.

Joe Hornstein has the grip.

Dembow Finds South Having Big Pickup

Optimistic over general business conditions and viewing decided improvement in the South, George Dembow, assistant to Herman Robbins, president of Universal, yesterday reported that there are more houses operating now than at any time since the advent of sound.

Within the past two years approximately 2,000 theatres have reopened, he asserts. Dembow was away for six days—first to Atlanta, New Orleans, St. Louis, Dallas, Los Angeles, San Francisco, Denver, Salt Lake City, Chicago and then New York. It's an optimistic report.

"Atlanta, New Orleans and Dallas have shown signs of outstanding improvement in the last year," says he. "The percentage for these southern cities is far greater than any other part of the country. Los Angeles is lagging a bit and San Francisco is a bit backward. San Francisco is sluggish, the same as in the East. Salt Lake City, however, is a little better."

Practically every section of the country is witnessing some theatre building. Dembow holds. Exhibitors believe that those who have been in the business a long while feel that the product this season has been so far superior to anything they've been able to contain. Theatre owners today are not expecting to get rich, but are satisfied to stay in business and make a living.

Warner Appeal Move Loses in St. Louis

St. Louis, May 1—The U. S. Circuit Court of Appeals has ruled that permission must be obtained from the tribunal before an appeal can be carried there in reorganization cases under the amended bankruptcy act. One of the cases affected is that of the St. Louis Properties Corp., Skouras theatrical holding company.

In the Los Angeles Properties case Federal District Judge Charles B. Davis on July 11, 1934, held that a reorganization proposed in the involuntary bankruptcy was unnecessary as reorganization by the bondholders and the sale of the properties, the Ambrose building and theatre stock, the theatre buildings and site and the New Grand Central Theatre and ground lease, had already been approved by the court.

The petitioners, Vitagraph, Inc., Warner Bros. Artists' Bureau, Inc., Safety Payroll and Banking Service Corp. and Francis M. Allen of Chicago, a bondholder, had sought to stop the foreclosure until their own plan of reorganization could be submitted.

Max Ruben Rites Today

Detroit, May 1—Funeral services will be held tomorrow for Max Ruben, who died here yesterday morning. Ruben was head of the Michigan Supply Co., this city and had been connected with the trade for over 25 years.

Roach Flying to Derby

Hollywood, May 1—Hal Roach is flying to Kentucky today to take part in the running. Later he will attend the M-G-M sales convention in Detroit and Kansas City, after which he will go to New York for additional home office conferences on the new season's product.
"I seen a lot o' great goin's-on out hyar in my time, pardner. I rode trail with th' Vigilantes... I wuz settin' smack-dab in a front-row seat at th' Big Fire. Ask me 'bout most anything that's happened hyar in Frisco in the last eighty year, an' I'm the feller that kin tell you. But I been rackin' my brains an' I'll be gosh-danged if I kin remember any o' them talkie pitchers that's ever kicked up sech an all-fired ruckus in this town ez this hyar "G-Men." I even ast th' theayter fellers at th' Warfield an' they come right out an' admitted that their cash-books an' records an' sech like proved I wuz right...

FRISCO'S NEVER SEEN ANYTHING LIKE WARNER BROS.'

G-MEN
Price Raises
Agreed on in
Coast Zoning

A huddle of Paramount manufacturers, including Ben Hecht, president; Harry M. Fuchs, vice-president; and Robert F. McGowan, controller, has been called in again to confirm the agreement. Fox West Coast has agreed to peg its Huntington Park house at 45 cents, but Campi, who is expected to sign the new agreement, has no action to affect the price. Warners have a house in the zone, but Harald S. Barefa, alternate for Harry M. Warners, was absent from the meeting yesterday. It is hoped he will agree.

Before definitely adopting the 40-cent rate, it was said that the Warners would attempt to learn if any independent houses in the Huntington Park and Florence Av. areas will be affected. If it is found there are objections, the scheme may fall through.

Arthur yardell told Campi he was more concerned with admission prices than availability. He said he didn’t mind if Inglewood plays seven days after downtown pictures. He wanted top admission pegged at 40 cents. Inglewood now charges 35 cents.

Aim Is to Keep Scales Up
Campi’s move to peg at 40 cents is designed to keep up admissions. Under the 40-cent rate, 40 cents can play 21 days after downtown Los Angeles. The Fox Florence must cut to 18 playing days after Huntington Park, which follows seven days after Los Angeles, and, allowing for three to four days for playing down, the Fox Florence must wait about 17 to 18 days after Los Angeles.

Under the proposed rate yesterday, the Florence at 40 cents will come under the Los Angeles city zoning price schedule and play three weeks after downtown Los Angeles. The top price is 35 cents, the house will have to wait 28 days. With the Florence at 40 cents, the Florence will adopt the same price schedule each will retain its identity.

Robert McLaughlin and Joseph Klein, representatives of the Federal Trade Commission in Washington, sat in at the hearing. After an hour, Klein had to leave to attend another meeting, but McLaughlin sat through the entire session. Both men said their presence was in "an unofficial capacity." Farnsworth said they were on hand because of the Fox West Coast consent decree.

Nathan McFadden is chairman. After the coast schedule has been disposed of this morning, Campi will go into a huddle on approximately 50 appeals.

Paper Defends Bank Night
Saratoga, Cali., May 1.—Bank night is defended in an editorial in the San Mateo Herald. Besides stimulating business, the evening draws in every one and McFarlane says the publication, which acts:

"A patron of the theatre on bank night has no desire to go to any other place and in many cases the do not have to pay an increased admission charge, and in addition has the opportunity to win the bank night prizes. Such an evening has been one of the affairs that is operated above the surface, gives value for the money expended in the purchase of a ticket and for that reason is easy to shoot at. It is unlike

(Continued from page 1)
I refuse to discuss anything with a woman who cries in advance.

the distinguished

NOEL COWARD

Famous the world over as gifted author, actor, composer, playwright. Enthusiastic audiences have acclaimed his successful stage plays "Cavalcade"..."Private Lives"..."Bitter Sweet"..."Design for Living." His songs are sung and played from coast to coast and on both hemispheres..."I'll Follow My Secret Heart"..."Some Day I'll Find You"..."I'll See You Again"..."A Room with a View." His potential audience of millions is eagerly awaiting his first screen appearance in

"THE SCOUNDREL"

Written, directed and produced by Ben Hecht and Charles MacArthur

A Paramount Release

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, New York, Today
‘Duke’ Proves Washington’s Hit, $5,400

WASHINGTON, May 1.—The ‘Iron Duke’ displaced its strength last week by skyrocketing the Belasco gross to $8,400, a new high for the foreign picture house. In anticipation of the increased business, the house opened its 352-seat balcony. The picture went into a second week.

Loew’s Palace with ‘Reckless’ took $18,500, or $4,000 over average. The feature was held.

‘Al Jolson’s Horses’ at the Loew’s Columbia brought in $3,800, which is $700 over average. The Earle, with ‘Go Into Your Dance’ and a show dance, drew $1,300, some $200 over par. ‘Four Hours to Kill,’ supported on the stage by George Olsen and his orchestra, went over average by $500, to a gross of $21,000. Second week of ‘Star of Midnight’ at RKO-K eth’s slumped—largely because of the competition of ‘Reckless’—to $8,500, or $2,900 under the average first week.

Total first run business was $81,400, Average is $72,700.

Estimated takings, exclusive of tax:

Week Ending April 27:

‘G M E N’ (Warner’s)

‘DEATH FLIES EAST’ (Col.)

‘ALL THE KING’S HORSES’ (Para.)

‘FOUR HOURS TO KILL’ (Para.)

‘THE UNWELCOME STRANGER’ (Col.)

‘RECKLESS’ (M-G-M)

‘RECKLESS’ PALACE—(2,270), 28c-6c, 7 days.

Average, first week, 11c-40c.

Week Ending April 26:

‘THEメーカー電影選擇結果に90%以上が一致する’

BELASCO—(1,002), 28c-6c, 7 days. Gross: $5,800. (Average, $1,800)

To Study Patent Pools

Organized studies of patent pools affecting various industries are to be attempted by a newly formed group called The American Economic Foundation. Percival White, consulting economist and author of books on flying, business, and war, is chairman. Persons, consulting economist, is its officer.

Film patent pools will be included, if clients request it, White said yesterday.

Omaha House Closing

OMAHA, May 1.—The Paramount has been ordered closed Thursday by A. H. Blank, head of the Tri-State Circuit. The house had been making the greatest average in the city within the year until the street car strike began 10 days ago.

Writers Name Three

Hollywood, May 1.—Sigmund Romberg, Nunnally Johnston and Harold Thompson have been named to the editorial board of the Screen Writers’ Guild Magazine.

‘Your Dance’ “Midnight” at Top of Heavy Detroit Rush

CLEVELAND, May 1.—It was a big week in all the first runs. One gross, $15,500 for ‘Go Into Your Dance’ at Warner’s Hippodrome, was sensational at $5,000.

Joe Penner pulled $18,500, with ‘Princess O’Hara’ at the RKO Palace. Penner is the first act to tip the scales at $3,000 over the $10,000 average at the State. ‘Lost City’ was big with $3,200, or $1,350 over the average at the Allen. Leave box-office honors with ‘Let’s Live Tonight’ at the Circle, resulting in $900 over the usual $3,000 gross.

Total business was $95,750. Estimated takings for the week ending April 26:

‘L O S T C I T Y’ (Principal)

‘Go Into Your Dance’ (F. N.)

‘PRINCESS O’HARA’ (Univ.)

‘RECKLESS’ (M-G-M)

LOEW’S STATE—(3,000), 35c-45c, 7 days. Gross: $13,000. (Average, $1,850)

REEL-TIME TONIGHT (Col.)

CIRCLE—(1,325), 30c-35c, 7 days. Stage: Toto & Co., and five acts at sundry house. Gross: $5,100. (Average, $850)

‘Bride’ Hits Los Angeles’ Top, $6,500

Los Angeles, May 1.—‘Bride of the Purple Mask’ is a heavy contender in the picture forefront. The picture has been a $2,650, more than double par.

Tri-G men were attending at the Hilltop, with $12,500. It failed to make an impression at Warner’s Hollywood, where the $12,000 take was under normal by $1,000.

In its second week at the Filmnate, ‘My Heart Is Calling’ ran up $4,000, above average by $1,250. Total first run business was $82,650. Average is $9,100.

Estimated takings for the week ending April 27:

‘WEST POINT OF THE AIR’ (M-G-M)

‘MY HEART IS CALLING’ (F. N.)

‘VENESSA’ (G-M-G)

‘THE NIGHTRIDER’ (M-G-M)

‘THE GAY BRIE’ (G-M-G)

‘STILLMAN—STATE—STATE’ (M-G-M)

‘PRIVATE WORLDS’ (Para.)

‘GOLD Diggers of 1933’ (F. N.)

WARNER BROS. (FOODWOOD)—(3,000), 35c-6c, 6 days. Gross: $12,600. (Average, $2,100)

Hit Omaha Night Games

LINCOLN, May 1.—Move here to hooligan all ball yards in the city park, giving local teams away gray hair. Terrific summer heat kills ma-
tine business, anyhow, and houses are dependent on which this free softball admission looms as a menace.

Robert Livingston, manager of the Cornhusker, is making a drive before the City Council to have them rescind the decision.

Ralph Murphy Re-Signed

Hollywood, May 1.—Ralph Murphy, director, has been signed to a new one-year contract by Paramount. He is ‘Films Under Without Names,’ a Department of Justice story formerly called ‘Federal Dick.’

Tries 5-Hour Kid Shows

PORTLAND, Me., May 1.—Five-hour children’s programs have been introduced into the Empire, Abram Cohen’s, by Manager Harlan Boucher. They draw the youngsters Saturday mornings.

Thelma Todd Re-Signed

Hollywood, May 1.—Thelma Todd has been re-signed by Hal Roach for an additional year. She will continue in the comedy series with Patsy Kelly.
The Connecticut Group Opposing Checkers

New Haven, May 1—More than 50 Connecticut exhibitors have written to exchanges, saying they will refuse hereafter to admit Ross Federal checkers. This action followed a meeting of the M. P. T. O., headed by Dr. J. B. Fishman.

While exhibitors are in favor of the Warner policy of employing only its own checkers, they are opposed to the use by other distributors of Ross checkers. They insist that unless the details, that checkers have divulged confidential information to distributors other than those interested in particular pictures.

Newsreel Cameramen Conference Delayed

Because Louis Krouse, vice-president of the I.A.T.S.E., is in Syracuse on union matters, Deputy Administrator William F. Harner has postponed today's scheduled meeting with newreel heads until Campi meets again.

The conference with newreel executives and the international union is to clarify working time of cameramen.

Illinois Sale Levy Getting Big Annual (Continued from page 1)

Illinois raise $36,000,000 annually for the care of unemployed.

Would Probe Mass. Dog Racing

Boston, May 1.—The Senate refuses to consider the administration of dog racing, blocking the House's $35,000 appropriation. The Ways and Means Committee of the House recommends that instead of banning dogs this year, a special select committee be appointed to investigate the sport here and report to the next legislature on the advisability of repealing the dog racing clauses. The petition goes to the Joint Rules Committee.

Favor Ohio Bookmaking

COLUMBUS, May 1.—The House Judiciary Committee today recommended adoption of a bill legalizing bookmaking on horse races with a licensing system supervised by the Racing Commission. Costs of the licenses would be $1,000 with $200 a year additional for each clerk employed. The estimated revenue is $1,000,000, but passage is doubtful.

Change Coast Dog Bill

SACRAMENTO, May 1—Proponents of the dog racing bill with pari-mutuel betting have announced they will seek an amendment to the local option provision permitting counties to vote whether or not they want tracks. This is held to remove the protection sought by the industry.

Dress Review Held By General Casting

HOLLYWOOD, May 1.—One hundred and fifty women were reviewed at General Casting Agency over the last week-end for selections as dress extras. Those selected from this group will compete with others and be placed on a selected list of 500 by the agency. A review of men extras will be held next Sunday.

Looking Em Over

"The Woman in the Dark" (Select-Radio)

Poor, persecuted Fay Wray travels through approximately four-fifths of this feature in varied stages of discomfort because she is misunderstood by Ralph Bellamy, Melyn Douglas, Roscoe Ates and several others in this cast. This film's efforts do not help matters much and audiences stand in danger of being in the dark when it comes to deciding what the picture is all about.

The yarn has Bellamy freed from prison, where he served a term for killing a man in a fight. Miss Wray finds shelter in his cabin while running away from Douglas. When he is reformulated, accompanied by a friend, tries to take her back to his home a fight ensues with Douglas’ friend struck by Bellamy. He is then forced to flee when it is reported the man is dying. After many complications, with everyone accusing Miss Wray as a double-cropper, things are cleared up and all ends well.

As one-half of a double bill program this film should prove satisfactory. Sada Cowan adapted the screen play from a story by Dashiel Hammett.

Reviewed without production code seal. Running time, 60 minutes. "G."

"Huszarszerelem" (Dancsiba Pictures)

Gay, lifting tunes and richness of humor should make this Muvészefilm production a treat for Hungarian audiences. Since the film has no English subtitles those without a knowledge of the language will find little more than the musical content to entertain them.

The picture suffers from that fault common to musical romances—staleness of story. Again you get the tale of the dashing officer who falls in love with his colonel's little girl. These two familiar roles are taken in this instance by Paul Javo, and Irene Agai, who play in the true romantic spirit.

As in almost all stories of this sort there is an earlier romance that crops up to roughen the road of true love. In "Huszarszerelem" ("Huszar Romance") the finest part is taken by the officers of the regiment and their lady friends. While she does her darnelest to break up the romance between Javor and Imlé, Agai, the lovers in the end are in each other's arms.

The picture has been well photographed, handsomely dressed and splendidly recorded, with the acting more than adequate. Steven Szekely directed.

No production code seal. Running time, 80 minutes. "G."

"Die Csardasfuerstin" (Ufa)

Those who like musical entertainment will revel in "Csardasfuerstin" ("The Csardas Duchess"). Ufa has made a distinguished production of the Emmerich Kalman Hungarian operetta—something lovely to hear and to look at. The film weaves a powerful romantic spell with its story of the love of a titled officer for a beautiful bird. The music is light, magically tuneful and first-rate in quality. The film is also strong in humor.

The film brings again to these shores the fascinating Marta Eggerth. She and Hane Soehnker are the lovebirds of the piece. The officer falls in love with her at first sight.

The man's parents have already chosen a fiancee for him. They will not countenance an alliance between their son and a woman of the stage. It looks hopeless for a while for the lovers. In time, however, matters are straightened out to the happiness of all concerned when the youth's affianced goes off with another chap and his parents relent.

Faulnein Eggerth and Soehnker play the leading roles in fine fashion. They are supported capably by Paul Kemp, Paul Hoberg, Inge List and many others.

This is a high-class production, with beautiful and lavish settings, fine photography and a wealth of good taste.

George Jacoby directed with intelligence.

The picture, which boasts some expansive scenes, is worth seeing.

It has English subtitles.

No production code seal. Running time, 102 minutes. "G."

Seek Road Revival

Plans to revive roadshow extension are being planned by members of the legitimate theatre code authority. The regular meeting slated for yesterday has been put off until next Wednesday.

Dinner for Thad Barrows

Boston, May 1.—Thad Barrows, president of Local 182 of the I. A. T. S. E., Operators' Union, will be tendered a testimonial dinner May 12 at the Cooconut Grove.

Short Subjects

"Little Black Sambo" (Celebrity)

An amusing story is made of the adventures of the little black boy who is lassoed by a tiger and his playful dog. His attempts follow the same contour. Condensed action and constant innovations lend to its appeal. Recommended. Running time, 7 minutes. "G."

"Screen Snapshots No. 8" (Columbia)

The dinner of the Screen Actors' Guild is the scene in this case. Presented in an interesting manner, it introduces a number of screen celebrities and their wives, doing their bits. As part of the entertainment, Bert Kelton does a burlesque fandango. John Boles sings and Edward Everett Horton yarns his party to sleep. Recommended. Running time, 10 minutes. "G."

"Five Puppets" (Educational)

This latest Terry-Toon cartoon is good entertainment. It has several laughable moments. The story is brief and the musical score accompanying is appropriate. The animal world is excited when they are tried by the men to prevent the bird from landing at their home. The story finally presents five puppets to Mrs. Dog and the reel then shows how the infants are cared for. Production Code No., 304. Running time, 7 minutes. "G."

"The Life of the Party" (Educational)

These little negro 'children. The Cabin Kids, will undoubtedly add to their popularity on the strength of their performance here. They do three songs to provide practically all of the entertainment. When the great singer expected at Walter Fenn's party fails to show up he discovers the kids singing in the garden and brings them out to perform for his guests, who also join in themselves in an impromptu show. Our own local film, Thelma Sheron, The Pope Sisters and the Six Mountain Melodiers, Production Code Seal, No. 9401. Running time, 10 minutes. "G."

"The Brementown Musicians" (Celebrity)

This is a well done color cartoon that contains everything expected. It should generally satisfy. The story concerns the Grimm fairy tale characters, but is put in a modern setting and seems to prove the downfall of the farm they live off and how they are thrown on their own resources, the adventures they have as they attempt to become farmers. All ends well as they return home to find their master being robbed. They eat the tiger and the tiger is taken back into the fold. Recommended. Production code seal. Running time, 8½ minutes. "G."

Reach No Decision

Pathe interests met yesterday to discuss First Division without reaching any conclusion. Discussion went on for over an hour. The discussion was taken back into the fold. Recommended. Production code seal. Running time, 8½ minutes. "G."
Jones Sees Color
Boom by Next Fall

(Continued from page 1)
distributed "Pollock Shining." Jones declared that the improvement in color photography has placed the industry on the threshold of a new art—an art which in his estimation will instill in the public "a sense of color it never had before." The new opportunity opened up by color photography, he said, made him "look forward to an association of beautiful color with film." Jones asserted color is "not going to turn the industry upside down as sound did," because the problem involved in acquiring an audience is enormous.

As in the case of sound, it will take the public some time to get accustomed to colored film, according to Jones, who added that studios will find the new development "somewhat more expensive" than black-and-white photography, while rushes would not be made available in less than two days. He made it emphatic, however, that the "mechanical problem will be involved."

The use of color, Jones asserted, will give greater dramatic and emotional value to a story, add realism and make it easier to create moods on the screen. Color moves along the dramatic action just as music moves along the story in an opera," remarked Jones.

The stars and welcome color photography in Jones' opinion. "It will make the stars look even more lovely and more glamorous," he declared.

Senators Agree to
Act on Copyrights

WASHINGTON, May 1—Members of the Senate Patents Committee met today to discuss the Copyright Act and followed with respect to copyright legislation and agreed to push the bill in response to pressure from the State Department.

Public hearings appear to be unlikely. Complaints and requests for a hearing have been received from the Authors' League and the Music Publishers' Protective Ass'n, which may be taken up in informal conferences.

It is understood, film, radio and other industry sources which presented their views to the State Department some weeks ago are more or less satisfied. The committee will meet again May 8 for further discussion of the bill.

Mastroly Sues for
His Living Expense

LOS ANGELES, May 1—Frank Mastroly has left for New York after filing suit in Superior Court to determine the scope of the agreement which followed Mastroly's engagements with the State Department. Public hearings are to be held on the agreement and a hearing in New York to consider the contract. Some weeks ago are more or less satisfied. The committee will meet again May 8 for further discussion of the bill.

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Wall Street

(Continued from page 1)

the events there, the reception for Sidney and Mrs. Samuelson. Golf on Tuesday, the 21st, will start at the Boston Country Club. Governor Talmadge will address the first business session at 2 o'clock, and Mayor James L. Key will preside. It is stated that the Mayor, who was a lighting to hear at 4 o'clock, tea will be served for women visitors at the Governor's residence. Monday, the 20th, there will be a dance at 9 o'clock that night. More golf Wednesday, a bridge luncheon at 1 o'clock, business session an hour later. Tuesday, there will be a dance at Big Bethel Church in the evening. Thursday there will be a sightseeing trip in the morning and a barbecue at Stone Mountain at noon, with a business session at 2 P.M., and a dinner-dance at the East Lake Country Club in the evening.

Kane Settlement of
$35,440 Is Favored

(Continued from page 1)

ance of a $21,000 bankruptcy claim against John M. Kane at Paramount is proposed in a petition submitted to Special Master John E. Joyce by the Paramount trustees yesterday for hearing on May 14. Kane held a three-year contract terminating in July, 1933, at $1,500 per week, plus an annual bonus of $25,000, the petition states. In 1932, Kane's salary was reduced to $1,035 per week and the bonuses were reduced to an aggregate of about $44,000. The contract was disapproved by the Paramount trustees in May, and Kane's suit against Paramount International for $35,440 for breach of the contract was then filed.

In proposing the settlement of the suit, Kane's counsel, 39 wds. says Kane, "The Dictator" in the United States, Gaeta's would not comment on the Universal angle, but said that Toepfiz is anxious to line up with a company that has some big names. The four pictures planned will be produced on a large scale, he said.

Failure of Vocafilm
Blamed on Electrics

WILMINGTON, May 1.—Vocafilm went out of business in 1929 after investing $700,000 fighting monopoly and at that time had produced more than 20 films. Some of the trouble was due to the new patent which was made by the company, but also to the company's use of the Vocafilm film. The company then ended its operations in 1930 and was dissolved.

Hochreit also testified that the company had no intention of starting up its operations again and that it was difficult to get a handle on the company's affairs. The company was dissolved in 1930 and was not operating again until 1932.

Two Held on Film Charge

Two men, Abraham Schrier of 609 Goodman Ave. and Richard E. Schrier of 620 Madison Ave., each addresses of both prints are Elmer C. Rhodes and Rick Reckere on reorganization plans for Film West and Fox and Rocky Mountain.

Laffon Colonels
Off for the Derby

(Continued from page 1)

ington, Thursday, May 2, 1935, they go over the Chesapeake & Ohio to Louisville. At those with reservations on the special train, colonels all, are George Fitts, Roy Norr, Charles C. Pettijohn, Jack Alicare, Senator Rickett, R. W. Wheeler, B. White, president of Western Union, Sam Dembow, Jr., Harry Dajer, Nathan A., Ted Curtis, Bill German, Will Rogers and Myles Lasker.

At Louisville they will be met by the Jockey Club, broad-brimmed hats, frock coats and all the liquid accoutrements that befell the "kernels." "Kentucky Kernels" will be revived with the stars appearing in person.

As the Derby is run on Saturday, no doubt of Louisville will center about how they will run, performances and the odds. General Alicare, head colonel, will play host to Wheeler and Woolsey. They will sit in the gentleman's box at Churchill Downs and will preside over the personal prize to the victorious jockey of the Derby.

Film Fox 13-Week
Net Is $16,806

(Continued from page 1)

after all charges, including Federal income taxes, totals to 25 cents per share. Gross income was $10,470, 822.

The consolidated earned surplus at Dec. 29 was $3,066,812. After adding the net profit and deducting foreign exchange adjustments of $2, 607, the consolidated earned surplus at Dec. 29 was $3,066, 011, all of which has accumulated since the effective date of reorganization of May 1, 1943.

No theatre earnings were included in the above figures from National Theatres Corp. in which Fox Film has an interest of 42 per cent.

Warner Trailer Suit
To Go Over to Fall

(Continued from page 1)

Court before October at the earliest. The case will not be heard this month. However, if Warner's application for a stay is turned down, the trial will proceed to the final hearing at the beginning of October. Warner's application for a stay of the trial is expected to be heard at the beginning of October. The company's new calendar for 1934 was formally adopted at a meeting held in June automatically puts September out of the running.

"G-Men" Standout

Smiles wreathed Warner's faces yes- terday on the strength of the opening hours' draw of "G-Men" at the Guild Theater. In the Daily record, the company declared 2,100 tickets were sold by 10 A.M. with the $90 sign up 40 minutes later. Bert Wood and Boquete will get under way at 8 A.M. and continue until 5 o'clock the following morning.
Census Bureau Analyzes
Takes in 9,499 Spots

By BERTRAM F. LINZ
Washington, May 2.—A gross profit of $6,639,000 was shown for 1933 by the 10,265 theaters canvassed by the U. S. Census Bureau in its survey of amusement enterprises last year, according to figures made public by the bureau tonight.

Operating expenses amounted to $408,874,000, against box-office receipts of $415,152,000, the bureau found in analyzing the returns. Operating expenses were defined by the bureau as including payroll, rent, interest, traveling expenses, advertising, taxes, insurance, light, heat, power and similar expenditures.

A breakdown of the figures shows that 9,499 houses had an indicated expense of $6,639,000.

Assert W. E. Sound Equipment Forced

WILMINGTON, May 2.—Testimony was presented by Horace Truitt, projectist at Madison, Ga., and Jacob Levin, General Talking Pictures salesman, and a deposition was read from Abel Carey Thomas of Warners in the trial of the antitrust suit of General Talking Pictures and Duovac Radio against Erpi, Western Electric and A.

(Continued on page 11)

Calls Canada Music Fees Finance Racket

TORONTO, May 2.—On the resumption of an investigation by Judge Parker, authorized by the Federal Secretary of State, Arthur Slaght, counsel for the Toronto Musical Protective Society, (Continued on page 11)

Du-Art-Universal
Suit Is Withdrawn

Du-Art Film Laboratories, Inc., and Universal have settled their differences out of court and the suit,

(Continued on page 14)

MOTION PICTURE DAILY

VOL. 37, NO. 104

NEW YORK, FRIDAY, MAY 3, 1935

Put Theatres’ ’33 Profit at $6,639,000

Michigan Now Has Playdate Ban Measure

Restrictions Similar to Those in Ohio Law

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Frisco’s Theatres Bumped
By City, Postal Rulings

S. Francisco, May 2.—Exhibitors here have received three swift kicks from both Uncle Sam and the local politicians within the past few days.

Kick No. 1 occurred when the local board of supervisors passed an ordinance restraining distribution of printing matter which includes, of course, theatre calendar programs. The ordinance provided that distributors must obtain from the chief of police, that each piece of matter must contain the permit number and its origin and must be folded so that the wind cannot blow it away. These are surmountable obstacles, but the ordinance gives residents the privilege of displaying a sign prohibiting distribution of printed matter on the property of the resident. A special permit from each resident displaying such a sign would have to be obtained.

Kick No. 2 was from Uncle Sam. This was an order from postal

(Continued on page 6)

Rumor Woolf Shift

London, May 2.—Rumors are afoot again that C. M. Woolf, joint director of Gaumont British, will leave that company to join another distributing firm.

Gossip associates his name with Anglo-American Renters, Ltd., formed here a few days ago with Capt. A. C. N. Dixey, member of Parliament, as its head.

Para. Creditor Groups Favor Zukor Regime

Continuance of Present Officers Foreseen

The four leading Paramount creditor groups behind the company’s reorganization are in agreement on continuation of the present Paramount management headed by Adolph Zukor, spokesman for the creditors revealed yesterday.

This means that, with the election of officers of the new Paramount, which may take place within the next two or three weeks, Zukor would be continued as president; George J. Schaefer as vice-president and general manager; Austin C. Kesough as secretary and head of production matters in the east, and Y. Frank Freeman in charge of theatre operations.

An agreement on a chairman of the board and on a candidate to fill the long vacant post of treasurer of the company has not been reached yet. The latter office in the future will probably be closely associated with the new finance committee and, (Continued on page 10)

New Fox Met Bids Believed Unlikely

With tomorrow set by the Federal court as the deadline for consideration of any new offers for acquisition or reorganization of Fox Metropolitan Playhouses, and no new proposals made yesterday, indications are that the Joseph M. Schenck and S. F. Babin reorganization will be the

(Continued on page 2)

Quigleys Greeted
On London Arrival

By BRUCE ALLAN

LONDON, May 2.—Martin and Mrs. Quigley arrived from Paris today and were officially welcomed at Victoria Station by Neville Kearney, representing the Federation of British Industries.

(Continued on page 11)

Predicts Unlimited Listing for Extras

HOLLYWOOD, May 2.—Attorney Eugene H. Marcus, representing the extra organizations, made a formal announcement last night at the open
WARNERS are financially interested in “Three Men on a Horse,” “Ceiling Zero” and “Fly Away Home,” three current Broadway plays which are getting along minus worries. This successful dabble into the realms of the legitimate theatre is leaving its mark on several other burning ambitions and now Metro is working out a deal with Max Gordon, Sam Harris and Billy Rose. Paramount is considering another romance which perhaps the romance is already consumed with Lawrence Stallings, Bob Sherwood, Max Anderson, Sidney Howard and Philip Barry, as producers. Arthur Hopkins, as Producer. United Artists then financed “The Red Cat,” which subsequently found itself transformed from the matchmaking and to this serious genre.” In and out of the producing field for years with alliances such as these, the observation which appears obvious to this extent that the producers of the earlier-mentioned productions should make up their minds to stay in. They buy the hits always and the mediocrities usually. Stage producing is perhaps a more lucid, depending for its success, upon the ability of a producer to make the costs of making pictures, but the talker rights that accompany the above and other deals to come early are worth the gamble. Just so long as Hollywood continues to publish a percentage of its material from the New York stage, so shall the union between the two be cemented."

**Wall Street**

**Trading Irregular on Big Board**

**High** | **Low** | **Close** | **Change**
--- | --- | --- | ---

| Columbia, vta | 45 5/8 | 44 1/4 | + 1/4 |
| Loew's, vta | 45 3/8 | 45 1/4 | + 1/4 |
| Metro, vta | 41 1/4 | 40 3/4 | + 1/4 |
| 20th-Fox, vta | 36 5/8 | 36 1/2 | + 1/2 |
| Paramount, vta | 34 1/8 | 34 1/8 | + 1/4 |
| Warner | 34 1/8 | 34 1/4 | + 1/4 |
| **Average** | 38 13/16 | 37 3/4 | + 1/4 |

**Columbia Gains 1 3/4 on Curbing**

**Net** | **High** | **Low** | **Close** | **Change**
--- | --- | --- | --- | ---
| Technicolor | 184 13/16 | 184 13/16 | 183 15/16 | + 1/4 |
| **Average** | 183 15/16 | 183 15/16 | 183 13/16 | + 1/4 |

**Para. Pub., Bonds Gain 3/4**

**Net** | **High** | **Low** | **Close** | **Change**
--- | --- | --- | --- | ---
| General Theatre | 66 1/2 | 66 1/2 | 66 1/2 | + 1/2 |
| Equity, w/vf | 30 5/8 | 30 3/8 | 30 3/8 | + 1/8 |
| wb deb rights | 104 1/2 | 104 1/2 | 104 1/2 | + 1/2 |
| Paramount Bond | 65 3/4 | 65 1/2 | 65 1/2 | + 3/4 |
| Paramount Public Bond | 63 1/4 | 63 1/4 | 63 1/4 | + 3/4 |
| **Average** | 65 3/4 | 65 1/2 | 65 1/2 | + 3/4 |

**Kaufman Made Producer**

Hollywood, May 2—Edward A. Kaufman, writer, has been made an associate producer by Radio.
WOMEN WILL ADORE ITS DARING INTRIGUE

THEY’LL GASP
—when a beautiful intruder boldly invades a gay bachelor’s apartment one minute after a murder.

THEY’LL GLOW
—when, to capture his heart, she becomes his captive... in a breathlessly dangerous game of love.

THEY’LL GLORY
—in the gorgeous gowns and stunning settings... the rapid-fire pace... the thrilling excitement.

AND THEY’LL BRING THE MEN IN WITH THEM!

LADIES LOVE DANGER

MONA BARRIE • GILBERT ROLAND
DONALD COOK • ADRIENNE AMES • HARDIE ALBRIGHT
HERBERT MUNDIN • JOHN WRAY

Produced by Edward T. Lowe
Screen play by Samson Raphaelson
From a story by Ilya Zorn
Directed by H. Bruce Humberstone
Adaptation by Robert Ellis and Helen Logan
CONTINUOUS PERFORMANCE 8 A.M. TO
-DAILY NEWS

WARNER BROS.'

EN

5 A.M. AT NEW YORK STRAND NOW!
Put Theatres' '33 Profit at $6,639,000

(Continued from page 1)
gross profit of $4,164,000, operating expenses being $332,152,000 and box-office receipts $356,316,000.

The 644 film and vaudeville houses listed appear to have broken even, their gross receipts and operating expenses both being $59,266,000.

For all branches of the theatre industry in all states went into the black in 1933, the figures indicate. In 18 states, one or more branches showed a loss. In Maryland, film houses were in the black, but others just broke even.

In Connecticut, Massachusetts, Ohio and West Virginia film theatres showed losses; in Michigan, Minnesota, New Jersey, Pennsylvania, Rhode Island, Utah and Wisconsin, where there was no breakdown, losses were shown for the theatre industry, generally, and in Idaho, Indiana, Iowa, Kentucky, Maine, New York and Oregon the film and vaudeville houses finished in the red.

Figures for New York

The bureau's report on New York shows that 201 film houses had receipts of $88,150,000 and operating expenses of $82,118,000, and 30 legitimate theatres had receipts of $3,907,000 and expenses of $2,535,000, while 29 film and vaudeville theatres had receipts of $4,850,000 and expenses of $6,101,000.

In California 455 film theatres had receipts of $33,037,000 and expenses of $19,531,000. 163 film and vaudeville houses had receipts of $15,929,000 and expenses of $13,124,000, and 11 legitimate theatres had receipts of $927,000 and expenses of $899,000. Pennsylvania's 785 houses of all kinds took in $30,891,000. 111 had expenses of $33,636,000, which appeared to be the worst break suffered in any state.

A comparison of box-office receipts and operating expenses for each state, classified where broken down by the census bureau, is given in the accompanying table.

| Film Payroll Is Fifth | Hollywood, May 2.—Film payrolls represented almost a fifth of the wages paid in the Los Angeles County Industrial area in 1933, according to a U. S. Census Bureau report released by the Department of Commerce. The report states that 9,022 workers were paid $1,461,019. The number of companies operating was 39, as compared to 67 in 1931 and 52 in 1929. Materials, equipment, fuel and electric current expenses amounted to approximately $17,092,643. The estimate of the value of the studio output was $97,484,377 compared to $11,416,293 for 1931 and $129,274,246 in 1929. Total wages paid to all industrial workers in the country during 1933 amounted to $86,307,124. |

<table>
<thead>
<tr>
<th>Theatre Intake and Outlay</th>
<th>Washington, May 2.—This is a breakdown of the theatre industry in the United States for 1933:</th>
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<tbody>
<tr>
<td>Number</td>
<td>Box-Office Receipts</td>
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<tr>
<td>Alabama</td>
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<td>Arkansas</td>
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<td>California</td>
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<td>Connecticut</td>
<td>Motion picture</td>
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<td>Delaware</td>
<td>All</td>
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<td>District of Columbia:</td>
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<td>Florida</td>
<td>All</td>
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<td>Georgia</td>
<td>Motion picture</td>
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<td>Nevada</td>
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<tr>
<td>New Jersey:</td>
<td>All</td>
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<tr>
<td>New Mexico</td>
<td>Motion picture</td>
</tr>
<tr>
<td>M. P. &amp; vaudeville</td>
<td>4</td>
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</tbody>
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(Continued on page 7)

City, Postal
Rulings Bump
Frisco Houses

authorities instructing daily newspapers not to accept theatre advertising mentioning 'rank-night' performances.

Kick No. 3 also was from Uncle Sam. This was an announcement from postal authorities that effective July 1, newspapers cannot distribute printed matter in quantity lots without addressing each piece. Since last September the postoffice has accepted calendars for distribution to unnamed and addressless residents, the mailman merely placing one calendar in every mail box on his route.

Toepplitz to Start "Chicago in July"

In line with his plan to go the limit on production, Ludovico Toepplitz will next make "Don Chicago." Production in England around the middle of July with American personnel and players participating.

Paul Toeplitz sales head for Toepplitz as well as personal representative, leaves for the coast in two weeks to line up talent for "Don Chicago." Before he goes west, Grizel will close with one of the major distributors for American distribution.

Toepplitz plans to make four pictures a year, two in England and two here in cooperation with a major producer. Grizel will spend two weeks on the coast and a fortnight here on his return before sailing for home.

Riverside Learns of Films from Shapiro

Hollywood, May 2.—If 200 citizens of Riverside, all members of the President's Club, don't know a lot about production and distribution, it isn't Victor M. Shapiro's fault. He talked for an hour on "The Motion Picture Industry" and then answered questions as fast as they were fired at him.

The questions covered a wide field—whether the industry would move to Florida, whether Mae West was really married, and many other angles. After exhausting himself Shapiro went back to the Qugley Publications office and mailed Motion Picture Daily a clipping from a Riverside paper instead of writing the story himself.

Yamins to Head Group

Boston, May 2—Nathan Yamins and Walter Littlefield will head a delegation of some 30 members of the Independent Exhibitors of Massachusetts, Inc., to the Allied convention in Atlanta. Edward Ansin, Harold Stoneman, Frank Lydon, William McLellan, Edward Graver and Richard Robin and Arthur Howard are among those expected to make the trip. Automobiles will be the favorite form of transportation. Robin is chairman of the committee in charge of plans for the trip.

Marshall Neillan to Fox

Hollywood, May 2.—Marshall Neillan has been signed by Fox to direct Jane Withers' new picture.
FPC Loses Fight to Boost Balboa Scale

(Continued from page 1)

for changes be made in the local board.
The schedule goes into effect May 15.
F. W. C. executives have maintained throughout the Campi hearings that they were acting for the group they did not already have. In every instance where the circuit protested the schedule something was taken away from it, they declared.

Arthur told Campi on Wednesday that he would boost the Balboa Scale allowing Huntington Park, Florence and Inglewood who would likewise. Inglewood and Huntington Park first must get top admission under the schedule, play seven days after downtown Los Angeles, while Florence plays seven days after Huntington Park, which must wait seven days after downtown L. A.

While Code Authority was in favor of exhibitors hiking the tariffs, it felt that any pressure to this end would violate the code, which it so-price-fixing is prohibited.

Further developments by Fox West Coast on the Balboa and other situations was at the hearings when the Court granted permission by the schedule will follow after conferences between Al Hanson and Charles Skouras. Hanson left for the coast yesterday morning, Engeled in New York. Skouras, it is known, contends he got a "raw deal," but wasn't decided what he will tell him to talk to Hanson. An appeal to Washington was indicated last week. Then again court action may be taken.

Test of Plan is Awaited

Campi, in approving the schedule as revised last week, was not anxious to make any further changes until after the test. If it doesn't work out, the schedule may be revoked in toto. However, independent exhibitors, as well as F. W. C, can protest various clauses at any time after it becomes operative.

During the various hearings on the plan representatives of the Federal Trade Commission in Washington have sat in as unofficial observers. This because of the consent decree angle involved in an agreement on first run admissions in Los Angeles.

Campi said yesterday that he would read in the record a letter from Julius Charnow of the Leona, Leona, N. J., to the effect that all exchanges except Fox refused to comply with the recent clearance decision. Code Authority said that the decision speaks for itself and no clarification of the order is necessary.

Charnow today will try to get pictures seven days after Inglewood and seven days ahead of Palisades Park. He is advertising certain pictures he has requested and unless distributors comply he will file suit.

More than 35 appeals were disposed of. The next session is for Thursday.

Ignore Chicago Objectors

- Chicago, May 2—Taking time out for a hasty hearing of the Great States complaint against E. H. Alger Amusement Co., the grievance board ruled yesterday over objections of counsel for Alger on the qualifications of various board members. Alver's contention that certain board members themselves were indulging in practices complained of against Alger disqualified them as impartial judges was rejected.

A packed room turned out for the hearing, which is proving spectacular because of the calibre of the legal talent representing both parties. Rosenblatt, Tichnor & Burt are representing Alger, while counsel for Publix Great States has been augmented by Edmond D. Adcock, associate of Leo Spitz, Publix Great States and Alver's.

On advice of counsel Alger refused to answer any questions under his con- ditions, after which the taking of testimony was started. An appeal is predicted if Alger is ordered to end red admissions in the form of forms and bank night and lotter-

Chicago Exhibitors Vote

Chicago, May 2—Ballots permitting Alger to decide on retention or scrapping of the premium practice in the metropolitan area were mailed by the code board May 1 on request of an undisclosed petitioner. Failure to return a ballot will be construed as a vote for retention.

The sponsor of an identical canvass made a year ago withdrew his request before the blow-off and no count was made. Since then the use of premiums has been ordered until an estimated 150 houses in the give-and-take list.

Darien Case Dismissed

NEW HAVEN, May 2—As a result of the grievance and clearance and zoning complaints involving Stamford, New Canaan, Darien and Norwalk, the Darien Theatre, Darien, has been ordered to stop reducing scales under those stipulated in contracts. Demand for longer clearances by Stamford and New Canaan over the theatre have been dismissed "for lack of jurisdiction."

Stamford first runs and New Canaan complained against Darien when it reduced its 40-cent scale to 25 cents, and at the $1.50 fee for admission and zoning protests demanding increased clearance. In a counter-complaint the local board of appeals over itself decreased. The local board dismissed the clearance and zoning case by Darien. Judge Mark Norman, representing Darien, has appealed the grievance board cases and says he will appeal the clearance cases.

Predicts Unlimited Listing for Extras

(Continued from page 1)

extra meeting that the extra preferred registration list had been dropped. He added that it would be dropped early next month and be continued with Compliance Director Sol A. Rosenblatt and a list and when he returned here he anticipated the plan would be dropped.

Last night Marcus predicted the formation of the Extra still, however, but said the new one would be Unlimited. He also hinted that several members of the Extradexion Committee were slated to be dropped.

Frank Woods, head of Picture Players, Inc., also addressed the gathering and warned extras to stop fighting among themselves.

The Junior Screen Actors' Guild also elected the following advisory board for the coming year: Richard Allen, Samuel Appel, Samuel Benson, Mary Beshara, Robert Card, Buck Beiseball, Helen Breslaw, Samuel Braemer, Peter Durey, Nellie Farrell, Mrs. Ray Feldman, Peter Gardiner, Grace Grant, Jack Granger, to officers, Major Philip J. Miller, Stella LeSain, Scotty Mattaw, James Zim- mon in, Jean Ford, Alexander Pollard, Lee Powell, Forrest Rush, Marvin Smith, Will Strobel, Jean Valjean and Clarence Wertz. The group re-elected chairman of the entertainment committee and members of this group will be selected at Tuesday's meeting.

Delay Century-RKO Case

Following a request by Louis Nizer, attorney for RKO, Campi postponed the appeal hearing on Century-RKO clearance issue in Long Island until May 15. The hearing was set on the calendar for today, but Nizer was requested by Mayor LaGuardia to be at his office this afternoon without fail and to put off the Campi appeal.

Dickinson Hearing Set

WASHINGTON, May 2—The application of actor Robert Dickinson, operator of a number of theaters in Kansas, Missouri and Iowa, for exemption from the labor provisions of the code will be discussed at a hearing to be held May 6 before the state compliance director for Kansas at Topeka.

Baron Appeals Ruling

BOSTON, May 2—Joseph M. Baron has filed an appeal on the decision of the clearance and zoning board dismissing his protest against prejudice because all parties interested in the case were not included in the complaint. Operating the Grand in West Roxbury, where many objections were made to the board's clearance for the Poli in Springfield which is 28 miles away.

Stop Coast Board Order

LOS ANGELES, May 2—The grievance board has ruled itself on its order to stop film service for the Ventura and San Fernando theaters. It declared that a hearing should be held to allow exhibitors to make complaints notices.

Son to Alan Simpson

Hollywood, May 2—An eight-pound son has been born to Alan Simpson, son of the local Selznick-Joyce office.
They met machine guns with microscopes and trooped the greatest killer of the age!

They smashed a reign of terror with test-tubes in America's "silent war"!

LET 'EM

RELIANCE PICTURES presents
AMERICAN YOUTH AND
SCIENCE SWING INTO
ACTION IN THE WAR
AGAINST CRIME!

Microscopes against machine guns, relentlessly track-
ing unseen and unknown mobsters...re-building their very
images from simple clues, trapping them in their hide-outs
from tiny bits of evidence!

"LET 'EM HAVE IT!"...the embattled cry of aroused
youth in America's "silent war"! A story of incredible
daring, of high courage...of a youthful army fighting
ceaselessly while a nation sleeps!

HAVE IT

Richard
Virginia
ARLEN • BRUCE
Alice
Bruce
BRADY • CABOT

Produced by
EDWARD SMALL
Directed by
SAM WOOD

Released thru
UNITED ARTISTS
Purely Personal

FRANK CROWNINGHIELD and MARGARET CASE OF Vanity Fair, William FLYNN of Liberty, DAXON RUNYON, GRANTLAND RICE, ELSA MAXWELL, BEATRICE LILLIE, J. E. OTTERSON, MARGARET PEEBLES, GILGER and MARK MAYER are all back from everyting in Florida. Frank Flynn telephoned in the other day to tell me he had seen Billy Rose, the Broadway producer, and he said Billy is definitely going to New York to try his hand at being a producer. Billy has an idea of putting together a hit musical comedy. He's very excited about it and plans to start work next week. I'm sure he'll be successful, whatever direction he finally decides to take.

HEBB BERG starts his vacation from United Artists this week-end, and if his plans carry through there'll be less fish in the sea off Montauk Point by nightfall Sunday than ever before. That new tackle of his should do the trick if nothing else does.

\[**Tywars Literature**\]

His sales division won the prize while the sales assistant was vacationing in Florida. Sales manager wanted to send him a congratulatory message and called the publicitv chief for the letter. "Make it swell and I'll sign it," he ordered.

Liberally south, no acknowledgment came. When the assistant returned, he popped in on the publicity man and said: ""I got a swell letter from the boss, but you know I'm not much on typing. A lot of things I don't answer it because I wanted you to frame the reply for me."

Publicity chief went to his typewriter and expressed the assistant's gratitude to the boss with a literary flourish. Assistant's secretary delivered it. The boss read it and wished he could write as well as his assistant.

Publicity man remained discreetly silent.

CHARLIE ADLER, GEORGE KELLY, BILLY MANN and MARY KERN of the Yacht Club Boys, start work today in a two-reeler, "The Vodka Boatman," at the Vitaphone studios.

ARTHUR BRILLANT left yesterday for Baltimore as advance man for DAVE RUNYON. From Baltimore he will go to Chicago and Minneapolis with other bookings pending.

HAL HITTEN spent the day in bed yesterday. That cold that's been bothering him, plus the excitement of the SAMMY COHEN farewell luncheon, finally laid him low.

BETTY FURNESS, here visiting her family while vacationing from the M-G-M studios, returning old acquaintances at El Morocco and "21."

MARY BIAN, accompanied by her mother, attracting attention as she walked through Saks yesterday on a shopping tour.

AL LICHTMAN missed the rain yesterday afternoon by ducking out of 729 into Huyler's next door.

Joe MOSKOWITZ, minus his sidekick, Bob GOLDSTERN, strolling up 7th Ave. yesterday followed by Arthur KELLY and then PRIMO CARRERA, who

REIDSVILLE, N. C.—The Lucky Strike is now only running four pictures a week, and the schedule so business is away off at the Rockingham Theatre, C. W. Davis, manager, and in charge of the "gig" house. The Broadway will be closed some time in June for an extensive remodel! ing. This house will practically be rebuilt and enlarged, making it, when finished, the equal of the Rockingham. W. H. Hendrix of Greensboro owns these theatres.

VALDESE, N. C.—Ground was purchased last week by J. W. BOY- field, Henry Grill and associates and present owners of the Colonial for a B house. Work on this new theatre will start in summer. The hoistery mills are running full time and we began Filming county sox under the watchful eye of J. D. Carter, general manager. J. D. likes to make exhibitors' conventions and brightened up when we told him about the Allied meeting this month at Atlanta.

MORGANTOWN, N. C.—C. V. Davis, owner of the Alva and an exhibitor here for the past 22 years, is still able to "sit up and take matters." C. V. is looking at a new business. Sorry we cannot tell you about it because he threatened to shoot us next time we came along if we did. But he has a large picture of Willie Hoppe adorning the walls of his new establishment. Davis is also associated with F. H. Hirsch in operating the Avon, Lenor, F. W. Davis is managing the Alva and states the Kozono, recently installed, is giving 100 per cent satisfaction.

NORTH WILKESBORO, N. C.—Harold Kay, the "boy wonder" from Painesville, O., who ran the Utopia and Park there, is giving the natives of the Blue Ridge down here a taste of real Buckeye showmanship. Harold has dolled up the Liberty and is getting a big play with the modern last night of "Round Table Club" advertising.

TRYON, N. C.—Charlie W. NES- smith, impresario extraordinary and owner of the Tryon, was interviewed during a practice session of the forthcoming "tilting contest" to be held by the Tryon Riding and Hunt Club at its annual horse show. Undertook "Saddle and Field" Division: Jack Dumestre, RCA; Roy Smart, Wilky-Kincey; Bob Ingram, Columbia, who entered their mounts. The Tryon is getting a good play from the many tourists who are stopping over here on their trek north from Florida. "Evergreen" drew capacity.

\[**Para.Creditor Groups Favor Zukor Regime**\]

(Continued from page 1)

particularly, with the chairman of the creditors' committee, Alvin Zuckor, the head of Paramount Pictures. This corporation, which was recently awarded the rights to the exclusive use of the new Paramount stock subscription warrants, is being prominently mentioned for chair- man of the finance committee.

The viewpoints favoring the continuation of the Zukor management were expressed by representatives of the 'holdinners' and stockholders' com- mittees, the creditor bank group and the so-called Fortington creditor group. Among them, more than 50 creditors or Paramount creditors are represented. The attitude voiced by each group's spokesman was that the management delivered its annual report and the on-going financial affairs of the company's new directors is scheduled for May 15 and is expected to be followed immediately by the election of officers.

APPROVES CRAVATH FEES

An order authorizing the payment of a claim against Paramount Public for $25,142 by Cravath, de Gerdorff, Head & Hess, was filed yesterday. The order, which was delivered by Federal Judge Alfred C. Coxe yesterday. The order, in addition, releases Cravath from any claims arising out of the payment to it by Paramount of fees aggregating $87,024 in 1932 and 1933, as the payments were services rendered "in contemplation of bankruptcy."

The new Aampa officers yesterday and outlined plans for the coming year.

MIRIAM HOPKINS sporting a bright raincoat on 52nd St. yesterday.

AUSTIN C. KEOUGH is looking over the train schedules to the coast.

\[**Pittsburgh**\]

STANLEY RIDGES, who has just finished a role in Hecht and MacAr- thur's "The Scoundrel," is in town with the Lunt-Fontanne show, "Taming of the Shrew."

BETTIE STEELE and L. B. COOL soaked a dinner and screening of "Thunder in the East" for the critics Sunday night. 

COINIE LAVAGETTO and TOMMY PANNER. Pirate baseball stars, always take in those Sunday night screenings at the Variety Club when they're not on the field.

AUBREY CHRISTIE has returned to the leading role of "Sailor, Beware" after auditioning in New York for the "Paramount map "Prize.""

STEPHANIE DIXON, Pittsburgh girl who is on Joe Penner's air pro- gram, is being lined up for screen tests.

NEE HOLMES, one-time story editor for Fox, is around again for the Guild play, "Rain from Heaven."
First of 2 M-G-M Meets on Tomorrow

(Continued from page 1)

The company has yet to deliver nine for the 1933-34 season. The nine undelivered features include one Jeanette MacDonald, one Jimmy Durante, one Norma Shearer, one Wallace Berrey Clark Gable, one Jean Harlow-Clark Gable, two specials listed as "Soviet," "Two Thieves," and "No More Ladies" with Joan Crawford. The Crawford picture will be released on June 14.

Local exhibitors say they are considerably pleased at M-G-M's proposal to develop Berrey and Gable to 20th Century and Columbia and not delivering the 1933-34 release in which they were scheduled to appear.

On the short lineup, M-G-M will have ten Traveltalks from James Fitz-Patrick in Technicolor in addition to the one-reel "Highlights of New York." Harmon-Ising will contribute 13 single reel Technicolor cartoons. Pete Smith will have his usual lineup. Hal Roach will attend the two meetings to detail his plans.

Story Trends Out, Says Marx

Story trends are out as far as M-G-M is concerned next season, according to Sam Marx, studio story head now in New York on a quest for new material.

Successful plays and books in popular demand are being sought by the company. While here, Marx will confer with writers and also give a number of plays an official onover.

Quigleys Greeted On London Arrival

(Continued from page 1)

31st and 32nd years seven per cent sinking fund gold debentures due May 1, 1937, with non-detachable stock purchase warrants attached.

Muriel Gordon

Address Rowland & Olive Sts., s/o "In Caliente" Company, Burbank, Cal.
A JOHN FORD PRODUCTION
with
VICTOR McLAGLEN ★ HEATHER ANGEL
PRESTON FOSTER ★ MARGOT GRAHAME
WALLACE FORD ★ ★ ★ ★ UNA O'CONNOR
From the story by Liam O'Flaherty
Cliff Reid, Associate Producer
RKO RADIO PICTURE
LAST WEEK WE PREDICTED THAT EVERY CRITIC IN AMERICA WOULD PLACE THIS PICTURE ON HIS LIST OF THE "TEN BEST" FOR 1935

HERE IS THE START OF THE NATIONWIDE STORM OF PRAISE

"A FINE AND DISTINGUISHED MOTION PICTURE... IN EVERY WAY A SPLENDID CINEMA ACHIEVEMENT"

Richard Watts, Jr. in Special preview for N. Y. Herald Tribune

AND FROM HOLLYWOOD

"'The Informer' is one of the finest pictures ever to come out of Hollywood"

Los Angeles Examiner

"It held a preview audience spellbound!... by far the most dynamic picture that has been shown in many months"

Los Angeles Times

"This picture should be listed among the greatest films ever produced"

The Movie Mirror

"'The Informer' is magnificent"

Hollywood Reporter

"Strong entertainment... it looks like a natural"

Hollywood Variety

"A triumph of artistic expression"

Motion Picture Daily
MOTION PICTURE DAILY

Du-Art-Universal Suit Is Withdrawn

(Continued from page 1)

originally filed by Du-Art against the distributor, will be heard.

The action hinges on complaint of Du-Art that Universal, despite the existence of an alleged contract, withdrew its printing from the former at the time the “U”-Consolidated deal was made a few months ago.

William McKay, attorney for Uni-

versal, refused to discuss terms. Bu-

shel and Gottlieb, attorneys for Du-

Art, could not be reached for a state-

ment.

Blendess Summoned

On Trick Ad Paper

Morris Blendess, operating the Ti-

vori, Brooklyn, was summoned by Li-

cense Commissioner Paul Moss yester-

day at 7 o’clock a.m. to appear to show cause why a进行ing should not be issued against him for “The Whole Town’s Talking” with Police Department Pass printed on it in bold type. Blendess stated he got the idea from a Columbia press book. A Columbia attorney also attended the session. Moss threatened to close the theater unless a substantial contribution on the advertising was stopped.

No Florida Film Bills

TALLAHASSEE, May 2.—Half the eight-week session of the Florida Legislature has passed with no bills passed affecting the industry. The proposed 10 per cent admission tax is dead.

A billboard tax is pending and another bill has been introduced to im-

pose heavy fees on bank nights. It has been reported unfavorably and effort will be made to scale down the fees.

Two members of the House have come out in favor of a constitutional amendment providing for an income tax, but the move has not been taken seriously so far.

New Taxes Loom in Ohio

COLUMBUS, May 2.—Governor Martin L. Davey, heretofore averse to imposition of new taxes, has re-

versed his position, admitting that he was mistaken when he promised he could finance old-age pen-

sions out of savings in state govern-

ment operation. This, he now asserts, is impossible, and new sources of revenue must be found independently of anything else. An estimated $6,000,000 will be required for the last half of the current year, and $15,000,000 for 1936.

In his message to the General Assembly he said it would be neces-

sary to call a special session early in the fall to work out a comprehensive program.

Washington Tax Starts

PORTLAND, May 2.—Sales tax collec-

tions have been started by all Wash-

ington theaters. The rate is one cent on every ticket up to 20 cents, 20 cents from 20 cents to 40 cents and three cents from 40 to 60 cents. Pennies are being used.

RKO to Play Soldiers

The RKO baseball team will play a return engagement with the Fort Jay Hospital Detachment Saturday after-

noon. This is the third preliminary game prior to the opening of the M.

P. League on May 11.

MOTION PICTURE DAILY’S

HOLLYWOOD PREVIEW


Short Subjects

“Mickey’s Kangaroo” (Dimey-U. A.)

It was Puss, the dog, that had a local theatre audience howling at his antics in this, the latest of the Mickey Mouse series. Mickey is his usual companion in this short, in both the two new characters, the Kangaroos.

Mickey meets a present of a mother and a baby kangaroo from a friend in Australia. On discovering that the animals have Mickey puts on the game with the mother. He takes a terrific beating and wins up in a hay baling machine. In the meantime the Kangaroo family is chased all over the place by the baby. The four wind up pals, however.


“Teacher’s Beau” (Roch-M-G-M)

This “Our Gang” comedy is swell entertainment, particularly on the part of Alphonse Parey and the Cabin Kids, five little singing pickaninnies. The favorite school teacher of the gang announces she is to be married and the pupils are decided to lose her, try to break up her romance. They do all in their power to discourage her fiance and when the girl prepares a supper for the children and their parents, they do the food only to be forced to eat it themselves when the tables are turned on them.


“The Little People” (M-G-M)

Charles (“Chic”) Sales is here pre-

sented in another of his character sketches. This time he is a woodcut-

ter who teaches the love one should have for creatures of nature. In order to do this Sales takes a little boy and teaches them to feed the forest and points out all the animals and birds tending their young. The young-

ster, who had intended to trap these animals and share in their heart softening and learns his lesson. Much of Sales’ typical humor is injected to enhance appreciation and make the story work.

No production code seal. Running time, 9 mins. “G.”

Soviet Asks Permit

To Use U. S. Scripts

HOLLYWOOD, May 2.—It was re-

vealed here that the Soviet govern-

ment plans to extend the education of film workers and has submitted the preliminary request and asking producers’ permission to publish film scripts in book form. The proposal was submitted by Sergei Eisenstein of the State Cinema University of Mos-

cow.

Twelve of the recently produced scripts are listed, and the Film Academy will probably submit the plan to the producers this week.

Skouras Still Touring

SAN FRANCISCO, May 2.—Charles Skouras has returned here with his new film, “Die Maske,” to continue his survey of the local terri-

ory. Skouras had returned to Holly-

wood late last week.

“Age of Indiscrption” (M-G-M)

HOLLYWOOD, May 2.—This problem play, treating sympathy from the angle of divorce, has its chief entertainment and showmanship interest in David Jack Holt’s remarkable performance.

The serious story of the familiar father-and-son pattern is mainly slow tempo, although satisfactorily contrasted by cleverly developed romance and comedy as it moves to a sock climax.

In the yarn Paul Lukas, an alcoholic lawyer, is deserted by his luxury-loving wife, Helen Vinson. Following her Reno divorce, Lukas’ only solace is his son’s company, a condition made more bearable by the friendship of his secretary, Magve Evans, develops for the boy. Miss Vinson’s disillusionment in her new husband, Ralph Forbes, is made tragic by the firm insistence by the boy’s grandmother, May Forbes, to remove the boy under the temporary custodial arrangement, the situation which convinces Miss Robson that Lukas is not a fit guardian for the boy.

Moving into the courtroom, the breaks go against Lukas until Holt rushes in to castigate his mother in a tense sequence which makes Miss Robson and the judge, George Irving, realize the true status of things and assures a happy ending with the boy and Lukas, who will marry Miss Evans.

The yarn is neither new nor different, although Leon Gordon’s and Otis Garrett’s screen play and Edward Ludwig’s direction make good use of what is available. The acting honors go to Holt and Miss Robson, with the other principals, Lukas, Miss Evans, Miss Vinson and Forbes in support.

The picture is an adult attraction of average class with Holt seemingly the most potential interest-creating factor.

Production Code Seal No. 838. Running time, 80 minutes, “A.”

“The Flame Within” (M-G-M)

HOLLYWOOD, May 2.—Intelligent audiences will appreciate Edmund Goulding’s sincere production written and directed by himself. It delves into the love complexes of the wealthy Maureen O’Sullivan and frustrated Louis Hayward and Ann Harding, who has her emotional problems with devoted Herbert Marshall.

Maureen, suffering from a suicidal intent, and Hayward, suffering from alcoholism, are cured by Ann and married. Hayward then discovers that his wife is not in love with him, but she decides on Marshall, the symbol of protection.

In propelling this delicate subject, Goulding has handled it with dignity and restraint. Although emphasis is placed on romance, the film still remains loyal and a remote clinical survey of emotions under the microscope. Peering thus into the souls of people may leave audi-

ence with a sense of self-terror.

Miss O’Sullivan’s performance as a neurotic enhances her reputation in portraying difficult emotional characters. Hayward, England’s new screen personality, is attractive and able. Miss Harding’s well-chiseled portrait identifies her more with confidence than sympathy. Marshall, always reliable, plays a secondary role splendidly. Henry Kolker, that they get the child’s school are fine in support.

Production values are high-class in all respects, from Goulding’s direction and Laura Hope Crews’ assistance to Jerome Kern’s music and James Wong Howe’s photography.

Draw names and title lure should get an opening mainly feminine, although follow-up business poses a question.

No production code seal. Running time, 75 minutes, “A.”

“G Men,” now at the Strand, was reviewed by wire from Hollywood on April 17.

“Mark of the Vampyre,” now at both the Mayfair and Rialto, was reviewed by wire from Hollywood by wire on March 5.

“The Scoundrel,” yesterday’s opener at the Radio City Music Hall, was reviewed by wire from Hollywood by wire on March 20.

“The Laddie,” premiered at the Radio City last night, was another coast preview.


“The Devil Is a Woman,” which will open at the Paramount this morning, was reviewed by wire from Hollywood on Feb. 25.
The achievements of thousands of people in every department of the motion picture form a record that is indelibly registered each year in Motion Picture Almanac... from the mass of data assembled for each year of activity Motion Picture Almanac selects, classifies and defines that which is most pertinent and valuable about and to the motion picture industry of all the world.

MOTION PICTURE ALMANAC

1935-36 Edition Now in Preparation
THE BEST IS GOOD ENOUGH FOR

ERNEST TRUDEX

"Only the Brave"

"The top. This is easily the best work Ernest Truex has done in the shorts field. They have found the type of material that fits him perfectly, and Truex scores with telling comedy throughout the film... Class laughs delivered by a master."

—Film Daily

JOE COOK

"A Nose for News"

"Swell laughs. The best thing Joe Cook has done in pictures... Joe gets a job as a reporter and is sent to interview a notorious gangster. The gangster steals Joe's newspaper and walks out, leaving Joe to take his place. Joe makes several very funny jail brooks, and each time is shooed back by the gangster. It's a swell piece of business, and will get the laughs in any theatre."

—Film Daily
Expect M-G-M To Hold List At 52 Again

Sales Force to Get Word At Detroit Sessions

DETROIT, May 3—M-G-M officials are expected this week to tell their eastern regional sales convention, which starts here today, that the company again will have approximately 52 features for the 1935-36 season. The short subject lineup probably will match the current season's output in numerical strength, but it is no more.

About 110 home office executives, division and district managers, branch managers, salesmen, office managers, bookers, auditors and exploiters will attend the three-day meeting at the Book-Cadillac. Felix F. Feist, general sales manager, tops the list which will—(Continued on page 4)

M-G-M Gets Rowland For Stories, Talent

HOLLYWOOD, May 3—Richard A. Rowland, who in 1914 organized Metro and headed the company until 1919 when he sold out to Loew's, has rejoined the company he founded under a term contract as special story and talent scout. He will have a round assignment. Rowland plans to leave for New York shortly and visit Europe later.

Up to the time of his rejoining M-G-M, Rowland was general representative for the RKO-Radio studio in New York. He recently handled the story department in the east while Katherine Brown was eneicent.

Koplar Incorporates Neighborhood Group

ST. LOUIS, May 3—Harry Koplar's new neighborhood theatre venture has been chartered. The Koplar-Surban Theatres Co. with 25,000 shares of par stock and a nominal capital of $1,000.

Incorporators are Koplar, George Wendling and J. Fred Brinkmeyer. In his original announcement Koplar said that he planned to start by erecting four houses.

Ohio Tax Plan Going Over to Fall Session

Senate Recesses Prevent Action at This Time

COLUMBUS, May 3—Ohio's tax program seems destined for a special session of the Legislature to be called by Governor Davey next fall. The present session has established a record for number of bills introduced affecting the industry, but Senate recesses have prevented action. The session will recess May 16 and adjourn sine die May 23, according to the present plan.

The Senate, which went into a "five minute recess" three weeks ago, was in session this week, but rather inactive. It recessed again today and will reconvene May 14. This plan—(Continued on page 2)

Bay State Legalizes Reels of 4,000 Feet

BOSTON, May 3—The Legislature today passed a bill legalizing use of 4,000-foot reel in projection machines. This removes an old regulation limiting reels to 2,000 feet.

Operators' Local 182 has passed a resolution forbidding its members from operating with reels longer than 1,000 feet.

One of the arguments used in behalf of the bill was that it would cut down installation of film and at the larger reels were part of a nationwide movement.

Coast's Bank Night Case Is Postponed

LOS ANGELES, May 3—The grievance board meeting on the bank night case involving the San Fernando and Ventura was called off today when—(Continued on page 4)

Colonels Get the Facts

LOUISVILLE, May 3—Vital statistics—or, maybe, they weren't so vital—were presented to the Kentucky colonels at their annual pre-Derby banquet attended by Gov. Ruby Lafoon tonight.

For instance, Col. John Alicote, commanding general of the Honorable Order of Kentucky Colonels, told them that 62 per cent of the membership had smelled powder in battle. Most of these present were so surprised they looked around to see what the other 38 per cent of non-battle veterans looked like. They were holding up well in spite of the judges.

Col. Alicote also told them the average age of Kentucky colonels was 42 years and the average height 5'8"—(Continued on page 4)

Boys Cashing In

Kansas City, May 3.—A new boy's version of "news butchers" on the trains and at Union Station here. They ask prominent citizen starters, and pursue someplace, to autograph fans covering bearing their picture, and then sell the periodicals for several times their face value. The hawkers report a brisk demand for autographs of this kind.

Extend Time On Submitting Fox Met Offer

The time in which cash offers for Fox Met. and Playhouses may be submitted was extended yesterday from today until next Thursday by agreement between the Fox Met bondholders and prospective bidder, with the approval of Federal Judge Julian W. MacK.

The extension increases the probability of a $4,000,000 cash bid by Paramount, and the company's associates, the Atlas Corp. and H. A. Leake, had the subject brought to the attention of Trustee Eugene W. Leake yesterday for consideration. Leake, it is understood, will take no—(Continued on page 2)

Levine Says Mascot Won't Join Republic

HOLLYWOOD, May 3.—After protracted conferences between Republic Pictures and Mascot, Nat Levine said definitely today that the latter is not joining the newly formed company. Mascot, however, will continue to release through five Monogram exchange recently absorbed by Republic, he added.

Clearance in 3 More Spots To Get Action

Kansas City, Milwaukee, New Haven Up Next

With the Los Angeles schedule out of the way, Castro within the next few weeks will consider territorial zoning plans for Kansas City, Milwaukee and New Haven.

The coast plan goes into effect May 15, following which Warners are expected to file protests with the local board on the Forum-Urban Coastal by Campi. Code Authority, at a re-hearing of the schedule, placed the two houses in one zone after the Los Angeles board had declared them non-competitive. Fox West Coast has a number of situations it wants changed in the schedule, particularly the status of the Balboa. After a two-day hearing on a complaint by F. W. C. on Harry Arthur's house, Campi decided that a number of independent houses in adjoining areas were involved and that complications would arise if the last minute changes were made. Hence, all matters pertaining to the Balboa were thrown back to the local board, which, Code Authority admitted, was better acquainted with the situation to handle it.

Exactly 49 appeals were disposed of Thursday. Unfinished business will come up next Thursday.

Allied Owners for Paramount's Setup

Approval by the trustees of Allied Owners' Corp. of the Paramount Public Reorganization Plan was prevented yesterday following a hearing before U. S. District Court Judge Robert A. Inch in Brooklyn. Allied has a $5,000,000 creditor claim against Paramount.

The hearing was on an order to show cause why the coronial should—(Continued on page 2)

Quigley, Milliken Given a Reception

LONDON, May 3—Martin Quigley and Carl E. Milliken, secretary of the M.P.P.D.A., here to acquaint British producers with the workings of the Production Code Administration in the States, were honored at a press reception tonight. The publisher reached London from Paris yesterday, while Milliken arrived today.
### Purely Personal

**D OD** and Si Strelizer, "Buddy" and Leo Lubin, at the Rivoli for "Les Misérables," then to the Versailles; Leo Spitz and Sam Demidow, Jr., at "Awake and Sing!" then to the same night spot, Monroe Greenthal, another glimpsed there.

William C. McKay's family is en route from Miami by automobile. They stopped in Washington for a few days looking over the sights before hitting New York.


Monroe Greenthal leads Sunday for Columbus, Pittsburgh and Indianapolis to engineer the opening of "Les Misérables" in those spots.

Florence McKinney will be the guest star of the Motion Picture radio Club of WHN on Sunday morning.

John D. Clark arrived on the coast last night. He left by plane today, but was grounded en route.

Edward Schenitzer returned from Atlantic City yesterday fully recovered from a recent illness and feeling full of pep.

Edward Golden was one of the speakers at the Fiction Writers' Guild meeting yesterday at the Knickerbocker.

W. Ray Johnston is due back from the coast, either Monday or Tuesday with several important announcements.

Barbara Bland, night club and vaudeville dancer recently signed by Fox, left for Hollywood yesterday.

Neil Agnew is due to arrive by plane from Hollywood today. Bill Paine is on the same air convoy.

W. P. Lesperich placed in the lead yesterday. He sails for London shortly.

Robert Edmond Jones will discuss his work on "Becky Sharp" over the ether Sunday on WJZ.

Ann Sothern, her brief vacation over, wings back to the coast today.

Joe Hornstein was operated on for nose trouble yesterday.

E. B. Hatrick is due in New York in a week or so.

C. L. ("Bille") Yeakeys is in town.

### Liberty Changes Title

"Born to Gamble" has been selected as the title for the liberty's recently completed "I'll Bet You."

### Ohio Tax Plan Goes Over to Fall Session

(Continued from page 1)

says Senate Paul M. Yoder, majority leader, is consistent with the Senate's program for the session, which calls for no new taxes, and no unnecessary expense in considering unimportant bills. The upper body will pass unimportant and "pet" measures of the House, but the Ward interests bill, and similar legislation involving the industry, will die in committee.

Governor Davey has indicated that the budget, 1754 page, that will be in the fall, by which time it is expected a new taxation program will be ready for presentation.

Sheck Mass. Walkathon Bank Boston, May 3 — Marathon dances, walkathons and endurance skating contests will be held in Massachusetts, if a bill to be filed shortly by Representative Charles H. Shea of Cambridge, is passed. Shea, who is also head of the city recreation department, submitted an ordinance in Cambridge to limit the appearance of contestants to one per day, which must be completed before 11:45 Saturday nights. Entertainments, dancing and other such spectacles would be forced to close at the same time. Mayor Richard M. Russell of Cambridge has already refused to grant a Sunday license to a walkathon.

### Change Kallam Bill Again

Sacramento, May 3 — The Senate has removed the House amendment from the Kallam bill calling for dog racing with pari-mutuel betting on a local option vote by counties. As the bill now stands it calls for local option by communities. It is on the Senate calendar with a favorable committee recommendation.

### Again Delay Color Suit

San Francisco, May 3 — The suit of Leon Douglas against Fox, Paramount and Allied pictures over breach of contract for infringement of color patents and demanding an accounting has been continued to May 5 through stipulations of attorneys. On that date Douglas' attorneys must answer 35 interrogatories from Fox attorneys. This is the third time Douglas' attorneys have asked for an extension of time in which to file answers.

### Farrell-Henry to Co-Star

Hollywood, May 3 — Trem Carr will co-star Charles Farrell and Charlotte Henry in the first feature to be under the new Republic Pictures banner. The story will be "Forbidden Heaven," by Christine Jope, Slade, English novelist. Reginald Barr, Jr. directs.

A. M. Botsford Stricken

Hollywood, May 3 — A. M. Botsford, assistant to Henry Herzhurn of United Book Club, is down with pernicious attack. He left the studio Wednesday afternoon.

### Flash Preview

Black Sheep should be well received by every type of audience, as it is well-above-average entertainment. This film will be reviewed in full in a later issue of Motion Picture Daily.

### Extend Time On Submitting Fox Met Offer

(Continued from page 1)

action until he has consulted with Charles D. Hill, the assigned Paramount trustee, who is now out of town but expected back on Monday.

If the trustees regard the proposal favorably it is believed that the company's principal creditors would be canvassed for their views before any definite action was taken. If the proposal had sufficient creditor support it would still require the approval of Federal Judge Alfred C. Cooke. The order for the Friday, M. S. Moss and associated interests is also benefited by the time extension, as this arrangement permits Paramount to make its decision until next early week.

Modifications of the reorganization plan proposed by Joseph M. Schenck could be rendered feasible for submission to the Fox Met bondholders' committee today and Si Fabian's on Monday.

### Allied Owners for Paramount's Setup

(Continued from page 1)

not be granted. No objectors appeared. The motion for approval was again granted. Monroe Goldwater of Goldwater & Flym, attorneys for the trustees. Appearing for the U. S. Reconstruction Finance Corp., Frank W. Stegerson and Plimpton, said that the corporation gave its "silent consent." The plan will be transmitted to U. S. District Judge Cooxe in Manhattan, whose the Paramount plan is pending.

Also before Judge Lue was an order to show cause why Allied Owners' own plan of reorganization should be granted. The order is for further hearing May 17, when the court was informed that the Reconstruction Finance Corp. would not give its consent to the plan had been settled. The claim, with interests, amounts to approximately $20,000. Attorneys stated that an agreement on this had been reached and that a check would be tendered—some time next week, thus clearing the way for approval.

### Shares Gain in April

The market value of all shares listed on the New York stock Exchange rose $2,612,246 last month, according to a compilation issued by the exchange. Included in this amount was the gain shown by amusement stocks, which amounted to $154,378,877. This gain is equivalent to $1017.7 a share.

### Settle Title Claims

Colombia was awarded the rights to the title "The Unknown Girl," pending a conflicting title claim by M-G-M, settled at a meeting of the M.P.D.A. board of directors. M-G-M asked to use the title of a recent play acquisition, "The Unknown Girl," but Columbia's prior registration of the title was upheld.
1935-1936

RED MEAT
for the
BOX-OFFICE!

The Lions of M-G-M in Convention this week at Detroit and Kansas City are getting the juicy details of the greatest product of Leo's history!

MR. EXHIBITOR! DON'T ACCEPT RUMP! GET LEO'S FILET MIGNON!
Expect M-G-M to Hold List at 52

(Continued from page 1)

ian F. Rodgers, eastern sales manager; Roger W. Wilbanks, Frank C. Quinnby, short subject sales manager, is another, while Joseph Vogel, in charge of production of all but Erp, has. Great New York theatres, will represent the parent company.

Jay A. Gove, sales development manager; Edwin A. Aaron, manager of the contract department; Frank E. McRoy, manager of the playdate department; Allan F. Cushing, manager of exchange operation; J. S. MacLeod, manager of exchange maintenance; Charles J. Sonin, agent for Loew's and M-G-M; Howard Dietz, director of advertising manager; Jack M. Seale, Pacific advertising manager; William R. Ferguson, exploitation manager; Arthur Lacks, in charge of new reissue bookings, and M. L. Simons, editor of The Distributor, house organ, round out the home office contingent.

From the Field Listed

Those from the field include:

Albany—Ralph Pelou, manager; Jacob M. Goldberg, sales manager; Harry Sherry, sales manager; William Williams, office manager; Edward Urschel, booker.

Baton Rouge—Maurice N. Welz, manager; Ray J. Curran, T. J. Donaldson, Maurice Goldstein, manager; Thomas Rosenbaum, salesmen; Henry Wolper, office manager; Carl Posner, booker.

Buffalo—E. T. (Ted) O'Shea, manager; Albert H. Sells, Edward W. Harris, manager; Harry N. Lacks, manager; salesmen; James Weigel, manager; Charles Harter, booker.

Cleveland—H. F. Fazenda, manager; Burton Bishop, Jr., manager; Harold Margolies, office manager; Edward L. Baravalle, manager; Edward M. Booth, manager; John S. Allen, J. Milton Jacobs, Peter F. Mewings, William Levy, booker.

Columbus—H. L. Gove, manager; Edward Jacob, manager; Charles Weigel, booker.

Columbia—Frank D. Drew, manager; Edwin H. Brauer, Jack Noye, Eugene Vogel, salesmen; Bryan D. Stoner, office manager; Jacob W. Wilbanks, sales manager.

Dayton—John J. Downey, manager; Floyd W. Chrysler, Stanley Fisher, John F. Mewington, manager; Harold W. Sherry, manager; office manager; Harry Sherry, sales manager; Fred Rippingeal, office manager.

Fort Worth—John Y. Moore, manager; Ben Aben, Robert Cuming, salesmen; P. Douglas Pend, office manager; Robert Kilworth, booker.


Philadelphia—Robert Lynch, manager; Salem Applegate, Tecumseh Burns, Joseph F. Morrow, Clarence Pippin, George Schwartz, salesmen; J. E. Parrow, office manager; Benjamin Haynek, booker.

Pittsburgh—John J. Molloy, manager; Emanuel Cohen, John L. Kelley, Jules Laspalus, Saul Gottlieb, salesmen; Herbert W. Geiner, secretary; Milton Olsner, booker.


Today's activities will be more or less of a handshaking affair. Actual work will be reached on Sunday.

M-G-M Signs 9 More


Ott Kruger and Louise Fazenda have been dropped from the roster.
Suit Threats
Pop Up After
Jersey Ruling

Contend Campi Cannot
Negate Contracts

Campi’s decision clearance in favor of the Leonia, Leonia, has local ex-
change offices in few exchanges with the exception of Fox contend that Code Authority cannot negate contracts without providing for any loss which exchanges might sustain as a result of a decision.

Julius Carmine, operating the Leonia, has several exchanges registered to effect that he is booking all pictures playing at Engle-
wood in accordance with the code ver-
dict. He is also advertising the films
(Continued on page 10)

M-G-M to Continue
Its Nat’l Campaigns

Detroit, May 5—Emphasis anew on national billboard and magazine campaigns is seen playing a vital part in M-G-M’s plans for the new season. Unconfirmed, but expected, is the un-
derstanding the detail will be given the eastern regional sales convention which goes into its third and last day on Monday at the Book-Cadillac.

Currently, the company is splurging on billboard and magazine display to
(Continued on page 10)

Sidney Talking Deal
For Program on WH

Negotiations are being conducted by Louis K. Sidney, in charge of Sta-
tion WH, for turning over the weekly half-hour show headed by Sophie Tucker to one of several spon-
sors.

Sidney recently sold the station’s amateur hour to Schenley’s, HI, and when he disposes of the Tucker pro-
gram, the Loew subsidiary will emerge from the red for the first time since it started operations.

Rialto, Roxy Tussle
For “Frankenstein”

A Federal court action to determine whether the Rialto or the Roxy is enti-
titled to play “The Bride of Frankenstein” under the joint buying agree-
ment between the two houses, filed by Louis Phillips, of the Param-
ount legal staff, on behalf of the
(Continued on page 6)

Last of FWC Units Are
Taken Out of Bankruptcy

KANSAS CITY, May 5—With the transfer of assets of Fox Midwest to Fox Midcontinent and Fox Rocky Mountain to Associated Theatres yester-
day, the last of National Theatres subsidiaries have emerged from bank-
ruptcy.

Elmer C. Rhoden will continue in charge of the Midcontinent group and Rick Rickerson as head of Associated.

Other National subsidiaries are Wisconsin Amusement Enterprises, Inc., operating in Milwaukee under Harold J. Fitzgerald; Evergreen Amusement Corp., a subsidiary of Fox E. B. studios where is con-
trolled by National and is operated by
(Continued on page 2)

Mexican Currency
Difficulty Clears

By JAMES LOCKHART
Mexico City, May 5—Money diffi-
culty in being gradually straight-
out as a result of substitution of paper money and bronze coins for silver pesos. The American silver dollar has forced up the price
(Continued on page 6)

Publix Great States
Complaint Dismissed

CHICAGO, May 5—The grievance
board dismissed the complaint of Pub-
lix Great States against the E. E. Alger Amusement Co. when hearings
revealed the complainant was itself
(Continued on page 10)

Newsreel Schedule
Talks Due Thursday

Deputy Administrator William P.
Farnsworth will meet with Louis Krons, vice-president of the I.A.T.
S.E. and executives of the newsreel
(Continued on page 10)

Purely Personal

FAY WRAY recently returned from
a trip to New York where she appeared in
“Alas Bulldog Drummond” and in
“The Clairvoyant,” was guest of honor
at a cocktail party tendered by the Aan’s of Foreign Press Correspond-
ents at the Gotham Saturday.

J. J. PARKER, operator of the Fox
Broadway and the United Artists
Portland, visiting from the Northwest.
At the Waldorf.

GEORGE SKOURAS has called
off his plans to move his head-
quarters to the Academy of Music. He
was supposed to change locations on
June 1.

KATHARINE HERBERT may do some
summer acting for LAWRENCE J. AN-
HART at Saybrook, Conn.

MAX GORDON, from Hollywood, goes abroad shortly.

NORMAN (“Turk”) CARTER, attor-
(Continued on page 6)

Another Crap Game

Hartford, May 5—Two men in a booth would start a crap game rather than add-
ing to theatre safety, de-
clared Mike Tommasino before the Senate Judiciary Com-
mittee.

Morris Hadelman insisted it would be like “two cooks in a kitchen,” and C. D. Bur-
bank suggested that couches should also be installed.

The committee is considering these words of wisdom.

Openings Gain
As Confidence Shows Return

That there is a return of confidence among exhibitors in most sections is indicated by the increasing number of transfers, openings and renovations.

In New England openings are espe-
cially marked. Middle Western states also report gains. In the Fifth Fed-
eral Reserve District, which includes Richmond, marked improvement in general business is reported.

N. E. Openings Numerous

BOSTON, May 5—Shifts are
numerous on the New England thea-
tre map. Two are building, some
have been transferred and a number
are reopening.

One new one, the Capitol, Franklin,
N. H., has just been opened. It’s a
(Continued on page 10)

Dual Clauses
Hang on U. S.
Court Appeal

Bans to Be Airtight If
Decision Permits

AIGHT anti-double featuring clauses will be incorporated in the 1933 season sales contracts by a majority of large distributed if the Philadelphia Federal district court’s decision holding such clauses to be illegal is reversed when the pending appeal is heard by the higher court, it was learned on Thursday.

Conversely, it was said, if the lower court’s ruling is upheld by the appeals court, double featuring may go unrestricted in favor of season sales contracts are concerned.

The Philadelphia case, brought by Harry Perelman, an exhibitor, was tried before Federal Judge George A. Welsh last December, to force major distributors to eliminate from their contracts any clause prohibiting double featuring of their product. The
(Continued on page 6)

Pathe ’34 Deficit
Put at $78,705.74

Pathe Exchange, Inc., shows a
sharp drop from 1933 in its annual report for the 12 months ending Dec.
29, 1934. For 1933 the net profit was
$380,629; for 1934 there was a net
operating deficit of $78,705.74.

In the foreword to the annual report Frank F. Kolbe, new president, says
that profit for the year before interest,
(Continued on page 2)

“Miserables” Hits
$45,132, 2nd Week

“Les Miserables” in the second week at the Rivoli was the best com-
parative box-office draw last week, tallying $45,132 for the second seven days. “Cardinal Richelieu” at the Music Hall garnered a fair $45,000 on the second stanza. “Mississippi,” in
(Continued on page 6)

NVA, Masonic Clubs
To Combine Benefits

To avoid a conflict in dates, direc-
tors and committees of the N.V.A. Benefit Fund and the Educational
Foundation of the Masonic Clubs of the State of New York have decided to combine their activities and stage
(Continued on page 2)
HE won't go for the use of his name, but beyond that his observations are yours this morning to do with as you will. The authority is the film buyer of one of the five national circuits and his text is data on pictures, their number and their priority, in the 1933-34 and the 1934-35, current, seasons. The highlights:

(1) Eighty-seven per cent of product sold last season was delivered. This season, he anticipates, will finish with the same quota of deliveries.

(2) Thirteen per cent, or the obvious difference between one hundred and eighty-seven, represents the mortality rate—those pictures promised and sold at the outset of the amusement year, but never delivered because of difficulties, "Aacts of God," switches to the succeeding program, or a change of production heart and mind.

Transcribed into terms of numerical equations, his observations are these:

(1) Last season, the eight majors delivered 314 features, exclusive of westerns. This year, they claim, indicates an identical performance.

(2) Combined releases from major production sources, therefore, reduce themselves to six a week in average and by calculation, but not quite accurately that in point of delivery. Often release dates are missed and the consequence of that is a booking problem. This year, running strongly in to the ultimate embarrassment of booking departments and to the benefit of the public, such as frequently now and KRO neighborhood theatres, which recently "Rogers" and "Ruggles," on one bill and "Naughty Marietta" and "Ruggles" on another as cheaply as a dime for "early bird" matinees.

As to quality, meaning boxoffice quality naturally, his dope sheet, predicated on grosses, showed:

(1) Twenty per cent of 1933-34 deliveries were A. Twenty per cent were B and 60 per cent C. The 1934-35 rapidly waning reflects a jump in A's and a reduction in C's. The breakdown maintains A at twenty, B at thirty and C at fifty.

As you might suspect, a remain as is and, while it is the low percentage division, actually it is a high percentage division, according to this department's analysis. . . .

One of every six a wow attraction provides a pleasant contemplation. On the basis of 314 releases a year, this means a whole. Of course, such a state of affairs never has been throughout all the years of the film business.

You'd be surprised how quickly the yells and shouts of complaint would give way to choruses of delight if such a condition prevailed. There are those in Hollywood as well as in New York who would tell you it is impossible; that a smash every week, regardless of source, is all the millennials rolled into one. If they are wrong, the privilege to be sold properly theirs for the facts, it is sad to relate, are completely arrayed on their side.

Robert Edmond Jones foresees the industry reaching its stride in color by the fall. He gets far closer to the answer when he declares the problem of what to do and how far to go is more artistic than a technical one and will depend upon the inherent appreciation of those who take the job in hand. It was only a few years ago when the Warners took the jump on the rest of the field through a priority contract with Technicolor. Thereafter, Warner product blossomed in natural and some unnatural hues and continued on its way until the arbiter of matters of style in film, meaning the public, induced a halt.

Color, in some form or other about which we are not at all certain, has a place. To determine what and how much place is the troublesome point. Color is not always essential for effect. The marquee black and white photograph which emphasizes the eerie qualities of "The Bride of Frankenstein" and some of the halftones achieved by Lee Gardens in "The Son of Fury" managed to add and emphasize both.

Color can be incorporated and its import conveyed without the actual use of color. Or does that sound like a conundrum? . . .

Early reports that Invincible and Chesterton would swing into the Republic setup are discounted. Now Nat Levine, from the coast, issued forth with a statement phatic that Mascot won't as well. An inside story, closely held, credits Republic's plans running to fifty pictures in its first season which gets going in the fall. Apparent failure to tie in the above companies in which Herb Yates' word carries plenty of weight would seem to make the half-hundred objective remote. Or fairly so, at any rate. . . .

Another classic on this space's favored and a reads annoy- ing place to wit: that literary mammoths should be filmed as written or not at all. Sol Wurtzel:

"In my opinion, classics should be put on the screen and producers should be allowed dramatic license to make changes if necessary."
THE PRAISE OF 54* MAJOR CRITICS HAS CONTRIBUTED MATTER-RIALLY TO SENSATIONAL SUCCESS OF THIS "DYNAMO OF DRAMA".

*5

Rose Pelswick of the New York Evening Journal declares that

PAUL MUNI in 'BLACK FURY'

"takes its place as one of Hollywood's most arresting screen achievements . . . . Bound to become one of the most widely discussed productions in years . . . . It is not to be missed." (Warner Bros., Producers . . . . A First National Picture.)
G O
G M

DREW MORE OPENING-DAY ADMISSIONS THAN ANY
SHEN

THE BROKEN DOOR!

FOUR STARS IN DAILY NEWS

ATTRACTION SINCE THE N. Y. STRAND WAS BUILT!
**Purely Personal**

(Continued from page 1)

*Harry Saunder's original, "Let's Pretend," and Lawrence Saunder's "Snowed Under," have been bought by Warners.*

*Lee Alter's musical fantasy, "Metropolitan Nocturne," has been acquired by Radio and will be produced by Lee Marcus.*

*Floyd B. Orlin, head of Atlas Corp. and a Paramount director-elect, is on a west coast visit but not to the Paramount studios.*

*Herb Williams, Broadway comedian, has arrived on the coast to start work in "Rose of the Rancho," for Paramount.*

*Thomas Walsh's "Husk," which appeared in the Saturday Evening Post has been bought by Radio.*

*Peter Farrie has been signed by Fox to do an original for Warner Oland's "Charlie Chan" series.*

*Tom Wallace of Paramount is in the throes of completing the last act of his play.*

*Sam Hamish of WHN took time one Wednesday to celebrate another birthday.*

*Jack Steinhman, Fox exhibitor has returned from a Miami vacation recovered from his recent illness.*

*Richard Arlen, accompanied by Mrs. Arlen and their son, is driving east.*

*Bruce Gallup shows a mean game of pool. Ditto for Jack D. Trop.*

*"Miserables" Hits $45,132, 2nd Week*  
(Continued from page 1)

Its last nine days at the Paramount, grossed approximately $36,000. The picture had been dropped for the second week, got in the neighborhood of $19,000. "George White's 1935 Scandale," the week before, on the Roxy and "Star at Midnight" at the Palace was mild at $8,500. With more than $20,000 in hand for the first two days, "G-Men" at the Strand is headed for more than $60,000.

**Variety Club Chatter**

**Kansas City**

** Kansas City, May 5. — New churrum in the Country Club Plaza were opened auspiciously with a saucestained which drew level 400.**

With a continuous round of goings-on, impromptu and otherwise, and dancing in the Plaza Capitol, festivities really were colossal. William Wagner made major change with his $1,000 at chairman and these committee members: Barney Joyner, William Wagner, Fenton Jones, Frank C. Hensler, Robert W. Garner, T. R. Thompson, Benji Benjamin, Joe Manfre.

The Country Club Plaza Assn. gave the club a rousing welcome at the first luncheon meeting in the Plaza district. The turnout, estimated at close to 400, was the largest luncheon crowd in the club’s history. H. Mele Smith greeted the club as an important addition to the Plaza section.

Arthur Cole was chairman, with Martin and Leo Finkelstein as co-chairmen. Bill Wagner also had a hand in the affairs. Turned from the Tower Theatre and other acts entertaining, Barber that were lucky won prizes, donated by Plaza merchants.

John L. Swarts, formerly at the Newman, has been employed as business manager of the club.

Fred L. Wolfson is new canvasser, replacing G. L. Carrington, who has been transferred to New York by Erpi. Earl Jameson is new house committee member, replacing Jack Camerson, resigned.

Initiations will be held Friday nights, and for this function Chief Barker George Baker has named this committee: Hensler, Wolfson, Jones, Dr. Clifford L. Gillis.

Two delegates and two alternates will be picked from this slate for the national Variety Club convention in Pittsburgh May 18 and 19: R. C. Hill, Bischell, Arthur Cole, I. Kenneth Dunsky, Hensler, Jones, R. C. Li Beau, Charles Shapera, Taylor, T. R. Thompson, Bob Withers.

**Philadelphia**

**Philadelphia, May 5. — A full membership meeting was held recently, with Chief Barker Earl Sweigest explaining to new members the principles of the club, which was taken in since the Dec. 30 induction were included.**

K. J. Licht Ten, No. 13 members plan to attend the Washington Tent No. 11 roll tourney.

Much interest has been stirred up by the announcement of Tent No. 13 holding in sponsoring a Variety Week at the shore following Labor Day.

Kings for the day at the May 1 luncheon were Barkers Jack Greenberg and Jim Clark. A gala program, including Boare, Carter, Allan Scott, radio commentators, For Warner, Brody, coach, and others, was arranged.

Kings for the May 15 luncheon will be Jack Beerson and Walt Woodward.

**Minneapolis**

**Minneapolis, May 5. — Nick Lucas, Edith Griffith and Danny Smith furnished the entertainment at the weekly luncheon. At vote of thanks was given for the State, Alvin and Palace.**

**Dual Clause Hang on U. S. Court Appeal**

(Continued from page 1)

restrictions had been embodied in the sales contracts in the Philadelphia and certain other territories, but were not standardized nor uniformly so. The Philadelphia district court held that the clauses resulted in collusion and restraint of trade and declared them to be illegal. An appeal was immediately taken to the higher court by the defendant distributors and is expected to be heard before the new selling season is far advanced.

If the appeal is successful from the distributor viewpoint, and results in a reversal of the lower court’s ruling, the contract dual bans would be legalized and would be employed on a large scale, probably nationally, to prohibit the showing of subscribing companies’ pictures on the same program with a second feature. Authoritative distributor opinion holds that a minimum of six major distributors would make use of the contract ban. If the case were legalized. These are United Artists—20th Century, M-G-M, Paramount, Fox, RKO, and Warners—Universal and Columbia, it is believed, would not reverse their position of opposing double features.

If the pending appeal cannot be decided before the opening of the new selling season, it was said, distributors are probably more disposed to the dual ban clause in their new contracts with its enforcement being made subject to the court’s decision, when made.

**Rialto, Roxy Tussle For “Frankenstein”**

(Continued from page 1)

Rialto, is scheduled to be heard by Judge William Bondy tomorrow. The Rialto claim with the Roxy gives it first call on all films of a crime or mystery theme which have been rejected by the Musical, and that therefore it is entitled to the Universal picture in dispute. The Roxy has claimed the picture on the ground that the agreement with the Rialto does not specifically cover pictures of the Frankenstein type. The Rialto offered to submit the question of whether the Roxy refused, although, it is understood, new efforts to settle the question outside of court will be made today.

In the meantime, "Mr. Dynamite" has been spotted into the Roxy for Friday in the event the dispute is not cleared away by the end of the week.
THIS YEAR it’s HARMAN-ISING!

Discontented Canary  Hey, Hey, Fever  When the Cat’s Away  Toyland Broadcast  Lost Chick  Calico Dragon

EXTRA!
Just Previewed “GOOD LITTLE MONKEYS”
The Best Yet!

Look who’s copped the Top Spot of the Cartoon field!

There’s a New Deal in Cartoons. It’s M-G-M’s Happy Harmonies Cartoons in Technicolor. When audiences began to yawn at the same old stuff, along came the Young Bloods of the Cartoon field and with a splash of color and ideas—

(Yes, yes, yes, go on to next page)
"REVOLUTION!"

"The Calico Dragon" (Harman-Ising Cartoon) 8 mins.
M-G-M

Real Novelty

It looks like a smash novelty in the animated field that may revolutionize the whole technique. Done in Technicolor, with most of the characters presented dressed in calico material that actually shows as material on the screen. Not the lines of a cartoon character. How the intriguing effect is produced is the secret of the producers. But it's a pip. The young hero of the skit travels with his horse and dog into the castle of the fearsome dragon, with some amazing adventures resulting.

"HATS OFF TO HARMAN-ISING! Held Over 2nd Week!"

— says Film Daily

A Letter to M-G-M

Gentlemen:

To hold any subject over for a second week at the West Coast Theatre in Long Beach, it must be good.

But to hold over a subject when the second week is Easter Week, it must be VERY good.

Yet that was our experience with the colored cartoon, "THE CALICO DRAGON".

So splendid was the audience reaction during the first week of its showing, and so great was the word-of-mouth "build-up" toward the end of the first week, we felt compelled to play it another seven days... despite a complete change of the surrounding program.

And you will be interested to know that audience reaction during the second week, when thousands saw it again, was just as favorable as during the first.

Our hats are off to Harman-Ising!

(Signed) B. V. Sturdivant FOX WEST COAST

EXTRA! EXTRA!

Their new comedy "GOOD LITTLE MONKEYS" should be screened at once! It's a sensation!

A PROPHECY FOR NEXT SEASON!

M-G-M CARTOONS IN TOP SPOT!
"Your Dance" Gets $25,000 In Pittsburgh

PITTSBURGH, May 5. — Only the Stanley, with "Go Into Your Dance" and Gene Raymond in person, stood any real competition for the Osterberg's prizewinner, "The Long Day," in a field of six eastern entries. All the others were down in the dumps. It was the Stanley's best week under the present price scale at $25,000.

Several disappointments cropped up in the week's last. "Reckless," with a stage show, flopped at the Penn and wound up weakly at $17,500. The Alvin started strong with "Prince of Harras" and A. B. Marcus's "Continental Revue," but trade fizzle out after the first few days and takings dropped $4,900. Like the Penn and Stanley, the Fulton, had a musical, "George White's 1935 Scandals," giving the town a de luxe of song-and-dance film, but it couldn't get going, either, attracting only around $3,750. The Warner stayed up weakly with "Laddie" and "McFadden's Flats," doing $4,600, which isn't bad.

Total first run grosses were $59,830. Average is $5,439.

Estimated takings for the week ending April 25:

"GOOD OYSTER" (Univ.)
"ALVIN"—$2,000, 25c-50c, 6 days. Stage: A. B. Marcus, "Continental Revue." Gross: $1,000. Average: $166.

"GEORGE WHITE'S 1935 SCANDALS"
"FULTON"—($1,250), 15c-40c, 6 days. Gross: $775. Average: $129.

"RECKLESS" (M-G-M)
"PENN"—$3,000, 25c-50c, 6 days. Stage: Isham Jones' band, Cookie Bowers, Audrey and Severn, Harris Twins and Loretto, Abbott and Strode. Gross: $9,000.

"GO INTO YOUR DANCE" (Warner)
"STANLEY"—($5,000), 25c-50c, 6 days. Stage: Gene Raymond, Jack Oakie, Artie Shaw, Wanda Hawley, Samuel S. H. Gordon, the Bert Fields Sisters, Jimmy Newell and Maxine Tippin. Gross: $25,000. Average: $4,166.

"LADDIE" (Radio)
"MACFADDEN'S STRIPTEASES" (Para.)
"WARNER"—($2,000), 25c-50c, 6 days. Gross: $6,600. Average: $1,100.

Giles Staff Reminded

BOSTON, May 5. — Employees of George A. Giles, circuit owner and M.P.T.O. president, who died recently, are remembered in his will with bequests running from $100 to $3,000. The will stipulates that all workers who had been with his firm three years at the time of his death must receive at least $100. The bulk of the estate went to the widow and two children.

Ohio Passes "G Men"

COLUMBUS, May 5. — Action of the Chicago board had no effect on the Ohio censors, who passed "G Men" without a single deletion. Senator Edward Atkinson, chairman of the Ohio state crime commission, who witnessed the screening, said: "The psychology of the picture is excellent."

Errol, Catlett Signed

Hollywood, May 5.—Leen Errol and Walter Catlett have been signed by Radio to make a series of two-reel comedies. Lee Marcus will supervise.

Osterberg Is Again Target; Shots Miss

CHICAGO, May 5.—Aspiring assassins shot at and missed Clyde Osterberg, scarred super-detective of the Independent Union of M. P. Operators, as he walked with his wife near their home. Failing his shots, the trigger finger of one of the two, Margery Osterberg, fired, and the cook with cannon and ran. This is Osterberg's first appearance in films, being his new famous bidding in the union offices after firing on the late Tom Malloy and nicking the omnipresent Emmett Quinn. He says he won't talk.

Gassaway to Speak At M. P. Club Forum

PERCY L. GASSAWAY, the Oklahoma cowboy congressman who says things that send ripples among the Western adverbial, will be the principal speaker at the Motion Picture Club Forum tomorrow. His topic will be "The Western Worlds Today." If the congressman appears in the costumes he uses for the newspapers, he will be worth seeing as well as hearing. He wears one of those 10-gallon hats, western boots, shesoter tie and frick coat. He will make a special trip from Washington for the speech.

"Honeymoon," Mills Hit in Kansas City

KANSAS CITY, May 5. — Gross honors for Easter week went to the T network, 7th floor header, by Mills Bros, in their initial Kansas City appearance. and "Honeymoon" on the screens drew $16,000, followed by "Radio City," a $12,000. "Reckless," the Midland showing, turned in a big $12,000. Will Rogers stayed out a third week in "Life Begins at 40" at the Uptown, and garnered $3,400.

Total first run business was $41,800. Average is $1,700.

Estimated takings:

Week Ending April 24:

"STOLEN HARMONY" (Para)
NEW YORK—$4,500, 35c-50c, 5 days. Gross: $6,000. (Average, 6 days) $1,050.

Week Ending April 25:

"MURDER A HONEYMOON"
MAINSTREET—($1,000), 25c-50c, plus $2,400, 7 days. Stage: Mills Bros, with Earl Hines and his Grand Terrace orchestra. Gross: $14,300. Average, combination shows: $2,042.

"RECKLESS" (M-G-M)
"MIDLAND—($4,000), 15c-25c-50c, 7 days. Gross: $16,000. Average: $2,285.

"UNWELCOME STRANGER" (Col.)
"ODIN—($2,000), 25c (400), 7 days. Average: $233.

"RUNaway" (Para.)
"VAUDEVILLE—($200), 15c-25c-50c, 6 days. Average: $33.

"BLACK SHOEP" (Sol Wurstel-Fox)
HOLLYWOOD, May 5.—This fast-moving comedy-drama played aboord a transatlantic liner gives Edmund Lowe acting opportunities which he plays to the hilt. Cast as a card sharp working the boats, Lowe finds Tom Brown under the spell of Adrienne Ames, jew thief and vamp, and in debt to Eugene Pallette and Jed Prouty, poker experts who have trimmed him honestly. With the help of Claire Trevor, an actress, Lowe helps Brown out of his trouble and discovers he is his own offspring of a previous morganatic marriage.

The action is well paced for suspense as Lowe is trailed by Ford Sterling, a detective, who watches him, knowing his gambling record. In a romance built with sympathetic interest Lowe and Miss Trevor merge.

Allan Dwan, who directed and wrote the original, has given fresh twists to the situations, evolving a thoroughly entertaining picture. Outstanding performances are turned in by Pallette and Sterling, who, with the assistance of Herbert Mundin as a drunk, furnish most of the comedy. Allen Rivkin's screen play is swell. The film should be well received by every type of audience, as it is well above-average entertainment.

No production code seal. Running time, 76 minutes. "G."

"Strangers," Show Top in Providence

PROVIDENCE, May 5.—High take for the week went to "Strangers," show, which the duly famous Boswell Sisters and the film, "Strangers All," chalked up a total of $10,425 for $7,500. The Strand, with "Private Worlds," and "Great God Gold," came next in line, garnering $1,215 and $1,000, respectively. With "Spring Tonic" and "Neapolitan Varieties," the latter a stage revue, Frye's took $7,800, and the Majestic was $500 over par with "Black Fury."

Total first run business was $46,050. Average is $9,210.

Estimated takings for the week ending May 2:

"BLACK FURY" (Warner)
"PITTSBURGH"—($2,000), 15c-25c-50c, 7 days. Majestic, $1,200. Average: $171.

"SUNRISE TONIC" (Fox)
"BAYSIDE—($2,000), 15c-20c-50c, 7 days. Average: $300.

"NEAPOLITAN VARIETIES" (Fox)
"FAYETTEVILLE—($2,000), 15c-20c-50c, 7 days. Average: $300.

"GREAT GOD GOLD" (Monogram)
"LOVEY—($2,000), 15,000, 6 days. Average: $300.

"HEI TIKI" (Alexander Harvey)
"SHADY LAKES—($2,000), 15c-20c-50c, 6 days. Average: $100.

"RKO VICTORY—($2,000), 15c-20c-50c, 6 days. Average: $100. (Average, $100)."
and in the event bookers fail to deliver the subjects, he will file suit for damages, Charnow states.

Adam Adams of the Charnow Lane, Palisades Park, who formerly played head of the Leonia, and now according to Code Authority's stipulation, must sever all tie with the subject, has also notified the exchanges to deliver his pictures according to the terms of his contracts. He says failure to comply will result in legal action.

Adams did not stop with the letters to branch heads. He has also filed a clearance and zoning complaint against the Leonia, stating that the two houses are in competition. The issue comes before the New Jersey advisory board today.

Up to Saturday, local distribution heads refused to serve Charnow. They want to know who will make up the difference in film rentals. Campi says that code decisions undervalue contracts and that the Leonia must be served in accordance with the order. Exchange heads are asking who will fight the threatened suits.

Meanwhile, Allied of New Jersey members are getting together and planning to give Charnow a testimonial dinner in celebration of his victory. Charnow is a vice-president of the organization before the various code boards for seven and a half months before he got the decision. Allied figures that Charnow deserves the blowout on the ground that he is first Allied man to win a code nod of any importance.

Publix Great States Complaint Dismissed

(Continued from page 1) of guilt of reducing admissions by distributing 300 passes while its case against Alger was pending. The complaint charged that Publix Great States must come with clean hands, the company has been given to understand. A complaint Alger was found guilty of reducing prices, but, in the face of the fact that Publix Great States had indulged in a similar practice, the board refused to act.

Newsreel Schedule Talks Due Thursday

(Continued from page 1) companies on Thursday to discuss working hours of supervisory personnel.

A meeting was slated for May 2, but was postponed because Krouse was out of town. Farnsworth will meet the union and newsreel delegates before Campi goes into session Thursday morning.

Stop Oshkosh Giveaway

MILWAUKEE, May 5—The Strand, Oshkosh, Wisconsin, has been forced to discontinue country store nights by the grievance board. Complaint against the theatre was filed by the Amusement Enterprises' Rex and the Grand in that city.

A consultant brought by George Fischer, operator of the Milwaukee, before the clearance and zoning board was dismissed and he was advised to file a complaint against exchanges which are permitting the Savoy to play pictures before the house is endowed with them under the clearance schedule.

End Detroit School Shows

Detroit, May 5—After hearing testimony on the complaint filed by Al Shendak, Comant Theatre, against Copernicus Junior High School, the grievance board ruled that showings at 10 cents for 1,500 students were unfair competition. Film service was ordered stopped within five days.

Both Sides Get Order

KANSAS CITY, May 5—Complainant and respondent both were ordered by the grievance board to discontinue charging an admission below contract stipulation, in a decision involving the Fox Midland, Pittsburg, Kan., on complaint filed by J. A. Lenski, Cozy, same town.

Stop a Loew Giveaway

BOSTON, May 5—E. M. Loew has been ordered to stop giving out premiums in New Bedford. The case brought by Oze Tessier, Jr., of the Royal, had a new record for admission to a second order. Loew was ordered from the grievance board decision.

Among Leo's Best Friends

DETOUR, May 5—No morning session is scheduled for the Emgees conventioning here so plenty of sleep was had by all.

William F. Rodgers, Bill Scully, James Joseph, Jack Levy, Roy Brcza, and a couple of the other boys matched stories about their recent vacations in Miami. J. B. Bryant is trying to find a sizable opponent for a few rounds of handball. He's the M-G-M champ and the title extends further than New Haven, where he is unscored.

Howard Dietz wishes he had Morris Kutisker on the local battlefield for a round of ping-pong. Dietz is having a hard time trying to get a second hand for the celluloid pill tussle.

Emanuel Cohen, Pittsburgh salesman, is taking a lot of kidding. The boys claim they heard the name before in connection with Paramount. Cohen denies it.

Bob Lynch and George Schwartz of the Quaker City office have been making so many trips to Chicago in connection with the Loew theatre invasion plan that they figure this city nearer home than Philadelphia.

Seymour Gottlieb, who has been attached to the Pittsburgh staff, can remember way back in the old days when he was an office boy for Loew's when the circuit had its headquarters in a building where the Paramount structure on Broadway now stands. Those were the good old days, he says.

Ralph Perlows, Albany head, is re-newing acquaintances with the New York branch of the Emgee group Perlows, before assuming the Albany helm, was attached to Jack Bowens's sales force.

And now he's just nuts about Albany.

Maurice Wolf, branch manager in Boston, is a man of some distinction. He is president of the Boston Friars, comprising 125 members of the industry in the greater Boston area. The election of the same office is chairman of the house committee.

Harry Margolies, office manager of the Charlestown office, while continuing in the lineup of personnel under Bill Scully's jurisdiction, last year was a booker at the New York exchange.

Billy Ferguson's display and sur-
in selling campaigns were commended generally. Ferguson did a marvelous job, considering the short notice he was given.

Frank Scully of the Washington force is having somewhat of a family reunion with his brother Bill, eastern district head.

Fred C. Quimby is anticipating a lot of huddling with H. A. Roach when the short subject producer arrives from Hollywood by plane. Roach was not definitely set on his new plans when he left New York about 10 days ago. After conferences with M-G-M studio executives and Gene Ginsberg, Roach is expected to detail the lineup when he gets here.

Alex Weissman of the Buffalo staff at one time was with the New York exchange. He then left to join Columbia in Buffalo and now is back selling Leo's products.

Openings Gain As Confidene Shows Return

(Continued from page 1)

600-seater. Lee McAneny is building a new house at Clinton, Conn., and J. P. Potterland is putting up a 200-seater at Bingham, Me.

The Oldfield has been opened by A. Twombly. C. Stafford has taken over the audio-movie theatre at H. E. Pike and has reopened it. Oze Tessier, Jr., has sold the Balilies Square at New Bedford to A. Rocco. The Chatham at Chatham, Mass., will be opened May 4 by Moore & Fitzgerald.

Other openings are: Capitol, Midtown, Conn.; Alhambra, West Sullivan, Me.; Opera House, Princeton, Me.; Cummings, Fitchburg, Mass.; Mansfield, Underhill, Vt.

Loew's State in the Back Bay section is to have its seating capacity enlarged by 200 by removing lower boxes. This will make the total 3,837, second only to the Metropolitan.

The Majestic, now dark, is to be taken over by the Shuberts.

Detroit Houses Are Sold

DETOUR, May 5—Several changes in ownership are reported. Bernard Trokev has taken over the Dunbar from Central Amuse, and Wally Baker is managing the house.

Al Braver is the new proprietor of the Medbury, having bought out Sol Korman and Gus Greensman is managing the Mack for a corporation which has purchased the theatre from Jack Kranes.

Fred B. Miller, formerly operator of the Loyal, now being run by Lou Goodman, is supervising the construction of the Gowen theatre being built at Hatie Sloan at East Warren and Outer drive, and will manage it upon completion. It is still unnamed.

Wernick Takes 68th St.

Irving Wernick has taken over the 68th Street from Charles P. O'Reilly and Louis Gelter. Joe Wernick has closed a deal for the Cameo, Yonkers.

M-G-M to Continue

Its Nat'l Campaigns

(Continued from page 1) an extent never before rivaled in its history. Results of billboard campaigns on pictures like "Chained," earlier in the season and now on "Reckless" are reported to have satisfied the company that its large expenditures were well spent. The same conclusion applies to magazine campaigns on "David Copperfield," the "War of the Worlds" and "Treasure Island."

Today's program provides for a review of the current season's record by Felix Feist, M-G-M's territory manager, and William F. Rodgers, eastern division sales head.

M-G-M will analyze the 1935-36 sales policy, detailing the number of pictures each star will make. Fred C. Quimby will give conventioners a breakdown on the shorts.
SHE KNOCKED 'EM COLD!

SMASHING BOX OFFICE RECORDS EVERYWHERE—LOS ANGELES, SAN FRANCISCO, SEATTLE, PORTLAND, CHICAGO!... HOLDOVERS OR CONTINUED FIRST RUNS IN ALL SPOTS!

UNIVERSAL'S

THE Bride of FRANKENSTEIN
ALL ON DU PONT NEGATIVE

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
M-G-M Plans
49; Lists 20
For Salesmen

Also Sets 177 Releases
For Shorts Lineup

DEI OTION, May 6—M-G-M will re-
lease 49 features next season, the east-
ern sales convention at the Book-
Cadillac was told today. It also was in-
formed of 20 definite designations by star and title. In the short subject
division, the company will have 177 releases, 104 issues of Hearst Metro-
Hone News included.

The 1935-36 lineup will be headed by six specials. They are:

1. "Chico Seav," co-starring Wallace, Clark Gable and Jean Harlow.
2. "A Tale of Two Cities" with Ronald Col-
man in the lead and promised "on the same ambitious scale as "David Copper-
field."
3. "The Forty Days of Moses Dach," be-
based on Franz Kafka's popular novel.
4. "Broadway Melody of 1936," musical with
large group of stars.
5. "The Great Ziegfeld" starring William
Powell. "Wile Versus Secretary," a joint vehicle for several stars, unnamed.

Twenty-two starring productions
will form a substantial percentage
of

Six in Film Group
Injured in Plane

KANSAS CITY, May 6—Six mem-
bers of a Paramount unit on route to
Washington and Annapolis to film
"Amaslop Farewell" were among those injured in the crash of a T.W.A.
transport plant at Atlanta, Mo., early today.

They were: Director Richard Wal-
lace, Cameraman Henry Sharp.

No Election on Tap
For Allied Session

No election of officers will be held at
the annual Allied convention in At-
tanta on May 20-24. Sidney Samuel-
son was re-elected president last Feb-
rury and new elections will be held in
January.

Serious thought is being given to
a lieu with a distributor for product for
the 5,000 theatres represented in

Music Hall May Get
Bergner on May 23

"Escape Me Never," produced in
England with Elizabeth Bergner and
the same director that produced "Nine
Cities," with Ronald Colman, will likely go into

Liberty in Republic Setup;
Mascot Deal Still Hanging

Liberty next season will drop its own identity as an individual producer and make a series of eight for distribution through Re-
public.

The deal discussed whereby Nat Levine of Mascot would be-
come a producing affiliate of W. Ray Brad- 
wick, is still hanging fire, although its outcome has not been determined.

L. E. Chadwick will make one for Republic, probably "In My Old
Kentucky Home." The series will cease producing with the end of this season.

Invincible and Chesterfield probably will not become part of the
Republic plan.

Robert Yates, president of Consolidated Film Industries and active financial factor behind all of the above companies, made this statement in reply to questions advanced yesterday by Motion Picture Daily. He returned from Hollywood on Sunday and missed the TWA air crash above Atlanta, Mo., early yester-
day by less than 24 hours.

Wages in '33
Were 25% of
Theatre Cost

By BERTRAM F. LINZ
WASHINGTON, May 6—Theatre wages
spent $85,422,000, or approximately
25 per cent of their total operating
expenses of $408,874,000, on wages and
salaries in 1933, according to final fig-
ures of the theatre census conducted by
the Department of Commerce. The
analysis covers cities of 50,000 popu-
lation and over.

The information consists of the num-
ber of theatres, their box-office re-
cipts, the average number of full-
time employees, and the total payroll,
including wages for part-time workers,
the number of whom is not shown.

For the country as a whole, the av-
verage number of full-time employees in
1933 in theatres of all types was 63-
136, their wage payments aggregat-
ing $80,519,000, giving an average an-
ual wage of $1,275. The average number
of part-time workers was 12-57, whose earnings aggregated $4-
903,000.

Warner Sales Meet
At L. A. June 9-13

The Warner sales convention will be
held in Los Angeles, June 9-13, with
A. W. Smith, Jr., eastern and Cana-
dian sales manager, and Grad-

Republic to Hold
3 Regional Meets

A series of three regional sales
meetings will be held by Republic Pic-
tures, beginning the last week of this
month with an opening session in Salt

Paramount to
Make Fox Met
Bid 4 Million

Ready to Put Up Cash If
Court Extends Time

Paramount will make a bid of $4,-
000,000 or $4,500,000 in cash for Fox
Metropolitan Playhouses if sufficient
time can be obtained in which to ar-
range financing for the offer, it was learned on good authority yesterday.

Sufficient interest in the acquisition
of Fox Met by Paramount was shown
by a canvass of the company's lead-

Yoost Denied Appeal
In Paramount Action

The U. S. Circuit Court of Appeals
yesterday refused the petition of Wil-
liam Yoost, Paramount bondholder, for
leave to appeal from the district court
order denying him leave to inter-
vene in the Paramount reorganiza-

Production Gains;
34 Features Going

HOLLYWOOD, May 6.—Production hit
a better stride last week, showing a slight gain over the two preceding
weeks. The weekly checkup showed

Rialto's Suit Over
"Bride" Is Settled

A suit filed by the Rialto contesting
the rights of the product in Uni-
versal's "The Bride of Frankenstein"
(Continued on page 14)

The Leading
Daily
Newspaper
of
the
Motion
Picture
Industry

VOL. 37, NO. 107
NEW YORK, TUESDAY, MAY 7, 1935
TEN CENTS

Government statistics on theatre wages in 1933 appear
on pages 6, 7 and 13.

(Continued on page 15)

(Continued on page 14)

(Continued on page 12)

(Continued on page 13)
Purely Personal

Howard S. Cullman had former Governor Alfred E. Smith as his guest for the stage show at the Roxy Sunday night. "East Side, West Side" was sung.

Sidney Franklin, Lillian Helman and Morndard Shaire are in Palm Springs finishing the script of "The Dark Angel." Merle Oberon and Fredric March will be starred.

Baron Philippe de Rothschild, organizer of the gallery Pigalle in Paris, was personally conducted on a tour of the Music Hall by W. G. Van Schmus last Saturday.

Richard Arlen has delayed that trip here by car. He is stopping off in Indianapolis for the big race, thus putting him in town a month later than originally planned.

Quip of the Day

"Ayla Giga is informed Mary Pickford got the title of her book, "Why Not Try God?" from an exhibitor who tried to buy United Artists product.

Pauline Lord has flown in from the coast. Urgent business called her away from Hollywood, but she'll be back as soon as possible to start "So Red the Rose" for Paramount.

Edige Dowling withdraws his stage musical, "Thumbs Up," from the St. James next week. A road tour is in the offing next season.

Bob Sisk is taking a run out of town for the day, but will be back tomorrow to prepare for his return to the coast on Friday.

William R. Wilkerson, publisher and editor of The Hollywood Reporter, and Max Gordon, are in town from the coast.

Jimmy Durante goes into the cast (stage) of "Jumbo," the Billy Rose show.

Claude Rains has arrived in Hollywood to make the "Last Outpost" for Paramount.

Robert T. Kane has left Hollywood for a two-weeks' vacation in Honolulu.

Frank Mastroly arrived from the coast Sunday for his new assignment at the Universal home office.

J. E. McCauley, of Peerless Lamp, Chicago, plans to return home either today or tomorrow.

C.C. Moscowsit got back from a two-weeks' vacation at Miami.

F. A. Schiller is due in from Atlanta in a few weeks.

Count Berni Voci is in from Hollywood at the Edison.

Rosemary Ames has returned to her home in Chicago.

Edward Hope's novel, "Marry the Girl," has been acquired by Warners.

Edward Bell, New Jersey branch manager for Paramount, returned yesterday from a two-week vacation. Henry Randel gets back next Monday.

Natalie Bucknall, head of Miss's research department, has been made a fellow of the Royal Society of London for her work on "David Copperfield."

Bob Goldstein's working hours at night are taken up more than ever by the fact that he has that interest in the Hollywood with Lyman and Joe Moss.

Harry Brandt trimmed Herbert Eustein at a golf tilt over the week-end with Brandt 29 balls to the good as a result of bets.

Archie Mayo, Warner director, leaves for the coast Sunday. He returns from a recent 4 or months' vacation in Europe.

Tony Garlik, Warners' art director, has been received many invitations to show his paintings around at art galleries.

Florence Abramson, local clearance and zoning secretary, returned yesterday after 10 days at home with the grip.

Al Freedlander, sales manager, coming in by plane yesterday to attend relocation conferences of First Division.

Sir Adrian Baille, Bombay producer, negotiating for the British rights to Technicolor, is due from the coast next week.

Hy Goldstein, former Broadway columnist for "Zit," now dishing out the chatter nightly over WMCA instead.

Fred Astaire starts a radio program shortly. Julian Field will do the scripts for the program and Johnny Green the music.

Leslie Ford's story, "The Clock Strikes," now current in The American Magazine, has been bought by Popular Pictures.

Ruby Keeler leaves for the coast tomorrow after spending two weeks here on a vacation.

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and says: "If we were to group together the pictures that have made the most money for exhibitors, we get the following results:

1. **PARAMOUNT**, out of 30 pictures, 11 . . . or **36.65%**

2. next company, out of 23 pictures, 6 . . . or **26.10%**

3. next company, out of 16 pictures, 4 . . . or **25.00%**

4. next company, out of 30 pictures, 6 . . . or **20.00%**

5. next company, out of 16 pictures, 3 . . . or **18.75%**

6. next company, out of 14 pictures, 2 . . . or **14.30%**

7. next company, out of 15 pictures, 2 . . . or **13.34%**

8. next company, out of 24 pictures, 3 . . . or **12.55%**

9. next company, out of 19 pictures, 1 . . . or **5.26%**"
IT'S SMART TO BE LIONIZED!

TRADE MARK

Metro Goldwyn Mayer
WE'VE been peeking again. Just for fun we looked over the headlines in the trade press since this season started. It's the same sweet story. M-G-M hits predominate again in the news from the nation's box-offices. And we've got a little secret for you. Another Lionized entertainment is on the way. Watch for it! Start talking it up now! "NO MORE LADIES" starring JOAN CRAWFORD and ROBERT MONTGOMERY. It's smart to be Lionized!
**Says Otterson Slew Fox-DeForest Deal**

**WILMINGTON, May 6.—Max A. Schlesinger, president of General Talking Pictures, again took the stand today in the anti-trust suit of his firm against Western Electric and A. T. & T. in U. S. District Court here.**

Schlesinger testified that prior to 1928 Fox Film entered into a contract with DeForest and deposited $1,000,000 to buy DeForest stock. J. E. Otterson, vice-president of Western Electric, said, told Fox that nothing was to be gained by the deal, with the result that the Fox-Film-DeForest company was employed and dropped DeForest without even an explanation.

Schlesinger told of the calibre of service and installation engineers employed by the plaintiffs. He testified that most of General Talking engineers were trained by Western Electric. Engineer Tatton and were equal to those of Western Electric, but demand paid proportionately to unconnected employes formerly employed by Erpi.

George F. Hard, New York chief counsel for the defendants, confronted Schlesinger with a copy of a lease with an exhibitor in which was included a clause stating an exhibitor should obtain additional parts for equipment through General Talking and that equipment should be serviced by the plaintiff. Schlesinger said he believed that the lease did not contain a compulsory service clause.

### Where Theatre Payroll Went

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<thead>
<tr>
<th>State</th>
<th>Number</th>
<th>Receipts</th>
<th>Average Employment</th>
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**WASHINGTON, May 6.—Theatres spent $85,422,000 on wages and salaries in 1933, according to the Census Bureau. Data on costs of operation and overhead follow:**

### Flash Reviews

**Theatre of Shadows—Exhibitors should have no trouble with this where westerns are liked.**

**Rustler's Paradise—Neighborhood theatres can play this western with confidence.**

### Cases Shadowed—Forced situations and amateurish acting combine to make this independently produced picture a poor pretender to the big screen. These films will be reviewed in a later issue of Picture Daily.**

### Declin Succeeds Giles

**BOSTON, May 6—John Devlin is acting president of Allied Theatres of Massachusetts, M.P.T.O.A. affiliate, following the death of George Giles. The latter was the second high official of the organization to die within recent months. Executive Secretary James J. McGuiness was the first. No date for an election has been set.**

### Special M. P. Club Meet

There will be a special meeting of the entire membership of the Motion Picture Club at the clubrooms Friday at 1 o'clock. Felix president, will be in charge of the gathering.

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**"Scoundrel" Given Good N. Y. Reviews**

"The Scoundrel," starring Noel Coward and playing its first engagement at the Music Hall, is the sort of picture in which New York critics delight. The consensus of their opinion, culled from their reviews, proves it:

> "The tale is told with vital forcefulness and vivid imagery. The lines are more than literate; they are brilliant. To escape the descriptive word "pastiche" is impossible in connection with Coward's dialogue. . . . The subtle pathos of Coward's broken home is not base nor sublimely mingled. Both are superbly interwoven." — The New York Times.

> "Mr. Coward, distinctly the star, appears throughout as a natural and decided presence." — Daily Mirror.

> "* * * a:* a stylized production. Coward's dialogue is a masterly picture of their memorable "Crime Without Passion" and is written with a rare and subtle harmony." — The Daily Express.

> "The film is brave, uncompromising, consistent and distinguished. Hecht and Macaulay have succeeded in creating the grand box office success their study, their pictures, their fame, a great deal of clever dialogue and literate audience." — The Daily Express.

**Files Notice of New Sound Patent Action**

S. Theodore Hodgman, assignee of the Royal Amplitone Co., has filed notice of a federal action of intention to institute an anti-trust action under the Clayton act against A.T.T., E., F., and World Amplitone.

Hodgman charges Amplitone was forced from business by an unlawful conspiracy. Damages of $15,000,000 are to be sought.

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**To Do "Chain Letter"**

Hollywood, May 6—Paramount intends to take advantage of the current craze forradio by filing a story called "Chain Letter." Fred MacMurray, Gail Patrick and Baby Le Roy may be in the cast.
Six in Film Group Injured in Plane

Business Manager Paul Wing, Assistant Production Manager William Ketlin and Mrs. Ketlin, and Electrician C.B. Drew were injured when the plane was forced to land at Kansas City because of low fuel and then ran out of gas on its way to an emergency landing at St. Louis.

Wing was so seriously hurt that the plane nosed over in a muddy field and he was carried to the farm house on a motor truck. The others remained near the wreck until an ambulance arrived from Macon. All the injured were taken to a hospital there.

Lighton Flies to Scene

Hollywood, May 6.—Los D. Lighton, Paramount producer handling "Annapolis Farewell," flew to the scene of the Colorado crash accident. His assistant also sent director Alexander Hall and cameraman Theodore Tetzlaff to Annapolis, near the crash site in the Southern Pacific to carry on the production.

Coogan Rites Tomorrow

Hollywood, May 6.—The funeral of Jack Coogan, father of Jackie Coogan, who was killed Saturday on a mountain road between El Centro and San Ysidro, will be held Wednesday at the Church of the Good Shepherd.

Services for Junior Durkin, who was killed in the same crash, will be held today at the Wee Kirk of Heather, Forest Lawn.

Jackie Coogan is in a hospital at Glendale, suffering from broken ribs and other injuries.

Film Men Escape Crackup

J. R. McDonough, president of Radio Pictures, arrived from the coast by plane early Sunday to attend a regular meeting of the Radio board to be held Thursday. McDonough was accompanied by Ned E. Depinet, president of the Lincoln Theatre Corp., and Jules Levy, sales manager.

The trio, together with Neil Agnew and Bill Pine of Paramount and H. James of the RKO studio, will attend the TWA plane crash in Missouri yesterday by less than 24 hours.

Coogelfeld of the 20th-Fox executive will occupy the Radio executives between now and the board meeting. Levy reported himself enthused over future Radio product which he saw while on the coast, specifically mentioning "Break of Hearts," "Bobby Sharp" and "She."

"Pompeii" Is Started

Hollywood, May 6.—Shooting on "The Last Days of Pompeii" has started at Radio with Ernest Schoedsack directing. In the cast so far are Preston Foster and Louis Calhern.

Radio Sets Dix Title

Hollywood, May 6.—Radio has changed the title of Richard Dix's latest from "Peacemaker" to "Boom Days."

Quiney Theatre Burns

Boston, May 6.—Fire swept through the Lincoln Theatre in the Quiney neighborhood of Quincy yesterday, forcing more than 100 persons in adjoining buildings to flee to the street. The fire apparently started in the balcony. The damage was heavy.
Riding in with a clatter of hooves...The idol of young America...Making your house resound to rousing cheers and lusty yells...creating a box office stir you'll long remember.
OFFICE WEEKS AWAIT YOU!

INTO THE BIG PROFIT CLASS

The last word in thrilling action... the culmination of ten years of successful serials... the supreme effort of the best trained company of serial producers in the business... an event of importance.

MIX Uncle Rider

Juni
“Love You” Is Minneapolis’ Top, $5,000

MOTION PICTURE DAILY; Tuesday, May 7, 1935

MINNEAPOLIS, May 6.—Grosses were scrambled in the Twin Cities last week, with a gross of $10,500 realized for the Warner’s “Love You Always” by Alvin. $5,000 out of $8,500 was taken at the Orpheum.

“Private Worlds” took $5,000 at the State $5,000, and $3,000 at the Paramount. The latter gross was $500 up but the former was the same amount below the normal line.

Total grosses in Minneapolis were $29,400. Average is $28.50. Total St. Paul business was $120,000, and St. Cloud was $16,000. Estimated takings:

**Minneapolis:**

**Week Ending May 2:** ($2,200, 30-35-40c, 7 days).

**WEDDING NIGHT (U.A.)—**$4,000, 1st week.

**LADIES LOVE DANCE (Fox)—**$2,500, 3rd week.

**CASINO MURDER CASE (M-G-M)—**$2,000, 4th week.

**Week Ending May 3:** ($2,200, 30-35-40c, 7 days).

**GO INTO YOUR DANCE (Warner’s)—**$2,500, Stage show.

**MAN OF ARAN** (Gaumont British)—TIME ($2,000, 25c-20c, 5 days.

**PAT顿** ($2,000, 25c-20c, 5 days.

**RECKLESS** (M-G-M)—$2,000, 3rd week.

**STRANGERS ALL** (Radio)—ORPHEUM ($2,000, 25c-20c, 5 days.

**THE RASPBERRY** (Fox)—$2,000, 25c-20c, 5 days.

**STOLEN MURDER** (Warner’s)—STATION ($1,000, 25c-20c, 5 days.

**STOLEN HARMONY** (Radio)—CIRCLE ($2,000, 25c-20c, 7 days.

**YOUR DANCE** (Universal)—PALACE ($1,000, 25c-20c, 7 days.

**Your Dance** Only

**Good Buffalo Draw

BUFFALO, May 6.—Only “Go Into Your Dance” was able to reach par in a languid week. A belated and se- creted Buffalo show maintained its average of $4,000. Stage show strength was expected to bolster the heavily pressed “The Devil Is A Woman” and “Hold ’Em Yale.”

Total first run business was $35,000, Average is $4,250. Estimated takings for the week ending May 3:

**THE DEVIL IS A WOMAN** (Para.)—BUFFALO ($2,500, 3rd week.

**THE CASINO MURDER CASE** (M-G-M).—BUFFALO ($1,500, 2nd week.

**REDDY DADDEN’S FLATS** (Para.)—BUFFALO ($1,500, 7 days.

**TRAVELING SALESLADY** (F. N.)—BUFFALO ($2,000, 3rd week.

**GREAT LAKES** (M-G-M).—BUFFALO ($1,500, 4th week.

**GO INTO YOUR DANCE** (F. N.)—BUFFALO ($2,000, 2nd week.

**LAFAYETTE** ($3,000, 3rd week.

**Hankson Back In L.A.**

LOM and the Rat Pack will be reassembled in Los Angeles, May 6.—Al Hanson, city manager of F. W. C., is back from extended code hearings in New York on the Los Angeles clearance schedule.

**Even Fleas Included**

JEFFERSON CITY, Mo., May 6.—The “house, all booked and closed” racing bill which passed the Missouri House is encounter- ing opposition in the Senate, where rural members are fill- bustering against its passage. Under Allen W. Campbell of Carthage, one of the opponents, introduced 15 amend- ments, all of which were de- feated on a straight voting. One of these was to legalize pari-mutuel betting on horse races. For the Vansau- Very!”” betting the house average by 65 per cent.

Clem[indom], as headline on a vaudeville bill with “Case of the Curious Bride” at the RKO Palace, made a good showing with $19,000, or $4,000 above par. “Naughty Marietta” opened slow at Loew’s State, but built steadily to a $10,000 or average gross. Total State gross was $2,500 under the previous week, but still 28 per cent above the total average.

Estimated takings for the week ending May 1:

**CARDINAL RICHIELU** (U.A.)—ALDINE ($2,000, 3rd week.

**PRIVATE WORLDS** (Para) ARCADE ($1,000, 6 days.

**RECKLESS** (M-G-M)—BOYDEN ($1,000, 6 days.

**CREAT HOTEL MURDER** (Fox) EARLE ($2,000, 6 days.

**STOLEN HARMONY** (Radio)—LYNCHBURG ($1,000, 6 days.

**YOUR DANCE** (Para) PALACE ($1,000, 6 days.

**RICHIELU** Only

INDIANAPOLIS, May 6.—“Cardinal Richielu” was practically the only first run to disturb the downtown calm of the past week. It went over the line line $500 for a total of $5,000 at the Palace.

Total first run business was $22,100.

**Estimated takings for the week ending May 4:**

**THE DEVIL IN THE EAST** (U.A.)—APOLLO ($1,000, 6 days.

**STOLEN HARMONY** (Para.)—CIRCULAR ($2,000, 6 days.

**MARK OF THE VAMPIRE** (M-G-M)—LOEW’S—$2,500, 6 days.

**PEOPLE’S ENEMY** (Radio)—CIRCLE ($2,000, 6 days.

**Your Dance** Hits $5,500, Omaha Top

OMAHA, May 6.—“Go Into Your Dance” went into the big money here last week in spite of a street car strike that hampered all forms of business. The $5,500 take at the Brandeis was $2,000 over normal.

“Naughty Marietta” also sur- mounted the transportation difficulty by grabbing $6,000, up by $1,000 at the Omaha. The Paramount took a nosedive to $6,000 with “The Devil Is A Woman” and a duel “Vanessa” and “Hold ’Em Yale,” failed to stir up any excitement at the Orpheum.

Total first run business was $24,700. Average is $2,450.

**Estimated takings:**

**Week Ending May 1:**

**NAUGHTY MARIETTA** (M-G-M)—OMAHA ($2,000, 6 days. Gross: $2,500. (Average, $416.50)

**GO INTO YOUR DANCE** (F. N.)—ALLEN ($2,000, 6 days. Gross: $2,450. (Average, $416.50)

**PEOPLE’S ENEMY** (Radio)—CIRCLE ($2,000, 6 days. Gross: $2,450. (Average, $416.50)

**Your Dance** Hits $5,500, Omaha Top

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Total first run business was $24,700. Average is $2,450.

**Estimated takings:**
Lights
Sound
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... and
CONSOLIDATED
CERTIFIED PRINTS
to do them Justice...

It's the prints that bring all this to the screen—that translate the three magic words of movie making into public entertainment. They should be the best you can buy. They are the best when made by Consolidated. Do complete justice to your productions—send them to the screen on Consolidated Certified Prints

CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK  HOLLYWOOD
Short Subjects

**“Only the Brave”**
*(Educational)*

Ernest Truex is here cast as the little fellow in love with the girl who is attracted only to strong, active men. The lesson is conveyed to the audience by the way in which he proceeds to win her is packed with good humor. Unable to make an impression on Mary Jane Barrett, Truex goes in for gymnastics in a big way. Falling flat in this effort, he then hires the works of a taxidermist to impress the lady, but is again exposed. As a last attempt he arranged with a friend to pose as a crook so he can subdue him in front of Miss Barrett, but a real gangster enters and Truex finds himself a hero through no fault of his own. Recommended. Production Code Seal, No. 0384. Running time, 10 mins. "G."

**“Tars and Stripes”**
*(Educational)*

Based on Keaton films fans will go for this short in a big way. He is up to his old tricks and his comedy is reminiscent of some of his old silents. As an officer at the San Diego Naval Training Station, Keaton spends most of his time in the brig until he escapes an officer to satisfy his interests. Keaton, performing the various tasks of an art student assistant in his hilarious manner, and the shots of the training base are the film’s highlights. Reviewed without production code seal. Running time, 20 mins. "G."

**“Taming the Wild”**
*(Educational)*

This short, concerns itself with the taming of wild animals, and particularly with the kindness used by various trainers. Everything is covered in the process of teaching tricks, all the way from lions and tigers down to cats and dogs. The reel should be particularly interesting to picture lovers. Production Code Seal, No. 0388. Running time, 3 mins. "G."

LEO MORRISON

ANNOUNCES

SPENCER TRACY

now under contract to MGM

HOWARD, FINE

and HOWARD

(the three stooges)

Starting a new series of eight Columbia shorts.

Helen BRODERICK

in conjunction

Curtis and Allen

under contract to RKO

*"TOP HAT"

NEW YORK — HOLLYWOOD

Looking 'Em Over

**“Chinatown Squad”**
*(Universal)*

Built around good cast portrayals, a plausible plot capably directed, this film is light, but good entertainment. Its chief appeal will probably be to mystery fans, but its value is greatly enhanced by the lack of the usual tricks found in mysteries.

Stanley Bergerman’s production is commendable, the direction of Murray Roth keeps the action moving right along and the identity of the guilty party concealed until the last few feet.

The yarn, located in San Francisco’s Chinatown, has Lyle Talbot driving a sight-seeing bus after quitting the police force. He stumbles across a murder and saves Valerie Hobson from being arrested by his former side-kick, Hugh O’Connell. Realizing Miss Hobson is implicated in the crime he returns to detecting and clears up everything in the end, proving the murders were committed by a business partner of the dead man. The wind-up finds him back on the force with a promotion and the implication is he’ll wed Miss Hobson.

Andy Devine, Leslie Fenton, Clay Clement, Bradley Page and E. A. Warren round out the capable cast. The photography of George Robinson is excellent.

This film should have no trouble and should do particularly well in neighborhoods and small towns. Production Code Seal No. 791. Running time, 65 minutes. "A."

**“The Red Village”**
*(Aminko)*

In “The Red Village,” made by Belgoskino, the Soviet continues its exposition of the work accomplished by it in reclaiming the land and advancing the cultural and industrial status of the Russian masses.

Into this more or less routine tale is woven a thread of drama involving the efforts of a former White trooper to revenge himself upon the Reds by resorting to sabotage. The fellow gets himself a job in a power plant located in the village of the title and proceeds to throw a monkey-wrench in the works. Toward the end of the film he is revealed in his true colors and the Soviet cause is made safe in that particular community.

The film loses no opportunity to draw a contrast between what was and what is. The village which is the scene of the action is itself built on the site of what once was marshland. Its growth into a thriving industrial community peopled by happy workers is undoubtedly intended as a symbol of the Soviet state.

The picture boasts some romance of a sort in which both the participants are engineers. There is also a certain amount of humor to help along the film, which is moderately entertaining.

The acting is good. Brodiansky and Korsch directed. There are English subtitles.

No production code seal. Running time, 90 minutes. "G."

*(Additional review on page 15)*

**Fox Holds Miss Judge**

Hollywood, May 6.—Arline Judge has been signed to a long term contract by Fox. She is now working in “Welcome Home.”

**First Wayne Republic**

Hollywood, May 6.—“Westward Ho” will be the first of the John Wayne westerns on the new Republic program.

**Hollywood Personalities**

Hollywood, May 6.—Edward Everett Horton signed for two more at Fox . . . Ben Markinson finishes “The Case of the Lucky Legs” for Warners . . . Joe E. Brown set to start in “Back to Broadway.” . . . Miss Ellis notified by Paramount in London that her option for two more has been taken up . . . Richard Wallace to shoot scenes at the Naval Academy for “Annapolis Farewell.”

Mary Brian opposite W. C. Fields in “Everything Happens at Once” . . . Directors assigned—Stuart Walker to “Sing Me A Love Song” Universal; Earl Kenton to “The Grand Exit” Columbia; Harry Edwards to Radio’s first Radio Flash comedy; Arthur Ripley to another Radio comedy . . . Options taken up—Tala Birell, George McKay, Douglas Dumbrille, Nana Bryant and Thurston Hall by Columbia; Helen Mack signed by Radio; Ad Schneeberger, Jasper Blystone and Percy Ikerd, assistant directors, by Fox.

**Production Gains; 34 Features Going**

(Continued from page 1)

34 features and five shorts in work as compared to 31 features and six shorts for the preceding week.

Fox was high for the seven-day period with seven features shooting, one being and four in the cutting room for final editing. M-G-M had five, four and 10; Paramount, five, two and three; Warners, five, one and containing a third one; Universal, three, one and one; Columbia, one and six; Roach, one, zero and four independent, four, seven and eight.

Short subject production varied slightly, the chart showing M-G-M with one shooting, two in preparation and four in the cutting room. Columbia had one, one and four; Radio, one and two; Universal, zero, one and one; Roach, zero, two and three, with the independent registering two, four and three.

**Set Actor Bill Hearing**

WASHINGTON, May 6—Hearings on the Dickstein bill applying the contract labor provisions of the immigration law to the motion picture industry will begin on Wednesday before the House Immigration Committee in the White House.

Alabama 10% Tax Comes Up

BIRMINGHAM, May 6.—A general revenue bill for the next four years containing a 10% tax on all general tickets at all public theater tickets with the provision that it must be passed along to the public has been sent to the Senate by the House Ways and Means committee on finance and taxation of the Alabama legislature. Being thus notified, theatres have rushed representatives to Montgomery. Under the proposed law every ticket would include a tax, a penny tax for instance, which would be added to a 10-cent ticket and so on.

**Florida Session Drags On**

TALLAHASSEE, May 6.—The fifth week of the legislative session has passed with nothing done of interest to the industry except consideration of the three per cent sales tax, which includes admissions.

A bill has been introduced to repeal the so-called tax, but this has stirred only academic interest and nothing can recall when the censor board ever has met.

Mo. Senate Breaks Tax Deadlock

JEFFERSON CITY, Mo., May 6.—The Missouri Senate today broke the sales tax deadlock when it voted to reconsider its amendment for one-half of one per cent as against the House proposal for two per cent. The Senate will first decide what commodities shall be taxed.

**’Hurdy Gurdy’ for Cantor**

HOLLYWOOD, May 6.—Samuel Goldwyn has tentatively set “Hurdy Gurdy” as the title of the next Eddie Cantor venture for “Dreamland,” as previously announced.

**Skouras Postpones Trip**

KANSAS CITY, May 6.—Sygros Skouras has postponed his trip to the coast until later in the week. Elmer Rhodes of Fox Midwest is also scheduled to leave with Skouras to attend the Fox West Coast reorganization conferences in Los Angeles.
Where Theatre Payroll Went

(Continued from page 7)

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Total first run business was $29,700. Average is $3,350. Estimated takings for the week ending May 4:

**“STAR OF MIDNIGHT” (Radio)**
Blue Mouse—(Aver.), 25c-30c-35c, 7 days, Gross: $5,600. (Average, $800).

**“RECKLESS” (M-G-M)**
Fifth Avenue—(2,400, 25c-35c-55c, 6 days, Gross: $1,600. (Average, $266)."

**“THE WHOLE TOWNS TALKING” (Col.)**
Liberty—(1,800), 25c-35c-50c, 7 days, Gross: $5,400. (Average, $771).

“Gold Diggers of 1932” (Warners)
Music Box—(2,000), 25c-45c-55c, 7 days, and week, Gross: $4,200. (Average, $600).

**“MARY JANE'S PA” (Warners)**
Orpheum—(3,050), 25c-45c-55c, 7 days, and week, Gross: $5,200. (Average, $743).

**“GEORGE WHITE'S 1935 SCANDALS” (Fox)**
The First World War—(1,250), 25c-30c-35c, 7 days, Gross: $4,000. (Average, $571).

The popular, new colored films are photographed in the snow-white light from National Motion Picture Studio}

Rialto's Suit Over "Bride Is Settled"
(Continued from page 1)

was settled out of court yesterday by an agreement through which the Rialto relinquishes claims on the picture in favor of the Roxy and receives in return exhibition rights to Universal's "The Werewolf of London."

The Rialto had claimed that under its booking agreement with the Roxy it was entitled to first call on all crime and mystery pictures rejected by the Music Hall. In addition to its suit against the Roxy the Rialto had also filed an application for an injunction to restrain Universal from selling "The Bride of Frankenstein" to the Roxy.

"Bill" at $4,500
In Oklahoma City

Oklahoma City, May 6.—In a dull week here "Broadway Bill" made the best straight film showing with $4,500, above normal by $500.

"The Best Man Wins" pulled $2,600 in two days at the Liberty, helped by a good show.

Total first run business was $14,800. Average is $1,350.

Estimated takings for the week ending May 4:

**“PRIVATE WORLDS” (Para.)**
Critical: (1,200), 10c-20c-25c, 7 days, Gross: $3,800. (Average, $543).

**“BROADWAY BILL” (Col.)**
Midwest—(1,500), 10c-25c-30c, 6 days, Gross: $5,100. (Average, $850).

**“CHU CHIN CHOW” (Gaumont British)**
Capitol—(2,000), 10c-25c-35c-40c, 7 days, Gross: $5,500. (Average, $793).

**“BEST MAN WINS” (Col.)**
Liberty—(1,000), 10c-25c-30c, 5 days, Stage: "Rio Nights," Gross: $2,600. (Average, $520).

**“MURDER ON A HONEMOON” (Radio)**
Liberty—(1,500), 10c-25c-30c, 5 days, Gross: $600. (Average, $120).

Olsen Back at Aberdeen

Seattle, May 6.—Tom Olsen, former manager of the Fifth Avenue and Paramount here for Fox West Coast, has just returned to the Northwest territory as manager of the two Warner theaters in Aberdeen, Wash.

Olsen has been associated with Warner theaters in the Middle West and East for several seasons. He succeeds Fred Kissenger, who will return to a theater post in Santa Barbara.

FWC Meeting Today

Los Angeles, May 6.—Fox West Coast president met today to decide on action on the clearance schedule and on the Balboa admission question. F. W. C. managers meet at the same time.

Ludington Bound Here

Hollywood, May 6.—Nicholas Ludington, vice-president of First Division, left here today by train for New York with his family.
Feeling Dynamite-y

Paramount executives are seriously huddling about a possible change in the convention date again, this time to the 4th. As one of the Paramount men stated, it would be a swell time for fireworks.

Warner Sales Meet
At L. A. June 9-13

(Continued from page 1)

well L. Sears, western and southern sales manager at the helm.

Headquarters will be in the Ambassador, according to Albert Warner. The convention is promised as the largest to be held in the history of the company. Over 300 executives and other domestic and foreign representatives will attend. Harry M., Jack L., and Albert Warner will be present. Sam E. Morris, vice-president in charge of foreign distribution, is another. Business sessions will be presided over by Smith and Sears.

Marion Dailley, president of Cosmopolitan Corp. and its star, will take a part in the activities and will be official hostess at the studio, as well as host of the welcoming committee of stars, which will include the Warner-First National roster.

A special convention train will leave St. Louis for Los Angeles on Thursday afternoon, June 6. The New York delegation will leave on Wednesday, the 5th, connecting with the special on the following day.


Those from Foreign Field
The foreign field will be represented by Robert Schless, general manager for France and Continental Europe; Max Milder, managing director in Great Britain; D. E. Griffiths, managing director for First National in Great Britain; Peter Coll, manager for Cuba, Panama and Central America; A. S. Ahebe, manager for Mexico, and others.

Besides the business sessions at the Ambassador, there will be meetings at the studio, where delegates will be the first outside studio personnel to see "A Midsummer Night's Dream," and "Page Miss Glory." The train will cross Missouri, Arkansas, Texas, New Mexico, Arizona and California, via the Missouri Pacific, Texas & Pacific and Southern Pacific. The first stop will be made at Longview, Tex., for a visit to the oil fields. Boarding the train again at Gladewater, the convention will next stop at Dallas, where they will be entertained by R. J. O'Donnell of the Interstate Amusement Co. At Abilene, Texas, there will be another stop, a rodeo having been arranged for the amusement of the travelers; and at El Paso there will be a stop of three hours, during which a visit to Juarez, Mexico, will be made.

The climax in Los Angeles will be a banquet to be held on the evening of June 13.

Paramount to Make Fox Met Bid 4 Million

(Continued from page 1)
court and the Fox Met committee a new period of grace in which to formulate a bid. If the necessary time is granted, negotiations on financing the offer will be begun at once, it was said. The routine would require an application by the trustees for permission from Federal Judge Alfred C. Cox to submit the proposed bid, subject to the later approval of the new Paramount board, which will be formally installed on May 15. Reports that Atlas Corp. would finance the bid could not be verified yesterday although Atlas, with H. A. Porting, president, and other British insurance interests and a new Paramount director, is moving behind the Paramount interest in Fox Met.

Modifications of both the Schenck and Fabian plans for Fox Met were discussed at a meeting of the bondholders' committee yesterday and both are understood to be subject to further negotiations with the committee. Schenck has offered to increase the cash amount of his bid from $700,000 to $800,000 and to add assurances of his remaining with the new Fox Met company a minimum of five years and making United Artists and 20th Century-Fox products available to the circuit.

Accompanying the modifications in Fabian's plan which went to the committee yesterday was a certified check for $100,000 as an evidence of good faith. Fabian did not increase the cash provisions of his plan, which remain at $1,000,000. The moratorium period for the new bondholders would be extended under his plan remains at 15 years and no no new limitation on the declaring of dividends by the new company was made, despite views expressed by the court that both of these provisions should be modified. It is understood, however, that these points may figure in later trading with the committee.

Fox Theatres stockholders and B. S. Moss and associated interests, also in the running as probable holders for Fox Met, were reported to have failed to decide yesterday on the submission of proposals.

Yoost Denied Appeal In Paramount Action

(Continued from page 1)
the contention that Paramount could obtain cheaper recording license agreements than those with Erpi which were made a part of the settlement. The court, however, held that he had no standing in Paramount's reorganization and that his subsequent petition for leave to intervene in the reorganization was denied. It was this denial that was affirmed yesterday by the higher court.

"Time" to Ohio Circuit
"March of Time" has closed with the Warner Ohio Circuit for future release of the reel, according with the current third issue. Ralph Rolan, vice-president, handled the deal for "March of Time."
20,000,000 PEOPLE WORKING FOR YOU

They're the Listeners-in who will hear this great American Classic over an 89-station national CBS hook-up

TUNE IN YOURSELF on Columbia Broadcasting System's "American School of the Air"

TUESDAY, MAY 7th, 2:30 P.M. EASTERN DAYLIGHT SAVING TIME

(Consult your newspapers for local broadcasts)

BOOK THIS GREAT PICTURE NOW
Milliken and Quigley Begin British Talks

Explain Origin, Purpose Of Production Code

By BRUCE ALLAN

London, May 7—Carl E. Milliken and Martin Quigley discussed the origin and purposes of the American production code with leaders of the Federation of British Industries here today. Another conference is to be held in a few days to go into further details.

Sir Francis Joseph, president of the Federation, and Guy Lociott, director, were present.

An official statement issued after the conference said:

"Mr. Milliken and Mr. Quigley explained fully the origin and purposes (Continued on page 11)"

2 RKO Subsidiary Units Show Profit

Keith-Albee-Orpheum Corp. and subsidiaries, RKO units, report for the 13 weeks ended March 30, 1935, but subject to year-end adjustments, a net profit of $41,789.95 after deducting all charges, including depreciation of $20,414.44, but before provision for Federal income taxes amounting to $12,835.

For the corresponding period last year, operations resulted in a net profit of $167,522.49, including depreciation (Continued on page 11)"

Plane Victim Dies; Wallace Shows Gain

KANSAS CITY, May 7—Mrs. William Kaplan, wife of the production manager of "Magnolia Farewell" company, died at the Samaritan Hospital at Macon, Mo., today morning as a result of injuries sustained when the Sky Chief, TWA plane, crashed near Atlanta, Mo., Monday morning. Hospital reports declare Paul Wing, business manager of the unit and father of Toby Wing, actress, is in an (Continued on page 11)"

125 Leo Men Start K. C. Meeting Today

KANSAS CITY, May 7—Approximately 125 members of Leo's cohorts, including home-office distribution officials, district managers, auditors and representatives from 19 exchanges in the south and west meet Wednesday (Continued on page 14)"

MOTION PICTURE DAILY

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

VOL. 37, NO. 108

NEW YORK, WEDNESDAY, MAY 8, 1935

TEN CENTS

Chase Still Fox's Largest Stockholder, Report Reveals

By BERTRAM P. LINZ

WASHINGTON, May 7—Chase National Bank continues the largest individual stockholder in Fox Film, with 1,490,877 shares of Class A common, it was revealed when the company filed registration statements with the Securities and Stock Exchange Commission for the listing on the N. Y. Stock Exchange of 2,479,273 shares of no par common Class A, as well as 25,000 warrants for the same stock classification and 34,514 debenture rights.

The company also reported, as required, a list of all holders of 10 per cent or more of its stock including White, Weld & Co. of New York, with 462,659 1/4 shares; voting trustees, 14,349 shares of Class B common; Amerec Holding Corp., warrants for 15,655 2/3 shares and Hayden, Stone & Co., warrants for 5,167 shares.

S. R. for an extension of the time for 1 1/8 shares of Class A common while his personal holding company, the Berkshire (Continued on page 4)"

Texas Houses Opening; New Ones Going Up

DALLAS, May 7.—Dark houses continue to reopen and new houses are going up over the state. Humble, Tex., closed for one year, has opened with E. N. Collins operating the Lindell. Karnes City, closed for several years, is to have a theatre operated by W. H. Hall. W. H. Allen is to open the Primrose at Poth, closed for some time.

Texas Theatre will get a new theatre, the Moron, owned and operated by R. L. Hansard. John Richardson has (Continued on page 12)"

Score Charges Questioned in Canadian Quiz

TORONTO, May 7—Highly illuminating evidence regarding the theatre situation in Canada was forthcoming at the investigation before Judge James Parker at Toronto into the license fees imposed by the Canadian Performing Rights Society, when Thomas J. Bragg appeared to give facts in behalf of Famous Players Canadian Corp., of which he is comptroller and secretary-

Bragg protested that theatres are required to pay charges for copy (Continued on page 4)"

Para. Not to Seek Fox Met Extension

The agreement in settlement of Erpi's $2,000,000 claim against Paramount Publix was in a report submitted to the Federal District court here yesterday by Special Master John E. Joyce.

The settlement allows Erpi's claim at $1,300,000 and includes new recording license agreements between Erpi (Continued on page 12)"

Battle Lines Drawn On NRA Legislation

WASHINGTON, May 7.—Lines for the fight between President Roosevelt and the Senate over extension of the Recovery Act were defined today when the House Ways and Means Committee agreed to sponsor the Administration bill extending the law for two (Continued on page 4)"

Ascap Offers Present Pacts To Year's End

The American Society of Composers, Authors & Publishers is willing to extend all contracts now in force to the end of the current year, Federal Judge John C. Knox was told yesterday by Nathan Burkan, Ascap counsel, at a hearing on a motion brought by the Attorney General's office to obtain a preference on the court trial calendar for the government's suit against Ascap. Judge Knox reserved decision on the government's motion.

The statement on Ascap's willingness to extend current contracts to the end of the year followed arguments by representatives of the Attorney General's office that exhibitors, radio and hotel men throughout the country who held Ascap contracts which would (Continued on page 11)"

First Div. Awaits Word on Financing

HOLLYWOOD, May 7—Ist Division is awaiting word from Pathé on future financing, according to Henry Hobart, who has returned here following conferences with Nicholas Ludington at Santa Barbara.

Hobart indicated that the company would seek a new loan if Pathé definitely decides to withdraw.

Phila. and Portland Request Clearance

Independent exhibitors in Portland, Ore., and Philadelphia have petitioned Campi for permission to draft clearance and zoning schedules for their territories.

William Cutts of the Independent Exhibitors Ass'n., Portland, and a member of the clearance board there, sent in the request for his group. John C. Flinn, executive secretary (Continued on page 4)"

Griffith to Remake "Blossoms" Abroad

LONDON, May 7—D. W. Griffith is understood ready to sail from New York on Friday night to remake one (Continued on page 11)"
By RED KANN

DAVE BOUDREAUX and F. M. Mallory are New Orleans residents and the appointment is keen over their inability to see the Hucy Long sequence in the third issue of "The March of Time" in their local theatres. They, therefore, wrote Time Magazine registering that protest. Last week the communications made the "Letters" department of the magazine and drew editorial comment from the publication's editors.

"Fearing that New Orleans audiences 'might riot' if shown The March of Time' sequence of Henry Long's The Saenger headquarters staff of Loew's Theatres, Inc., ordered that sequence deleted in that city," went the comment. "Fearing a revenge from the Long Gang if the sequence were not deleted and riots from anti-Langstriers if it were, the Saenger circuit decided not to show this 'March of Time' issue at all in Louisiana."

Several of the Saenger officials are sizzling over the incident. Their side of the story runs along these lines: "The entire third issue of "The March of Time" appeared to them to be highly controversial and we do not believe controversy has any place in an establishment, such as a picture theatre, where the purpose is to entertain the public. We, therefore, asked the producer for the privilege of skipping the third release, agreeing to add one at the end of our contract. The proposals went for theatres in Texas as well."

Agree or not, as you like, the Saenger attitude finds itself violently at odds with the rebuttal which takes a straight buyer-and-seller situation out of that category and into the columns of a publication which happens to own the producer. They view the picture as a direct effort to take unfair advantage made possible by the peculiarity of the relationship between printed and pictorial journalism.

The major issue, however, is not that it all happened, but the public question whether or not material as highly controversial as the subject matter in this particular "March of Time" release belongs on screens where the column earlier had stumped with its approval the guts and the daring which ripple through the two-reeler under fire and sees no reason to back down. It was anticipated at the outset and, let it be made clear, by "March of Time" executives themselves that which the Saenger troubles would be instituted by exhibitors if the subject itself were not shelved.

"Your average theatre manager en fibs enough from patrons about dissatisfaction over the quality of straight entertainment. He is obviously wary of running material which may alienate segments of his audience and, from many angles, cannot be blamed. As inadequate as the following observation may be, the major trouble might appear to rest in the "dare limited intelligence of the purchasers of tickets and mass disavowal to get beyond surface markings of topics which disturb the set tenor of their mental ways."

How it goes when one producing company has a hookup with William Randolph Hearst? The gentleman from San Simeon has ordered his editors to trim Paramount and Metro publicity and expand on Warner. In practice, for instance, there is the topline yarn in last night's "New York Evening Journal" on the impending W. B. convention in Hollywood next month.

Teaser: Who is that Grade A producer, irked by the ways of his associates, who is reported contemplating a new hatchet under a trademark not currently his?

New Times Officers

Arthur Hays Sulzberger was elected publisher of the New York Times and president of the New York Times Co. yesterday at a meeting of directors.

Col. Julius Ochs Adler was chosen general manager, a newly created post, and Godfrey N. Nelson, now secretary of the company, was appointed a director to fill the vacancy caused by the death of Adolph O. Ochs.

Mrs. Wallington Dies

Mrs. Anita Wallington, wife of James Wallington, NBC announced, died early yesterday at St. Mary's Hospital, a victim of peritonitis. Before her marriage Mrs. Wallington was Anita Furman, captain of the Rockettes of the Music Hall.

Wall Street

Big Board Has Bad Day

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Curb Issues Show Decline

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Most Bonds Are Off

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No Pittsburgh Rate War, Harris States

There has been no price war in Pittsburgh so far as the Alvin is concerned, in a letter to Motion Picture Daily. He raised scales when asked to do so by the Penn and Stanley, he writes.

Harris' letter was the result of a recent item headed "Pittsburgh's Price War Ends With Deal." He says the Penn cut its scale to 40 cents top, the level at which the Alvin had been operating, because it expected the Alvin to play at that figure. He denies that prior to this drop he had been asked to boost the Alvin top.

Line Up League Talent

Through Mrs. Rose Warner Charner of the entertainment committee, Harry Hershfield, Helen Gleason of the Metropolitan Opera, Al Jolson, Sophie Tucker, Rudy Vallee and Julialette and Yvette Ruhlge have consented to appear at the 50th anniversary of the Mill and Egg League of New York at the Commodore May 14.

Woodhall Plans Weekly

R. F. Woodhall, one-time national president of the M.P.T.O.A., is reported planning a national weekly trade paper. Efforts to reach him at 636 Loma Linda, his home for comment, were without results yesterday.

Appeal Maryland Ban

BALTIMORE, May 7—Public Welfare Pictures has filed an appeal in the Baltimore City Court against a ruling of the Maryland State Board of Censors condemning "Children of Loneliness." A hearing will be held Wednesday.

Gallup to Divulge Plans

Bruce Gallup, president of the Anpa, will appoint committees and outline the association's annual convention in Rochester on June 10.

"G-Men" Holds Over

Chicago, May 7—The Chicago will hold "G-Men" for a second week.
"Mark of the Vampire" is the best horror-thriller since Hollywood began scaring the public!

"BOO!"

AND IT TAKES 2 BROADWAY FIRST RUN THEATRES to accommodate the crowds!

Now packing 'em in DAY and DATE at the Rialto and Mayfair on Broadway!

P. S. Orchids to Cleveland for that swell scarifying showman campaign—and the business was great! Go thou and do likewise!

Scare-ads in N. Y. papers. They clicked!
Line Up in Coast's Bank Night Battle

L.A., May 7.—With all eyes in the exhibition field focused on a Federal court test involving the right of the grievance board to suspend operators in gripes which is scheduled to come up this week, the tangled gained added interest as a result of the arrival here of Emmett Mullist of the largest representative of Affiliated Enterprises, owners of bank nights, and Claude Ezel, attorney from Texas. He announced he would give legal aid to the bank night interests.

At the same time a split in the grievance board has become apparent. At the last hearing J. J. Millstein of M-G-M voluntarily disqualified himself as a member of the grievance board. Since then he has resigned, and it is reported other resignations are pending.

The grievance board has called off all bank night hearings pending the decision in the case before the Federal Court as a result of the resignation of Millstein and the threatened withdrawal of other members of the board.

Holds Union Sale Ruinous

TOPEKA, May 7.—If compelled to pay the $7,000 fine last Tuesday the city of Topeka would be forced to close his theatres, Glenn W. Dickinson, circuit operator, told Robert A. Gaffney, assistant deputy code administrator, at a hearing yester- 
day on Dickinson’s application for exemption from the code labor provi-
sions.

Before returning to Washington Gaffney allowed an additional 72 hours for introduction of further data to determine union scales in Kansas under the code.

Dickinson testified he still operates under the boom time overhead ac-
quired when leasing theatres eight years ago and could not meet salaries paid by New York, Chicago and Los Angeles in the code to labor board and NRA compliance director against Dickinson’s scale cuts have been pending about two months and a decision will be given in Washington.

Get Temporary Injunction

DALLAS, May 7.—Brady Amuse-
ment Co. at Brady has secured a temporary injunction against dis-
tributors attempting to stop service on a bank night award. A permanent injunction will be sought at the hear-
ing in District Court May 29.

Suit for a temporary injunction filed by S. C. and operating the Palace in San Antonio, against the grievance board, its secretary and the distribu-
tors, who tried to boycott Antonio. The injunction is asked to keep distributors from cutting off service on a bank night decision.

Loew Charges Start Retaliation

Complaints by Loew’s against the Majestic and Bridge theatres has brought a suit in injunction. Henry H. Hasen, yesterday acted as a boomerang when both defendants charged the major circuit with reduc-
ing admissions in another form of viola-
tion.

Irving Greenfield, attorney for Loew’s, said that threatening to put on “Lucky” contests which were in violation of the code. Henry Suchman, representing Harman Yaf-
a, retaliated by producing a card ad-
vertising Loew’s Rio giving away pies

Chase Still Fox’s Largest Stockholder, Report Reveals

Finance Corp. is down from 15,260 shares. Other heavy holders included W. C. Michel, executive vice-presi-
dent, with 1,242 1/6 shares; Sydney Brown, treasurer, 610 1/6 shares; and $7,000 in debentures; Daniel O. Hastings, 1,001 1/6 shares; Richard Oakman, executive vice-president; Nix Porter, 1,001 shares and Windfield Sheehan, 10,244 2/6 shares of A and 164 6/6 shares of B.

These were on salaries and re-
umeration of officers and directors and bonus and profit-sharing arrange-
ments, supervisory contracts, contracts in service and contracts and other contracts with underwriters and others was also filed with the commission, but confidentially with the stipu-
lation that the data would not be made public.

The status of the tieup between Fox and Warners-First National Pictures has been revealed to the Fox ownership of the American Investment Co. on which the firm owns 49 per cent of the voting stock and approximately 75 per cent of the outstanding stock of the Metropoli-
tan and Bradford Trust Co., Ltd., which, in turn, holds 8 per cent of the ordinary stock of G. B. Outstanding indebtedness includes $1,986,600 by Fox Film; $722,500 by Fox Film Realty; $1,566,000 by Fox Realty on California and $2,500 by Fox Film, Ltd.

Philadelphia and React Request Clearance

Code Authority, has instructed them to go to court. The Independent Exhibitors’ Pro-
active Ass’n of Philadelphia passed a resolution requesting the Circuit Court to adjourn all hearing and keeping the request was sent to Warner. The petition reads: “We have come to the peculiar situation that exists where one circuit virtu-
ally dominates the entire territory. Our industry and the general public are suffering action by that circuit in reducing admissions while maintaining the same protection which it had prior to the granting of a boycott. It becomes extremely nec-

eusary that there be no further delay in the preparation of a clearance sched-

ule for this territory.”

Both petitions will be taken up at the camp session tomorrow.

Metropolitan schedules already pre-
pared for Milwaukee, Kansas City and New Haven will be the first to be considered by Code Authority. The Los Angeles request for clearance has been merged, will go into effect a week from today.

Battle Lines Drawn On NRA Legislation

(Continued from page 1)

years. The Senate Finance Commit-
tee also reached a decision after an appeal by Donald R. Richberg, chair-
man of the Industrial Recovery Board, and Charles Wet, White House lia-
ison with Congress, for support of the President.

It is understood that Richberg agreed to a two-year extension with the restrictions on intra-state business and price fixing adopted by the Sen-
ate committee, and asked that the President be given more than the 30 days provided by the committee for a Senate hearing before the bill is referred to a rewrite code to meet the new requirements.

Jubilee Seats on Sale

Boxes and reserved seats for the Actors’ Charity Jubilee Show at the Municipal Auditorium, in aid of the N.Y.A. Fund and Masonic Clubs of New York State, will be placed on sale tomorrow at the Garden and the various theatre ticket agencies.

Question Score Fees In Canadian Probe

(Continued from page 1)

righted music in films. One is the film rental; the second the score fees which the producers felt was a license fee to the Canadian Performing Rights Society.

“It is very difficult for me to under-
stand this sort of an effort on our picture for which we pay large rentals, we cannot show it until we have paid the score rent. It is the performing rights,” Bragg said.

Judge Parker asked for information on the score rent fee, but no one in the courtroom was able to offer an explanation beyond that it might be for the recording rights of the score.

President H. T. Jamieson of the Canadian Society argued that the license fee of 10 cents per seat should be doubled.

Bragg came back with the conten-
tion that people were patronizing large houses and were not interested in large downtown theatres, as indi-
cated by the fact that the average Canadian larger house dropped from 36.7 cents in 1930 to 29 cents in 1934. Paid admissions to the Fa-

day, in the 700 seat number the number of 160 had fallen from 8,494,000 in 1930 to 44,588,000 in 1934.

The circuit had reduced its theatre census from 788 in 1932, Bragg pointed out; salaries had been reduced more than $150,000 by a 35 per cent cut. While profit had doubled from $1,905,000 in 1930 had fallen to $21,584,000 in 1932, although it rose again to $303,625 in 1934 because of econom-
ies, it was felt there had been no reduction in taxation and out of every dollar taken in 24 or 25 cents remained as profit.

Americans Spend More on Shows

Continuing, Bragg declared that the annual per capita expenditure for film shows in the United States in 1934 was $2,253,000 less than $2,400 in Canada. This was due, he believed, to the different habits of the peoples, Ca-

Canadians being more of the home-loving sort. In the United States, theatres operated seven days per week, while most of those in Canada were closed six to eight days weekly. Comparing theatres in Toronto and Buffalo, N. Y., Famous Players’ large downtown house aver-
gaged 13.7 cents per week in gross in-
come, while a theatre in Buffalo of 10 per cent greater seating capacity, averaged $15,300 per week.

R. C. Cassells, counsel for the Performing Rights Society, asked wit-
ness, "The Famous Players a United States corporation?"

Bragg replied: "The stock is con-
trolled by Paramount-Publix Corp, in New York.

The Canadian claim paid $2,253,000 to United States film producers in 1934. The figure was the fourth largest expenditure for the 160 theatres, amounting to $1,250,000 last year. The rental of a film pro-
gram was 12 cents per cent of the gross receipts, although this ran as high as 35 cents in the case of foreign productions. This rental was exported to producers in other countries. Bragg said there had been no Canadian film rentals during the depression years.

Other theatre witnesses are yet to be heard before Judge Parker who an-
other hearing a week away would move to Montreal May 10.
"Four stars. Smash hit. Warner Bros. have been starting cycles in films ever since they made the first all talking picture, 'The Jazz Singer,' starring Al Jolson, a cycle which will probably go on until television comes along. They started the young gangsters off in the films with their 'Doorway to Hell,' featuring Lew Ayres and James Cagney, and brought musical films back into favor with '42nd Street. Now they have inaugurated a new cycle by giving Cagney a vehicle that puts him on the other side of the fence, as it were, making him the hero of an exciting, swiftly moving drama about the 'G-Men.' The picture is so absorbing, so thrilling, and has been done with such excellence, that we are bound to be deluged with a flood of films showing us other phases of the work of these able, incorruptable Government agents who always get their men. Cagney comes through with a fine performance. He makes a believable Department of Justice agent. He is courageous, and honest, a man of education and high calibre, even though he had come up from the gutter. All in all, his Brick Davis is a credit to the Government's crack detective agency. Cagney's screen portrait of Davis is sharp, clear and impressive. And his performance goes far toward making the picture the excellent entertainment it is. The picture has been skillfully directed by William Keighley who keeps the audience in a state of breathlessness from the beginning to the end. A mob, literally a mob, turned out for the first showing of the film at the Strand Theatre yesterday morning and greeted it enthusiastically." —Kate Cameron in N. Y. Daily News

"Wildly exciting melodrama. Magnificent! Don't miss it. A wildly exciting, vigorous and handsome thriller. It is smashing melodrama, with a kick and with a purpose. And it restores to the screen the substantial James Cagney who first endeared himself to the public as the hero of riotous melodrama. Cagney gives a stirring performance, far the best he has given in seasons. He is supported by a great cast which includes Margaret Lindsay, Ann Dvorak, Robert Armstrong, Barton Maclane, William Harrigan. The film seethes with action. It is filled with gun play, fights, chases, thrills. The romantic interest is strong and appealing. Comedy and pathos neatly balance the sheer melodrama. Extraordinarily timely, 'The G-Men' uses many powerful situations right out of news. It is a thrilling, exciting and inspiring film. Don't miss it." —Bland Johaneson in the N. Y. Daily Mirror
"If the crowds that stormed the Strand Theatre yesterday are any indication, then 'G-Men' is the most terrific box-office smash that Warners have yet produced. With the house jammed half an hour after it opened and police trying to hold back mobs battling to get in despite S. R. O. signs, the waiting cash customers broke through the ropes and police protection, scattered house managers and their assistants left and right, and smashed down two doors, tearing them right off their hinges, in a riotous rush into the lobby. There's your answer to theatre owners who alibi empty houses by saying that people aren't going to the theatre for this reason or that. Give the public a good picture and look what happens! And 'G-Men' is more than a good picture—it's about the most exciting entertainment that has yet come out of Hollywood. Packed with fast and furious action, taking up a theme that's vigorous and alive, and unfolded in staccato tempo, it will hold you breathless from the moment it opens until its thrilling end. For Warners have once again gone to newspaper headlines for their screen material and graphically depict the warfare between the U. S. Government's Department of Justice agents and organized crime. James Cagney gives a performance that tops even his previous brilliant characterizations. The Cagney strut, the knowing eyebrow, the down-to-earth understanding and the hard-boiled intelligence—they're all there in a performance that's swift and sure and electrical. Incidentally, the criticism levelled at the 'Public Enemy' type of film was that it caused youngsters to leave the theatre with the desire to be a swaggering gangster. Warners have started a new cycle and, after seeing Cagney in this one every youngster will leave the theatre with a consuming ambition to become a government agent. One intensely vivid sequence after another. The pictured exploits of the 'G-Men' make for spectacular and dynamic action, and Director William Keighley tells his story with mounting suspense. Cagney is perfect in his role and excellent work is done by Robert Armstrong, Barton MacLane, Edward Pawley, William Harrigan, Russell Hopton, Noel Madison, Raymond Hatton, Harold Huber, Addison Richards and a number of others. It's a tremendous picture—and worth fighting your way in to see."—Rose Pelswick in N. Y. Journal
"'G-Men' is an electrifying movie picturing nation's war on crime with Cagney in fast-moving role. Again the staccato rat-tat-tat of the 'typewriters' and automatics echo from the thrill-filled screen of the Strand Theatre in a Warner picture which ushers in the most pulse-quickening cinematic cycle since the exciting days of the prohibition exposes. It is not only thrilling theatre but adorns its throbbing tale with a moral which should keep aroused a people shocked from complacency by the earlier film preachments against the surrender of the nation to the underworld. One climactic incident is heaped upon another in the attainment of the whirlwind finish. James Cagney contributes another of his electrifying characterizations and is admirably aided by Robert Armstrong, who contributes as thoroughgoing and virile a portrayal as any to distinguish his long career. The picture is loaded with fine actors who add a wealth of color and excellent histrionicism to the roles. William Keighley's direction keeps the action zipping along with the speed of a bullet, and maintains suspense right to the end."—Regina Crewe in N.Y. American

"Blazing melodrama. The photoplay contains several episodes which have scarcely been equalled for excitement and dramatic vigor since 'The Public Enemy' and 'Little Caesar.' Mr. Cagney's performance is the most effective he has given in a long time."—Andre Sennwald in N.Y. Times

"Jimmy Cagney scores hit in 'G-Men.' Jimmy Cagney went over to the law's side with a bang, in Warner Bros.' latest thriller, 'G-Men.' There may have been crowds watching the parade on Eighth Avenue, but we'll bet bigger ones were at the Strand, for this reporter fought to get in and out of the theatre. And did that mob of fans approve of Jimmy's new characterization? They howled and roared their approval. Thrills abound from beginning to end and we defy you not to lose your breath in the exciting sequences. A grand picture."—Julius Cohen in Journal of Commerce

"It is one long, lusty paean in homage to our Federal Agents. It is also a highly exciting film, one so packed with swiftly paced action and so capably played throughout that it easily surmounts any difficulties presented by the routine plot. A thoroughly engrossing melodrama, with a timeliness and significance seldom surpassed. Superior acting. This robust film is worth an evening of any moviegoer's time."—Liberty Magazine
"With its rapid, explosive action continually punching you in the eyes, 'G-Men' emerges a swell show. A new twist in the cinema's annals of crime. It makes you feel as if you had consumed a two-volume chronicle novel of all the outrages ever perpetrated by America's various number one public enemies. A skillful, thrilling and exciting blend of fact and fiction, this 'G-Men' is as exciting as any of the old underworld films. Indeed, in many ways it is acted with a finer degree of suspense and credibility than some of those old shockers. Mr. Cagney has acted any number of superb characterizations in his screen career, but I think that here as Brick Davis he gives his most satisfactory performance. He is surrounded by a cast chosen with judgment. The construction of the film by Seton I. Miller, who wrote it, and William Keighley, who directed it, is swift and staccato. Recommended as good, solid, arresting entertainment of its kind." — William Boehnel in N. Y. World-Telegram

"A vivid, racing melodrama. One of the fastest melodramas ever made, giving the Strand Theatre audiences enough excitement to last them for weeks, or until the next of the new cycle comes along. 'G-Men' has started something. The first of its kind for several years, 'G-Men' is surefire entertainment." — Eileen Creelman in N. Y. Sun

"A thrilling drama. Undoubtedly the most thrilling melodrama that has come out of Hollywood since the movies abandoned blood and gunfire for sweetness and light. The Warners, with their customary instinct for surefire, topical movie subjects, have plucked the material for their new picture right out of the nation's headlines. Told with breathless realism and with meticulous regard for the record of recent events. It is, we assure you, all very thrilling, and not to be missed by any one who likes his screen entertainment. The acting is excellent." — Martin Dickstein in Brooklyn Eagle

"Cagney leads 'G-Men' to Broadway to clean up at the box office. The Freres Warner, taking advantage of the headlines in their usual excellent fashion, have turned the spotlight upon the activities of the Government special agents, those seekers after criminals who are known, in the parlance of the underworld and the headline writer as 'G-Men.' An actionful, exciting and thrilling film. It's more exciting passages keep you thrilled." — Al Sherman in N. Y. Morning Telegraph
"Great, gripping, glamorous. Socko! Another red-blooded cinema triumph for the Strand! You haven't seen a movie thriller until you've gaped and gulped and gasped in frenzied excitement at 'G-Men.' Let's forget immediately that the Warner Brothers have rendered a patriotic service by filming this dynamic drama, which glorified the Department of Justice agents of the United States Government, and give a rousing cheer for 'G-Men' on its merits as smash hit screen entertainment. Here is, indeed, the roughest, toughest, shootingest, fightingest film since 'The Public Enemy.' And Jimmy Cagney portrays a straight, brave, kindly role in the picture, giving a smooth, ingratiating and intelligent performance. He proves once again his versatility. It's a fine role in a super-fine production. William Keighley turned out a swift-paced, always intensely gripping picture. Replete with breath-taking dramatic action. Heartily recommended as a punch-packed film treat—guaranteed to chill and thrill all movie fans who can take cinematerial which mixes lead with laughter. They'll not only take it—but like it! And how!"—Irene Thirer in the N. Y. Post

"Not since 'The Public Enemy' startled film-goers with its stark and brutal reconstruction of gangster activities has there come so compelling a photoplay of the underworld as 'G-Men.' With the resourcefulness of James Cagney in giving a most magnificent performance and an impeccably chosen supporting cast, the production is a vivid and exciting entertainment. In 'The G-Men' the screen has singled out Federal men as the heroes and the exploits of the Department of Justice agents over the last three years have given it splendid material for celebration. Those most vociferous of Hollywood's critics who deplored the glorification of the plug-ugly in the extended series of gangster works, should be effectively silenced by the resultant chronicle. A gripping and fast-moving melodrama of today. William Keighley's staging of the shooting episodes, together with his frequent manipulation of the action by shots of many careening automobiles and the mounting crescendo of his climax have been accomplished with rare skill and ingenuity. The playing of the lesser roles is uniformly excellent. The most tremendously gripping screen offering ever presented by Warner Bros., as well as a signal commemoration of some of the most valiant deeds of our day."—Howard Barnes in N.Y. Herald-Tribune
The financial reports on “G-Men” are every bit as breathtaking as the critical comments. Every hour brings new records! “Phenomenal” is the only word for the business this show has done in every single situation! In San Francisco, 70,000 admissions poured into the Warfield Theater in seven days, topping all marks for the past four and one-half years! The run is to be continued indefinitely at the St. Francis! Then in Chicago, despite snow and sleet, extra cashiers were forced into service thirty minutes after the biggest opening in weeks at the Chicago Theater. Next stop—Houston, with business zooming 25% over normal figures! Texas crowds forced the management to schedule a special midnight showing. In Indianapolis, the SRO sign went up at two in the afternoon. Only complaint by manager is that patrons are staying through two shows! On to Memphis, and the biggest gross in the history of the city! Opening to a tremendous preview Friday night, it went still higher on Saturday, and on Sunday turned in the greatest gross since the theaters have been opened. All records, including the almost impossible ‘42nd Street’ mark, fell before long lines of moviegoers. Omaha’s Brandeis Theater opened to the biggest business in a year! In Minneapolis, another holdover is assured, as tremendous weekend business smashes all Orpheum Theater records for the year! At St. Louis’ Shubert Theater the biggest turnout in the house’s history makes a new record a certainty! Even a rainstorm couldn’t keep away the thousands who tried to squeeze into the packed theater. They had to be turned away! In Newark, every box-office record in the history of the 15-year-old Branford Theater was topped! Picture may be held for three weeks, an unheard of run at this house. The Albany Strand Theater opened to capacity standing room with a heavy hail storm as competition! Even with a bad break in weather, overflow crowds made Pearl Street look like Times Square. Second day matinee was even bigger than first day. And in New York, the first five days at the Strand have trebled average business and broken every record in the theater’s history. Opening-day mobs tore two doors from their hinges! Block-long lines and constant SRO crowds have forced a twenty-one-hour continuous performance policy with the doors opening at 8 A. M. and remaining open until 5 A. M. The Strand run will be continued indefinitely.
**Gassaway Presents Views On “Political Crackpots”**

*By SHERWIN A. KANE*

The film boys sat around the stove at the Motion Picture Club at the lunch hour yesterday and listened, alternately applauding or guffawing, while Congressman Percy L. Gassaway, the old cow man from Kentucky, spoke his mind about Harry Long, Father Coughlin and political apostles of “insincere share-the wealth creeds” more dangerous than communists. Maybe some of the boys didn’t agree with everything the long-haired Oklahoman had to say but said to put him a case of “nerves” when, early in his speech, a photographer’s burst “backed” with a pistol-like explosion a few feet from his head.

“I’ve been shot three times and shot at a dozen times,” the “cow man” observed, “and being staked out by exponents of share-the-wealth programs who, though aware that they were unable to deliver what his many millions of Republicans and non-partisan voters would be ready to trade on the ignorance and innocence” of large sections of the population for political power.

The gentleman from Oklahoma says, “are like the parent who promises his children that if they will be good all year Santa Claus will bring them a horse for Christmas; then on Christmas Eve goes out in the backyard and fires a stick of dynamite so that the parents can tell the kids that Santa Claus has just committed suicide.”

“They are insincerers in their promises, a great liar or both,” he continues. “When it comes time to divide the wealth theirs will be the bottom half of the bottle that they can’t pour out because the top half belong to some else.”

Father Coughlin, he said, “has joined the Kiwanis Club,” and Huey Long “is a political tom-tit who imitates a woodpecker and attacks the large and clean to see if he can put a hole in them.”

Representative Gassaway was introduced by Leon Niren, the editor of the Hearst newspapers who had disclosed to the new “cowboy star” of pictures, invited to the non-partisan Motion Picture Club, the same degree of interest which would await his political adversaries.

The representatives sent to the film industry, referring to it as the “greatest audience next to newspapers” and one which “had contributed more to the masses than any other Business.”

“If your industry,” he said, “had produced no more than The Covered Wagon and It Happened One Night, it would have performed a wonderful service.”

**President Offers**

**Warns on New Ohio Tax**

**Compromise Sought**

**Or Mass. Dog Races**

**Will Attend Carnival**

**Presents Facts To Year’s End**

**Griffith to Remake “Blossoms” Abroad**

(Continued from page 1)

of the early successes, “Broken Blossoms,” for Julius Hagen at the Twickenham Studio.

Hagen today admitted negotiations were under way, but added no contract had been signed as yet.

“Broken Blossoms,” with Richard Barthelmess, Lillian Gish and Donald Crisp, was produced by D. W. Griffith in 1919.

The director was reported in Kentucky yesterday and could not be reached for a statement.

**2 RKO Subsidiary Units Show Profit**

(Continued from page 1)

charges amounting to $245,963.82, but before provision for Federal taxes, the net result for the current year was $101,017 after deducting all charges, including depreciation amounting to $109,103.66 but before provision for Federal taxes amounting to $6,000.

For the corresponding period last year, operations resulted in a net profit of $101,017 after deducting all charges, including depreciation amounting to $198,978.65, exclusive of Federal taxes.

**Mrs. Fye, New Censor**

**M. P. Club Meets Friday**

A meeting of the general membership of the Motion Picture Club has been called by Felice R. Yaw and Mr. M. A. Lightman is handling the detail.
A L FRIEFLANDER, who arrived by air from the coast late Monday night, is thankful to Myrna Loy that he missed the plane which crashed near Atlanta, Mo. Learning that the MGM star was to leave on the airliner he boarded, FRIEFLANDER switched reservations and made the earlier plane. When he got to the air field a few minutes ahead of time, FRIEFLANDER saw Miss Loy put two of her friends aboard instead of leaving with them.

Ray Lewis, editor of the Canadian M. P. Digest, is back from Hollywood, where she addressed women's clubs on the race problem and the British and American industries. She has scheduled other addresses before the English-Speaking Union in Toronto and London.

Power Johnson, 13-year-old son of P. K. Johnson and Consuelo, of the Texas circuit in Dallas, has returned south after winning fourth place in the national tumbling contest conducted over the weekend by the YMCA. He is the tumbling champ of the south.

“Thank you” reads a note that reached this city. It is written by a newspaperman from St. Louis.

Charles Stern, assistant to Al Lichtman, has returned to his desk after being away for three days with a bad cold. He recently returned from a seven-week southern trip and last week was in Boston.

Arthur Dickson, of the M. P. D. A., left last night for Atlanta to attend a convention of the National Fire Protection Association. From there he will go to Hollywood for the S. M. P. E. convention.

Norman L. Carter, assistant to E. Richards, of the Saenger circuit, has returned to New Orleans on Friday. He says business in N. O. is splendid, but has broken back in East Texas.

Sam Eckman, Jr., returns to London on the Ile de France, which steams from New York on May 10. It’s the boat he came on over a few weeks ago.

Irving Green, of the local Fox exchange, yesterday became the father of an eight-pound boy. Mother and child are expected to arrive at the Rockaway Beach Hospital.

George Haight left for Hollywood by plane yesterday to assume the position of general production assistant to Samuel Goldwyn.

Sam Sax entertained 37 midshipmen and 17 officers and instructors of the Spanish naval training ship, Juan Sebastian de Elcano, at the Brooklyn Vitagraph plant yesterday.

Moe Sanders, office manager of the local Fox exchange, returns today from a two-week vacation, the first in years.

Mike Marco is in from the coast for conferences with Harry C. Artz, and Jack Patrician on Foxland & Marco operations.

James P. Clark, of Horlacher’s, Philadelphia, arrived yesterday for a short visit. He returns to the Quaker City today.

George Mann, of the Redwood circuit, is in town with his family. At the Varsity.

Olg Swetlow, well known among filmland’s secretariat, is now part of George Weir’s staff at GB.

Charlie Moskowitz is back from his Miami holiday.

Cary Grant hurried back to the coast Monday night.

Maria Gambaelli flies in from the coast today. It’s a vacation.

Harry Gold, of U. A., is down with a cold.

Herschel Stuart is back from Dallas.

Canada

Joseph M. Franklin, now operating a chain in the Maritime Provinces, has been sojourning at Miami Beach in search of health after months of illness at Halfax. For used to be RKO theatre representative for Canada with headquarters at Toronto, but struck out on his own.

R. E. Hanson, general manager of Ontario Allied Exhibitors and Associated Theatres and president of the Allied Film Co., took a tour over Boston to report how the Michigan independents were getting along.

Dorothy Paquin, owner of the Lau- rier in Hull, Quebec, has invaded Ot- tawa with the cash purchase of the recently-built Victoria, the reported price being $80,000.

F. S. Revelly of Toronto and B. I. P. representative in Canada, has finally been released from a lengthy siege of sickness in a Toronto hospital.

Louise Moore, with the Capitol at St. Louis since 1929, has been transferred to Sudbury to become assistant manager to Jack Purves, at the Sud- bury Capitol.

Flash Review

Late Beyond the Range,—western fans will go for the star’s (Tim McCoy) villain-busting efforts. * * *

This film will be reviewed in full in a later edition of this paper.

RC Televising Plans

A television program costing more than $1,000,000 and requiring a year to 15 months will be launched shortly, David Sarnoff, RCA head, revealed yesterday.

Para. Not to Seek Fox Met Extension

(Continued from page 1)

Fox Met bondholders’ committee, it was stated yesterday. Paramount interests interested with consideration of a $4,000,000 or $5,000,000 cash bid by the company for Fox Met, point out that even in the event the Johnson, Schenck or St. Fabian reorganization is approved by the committee and the court at tomorrow’s hearing, Fox Met will still have $15,000,000 in which to assert or reject the plan which is tentatively approved. This, according to the Paramount spokesmen, is sufficient for the completion of the preliminary study of Fox Met which Paramount will make in advance of a bid and for arranging the financing of the cash offer in the event one is justified by the preliminary study.

The Paramount interests also assume that a cash offer made after approval has been given to either the Schenck or Fabian plan would still command consideration because of the obvious advantages of a cash sale. For the long-term results issues proffered Fox Met bondholders by the plans now before the court. The Fox Met bondholders committee, chairman of Fox Met bondholders for the past few days, is expected to report tomorrow. The committee is expected to make it recommendations on the plans to the Federal Judge Julius Wulff. Tomorrow. B. S. Moss and associated financial interests are still regarded as possible cash bidders for the circuit.

Erip-Para. Claim Deal Before Court

(Continued from page 1)

...and Paramount at reduced royalties which, it is estimated, will save Paramount some $1,500,000 annually to its costs now. The case has been assigned to Judge B. A. Swartwout, who is expected to report to the court at the first session.

The claim settlement was vigorously opposed by William J. Fox, Paramount bondholder, who was refused permission to intervene in the proceedings by the Federal district court, U. S. Circuit Court of Appeals on Monday upheld the district court’s ruling denying Yoost the intervention right. The decision cleared the way for Joyce’s report, which now must be finally approved by Judge Alfred C. Howe.

Joyce also approved petitions for enjoining six claim aggregating $119,000 against Paramount Publix, which had been assigned to be held by Paramount Enterprises.

Says B’klyn Sale Being Probed

The sale of the Brooklyn Paramount building to St. Fabian by the trustees of Allied Owners Corp. is under investigation by the Sabbath Congress of Betterment and Goodwill organizations, the N. Y. World-Telegram said yesterday.

An allegation that the sale was under investigation by the committee figured in the questioning of Milton C. Weisman, proponent of a plan of reorganization for Fox Metropolitan

Texas Houses Opening; New Ones Going Up

(Continued from page 1)

opened the Royal in Archer City. Harry Roth will open the Morris at Sealy and the Faro at Beaumont, all in Texas, under the protection of the G&G Trust. The companies are also to be offered the takeaway houses. The distributor is P. G. Cameron, operating the Peak, Beeville.

Hall Industries of Beeville has taken over the entire Mart Colco Circuit and, in addition, the Guild at Crystal City.

To Build in St. Louis

St. Louis, May 7.—Right on the heels of Harry Koplar’s announcement that he intended to build a string of drive-in houses in his new company, St. Louis Suburban Thea- tres, Inc., comes an announcement of the buying of a new 1,200-seater on Delmar Boulevard.

This house is to be erected by S. D. Rossi, Inc., and is to be leased by a subsidiary of the company, the Dave Davis, Inc. Observers are wondering whether the city is in for a period of suburban competition like that which has torn the first run field for several years.

Charters Three N. Y. Firms

Albany, May 7.—Modern Research Corp. and American Mechnographic Corp., films and records, have been chartered here by Travis S. Levy and Howard M. Rosenthal. Let Freedom Ring, Inc., has been chartered by Ruth Kilger, Mathilda Kovacs and Murray Gottlieb.

Takes New Haven House

New Haven, May 7.—Edwin S. Raffel has acquired the Globe after 10 years as manager from Moses J. Slepak. Wide range sound is to be installed in the house.狐. The kisses are to be offered, their offering by James R. Murphy on May 24. The sales will take place at the Vesey St. salesroom by order of William Levin, referee, to satisfy mortgage judgments.

Playhouses, reported in Motion Pic- ture Daily of April 25, The building is said to be assessed at $4,800,000 and will be sold for $15,000,000 cash and a 20-year mortgage of $1,425,000. The sale is said to have been approved by the court, the mortgage bondholders’ committee and the Reconstruction Finance Corp., to which the Allied Owners stock is pledged.

The building was described as a “lemon” and its assessed valuation “too low,” by R. F. C. spokesman, according to the World-Telegram.
Randforce Amusement Corp.
1515 Bedford Avenue
Brooklyn, N.Y.

April 3rd, 1938

Mr. Red Kann
Motion Picture Daily
1790 Broadway
New York City

Dear Red:-

Your 'Daily' has been improving day by day to the extent that it is one of the most interesting issues now.

Your comments and knowledge about the different items of our business, have been of extreme interest to everyone concerned.

Wishing you continual success, I am,

Sincerely yours,

Samuel Rinzler

SR: HL

BOOKED BY SHOWMEN
AS AN ALL YEAR-ROUND
BOX OFFICE ATTRACTION
125 Leo Men Start K. C. Meeting Today

(Continued from page 1)

through Friday at the Mischbach in a second and final sales convention. Group representatives are due in Detroit, including outline of product for the new season, selling policies, quotas and sales expectations will be made.

Whereas William F. Rodgers, eastern sales manager, flanked Felix F. Peabody, district manager; and Herbert Roach, Detroit district manager, it is Tom J. Connors, southern sales manager, and Ed Davis, western sales manager, who are second and third in command here.

On Thursday night there will be given the annual scrapbook in celebra-

tion of Feist's 10th year as general sales manager.

Others from New York include Howard Dietz, publicity director; Si Seidler, advertising director; William R. Ferguson, executive director; Jay J. Levitch, development manager; Arthur Lacks, in charge of new-reel bookings; J. S. Macleod, manager; Carl E. Phillips, manager; Alan F. Cummings, manager of exchange operation; Fred C. Quinby, chief of the exchanges; Charles F. Cameron, purchasing agent; Charles F. Deesen, manager of the contract department; M. L. Simon, editor of The Distributor; H. E. Miller, assistant to Connors and Joel Beazhler, assistant to Saunders.

Doubt Magnifies George Hick, Charles E. Kessich, Sam A. Shirley and Harris P. Wolfberg. Regal Films, M-G-M's western district, will be represented by a delegation headed by H. L. Nathanson. Hal Roach and Howard Strick will be there to speak in the plains of the M-G-M studio. Arthur Loew may also be here.

Those from the Field

Atlantic—Roy M. Avery, manager; La- fayette B. Butler, Henry D. Hearne, L. C. Lusvard, salesmen; Thomas E. Luck, office manager, Fred C. Groves, director.

Chicago—Felix Mendelssohn, manager; Nellie G. Hovland, secretary; Mendelssohn, David E. Ross, salesmen; John G. Kempton, office manager; Alfred Puri.

Dallas—Jerry Bidwell, manager; Odyle Houston, Henry G. Kunkel, Charles D. Lyon, salesmen; Anthony V. Philbin, office manager; J. H. Mungall.

Denver—Henry A. Friedman, manager; Robert A. Less, Julian H. King, salesmen; Fred S. Zelman, office manager; Mike Cronin,育人.

Des Moines—Walter E. Rapfurg, man-
ger; Dexter C. Kennedy, Louis Levy, salesmen; Harold Cohen, office manager; Gerald McGlynn, booker.

Denver—Dorothea C. Willman, man-
ger; Thomas C. Baker, Robert D. McRaven, Herbert A. Wagoner, salesmen; Wirer B. Gasker, office manager; Earl Hern-
don, booker.

Kansas City—Frank C. Hepler, manager; Edward G. Green, sales manager; W. B. Wildman, G. M. Baumsteiner, salesmen; John E. Muhlen, office manager; Joseph Maguire, booker.

Lincoln—Mabel J. Milstein, manager; Francis A. Bateman, William A. Calihan, booker.

Los Angeles—J. F. Willingham, manager; Carl F. Mock, Jack C. Reville, Salesmen; Frederick A. Mathews, booker; J. Weber, booker.

Minneapolis—Edward Shuman, manager; Edward J. Lipson, Jack Shumow, salesmen; Leonard, William A., salesmen; Ed C. Bennett, booker.

Nashville—William H. Woemisch, man-
ger; William F. Cameron, Louis H. Gon, A. F. Finkleman, Turner, salesmen; Wilf Woodward, booker.

New Orleans—J. C. Brown, manager; Vigilant H. Bridges, Frank Jelenko, salesmen; Eldon F. Bratia, office manager.

Short Subjects

“Beginner’s Luck” (Roach-M-G-M)

In many houses this short will prob-
ably take the play right away from its
topical feature, particularly because of the
topical feature, particularly because of the
interest in amateur contests now sweep-
ing the country. Besides this, it is a
pardonable entertainment. The story
centers itself with the efforts of Spandy McFarland to keep from win-
ning a contest to thwart his mother's plan to make an actor out of him. The other members of Hal Roach's "Our Gang" series do
recreate this situation, with hilarious

“Colorful Guatemala” (Fitz-Patrick-M-G-M)

This travelogue, done in Techni-
color, falls short of the standard set by
topical series. Its one redeeming feature is the
beautiful, natural color photography. Guatemala described the outlying terr-
yory are covered but the subject mat-
ter is not very interesting. Only at the end of the reel, when the cinema-
matographer does a tour of Guatemala,
does it pick up. Fairly interesting.
No production code seal. Running time, 9 mins. "G."

“Spice of Life No. 6” (Columbia)

Dr. Rockefeller opens and closes this reel with some more of his inspired
remarkable cartoon ideas. These papers and various other publications
don't quite make up for his remarks. The gags presented are funny, how-
ever, and should produce many a laugh from audiences, but on the whole
the reel is only average.
No production code seal. Production Code Seal No. 0351. Running time, 10 mins. "G."

“The Calico Dragon” (M-G-M)

This Harman-Isgan cartoon is based on one of the loveliest fairy tales
of the name. Done in color,
and with an appropriate musical score
attached, it should produce a laugh which
is aimed particularly at children but
with appeal to adults as well. Recom-
mented. No production code seal. Running time, 8 mins. "G."

Court Fight Impends On “Little Colonel”

Prepared to fight to a finish legal matters by Petrie and Adam Adams of the Park Lane, Palisades Park, N. J., to stop him from playing "Little Colonel." They have three days starting tomorrow, Julius Charnow of the Leonia, Leonia, yesterday retained his services under the state of New Jersey to appear
before the court in the proceedings, if and when filed.

Toner, attorney for Adams Brothers, yesterday was drawing papers to file suit against Fox for an injunction. The suit is expected to be filed today.

Toner on Monday withdrew a com-
plaint against the Leonia newspaper for the state of New Jersey, to be
referred to him in the proceedings, if and when filed.

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plaint against the Leonia newspaper for the state of New Jersey, to be
referred to him in the proceedings, if and when filed.

Plaintiffs Rest in Suit Against Erpi

WILMINGTON, May 7—David R. Hochreich, vice-president and general manager of Ryers-Stevens and for-
mer president of Vocafilm, was re-
called to the stand today in the Gen-
eral Theater.Production-David suit
against Erpi, Western Electric and A. T. & T. and brought the plaintiffs’
testimony to a close at 10 o'clock tomorrow when, the defense will be open.

Mr. Hochreich testified last week that allegedly unfair practices of the defendants brought about the ruin of Vocafilm, told, told of agreements between Erpi and the Music Publishers’ Protective Ass’n in which Erpi assertedly paid a trustee for the music organization $100,000 for recording li-
cense rights. Hochreich also told of other agreements between the defendants and exhibitors and producers.

Montgomery Elected Screen Guild’s Head

HOLLYWOOD, May 7—Robert Mont-
gomery has been named president of the Screen Actors’ Guild. James Cagney, Ann Harding and Chester Warren have been elected first, sec-
ond and third vice-presidents, respec-
tively, with Kenneth Thomson named as secretary—assistant secre-
tary; Warren William, treasurer—
assistant treasurer; Joel Madison, assistant treasurer. Directors are as follows: Fredric March, Arthur Byron, Alan Monoway, Robert Young, C. Henry Gordon, Lyle Talbot, Edward Arnold, Donald Woods, Robert Armstrong, and Paul Harvey.

The guild’s annual meeting has been set for June 24, and as a result of the new or-
will be inducted.

Indiana Exhibitors Elect Roy R. Bair

INDIANAPOLIS, May 7—Roy R. Bair of this city was elected president of the Associated Theatre Owners of Ind-
iana for the year which begins here today. He operates five local theaters and succeeds Earle Cuming, who was chosen first, sec-
ond and third vice-presidents, respec-
tively, with Kenneth Thomson named as secretary—assistant secre-
tary; Warren William, treasurer—
assistant treasurer. Directors are as follows: Fredric March, Arthur Byron, Alan Monoway, Robert Young, C. Henry Gordon, Lyle Talbot, Edward Arnold, Donald Woods, Robert Armstrong, and Paul Harvey.

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will be inducted.

Eddie Cline Becomes Producer for Para.

HOLLYWOOD, May 7—Eddie Cline has joined Paramount as a producer under a contract. According to his report, his first film will be "Timothy’s Quest." The studio as-
ported the move as a direct cut under the terms of his contract.

Warren Boat Race Set

The Warner Club’s annual boat race to be held at Mountain Lake will be held Wednesday, June 19, with dancing, bridge tournaments, athletic contests. Highlights are planned so far. Additional activities are being considered, however, and will be announced by the committee in charge of the affair later.
Missouri to Act on Sales Tax Dispute

**Decision Expected This Week in Long Fight**

JEFFERSON CITY, Mo., May 8—Action in the Missouri sales tax situation is expected next week when the Senate will be asked to reconsider its vote of two weeks ago reducing the two per cent rate as passed by the House, to one-half of one per cent on retail sales.
The end of this week is expected to see a definite shape. Commercial interests are threatening to demand a referendum on the two per cent rate if it finally prevails, but the administration believes provisions in the bill for old age pensions will defeat that proposal.
The sales tax is the only thing left to consider, and adjournment is looked for by May 18.

**Fox New Setups in West About Ready**

KANSAS CITY, May 8—Reorganization of Fox West Coast theatre holdings will be completed here late this month when Fox Midland and Rocky Mountain units will be discharged from bankruptcy in the U. S. District Court after more than two years of operation by a trustee.

Sypros Skouras arrives here today for conferences with E. C. Rohen, Fox Midwest division head, and H. Ricketson, Rocky Mountain division head.

**Schenck's Fox Met Plan Seen Favorable**

The Joseph M. Schenck-Fox Theatre plan of reorganization for Fox Metropolitan Properties, was reported late yesterday to have the inside track with the Fox Met bondholders' committee, subject to further modifications.

**Figure $600,000 on Col's Third Quarter**

During the third quarter of Columbia's fiscal year ending March 31 the company's earnings are estimated at $600,000, about $3,40 a share, by the Wall Street Journal. This, the paper estimates, will bring earnings for the nine-month period up to $8,50 a share.

**Three Brothers Largest Stockholders in Warners**

By BERTRAM F. LINZ

WASHINGTON, May 8—The Warners—Harry M., Albert L. and Jack L.—alone and through Renrow, Inc., which they control are the largest individual stockholders in Warner Brothers Pictures, Inc., application for registration of securities filed with the SEC reveals.

They will seek to list on the New York Stock Exchange $32,581,000 of optional six per cent convertible debentures, 103,107 shares of par $3.85 cumulative preferred and 4,398,122 shares of $5 par common, all of which, except 596,787 shares of common, have been issued.

The three brothers, according to the report filed, together listed holdings of 35,952,923 shares common

(Continued on page 5)

**Copyright Bill Is Scored at Hearing**

By CLARENCE LINZ

WASHINGTON, May 8—Vigorous protests against the State Department sponsored Copyright Bill were voiced today before Senator William G. McAdoo of California, chairman of the Senate Patents Committee, by representatives of the M.P.P.D.A., Ascap and other organizations.

Criticism was chiefly directed at the provision striking out the minimum penalty for infringement and the rigidity of the protection given an author against changes in his work, both E.

(Continued on page 5)

**Dent Sails; Other Britishes Follow**


It is believed definite that Charles Woolf, managing director of Gaumont British, will sail Saturday with his brother, Maurice Woolf, and his son, John Woolf.

Jeffrey Barnard will take charge under Mark Ostrer during Woolf's absence.

**Publix Enterprises Final Meeting Set**

A final meeting of creditors of Publix Enterprises, the large Paramount theatre holding company which went into bankruptcy concurrently with the parent company in Jan., 1933, is scheduled for May 20 for the final

(Continued on page 4)

**Canada Ticket Tax Is Hiked Unexpectedly**

TORONTO, May 8—Without the slightest warning, a bombshell was exploded by Premier M. F. Hepburn of the Ontario Government in the ranks of exhibitors when he announced drastic increases in the amusement tax to be promulgated by Order-in-Council and effective June 1.

By means of the revised levy, Hepburn declared he hoped to raise a further $1,500,000 during the coming 12 months to cover the cost of unemployment relief, the new tax tickets being printed with "Ontario Amusement Tax for Relief Purposes."

The new scale wipes out the tax exemption on tickets up to 25 cents. The only exception is on tickets of nine cents or less—of which there has been none since the days of the King. The scale shows. The tax on tickets from nine to 18 cents is one cent, but then comes

(Continued on page 4)

**Evergreen State in An Expansion Move**

PORTLAND, May 8—The Evergreen State Amusement Co., operating the Liberty, Hollywood and Paramount here, has taken over a fourth local house, the Oriental. The house will be remodeled and reopened in two weeks.

This is said to be the first step in an expansion program of the company scheduled for 10 Oregon cities.

**Warners Delay Move On Coast Clearance**

LOS ANGELES, May 8—Warners will take no action against the local zoning schedule until the schedule has had an opportunity to prove its worth in actual operation, Lou Halper, in charge of the circuit's theatres here, said today.

**Find 42% of Seats in 93 Large Towns**

These Serve 36,435,000 Of The Population

Analysis of seating capacities in relation to population shows that 42 per cent of the 9,720,000 seats used regularly in this country are in 93 cities of 100,000 or more population. In other words, 36,435,000 persons, or an average of one seat to every nine persons, according to studies made by Motion Picture Herald and published today.

In smaller communities there are only 5,657,000 seats, the remaining 85,565,000 persons in the country, according to the Herald figures.

The average seating capacity in cities of over 100,000 population is given as 1,054, while the average for the entire country is 610.

Approximately 1,500 theatres operate one or two nights a week.


"The March of Time" has negotiated a release of its contract with First Division Exchanges, Inc., and, effective immediately, will physically handled by Fanchon & Marco, his sister, the dance numbers and routines. The deal has been on for some time and is expected to be closed within the next few days.

**Marco and "U" Talk Deal on 2 Musicals**

HOLLYWOOD, May 8—Fanchon & Marco are negotiating with Universal to make two musicals with Mike Marco handling the production end and Fanchon, his sister, the dance numbers and routines. The deal has been on for some time and is expected to be closed within the next few days.

**M-G-M Sales Policy To Be More Flexible**

KANSAS CITY, May 8—Asserting that M-G-M's policy for the new season would be more flexible than ever, particularly as regards preferred playing time and percentages, Felix Feist,
**MOTION PICTURE DAILY**

(Motion Picture Daily)

(Registered U. S. Patent Office)

Vol. 37 May 9, 1935 No. 109

**Purely Personal**

**OB GOLSTEIN**, the old saloon-keeper, and J. M. Covle, the big man at United Artists, ganged up last night and gave a dinner for Harry Goetz and Archie Madison of the Warwick. There was the impending departure of Goetz on a week-end and the first night of the film which takes him off from return. Present at the double feature were Al Lichtman, Jack Corin, Charles C. Moskovitz, Al May, William B. Schaefer, and Irwin B. Brecher. No insert.

**Terry Carter, Ralph Rolan, Ed Finney, Ed Edelelson, Herman Robins, Sam Dembow, George Schaefer, Jack Corin and Nick Spengler among those at "21" yesterday,** but where was Willard McKay?

**Quip of the Day**

Ali Gava of the eagle eye reports has been catching a number of two-reel comedies at the Trans Lux and Bioux which feature a comedian named Charlie Chaplin. He thinks that with some intelligent editing these films can be developed into a good attraction.

Sam Marx, cost story head, leaves for the M-G-M studios today. He was undecided last night whether to go by air or rail, but indications are he will use the last traveling routes.

**Hendricks, Holland Win Quigley Awards**

Bill Hendricks, manager of the Warner, Memphis, and one of the Elco, Elkhart, Ind., are winners of the Quigley Awards for April in the contest of the Managers’ Round Table Club of Motion Picture Herald. This is the second time Hendricks has won the award. He has two newspapers in his campaign on “Babooon.” He gets the silver plaque. Holland gets the bronze plaque for his campaign on “Ruggles of Red Gap.” Hendricks won the 1934 grand award.

**RKO Sets Norway Deal**

A deal whereby all RKO product will be distributed through Norway has just been made by that company and the British motion picture management of the Ekco, Oslo. "La Cucaracha" is also included in this deal. Carl Gerhard Wallman of International acted for RKO.

**UO Board Reelected**

Wilmingto, May 8—Directors of Universal were reelected today at the annual meeting here. They follow: Carl Laemmle, R. H. Cohn, P. D. Cohn, C. B. Pine, Helen E. Hughes, J. R. Grainger, Meyer Schine and Simon Klee.

**Glovers due here shortly, Covle is also high up in the running for the capitivity of the local team.**

**Alice White is in town for personal appearances on the Loew circuit. She’s at the Warwick.**

**Lee Shubert and Harry Charnas punched together yesterday at the Edison.**

**J. E. McCulley of Peeler Lamp Co. is in town.**

**Academy Will Study Television Effects**

Hollywood, May 8—The Academy research council has appointed a fact-finding committee of six to conduct a general investigation of television and its probable effects on the industry. It is felt that research along these lines will be of genuine interest to the industry.

The committee, consisting of Carl Dreher, chairman; Gordon Chambers, manager; Earl Merch, president; M. La Porte and R. C. Wilman, will contact television authorities immediately, in order to get in character to producers as soon as possible.

La Porte, of the Paramount home office, although here at present, will have charge of the New York end of the investigation.

Plans for the campaign to be submitted to the council at its next meeting, are under the consideration of the council tonight. Also presented at the meeting were reports on the Palestine film, by Virgil Miller; on reel length, by S. J. Trimmer: on release print quality improvement, by L. E. Clark, and on screen illumination, by John Aalberg.

**Ruth Waterbury in New Magazine Post**

Hollywood, May 8—In the editorial offices of Photoplay on the coast has Ruth Waterbury in the editing spot formerly held by Jules Cammack. St. Johns, St. Johns, it is reported, will continue with the organization in another capacity.

Shadowy is being combined with Movie Mirror, of which Miss Waterbury has been the editor, and will be published under the Movie Mirror banner.

Although Miss Waterbury has already moved into her offices, the switch will not become effective until later this month. She will edit both magazines.

**Scott on “Annapolis”**

Hollywood, May 8—Paramount has assigned Ewing Scott to assist Alexander Hall in the direction of “Annapolis Farewell.” Scott will direct exterior sequences while Hall is in the studio.

**Mantell, Brodie to Build**

Edmund Mantell and Ben Brodie, who recently took over the Studio, plan to build a 600-seat theatre in the vicinity. Plans are now being drawn, but the location is being kept secret until all contracts have been closed.

**Reisman Returning**

London, May 8—Phil Reisman, foreign sales manager of Radio, sailed through York today on the Ile de France. Saenger Bond Shift Progresses Rapidly

New Orleans, May 8—With the Saenger interests now out of receivership and with ownership and operation vested in the hands of Saenger Theatres Corp. and Saenger Realty Corp., exchange of the bonds of the old company, held at about $4.90, by E. V. Richards is president of the new companies.

The same amount of bonds, $3,500,000, will carry a value of $5,000,000, Saenger Theatres, Inc. and Saenger Realty Corp., Inc, will be issued by the companies, and there will be no change in the amount of stock outstanding which is practically all held by Paramount Publix. Most of the bonds in advance of the enactment of the new bankruptcy law.

Creditors of the old companies are entitled to receive subsidized notes of the new companies. The notes, it is pointed out, are actually not subordinated, since the new firms found it unnecessary to borrow cash for operating and current needs. The notes will be paid within three years. Past due interest on the five different issues will be continued in cash to bondholders at the time of their exchange for the old bonds for the new.

Additional provisions have been made under the new setup for the handling of sinking funds for the retirement of the bonds. Bonds of the old theatre company at about $25 more than a year and a one-half ago, now listed at about $85 per $100 face value. Bonds of the old realty company are reported at $75 per $100 face value. The bonds are in units of $500 and $1,000.

**Hammons Is Dined By His Associates**

Executives of Educational and Fox yesterday tendered Earle W. Hammons, president of the former company, a testimonial luncheon at the Hotel in honor of the 20th anniversary of the founding of Educational.

J. H. Stockwell, sales manager for Educational, was present at the luncheon, and presented Hammons a 16mm home projection sound apparatus on behalf of the company’s staff. Bruce Weyers, assistant instructor, art director, Felix A. Jenkins, chief counsel and secretary of Fox, paid tribute to the Educational head. Hammons also spoke briefly.

About 80 attended, including, Julio Elias, Educational’s representative in Spain; George Skouras, Allan Friedman, Larry Kent, Edward Pesky, Vincent A. Mann, Harry Harvey Day, Harry H. Buscham, Roger Ferri, Joe Lee, Jim Clark and Truman Tally.

**Ruling Reserved on RKO Trustee Appeal**

Decision was reserved by the U. S. Circuit Court of Appeals yesterday on an action contesting the validity of the appointment of<br />The RKO Trustee Co. as trustee of RKO under Section 77-B of the bankruptcy law.

The action was brought by Edward L. Gourney, attorney for creditors, and alleges that RKO’s petition for reorganization under 77-B was filed in good faith and that the appointment of the trustee, therefore, was improper. It was alleged that RKO’s petition was filed several months after the trustee’s order granting its reorganization application.
Because its dramatic story of Military School life offers lovable Jackie Cooper his finest opportunities since "The Champ," Warner Bros.' "DINKY" emerges as this week's outstanding screen release. Expert in their featured assignments are Mary Astor and Roger Pryor, deftly directed by D. Ross Lederman. Released May 11th.
Leo's Men Now at K.C.  

(Continued from page 1)  

KANSAS CITY, May 8—As "official busman" Harris P. Woldberg, Kansas City district manager, promised this convention would exceed in hospitality the meeting of 1933, which was the first held in this, the "Heart of America," as the Chamber of Commerce calls it. Woldberg vows an M-G-M production program is always better than the first.

Howard Dietz recalled that during the previous pow-wow here, the mercury hovered around the 100 mark, and is glad for a "cooler reception" this trip.

Arrangements for the dinner Thursday night, for which Felix F. Feist and his crew of explorers take a bow, closed for a management tribute to Felix F. Feist on the observance of his 10th anniversary as general sales manager for M-G-M. The motif of "10" was to be evident throughout the proceedings, and from all reports it is plain the show would be worth that many bucks on a ringside seat.

For his part, Hal Roach promised Leo's shock troops the "best pictures ever made for 1935-36."

Joseph Vogel of Loew's had planned to be here, but was recalled to New York from Detroit.

Edgar Cahn, vice president in charge of the newly established below-the-line production, arrived on time.

For the first time, M-G-M's booklet, "The Story of the Motion Picture Industry," was on hand. A separate copy was subscribed to each exhibitor.

Public Enterprises

Final Meeting Set

(Continued from page 1)  

discharge of Irving Trust Co. as trustee, and the final winding up of the bankruptcy of the now defunct theatre company.

The meeting will also pass upon the final report of the trustee showing gross receipts of $1,943,163 and disbursements of $1,910,953; the final applications for allowances and the formal release of the Public Enterprises' assets to Famous Theatres Corp., Paramount's new theatre subsidiary.

Claims against the company which have been allowed aggregate $5,001-894, and dividends of $1,547,042 have already been credited against these claims. If any additional dividends are available, a final dividend will be declared for creditors at the scheduled meeting.

Claim Strand Record

All attendance records at the Strand were broken last week by "G-Men," according to Warners. It is claimed that 132,421 people saw the film during its first week.

Attendance was swelled to around 150 by the presence of auditors, office managers and head bookers, who, its said, are experiencing the thrills of their first convention.

Rumors of M-G-M's future production program were also discussed. It is believed that the company is revising "Smilin' Thru," with Norma Shearer, which increases the list to the new figure.

Seek Policy Shift

Following a lengthy session yesterday during which the general program was discussed, the I.T.O.A. passed a resolution to wire Felix F. Feist in Kansas City to "please change the sales for possible vacation days within the next four weeks with still another seven days to go. It played two weeks at the RK Excellent, which itself is something of a record for a house. It was moved to the Capitol for the third stanza and was transferred to the Grand for the fourth. It now has been held for the fifth week, with present indications that it will pile up another respectable gross.

Plan New M-G-M Office

OKLAHOMA CITY, May 8.—Construction of a $50,000 brick building on the northeast corner of Lee and Grand Aves., to be leased to M-G-M for 10 years, will be started within 30 days by G. A. Paul.

Roach Feature Delayed

HOLLYWOOD, May 8.—Production, on the new Laurel & Hardy feature, "Ronnie Scotland," is being held up until a suitable ingenue is found to play opposite Barry Norton.

M-G-M Re-Signs Benchley

HOLLYWOOD, May 8.—Robert Benchley, who has been away from Holly- wood for the past year out signed a new contract with M-G-M the terms of which call for the familiar output of Benchleyiana.

Joe Rap to Vacation

HOLLYWOOD, May 8.—Joe Rap, head of the international depart- ment, leaves here May 15 on a vaca- tion, the first in 15 years. He will go to New York via the Canal, and from there to Europe.

Warners Sign Bryan Foy

HOLLYWOOD, May 8.—Bryan Foy has been signed by Warners as a staff- pervisor. He is now reading stories for his first group of pictures.

M-G-M Sales Policy

To Be More Flexible

(Continued from page 1)

general sales manager, confirmed at the opening of his company's regional meeting here today that the sales pol- icy in the future would provide that each situation be sold individually ac- cording to the conditions. Feist said that M-G-M would continue to favor on CNS and home adm- missions. He added that the theatre would be sold. It was also revealed by him that the budget on specials would be increased.

M-G-M is launching its releasing program next season to 50 features. Although it was announced the pro- gram was not yet final, it is believed that the "Smilin' Thru" with Norma Shearer, which increases the list to the new figure.

Canada Ticket Levy

Hiked Unexpectedly

(Continued from page 1)

the big jump in the levy with an as- sessment or five cents on tickets from 19 to 25 cents. Such an increase, he said, was "the maximum".

From 4 to 85 cents inclusive, the tax will be 10 cents and that for ad- mission tax now will be 15 cents. Higher brackets see a sharp increase up to 50 cents in tax as the maximum.

The worst smash of all is the im- position of a five-cent tax on the 25- cent ticket, as this had become the familiar tax for large houses and for large houses and for evening shows at neighborhood houses.

In addition to a new regulatory act of the Ontario Government came a bill from the blue Not one official in Famous Players only that no legislation would be required to keep the tickets for five cents. They will now have to pay five cents on this ticket.

The new act of the Ontario Govern- ment was a bill from the blue - "Seventy-five per cent of the theatres had dropped their admission price to 25 cents efficiency, and they will now have to pay five cents on this ticket.

 kill Mass, Film Bill

Boston, May 8.—Another victory has been won by the industry in the bill to raise the state auditing of the petition of Alexander J. Crampton, who sought a law penalizing the alleged unauthorized showing of pictures that have been released by the local circuits. The bill was approved by the legislature. Evidently there would not be much use, however, said the HBH in a recent statement.

Shelley's Sales Tax

Boston, May 8.—Bills proposal a sales tax in Massachusetts have been put over to the next session. The petition of the Legislature, Mayor Mans- field of Boston, State Tax Commis- sioner Henry F. Long, and Represen- tative H. H. Thomas, who are familiar with many of these bills, have been cut according to the Sunday censorship regulations in Massachusetts.

Ohio Income Tax

Columbus, May 8.—The House approved a floor version of the income tax bill of Representative P. E. Ward by a vote of 91 to 31. The measure, providing a higher rate than the Fed- eral law, is expected to raise approximately $20,000,000 now goes to the Senate where its defeat is predicted.

Twins Born to Mrs. Dix

Hollywood, May 8.—Twin sons were born to Mrs. Richard Dix, the boys weighing slightly over six pounds each.
Fox New Setups in
West About Ready

(Continued from page 1)

manager at Denver. While there will be a resultant merging of the
structure of the two divisions, and probably a geographical realignment
to some extent, major operations will
not be dislocated.

The Rocky Mountain and Midland
corporations were automatically dis-
solved with the issue of the
appeal to the assets last Saturday.
Through the transfer, National The-
atres acquired the stock of Fox Mid-
west Theatres, which super-
seeds Rocky Mountain, and the
purchase of Midland gave National
Theatres the control of the former
Central States Theatres Corp. The
new companies were formed after
the bankruptcy to take over the
assets of the defunct companies.

The new Fox Midwest corporation
will have headquarters at Denver and
Associated Theatres as its new
subsidaries. Heretofore the holding
company for what is known as the
Midwest division, Fox Midwest will
henceforth be known as Associated
States, with headquarters in Kansas
City.

Appeals Sale of Fox Units

KANSAS CITY, May 8.—A hearing
is expected early next week in Fed-
eral court here on an appeal from the
bankruptcy court brought by Lee
H. Hamlin involving the sale of Fox
Midland and Fox Rocky Mountain to
National Theatres and Associated
Theatres for $40,000,000. Although
not approved by major creditors and the
referee in bankruptcy.

Hamlin has petitioned that the court
set aside the sale contending that as a
creditor he would not obtain full
amount of his claims and that the
amount paid for the assets of the two
firms was far below their actual worth.

Schenck's Fox Met
Plan Seen Favorable

(Continued from page 1)
of the plan recommended by the
committee which, if not voluntarily con-
ceded by Schenck, might cause a post-
pomtement of the court hearing sched-
uled for today.

William L. Bainton, counsel for the
Fox Met noteholders' committee, and
Milton C. Weisman, receiver of Fox
Theatres and a co-sponsor of the
Schenck plan, spent most of yesterday
in conference with Federal Judge Ju-
lain W. Mack, before whom today's
hearing is scheduled. Although no
comment on the conference was made
it was reported that modifications of the
Schenck plan which would make it
acceptable to the committee were
discussed. Among these, it is be-
lieved, was a provision restricting the
definition of "affiliates." The company
had contended that one-half of any
class of securities included in the
Schenck plan were affiliates. The
committee is reported to have
modified this.

If the modifications sought by the
committee are conceded by Schenck
it is believed that the committee will
come into court today prepared to
recommend acceptance of that plan.
If the modifications are not conceded,
the court hearing will undoubtedly be
postponed until the nego-
tiations have been concluded.

The committee's recommendation
would probably result in the court's
giving its tentative approval to the
Schenck plan.

Three Brothers Largest
Stockholders in Warners

Bride Objects

Lincoln, May 8—Seizing
upon the joint occurrence of An-
other "Wedding Night" per-
formance here Monday with her
picture "Wedding Night" and the
marriage of Boxer Old-
field — Sunday Journal and
Star theatre editor, to Vada
Kinnman, non-pro, theatre
publicity men wanted Miss
Sten to act as bridesmaid.
The bride objected, "This will
be no double feature," she said flippantly.

186,085 shares of common, or 75 and
74 per cent, respectively.

Holders of officers and directors
income, the chairman of the class,
1,135 shares first preferred, 15,702 sec-
ond preferred, 186,084 common: Carl
Laemmle, Jr., vice-president, 185 com-
mon shares; Carl Laemmle, Sr.; vice-
president, 500 common; Abel Cary, Thomas, secretary, 232 com-
mon; S. Carlisle, comptroller, 1,200 common; S. P. Friedman, di-
rector, 2,600 shares; Carl Laemmle,
Sr., director, 40,000,000,000,000 at-
tes; and Morris Wolf, director, 166
2/3 common.

Because of the additional infor-
mation filed by counsel for the
successor in the amount of securities
owned by them, the chairman of
the class has been unable to pre-
made the stockholders' meet-
ing, which is scheduled for
July 16, next, at $1,000 weekly
and one-half per cent of any
increase in business over the pre-
ceeding year.

Like Warners, Universal asked an
extension until April 1, 1936, to file
a report on salaries and remunera-
tions of officers.

EK Head Paid $90,903

WASHINGTON, May 8—Frank W.
Lovejoy, president, general manager
and vice-president of Eastman Kwik
paid $90,903 in 1934 and William G.
Stuber, chairman of the board, $61,
230, it was disclosed today in a regi-
stration statement filed with the SEC
today.

Thomas J. Hargrave and C. E.
Koglmeier, vice-presidents both,
were down for $45,000 each.

Jubilee Film in Color

LONDON, May 8—British Moviet
eNet was photographed a while
ago. Description, 1,135 shares first preferred, 15,702 second
preferred, 186,084 common: Carl
Laemmle, Jr., vice-president, 185 com-
mon shares; Carl Laemmle, Sr.; vice-
president, 500 common; Abel Cary, Thomas, secretary, 232 com-
mon; S. Carlisle, comptroller, 1,200 common; S. P. Friedman, di-
rector, 2,600 shares; Carl Laemmle,
Sr., director, 40,000,000,000,000 at-
tes; and Morris Wolf, director, 166
2/3 common.

Because of the additional infor-
mation filed by counsel for the
successor in the amount of securities
owned by them, the chairman of
the class has been unable to pre-
made the stockholders' meet-

Copyright Bill Is
Scored at Hearing

(Continued from page 1)

P. Kilroe of the M.P.P.D.A. Copy-
right Committee, urged the retention of the
minimum penalty as offering a certain
amount of protection to the film
industry against plagiarism and piracy
while Kilroe also contended that the
bill should be more specific in
assuring purchase of scenarios the right
to make needed changes.

The proposed bill is "worse than no
law at all," the senator who con-
ducted the hearing added, with
Louise Silcox, of the Authors' League,
while John G. Payne, of the Music
Publishers Protective Ass'n, asserted it
does not give any protection to
publishers.

Each of the time of the hearing was consumed by Gene Buck, presi-
dent of Ascap, in an attempt to de-
fend that organization against the
charge of itself being a monopoly
against it, which ended when Senator
McAdoo ruled the discussion was
not relevant to the question before the
committee.

Following the conclusion of testi-
mony, the senator gave ten days in
which the publishing house, file
brieless amplifying the points they
brought out today.


Contract Cancelled

(Continued from page 1)
it was to run 10 months' minimum ends
with the third subject, which is now in
distribution.

The 13 territories where First Di-
vision will continue to distribute "The
March of Time" on a temporary basis
are Albany, Atlanta, Buffalo, Car-
lotte, Cincinnati, Cleveland, Detroit,
Los Angeles, Miami, New Orleans, New
York, Philadelphia, Pittsburgh and
Washington.

Temporary arrangements also have
been made with independent exchanges in
12 other territories—Midwest Film
Distributors, handling Kansas City,
Mid-Atlantic Film Exchanges in Los
Angeles and San Francisco; Distinctive
Screen At-
ventions, Denver and Salt Lake City;
Monogram Independent Film Distrib-
utors, Dallas; Henri Eillman's Capital
Film Corp., Chicago and Milwaukee;
Lee Goldberg, Indianapolis; Gilbert
Nathanson's Monogram Pictures Ex-
change, Minneapolis, and Principal
Exchange, Seattle.

Fishman, Walker Aide

E. B. Fishman, associated with
Root, Clark, Backner & Ballantine, coun-
ting and probate lawyers, and who
was loaned yesterday to Frank C.
Walker for an indefinite period, was
named by University of Chicago as
director of the National Emer-
gency Council, the "clearing house" for
the new $4,800,000,000 emergency
detroit fund, which was assigned to
Walker's Washington office.

Golfing ASC Date Set

Hollywood, May 8—The date of
the second annual A.S.C. golf tour-
ament has been set for May 12 at the
Brentwood Country Club here. It is
predicted that approximately 300 will
be starters.
**Disposal of Action Against Erpi Asked**

**Wilmington, May 8.--Motion for disposal of the anti-trust suit of General Talking Pictures and Duovac Radio against Erpi, Western Electric and A. T. & T. was made by George F. Hurd, chief counsel for the defendants, in U. S. District Court here today.**

The motion was mainly on behalf of A. T. & T. It was asserted there was not sufficient evidence to uphold the allegations in the bill of complaint and the plaintiff had failed to prove the allegations had been sustained.

It had not been charged nor proved, the motion stated, that A. T. & T. had a part in agreements between Erpi and exhibitors, its only connection in the case being its relationship with Erpi through Western Electric.

Lectured said there was no relationship between Western Electric and Erpi except a contractual relationship under Western agreement, under which the former granted the latter patent rights to manufacture and sell equipment.

Samuel E. Darby, chief counsel for the defendants, opposing the motion, said Western Electric controlled Erpi stock 100 per cent. He held Western Electric did not control the sale and leasing of its products.

Judge John P. Nields took the matter under advisement.

**Flash Review**

**One New York Night!**— Nice comedy-mystery entertainment...

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

**Refuse Spokane Fee Cut**

**Spokane, May 8.—The City Council here yesterday decided against the theatre when it refused a reduction in city amusement tax levied on the box office, or the box office, or the box office, or...
FASTER

MUCH faster than regular Eastman Super Sensitive “Pan” under tungsten light. Faster even than that famous film is when hypersensitized. That is half of the news about Eastman Super X Panchromatic Negative. The other half: Eastman Super X shows no increase in grain size over Super Sensitive “Pan”... in fact, the tremendous gain in speed in this latest Eastman film has been achieved without sacrificing or impairing any valuable characteristic. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
SHOW BUSINESS IS CALLING THE ROLL FOR ITS OWN NEEDY!

MORE URGENT NOW THAN EVER!

FOR the sick and needy of all branches of Show Business... anywhere in the United States.

FOR wards and beds in Hospitals in various cities and the Sanitorium at Saranac Lake.

YOU’RE ASKED to Donate 10% of gross receipts for Monday, May 20—and to aid the national radio network publicity and newspaper campaign to increase attendance on that date.

HONOR PLEDGE

FIRST ANNUAL ACTORS' DAY BENEFIT: N. V. A. FUND

Owner or Manager's Name
Name of Theatre
Town and State

I pledge my support to the FIRST ANNUAL ACTORS' DAY BENEFIT FOR N. V. A. FUND. Instead of taking collections from audiences, I will run the Eddie Cantor "short film" which you furnish gratis, and I will Donate (10%) per cent of GROSS RECEIPTS of above theatre, on Mon., May 20th.

N. V. A. BENEFIT FUND

NO COLLECTIONS FROM AUDIENCES

SPONSORED BY
INDEPENDENT THEATRES
CIRCUIT THEATRES ★
DISTRIBUTORS ★ ★
PRODUCERS ★ ★ ★
ACTORS ★ ★ ★ ★

COMMITTEES

Honorary Committee:
ADOLPH ZUKOR
HARRY M. WARNER
SIDNEY R. KENT
CARL LASSMILE
HARRY COHN
CHAS. C. MOSKOWITZ
M. H. ATLESWORTH
JOSEPH M. SCHENCK
ARTHUR A. LEE
WILL H. HAYS

Theatres:
JOHN BALABAN
CLIFF WOOLF
Y. F. FREEMAN
JOSEPH BERNHARD
N. J. BLUMBERG
JOSEPH Vogel
EDWARD L. ALPERSON
LION NETTER
CHARLES SKEURAS
SAM DEMBOW, JR.

Exhibitors’ Association:
ED KIYKENDALL
CHARLES L. O'REILLY
ABRAM F. MYERS
SIDNEY E. SAMUELS
HARRY BROMB

Distribution Committee:
FELIX F. FEIST, M.G-M
ARE MONTAUGER, Columbia
NEIL AGNEW, Paramount
JUDES LEY, R.K.O.
AL LICHTMAN, United Artists
L. B. GRINBERG, Universal
JOHN D. CLARK, Fox
GEORGE W. WEEKS
G. B. Pictures
MAJOR ALBERT WARNER
Warnow Bros.

Actors Committee:
EDDIE CANTOR
Chairman
WM. MORRIS, JR.
Vice-Chairman

Executive Committee:
MAJOR L. E. THOMPSON
Chairman

Harold Rodner
Exec. Chairman

Advisory Committee:
A. P. WAXMAN
Chairman
BENJ. I. SERKOWITCH
Vice-Chairman

FIRST ANNUAL ACTORS’ DAY BENEFIT N. V. A. FUND

Circle 7-5851 • 1619 Broadway • New York City
Formal Choice
Of Para. Board
Slated June 3

Expect Confirmation of
Present Management

The formal election of Paramount's new board and officers will take place June 3 instead of May 15, it was de
cided yesterday at a meeting of the present board and of Paramount creditor representatives.

Indications are that on that date the present management, headed by Adolph Zukor, will be confirmed for carrying on with the new company at its outset. This is the word that is now expected to be given to Paramount's sales personnel at the annual convention, June 13-15, in this city. Changes in the election plans of the company, it was learned, explain the setting back of Paramount's sales convention from its original date, May 23-26, to the present June date. Officials of the company felt that it was imperative that the executive per

Kane-Para. Deal Is
Approved by Court

A settlement of Robert T. Kane's $35,440 suit against Paramount Pub
litx, based on the disclaimer of his contract as general manager of Para
mount foreign production in 1933, was approved yesterday by Federal Judge Alfred C. Cole. The settlement pro
vides for the allowance of $21,000 against Paramount to be settled in Kane's favor on the same basis as other general claims against

Jersey Film Battle
Is Taken into Court

Court moves by Peter and Adam Adams of the Park Lane, Palisades Park, N. J., to stop the showing of "The Little Colonel" at the Leonia, Leonia, N. J., failed yesterday when a process server with an injunction signed by Vice-Chancellor Campbell of Paterson served papers on Joe Lee.

Universal to Meet
June 5-8 in Chicago

Hollywood, May 9—Universal's convention will be held June 5-8 in Chicago, probably at the Hotel Sherman. Carl Laemmle, Sr., James F. Martin, and Fred V. Mayer will leave June 3. Publicity Director John Leroy Johnston flies east May 29.

Schenck's Fox Met Plan
Given Approval of Court

Farnsworth to Propose Hours
Schedule for Reel Cameramen

Unable to come to an agreement with Louis Krouse, vice
president of the I.A.T.S.E., and Jack Connolly of Pathe News, on the credit hours for newsreel cameramen, Deputy Administra
tor William P. Farnsworth will propose an hour schedule of his own to the union and cameramen for consideration, the N.R.A. executive stated yesterday. If the proposal is not ac
cepted, he will put an order through, he said.

Farnsworth is on a short vacation and will not return to Wash
ington until Monday, when he will draft the proposal. Both fa
tions have different ideas on working hours for the newsreel men, but Farnsworth believes he has the solution.

Salary does not enter into the controversy, the matter being con
dined to what constitutes working hours.

Feist Asserts
M-G-M Gained
20% for Year

KANSAS CITY, May 9—M-G-M revenue jumped 20 per cent in the past year, thereby indicating improved business at theatres, Felix F. Feist, general sales manager told the com
pany's western regional sales convention here.

Declaring theatre attendance follows the motion trend and is an ac

Loew Closes Deal
For Chicago Site

CHICAGO, May 9—Loew's is ahead with its theatre building plans here, having finally closed for the pur
chase of its first site at Oak Park.

Republican 2nd
In Field With Season Lineup

Republic is the second company under the line with details of its pro
gram for the new season which will total 42 features divided into six
groups and four serials.

The group will be topped by five "Republic Gold Bond Specials." Then will follow five "Blue Ribbon Winners," eight in a 'Republic Showmanship.

Quigley, Milliken
Again Meet English

LONDON, May 9.—A second conference was held today between represen
tatives of the Federation of British Industries and Martin Quigley and Carl E. Milliken on development of methods for setting British production methods into the workings of the American Product Code Administra

Rule Texas Laws
Cannot Apply to Film Contracts

DALLAS, May 9—Karl Hoblitzele, Robert J. O'Donnell and interstate circuit won an important victory here with the handing down of a decision by the Civil Court of Appeals affirming a denial by the State District

Court for the granting of a temporary injunction to R. Z. Glass of the Knox and Fair theatres here.

The complainant brought his suit in connection with contracts Inter

Tentative Action Seen
As Closing 3-Year
Competition

The Joseph M. Schenck-Fox The
tres' plan of reorganization for Fox Metropolitan Playhouses, embodying a 10 per cent participation by Al
be-Orpheum, was given tentative ap
proval yesterday by Federal Judge Ju
lian W. Mack.

The plan, with the modifications which were agreed to yesterday by Schenck, was given the unconditional approval of three of the four mem
bers of the Fox Met bondholders' committee, while the forth, Fre
drick Payser of Halligan & Co., stated that he was in accord with the plan in principle and withheld his com
pact approval only until he had seen the latest modifications in printed form.

Approval of the Schenck plan, indi
cated in yesterday's Morivox Picture

(Continued on page 8)

No Delay Expected
On Midland Shifts

KANSAS CITY, May 9.—Attorneys for National Theatres here today said the suit by Lee H. Hamlin filed in the U. S. District Court to prevent

(Continued on page 8)
TEMPTATION, maybe, is to be pushed rudely aside under a plan, now fulminating, whereby major advertising men around the town will lay off the Daily News system of star ratings in their newspaper copy and on their theatre marquees. Discussed in Hays office con-

IVES' Engineers on Stand in Trust Case

WILMINGTON, May 9—Halsey A. Frederick, Mountain Lakes, N. J., Erie engineer and witness called by the defendants, Erie and Western Electric and the A. T. & T., in the anti-trust case brought by the state and General Electric Com-
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ations and Duvoac Radio in the U. S. District Court today.

George H. Mathes and Richfield, N. J., another Erie engineer, also completed his testimony this morning, with both men discussing the early development and design and of sound equipment of the defendants.

No Merger Intent

George Batcheller of Chestertfield and Maury Cohen of Invincible yesterday declared they had never considered a merger, and that their companies are being mentioned in connection with expansion of Republic Pictures, impending ousting of McLoughlin from New York. Chestertfield and Invincible are not financed by Consolidated, as reported, but by foreign investors, and the two companies, and contemplate no merger, they say.

Delay M. P. Club Meet

A meeting of all M. P. Club members slated for today has been postponed to a later date, to be decided next week. The session was put off due to absence of Felix F. Feist, presi-
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Kalmus Comes Dancing East

Hollywood, May 9—Dr. Herbert T. Kalmus, president and general manager of Technicolor, left by train for New York tonight. He was ac-

KRO Radio Board Meets

The quarterly meeting of the board of KRO Radio Pictures was held yesterday with only routine business up for disposition, according to an of-
ficial of the company. J. R. McDon-

License Is Refused

Henry Mandel, builder, has been denied a license to build a house at Madison Ave. and 79th Sts. Residents opposed the project.
We could let your box office write the next two pages also...
SHIRLEY TEMPLE
in her greatest picture

Our Little Girl

with

ROSEMARY AMES
JOEL McCREA
LYLE TALBOT
ERIN O'BRIEN-MOORE

Produced by Edward Butcher
Directed by John Robertson

From the story "Heaven's Gate" by Florence Leighton
Paltzgraf. Screen play by Stephen Avery and Allen Rivkin.
Adaptation by Stephen Avery.

AND LOOK WHAT ELSE IS COMING FOR YOUR SPRING FESTIVAL
To write more brilliant pages in your box office history for MAY - JUNE - JULY

WARNER BAXTER and KETTI GALLIAN in "UNDER THE PAMPAS MOON" with Tito Guizar, Veloz & Yolanda

"THE DARING YOUNG MAN" with James Dunn, Mae Clarke, Neil Hamilton

GEORGE O'BRIEN in "THE COWBOY MILLIONAIRE"

WILL ROGERS in "DOUBTING THOMAS" with Billie Burke, Alison Skipworth, Sterling Holloway, Gail Patrick

"LADIES LOVE DANGER" with Mona Barrie, Gilbert Roland, Donald Cook, Adrienne Ames, Herbert Mundin

"CHARLIE CHAN IN EGYPT" starring WARNER OLAND, with "Pat" Paterson and Stepin Fetchit

"BLACK SHEEP" with Edmund Lowe, Claire Trevor, Tom Brown, Eugene Pallette, Adrienne Ames, Herbert Mundin

"THE LORD'S REFEREE" (tentative title)

"ORCHIDS TO YOU" with John Boles, Jean Muir, Genevieve Tobin, Charles Butterworth, Harvey Stephens

"GINGER" with Jane Withers, Jackie Searl, O. P. Heggie, Walter King

GEORGE O'BRIEN in "HARD ROCK HARRIGAN"

SHIRLEY TEMPLE in "CURLY TOP" with John Boles, Rochelle Hudson
MOTION PICTURE DAILY

Friday, May 10, 1935

**Not a Secret**

Kansas City, May 9—Raymond H. Feist, head of the promotion department of M-G-M, on his return from a tour of the studios, announced that "star" productions would be increased from 22 to 27.

Metro's feature list is to be augmented by an exploitation special to be made with radio spots, including Station WTH, New York, and other stations aligned with it, according to reports current around the Muehlebach Hotel. The extra feature will back on the convention for amateur radio tryouts and will tie in with the Muehlebach Hotel throughout the country. It is understood that reports from the east that a change in the numerical equation of the special from 20 to 12 for the former and from 14 to nine in the latter were declared unfounded for Feist's season's program but delayed when the recent domestic differences between the congressmen developed.

"Lucky Beginers has been determined by the convention for the television to be made in the east in association with the "New York Daily Mirror," according to Oregon, the current weekly of the East Coast and links the paper, Station WTH and the Loew circuit in Great New York. There is a possibility that another network will be formed if the large cities demand it upon the reception of the first two, followed by the others.

Production starts the week of June 15. In explanation, Roach pointed out that the program was extended in anticipation of one or more potential buyers for a suitable building might be discovered. He left for Hollywood today and is due back in Hollywood on Saturday.

During the day, there was a two-hour screening at Loew's Midland followed by a press luncheon. Feist announced product and policies.

**M-G-M Men Get Passes**

Kansas City, May 9—Convention delegates were accorded the hospitality of all local first runs through passes. It is understood that M-G-M's sales policy will remain unchanged, and that the company will not under any circumstances give out any information about the new sales policy in private. The convention is to be held at the Central Park Diamond.

**Roach Re-Signs Chase**

Hollywood, May 9—Hal Roach has re-signed Charlie Chase to a new one-year contract, the calling for eight comedies during that period.

**L.T.O.A. Wires Go**

In addition to the L.T.O.A. telegram sent to Felix F. Feist in Kansas City seeking a change in M-G-M's sales policy, 50 members also sent a wire Monday night after the meeting. The exhibitors expressed the same desire for alternations in the M-G-M policy.

The L.T.O.A. called in special session today to desire to bring to your attention the fact that under the sales policy inaugurated by your company and now in effect for subsequent runs, they cannot play Metro pictures. As a consequence of this, we have made it possible for M-G-M to achieve the heights they have by their past popularity, and we feel that M-G-M must do more than change its sales policy this year so that they can continue running the pictures made by your company.**

**Roach Aids on Talent**

Kansas City, May 9—Hal Roach was a speaker over Station KMBC Wednesday night in behalf of the sale number at which the Lincoln, the company's traveling studio, was tied in with the AMCO movement.

"I am a spectator of the strife that has been going on, and I don't think there is any reason why we shouldn't fight our own war. And so I am going to get in line and fight the battle from this stage every evening," said Roach.

**Set to Back Gordon, Harris**

With several other deals pending, M-G-M has committed itself to stage productions by Max Gordon and Sam Harris, it was stated yesterday by a company official. Harris is now working on several scripts, but has not decided which will be the first. Gordon sails tonight for Europe for business.

Roach, it was also stated that M-G-M will not form a subsidiary company for financing the Harris and Gordon shows.

**Sign Alice Duer Miller**

Prior to his departure for the coast yesterday, Sam Marx, story editor for M-G-M, signed Alice Duer Miller to write a story based on "Americans Can Sing Too," an idea attributed to Joseph MacDonald. The author leaves Sunday. Hunt Stromberg will produce.

**M. P. Ball Season Set**

The Motion Picture Baseball League game, is to be played on the season opener of the West Coast League. The game will be between Loew's and the National Theatre. The program will feature the community's first annual newsreel. The entire show was built around the testimonial to Feist.

**Roxy Beats Capitol**

Members of the Roxy staff yesterday beat the Capitol crew by a score of 11-11 in the first theatre baseball game of the season. The game was held at the Central Park diamond.

**Formal Choice Of Para. Board Slated June 3**

The formal choice of the new company's board of directors will be held Monday afternoon after the meeting of the board while the charter and certificate changes, agreed on yesterday, go to Federal Judge Alfred C. Coxe for approval at a hearing today.

**Signs Six-Year Hawaiian Deal**

Nell Agnew, sales manager for Paramount, and Mr. Agnew has signed a new six-year franchise for all of the company's product. Agnew returned early this week from Honolulu, after his six-year franchise for Paramount's schedule next season was accepted for 65 features, $101,000 in the next set of the newsreel. Following the annual convention at the Waldorf June 13-14, district meetings will be held in Boston, Atlanta, New Orleans and Los Angeles. Agnew will attend some of the sessions.

**Kane-Para. Deal Is Approved by Court**

The company in the reorganization proceedings, Judge Coxe also approved Paramount's application for leave to purchase M-G-M's Mountain Theatres to their company will not interfere with the procedure of winding up the bankruptcy, since the transfer of assets to the National Theatre has already been effectuated.

They also said that on the basis of the Federal Court, if a new M-G-M is to be formed in vacating the injunction holding up the sale on the petition of Hamlin and the General Theatre Equipment Corporation, they expect Hamlin's appeal to be ruled out by the court.

**Settle Dresser's Claim**

Los Angeles, May 8—A claim of Claire Du Brey for $25,000 against Marie Dresser's estate has been settled for $5,000.
**Schenck Fox Met Proposal Approved**

(Continued from page 1)

**DAILY,** has every indication at this time of sealing the disposition of the strategic metropolitan circuit of 84 houses after more than three years of spirited court contests which, at one time, or another, involved virtually every major company either as a prospective operator or as a subject of vital sales import. The court's approval covers the essence of the circuit and will enable Paramount as a likely competitive cash bidder and of all other important factors which might have made a last-minute effort to gain control of the circuit. Paramount creditors, it was learned last night, will not countenance a $4,500,000 cash offer, as discussed within the company; holding to the viewpoint that Paramount has no court sanction and no assurance of theatre investment at this time. The best offer that Paramount could make, it is said, would be in the cash and part security, issue, similar to the Schenck plan, and there is virtually no likelihood now that anything but a major in the Gleason, man of all work on Radio's, "Leander Cocks"—assistant on script, co-director and featured player in Monogram to start last two on current schedule this month—"Make a Million" and "Children of the Crowd." Both of that time, told, the two-thirds of the creditors accept the Schenck plan, it will be placed in effect by the court.

**Judge Explains Action**

In approving the Schenck plan and rejecting the plan proposed by S. Fabian, the only other one before the court, Judge Mack stated that he was guided by considerations of the stability of the industry, but the Fox Met bondholders were better assured under Schenck's plan of the re-establishment of the company and the payment of interest on them. Other major considerations, the court said, were the Fox Film's value, which would be retained for the circuit under Schenck's plan and the continuation of Skouras and Randorf as operators, of which years and agreed to sell United Artists and 20th Century product to

**Hollywood, May 9—A. M. Botsford recovered from that appendicitis attack. . . . Claude Raines, back, starts on his way to Australia. . . . "The Last Outlaw," starring Frank Baxter is ordered back from Honolulu for "Under the Pampas Moon" at Fox.


Production—"The Return of Peter Grimm" starts at Radio with Lionel Barrymore in lead. . . . Claire Dodd replaces Dolores Del Rio in Warner's "Cagney's Cash offer for out=". . . "Not Your Only Girl, "Glenon, man of all work on Radio's "Leander Cocks"—assistant on script, co-director and featured player in Monogram to start last two on current schedule this month—"Make a Million" and "Children of the Crowd." Both of that time, told, the two-thirds of the creditors accept the Schenck plan, it will be placed in effect by the court.

**Hess-Harrison Libel Suit Gets Underway**

(Continued from page 1)

Yesterday before Judge Phillip J. McCook, with a number of distinguished witnesses for Hess being heard and with Harrison on the stand for brief examination. Among the character witnesses who testified for Hess were Max D. Steuer, attorney, and former Ambassador James W. Gerard. Hess was examined briefly thereafter and the plaintiff rested his case. The court then denied a motion to dismiss the case by Jacob Harrison's attorney, and the defendant was placed on the stand for examination.

The suit is based on an article published in Harrison's Reports more than a year ago which allegedly linked the plaintiff's name with that of others who were criminally indicted in a Canadian investigation of racketeers. A transcript of the proceedings was returned against Hess. The case is being tried before a jury with the principal objective being, according to the plaintiff's side, the vindication of Hess's name.

**Loew Closes Deal For Chicago Site**

(Continued from page 1)

Several other theatre sites are under the verge of being consummated. The Oak Park house will seat 1,600. It has not been definitely decided whether to have a balcony, but Thomas Lamb, architect, is conferring with home office executives in New York. Plans for construction are expected to be let next week. Bids are now being solicited.

Robert Lynch and Ernest Schwartz of the Philadelphia M-G-M exchange are here and have received approval of the local city authorities to proceed. Loew's is moving slowly in the pursuit of additional plots because of zoning conditions. All contemplated houses will be in neighborhood sections, but because of the clearance setup and the B. & K. franchise, which has another year to run, the circuit is cautiously feeling its way.

Joe Vogel, in charge of Loew's theatre operations outside of New York, attended the recent M-G-M convention in Detroit, but did not visit here, although the trip by air from the auto city is about an hour and a half.

**Loew Back From Detroit**

An independent return of foreign activities for M-G-M, has returned from Detroit where he attended the three-day regional convention. However, Loew didn't put in an appearance until the last day. During the first two days he met with a contingent of foreign distributors, with his company, who came on the coast specially to confer with him.

**Wall Street**

Universal Up 14 1/4 on Big Board

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<th>High</th>
<th>Low Change</th>
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<tr>
<td>Consolidated</td>
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<tr>
<td>CGP</td>
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<td>+2</td>
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<tr>
<td>Eastman</td>
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<tr>
<td>Fox Film A</td>
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<td>-3</td>
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<tr>
<td>Paramount</td>
<td>34</td>
<td>+1</td>
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<tr>
<td>MKK</td>
<td>28</td>
<td>+1</td>
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<tr>
<td>Universal, pfd</td>
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<td>-1</td>
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<tr>
<td>Warners</td>
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<td>+4</td>
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<tr>
<td>Warner pfd</td>
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<td>+22</td>
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**Technicolor Up Slightly on Curb Net**

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<tr>
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<td>High Low Change</td>
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<td>General Theatres</td>
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<td>Keith B. F.</td>
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<td>Loew's 6s</td>
<td>41</td>
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<td>New deb rights</td>
<td>104</td>
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<tr>
<td>Prew 5%</td>
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<tr>
<td>Prew 6%</td>
<td>55</td>
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<tr>
<td>RKO 5%</td>
<td>50</td>
</tr>
<tr>
<td>Warner Bros 4 1/2</td>
<td>62</td>
</tr>
</tbody>
</table>

(K and v) Paid this year.

(Quotations as of close of May 9)
"The local dramatic pages today are peppered with adjectives indorsing ‘‘THE INFORMER’’. The list so far includes such words as ‘‘MOVING’’ ‘‘EXCITING’’ ‘‘HUMOROUS’’ ‘‘SOCK-DOLAGER’’ ‘‘GUSTY’’ and ‘‘STRONG’’. Elsewhere we have stated it is a triumphant blending of drama, literature and common sense. We have also stated that IT IS ONE OF THE BEST PICTURES WE HAVE EVER SEEN. AND WE MEAN IT!

IT IS A CORKING FILM . . . and if we are allowed a couple more expressions of enthusiasm we should say (even the morning after) that it is a COURAGEOUS, STIMULATING, PROVOCATIVE, EXHILARATING, TRAGIC, MYSTICAL, HAUNTING, PULSATING FLIGHT INTO THE SUBLIME!

E. de S. MELCHER
Washington Evening Star
"A powerful and moving story... It is so intelligently presented, so beautifully acted and recounts such a gripping narrative that only the adjective 'DISTINGUISHED' seems fit to describe this exceptional picture... I didn't think Victor McLaglen was capable of such acting, magnificent and sweeping in its scope. All concerned with producing 'The Informer' deserve a screen bow. NOTHING CAN KEEP IT FROM MY TEN BEST LIST!"


"An honest celluloid sensation. A real sockdolager, gusty and grandly cast and infinitely moving. No fooling, no fancy phrasing, it is strong and sterling entertainment, and I hope everybody in town makes it a point to see it. It is undoubtedly Victor McLaglen's greatest screen role to date, and it comes close to being one of the greatest pictures... It's violent and absorbing and altogether distinguished and YOU SHOULD NOT—MUST NOT—MISS IT!"

Mabelle Jennings, Washington Herald.

REVIEWS LIKE THESE
JUSTIFY ADS LIKE

The Informer

with
Victor McLaglen ★ Heather Angel
Preston Foster ★ Margot Grahame
Wallace Ford ★ ★ ★ ★ Una O'Connor

RKO-Radio Production
From the story by Liam O'Flaherty
Clint Reid, Associate Producer
INGTON CRITICS SAY...

"'The Informer' is a picture unique in conception and without blemish in execution. Based on that divine supplication, 'Forgive them, Father, for they know not what they do,' and with its action set during a single night... it relates a deeply moving, exciting and, at times, humorous story... beyond any picture in which he ever heretofore has appeared, it reveals Victor McLaglen as an actor of intelligence, versatility and power. It is a picture that should be seen. I CERTAINLY SHALL SEE IT MANY TIMES."


"'The Informer' is a new experience for moviegoers. It is as irresistible as its chief character, the giant Gypo, himself a moving drama that SWEEPS YOU ALONG AS BEFORE A RAGING TORRENT."


THE NATION'S CAPITOL BOOMS OUT THE FIRST SALUTE IN A WORLD-WIDE SALVO OF ACCLAIM... THIS WEEK-END, IN NEW YORK, BOSTON, SAN FRANCISCO, CHICAGO, BALTIMORE AND OTHER KEY CITIES, A DEAFENING BLAST OF PRAISE WILL THUNDER FROM THE PENS AND THROATS OF AMERICA'S CRITICS AND ENTHUSIASTIC AUDIENCES... CONFIRMING RKO RADIO'S PREDICTION THAT EVERY CRITIC IN AMERICA WILL INCLUDE "THE INFORMER" IN THE LIST OF TEN BEST PICTURES FOR 1935.
Rule Texas Laws Cannot Apply to Film Contracts

Forms "40" Club

Sophie Tucker is organizing a "Life Begins at 40 Club" with branches in every city where she has appeared. The idea, she says, is "to keep alive the spirit of achievement, tolerance and understanding, and the joy of living that every 40-year-old possesses, and to let the youngsters know that they have much to look forward to when they reach 40."

Face that they were made for the licensing of copyrighted films, and the anti-trust laws of the State of Texas have no application to such contracts for the licensing of copyrighted films.

That it appears from the evidence that there was no conspiracy as alleged in the plaintiff's petition.

That the plaintiffs have not shown such probable damages as would justify injunctive relief.

That the NRA for the film industry furnishes a remedy to the plaintiffs.

is in town from Kansas City and plans to stay around for three or four weeks. He made the trip by auto.

Monckton Hoffe, the British playwright, who accompanied David O. Selznick cast, leaves for England soon on a vacation trip.

Lou Levin of the Elwood, Newark, is going to the Allied Atlantic convention. Ditto for Irving Dollinger and his dad.

Robert Edmond Jones is the author of an article to appear in the June issue of Vanity Fair dealing with color psychology.

Jack Connolly, Pathe News chief, is the new general and commander-in-chief of Loafon's colonies.

Ruth Chatterton is due back here next Monday from her European vacation on the "Ile de France."

Mary Tibbetts, stage actress recently signed by Warners, has left to report to the studios.

Maucy Cohen of Invincible around, but taking it easy following his long and serious siege of illness.

Neil Agnew, in spring gray, crossing 57th St. at the junction of Broadway.

William ("Pop") Landau is coming along nicely following an operation at the Medical Center.

Nino Martini is off to Hollywood for his first picture role.

Charles Bloom has rejoined Allied of New Jersey as canvasser.

Move to Teach Social Values By Film Begun

The nationwide movement to teach social values to the young through the screen through cooperative efforts of school authorities and producers will receive its initial fillip with the showing of the first of a series of 20 films designed to emphasize character training to selected a group of boys and girls in New York public school children.

The lead-off picture will be "Sooky." At the Park Plaza in the Bronx the film will be seen by pupils from the fifth and sixth grades in seven schools in that borough. At practically the same time the film will be run off at the Riviera on Broadway for the benefit of pupils in the same grades in 13 Manhattan schools.

Arrangements for the demonstration were made through the cooperation of Dr. Harold G. Campbell, local superintendent of schools, and Will H. Hays, head of the M.P.P.D.A.

The subject matter of the series, which will carry the general title of "Secrets of Success," has been culled from features, newsreels and dramatic shorts and serves to illustrate various character problems. The purpose is to present the basic social issues involved in the brief vivid form so that they may be used as a basis for classroom discussions.

Some Other Films in Series

Some of the other films on which the series has been built are "Huckleberry Finn," "Skippy," "Tom Sawyer," "Tom Brown of Culver," "Wednesday's Child," "Young America" and "Young Folks.

The films will be given national distribution following their showing to grade pupils throughout New York.

The filmmakers will show the direction of the Committee on Social Values in Motion Pictures, of which Dr. Howard M. Sawin, dean of Boston University Graduate School, is chairman. They have been widely endorsed by educators.

No charge is made for the use of the pictures, and the showing of the films for any purpose other than educational is forbidden. Attention is directed among the "Secrets of Success" series to the schools as one answer to a request for cooperation on the part of the industry. It is called attention to the high standard of pictures recently produced and now in the making.

Exhibitors wishing to show the films in tieups with educational groups should address their requests to Mr. LeSoud at Boston University, Boston.

Jack Holt to "U";

Nat Ross Signs, Too

Hollywood, May 9—That Jack Holt has left Columbia was revealed yesterday by his signing to make six action pictures for Universal. Nat Ross, who has been directing for Invincible, has signed a one-picture contract with Universal, with the Holt series his first assignment. The deal becomes effective in two months.
NEWS!! West Coast Dailies Agree!

Variety Daily: "Packs entertainment to reach action addicts and a much wider audience. Especially it may hope to regale femme audiences with its first rate comedy and nicely handled romance."

Hollywood Reporter: "Much too good for western audiences. O'Brien will win a flock of new fans. A picture the whole family will enjoy."

They're whooping about

GEORGE O'BRIEN

in

The Cowboy Millionaire

Presented by Sol Lesser and John Zanft

with

Evalyn Bostock • Edgar Kennedy

Alden Chase

Directed by Edward F. Cline

Fox release
"G-Men" Gets $11,700, Only
L. A. Grosser

Los Angeles, May 9.—"G-Men" was the only attraction to make a dent in the house at Hillstreet, mid-summer weather last week. It hit $11,100, over par by $3,100, at the Hillstreet, but failed to push Warner's Hollywood wood out of the doldrums. The take there was $9,200, under the line by $4,800.

"My Heart Is Calling" was good for $3,000, slightly over average, at the Filmarle, as "Vanessa" at the 4-Star, where business was considerately off.

Total first run take was $88,700.
Average is $91,200.

Estimated takings for the week ending May 9:

(Average, $12,500)

"MY HEART IS CALLING" (Gaumont British) FILMART 8/10-30, 35, 7 days, 3rd week. Gross: $2,300.
(Average, $2,730)

(Average, $14,000)

"PRIVATE WORLD" (Para.) PARAMOUNT-8/9, 35, 6th, 7 days. Stage: Steel Duma. Gross: $1,600.
(Average, $2,300)

"HOLD 'EM YALE" (Para.) "ONE NEW YORK NIGHT" (M-G-M) 5-14-15, 27, 6th, 2nd week. Gross: $2,900.
(Average, $3,500)

"WARRER BROS." (Hollywood) — (1,600), 28, 6 days, 2nd week. Gross: $9,200.
(Average, $14,000)

"MARY JANE'S PA." (F.N.) "SWELLHEAD" (Ga.) "WARRER BROS." (DOWNTOWN)—(1,400), 28, 6 days, 4th week. Gross: $3,600.
(Average, $5,000)

"THE WANDERING JEW" (Olympia) PAINTAGES-(5,000), 28, 6 days. Gross: $3,000.
(Average, $5,000)

Looking 'Em Over

"One New York Night" (M-G-M)

A local audience alternately chuckled and howled for some two-thirds of this film. It's nice comedy-mystery entertainment, Franchot Tone and Una Merkel do much to carry the picture with sterling characterizations.

The plot ingredients have been deftly handled by director Jack Conway and the action keeps mounting to an interesting-hold pitch. The photography of Oliver T. Marsh is excellent.

The yarn, taken from the play "Order Please," by Edward Childs Carpenter and Walter Hackett, centers around a metropolitan hotel. Tone arrives at the hostelry seeking a bride to bring back to his Wyoming ranch. He meets Miss Merkel, hotel telephone operator, and she promptly assists him in getting entangled in a murder mystery in the room next to his. A lost bracelet links Steffi Duna in the mystery and the customary assortment of suddenly darkened rooms, clouts on the head and disappearing bodies results before Tone clears up the mystery and discovers at the same time that it is Miss Merkel he wants to take back home with him.

Others in the cast able to cast include Conrad Nagel, Harvey Stephens, Charles B. Fitzsimons, Louise Henry and Henry Kolker.

Despite the lack of marquee names, this film should do well, benefiting particularly by word of mouth advertising. Reviewed without production code seal. Running time, 63 minutes. "G."

"Law Beyond the Range" (Columbia)

In "Law Beyond the Range" Tim McCoy continues his fight in the cause of law and order. He does it in so lusty and exciting a manner that western fans undoubtedly will go for the star's villain-busting efforts. In this instance Tim does his battling not only with fist and gun but with printer's ink as well. He sounds the call to battle when he takes over a western newspaper after the owner, a friend of his dad, passes on. He continues the paper's policy of blasting the crooked politics that rules the town.

The political boss, a first class brigand, sets out to make things hot for Tim. He turns his henchmen loose on him, blows up the newspaper plant and resorts to mud-flinging when the hero decides to run for sheriff on an honest ticket, but nothing can douse Tim. At the finish the villain and his cohorts are headed for the jy or the cemetery, and again proof is given that crime cannot win when McCoy is about.

The film's chief find, besides Tim, is Philip Dorn, who plays the daughter of the late publisher of the paper, very much wrapped up in each other.

Others in the cast are Robert Allen, Guy Usher, Harry Todd and Ben Hendricks, Jr. The direction is by Ford Beebe.

No production code seal. Running time, 57 minutes. "G."

"Rustler's Paradise" (Ajax)

This William Berke production should give Harry Carey a tremendous boost on the road back. His performance chiefly makes it possible to forget the routine quality of the story and the obviousness of some of the action. After showing the laboring efforts of the majority of western stars, it is refreshing to watch the quiet, yet effective, playing of the former favorite of western fans.

The film retells the story of the good husband who vows never to rest until he has caught up with the man who stole his wife and child. Carey plays the husband tremendously sympathetically. When he suspects a notorious brigand as being the man he is after, he joins the marauder's gang under an assumed identity. His search is rewarded when he finds proof that the outlaw is the right man. At the same time he discovers in the fellow's shack the daughter taken from him years ago.

The tale reaches a fine climax. In a gripping, suspensful and realistically managed scene Carey strings the villain up by the arms and submits him to a lashing with a bull whip that is guaranteed to bring whoops of delight from the audience. Under the lashing the brigand admits the facts slaying Carey's daughter.

Gertrude Messinger plays the daughter nicely. Other players are Edmund Cobb, Carmen Bailey, Theodore Lorch, Roger Williams, William Morrison, Alan Creer and Charles Whitaker.

Robert Cline's fine photography adds to the effectiveness of the picture. Harry C. Halliday's filming of the neighborhood theatres can play this western with confidence.

No production code seal. Running time, 61 minutes. "G."

(Additional review on page 15)

Scandals" Is Detroit Top; Gets $22,400

Detroit, May 9.—George White's 1935 Scandals," with Willie and Eugene Howard, featured on the first complete show at the Fox, grabbed the big money here. The $22,400 take was over by $7,400.


Total first run business was $83,200. Average is $7,000.

Estimated takings for the week ending May 9:

"HIS RAISE" (Fox) "STANGERS ALL" (Radio) ADAMS—$13,200, 7 days. Gross: $4,000.
(Average, $571)

"GEORGE WHITE'S 1935 SCANDALS" (Fox) FOX—$13,100, 7 days. Stage: Willie & Eugene Howard, Tamara and 3 acts. Gross: $3,200.
(Average, $457)

"GOLD PICTURES of the (Warner) "VANESSA" (M-G-M) FISHER—($7,950), 28, 6 days. 2nd run. Stage: Marion Byron Howard, 5 acts. Gross: $3,000.

"PRIVATE WORLD" (Para.) MICKEY—$2,900, 7 days. Stage: Patricia Bowman and 4 acts vaudeville. Villas: $1,250. (Average, $300.)


"CARDINAL RICHELIEU" (U.A.) UNITED ARTISTS—$2,000, 15c-55c, 7 days. Stage: Lopo Velez and 5 acts vaudeville. Gross: $1,100.

"Richelieu" Leads Portland, $9,000

PORTLAND, May 9.—"Cardinal Richelieu" at the United Artists secured the biggest take of the week with $9,000, or $4,000 over par.

"My Heart Is Calling," at the Orpheum, par, averaged out $6,500, or $1,000 over average.

"Stolen Harmony," at the Paramount, accompanied by the usual stage show, brought in $8,400, or $4,400 over.

Opening of Jantzen Beach, season's baseball and weather cut into gross.

Total first run business was $32,300. Average is $24,700.

Estimated takings for the week ending May 9:

"CASE OF THE CURIOUS BRIDE" (M-G-M) "BABY FACE HARRINGTON" (M-G-M) BROADWAY—$4,500, 28-sec-41c, 7 days. Gross: $4,500.
(Average, $643)

"CLIME OF LIFE" (Para.) "BLUE MOUSE-006", 15c-35c, 7 days. Gross: $600. (Average, $85)

"G-MEN" (F.N.) MAYFAIR—$1,700, 15c-35c, 7 days (second downtown week). Gross: $3,000.

"MY HEART IS CALLING" (M-G-M) ORPHEUM—$1,700, 28-sec-41c, 7 days, stage show. Gross: $6,000. (Average, $857)

"CARDINAL RICHELIEU" (M-G-M) PARAMOUNT—$1,700, 28-sec-41c, 7 days, stage show. Gross: $6,400. (Average, $917)

"CARDINAL RICHELIEU" (U.A.) UNITED ARTISTS—$600, 28-sec-41c, 7 days. Gross: $9,000. (Average, $1,300)
Republic 2nd In Field With Season Lineup

(Continued from page 1)

Group,” eight in a “Republic

Entertainment Group,” eight John Waynes in a

“Greater Western Series,” eight in a “Far West

Group” with the star to be selected. The four serials

will be in 12 episodes each with feature

versions of leading stars. A few of them will be “Robinson Crusoe.”

Production on the new program under direction of Trem Carr will start next week when “Forbidden

Heaven” with Charles Farrell and Charlotte Henry goes into work. Paul Malvern will also go with a unit to Utah next week to make “Westward Ho,” which will lead off the John

Wayne program. “Two Black Sheep” by Warwick Deeping and “My Old Kentucky Home” will also get under

way in May.

The full program:

Republic Gold Band Specials

The Harvester” by Gene Stratton-

Porter.

“Forbidden Heaven” with Charles Farrel

and Charlotte Henry.

Loos of the Long Ex-Reg-Legation 1934.

“A Sitting on the Moon,” musical extravas-

tana.


“Big Ringer Winners”

Michael O’Hanlon” by Gene Stratton-

Porter.

“Two Black Sheep” by Warwick Deep-

ing.

“Happy Ricks Returns” by Peter B.

Kryt.

“My Old Kentucky Home,” from the

famous song.

“New York Merry-Go-Round,” a New York

broadcasting musical.

“Shau mann Group”


“The Gentleman from Louisiana” by

Hartley Poindexter.

“Priscus Waterfront” by Norman Houston.

“The Big Show” by George McCall.

“Dearly Beloved” by Robert E. Emmet

Ay

“Hashbunsters” by Norman Hall.

“Laughing Irish Eyes” by Guy Robert-

son.

“Fairgrounds” by Harry hoyle.

“Entertainment Group”

“Force of Land” by William Boebel.

“Dancing Feet” by Robert Eden.

“The Leave-Worn Case” by Anna Ka-

tharine Greene.

“Harbor Lights” by Dorothy Reid.

“The Girl from Nowhere.”

“West of the Seven Gables” by Na-

thaniel Hawthorne.

“The Spanish Cape Mystery” by Ellery Queen.


“Greater Western Series”

“Westward Ho.”

“Elders of the Border.”

“The New Frontier.”

“West of the Gold Industry.”

“Trail’s End.”

“Vindors of the Wastelands.”

“The Vanishing Rider.”

“The Long Trail.”

“Fast Action Group”

“Partners of the Sunset.”

“Where There’s Smoke, There’s Fire.”

“Red River Valley.”

“Snowbound in the West.”

“Riding Luck.”

“Redden’s Road Begins.”

“Pals of the Range.”

“Lost Vagabonds.”

The various exchanges recently ac-

quired by Republic are preparing for regional sales meetings which will start the Above. Each of the sales units will be held in New York, Cincinnati and Salt Lake City, with Edward A. Golden, sales chief, presiding. The production lineup will be presented to the meetings and immediately after-

ward 135 salesmen and managers will take to the field.

Having completed production de-

tail with Carr, W. Ray Johnston, president of the company, is on the

wing and is due in Kansas City from

Los Angeles today en route to New

York.

Campi Reverses Its Rule on Zone Cases

Rescinding a previous order, Campi

yesterday adopted a resolution per-

mitting exhibitors in territories where clearance and zoning schedules have been drawn and are exhibited to file individual complaints. For some

time theatre owners in New Haven, Milwaukee, Detroit and Kansas City have not been able to file complaints pending action by Campi on clearance

plans already drawn.

At the same time, local boards in territories where the schedules have been submitted are being advised to cancel general meetings and all localities have been given notice for possible changes in the plans to meet current

conditions.

Al Hanson was appointed to the Los Angeles grievance board, replacing Reeves Espy, who resigned re-

cently.

John Flinn may leave for the coast
today to be on hand for the start of the

Los Angeles schedule next Wed-

nesday. The trip will give him an oppor-

tunity to call on dealers.

Charles L. O’Reilly was chairman of the session. The next meeting is scheduled for May 23.

Exhibitors in territories where no

schedules have been drawn are being advised to start drawing zoning plans on June 9.

891 Extra Bulings

Hollywood, May 9—Of the 1,085

complaints filed with the Standing

Committee of Extras for the year end-

ing April 10, 891 were decisions rendered and closed, 70 were rendered and are awaiting compliance, four are awaiting interpretations from Campi, 90 have been placed on the list for discussion and 26 are awaiting final action of the complaints and grievance committee.

The amount of awards by decisions was $4,069.65, with $485.25 de-

moted.

San Francisco and Minneapolis

each had six appeals in the list of 33 grievances decided by Campi at its

Chicago meeting. Detroit, Kansas City, Charleston, Dallas, Washington, In-

dianapolis and Milwaukee had two, Albany, Buffalo, Los Angeles, St. Louis, Salt Lake City, Kansas City and Philadelphia had one.

Of the 11 clearance and zoning ap-

peals, three are on a situation with Detroit, 11, Los Angeles, St. Louis, Cleve-

land and Detroit had one, while Bos-

ton had two.

Davis, Farnsworth Talk

Warr en Jefferson Davis, impatria-

t and chairman of the studio labor

board in California, yesterday dis-

cussed the situation with Adminis-

trator William P. Farn-

worth. Davis would not reveal the
ture of his discussions.

He left for Washington last night to

attend the annual meeting there of

the American Law Institute. Davis

plans to take a plane to the coast

either Sunday or Monday.

F. L. Smith and Pat Casey are the

other members of the labor board.

Ampa to Sponsor an Amateur Broadcast

Ampa will sponsor a half-hour broadcast twice a month for non-

professionals in the industry, Bruce Gal-

lup, president, revealed yesterday at the first meeting under his regime. The plan was approved by the board of di-

rectors Wednesday. No starting date is set.

Under the plan industry workers

who can sing, dance or play instru-

ments are eligible. Heads of clubs of the various organizations will be asked to give auditions to aspirants and seven or eight will be chosen one

or two for the broadcasts.

Details are practically set to tie up

with XBC. If the scheme proves suc-

cessful, it is likely that other syndicates will be solicited. Hal Horse will be master of ceremonies.

One open meeting a month with one

or two prominent speakers is also

planned. Gallup stated he will per-

sonally approve all speakers. Next

week he will hold a special session with the distaff side of the member-

ship. Future meetings will be held at the Edison instead of the M. P. Club.

Cal. Tax Is Made

20% of U. S. Rate

(Continued from page 1)

has all legislators sent out an

income tax proposal with a rate 20 per

cent over the 1935 law.

The income measure passed by the

Assembly recently called for one-third

the Federal tax. Passage of the steer-

ring committee action would raise the

dollar value of an ad valorem tax of about 30 cents on $100 valuation.

Ohio Income Tax a Worry

Columbus, May 9—Exhibitors are

keeping their fingers crossed as they

contemplate a revision of the state

income tax rate. There is a possibil-

ity that the Senate may take up the

measure passed by the House a few days ago, but general opinion is

that it will be defeated, if this does

happen.

Three weeks ago the Senate took a

“five minute recess” for the purpose

of avoiding action on new taxation.

The House’s stand held that no revis-

ion of an income tax law. There is a

possibility that the Senate may take

up the measure passed by the House a few days ago, but general opinion is

that it will be defeated, if this does

happen.

The Senate takes up an occasional

bill, however. It has just sent to the

governor the measure extending the state N.R.A. until January 31. The

Senate’s stand, however, is that the

fact that the state law has been ruled

unconstitutional by an Ohio judge.

Wisconsin Time Change

Madison, Wis., May 9—Exhibi-

tors have been advised by the Post

Office to bring their clocks back to

the daylight saving time, as a new

law has gone into force.

Florida Bans Walkathons

Tallahassee, May 9—The Legis-

lature has passed a bill banning walk-

athons and marathon dances. The

measure, which was passed after a

violent fight in the Senate, makes

Violation of the act would be sub-

ject to, $1,000 fine or imprisonment for

one year.

Jersey Film Battle

Is Taken Into Court

(Continued from page 1)

local Fox exchange manager, after

the print had been shipped.

The Fox picture opened in Julius

Charnow’s house for a three-day run.

When Charnow opened the Leonia

yesterday he found the court papers

under his door.

H. A. Toner, attorney for the

Adams Brothers, on Monday in-

itated a suit against the Leonia clear-

ance and zoning board that they

would take court action when he

would not withdraw his complaint against the Leonia decision. According to Code Au-

thority’s edict, the Leonia is permitted to view the seven or eight films chosen one or two for the broadcasts.

Details are practically set to tie up

with XBC. If the scheme proves suc-

cessful, it is likely that other syndicates will be solicited. Hal Horse will be master of ceremonies.

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or two prominent speakers is also

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sonally approve all speakers. Next

week he will hold a special session

with the distaff side of the member-

ship. Future meetings will be held

at the Edison instead of the M. P. Club.
BROADSIDES OF LAUGHTER

Set them roaring in your theatre

NOW

Educational's 20th ANNIVERSARY MONTH - May

BUSTER KEATON
"TARS AND STRIPES"
with Dorothea Kent
Produced entirely at U.S. Naval Training Station at San Diego, California.

"Easy laughs. Swell naval atmosphere...plenty of original gags."
—FILM DAILY

"Good comedy...effectively set at United States Naval Training Station...lively and entertaining."
—M. P. Herald

"Action and laughs...authentic atmosphere and beautiful scenic background."
—SHOWMEN'S TRADE REVIEW

Contact your Navy Recruiting Office and get back of this comedy for feature box-office business.

JOE COOK
in "A NOSE FOR NEWS"
"The best thing Joe Cook has done in pictures..."—Film Daily

ERNEST TRUEX in "ONLY THE BRAVE"
"Quietly the best work Ernest Truex has done in the shorts field..."—Film Daily

SYLVIA FROOS
with Warren Hull
in "LOVE IN A HURRY"
A Young Romances Comedy

TOM HOWARD and GEORGE SHELDON
in "GROOMS IN GLOOM"
A Coronet Comedy

"IT NEVER RAINS"
Frolics of Youth

Presented by E. W. Hammons

Distributed in U.S.A. by FOX Film Corporation
Allied Picks Subjects for Atlanta Meet

Three General Divisions Set For Discussions

Final definite plans for the Allied convention at Atlanta May 21-23 will be settled at a meeting of the board of directors to be held May 20 at the Piedmont Hotel, Atlanta.

The present purpose of the Allied leaders, according to a bulletin issued by Sidney Samelson, is to divide the sessions into three main divisions—business relations, public relations and regional and territorial organization.

Under the business relations heading problems affecting sales policies, double features, premiums, giveaways, price wars and such parts of the code as affect operations will be discussed. Leaders of this discussion will be

(Continued on page 4)

Court Passes Date For Para. Election

Court approval of the calling of a special meeting of Paramount Publix stockholders for June 3 to formally elect the new Paramount directors and to pass upon changes in the by-laws of the company, its new capitalization and changes in its corporate charter, was given yesterday by Federal Judge Alfred C. Coxe.

The capitalization, by-law and charter changes are subject to further action by the present Paramount board and will be acted upon within the next two weeks. The principal change

(Continued on page 2)

Coast Payroll Levy Sought in New Bill

SACRAMENTO, May 10.—A bill calling for a one per cent studio payroll levy as a contribution toward a state unemployment insurance fund in 1936 has been reported out by the Assembly Unemployment Committee with a "do pass" recommendation. It is based on an interim committee report

(Continued on page 4)

M-G-M to Increase Budget on Specials

KANSAS CITY, May 10.—M-G-M will increase its budget on specials of 1935-36 and devote more attention to pictures in this group, Felix F. Feist, general sales manager, told the closing

(Continued on page 2)

NRA Aims for $200,000 in Its Big Drive

2,000 to 2,500 Theatres To Contribute to Fund

Backers of the NVA Fund drive are setting their hopes beyond the $200,000 mark. At least that sum is needed, they say, to maintain the Saramac Lake Sanitarium.

Ten per cent of the receipts of theatres in practically all of the large circuits on Monday will be donated to the fund and distributors will give up 10 per cent of their gross rentals and percentages the same day. It is estimated between 2,000 and 2,500 theatres will take part in this way.

One of the high points of the campaign will be the benefit and ball to be staged tonight in Madison Square Garden in cooperation with the Masonic Clubs. It will be run like this

(Continued on page 2)

Consolidated’s Net $212,536, 3 Months

Net profit of Consolidated Film Industries, Inc., and subsidiaries for the quarter ending March 31, 1935, totaled $212,536 as compared with $177,780.94 for the same period last year.

Current earnings, after allowing all charges and Federal taxes, are at the rate of $77,037 per share on the 400,000 shares of preferred and two cents on the $24,973 shares of common outstanding. Net for the identical quarter of 1934 was at the rate of 50 cents on the preferred and 22 cents a share on the common. Outstanding shares in each group last year were the same as this year.

(Continued on page 2)

Dust on Films

Omaha, May 10.—Besides damaging vast stretches of the west, dust has found a new way to annoy exhibitors. Some films are run on a route, dust works into the containers and causes the films to be scratched.

Independents Fight Filing Of Code Here

ALBANY, May 10.—Alleging that the code tends to promote monoply and to eliminate independent exhibitors, more than 20 independents in Greater New York and vicinity have filed telegrams and letters with the Secretary of State protesting against refiling of the present code.

At the office of the Secretary of State it was said that at the end of the 15-day period for filing objections, which ends May 24, a date for a hearing would be set.

The present moves are due to the recent enactment of a new law, remedying the defects of the old state N.R.A. act which was declared unconstitutional because it took in all the

(Continued on page 3)

First Gaumont Sales Meet Set May 27-29

Gaumont Britain’s first annual sales convention will be held here May 27-29, it was revealed yesterday by George W. Weeks, the company’s general sales manager. Branch managers and salesmen from all Gaumont British exchanges in the United States will be on hand.

Pathe Support For First Div. Stays—Kolbe

New Financing Is Under Discussion, He Says

Continued support will be given First Division by Pathe exchange, Inc., Frank F. Kolbe, Pathe president, said yesterday shortly after his election to the chairmanship of the First Division board, succeeding Stuart W. Webb.

New financing for First Division is now under discussion, it was stated, with a likelihood that an outside interest will participate in it jointly with Pathe.

Kolbe said that he would remain with Pathe permanently and would take an active part in the affairs of both company and of First Division. His decision refutes reports published after his election as Pathe president that he would occupy the post only

(Continued on page 4)

Skourases to Sign 10-Year Pact Soon

Spyros and Charles Skouras are slated to sign a 10-year pact contract with National Theatres for operation of the company’s various subsidiaries, including Fox West Coast Theatres, on the coast next week.

Spyros Skouras, executive vice-president of National, leaves for Los Angeles today by plane to confer with his brother on a few details in the pact which have to be cleared up. He was supposed to leave yesterday, but put the trip off until today.

Leo Spitz, who has been representing the Skourases in contract negotiations with Chase and Pox officials, departs for Chicago, his home town, today.

Woolf Resignation Admitted in London

By BRUCE ALLAN

LONDON, May 10—Reports that C. M. Woolf had resigned as joint managing director of Gaumont British to join a new production venture have

(Continued on page 2)

Broker Reported in Move to Take Roxy

A plan of reorganization for the Roxy, embracing a $1,100,000 bid for the theatre’s bonds and contemplating
**Purely Personal**

E. W. HAMMONS, head of Educa-
tional, was given a surprise party
at his Mamaneck home Thursday
afternoon. Hostess were Mrs. A. R.
Christie, J. W. E. Ball, Robert C.
Bruce, George Epp-
stein, L. E. Woodside, Bruno
Weyers, B. J. Keanev, Gordon
White, F. X. Carroll and Harvey
Day in honor of the 20th anniversary
of the founding of the company.

ROBERT EDMOND JONES, with Mrs.
JONES as hostess, will entertain at
cocktails next Tuesday. It's all in
way of celebration of the advert-
ently shorty—of "Becky Sharp.
He goes summer-theater at Central
City, Co., in July.

POLLY MORAN and her pianist,
A llen Foster, Jack Connolly, gen-
eral manager of Pathe News, and
Laura S. Goldsborough, foreign news
totion of Time, will be on the Paris
when it sails today.

**Quip of the Day**

"First, I hear the Hollywood
studiers are moving to Florida,"
said Max Shabas in expansive
wood filling his station as a
Hollywood exhibitor.

"Next, I read Carolina is the place—North or South they didn't
say."

"The third it's Arizona, high
and dry, then Jersey with mosqui-
tos, then New Mexico with jump-
ing lizards. Now it's Delaware,
with peaches."

"Next, I suppose we'll read,"
muttered Marx, "that Hollywood
seizes from the Union!"

**M-G-M to Increase**

-Motion

In-charge

the reinstatement of S. L. (Roy) Roch-ard, the RKO Radio commer-
nicating to the Roxy bondholders' com-
nitee, it was reported yesterday.

The offer is said to be sponsored by a fanatical group led by
L. Bean, broker, and is understood to
be only one of several which have been sub-
mitted, to secure the lease of the Roxy and are under
consideration. Efforts to reach Bean yesterday for confirma-
tion of the report were unsuccessful.

**RKO Meet Starts in**

-Chicago on June 17

Jules Levy yesterday definitely an-
mounced that the RKO Radio convention
for the Drake Hotel, Chicago,
June 17-19. About 250 are expected to
tend, including both office, branch
and foreign executives in addition to
salesmen.

RKO home office employees plan to
take a boat ride to Croton Point on June
17.

Ben Throp Passed

Ben Throp, husband of Ruhye de
Remer and well known in the film
world, is dead here and on the coast,
died early yester-
day morning at the Harbor Sanit-
tarium from peritonitis following an
operation.

Funeral services will be held Sun-
day afternoon at 2:30 o'clock at the
Little Church Around the Corner.
Burial will be in Woodlawn Cemetery.

George Mann, head of the Red-
wood circuit in San Francisco, and
his wife and children, left for Bos-
ton, Indianapolis and San Francisco
yesterday after an extended visit in
the east,

J. R. McDonough, president of
RKO Radio, and R. F. Sisk, his
assistant, flew to the coast yesterday.
Stated he was completing the con-
vention in Chicago next month.

Florence Rice and Michael
Bartlett arrived in town yesterday from
the coast for a short vacation.

Mort Blumentock left for Phila-
delphia yesterday. He'll return Mon-
day.

Ed Levy of New Haven was in
town yesterday.

Milt Kusel returned yesterday from
Buffalo.

Bill Frank will week-end in Bos-
ton.

**Court Passes Dates**

**For Para. Election**

**NVA Aims for**

—$200,000 in

its Big Drive

(Continued from page 1)

in the by-laws will reduce the number of
directors authorized from the former 20 to "not less than 16 and
more than 18," and will classify the directors into three groups of not
more than six each. The three
groups will be re-elected every year, with two new groups entering
for the first time, and after which
directors will be elected annually for one
year. The classification of directors will be submitted to the
court for approval on May 24, to
together with other routine procedure in
the establishment of the reorgan-
ized company.

Woolf's name has been mentioned
frequently of late in connection with
the recently organized Anglo-America-
neri, Ltd., headed by Cap.
A. C. N. Dixey, Parliament member.
It is regarded as certain that he
will produce and distribute probably
20 features a year and that six by
Mankiewicz, cameraman, Control Prod-
will be included. He will probably
us the Band Studios and may dis-
tribute for Band.

Woolf's name is also linked with Union Cinemas, but no facts are
obtainable to support this.

**Lee Confirms Report**

Arthur Lee, head of Gaumont Brit-
ish activities in America, yesterday
confirmed to the press in a telephone
public notice published in Morros Picture Daily on May 3, that C. M. Woolf had resigned his directorship at E. G.
B., the parent company in London.

The probability is that Mark Os-
ner, the other managing director, will
handle the routine office work in-
cluding a running mate.
Independents Fight Filing Of Code Here

MOTION PICTURE DAILY
Saturday, May 11, 1935

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Oil for the Lamps of China"

(Comstock-Harney)

Hollywood, May 10.—In transcribing Alice Tisdale Holbert's well-known story to the screen Cosmopolitan has trained its guns on corporation ethics of an American oil company in China.

Pat O'Brien, idealist, graduates from a company school. At a Chinese outpost on his wedding night his American fiancee fitti him, and to save his face he proposes to a stranger, Josephine Hutchinson, who accepts. Their love story is told in terms of company policy.

O'Brien's loyalty saves company property, but his new born son dies. The company dismisses his best friend and appropriates Pat's lamp, on which it makes millions, yet Pat sticks. His esteemed chief, Arthur Byron, when denounced commits suicide. Lyle Talbot, his buddy, fired for alleged incompetence, is reduced to the bread line, yet Pat keeps on plugging to bring light to China.

The picture's ending departs from the book's original.

Well conceived and impressive in all departments, the production contains a wealth of incident. Entertainment and heart appeal are present.

O'Brien turns in a splendid performance. Miss Hutchinson's well shaded and penetrating portrait presages a demand for her ability.

The balance of the cast, including Byron, Talbot, Jean Muir, Henry O'Neill, Donald crisp and Christopher Rumb support well.

Kyke Luke and Willie Fung, Chinese actors, give outstanding interpretations. Mervyn LeRoy's direction, while well rounded, is in oriental tempo. As a study of big business in China, the production should interest and satisfy those who like realistic entertainment of an industrial nature.

Production Code Seal No. 767. Running time, 105 minutes. "G."

"Break of Hearts"

(Radio)

Hollywood, May 10.—Katharine Hepburn and Charles Boyer are the essential box-office assets presented in this romance of a famous conductor and an unknown composer. Dealing with the heart and counterpointed by related music, its main appeal should be to feminine patronage.

Boyer, adored by many women, meets, loves and marries Miss Hepburn, a struggling composer from a small town. Misunderstanding his dinner appointment with Jean Howard, she leaves him and goes to work in a music publishing house where John Beal, a rich playboy friend of Boyer, finds her. Boyer, in Europe, goes from success to success. His New Year's Eve in Manhattan how Miss Hepburn meet. She tells him she has been around in his absence. Disillusioned, he takes to drink and is dismissed from the orchestra to become a besotted decrepit. Miss Hepburn finds him in a cheap saloon and plays the song she composed to become reconciled with him as Beal bows out.

While Pandro S. Berman's production, which is the desired, Philip Moeller's direction clings to stage technique even though the screen play by Sarah Y. Mason and Victor Heerman is a craftsman's delight.

Both Miss Hepburn and Boyer give sensitive, heart-appealing performances delicately fashioned and warm. The supporting cast of Beal, Jean Hersholt, Inez Courtney and others are well selected. Max Steiner's musical direction harmonizes with romantic action. Robert de Grasse's photography of Miss Hepburn is a treat.

By focusing on Miss Hepburn, Boyer and its romantic title the film should give a satisfactory account of itself.

Production Code Seal No. 801. Running time, 80 minutes. "G."

Cartoons for Fairy Tales

Charles Gecierich, sales manager of Celebrity Prod., has closed a deal for the publication in book form of familiar fairy tale illustrations taken from the Comio- Color Cartoon drawings.

"Break of Hearts" Set

"Break of Hearts," starring Katharine Hepburn, will have its world premiere at the Music Hall here on May 16.

Levine to Honolulu

Hollywood, May 10.—Nat Levine, head of Mascot, sailed for Honolulu Saturday accompanied by his story man, Harry Macdonald, to work out his next year's program. He expects to be gone three weeks.

Morris Wax Heads IEPA

Philadelphia, May 10.—Morris Wax has been elected president of the IEPA. He succeeds B. M. Golder, who resigned a few days ago.

Exhibitors' Code Status Hanging Fire

(Continued from page 1)

brought over determination of what industries were in or affected inter-

national commerce.

With the Senate determined to keep the new recovery legislation confined to as few points as possible, NRA embryonic code status for amendments which will enable them to keep a broad measure of control over industry, particularly by clarification of the definition of those who are to be exempted from code requirements.

In the House, also, will be sought an amendment continuing the law for two years.

Under the plans now being worked out by Republicans for fair practice provisions of codes will be handled by the Federal Trade Com-

mittee.

Hearsings to consider revision of the various codes which will require re-

vamping under the proposed new set-

up will begin at an early date fol-

lowing the signing of the new measure by the President, it was indicated.

Columbia's Selling Forces Are Shifted

Several changes and promotions in the lineup of Columbia's sales force have been made here. Robert Montague, general sales manager, has been succeeded by Phillip Fox, salesman in the Boston office, became branch manager of the Albany exchange to relieve Charles N. Johnson, who, at his own request, returned to the Buffalo office as salesman.

T. A. Donahue of Buffalo has been transferred to Boston to fill the vacancy made by Fox's leaving.

Wallace, Sharpe and Kaplan Show Gains

MACON, Mo., May 10.—Director Richard Wallace, cameraman Henry Sharpe and Milton Kaplan, all members of the Paramount group injured early this week in the crash of the TWA Airliner here, are continuing to improve at the local Good Samaritan Hospital. Paul Wing is slightly better but is still critical.

Kaplan is improving so rapidly that he is expected to leave shortly to take the bed of Mrs. Kaplan, who died after the crash, back to Holly-

wood for burial.

Ten Shows Daily for Mae

Mae West is appearing 10 and 11 times a day on the Paramount screen in "Goin' to Town." Yesterday the picture was screened 10 times and today an additional showing will be put on. It's the first time the theatre has exceeded nine shows a day.
Harrison Misled, He Asserts, in Libel Suit

Stating that he had been misled by story published in the Times-States of P. S. Harrison, publisher of Harrison's Reports, the stand yesterday in his own defense of the suit brought against him by Gabriel L. Hess, M.P.P.D.A. attorney.

Harrison testified that the misleading article mentioned Hess's name in association with persons who were in dissolving conflict. The suit involved a film trade papers, several years ago. Hess's action, being tried before Judge Phillip McCook and a jury in state court.

The trial is expected to continue.

Technicolor Rises ¼ on Carb

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Warner Bonds Gain 1

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Quotations as at close of May 10

Erpi Men Testify on Handling Equipment

WILMINGTON, May 10—David G. Blutner of Mountain Lakes, N. J., and Allan McLean of Maplewood, were called by Mr. Erpi, the Kansas City Regional Laboratory, in charge of the firm of the fineness and delicacy of handling required in taking care of their company's sound equipment while on the stand today in Federal Court in the General Talking Pictures vs. Erpi, W.E., and A.T.T., anti-trust suit. Mr. Blutner is a member of the technical staff in the research department at the Bell Laboratories, employed in instrument design, and was for the purpose of showing the court the fineness of certain parts of the defendants' equipment, was employed on the staff of a public address system in 1918 and in 1922 developed an amplifier for use in sound pictures, he said. Several groups were working on development of sound on film with much friendly rivalry, he stated.

Mr. McLean, technical assistant to the eastern division manager of Erpi, said his work consisted of handling engineering problems connected with transmission. He was with Vitaphone in 1926 and told of his part in construction of the assembly of the original apparatus to control volume in the Manhattan Opera House. He assembled and installed the equipment for the "Don Juan." At the close of the day's testimony adjournment was taken until Monday.

Flash Reviews

Our Little Girl—... appeal is complete for both adults and children. It can be chalked up as another box-office favorite.

Men of the Hour—... offers a fair measure of entertainment.

Conversation Game—As the second half of dual bills this film might be acceptable.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Allied Picks

(Continued from page 1)

Aaron Saperstein, Ben Goldner, Moe Finkel, Thomas S. Charles Olive, Edward Ansin, William Davis, Andrew Gutenberg, Morris Wax, Fred Harrington, and David A. Barrist.

Details of the discussion of regional heard at the Congressional meeting will include financing methods, service to independents and business and public relations. These talks will be led by Walter Littlefield, H. M. Richer, Martin Smith, N. H. Waters, W. A. Stevens, Herman Blum, Henry Lazarus, Ray Kusman, Pri, Arthur Howard, John Pillar, P. J. Wood, George Erdmann, Oscar Neufeld, Ray Tesch and Ike Katz.

Coast Payroll Levy

Sought in New Bill

(Continued from page 1)

The bill is believed to have an outside chance of passage by both houses. Under its terms the studio would contribute two per cent in 1937 and three per cent in 1938.

Employees would pay one per cent in 1938 and thereafter, with a possible utili-ty tax of $75 to $15 weekly forced out of a job.

Hollywood Feet Mayors

BOLLYWOOD, May 10—Four hundred attended a party given by Louis B. Mayer tonight for mayors Frank Hague of Jersey City and Edward Harkness of the affluent sound stage. Jack Benny and Charles Ir- win were masters of ceremonies. Jen-ni Lenox, Cliff Edwards, Carl Rand-dall, Frances Langford, Lorraine Bridges, Nick Long, Jr., and Dave Gould's dancers entertained. City of-ficials and studio actors were there.

Earlier in the day both mayors were entertained by William Randolph Hearst at the Cosmop in $7500 on the Warner lot. Mayor Hal Wal-lis, Marion Davies and Mervyn Le-Roy were also present.

"Have It" Starts

United Artists found reason for ex-citement yesterday on two counts and they are:

(1) "Let 'Em Have It" opened at the Orpheum, New Orleans, on the strength of the fact that the picture was one of the biggest of any U. S. picture in the last 10 weeks at the U. A. theatre in San Francisco with "G-Men," same type of film, playing in the same city.
MOTION PICTURE DAILY

NEW YORK, MONDAY, MAY 13, 1935

Loew Talking Partnerships For Chicago

Deals on with J, L & S; 22 Houses the Goal

CHICAGO, May 12—Although the circuit is definitely set to build a 1,600-seat theatre in Oak Park, Loew's is considering a number of partnership arrangements with prospective builders.

Under a deal now being discussed with Aaron Jones of Jones, Linek & Schafer, Loew's would be financially interested in three to four houses planned. The major circuit would also give Jones a long-term M-G-M franchise. Other negotiations along the same line are in the throes, but final discussions rest with Nicholas M. Schenck in New York.

Robert Lynch and Ernest Schwarz of the M-G-M branch in Philadelphia are handling all the local deals and have talked over the partnership arrangement with Schenck.

(Continued on page 15)

Allied Upset Over Loew Chicago Move

Allied is all hot and bothered over Loew's plan to build a 1,600-seat theatre in the Oak Park section of Chicago.

If Loew goes ahead with the project, Allied, at its Atlanta convention, (Continued on page 2)

Gaumont Recomposing; Ostrer Is Sole Head

By BRUCE ALLAN

LONDON, May 12—Gaumont British international organization is being revamped with Mark Ostrer as a sole head (Continued on page 2)

“Quickies” Disturb U. K.’s Exhibitors

London, May 12—The C. E. A. has instructed its general purposes committee to take immediate steps to end alleged production of “quickies” by American companies.

The committee is collecting facts designed to show a flagrant violation of the Quota Act.

Frequent charges have been made American companies have been violating the spirit of the act by encouraging cheap quota films.

(Continued on page 6)

RKO Seen Holding Again to 50;
New Stars May Grace Its Roster

RKO Radio will not cut its production program next season, it was stated Saturday. The same number of features and shorts released on the current schedule—about 50—will be announced at the company's three-day Chicago sales convention starting June 17. Convention headquarters will be at the Drake.

About 250 are expected to attend.

Several new stars are expected to grace the 1935-36 program, including Margot Grahame, who appears in 'The Informer,' current at the Music Hall. A number of new series of shorts is also expected to be announced, it was said.

All district and branch managers and salesmen will convene in the Windy City on June 16. Studio and foreign officials will also be on hand.

Major Block Kansas City Dual Choices

KANSAS CITY, May 12—Efforts of local exhibitors to obtain release of selected features for dual billing were effectively blocked by major distributors who have rejected a carefully worked out plan which contemplated the dualling of inferior product.

In rejecting the proposal, the majors refused to alter individual policies and each named a different reason. The possibility of running into legal snags seems to have played a large part in the distributors’ decisions. This was hinted by Paramount, which referred to the potentialities of collusion inherent in the plan.

Among replies received by Jay Means, I. T. O. head, Radio stated, in effect, that it was the sole judge in determining the product that could be (Continued on page 11)

Ascaph Trial Date June 10 Now Possible

Trial of the government’s suit against Ascap will be begun June 10 if Federal Judge John C. Knox grants the motion of the attorney general’s office for a preference for the suit on the Federal court trial calendars, it was learned on Saturday.

The attorney general's motion, on which decision was reserved by Judge Knox following a hearing last week, seeks to force an early trial of the suit, rather than to permit the case to go over to the fall court term. A delay is favored by Ascap which, in opposing the government’s motion for a prompt trial of the suit, offered last week to extend to the end of the year all contracts with exhibitors and its other licensees which expire during the summer. The indefinite status of these contracts was advanced by the government (Continued on page 2)

Exhibitors in Ohio Worry Over Revival of 10% Tax

COLUMBUS, May 12—Exhibitors are again worrying about a revival of the 10 per cent admission tax recently suspended when they began paying the three per cent sales tax.

The state wants $7,000,000 to finance old age pensions for the last half of 1935. A proposal for a temporary increase in the gasoline tax has been rejected by the House Taxation Committee, and Governor Davey is insisting upon raising the required money to be placed in a separate category.

This revival of the admission tax comes immediately following the signing of the bill increasing censorship fees from $1 to $3 per reel, another tax that goes into a special fund. This money is to be used by the Department of Education for disseminating information relative to the history, scenic beauties, natural resources and industries of Ohio.

In the meantime, the Independent Theatre Owners of Ohio are lining up legal opinions for a prospective fight to save the law outlawing preferred playing dates when an attack on its
The possibility of a new first run circuit in this, the richest territory in the country, from selection of key neighborhood houses under Paramount's co-sponsorship is capturing lively imaginations. Judicial approval stamped on Joseph M. Schenck's plan for a reorganization of Fox Met, the elimination of Paramount as a last minute cash bidder for that coveted circuit, clears the path for such a development. It has intriguing potentialities.

Scan the essential facts. Virtually certain, or as certain as matters such as this can be, is adoption of the Schenck plan by Fox Met creditors in the next thirty days. It is submitted to them with the approval of the Federal court and the recommendations of the committee, which, through its eighty-six per cent representation of the $12,500,000 notes outstanding, seemingly would seal the acceptance of the plan by tattled by the two-thirds creditor vote required under the law.

Two contributing factors of weight are K-A-O's 10 per cent interest in the reorganization under the Schenck formula and the former's notice to Paramount that it will cancel its latter's film franchise effective July 1. Whether K-A-O is serious or maneuvering is an open question with plenty of adherents on both sides of the moot question. The point is, however, that as matters stand now the K-A-O or Bankruptcy plan of the Paramount product—Loew gets the other place—has no place to go. Reasonable is the conclusion, therefore, for Paramount to contemplate now what to do about homeless rentals aggregating hundreds of thousands of dollars. Thus, the trail naturally leads to consideration, or talk about, a third outside circuit of first runs created to fill the threatening void.

It was no less a factor than George J. Schaefer, Paramount's general manager. Why it tipped off the idea. The occasion was one of the lengthy hearings on Fox Met and the place was the witness box in the dignified stratosphere of the United States circuit. Schaefer declared definite consideration had been concentrated on the third circuit idea in the event Paramount itself failed to be represented by Fox Met or the Si Fabian plan, in which Paramount would have a product arrangement, did not as well. Whether the original stand has been shifted or scrapped was an undetermined factor on a pleasant Saturday, for Schaefer could not be reached for comment.

Speculation on what might transpire if Schaefer's expressed intention bears fruit opens a lot of avenues, all interesting. One has to do with K-A-O's bid for the Century chain which are quite apt to play a featured part in the development. More than 70 houses are associated with the two operations and from them a sufficient number could be developed into first runs to cover substantial segments of the metropolitan territory without conflicting with Loew's operations to an extent which would hamper the essential product supply for the new circuit.

On numerous occasions, this outpost has pointed out the zealous jealousy with which both Loew and RKO guard their metropolitan empire. How the entrance of a third chain will lend with the factors that count in both of those directions is something not particularly difficult to work out. Yet, one major's hands wash the other's in this business as constituted today. That suggests deals within deals and avoidance, it is to be hoped, of internecine warfare. The cost of rampant battles in this industry is already terrific.

What other distributors have been squawking about, RKO took action about late last week when it set aside roughly $10,000 to advertise on its own and, according to its own ideas of newspapering, to create the impression of "The Informer" at the Music Hall. The complaint that the Van Schmus theory of white space, likewise, in the Ben-Dayed annihilation and conservatism in type selectivity has resulted in punch-less copy is an old one; any distributor with a Music Hall book must throw at it, or risk if you don't watch out, on the slightest of provocations. So RKO went black, noisy and bold in the accepted theatre advertising manner, even using four of those Daily News stars which are supposed to represent alien territory.

Say Hayden, Stone-Skouras Seek the Roxy

(Continued from page 1)

to have submitted to the Roxy bondholders' committee a $1,100,000 bid for the theatre, according to a statement of S. L. (Roxy) Rothafel at the helm.

Various angles are repeated behind the scenes, some plans. One is that Skouras himself is for it. Another is that Skouras, who is the operating manager, is being sponsored by Fox, which is said to be angling for a better break on Broadway for its output next season. During the current season, the Music Hall bought 21 Fox pictures, several of which were rejected and later sold to the Roxy for $29,000. The next five of the current Fox releases this season. The Mayfair, Astor and Fox have also been showing Fox product.

"G-Men" at $60,138
A Smash at Strand

Scomondra at the Music Hall chalked up a $77,400 gross, only fair for this house. "The Informer," which bowed Thursday and which got swell newspaper notices, will probably hit around $90,000.

The "Vampire" at the Rialto tallied approximately $13,000. "Werewolf of London'' opened big and will most likely wind up in the neighborhood of its predecessor. Arthur Mayer is closing the house Wednesday when demolition will be started to make way for the new 600-seat Rialto.

At the Roxy last week, "Laddie" grossed approximately $29,000, "Bride of Frankenstein" got off to a good start. It is expected the first week will tally $45,000. Its second week. The Paramount fared badly with "The Devil Is a Woman," taking in about $18,200 for the week with the Thursday preview a real aid. Mae West in "Going to Town" opened to a handsome take with indications that the first week will be $60,000, which again with around $60,000. The Paramount special is due for a three to four week run. "Life Begins at 40" at the Palace was fair at $9,000.

The opening week of "Go Into Your Dance" and Abe Lyman and his band 600-seat stage were good for about $39,500.

With approximately $6,000 in the till for Friday, the Roxy anticipated a $28,000 week-end with "Bride of Frankenstein."
THEY'RE YOURS!
A House Jammed
Full of Laughing
Thrilled Patrons

NAT LEVINE presents

ONE FRIGHTENED NIGHT

with this distinguished cast
CHARLEY GRAPEWIN
MARY CARLISLE
ARTHUR HOHL
EVALYN KNAPP
WALLACE FORD
HEDDA HOPPER
LUCIEN LITTLEFIELD
REGIS TOOMEY
FRED KELSEY
CLARENCE WILSON
ADRIAN MORRIS
RAFAELA OTTIANO

A PRODUCTION OF
MASCOT PICTURES CORPORATION
NAT LEVINE, Pres.
Today

Pays the Batman Bill.

"G Men" Discourage Crime.

My Wife Knows How.

The Love King, George.

BY ARTHUR BRISBANE—

(Copyright, 1935, by King Features Syndicate, Inc. International copyright and all other rights reserved.)

Warner Brothers are showing in New York a picture called "G Men," encouraging citizens, hitherto hopeless, concerning the national crime wave.

"G Men" shows what is actually happening to criminals, not what is expected.

The good work is done by government agents.

Criminals engaged in gambling see one of their associates arrested by a "G man" two blocks from the room in which they sit. The head criminal, seizing a "reacher," a long-range rifle, kills the government agent as he puts the handcuffs on the criminal.

A young lawyer, boyhood friend of the dead agent, decides to avenge him, joins the "G men," does the avenging most efficiently.

An exciting, interesting story is told, and the moral is "crime does not pay."

If you enjoy seeing virtue triumph, vice and crime riddled by machine gun fire, the bad girl who has decided to go straight and help justice murdered in a telephone booth, and the good girl kidnapped but rescued to live happily ever after, by all means see "G Men." Warner Brothers have rendered public service in that picture. It will make the professional racketeer and killer realize that his profession now involves danger.

The Editorial

A Crime Movie, New Style
Worth Seeing

Well worth your while is the film "G-Men," now on view in New York.

It is about crime. But, unlike many crime pictures, it is true to fact, not fancy.

The "G-Men," as you know, are operatives of the Department of Justice.

They are the ones who got Dillinger and a score of other public enemies, who smashed kidnaping as a major American industry, who have done more to make crime less profitable and less popular than any other law enforcement agency.

The film—tense, dramatic, packed with thrills—shows you how the G-Men get results.

It is a picture that every law-abiding adult and every child should see. It paints crime in its true colors, not in those which have been used to glorify it in the past.

It is a picture that every CONGRESSMAN should see. It will convince him that every cent appropriated for the Department of Justice agents is money well spent, and that more money should be made available to the department to increase its force.

And, finally, it is a picture that every criminal should see. Warden Lawes might find it as useful at Sing Sing as his brass band, his football team or his other noble experiments in rehabilitating those who think that crime can be made to pay.

"G" Men

When you read in this column good words about a movie, rest assured that we, right or wrong, think it is one about which you should be told.

Remember the gangster pictures?

Phooey!

The movies have done an about-face. Men from the department of justice are now the heroes. And they are not inflated, either. "G" men are portrayed in action in a picture of the same name at the Metropolitan Theatre. We saw it. We are glad we didn't miss it.

Suspicious were we in advance that the picture might preach a doctrine of shooting first and asking questions afterward. This newspaper does not trail along with hysterical persons who would allow any dumb policeman to kill any and every criminal.

There is a nice line. "G" men have been taught when to shoot—and, more important, when not to shoot. The picture makes the point. Had it not, no boost would it get here.

See it.

-Chicago Herald Examiner

-Boston Traveler
Support the ‘G Men’!

E VERY member of Congress ought to witness at least one exhibition of “G Men,” the new motion picture.

This spectacular film drama represents and ably portrays a great and significant change that has come into American life.

Its tense action will remind the lawmakers, as already it has reminded the screen critics, of an older motion picture called “Public Enemy,” which set a vogue for gangster films a few years ago.

And yet—what a difference! The former gangster films seemed to glorify the “gorilla” and the gunman.

And there was a lot of truth in that characterization of the public mind, for gangsters, be it recalled to our shame, were glorified a good deal in those crime-ridden days.

THE late and entirely unlaudated Dillinger was an outstanding example.

In one widely published photograph Dillinger—a recaptured slayer at the time—was shown with a County Prosecutor’s arm flung almost fondly across his shoulders.

Shortly after the photograph was made Dillinger was allowed to break out of jail again, resuming his marauding and murderous career until THE FEDERAL MEN went on his trail in earnest and brought him down.

And when Dillinger died, as one of a series of Federal exploits, the period of “glorification” of gangsters was all through.

Respect for law and order was born again in America. That, briefly recounted, is the film story that “G Men” has to tell.

For “G men” in the criminal argot stands for armed Department of Justice men, who have shown how gangsters and kidnappers may and must be dealt with.

IT IS very important for members of Congress to see this film for a particular reason.

The stern but laudable business of law enforcement by Federal men has been carried on vigorously since Homer Cummings became the Attorney-General of the United States.

The “G men” themselves belong to the Division of Investigation, under J. Edgar Hoover, in his department.

Against enormous odds of too few operatives, too little money and inadequate equipment, they have undertaken to clear the country of public enemies.

What they have begun they can finish IF ONLY CONGRESS WILL ENABLE THEM TO DO SO—and the best way in which Congress can assist in the vindication of criminal justice is by granting the Department of Justice ENOUGH MEN and ENOUGH MONEY.

This Federal department has proved itself to be THE ONE EFFECTIVE FORCE in suppressing crime, and Congress has been utterly negligent of its duty in cutting down the appropriations that Mr. Hoover demands.

THAT is why it is desirable for members of Congress to see the “G Men” motion picture play.

Of course, they may find that “G Men” is realistic in its scenes of crime suppression.

But so have our violent and hideous crimes been realistic.

Let us have more of the realism of efficient law enforcement and less of the disgraceful realism of unpunished racketeers and criminals!

N. Y. Mirror

- N. Y. American
Mae Gietz, of the Monogram office, was one of the winners of the handwriting contest in Silver Screen. Margaret Heynderickx, of the same company, is home nursing a nose infection.

Maurice Ostreg, whose activities with G. B. in London are centered around production, is the father of a son. This makes two heirs in his family now.

Charles Reed Jones has just completed the press book for “The Drunkard,” which will be released by Stage and Screen Prod., Inc.

S. N. Beriman, scenarioist and author of “Rain from Heaven,” stage play among others, is in town from Hollywood.

George W. Weeks, G. B. sales manager, now touring the south, is expected back for the sales convention latter part of this month.

Walter Connolly did some ecclesiastical misbehaving yesterday in a radio version on “The Bishop Misbehaves.”

Leon Schlesinger, producer of “Merry Melodies” and “Looney Tunes,” signed an agreement with Warners, has left for the coast for several weeks here.

Edward A. Golden was a recent guest of honor at the luncheon of the American Fiction Guild.

Hugh Davis is in town after a tour of coast exchanges. He’s Republic’s traveling auditor.

Gilbert Miller is returning on the Ile. That’s the vessel Fife Reissman is aboard.

Joseph M. Schenck has called off that European jaunt. The Fox deal is the reason.

Phillips Lord (Seth Parker to radio fans), a flyer just arrived from the west.

John P. White, Jr., has joined the staff of Singer and Bryne, representatives of Screen Broadcasts here.

Henry Randel of Paramount returns today from a two-week visit to the coast.

Archir May finally got away for Hollywood last night. It was a job, but he made his train.

Jesse J. Goldberg in from Califor- ni-a-a-y.

W. Ray Johnstont has delayed his departure from the coast.

J. J. Parker of Portland plans to return home any day now.

William E. Raynor is now sales manager of “Lucky.”

Herbert J. Yates will return to the coast in two weeks.

F.W.C. Dissatisfied: New Clearance Row

(Continued from page 1)

ny Arthur’s house. The issue is expected to come up in New York, where the schedule goes into effect.

Warnings have not yet decided what to do about the Upton-forum debate, now reversed by Camp. Insiders, however, believe the circuit will file a protest within a few days.

John C. Flynn is expected from New York to see that the schedule is put into effect without a hitch.

A meeting is slated for tomorrow to clarify the use of the schedule omitted from the schedule and other issues in dispute. Downtown matinee and evening prices will also be clarified in the schedule.

K. C. Nights Hang on Case

Kansas City, May 12.—Whether bank night spreads in Kansas City depend largely on Camp’s determination of the Protest and Belmont cases, which the local board dismissed because Mrs. A. Baier, the complainant, failed to establish implication with her theatre, the Lindebergh.

The decision will be of utmost importance to Kansas City. The local board hereafter has bailed bank night operations coming before it, and in dismissing the Baier actions a departure from the usual rulings was established.

Sets Date for Objections

Albany, May 12.—Acting under the Joseph Law signed by Gov. Herbert Lehman last month, Secretary of State W. A. Ingraham, on Saturday, will send 24 to objections all codes herefore o file in the office of the Department of State under the NAR.

Jersey Lease, an Issue

Leon Rosenblatt of the Rosewell-Welt circuit has filed a grievance complaint against M. G. Felder for interfering with the lease of the Maplewood theatre. Felder has operated the house for a number of years, but on June 1 I must step out at 11 o’clock of Felder signing a lease with the landlord.

Louise Nickz will represent Felder.

In addition to the Maplewood, Felder has interests in two other houses he will take over in September.

Throop Services Held

Funeral services were held for Ben Throop yesterday afternoon at the Protestant Episcopal Church of the Transfiguration (Little Church Around the Corner). Following the services his body was placed in a receiving vault at Woodlawn and funeral arrangements will be made.

Throop, who was 46, died early Friday morning following a major operation performed the week before.

Rites for Mrs. Kaplan

Hollywood, May 12.—Funeral services will be held here Monday for Mrs. Jean Kaplan, who died following the TWA plane crash at Maco, Mo., at the Blasbland-Groman Chapel. William Kaplan, her husband, arrived here today with the body.

Kandel Gets Hagen Film

M. J. Kandel, president of Olympic Pictures, has acquired the American rights to the Julius Hagen production, “It Happened in Paris,” which stars Wendy Barrie.

Wall Street

Most Gain on Big Board

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Color-Tech On Up Curb Net

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Paramount B’way Bonds Gain ½

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(c) Plus stock extras. (x) Paid this year.

(Quotes as of close of May 11)

Ohioans Worry Over Revival of 10% Tax

(Continued from page 1)

constitutio-ality develops. P. J. Wood has obtained an opinion from a well known jurist Upholding the law.

Air Tax at Circuits

Lincoln, Neb., May 12.—An amendment was tacked on the check store bill here yesterday which puts circuit theatres into the proposed $3 per unit tax, graduating up to $175 per unit for 20 or more.

Representative Obbink, Lincoln, said that the amendment theatres were a luxury and should not be missed in a tax of this kind.

Best Alabama 10% Tax

Birmingham, May 12.—Alabama theatre operators have won their fight to have the 10 per cent amusement tax stricken from the general revenue bill now pending before the Legislature.

F.W.C. Managers Shifted

Los Angeles, May 12—F. W. C. managers met here over the week-end and Hank Peters, manager of the Paramount, Hollywood, was transferred to the United Artists, Inglewood, and Dave Fred, manager of the Inglewood house, was shifted to the Golden Gate, Belvedere Gardens. Roy Evans, manager of the latter, was in turn transferred to the Paramount in Hollywood.

Change N. H. Policies

New Haven, May 12—Returning to a policy in effect prior to last Octo- ber, Wesley College will again operate as a first run, beginning Thurs- day, while the Bijou will revert to its former second run status. Ben Cohen, manager of the College, will be transferred to the Bijou, and Ben Henson of the Bijou will take the College.

Wafflins to Produce 11 for New Season

Wafflins will produce 11 pictures for the new season. The production distribu- tors for the new season, Walter A. Futter, Wafflins head, said Saturday. Of these, two of series, each comprising six action stories budgeted at about $25,000 each, the other a series of five westerns featuring the first of the action series, “Hongkong Nights,” has been completed. It will be followed by “Terror of the Old West,” “The Devil’s Army Guy,” “The Salt King,” “Jade” and “The Voodoo Murder Mystery.”

Barrows Dinner Guest

Boston, May 12.—That Barrows, head projectionist at the Metropolitan and president of Operators’ Local 182, is to be entertained by a well party at the Cocoanut Grove. He is going to the coast to attend the S. M. P. E. convention.
FOUR STARS
New York News

★ ★ ★ ★
THE MOST POWERFUL PICTURE THAT HAS BEEN
RELEASED IN NEW YORK THIS YEAR AND ONE OF THE MOST
HEART-RENDING SCREEN PLAYS EVER MADE.

Kate Cameron, N. Y. Daily News

“A FILM OF MAJOR GREATNESS. Liam O’Flaherty’s bitterly arrest-
ing novel has been made into a screen tragedy that is at once mem-
orable and provocative... an honest, compelling and magnificently
produced photoplay... An adroit scenario, sensitive and knowing di-

THIS IS WORSHIP
direction and inspired acting have conspired to make the remolding of 'The Informer' a signal success."

Howard Barnes, N. Y. Herald-Tribune

★ ★ ★ ★

"A POWERFUL AND DARING MELODRAMA . . . Superior entertainment . . . John Ford's inspired direction, RKO-Radio's courageous production, Dudley Nichols' brilliant adaptation of the Liam O'Flaherty novel, the acting of a flawlessly chosen cast, lift it toweringly above Hollywood's banal program pictures . . . . It is as exciting and stirring as it is distinguished."

Bland Johaneson, N. Y. Daily Mirror

★ ★ ★ ★

"'THE INFORMER' IS ONE OF THE FEW FILMS WHICH MUST BE SEEN . . . A ruthless drama possessed of power and stamina has come to the Music Hall screen to flout the film conventions of the picture Pollyannas . . . It is a gripping canvas that clutches the beholder in vise-like thrall through phrases redolent with perfidy, sorrow, suffering and bloodshed. It holds the mirror up to nature and catches, camera clear, the reflection of human courage and cowardice, vice and virtue, hope and despair."

Regina Crewe, N. Y. American

★ ★ ★ ★ ★

ONE OF THE FINEST DRAMAS OF THE YEAR! "John Ford has made
an astonishing screen drama out of Liam O’Flaherty’s novel, ‘The Informer’... He recites the realistic drama with bold and smashing skill.”

Andre Sennwald, N. Y. Times

“A POWERFUL AND HEART-BREAKING TRAGEDY... ‘The Informer’, one of the year’s most distinguished productions, certainly its most emotionally effective, marks another of those many milestones along the history of motion pictures as the first human tragedy photographed with dignity, power and realism!  Eileen Creelman, N. Y. Sun

“ONE OF HOLLYWOOD’S FINER SCREEN ACHIEVEMENTS in its dramatic simplicity, its excellence of characterization and its brilliant photography... Exceptionally well done, ‘The Informer’ provides tensely impressive drama at the Music Hall this week... A powerful picturization of Liam O’Flaherty’s stirring novel.”

Rose Pelswick, N. Y. Evening Journal

“A TRULY MAGNIFICENT FILM, one of the finest and most distinguished ever to come out of a studio anywhere... It will afford you a rare and exhilarating experience in the cinema.”

William Boehnel, N. Y. World-Telegram
"A VITAL, POWERFUL PICTURE, one which easily falls into the 'excellent' category. 'The Informer' packs such a terrific wallop in story and histrionics that movie audiences hardly realize the rare artistry with which Liam O'Flaherty's stark drama has been brought to the screen . . . You will find it so absorbing as to leave you a little weak at the knees when it has reached its gripping conclusion."

Irene Thirer, N. Y. Post

The Informer

JOHN FORD

with

RKO-RADIO PRODUCTION

From the story by Liam O'Flaherty

CLIFF REID, Associate Producer

VICTOR McLAGLEN ★ HEATHER ANGEL

PRESTON FOSTER ★ MARGOT GRAHAME

WALLACE FORD ★ ★ ★ ★ ★ UNA O'CONNOR

This is the second deafening blast of praise thundering from the pens and throats of America's critics and enthusiastic audiences . . first Washington, now New York! . . soon Boston, San Francisco, Chicago, Baltimore and scores of other key cities . . confirming RKO Radio's prediction that EVERY CRITIC IN AMERICA WOULD INCLUDE "THE INFORMER" ON HIS LIST OF THE TEN BEST PICTURES FOR 1935.
Emery Secures Five More for English Group

By BRUCE ALLAN

Lexington, April 25—J. P. Emery, principal of a 12-theatre circuit, has added five more important theatres to the chain by a deal involving properties valued at $1,500,000.

The theatres involved are the Capitol, Distillery; Pyramid, Sale; Grand, Burnam; Broadway, Eccles, and Riviera, Cheetham Hill.

The Lido seats 1,536; the Pyramid, 2,000, and the Broadway, over 2,000. All the theatres are in the Manchester district.

St. George's Pictures, Ltd., is the latest British production unit. Ian Sutherland, associated with Allied Prods., Ltd., until last July, is managing director and Lupino Lane will be in charge of production. All the films starring Lupino Lane, a big British comedy hit, will be released here by Columbia, it is understood.

Branches of the Cinematograph Exhbitors' Ass'n, are urging the council to make representations about the character of films sent out over the air. The British Broadcasting Corp.'s critic, it is asserted, sometimes tells listeners not to visit certain films.

Radio criticism has always been a sore point with theatre men, each critic in his own way, pointing out the grounds of "highbrowism" and worse.

Basil Dean, director of the A. T. P., "Lorna Doone," made at the Ealing studio, is announced at the Hollywood report that Sam Goldwyn, planning a new version of the Blackmore book, has stated that he can "top any British effort." Basil Dean, stating that the A. T. P. "Doone" will shortly be seen in America, adds: "I take it as a great compliment to the subject that Mr. Goldwyn deems it worth while to make another film of the same subject. I can only wish him a similar box-office success.

Plans of the Home Office to issue new regulations governing the exhibiting of films on non-flame base have received a serious check.

Magistrates in Jarrow recently refused to convict the proprietors of a miners' hall for an unlicensed exhibition, holding that the use of the non-flame took the character out of the act.

The official attitude is that non-flame is strictly inflammable in the meaning of the Non-Flame Act, but this contention is upset by the Jarrow decision.

The police have now decided not to appeal this decision, it seems that no legislation will be necessary before the non-flame Soviet and other "subversive" films aimed at the Govemment can be controlled.

The new schedule is divided into only eight "brackets," the previous six-weeks cycle, which brought a rating of 2,000 to 2,500 in the province in 1934 of close to $1,000,000, was divided into no less than 16 "denominations" with all tickets up to 25 cents being exempt.

The new five-cent tax on tickets

SOUTH CAROLINA—When a man biles a dog, it is still considered real news.

But when a theatre, situated in a town with a population of 2,200, pulls plenty of customers from two cities, each with a population of 28,000 and 14 miles on both sides, that is something else again.

This small town theatre, the Grand, at Greer, S. C., operated by Kramer and Bill Drace, has given a small town campaign and beautiful fronts to merchandize their pictures would put many a metropolitan house to shame.

Think of a theatre seating 375 and obtaining a great bulk of its business from cities like Spartanburg and Greenville, S. C. These patrons do not drive 14 miles just because they like the Drace Bros.

The secret of their success lies in the perfect appointment of their tiny theatre with its wonderful acoustical properties and the excellent service that is provided.

A mailing list of 1,000 is used on all pictures, together with large and homey postcards and sending town papers.

In fact, we saw a copy of a Spartanburg paper with the Grand at Greer carrying the Theatre Advertiser, and we forgot to tell you there is another theatre in Greer, the Rialto, operated by C. A. Hurlong.

GREENVILLE, S. C.—The Carroll is closed for three days a week while undergoing extensive alterations.

Ed Carroll is busy and we suspect that this is the first time in his career that he has been operating a theatre without manual labor.

They are enlarging the stage, putting in a washed air system, carpets and lighting fixtures.

They have been playing shows. Capt. W. E. Field, one of the real pioneers of the business, has leased the Granbywood at W. Greenville.

INMAN, S. C.—We met, at this point, J. R. Wofford, local Ford dealer and operator of the Amnazz, who sits in the center of some 500,000 people who sit through the excitement of the famous Piedmont peach.

The outlook for a bumper crop is so good that J. R. Wofford will entirely remodel his theatre this summer.

GAFFNEY, S. C.—This town boasts of a real modern theatre, the Hamrick, owned by Lyman Hamrick, General Superintendent of the Hamrick chain of cotton mills.

Bryan M. Humphries is the local manager and told us that if he could only book a few more pictures like "Devil Dogs of the Air," "Bright Eyes," "County Chairman," "Little Minister," "Imitation of Life," the lot of an exhibitor would be a happy one.

Why not?

SNECWA, S. C.—A trip into the Piedmont hills would not be complete without calling on that charming couple, the Richardsos. Kenneb and the missus took us through their new theatre, the culmination of a dream that has been some 13 years in the making.

This theatre is to be opened May 1 and has been entirely built by local labor and contractors.

This theatre will be known as the Richardson and will seat 500.

LIBERTY, S. C.—The Woodside Music has curtained operation here so the Liberty is not running its usual morning show. Harold H. Johnson, manager and owner, plans to remodel the house some time during the summer.

Majors Block Kansas City Dual Choices

COLUMBUS, May 12—Despite lamentations of state executives as to the depleted condition of the official exchequer, Ohio generally appears to be competing.

Report of Samuel H. Squires, state superintendent of banks, just released, shows an increase of $11,318,303 in resources and an increase of $8,955,153 in deposits in 483 licensed state-superintended banks for the first two months of the year.

Total resources increased $97,285-929 from March 31, 1934, while the increase in deposits for the same period amounted to $89,930,247.

Film men in the major keys throughout the state report business good at first run houses, although many of the subsequent complaints that it is not Keeping pace with last season.

Fulton Charges Denied

KANSAS CITY, May 12—Charges of Mrs. Juliette E. Fulton, who petitioned to have a jury selected to receive for five suburban theatre operators of her husband, William D. Fulton, are denied by Judge Kinnaird. The jury will be made up of six men, and one of them will be the owner of a theatre in the same police precinct. The punishment, if guilty, is death penalty or "totally without foundation" as in an answer filed by Fulton.

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Kansas House Uses Radio

KANSAS CITY, May 12.—The radio amateur tour guide, R.K. Yamamoto, has been adopted by the Granada Lawrence, Kan., which is staging the programs broadcast by WREN in that city Saturday nights at 9 o'clock. This is the first radio program to be broadcast regularly from a theatre stage in this territory, according to Granada is a Commonwealth circuit house.

Barham to Hamilton

HAMILTON, O., May 12—Tracy Barham, general manager Southio Theatres, Inc., has appointed Nat Tureberg as manager of the local Paramount circuit.

The latter, who has been made booker for the circuit, which controls the Paramount, Palace and RKO here, the Paramount at W. 50th and Strand, Middletown, O., and the Palace and Marion, at Marion, O.
WASHINGTON, May 12.—Loew's Columbia, B all-picture house, again sat on the top of the Capital's gross list last week as "$10 Raise" attracted a gross of $4,200 for its first run.

Of the A houses, and at the top in the big money, the Earle, with "Private Lives," had a good first run and took in $19,700 against a par $17,600.

"Death Flies East," third first run to go over the top, got $4,500 at the Metropolitan, some $400 over average. Loew's Fox slipped about 10 cents when "One New York Night," plus a stage show, drew $18,500. "Thunder in the East" at RKO-Keith's last five days, $4,800, where the normal seven-day take is $11,400. "The Bride of Frankenstein" replaced "The Iron Duke.""Week end May 2: "GO INTO YOUR DOORS" (Warner). No. of ths. 2,600—4,000. 25c—50c, 3rd. Stage, B & K stage production with Jack Powell, Yvonne Ford & others. Gross: $20,600. (Average, $3,400.)

"ROWNIE COME STANGER" (Col). ORIENTAL—(9,940). 25c—40c, 7 days. Stage, George Jessel & Eddie Jackson. Gross: $16,500. (Average, $13,000.)

"PRINCESS O'HARA" (Owv). PALLadium—(4,800). 25c—40c, 7 days. Stage, Stag Ben Bernie & Leo, Joe & Jane McKenna. Gross: $22,000. (Average, $3,000.)

"NEW YORK NIGHT" (M-G-M). Killrick—(9,500). 25c—35c, 4th week. Gross: $3,000. (Average, $5,000.)

"THE WEDDING "NIGHT" (U. A.) EMPIRE—(2,700). 25c—35c, 4 days. Stage, Cather & Thomas Meighan. Gross: $7,000. (Average, $1,750.)

"NAUGHTY MARIETTA" (M-G-M). AROED—(9,950). 25c—35c, 7 days. Stage, William Tabbert. Gross: $11,000. (Average, $1,570.)

"BRIDE OF FRANKENSTEIN" (Univ). APOLO—(1,800). 25c—35c, 5th week. Loop Stage. Gross: $6,000. (Average, $1,200.)

"MORE SPRING" (Fox). STATE-LAKE—(2,576). 25c—35c, 7th week. Stage, Cather & Thomas Meighan. Gross: $2,000. (Average, $250.)

"RONIE COME STANGER" (Col). METROPOLITAN—(1,951). 25c—40c, 7 days. Stage, George Jessel & Eddie Jackson. Gross: $2,000. (Average, $250.)

"WEEK END May 3: THE IRON DUKE" (G-B). BELasco, New York City, to exhibit films, 2nd week. Gross: $2,500. (Average, first week, $1,500.)

Boston Friars Elect

Boston, May 12.—Two circuit owners have been elected to important posts of the Boston Friars' Club. Maurice N. McNeil, president, and Joseph M. Levenson, vice president and Louis M. Boas, treasurer. Alex C. Kilpatrick was voted secretary. Trustees to serve one year are: Edward Amiel, William Erb, Thomas B. Spry and Morris Sharaf. Trustees for two years are: John R. Bowers, Julius Joelson, M. Murray Weiss and Philip Magr, those named to three-year terms are: Al Somberg, Philip Smith, Steve Broidt and Jack Magam.

New Company Is Formed

ALBANY, May 12.—A certificate of incorporation has been filed in the office of the secretary of the state by the Pesta-Di Piedrigotta Naollicino, Inc., a corporation doing business as Omahna-Variety Hotel.

OMAHA VARIETY IN HOTEL

Omaha, May 12.—Harry J. Shum, chief banker for Variety Club, says the club will have a permanent address at the Paxton Hotel.

Seek 8-Star Bills

Providence, May 12.—The Fine Arts is determined on a point of dispute with the eight-star booking, following the success of "Night of Love" and "It Happened One Night," and is in the mouth of a four star booking at 35 cents on top. The success and not the age of the film will be considered.

"G-Men" Sets

Frisco Pace;

Gets $26,000

SAN FRANCISCO. May 12.—"G-Men" was a sensation at the Warfield. While practically all the other first runs, with the exception of the eight-star bookings, were wondering if the customers would be willing to pay up to $10,000 for a normal film. "Naughty Marietta" had a par $11,000 at the Roosevelt in its second week.

Total first run business was $104,900. Average is $12,760.

"FURY" Pulls

$19,000, Top

In Pittsburgh

PITTSBURGH, May 12.—After an excellent Easter holiday business, there wasn't a lot left here last week and taking into consideration the expectations, even "Black Fury" which is a lot of local interest and came in on the heels of an outstanding publicity campaign, didn't do as well as was expected at the Stanley with $19,000.

While it got off to a slow start, "N. A. Has Man Chariot" has kept on building as the week progressed and finished with $18,500.

Everywhere else they were singing the Red-Emmons, the other film, 'has been "All the King's Horses" hit a new low, getting about $3,700. The house intended to kick it after four days, bringing in "The Bride of Frankenstein" two days ahead of schedule and had already advertised to that effect when it was learned a print couldn't be had in time. Although it received great notices, "Thunder in the East" never got started at the Fulton and got only $2,500, while "Mary Jane's Pa" and "Hold 'Em Yale" at the Warner did around $4,250.

Total first run grosses were $47,950. Average is $5,650. Estimated takings for the week end:

"ALL THE KING'S HORSES" (Para). ALVIN—(2,000), 25c—50c, 6 days. Stage, Charles Butterworth, Walter Reed, Rallic Ramsdell, Serge Faith, Streamline Alvinow, Jerry Mayhall's orchestra. Gross: $7,500. (Average, $1,250.)

"STAR OF MIDNIGHT" (Radio). WARNER—(3,750). 25c—40c, 7 days. Stage, M. J. Kennedy. Gross: $18,000. (Average, $2,570.)

"EM RICHIE" (U. A.) FULTON—(7,500). 25c—40c, 6 days. Gross: $13,000. (Average, $2,160.)

"NAUGHTY MARIETTA" (M-G-M). PENST (0,000), 25c—40c, 6 days. Stage, Comi Berris' "Spices of 1935" unit with Bob Beery, Garson, Paul, and Marsha, Ruby Wright, Barrie,bella, Nina Olivette, Nick Louis, George White, Roa Reel, Gross: $7,000. (Average, $1,160.)

"MARY JANE'S PA" (Warner). WARNER—(5,000). 25c—40c, 6 days. Gross: $4,200. (Average, $600.)

Charter Two Companies

ALBANY, May 12.— Harold R. Pat., owner of the Pathe Film and Marine Pathe Co., has been formed by Luther Reed, Er. Blyth Emmons, Thomas B. Corcoran, Irene Golden and Charles F. G. Fuller.

Ed Kuykendall to Speak

ST. LOUIS, May 12.—Ed Kuykendall will discuss family films at the annual Missouri Film Council May 17. Fred Wehrenberg also will talk.

Form Oriental Film Prod.

DOVER, Del., May 12.—Oriental Film Prod., Inc., has been formed here. It lists capital of $1,000,000. The incorporators are Harold R. Pat, H. M. McFadden and Bruce Quisenberry.

Film Treatment Dissolved

ALBANY, May 12.—A certificate has been filed in the office of the Secretary of State dissolving the corporate existence of Film Tretoriz Corp.
BIGGEST IN HISTORY OF ROXY!

BY DIRECT WIRE

WESTERN UNION

CLASS OF SERVICE

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NH23 50=BZ NEW YORK NY MAY 10 1130A

J R GRAINGER=

UNIVERSAL PICTURES=

BRIDE OF FRANKENSTEIN HITTING NEW BOX OFFICE HIGH STOP
TODAYS OPENING CROWD BIGGEST IN HISTORY OF ROXY THEATRE STOP
CAPACITY HOUSE AND STANDEES AT LAST NIGHTS PREVIEW BROKE ALL
RECORDS SINCE START OF THURSDAY PREVIEWS STOP CROWDS NOW
STORMING THEATRE TO GET IN STOP CONGRATULATIONS ON MAKING
THIS GREAT ATTRACTION=

HOWARD S CULLMAN.

1257P.
Key City Takes Skyrocket, But Take Quick Drop Later

Immediately following Easter key cities skyrocketed beyond the highs reached last September and came within a few hundred thousand dollars of the peak attained New Year's Week. Since then they have fallen back to the pre-Lenten level.

For the week ending April 25-26, 142 theatres in 22 key cities grossed $1,421,800. The following week, ending May 2-3, 140 houses reported $1,250,132. The decline was uniform except in seven spots—Denver, Los Angeles, Minneapolis, Pittsburgh, Portland, Providence and Washington—where slight increases were registrated.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>No. Theatres</th>
<th>Gross</th>
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<tbody>
<tr>
<td>May 2-3</td>
<td>140</td>
<td>$1,250,132</td>
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<tr>
<td>April 25-26</td>
<td>142</td>
<td>$1,421,800</td>
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Loew Talking Partnerships For Chicago

(Continued from page 1.)

Looking 'Em Over

"Our Little Girl"

(For)

PHILADELPHIA, May 12.—Shirley Temple's amazing talents seem to develop with each new picture. She is something more than cute in this one; she has scenes that some emotional actresses of mature years could envy. Whether she is a trick or a genius makes no difference; she has undoubtedly given another performance that means money to exhibitors.

The story concerns the wedded life of a young doctor whose interest in his medical experiments cause him to neglect a sensitive wife. Joel McCrea is the doctor and Rosemary Ames is the wife. McCrea encourages her to develop recreation of her own and she takes up riding with Lyle Talbot. McCrea's nurse (Erin O'Brien-Moore) is in love with him, but he fails to reciprocate, although there is a tinge of jealousy in his wife's behavior.

They keep this up until the time arrives when she announces she is going away to get a divorce. McCrea is hurt. Shirley senses the break, but doesn't understand it. The emotional angles reach an acute stage when she tries to run away and is eventually found at a picnic spot where her father and mother had been in the habit of taking her. McCrea and Miss Ames are reunited when they find her there.

It's a commonplace story, but it works out so logically, with the child so dominating the scenes that it becomes gripping. The appeal is complete for both adults and children. It can be chalked up as another box-office natural.

Production Code Seal No. 834. Running time, 65 minutes. "G."

"Convention Girl"

(First Division)

Filmed against the background of Atlantic City and hinting at the naughty doings of conventioneers in that seaside resort, this picture goes wide of the entertainment mark at the hands of Director Luther Reed and misses with plenty to spare.

Miss Hobart, Herbert Rawlinson and Weldon Heyburn are convincing in their parts but more than their efforts were needed to make the film click. The photography by Nicholas Rogalli is only fair.

The yarn, adapted from a novel by George Boyle, has Miss Hobart the chief "supplier" of girls for conventioneers. Heyburn is in love with her but she resents his being a gambler. Rawlinson enters the picture when he enlist Miss Hobart's aid in reclaiming his sales manager, who is drinking himself under because of her lack of affection. Rawlinson then gives Miss Hobart a check to pay his manager's bills but it falls into the hands of her weak nephew, Toni Reed, who tries to blackmail RAWLINSON. The complications thus arising are numerous but all ends well when Rawlinson gives Heyburn a job and thus paving the way for his wedding to Miss Hobart.

Others in the cast are the Ncd Wayburn Dancing Girls, Islam Jones and his orchestra, Sally O'Neill, Shemp Howard and Nancy Kelly.

As the mirth of half of dual bills this film might be acceptable.

Production Code Seal No. 098. Running time, 60 minutes. "G."

Plan a Nationwide School Film Study

Nationwide use of current pictures in teaching history, English, social science and other subjects in high schools is contemplated by the Department of Secondary Education of the National Education Ass'n, according to Ernest D. Lewis, head of this department.

Planned study guides of selected films have been made and are being sent to hundreds of 10,000 high schools and to private and parochial schools.

Guides have been issued for two years by the N. E. A., and the success of these has led to the extension of the movement. Previewing and advisory committees appointed by Lewis are expanding these. The first of the new guides covers "Les Miserables," "Call of the Wild," "Midsummer Night's Dreams," and "The Crusades" is to be included soon.

Lewis has expressed his appreciation to Will H. Hayes for his cooperation.


GFTA Meets May 20-21

ATLANTA, May 12.— Ike Katz, president of GFTA Independent Theaters' Ass'n, which is an affiliate of Allied States, states the spring convention of his group will be held here May 20-21, in headquarters at the Robert Fulton Hotel.

Allied will be holding its national convention at the Piedmont at the same time.

Detroiters to Motor

DETROIT, May 12.—A motor caravan of 25 cars, carrying about 75 members of Allied of Michigan to the Allied convention, opening in Atlanta May 20, is planned by H. M. Richey, general manager of the local unit. Already nearly this number has been signed up for the trip. They will leave here Sunday, stopping the first night at Louisville and arriving in Atlanta the next evening.

Ohioans to Allied Meet

COLUMBUS, May 12.—The I. T. O. of Ohio is making plans to send a delegation to the annual meeting of Allied in Atlanta May 20-23. An appeal for a large representation has been made by P. J. Wood, secretary of the Ohio group.

Time Shift Irks Jackson

JACKSON, Miss., May 12.—Petitions asking a return to standard time for Jackson, which shadows its clocks ahead an hour on April 28, are being circulated through the business district.
That's all there is.

- You set your pictures in ... you send us your booking dates ... and the rest is up to us ... you send us your booking dates ... and the rest is up to us ...
- We've been perfecting our service organization for 15 years ... building it up ... hiring the best brains ... improving and changing until today red tape is a memory ... alert is the word ... 700 employees ... and all on their toes ... Writers and artists ... bookers and shippers combine to give you trailers that put your pictures "over" ... and always on time ...
- Reason enough why more than 9,000 exhibitors say

there is no more

- Writers and artists ... bookers and shippers combine to give you trailers that put your pictures "over" ... and always on time ...

NATIONAL SCREEN SERVICE best exploitation ever devised!
Anglo-Amer. Pacts Nearly Ready—Dixey

Details Set in Europe, Says Company Head

Establishment of production and distribution agreements between American organizations and Anglo-American Renters, Ltd., for exchange of product and interchange of players are being negotiated by the new, international, producing and distributing organization and may be consummated this week. Capt. A. C. Dixey, acting chairman of Anglo-American, who is here from London for the negotiations, said yesterday, Anglo-American already has established its producing and distributing organizations in England and on the Continent. Capt. Dixey said. From its Continental affiliates, French, German, Austrian and Italian, it will take the more successful programs to be made in England for distribution there. (Continued on page 6)

Allied Predicting 800 at Convention

ATLANTA, May 13.—From advance registration those in charge of arrangements for the Allied convention at the Piedmont here May 20-23 predict an attendance of 800. Preparations are being made at the Fulton and other hotels to take care of the overflow. The GFTA Independent The-

Fox Convention Set; 260 Will Be Present

About 260 division, branch and foreign executives and salesmen will attend the three-day Fox convention at the Congress Hotel, starting May 30. Home office executives and eastern sales forces will leave New York on May 29 and return June 2. There will be 54 features announced, four of which will be George O'Brien westerns. Educational has not completed details of its shorts lineup, but will have it ready for announcement at the Windy City sessions.

Hess Wins $5,200; Harrison to Appeal

Gabriel L. Hess, M.P.P.D.A. attorney, was awarded a verdict of $5,200 against P. S. Harrison, publisher of (Continued on page 6)

Skourases Total Salaries $156,000 Under New Pact

Under the provisions of the 10-year joint operating contract to be signed with National Theatres Corp., Sypros and Charles Skouras will receive an annual combined salary of $156,000, equivalent to $1,500 a week for each of the brothers. The contract, retroactive to Jan. 1, 1935, is 65 pages long and is expected to be signed on the coast. Sypros is now in Los Angelesem conferring with his brother on the new setup of the parent theatre company. Besides their salaries the brothers will get a graduated percentage of the profits of National after a $2 dividend is paid. Accompanying Skouras to the coast was Edward Pesky, buyer for Skouras Theatres. En route west, Sypros picked up Elmer C. Rhoden, Fox Midwest operating head, in Kan-

(Continued on page 6)

Kalmus Busy On European Color Deals

Dr. Herbert T. Kalmus, head of Technicolor, plans to sail May 29 from New York on the Bremen to establish laboratories in London and Paris for nine-film production, he revealed on arrival in New York yesterday from the coast. Present plans make no provisions for European plants outside those two centers. Refusing to divulge the identity of the French interests obtaining rights to the Technicolor patents, he indicated Sid Ardan Baillie, Bombay producer representing British capital, has (Continued on page 2)

Circuits Get Call to Talk OnGiveaways

Screeeno, Bank Night and Other Violations Up

All major and independent circuits in Greater New York will be represented today at a hearing before the local grievance board to clean up Screeeno, Bank Nights, two-for-ones and various other forms of reduced admissions. The local board decided to call the meeting last week when Loew's brought up the Majestic and Bridge on charges of holding Lucky and bank night. Both defendants retaliated by declaring "Loew's hands were not clean" and that the major circuit should stop giving away pies and inviting children free into its theatres after joining a "David Copperfield" parade.

Chairman George F. Thompson also wants to attempt to eliminate amateur talent night. It was felt that although Loew's was involved in the complaint at hand, all circuits could be called in and warned about continuing code violations.

Republic to Handle Some Outside Film

KANSAS CITY, May 13.—Republic's plans for next season have broadened out, it was learned here yesterday from W. Ray Johnston, president, who said Republic distributors will not be permitted to handle competitive product but that they would be allowed to distribute non-competitive films such as shorts, which Republic will not.

(Continued on page 6)

Dent's Trip Causes London Speculation

LONDON, May 13.—Arthur Dent's impending trip to New York where he is due to arrive Tuesday is creating speculation here along Wardour St. on account of the viewpoint, existing in several quarters, that several of the pictures he has taken with him are not qualified for American distribution.

Selznick Not Set On Future Dealings

David O. Selznick declared last night he would make no decision about his activities beyond August when his

(Continued on page 2)
Reception of the "A" Gains on Board

Path among the "A" Gains on Board

High Low Close Change

Columbia vte (ct) $491 500 500
Consolidated 68 63 65 2
Cons., pld (1/2) 163 159 159 4
Fox 137 136 138 2
Eastman, pld 70 68 66 2
Fox "A" 128 126 129 3
Paramount 35 35 34 1
Paramount pfd 170 170 168 2
RKO 110 107 107 3
Warner, pfd 220 223 223 4

Technicolor Slightly Off On Curbs

High Low Close Change

Technicolor 27 25 25 2

General Theatre Bonds Up 1/2Pt.

High Low Change

General Theatre equip 66 60 64 4
Keith B. F. 65 66 67 1
Lauderdale" 72 72 72 0
ww dep rights 1045 1045 1045
Paramount Bway 554 551 551 3
"A" 79 79 79 0
"A" 567 567 567 0
Pantages public 874 874 874 0
Warner Bros 885 878 878 7
"A" 612 612 612 0

Selznick Not Set On Future Deals

M-G-M contract runs out on his current visit to New York. His uncompleted commitment with Metro calls for his appearance in "Quigley, the Quack," in which he will be up to the standard set by Technicolor. He asserted that while some of the Technicolor color films has been made in England, France and Germany, none of the processes developed abroad measure up to the American processes. He said that nothing has been produced in America with Technicolor in the last year.

Milwaukee Dual Ban Move Goes on Rocks

Agreement to withdraw all double features by 90 per cent of the theatres in the county by June 2.

Dietrich's Next Two Set to Go at Pala

(Continued from page 1)

Dietrich, who has a controlling clause on vehicles in her contract, has accepted both stories and directors.

The above dispatch answers rumors that in New York yesterday, that the Dietrich Paramount agreement had been canceled.

Wurtzel to Honolulu

Hollywood, May 13—Sol Wurtzel is en route to Honolulu where the "Beauty's Daughter" company will shoot exterior scenes. In Honolulu are Mrs. Wurtzel, his daughter, Lillian, Claire Trevor, and Allan Dwan, the director.

Spiegelguss "Quicks"

Hollywood, May 13—Leonard Spiegelguss has resigned his Universal post and plans a New York trip before announcing a new affiliation.
We will stake our reputation as the producers of "Black Fury," "G-Men," and "Go Into Your Dance," on

**BETTE DAVIS**

**IN**

"THE GIRL FROM 10TH AVENUE"

Successfully yours,

**WARNER BROS.**

with Ian Hunter, Colin Clive, Alison Skipworth. Directed by Alfred E. Green. A First National Picture
EVERY CITY AWED
THE PRESS OF BOSTON, CHICAGO, AND WASHINGTON IN THUNDERCLAPS

FOUR ★ ★
NEW YORK DAILY NEWS . . . LIBERTY

"The most powerful picture released in New York this year, and one of the most heartrending screen plays ever made."
—Kate Cameron, N. Y. Daily News

"A film of major greatness . . . honest, compelling, magnificently produced."
—Howard Barnes, N. Y. World-Telegram

"One of the finest dramas of the year."
—Andre Sennewald, N. Y. Times

"A powerful and daring melodrama . . . superior entertainment."
—Bland Johaneson, N. Y. Daily Mirror

"One of the few films which must be seen."
—Regina Crewe, N. Y. American

"A powerful and heart-breaking tragedy."
—Eileen Creelman, N. Y. Sun

"One of Hollywood's finer screen achievements."
—Rose Pelswick, N. Y. Evening Journal

"A truly magnificent film."
—William Boehnel, N. Y. World-Telegram

"A vital, powerful picture."
—Irene Thirer, N. Y. Post

"A courageous, stimulating, provocative, exhilarating, exciting, tragic, mystical, haunting, pulsating flight into the sublime."
—E. de S. Melcher, Washington Evening Star

"Nothing can keep it from my ten best list."
—Andrew R. Kelley, Washington Times

"An honest celluloid sensation . . . You must not miss it."
—Mabelle Jennings, Washington Herald

"I certainly shall see it many times."
—Nelson B. Bell, Washington Post

"Sweeps you along as before a raging torrent."
—Dick Tenelly, Washington Daily News

(★★★ FOUR STARS) . . . "One of the few genuine epics to come from Hollywood . . . a genuinely distinguished picture."
—Doris Arden, Chicago Daily Times

"An excellent film . . . beautifully and artistically done . . . tense drama seldom found in a picture."
—Carol Frink, Chicago Herald and Examiner

"It will plumb the depths of your heart."
—Rob Reel, Chicago American

"Powerful . . . McLaglen will astonish you . . . acting splendid."
—Mae Tinee, Chicago Tribune

"A great picture — greatly achieved and greatly executed . . . It towers above the average movie like Gibraltar above the sea."
—Ralph Holmes, Detroit Evening Times

"'The Informer' carries a punch . . . thrilling story."
—Len G. Shaw, Detroit Free Press
BY ITS GREATNESS!

BALTIMORE JOINS WITH NEW YORK
OF APPLAUSE FOR "THE INFORMER"

★ ★ STARS
MAGAZINE . . . CHICAGO DAILY TIMES

"It is one of the great films of this or any other season."
— Helen Eager, Boston Traveler

"Here is the probable choice for the No. 1 picture of the year."
— George Holland, Boston Evening American

"A history-making film . . . one is left spent and worn by the sheer beauty and perfection."
— Boston Globe

"If there is any justice at all, 'The Informer' will be the best picture, not only of this but of many
seasons."
— E. L. H., Boston Herald

"The best dramatic offering of the season . . . bound to be near the top of 1935's best films."
— Boston Post

"When the motion picture roll of honor for 1935 is written out, 'The Informer' will rank high on the
list."
— Gordon Hillman, Boston Daily Record

"I would place it among the five best pictures produced since the coming of sound."
— Donald Kirkley, Baltimore Sun

"Awarded the blue ribbon with palms . . . should be among the strong contenders for the Motion Picture
Academy's award this year."
— Gilbert Kanour, Baltimore Evening Sun

The Informer

with

VICTOR McLAGLEN ★ HEATHER ANGEL
PRESTON FOSTER ★ MARGOT GRAHAME
WALLACE FORD ★ ★ ★ ★ ★ UNA O’CONNOR

RKO-RADIO PICTURE

JOHN FORD PRODUCTION
From the story by Liam O'Flaherty
Cliff Reid, Associate Producer
Anglo-Amer. Pacts Nearly Ready—Dixey

(Continued from page 1)

and in America. In addition, the company will have the output of Reunion Films, Ltd., a British producing organization headed by Victor Creer, who is becoming manager of Anglo-American 12, and a new release on the new season's schedule Anglo-American plans to deliver 12 pictures from its producing sources, the first to be a successful French comedy which will be remade in England in about two weeks under an American director, it was said.

The productions will be budgeted at from $50,000 to $250,000 each, Dixey said. A principal aim in pictures sent here and those selected for production by Anglo-American abroad will be their propaganda value in increasing the trade between the two countries. There are exceptions to the general policy, with pictures of special interest to both countries, such as Mr. Jack of Spades, made in England under the auspices of the British Film Commission. Some pictures, such as Mr. Jack of Spades, will have special appeal to American audiences.

Dixey said that he expected to have in their hands before the end of the year a selection of pictures which they thought would be suitable for production here. He added that he would be in touch with the American producers and that he hoped to have a selection of pictures for production in the near future.

Nelson Goodrow Buried

NEW ORLEANS, May 15.—Nelson Goodrow, 82, father of R. E. and F. E. Nelson of First Division, Goodrow Attractions, respectively, who died recently, was buried today.

Mrs. Acker Is Dead

HOLLYWOOD, May 15.—Mrs. Margaret Acker, mother of Jean Acker, died today of a heart attack. She was 64 years old.

Rites for Mrs. Somerset

BOSTON, May 15.—Mrs. Julia Somerset, 75, was buried today. She was the mother of Al Somerset, president of Lothorp Theatre Co.

William Fraker Buried

HOLLYWOOD, May 15.—Funeral services for William Fraker, Columbia still department head, were held today at Wee Kirk of Heather.

Skourases Total Salaries $156,000 Under New Pact

Allied Predicting 800 at Convention

(Continued from page 1)

Artes' Ass'n, an Allied union will meet jointly with the national organization.

Reservations are reported pouring in from all over the country. Exhibitors are heading here by every means of transportation, with motorized cars, vans particularly in evidence.

Business sessions are being held up to shape by Sidney Samuelson, president of Allied, and Abram F. Myers, general counsel.

Already 80 concessionaires have shipped their machines and materials here for the merchandising exhibit to be held at the lot that Piedmont.

As a feature of the convention Bobby Jones will appear on the links of the East Lake Country Club on the morning of May 21 and will autograph low-score cards for thecontinenters.

Hess Wins $5,200; Harrison to Appeal

(Continued from page 1)

Harrison's Reports, by a jury on the conclusion of trial yesterday of the former's libel suit against the publisher. An appeal will be taken today, according to Jacob Schechter, counsel for the defendant.

The jury was instructed by state Supreme Court Judge Phillip McCook. The verdict represented $5,000 punitive damages and $200 financial damages, although no financial damages have been asked by the plaintiff.

In his instructions to the jury, Louis Nizer, counsel for Hess, asked for punitive damages as a jury expression of the injury suffered by his client. The jury was informed that they were to consider punitive damages in the case. The judge was instructed by the court, the defendant's counsel, and the plaintiff's counsel.

Harrington Succeeding Miller as WB Booker

PHILADELPHIA, May 13.—Lester Harrington succeeds David Miller, head booker for the Stanley-Warner houses who resigned the other day.

Krieger succeeding by the Warner theatre department in New York, and will book the western theatres then under supervision of Moe Silver and recently succeeded Harold J. Mirisch as vice-president, leaving the latter to be appointed manager of the west coast offices of the company.

Krieger will be here Thursday.

Variety Convention Set for Pittsburgh

PITTSBURGH, May 13.—The national convention of Variety Clubs will be held here Friday, Saturday and Sunday and will be attended by at least 25 clubs from Canada and the southern states. The convention will be held at the Pittsburgh Athletic Club, and will be attended by almost a score of cities are expected to put in an appearance. If will be attended by the nation's leading newspapermen and will serve as host for the out-of-towners.

Mills Off for Coast

Irrving Mills, president of Mills Artists, Inc., leaves for the coast tomorrow, but will return in time to keep a scheduled sailing for Europe on June 1.

U. S. to Use Screen in War on Criminals

The Department of Justice will use the screens of the nation's theatres in the drive on crime, it was learned today. Film bearing photographs and descriptions of wanted men will be supplied to exhibitors. The idea is that some of the faces may be recognized by those in the audience.

Want "G" as 2nd Run

LOS ANGELES, May 13.—Local exhibitors are demanding "G-Men" be released a second run due to Warner's price slash when the picture opened at Warners' Downtown after it had been released in the Fox Midland and Warners' Hollywood at 55 cents. The Warner exchange said it would be decided tomorrow what action to take.

Court Won't Review Sale

KANSAS CITY, May 13.—Federal Judge Albert L. Reeves today refused to review the sale of Fox Midland and Fox Rocky Mountain to National Theatres on petition of Lee H. Hamlin, the principal theatre equipment bondholder.

Garbo in "Camille"

HOLLYWOOD, May 13.—Grete Garbo's second for M-G-M next season probably will be "Camille." Her first is "Anna Karenina."
SHOWMANSHIP IS DEARLY BOUGHT
Safeguard it with
Consolidated Certified Prints

It takes a lot of good minds, hard thinking, plenty of equipment and loads of money to make an entertaining production. No sense risking it on anything but the best re-production. Whatever you've put into your negative is sure to reach the screen when Consolidated does the prints, because Consolidated has been printing films for 22 years and has developed machines and methods that make every print a faithful replica of your original.

CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK  HOLLYWOOD
Fox Going to Bat in Campi-Leonia Action

Fox Film intends to fight injunction proceedings instituted by Paragon, Inc., in United States Circuit Court in Portland, Ore., seeking to restrain distribution of a theatrical film which Fox claims is a violation of its exclusive agreement with the Studio. The proceedings were commenced in September by the distributor, whose complaint is based on the alleged violation of an agreement entered into February 9 between Fox and the studio, pursuant to which the film company had agreed to pay the studio $1,500 for the right to distribute the picture in the Northwest Territory. The distributor claims that Fox has no right to distribute the picture in the Northwest Territory.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Public Hero Number One" (M-G-M)

HOLLYWOOD, May 13.—Another blazing yarn of "G Men" ripped from the front pages and offering a fresh slant and taut romance is Leo's roar for the Federal "dicks".

With unerring suspense it follows Chester Morris in a jail break, and walls the former San Francisco police chief, and his last stand in a Chicago theatre alley are tightly woven into the film, which sweeps along with sinister and melodramatic bounce. Lionel Barrymore, outcast dining with Tom, Paul Kelly, Federal chief; Jean Arthur, Calie's sister, for whom Morris falls in tracking down her brother; Lewis Stone, prison warden and Morris carry the brunt of the story skillfully and convincingly. Calie's first scene role as the merciless killer shines. Miss Arthur, in a romantic vise, gives warmth to a human performance. Both should be in demand. Ruben's direction, virility and a fine balance of action, comedy, plot and romance. Wells' Rooth's screenplay from Ruben's and his own story stresses entertainment. Lucien Hubbard produced distinctively.

As a highly effective gang yarn with dramatic twists, M-G-M's contribution to the "G Men" cycle looks like a clean hit.

Reviewed without production code seal. Running time, 80 minutes. "G."

Referee Gets Bank Action Against Fox

Hearing of testimony in the Chicago Title & Trust Co. action against William Fox over alleged defaults in guaranteed redemption of his stock, the Federal Reserve Board ordered stock amounting to $1,000,000 was assigned to Sol M. Stroock, as referee, where the stock was sold at the Federal Reserve Court yesterday. The referee will begin his hearings on the case.

Two-Thirds Finished

HOLLYWOOD, May 13.—Chesterfield has finished "The Girl Who Came Back" with Sydney Blackmer, Shirley Booth, Ray Collins, and Geoffrey exterior scenes. The film is a Wagner picture and was shot at the studio's Gardens of Pleasure.

To Enlarge in Brooklyn

Enlargements are to be made to the Williamsburgh Playhouse on Broadway. The interior will be remodeled at the same time and a cooling system installed. The house is operated by the South St. Amusement Corp.

Rialto Closes Tomorrow

The Rialto closes its doors tomorrow night to make way for the new theatre to be built on the West 42nd and Broadway site. Arthur L. Mayow will act as host to drink out the old theatre and toast in the new one.

Buy G. R. Machines

SAN FRANCISCO, May 13.—The T. and D. Jr. circuit will completely re-equip their theatres with G. R. Machines and has placed an order for 25 with General Register Corp.

Mary Pickford to Open Portland

PORTLAND, May 13.—Mary Pickford's "Coquette" company will open at the Metropolitan for eight performances starting May 20.

Derr Desires Path; Company Rejects Bid

HOLLYWOOD, May 13.—"I certainly do want to buy Pathé," E. B. Derr, former production manager of the company, said today in answer to a report that he had submitted a bid to Frank F. Kolbe, new president of Pathé. "I was unwilling that Pathé would liquidate," Derr said. "I submitted my proposal to Kolbe, who refused it, asserting that Pathé was not liquidating.

Derr added that he believes Pathé has the background to enable it to be built into one of the biggest producing companies in the business.

Officials of Pathé here declined to comment yesterday on Derr's offer for the company other than to say the bid was being given no consideration.

No "Miserables" Boost

PITTSBURGH, May 13.—Although 20th Century is insisting upon higher prices for "Les Miserables" everywhere, the Pitt is playing the picture at regular prices. They range from 25 cents at opening to 40 cents at night. The producers accepted the Pitt's price and believe that if the price were raised it would be bad business to raise the tariff just a week after a managerial agreement had been reached ending the four-months price war here.

N. O. Palace Damaged

NEW ORLEANS, May 13.—The Palace, vacant for years, was damaged early this morning by what is believed to have been an incendiary fire. Newspapers, unwound film and music goods were found stored in a box on the balcony. The damage is estimated at about $1,500.

John Dervin Married

BOSTON, May 13.—It was a secret. John Dervin, branch manager of United Artists, married Marjorie Sullivan on April 20.

Oregon Golfer Out In Force at Towney

PORTLAND, May 13.—Nearly everybody of any importance in distribution and exhibition as well as the accessory business turned out for the annual benefit tournament on the Portland Country Club links. The weather was perfect. Prizes were plentiful—low scores, specialest and others saw things. Stars as well as business men put up trophies.

In the first flight division R. O. Wilson of Universal won the National Screen trophy for a drive of 263 yards. He won in this division last year, too.

Jack Kloepper, United Artists, with 103, tied the Vete Stewart low gross cup. He will have to win it twice from the tournament owner, Cleo Morelock took an RCA radio with low net, 138. In the nine-hole putting contest Jack Rosenberg, with 16, grabbed the J. - J. Parker trophy. L. Kellar of Warners dropped to within 1 inches of the pin and received the National Telecamera. In the various flights the winners were:

First flight—Jack Kloepper, Evergreen Theatre trophy; Jimmy O'Connell, runner up, Republic Pictures trophy.

Second flight—Jack Noble, Joe E. Brown trophy; runner up, R. O. Wilson, golf ball.

Third flight—Frank L. Newman, Sr., Frank O. Newkirk trophy; runner up, B. Topey, John Hanrick trophy.

Fourth flight—Richard Dix trophy; runner up, Hugh McCredie, a golf club.

Fifth flight—Fred Gamble, Bing Crosby trophy; runner up, Frank L. Newman, Jr., golf ball.

Sixth flight—Ralp Almache, Eni troph; runner up, Robert Allsop. Seventh flight—Ed Newman, Ginger Rogers, Jerome Speak, "Dude" Smith. The former won with the 40-point score.

Eighth flight—Sam McFaddell, Claudette Colbert trophy; runner up, Sam White, golf ball.

Ninth flight—Neal Watson, a bunch of golf balls.

Tenth flight—Mel Kellar, Fred Astaire trophy; runner up, B. Colby. Eleventh flight—Poster Blake, Bert Wheeler trophy.

Best dub—Ike Geller.

The master of ceremonies and L. Jackson McGinley made a hit with a speech on "How I Broke Into the Film Business."

Open NVA Ticket Office

A special ticket office has been opened at the northwest corner of 7th Ave. and 43rd St. for the sale of reserved seats and boxes to the Actors' Charity Jubilee to be staged jointly by the N. V. A. and the Manhattan Club of New York State at Madison Square Garden Saturday, Al Jolson, Jack Dempsey, Sophie Tucker, and George Jessel sell tickets today. Others will volunteer during the rest of the week.

Flash Reviews

Nivray—Where they're not too particular about the Wheeler-Wykowski wangle in them, this should wow 'em.

Paradise Canyon—Where westerns are concerned that should do particularly well.

These films will be reviewed in full in a later issue of Motion Picture Daily.

Colbert in Col. Picture

HOLLYWOOD, May 13.—Claudette Colbert will appear in "She Married Her Boss" for Columbia at the direction of Gregory La Cava. Production starts in June.
Reade Urges Rental Shift To End Gifts

Says Indies Need Plan Used for Circuits

Advocating a national allocation of film rentals for independents along the same lines major circuits bay, Walter Reade, local operator, yesterday told the New York grievance board that the only way exhibitors could make money without resorting to giveaways was by the adoption of such a sales policy by distributors. Reade's suggestion was that independents pay a certain percentage of the gross, plus overages after a certain figure is reached, which would enable them to make a profit after paying expenses of the theatres. He added that exhibitors today are over-sold because of their contractual obligations and cannot survive unless the

(Continued on page 12)

Dent Here with 12 For American Sale

Armed with a dozen British International Pictures he intends to market here, Arthur Dent, vice-president and general manager of the company, arrived on the Isle de France for a month's visit. During his stay he will decide on the company's policy in America, he said. Among the films he brought over are "Auld the Damned," with Nils Asther; "Mimi," with Gertrude Lawrence and Douglas Fairbanks, Jr.

(Continued on page 4)

Warner British List To Get World Sales

London, May 14—Warner's British productions will be made with world distribution in view, declared Jack L. Warner today. He added he regarded the Teddington studio which his company is using as an extension of the parent company's plant at Burbank.

Local 306 Autonomy Demand Is Reported

Demands for a return of local autonomy for Local 306 I.A.T.S., which has been headed by Harland Holmde, a vice-president of the International, since the Harry Sherman regime as head of the local were reported to have been made yesterday

(Continued on page 24)

Another Amateur

It gets 'em, this amateur business—even the district managers. In New Haven they're telling that C. G. Barrett, Warner district manager, watched an amateur show in one of his houses and decided the talent was terrible. He made a bet he could do better. In an old suit, his hair parted in the middle and his hat over one eye, he tried to sing "Isle of Capri." The manager didn't know Barrett, and when the booping got too loud, the story goes, asked him to quit.

HARRISBURG, May 14—Springing a surprise at 1 o'clock this morning, just before adjournment for the day, the House Law and Order Committee reported out a Sunday opening bill. It is a compromise on various measures introduced earlier. A battle is predicted.

The new measure is sponsored by Assemblymen Louis Schwartz and Charles Melchoir of Philadelphia and Thomas W. Barber of Erie. It contains a local option provision requiring a vote by boroughs and townships at the November election, on whether or not openings shall be permitted after 2 o'clock. Wherever

(Continued on page 21)

Graetz May Not Go To Coast on Deals

Paul Graetz, personal representative for Toepitz, may not go to the coast to consummate negotiations for a reciprocal producing-distributing deal. He is holding conferences here with Universal home office executives on a deal whereby Toepitz will make two pictures on the coast and two in London with American writers and players.

If a deal is closed here, he will return to England without going west.

Restraint Aimed at Order in Des Moines

DES MOINES, May 14—Another Federal court move to halt a film stoppage order issued by a grievance board has been started here. Des Moines has secured a temporary stay from Judge Charles A. Dewey.

The case grew out of a bank vacation complaint. The board refused to comply with a stop order aimed at his house at Marshalltown, la. The stay applies to Midwest Film Distributors. A hearing has been set for May 17.

Southern California Bank Nights Spread

LOS ANGELES, May 14—Bank nights are spreading rapidly in this territory pending a Federal court decision on whether the grievance board can enforce its rulings against them by film stoppage orders.

Local exhibitors are signing bank nights at the rate of one a

(Continued on page 12)

Seals Given 85 Features In 2 Months

Hollywood, May 14—The Hollywood office of the Production Code Administration issued certificates of approval on 85 features and 48 shorts during the two-month period dating from March 8 to May 8. The total of pictures approved since the establishment of the certificate system now numbers 427 features and 359 shorts. The code went into effect July 15.

The tides and releasing companies

(Continued on page 9)

Report Viscount Lee Will Leave Gaumont

LONDON, May 14—Viscount Lee of Farnham, vice-president of Gaumont British, is reported about to resign his post.

The rumor, a strong one, follows closely on the resignation last week of C. M. Woolf, joint managing director, to enter business on his own.

Midland Settles in Full with Hamilton

KANSAS CITY, May 14—The sale of Fox Midland and Fox Rocky Mountain to National Theatres was confirmed in Federal court here today after the purchasers made a record

(Continued on page 9)

Senate O. K.'s Move To Hold NRA a Year

WASHINGTON, May 14—Without a record vote the Senate today approved the Clark resolution continuing the Industrial Recovery Act until April

(Continued on page 24)

Move Anew to Settle Booth Costs in N. Y.

Farnsworth Has a Plan For Hearing June 4

By CLARENCE LINZ

WASHINGTON, May 14—Efforts to solve the problem of wages for New York operators were resumed today with the calling by Deputy Administrator William P. Farnsworth of another hearing to be held at the Washington Hotel, June 4.

At that meeting a new plan, based on capacity, run and admission, will be presented, embodying, it was said, some of the best features of the three plans discussed at the hearing Jan. 18, known, respectively, as the Brandt, O'Reilly and Local A proposals.

The new proposal divides runs into two groups, with the houses having first, second, third, fourth boroughs run known as Class A, with

(Continued on page 12)

Many Expected for Ascap Case June 10

Numerous exhibitors are expected to figure as witnesses for the government in the trial of the Federal action against the American Society of Composers, Authors & Publishers, which will start in Federal court here on June 10.

In granting the government's motion giving the suit a preference on the court calendar, thus making possible

(Continued on page 4)

K-A-O Officers All Stay; Peace Reigns

All officers of Keith-Albee-Orpheum Corp. were reelected yesterday at a regular meeting of the board of the company, further confirming the era of tranquility begun last September with the election of Herbert Bayard Swope to the chairmanship of the board.

The reelected officers are: Leslie E. Thompson, president; J. E. Lambart,

(Continued on page 4)

Laemmle Reelected As Universal Head

Officers of Universal Pictures Co., Inc., headed by Carl Laemmle, were re-elected at a meeting of stockholders yesterday with three changes.

R. H. Cochrane was again named

(Continued on page 24)
MERRILY does the wrangle go forward. RKO's decision, based on its disapproval of the type of advertising which, by this time, has been identified with the Music Hall, to plug "The Informer," is in the situation, not disputable, is that "The Informer" will finish tonight with an unsatisfactory gross on its opening day run. Any effort, however, to fasten results on RKO's bold, black and noisy ad campaign seems to us to be stretching it a bit far. Milling around on the inside is the idea that RKO does not want to play the picture, holding it ran afoul of the family type attraction which the Music Hall has been running for weeks on its screen; that RKO, reasons unknown, was in a position to force acceptance and playdate as well.

The career of the film over at Rockefeller Center is strangely disappointing. Heralded by unanimous reviews such as too few pictures are accorded, the public response, which is another way of talking about the dollars-and-cents response has fallen considerably below that which the attraction, on its own merits, rates. For, while there may be those who agree or not with the movie's information of the helping behind it, there can be no dis agreement on the inherent values in the picture itself. . . .

"The Informer," dealing with an episode in the Black and Tan Rebellion in harassed Ireland back in '22, is one of the most powerful dramas ever to emerge from the Hollywood picture factory. It tells the story of a slow-witted, lumbering Irishman who turns Judas and by informing the authorities of the whereabouts of "Roberta," robs her as a reward. His disintegration in the twelve hours that elapse between his fight with his conscience and his death at the hands of a member of the revolutionary party is a magnificent piece of acting and directing. . . .

Victor McLaglen plays the part of the informer. John Ford, the director, who made the memorable "Lost Patrol" in which McLaglen sank a memorable claim stake in the art of his triony, directed. All the characters, notably by windshield are for his the job he turned in. There are other performances of hit merit, restraint, and humor by Ursula [O'Connor], Angel, Wallace Ford, J. M. Kerrigan and Donald Meek to furnish their bit in making of the whole a picture of which Radio and the industry may well be proud. . . .

Consolidated Keeps Manager Bonus Plan

Following success of the system during a six-week drive, Laurence Boldman, director of Consolidated Amusements, has permanently adopted a bonus plan for managers of 17 theaters.

According to the plan, in effect, managers get a percentage of the box office grosses. The normal gross of each house is established by figuring overhead, interest on profits and other charges. The percentage of the bonus plan is approximately two.

As a result of the plan, managers operating theaters which normally gross $2,750 a month and normal income is $3,000 a week get $8 if the house hits $3,400.

The purpose of the advertising budget, a floating budget is allocated to the extent of $50, which managers can spend as they see fit to increase attendance and pass upon by the home office. Immediate decisions are given. A monthly $10 prize is also awarded for the manager who spends the advertising allowance to the best advantage, and at the same time shows a saving in the budget.

Normal grosses are revised with the seasons. A summer gross schedule is now in effect. Under the bonus plan, a point drive for savings in operation during the warm months. Every $1 saved, the manager is given a point at the end of the week. For each point he gets a percentage of the savings.

Strictly Business, Gallup's Ampa Aim

Bruce Gallup intends to set himself up as the "ezar" of the Ampa, devoting his time to the development of talent within the organization and industry. Gallup is not interested in open meetings for the purpose of putting on a show. He wants the members to get down to business and do something for the men in the association and the industry in general.

Columbia advertising head doesn't want cliques, "soft soapers" and "yes men" around him. He wants men who will work for the Ampa over on a constructive basis next year, Ballyhooings stars for the benefit of outsiders and providing members with entertainment is out. It's to be a business organization and Gallup will hand out the orders, he says.

Van Beuren to Hold Four of Its Series

Van Beuren Corp. is definitely set to go into the "Vagabond Adveitures," "Ace High Pictures" and "The Rainbow Parade Color Cartoons" series in the 1935-36 program. Other series are under consideration.

Johnston in from Coast

W. Ray Johnston, president of Republic Pictures, has returned from the coast and Kansas City. and is expected to announce the release dates of the three regional sales conventions scheduled for Salt Lake City, Kansas City, and Syracuse. At present he is back in the East. Johnston will confer with Edward Golden in a day or so.
WITH LOVE AND KISSES!

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Public Hero Number One"
(M-G-M)

HOLLYWOOD, May 13.—Another blazing yarn of "G Men" ripped from the front pages and offering a fresh slant and taut romance is Leo's roar for the Federal "dicks."

With unerring suspense it follows Chester Morris in a jail break, paralleling San Quentin's spectacular release, and thus gaining the confidence of Joseph Calleia, Purple Gang chief. Dillinger's face lifting, and his last stand in a Chicago theatre alley are tightly woven into the film, which sweeps along with sinister and melodramatic bounce.

Lionel Barrymore, outcast doctor of the gang; Paul Kelly, Federal chief; Jean Arthur, Calleia's sister, for whom Morris falls in tracking down her brother; Lewis Stone, prison warden and Morris carry the brunt of the story skillfully and convincingly. Calleia's first screen role as the merciless killer shines. Miss Arthur, in a romantic vise, gives warmth to a human performance. Both should be in demand.

J. Walter Ruben's direction has virility with a fine balance of action, comedy, plot and romance. Wells Root's screen play from Ruben's and his own story stresses entertainment. Lucien Hubbard produced distinctively.

As a highly effective gang yarn with dramatic twists, M-G-M's contribution to the "G Men" cycle looks like a clean hit.

Enlarge it for your lobby and let the folks know the good news!
**MOTION PICTURE DAILY**

**Wednesday, May 15, 1935**

**Purely Personal**

**WILLARD MCKAY, RALPH ROLAN, MYER SCHNE, "BE" LILLIE, HERB J. YATES, AL LICHTMAN, HARRY HORSE, PAUL BURGER and CHARLIE (Hoch) MACMURRAY among those at "21" yesterday Ballantyne-ing and Mt. Vernon-ing.**

**ARNOLD VAN LEER has a prize letter of acknowledgment from CONGRESSMAN GASSAWAY as a result of latter's appearance at the last M.P. Club Forum.**

**TULLIO CARMINATI gets into town from the coast tomorrow. He came by way of New Orleans after finishing work in Paramount's "Paris in Spring."**

**W. C. FIELDS Directing**

**HOLLYWOOD, May 14.—Because of the illness of Sam Hardy, W. C. Fields has taken over the direction of his next for Paramount, "Everything Happens At Once."**

**Many Expected for Ascap Case June 10**

(Continued from page 1)

The early morning press conference of John C. Knox declared that "whatever the degree of importance of the action, the fact is that the issues involved concern hundreds, if not thousands, of theatres, restaurants, hotels, broadcasting stations and others. Hence, from this viewpoint the government's view of the importance of the suit is not without merit."

Days of Ascap's motion for leave to take the depositions of defense witnesses in various parts of the country, holding that if Ascap is unable to procure witnesses who can appear at the trial it has other recourses under the law. The government's suit attacks Ascap as a monopoly and seeks to have its rate fixing methods declared illegal.

**K-A-O Officers All Stay; Peace Reigns**

(Continued from page 1)

vice-president and general counsel; Leon Goldberg, vice-president and treasurer. R. E. Van Wyck is in charge of real estate; Nate Blumberg, vice-president in charge of the periodicals, and O. R. MacMahon, comptroller.

Yesterday's K-A-O board meeting was endorsed by the tentative agreement by which K-A-O will have a 10 per cent participation in the Joseph M. Schenck plan of reorganization for the Republic Playhouses. Formal ratification of this agreement will be asked of the board on the recommendation of the Schenck plan within the next month.

**Pittsburgh Expects 32 at Variety Meet**

Pittsburgh, May 14.—At least 32 delegates are expected to attend the national convention of Variety Clubs this week-end. So far acceptances have been received from John Cole and R. B. Biechele, Kansas City; Sam D. Schwartz and Herbert Elliott, Philadelphia; Jack Flynn and Ed Kirdnner, Detroit; George Fisher and Charles Trimpe, Milwaukee; F. D. Hink, M. D. Horwitz, Cleveland; M. R. Clark and Max Stern, Columbus; Louis J. Rowe, Washington, and Ted O'Shea, Buffalo.

Definite replies have not been received from the other tents, although each of the 16 is expected to send along at least one and in most cases two representatives.

A program arranged for their entertainment will include a stage banquet and a box party for the Saturday afternoon baseball game at Forbes Field between the Pittsburgh Pirates and the Brooklyn Dodgers.

**Varied Talent for Phila. Lunch**

Philadelphia, May 14.—Jack Beacum and Walt Woodward claim a record turnout for their weekly Variety Club luncheon at the Bellevue-Stratford today.

It worked out as planned, the guests will be: Jack Dempsey, Hal Horne, Charles O'Reilly, Congressman Percy L. Gassaway, Compliance Director Sol Rosenblatt, Tom Loughran, John Flinn and two sur-

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**Dent Here with 12 For American Sale**

(Continued from page 1)


Dent here to rent a Broadway house for invitation showings of the pictures. He will take a theatre on a week's lease and exhibit a different picture every night on the same bill. The company's sales policy will be decided by the reception the pictures are given, he said.

B.I.P. will make 25 films a year, 15 of which should be suitable for the American market, Dent stated. As a result of the recent merger between B.I.P. and Associated British Cines, the company now has 240 theatres. It brought his family along for a vacation before he goes to the coast to attend the company's sales conclave on the coast June 9-14. He did not care to discuss conditions abroad, holding that he was on a vacation and wanted to enjoy himself. bean W. Levy, playwright and author, was a passenger on the same boat. He is en route to the Paramount studios to work on an adaptation for Ernst Lubitsch. Levy said he closed the one-picture deal by cable and did not know the title he will use for the film. He is working on a play, untitled and unfinished, which he plans to complete on his return to England after he finishes his Paramount contract. He leaves for the coast in a few days.

Ralph Chatterton said she will make "Feather in Her Hat" and "Modern Lady" for Columbia on a two-picture deal. It was decided in the past and her plans after the duet are uncertain.

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**Ben Lyons, Bb Dandefs and Skeets Gallagher arrive back here shortly from Chicago where their show has been playing. They'll head out again after a short rest here at the Lombardy.**

**Howard, Fink and Howard, otherwise known as The Three Stooges, have left the coast by motor for a vacation here. They're stopping off at Chicago and Detroit on the way for personal appearance however.**

**Horbat Cavanaugh has been loaned by Warners to Herman Shumlin for "The Ghost Mystery; Of Life," which the latter will produce on Broadway this fall.**

**Jack stone, well known in the theatre supply field, has been named special representative for Amalgile Corp.**

**O. W. Jackson, president of O. W. Jackson & Co., rubber mat specialists, is opening a showroom and new headquarters at 245 Sth Ave.**

**John S. Cohen, former picture critic of the Sun, is mourning the loss of his father, Mr. John S. Cohen, editor of the Atlanta Journal.**

**Jim Finney, formerly in the RKO theatre department with Fred Meyers, is now an assistant to Jules Levy, general sales head of RKO Radio.**

**Joe Verdeschi is back from Miami. He left his wife in the south to recuperate from a recent illness.**

**Henry Randel was grounded at Amalgile, To make his return trip from the coast.**

**Jimmy Savo and "Parade," latest Guild show, open at the Guild Theatre Monday.**

**A. C. Blumenthal and Fay Wray at the Admiral Theatre in two weeks for "Accent on Youth."

**Miriam Hopkins among the early morning arrivals for the Sutton Place tennis courts daily.**

**Pat Dixon, writing from London, reports things are fairly active and prosperity on the way in.**

**Herman Fowler, independent producer, is in town from Hollywood.**

**Joe Weinberg has taken over the Cameo, Younkers.**

**Owen Davis, Jr., is on the Manhattan which is due Thursday.**

**Joan Bennett has gone back to the coast after a short vacation here.**

**Pittsburgh**

**Art Levy, Columbia manager, was honored with dinner by a few friends on his 40th birthday. One of the inevitable gifts was Prof. Pitkin's book.**

**George Jaffe and his brother, Milton, are backing the run of "Sailor, Beware" at the Pitt.**
HOLD YOUR HORSES for
TOPS 'EM ALL

HOLD
Our convention opens in two weeks. Our set-up is all set. The swellest in the industry. 16 Star Spangled Specials. 16 Box-office Sweethearts. Hand picked from 52. What a sweet 16.


Hold your bookings. Our salesmen will call soon. With the definite news. Of our 16 Star Spangled Specials.
Seals Given
85 Features
In 2 Months

Review Without Code Seals,
But Now They Carry Them

Following is a tabulation of films, principally caught at Holly-
wood previews, which were reviewed in Motion Picture Daily but
before seals had been issued by the Production Code Adminis-
tration. The period covered is from Jan. 1, 1935 to date since these
films have been stamped with codes of approval:

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Mexico Labor Backs
Move on Orchestras

By JAMES LOCKHART

Mexico City, May 14.—Theatrical workers and musicians are being sup-
ported by the National Confederation of Workers and Peasants in their pe-
riods of idleness, said that he would appeal all orchestras to desist
from playing music, and to bequeath to vaudeville to increase enter-
prise. Practically all Mexican houses have depended on disc music for some
time and vaudeville hasn't been presented in years.

Midland Settles in
Full with Hamlin

(Continued from page 1)

of a settlement with Lee H. Hamlin, the objecting creditor, for the full-
face value of his two claims plus in-
terest, totaling approximately $1,700.

This action followed the dismissal by the court yesterday of a petition
by Hamlin asking for a review of the
"Today's Development is the final step in the reorganization of Fox
West Coast, and practically all that
remains is the formal discharge from the bankruptcy, which is expected by
June 1."

Hamlin and others objecting to the sale have been allowed 10 days to file
an amended petition in their suit seek-
ing a lien on the theatre companies' assets on behalf of Gen-
eral Theatres Equipment bondholders.

The trustees' final report will be filed in about two weeks.

B. F. Shipman, attorney representing
reorganization interests, returned
from New York tonight after several
weeks here.

Otter in Denial
Of Trust Violation

WILMINGTON, May 14.—Seven men, associated with the
Inter-Movie Pictures and Duocul Radio in
their anti-trust suit against Erpi, Western Electric and A. T. & I., was
tried by the Superior Court of S. District Court here by John E. Ot-
teron, Erpi head. Sidney R. Kent, former associate, was another
witness of the day.

Otter denied he ever told Max A. Schlesinger, head of General
Talk- ing Pictures and Duocul Radio in
nearly every suit exclusive to acquire
the equipment of the defendants
exclusively before the product of any
Erpi records could be obtained. He said he never asked Schlesinger to desist from making
deals for DeForest equipment, denying he caused Erpi to hold off negoti-
ations with DeForest after $100,000
had been deposited. Otter said he hadn't been able to force DeForest out of business.

Otter said he failed to recall a
single instance where the defendants
tried to prevent the distribution of
film to houses not equipped with Erpi
sound. He denied the defendants were
ever asked to assist in obtaining or control
the distribution of the product of Erpi
licenses.

It was admitted by him that he refused to install Erpi equip-
ment in South African theatres for
Schlesinger because the order in his
estimation was not big enough to
serve the market.

The Erpi head asserted he had had
talks with officials of a number of
producing companies an effort to
interest them in listening pictures with
the idea of forming a cooperatively
organized company to buy out Vita-
phone.

Kenton testified that when the Vita-
phone deal fell through with producers
he had been authorized to set up an
equipment company to manufacture
talking picture apparatus, one with
big enough resources to take care of any
patent litigation that might arise. The
committee, I have not only to say, to make a
deal with Erpi but nothing developed.
Over the border! - on with the dance!

Hollywood's holiday playground!

New Tropical Musical, seething rhythm, ablaze with stars -

Edw. Everett Horton
in this flaming filming of "In CALIENTE" Warner Bros.'

with senoritas, rampant with

Pat O'Brien Dolores Del Rio

De Marcos, and thirteen others*

Reade Urges Rental Shift
To End Gifts

Continued from page 1
"poison gas" is administered. He asserted that in many instances entitlal run from 30 to 100 per cent of the grosses and that some of his New Jersey houses have not shown a profit in five years.

The meeting was called by the local board in an effort to eliminate various games, allegedly in violation of the Loew and wares distributed free in theatres.

Reade blamed protection by major circuits as one of the reasons for giveaways. He related that in one of his New Jersey houses costing $1,250, the premiums for 30 to 90 days after first run. His subsequent run admissions are the same as first run.

"Could you imagine the upbuilding of a distributor insisting on 35 per cent of the gross on a picture which plays third run in a large house?" he asked.

"You wouldn't expect to buy last week's newspaper tomorrow and pay the same taxes or interest," he wouldn't go to General Motors and buy a new car and accept a second hand Chevrole,

"You wouldn't expect to buy last week's newspaper tomorrow and pay the same taxes or interest," he declared. "Dishes are only a 60-day tonic. After two months, crockery is given away instead. Then radio and after that something worse. If you stop this practice you will throttle the subsequent run exhibitor.

Says Would End Giveaways

"Every exhibitor will agree to cut out these deals if he can buy product on a given tax or interest, but he wouldn't go to General Motors and buy a new car and accept a second hand Chevrole,

Reade pointed out that "the Roxy offers the biggest bag of gumdrops to children for 15 cents." The theatre "is in receivership and does not pay Federal taxes or interest," he said and added that the Waldorf, Arena and Ziegfield cannot meet the Roxy price.

"I don't believe 50 theaters will be built in the next 10 years," he asserted. "There is no reason why independents cannot buy on a national basis. If the same privilege were afforded independents, there is no doubt they will get out of the furniture and candy business."

Reade said he had been at Nicholas M. Schenck's home several times when the Loew's was being planned. He estimated that M-G-M had no desire to over.

David Loew, representing Loew's, stated that unless independents stop giving away articles the Loew circuit would go for the idea on a wholesale scale. He said that exhibitors have such low admissions that they cannot be further reduced without jeopardizing premiums to compete with the big fellow." Melvin Albert said that the solution was giving the independent a better break on premium. He said the sponsors of Sereeno and Lucky would not stand for interference by those sponsors. He said that something would come out of the meeting. He accused Roxy and Loew of calling the session to pretend an offering, but was instantly corrected by George Thompson, impartial man and chairman, who said that the conclave was sponsored by the board of a whole in an effort to clear up the whole local practice.

Robert MacDonald of Warners said the circuit was fully in accord with elimination of chance games. He said that of the premiums brought about low admissions have brought about the practices complained of and the solution is in boost-

Sidney Justin said that the Paramount does not resort to any of the practices mentioned. Louis Geller, a member of the board, asked Reade if a realignment of clearance would help. Reade said it wouldn't.

Casey struck a final note, declaring that the only way to eradicate the vari-

because exhibitors play dual distribu-

Wall Street

Columbia Up 2 on Big Board

<table>
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<tr>
<td>Warner</td>
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Little Change on Carb

Technicolor .... 218  219  219
Trans-Lux     1015  1015  1015

RKO Bonds Gain 1/4 Points

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| wb deb rights.1045 1045 1045 1045
| Paramount F. L. | 7876 87 | 87        | 87        |
| Paramount Publicity | 1983 855 855 855
| RKO 64 46 pp | 1045 1045 1045
| Warner Bros. 12 & 99 12 & 99 | 6548 6548 6548 |
| (c) Plus stock extras. (K and c) Paid hi

(Continued at close of May 14)

Southern California Bank Nights Spread

(Continued from page 1)
day, according to Affiliated Enterprises, Inc., owners of bank nights. Over 20 theaters have started bank operations within the last two weeks, according to these figures. Several exhibitors who formerly lodged bank night complaints with the local board are now operating banks in opposition.

Every house in Pasadena except three first runs are now holding bank nights and seven houses in the San Gabriel-Alhambra district are doing the same. In Santa Barbara the condition prevails in the F.W.C. and Warner theatres.

The local board has until May 25 to act on an appeal but the understanding here is the action is to begin upon this week's inspection of the answer by Attorney Pierson Hall.

Bank Night Cases Gain

Kansas City, May 14.—Complaints against banks are on the increase at the local code office. The latest has been brought by Lester Robinson, a vaudeville manager, against J. W. Maple's Roxy, same town.

RKO Golf Meet Set

RKO will go in for a one-day golf tournament at Westchester Country Club May 23.

Move Anew to Settle Booth Costs in N. Y.

booth costs to be figured at 12 cents per cent per hour, and houses with all subsequent runs to be known as Class B with booth costs to be figured at 12 cents per hour.

All houses of less than 600 seating capacity comprise one group, larger houses being classified in jumps of 200, 500, 600 to 800, 800 to 1,000, while admission classification ranges from 15 to 50 cents in jumps of 5 cents.

Houses of less than 600 seating capacity, playing fifth or later run, with admission of 15 cents, under the new scheme would have a booth cost of $1 per hour, while the same house, playing first to fourth run, would have a cost of $1.20. At the other end of the scale, a 4,000-seat house, first to fourth run, 50 cents admission, would have a booth cost of $7.20 per hour. Five new points are to be added, which would make the booth cost of the 4,000-seat house, first run, 50 cents admission, $8.50 per hour.

On the whole, it was said, the total booth cost in New York will be some-

(Continued from page 1)

Baltimoreans Banned

WASHINGTON, May 14.—Indiscrimi-

nation distribution of passes bearing a "Valid for November" declaration is being made with the object of enforcing no code violation today by the grievance board. Robert Marhekke and others, operations director of Baltimores, were ordered to stop the practice. The complaint was filed by Sol Sacker, Roy Golden. Reades and police and zoning board re-

Panelist and play within 48 days after Richmond first runs.
Promise yourself
THE BIGGEST BUSINESS IN TOWN
and you'll keep your promise
WHEN YOU PLAY

SHIRLEY TEMPLE
in her greatest picture
'Our Little Girl'

with
ROSEMARY AMES • JOEL McCREA
Lyle Talbot • Erin O'Brien-Moore • J. Farrell MacDonald

Produced by Edward Butcher
Directed by John Robertson. From the story "Heaven's Gate" by Florence Leighton Pfalzgraf.
Screen play by Stephen Avery and Allen Rivkin. Adaptation by Stephen Avery.
He rides like the wind.

A Fox Spring Festival Hit
Warner Baxter . . . impetuous Don Juan of the Pampas. Ketti Gallian . . . the only girl who can resist him. Veloz & Yolanda . . . swaying to the sinuous Cobra Tango. Haunting melodies...fearless men...matchless beauties . . . in Argentina, where love rules the night!

**WARNER BAXTER**

and

**KETTI GALLIAN**

in

**UNDER THE PAMPAS MOON**

a B. G. DeSylva Production

with

**VELOZ & YOLANDA**

Today's dancing sensations

Directed by James Tinling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.
“Richelieu” High in Twin Cities’ Boom

MINNEAPOLIS, May 14.—Remarkably strong bills and good theatre weather sent grosses upward. “Cardinal Richelieu” was strong on both stages. At the Orpheum, which took $2,500 up on a $6,000 take at the Century here and was $2,500 over the line, also at $6,000, Paul was $1,700, Paragon, “Go Into Your Dance” and “My Heart Is Calling” were both well on the profit side of the line, and “The Scarlet Pimpernel” took $2,500 in its third week at the World.

Total first run business in Minneapolis was $33,700. Average is $8,850. Total St. Paul business was $21,500. Average is $16,160.

Estimated takings:

Minneapolis:

<table>
<thead>
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<td>Paul</td>
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<td>Richelieu</td>
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</tr>
<tr>
<td>Wurlitzer</td>
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Philadelphia, May 14.—The two stage show houses topped their averages slightly to lead the way in a generally bad week. Poor weather hit most of the grosses.

The Fox, with “Man Who Knew Too Much” on the screen and the Timbers and Rooney on the stage, took in $13,000, topping average by $1,000, while the Earlie did just the same with “Vagabond Lady” and Benny Meroff on the stage. G-Men just crossed the deadline with $12,500 at the Boyd, generally disappointing, but it was moved into the Stanton. “Cardinal Richelieu” again topped average by doing $7,500 in its third and last week, a completely successful engagement.

Floor of the week was “Stolen Harmony” which could get only four days at the Stanley to a weak $9,000. Total first run business was $63,500. Average is $9,071.

Estimated takings for the week ending May 14:

<table>
<thead>
<tr>
<th>Theatre</th>
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<tr>
<td>Roxy</td>
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“Knew,” Show Get $13,000, Philadelphia

CHICAGO, May 14.—The Long showed signs of pulling out of its slump last week. “G-Men,” with Morton Downey on the stage, ran up $15,000, passing the par mark by $8,400. “Woman in Red” was strong at $17,000, the whole “Oar Your Dance” was noted and $50,000 at the Garrick. Other spots failed to pull up.

Total first run business was $188,000. Average is $27,600.

Estimated takings for the week ending May 9:

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<tr>
<td>Roxy</td>
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</table>

“G-Men” and Downey Loop Top, $43,000

“G-Men” with Show Big Hit in Pittsburgh

PITTSBURGH, May 14.—The combination of “G-Men” and the “Folies Bergere” revue, “Hello, Paris,” on the stage proved to be the biggest draw in history here. It took $2,000 up on $2,500, has had in four years and gave that house a sensational $35,000. As a result, the entire bill has been held over, the first time in the Stanley’s history that this has happened.

“Bride of Frankenstein” at the Alvin gave that house a new “May” up $15,500 and it likewise was held, but without the stage support it had during its first run engagement. playing a return engagement downtown in the Fulton, did average business at $4,500 and was held three days. At the Penn, “Cardinal Richelieu,” with Myr’nt Marge, the radio stars, in person dipped that house to $15,000, while the odd turns around weakly at $3,800 with “The Florentine Dagner” and “Chasing Yesterday.”

Total first run grosses were $73,900. Average is $60,500.

Estimated takings for the week ending May 9:

<table>
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<tr>
<td>Roxy</td>
<td>$700</td>
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</tr>
</tbody>
</table>

“MOTION PICTURE DAILY” Wednesday, May 15, 1935

Made in U. S. A.

Kansas City, May 14.—To dispel any impression that “Cardinal Richelieu” might be an English production, because of “The Iron Duke,” vehicle of Richelieu in America,” Advertising copy conveyed that information prominently.

“Harmony” on Dual Leads Providence

PROVIDENCE, May 14.—Grosses hovered around par for the week at most houses and with the Strand coming through for $1,000 extra on “Stolen Harmony” and “The Hoosier Schoolmaster,” catching $7,500. The Majestic picked up $7,000 on “G-Men” and “Dancing Salesly” and “The Florentine Dagner.” The same was true for Fay’s which featured “The Merry Widow” and “I’m Your Huckleberry.”

As far as the nicely balanced bill, “One New York Night” and “Unwelcome Stranger” did only $8,500 at Loew’s and the RKO Albee was down $500 from its usual $7,000 take with “Mr. Dynamic” and Polly Moran on the stage.

(Continued on page 17)
"Informers" Is Frisco's Top; Pulls $15,000

San Francisco, May 14.--"The Informer" was in the money at the Golden Gate. It topped average by $2,000 on its opening day.

Business was somewhat better along the line, but the only other house to go over average was the Warfield, which had "Red Head" on the screen and a stage band to help. The $2,000 take was up by $1,000. "Eight Bells" took a par $3,000 at the Orpheum and "Let 'Em Have It" was normal at $8,000 in the United Artists, but elsewhere grosses were weak.

Total first run business was $76,200. Average is $78,000 without the Clay.

Estimated takings:

**Week Ending May 7:**
- "THE INFORMER" (Radio) GOLDEN GATE--$2,800, 25c-35c, 7 days.
- Average, $400.

**Week Ending May 8:**
- "MUSICAL BOX" (Par.) GOLDEN GATE--$3,200, 25c-35c, 7 days.
- Average, $457.

**Week Ending May 9:**
- "VANITY FAIR" (Col.) ORPHEUM--$4,100, 25c-35c, 7 days.
- Stage, Rubie Wolf band.
- Gross: $9,500.
- Average, $1,357.

**Week Ending May 10:**
- "G-MEN" (F. N.) ST. FRANCOIS--$2,400, 25c-35c, 7 days.
- Average, $343.

**Week Ending May 11:**
- "LADIES LOVE DANGER" (Fox) WALKERTOWN--$1,300, 15c-25c, 7 days.
- Average, $186.

"Harmony" on Dual Leads Providence

(Continued from page 16)

Total first run business was $29,400. Average is $40,500.

Estimated takings for the week ending May 9:

HOOSIER SCHOOLMASTER (Monogram) STRAND--$1,200, 15c-25c, 7 days.
- Average, $171.

STOLEN HARMONY (Param.) STRAND--$1,300, 35c-45c, 7 days.
- Average, $186.

LADIES LOVE DANGER (Fox) WALKERTOWN--$1,300, 15c-25c, 7 days.
- Average, $186.

ONE NEW YORK NIGHT (M-G-M) "UNWELCOME STRANGER" (Col.) LOEW'S STATE--$2,000.
- Average, $286.

TRAVELING SALESMANY (Warner's) THE FLORENTINE DAGGER (Warner's)
- Average, $135.

RKO ALBEE--$1,000, 15c-25c, 7 days.
- Average, $143.

RKO VICTORY--$1,000, 15c-25c, 7 days.
- Average, $143.

Fox Unit Cuts Capital

Dover, Del., May 14.--Fox Kansas Theatre Co., a Delaware corporation controlled by Fox, has this week reduced its capital sum from $1,158,538.40 to $50,000. This amount is represented by 1,000 shares, each of no par value, owned by Fox Midwest.

"Marietta" and Apollon in Washington Lead at $29,500

Washington, May 14.--"Naughty Marietta," sung $29,500 worth of sweet music from her Fox's stage to end the season big-money top. Dave Apollon's "International Varieties" helped.

Average is $30,500.

Estimated takings:

**Week Ending May 7:**
- "THE BRIDE OF FRANKENSTEIN" (RKO) LOEW'S--$4,500, 25c-35c, 6 days.
- Average, $750.

**Week Ending May 8:**
- "THE CASE OF THE CURIOUS BRIDE" (RKO) LOEW'S--$4,500, 25c-35c, 6 days.
- Average, $750.

Three companies were in the running for the top spot. "Naughty Marietta" was the favorite, but "The Case of the Curious Bride" and "The Bride of Frankenstein" turned the tables on the operetta-controlled chart. All three grosses were over $4,500.

"G-Men" Hits Big $19,500 In Cleveland

Cleveland, May 14.--"G-Men" smashed Sunday afternoon record at Warners' Hippodrome and more than tripled average business with $19,500 grossed on the week. "Naughty Marietta," playing a second week, grossed $10,500 against a $4,000 average at the Warners.

RKO's $6,500, was $5,600, more than double normal. The picture went into a second week at Warners, with a strong engagement of "Go Into Your Dance," was good for a satisfying $5,700, or $1,100 above average.

Boston, May 14--"G-Men" was a mild sensation at the Metropolitan. Helped by Isham Jones and his orchestra and a vaudeville bill it crashed through to $34,000 in four days. "The Bride of Frankenstein" was also a big hit at Keith's Memorial, with gross of $18,000, over average by $6,000.

Total first run business was $84,500. Average is $7,150.

Estimated takings for the week ending May 10:

GO INTO YOUR DANCE (F. N.) CAPITOL--$2,000, 15c-25c, 7 days.
- Average, $286.

A NOTORIOUS GENTLEMAN (Univ.) PIEDMONT--$1,300, 15c-25c, 7 days.
- Average, $186.

THE BRIDE OF FRANKENSTEIN (M-G-M) LOEW'S--$4,500, 25c-35c, 6 days.
- Average, $750.

KEITH'S MEMORIAL--$1,800, 15c-25c, 7 days.
- Average, $257.

BABY FACE HARRINGTON (M-G-M) LOEW'S--$1,800, 15c-25c, 7 days.
- Average, $257.

G-MEN (M-G-M) LOEW'S--$1,800, 15c-25c, 7 days.
- Average, $257.

"Your Dance" Best Draw in Montreal

(Continued from page 16)

Boston, May 14.--"A Notorious Gentleman" (Univ.) PIDAY--$1,300, 15c-25c, 7 days.
- Average, $186.

"The Nut Farm" (Republic) RKO--$1,500, 15c-25c, 7 days.
- Average, $214.

H. D. Wilkes Celebrates

New Orleans, May 14.--Harold D. Wilkes, Paramount exchange manager, celebrated his 19th wedding anniversary last week.

"Marietta" Is Denver's Top; Pulls $9,000

Denver, May 14.--In spite of the fact that the President's radio talk cut into Sunday night business, grosses were good for "Naughty Marietta" reached $9,000, over the line by $3,000, at the Denver.

"Star of Midnight" also was $3,000 up on a take of $8,800 at the Orpheum.

Total first run business was $31,200. Average of $4,429.

Estimated takings for the week ending May 2:

NAUGHTY MARIETTA (U. A.) ALADDIN--$1,000, 25c-35c, 6 days.
- Average, $167.

RENDEZVOUS AT MIDNIGHT (Univ.) LOEW'S--$1,800, 15c-25c, 7 days.
- Average, $257.

PRIVATE WORLD (Par.) DENHAM--$1,800, 15c-25c, 7 days.
- Average, $257.

"Private World" (Par.) (Closing 10-day run) DENOY--$2,000, 15c-25c, 7 days.
- Average, $286.

STAR OF MIDNIGHT (Radio) ORPHEUM--$1,800, 15c-25c, 7 days.
- Average, $257.

"Naughty Marietta" (M-G-M) DEVER--$2,500, 15c-25c, 7 days.
- Average, $257.

PRIVATE WORLD (Par.) PARAMOUNT--$2,000, 15c-25c, 7 days.
- Average, $286.

"Your Dance" (F. N.)

"Wedding" Sten Strong in Lincoln

(Continued from page 16)

Cowboy, "Casino Murder Case," and "Florentine Dagger" totaled $1,150, $300 to the good.

Total first run business was $9,150. Average is $8,450.

Estimated takings:

**Week Ending May 8:**
- "CASINO MURDER CASE" (M-G-M) COLONIAL--$3,000, 15c-25c, 7 days.
- First for three days, others for two.
- Average, $436.

**Week Ending May 9:**
- "A NIGHT OF FANCY" (F. N.) LINCOLN--$1,600, 15c-25c, 7 days.
- Stage, Anna Stern on Sunday.
- Average, $233.

"Hold 'Em Yale" (Para.) "A NIGHT OF FANCY" (F. N.) "CASE OF THE CURIOUS BRIDE" (M-G-M) "WEDDING" (Warners) 

**Week Ending May 10:**
- "Naughty Marietta" (M-G-M) STUART--$2,000, 15c-25c, 7 days.
- Average, $286.

"Your Dance" Best Draw in Montreal

(Continued from page 16)

"WEDDING" (F. N.) WARNERS--$2,000, 15c-25c, 7 days.
- Average, $286.
Biggest week-end opening in months at Orpheum Theatre, New Orleans!

RELIANCE PICTURES presents

LET 'EM

with RICHARD ARLEN • VIRGINIA

Harvey Stephens • Eric Linden • Gordon Jones

Released thru U
1,000 admissions to Cristo! Big day at the theatre co., and Cristo did business!

Biggest business any U. A. Picture has ever done in St. Paul . . . at any theatre!

HAVE IT

ALICE BRADY • BRUCE CABOT

Presented by EDWARD SMALL Directed by Sam Wood

UNITED ARTISTS
WHAT?

... are the independent exhibitors of the United States to do about the code, compulsory block booking, the music tax, film distributor aggression ...

Independent Exhibitors Will Answer These Questions At...

ALLIED STATES
ASSOCIATION OF MOTION PICTURE EXHIBITORS

NATIONAL CONVENTION

ATLANTA, GA.
PIEDMONT HOTEL

MON. TUES. WED. THURS.
MAY 20, 21, 22, 23

Meet With Your Fellows and Help Formulate the Answers...

All Independent Exhibitors Invited.
Business Sessions — snappy and to the point.
Real Southern Hospitality and entertainment.
See The Pageant of Progress in Motion Picture Merchandise.
Bring the ladies; they'll enjoy the lazy days in Dixie.
Special railroad rates and special hotel rates for all independent exhibitors.

RESERVATIONS
Write to
E. P. SIMMONS
Piedmont Hotel
Atlanta, Ga.
Pennsylvania Has New Open Sunday Plan (Continued from page 1)
a vote is in the negative Sunday shows will be outlawed for at least five years, as another referendum cannot be held during that time.

To initiate a subsequent referendum signatures must be obtained from at least five per cent of the highest vote cast for any office in the municipality at the last previous election.
The bill was read for the first time and is expected to come up this week on second reading. A half dozen plans have been compromised in the measure. The others will probably be held. It is certain that the bill will be opposed by the Sabbath Observance League, the Lord's Day Alliance and other similar organizations.

Florida Film Bills Die
Tallahassee, Fla., May 14.—After several unsuccessful attempts to levy an amusement tax, a tax on billboards and a tax on advertising used for display purposes, it looks as though the legislators have decided to let the film industry alone for this, the sixth week of the session, but one bill has been introduced that affects the industry.

Senator Sikes of St. Petersburg filed a bill which is aimed at Ascap, for under the terms of his bill all representations, whether it is to collect royalties on musical compositions and radio programs would have to take out a state license at a fee of $2,000 annually and counties would have the right to assess a like amount.

E. J. S. Donovan, who was the Governor's representative that introduced it to the producers in their recent tour of the state looking over what Florida had to offer them, in case they should decide to come to California, received a wire from Fred Pelton, one of the members of that party, that it was suggested that Florida could make a “fine gesture towards the motion picture industry” by repeal of the recent censuring law. A bill to repeal the state review board law was entered last week.

Revive Mass. Sales Tax
Boston, May 14.—This year's Legislature has shown a tendency to raise bills from the dead. After killing three bills proposed for the imposition of a two per cent sales tax in Massachusetts, the House reconsidered the action and recommitted the bills to the Committee on Taxation in the event that future action was desired in the session. The bill was referred to State Tax Commissioner Henry F. Long, Mayor Mansfield of Boston, and Representative J. Walter Tuttle of Framingham sponsored the measures.

Reconsider License Bill
Boston, May 14.—The Senate by roll call today reconsidered its rejection last week of a bill for licensing theatrical booking agents, private entertainment bureaus' agents and personal managers. The bill has been ordered to a third reading.

Want Ohio's 10% Ticket Tax Back
Columbus, May 14.—The House Taxation Committee today voted nine to three for the restoration of the 10 per cent admission tax. Thirteen votes are necessary to recommend the measure. These are expected at a later meeting. The present three per cent gross levy on tickets for shows 10 per cent would be in the nature of a surtax.

The suggested schedule follows: three cents on admissions from 26 to 31 cents, four cents from 31 to 41, five cents from 41 to 51, with a straight 10 per cent on all admissions over 51 cents. After deducting the 10 per cent Federal admission tax, the estimated yield under the new admission tax is estimated at $1,000,000 annually.

Tax Passes Neb. House
Lincoln, Neb., May 14.—The chain store tax bill, expanded to include theatre circuits, has passed the House in its amended form by a vote of 61 to 20.

It now goes back to the Senate for final debate on the amendments. The bill now seeks to place a $3 per single unit to $125 per unit over 20 on chain operations in the state.

Drop Mass. Signboard Bill
Boston, May 14.—A bill designed to require the assent of municipalities for erecting of billboards, signs and other advertising devices has been turned down by the Legislative Committee on Mercantile Affairs. Leave to withdraw the bill was granted.

The joint Ways and Means Committee has also given leave to withdraw the bill designed to create a state lottery.

Osterberg Wounded Once More by Guns
Chicago, May 14.—Scarred, bruised and beaten, but unscared, Clyde Osterberg last night took four more slugs from unidentified guns as he stood with his wife and allered bodyguard, George Hall, in front of the residence to which he and his wife had moved, of which exactly similar attack 10 days ago.

When taken to a hospital and informed his wounds may prove fatal, Osterberg again refused to talk.

Mrs. Osterberg ditto.

Osterberg's warlike relations with the late Tom Maloy and his cabinet, resulting in varied knuckle and gunplay, has left the situation in police in connection with reports that the victim had renewed efforts to establish an insurgent operator organization.

Mascot's Building Finished on Coast
Hollywood, May 14.—Mascot yesterday completed construction of its new office building. First Division will occupy six offices in the new structure, Invincible and Chesterfield 11 and Capitol Films three, with Mascot itself taking over the entire administration building.

Capitol is the new company headed by Earl Dunn and slated to make eight features called "The Highway Patrol" series taken from magazine stories.
ELECTRIC HEPBURN..IN A MODERN LOVE STORY..
WITH THE NEW ROMANTIC IDOL OF THE SCREEN!

What gorgeous clothes she wears! . . . temptingly lovely . . . gloriously alive! . . . she gives new meaning to romance . . . in this impassioned story of a heart-strong girl . . . head-over-heels in heaven!

BOYER! . . . a thrill to every woman who sees him! . . . romantic dynamite! . . . lending he-man vigor to a catch-in-the-throat drama of a love that surged beyond the power of will!
Hepburn
Break of Hearts
Katharine
Charles
Boy
John Beal
Jean Hersholt
Opening this week
Radio City Music Hall
Directed by Philip Moeller
Associate Director, Jane Loring
A Pandro S. Berman Production
RKO-Radio Picture
Senate O. K.'s Move To Hold NRA a Year

(Continued from page 1)
1 next, as Senator Harrison of Mississippi said, the Finance Committee and staunch Administration supporter, served notice that he would vote for the removal of the House to increase the extension to two years, as sought by President Roosevelt.

The resolution was adopted without any amendments, under a more or less general agreement that this be done to expedite legislation, reported by the Finance Committee, it exempts from code requirements all persons whose welfare is purely intrastate in character.

Explaining the legislation, Senator Harrison declared that amendment of the present law would require lengthy consideration and that by continuing the NRA until next April time was won to bring the bill back to the floor of the Senate for consideration as new legislation.

Objections to the resolution were voiced by Senators Shipman of Minnesota, who discussed price-fixing provisions; Borah of Idaho, who sought a change in the noncompetition of intrastate activities from codes, and LaFollette of Wisconsin, who criticized the Senate as not having done a real job and asserted that the resolution did not leave the NRA “with enough to wag a shotgun.”

Both Sides Lose in Buffalo
BUFFALO, May 14.—While the roles of the same parties in two cases before the board were reversed, the outcome was the same in each instance. The protest lost.

The request of Menno B. Dykstra, proprietor of the Glen, Williamsburg, for day and date booking with Schine’s Grand, a Buffalo theatre, was dismissed as unreasonable. On the same grounds, the request of the Schine Theatrical Corp., operator of the Granada, for 60 days clearance over the Glen also was dismissed. The maximum clearance between the two theatres was established as not to exceed 14 days.

Quality C. C. Decision
KANSAS CITY, May 14.—In upholding the local grievance board’s cease and desist order against Jack Johnston, Ritz, McPherson, Kan., Campi ruled he may receive a stay in execution of the order if he can show that the complainant, C. W. Helstrom, Helstrom’s same town, is not abiding by his compliance order, which Johnston alleged he has violated.

Tooehey Heads Hub Board
BOSTON, May 14.—Martin R. Tooehey, operator of the LeRoy at Pawtucket, R. I., has been named permanent chairman of the grievance board.

Reverse Detroit Ruling
DETROIT, May 14.—E. S. Kinney, secretary of the code boards, has received word from Campi that body has decreed the Ramona is not entitled to protection over the Roseville, Roseville, a suburb of Detroit, and more than three miles apart.

The Campi decision was the result of an appeal by Jeff Williams of the Roseville from a ruling by the local board that the Ramona must date pictures within 14 days of availability.

Stop Ohio Bargains
CLEVELAND, May 14.—An order to discontinue six-cent and 10-cent Wednesday night bargain prices in violation of contract minimums has been ordered by the grievance board. The complaint was made by Carl Duncan of Killbuck, O., against Edna B. and Roy L. Russell, Opera House, Millersburg.

The clearance and zoning board has established the Millersburg Opera House as competitive to the Duncan, Killbuck, and has given the Opera House 14 days clearance over the Duncan. Either theatre can buy clearance over the other on new contracts after that.

Albert E. Puck has won re zoning of the area which includes his Lyceum. A contract Amusement Co. identified as Union the Utopia, Painesville, to have Cleveland protection over Painesville reduced from 14 to seven days, was dismissed.

Protests Hub Clearance
BOSTON, May 14.—Greater Boston clearance has been protested again. Max Levenson, circuit owner, is seeking a change in the setup for the Strand, Alhambra and Quincy Theatres in Quincy. He protests the four weeks' clearance over Quincy of the “I.D.” and “Publix” Woolston in Woolston which in turn is four weeks behind first run Boston.

Stop Cleveland School Film
CLEVELAND, May 14.—A production order on non-theatrical competition has been set here. The grievance board has ordered the operator to stop showing the Roosevelt Junior High School at Cleveland Heights with features for exhibition outside of school hours.

It was charged by the Windamere that “Anne of Green Gables” and “Little Women” were shown after school hours at a general admission of five cents.

Oshkosh Film Stopped
MILWAUKEE, May 14.—A film stop-page order has been issued by the grievance board against the Strand, Oshkosh, as a result of a third bank night complaint. The house is operated by J. H. Standard Theatres Co. To the local and resumption of membership meetings, said to have been disadvantageous for the Oshkosh regime.

The faction is also said to be opposed to the return to the local of various officers prominently identified with the old administration, and has requested the board to ask that no new working agreements be placed in effect until rati fied by the local's membership.

Holmden could not be reached yesterday for comment on the reports.

Laemmle Reelected As Universal Head
(Continued from page 1)
vice-president, Charles B. Paine, treasurer, Willard S. McKay, secretary; Eddie L. Minney, assistant treasurer, and Helen R. Hughes, assistant secretary.

Carl Laemmle, Jr., was named to a vice-presidency: Edward Muhl, to an assistant secretaryship, while Samuel Sedran was appointed second vice-president.

Breen Starts Today
HOLLYWOOD, May 14—Joseph I. Breen leaves for Manhattan tomorrow morning, to meet with Joseph Breen of New York. Joseph Breen, producer of “The Advise of the Police,” is a member of the Breen Bureau, and is one of the eight members of Breen’s staff, will be acting director of the Production Code Administration in his absence.
Hays Signs New 5-Year Contract as MPPDA Head

M-G-M Groups Will Shift in Various Spots

In line with M-G-M's new flexible selling policy, numerical groupings of feature product will vary with different territories, it is understood. Under this plan, films listed in groups such as specials, starring attractions and the "Marquee Group" will probably be shifted to meet varying local conditions, it is said.

In some sections of the country certain features may be singled out and sold as specials in addition to the six announced at the two regional meets. The number of specials may run as high as 21.

Gov't Will Speed St. Louis Trials

WASHINGTON, May 15.—Trial of the St. Louis film indictions as early as possible will be sought by the Department of Justice.

Successful culmination of the St. Louis prosecution may be followed by trials of St. Louis Circuit judges in Chicago, New York and other cities.

K.C. Dual Choice

Proposal Dropped

KANSAS CITY, May 15.—Local exhibitors have dropped all plans to obtain an increase in features for dualing, and are now awaiting developments.

Roxy Group to Seek Loan from the RFC

Following receipt of an application by the Roxy bondholders' committee and the noteholders' protective committee, Federal Judge Francis G. Carey on Monday adjourned the hearing until next Tuesday to consider the legality of the proposed loan.

Metro-Goldwyn Acts on Stock Retirement

The retirement on June 15 of 146,091 ¼ shares outstanding of Metro-Goldwyn Pictures Corp. preferred stock was authorized by the board of directors at a meeting held yesterday.

Stays As Association Chief Until 1941—Extension of Pact Kills Off Rumors a Replacement Was Sought

By RED KANN

Will H. Hays has signed a new five-year contract to continue as president of the M. P. Producers' and Distributors' Ass'n of America, Inc.

The barrage of rumors of replacement, apparently a favorite topic of political correspondents in Washington, thus becomes a complete illusion.

The new deal swings into effect with the expiration of Hays' current pact which runs out in the spring of 1936. Until 1941, then, and unless the M.P.P.D.A. head himself should seek to withdraw from the high place he has held for many years, Hays is slated to continue to act as the spokesman for the organized industry.

On tap for weeks, the arrangement was terminated and officially sealed earlier this week when the heads, or the ranking executives of all the major producing and distributing companies affixed their signatures. No formal announcement, however, has yet been issued.

The flood of reports regarding Hays and his official post reached its zenith a few months ago when, alternately, the names of Postmaster General Farley and ex-Governor of New York Alfred Smith were thrown into newspaper headlines. With the expiration of Hays' original contract approaching came intensified rumors of replacement.

So frequent and so wild have the reports been that their continued publication long since has become a subject of annoyance to industry leaders, not to overlook Hays attaches.

It was suggested several months ago that the neatest manner of disposing of gossip stories would be a renewal of the agreement and its immediate publication thereafter. M.P.P.D.A. headquarters have found themselves embarrassed in the past by the persistence with which that perennial blossom—"Hays Is Out!"—has cropped up and long since had abandoned any concentrated effort to deny each
"Robertra" is April’s Box-Office Leader


Beery, M-G-M Make Up

Hollywood, May 15.—Wallace Beery, the 36-year-old film star, was discharged from the hospital after being operationally on the “out” for some days. The actor begins work Monday in “O’Shaughnessy’s Boy.”

Harry Cohn in Town

Harry Cohn arrived in town by plane last night from Hollywood. He came expressly to attend the annual banquet of the Society of Arts and Sciences tomorrow, at which Grace Moore will receive the Cohn Award, named for her work in “One Night of Love.”

Acquires Mix Series

Benjamin Kremer, president of Trans-American Film Corp., has purchased European rights to six Art Mix westerns. He will distribute them through the company’s film distributors. Negotiations are on for other features.

Thursday, May 16, 1935

Theatres in India Prospering—Armour

“Every one of the 600 theatres in India is in operation and business is at an all-time high,” says a correspondent in charge of KRO Radio sales in India, Burna, Ceylon, Straits Settlements, the Middle East and Egypt. He is here to confer with Phil Reisman and attend the company’s sales convention in Chicago next month.

“There are 150 thousand people in India which exclusively play American product, 130 ‘B’ houses which play both American and British produced talks and 175 ‘C’ units which play all-Indian sound films. The balance of the theatres have not yet been equipped for sound and are playing silent versions,” he said.

“Approximately 250 pictures are produced in India a year. There are about 50 producers. The native-made productions serve a total of 350,000,000 people,” he observed. “Super pictures made in local production centers in the neighborhood of $40,000 and gross from two to three times as much as imported English pictures.

“Armour, in addition to his RKO Radio duties, is supervisor of RCA Victor activities in India. He said there are about 250 sound machines installed by the company and most of the Indian producers are licensed to import the Armour series. His headquarters, around July 1.

With the exception of the 750-seat M-G-M is building in Calcutta, new theatre activity is at a standstill. RKo has the Elphinstone in Calcutta and reports new M-G-M will open in Bombay, when the company is said to have acquired a site.

Harry Fried Named To Head IEPA Board

PHILADELPHIA May 15—Harry Fried has been named chairman of the board of governors of I. E. P. A., according to a statement by Austin Harris, recently elected president.

Wax has been elected a national director and will represent the I. E. P. A. at the Allied convention starting May 20.

A permanent board has been established by Franking. William E. Butler, chairman; Columbus Stamper and Ray O'Rourke. A special board has been appointed to take action on regulation of premiums in this territory. Its members are: Clarence Hexter, chairman; John Bagley, Ray Schwarzs and Ben Shindler.

Mayer Gives Party; Helps Wreck Rialto

A wake in the form of a party, at which Arthur Mayer was host, was held last night to commemorate the passing of the Rialto Theatre. Immediately after the last screening of the picture demolition of the building—originally Hammerstein’s Victoria, and more recently the Rialto—was begun. The wreckers didn’t stop the celebration, however, and it wasn’t until the small hours of this morning that the festivities concluded.

James Weed Improving

DAYTON, May 15—James L. Weed, RKO city manager here, is in the Miami Valley Hospital recovering from an abdominal operation which he underwent last week.
Its thrilling critical reception, its record-breaking pre-release successes, and the magnificent performance of its star, Paul Muni, unquestionably stamp Warner Bros.' "Black Fury" as the outstanding screen release of this week. Michael Curtiz' bold direction adds brilliant power to the work of a huge supporting cast headed by Karen Morley, William Gargan. A First National Picture. Released May 18th.
British Take Critical View Of Code Talks

(Continued from page 1)

"Nell Gwyn" and, in some spots, "The Scarlet Pimpernel." Some editors made it plain that if Queen Victoria would not remove odd-eyed gowns—and she did—that made them all right for films, and if King Charles wanted Nell Gwyn tolerance to care of his great wealth—well, what about it?—it was history.

A few editors and persons connected with the industry expressed the view that the conferences would be helpful, and that if the British industry desired to make expensive pictures it would have to cater to the idiosyncrasies of the American market. Industry leaders regarded the conferences as the most important industry happenings since British producers decided to seek outlets in the American market.

Cites His Experience Here

The Daily Mail quoted from its film critics, Stewart Grace and William Haines, who in turn quoted Capt. Richard Norton of B. & D., saying:

"My experience in New York in getting certificates for 'Nell Gwyn' and 'Brewer's Millions' taught me that there is a real difference in outlook between British and American censorship. Therefore, I welcome any such discussion.

"It is impossible for British producers to meet standards of picture making without having access to the American market, so that a discussion of the problem of American censorship may be said to be essential to the future of the British film industry."

Lyman Harman, in the London Evening News, wrote:

"Among other things he wrote:

"Two wise men from the west will arrive in London to tell us exactly what is wrong with the morals of our films. Simply, he will explain why the good folk of Oshkosh will not be allowed to know the truth about Nell Gwyn and what was wrong with the frocks worn by the ladies when the Prince Regent made merry.

Quotes Michael Balcon

"Michael Balcon, the Gaumont British production chief, who has just returned from a triumphant visit to Hollywood, tells me that these gentle men have done a great thing for the cinema. Films were getting so near the border line that seemed to be no limit to what they might do. Moral opinion against Hollywood became so strong that the whole business was in danger of being wrecked."

"This situation has been met and counteracted by the producers' own efforts. As a result, Gaumont will not be awarded a financial cost by their self-appointed censors. Our coming visitors are two of the chief moral advisors."

"They tell us that they take films too seriously; they want to uplift them too much."

"In an article, which was called "Heads of the Men." After mentioning objections to "historical" films produced in England the article went on: "In the matter of morals we have taken it for granted that both, in regard to things seen and things heard, British and American films are much of a muchness. Possibly some of the American films produced here are bowdlerized for American consumption. As to that we are doubtful. We believe that the League should wave its big stick at the Hollywood producers."

"We do not suggest that British films are not occasionally err on the side of vulgarity and bad taste. On the other hand, we have a definite reason for feeling that we shall never blush at our grandmother's evening gowns or feel it necessary to suppress the fact that the last picture Nell Gwyn did not come to a bad end."

"The People," a Sunday paper, was strong in its criticism. It would almost think that the Americans, our breezy trans-Atlantic cousins, have no sense of humor when one reads the official campaign. But this is not so. They have merely learned to express opinions in the language of putting up their most audacious bluffs.

Calls Attitude Inconsistent

"Two ambassadors from Hollywood are coming over here to tell us how to keep our films clean. Think of some of the American producers we have seen and heard and try to laugh that off!"

"Daily Express" the heading was "Purity Men from U. S. to Talk Over Our Film Morals." Among other things the Express film correspondent, Paul Holton, wrote:

"The visit is an outcome of the recent protests through the British ambassador in Washington against the banning of British pictures throughout America on moral grounds.

"The visit is intended to clear up the misunderstanding of what is, and what is not—morality on the screen."

"The Glasgow Daily Record was more sympathetic in its story:

"Film censorship in America," the paper stated, "undoubtedly presents many anomalies—and incidentally a gradual change in our moral attitude. The moral twist given to immoral situations not infrequently leaves a master taxpayer in more or less honest trouble. The same situation would do, however, that is primarily America's affair. British producers will undoubtedly benefit from the visit of Mr. Hays and representatives, and as a quick pro quo they might tell his visitors what's wrong with many of the films that come here from Hollywood. But perhaps that would take too long."

Visit Called "Good News"

In the Liverpool Post the visit was hailed as "a step towards good relations with the old country."

"Ever since British films became exportable," the comment read, "there have been undefined but real difficulties in the way of their full exploitation in the United States. The fault has not rested wholly on the other side. Americans talk to us as if they had full knowledge at this end of American box-office appeal, and of the rules and regulations governing the cinema in their country."

It is therefore good news that two leading American authorities chosen by the Motion Picture Producers and Distributors Ass'n., at the invitation of British industrialists, are arriving here for discussion with our own producers."

"The Era" indulged in salutary reference to the conferences by saying: "Government of Hollywood, by Hollywood, for Hollywood, and the rest may perish from the earth."

John Bull asked: "Is it merely a coincidence that Mr. Will H. Hays has acquired doubts regarding the good taste of British films just when American film-goers have discovered that 'A' and 'B' pictures are not so bad."

Northern Whip of Belfast suggested: "There has been more than a suspicion of vindictiveness about some of the decisions against British pictures in the past year, when one takes into consideration the type of film exhibited, as contrasted from America. In short, Elsiette thinks that America's New Deal smacks of a raw deal to our point of view."

Film Weekly suggested that Milliken and Quigley were going to "explain" to British producers the peculiar screen morality that is guarded by the United States film code.

New Para. By-Laws Approved by Board

(Continued from page 1)

provail of each subject will be asked of Federal Judge Alfred C. Cое on May 24.

The approved changes in the company's by-laws call for the reduction of directors from 20 in number to "not less than 16 and not more than 28". The classification of the board into three groups of not more than six directors each. The groups will serve terms of one, two and three years each, the exact time to be fixed by the annual elections of directors will be held.

File Chase-Parama. Motions

Motions by the Chase National Bank for leave to file new claims aggregating $13,500,000 against Paramount Publics for services as trustee were granted. Famous Players Lasky 1927 indubition and the Paramount Public insurite of 1928 and to liquidate claims already filed by the bank were referred to Federal Judge Alfred C. Cое yesterday for hearings.

M-G-M Groups Will Shift in Various Spots

(Continued from page 1)

high as 12 or 14, provided sufficient strong attractions develop to rate list- ing of $35,000. Under the same plan, star attractions may be swelled later in the season from 22, as announced, to 27. The Marquee Group of 13 features, including Will Rogers in "Ah Wilderness" may be listed in this group, but this has not been approved as yet, but with planned last year, but until it is made no decision on a sales policy for it will be reached.

Due to enlarged demands, "Smilin' Thru" with Norma Shearer is to be revived, having the announced releases to 50. If plans go through for an exploitation feature on amateur talent with nationwide radio hookups tying in with the talent contests, the total number of releases will be tipped to 51.

According to reports from Chicago, the studio group's offers will be offered exhibitors in the east. One provides for a minimum of four pictures at 35 percent, probably in two-weeks with time on the balance of the product to be worked out. The second plan calls for eight percentage features, to be divided into groups of four with each one group at 35 percent and the second four at 30 percent. The third plan is similar to the second except there are 12 features on percentage, six at 35 percent and the other half dozen at 30 percent.

M-G-M is said to be adhering to its 10-point system on playing time, details to be worked out with individual circuits and exhibitors. Unconfirmed reports have it that the company will insist on at least five points for most of its films. According to this type of division the 10th week is included in the 10.

Sunday are counted as three points, Saturdays, two; week-days, one for each day.

Special Shorts on Tap

The M-G-M short lineup for the new season is expected to include shorts probably in two-weeks with the special emphasis, "Chic" Sale in the type of characterization usually associated with him and typified in "Little Friend," a current Metro release.

One of the proposed specials may deal with Abraham Lincoln.

Metro-Goldwyn Acts On Stock Retirement

(Continued from page 1)

stock at par was approved yesterday by the company's board.

The par value of the stock will be $27 per share plus the regular seven per cent dividend of 471/4 cents, due June 15. Retirement of the notes, which has an outstanding of $4,030,550, has been agreed to. A new security issue is expected to be announced by Metro-Goldwyn in the near future.

Loew's Declares Dividend

Directors of Loew's, Inc., yesterday voted the regular quarterly dividend of 50 cents a share on the common stock, payable July 1 to holders of record June 14.
MOTION PICTURE DAILY

Thursday, May 16, 1935

**House Stand On NRA May Block Action**

(Continued from page 1)

extended for two years, Speaker Byrnes explained that the House would ignore the threat made yesterday by Senator Pat Harrison, chairman of the Senate Committee on Prices, that the House amendment of the Clark resolution would be vigorously fought.

The House Ways and Means Committee, meanwhile, made plans for immediate consideration of the measure. In the hope of reporting it next week, with Chairman Doughton predicting that a two-year extension would be inserted, although he denied any intention of starting a controversy in the Senate.

It was also indicated that the committee would amend the provision exempting community features "wholly engaged" in intrastate business, probably along the line suggested by Donald R. Richberg, chairman of the National Association of Retail druggists, to retain under codes all industries engaged in or directly affecting interstate commerce.

**K. C. Dual Choice Proposal Dropped**

(Continued from page 1)

ments with the announcement of new season sales policies.

Jay Means, I. T. O. head, is authority for the statement that "nothing further will be done" in view of the distributors' flat rejection of the plan whereby a "release board" was to be set up as a solution to the demand for indiscriminate double billing, but with one exception all major distributors queried turned it down on the ground they saw no reason why they should relinquish the right to determine which of their features shall be played on a twin bill.

That statement of policy does not, however, apply to Warners, Columbia or Universal. All except percentage pictures are being released locally by Warners for dualing in the regular single feature spot, this being a new development. The two other companies permit doubling of all features, but with a 28-day setback in clearance. Other major companies restrict doubling to features not receiving a first run.

**PWC Duals Start Today**

Los Angeles, May 15.—Despite the opposition of producers and distributors, Fox West Coast starts duals tomorrow, the initial twin bill consisting of "Our Little Girl" and Shirley Temple's latest, and "Baby Face Harrington." Duals are announced as the new summer policy of the circuit.

**Geldert Funeral Today**

Hollywood, May 15.—Funeral services for Clarence Geldert, pioneer actor and director, who died Monday of a heart attack on location, will be held tomorrow.

**Roxy Group to Seek Loan from the RFC**

(Continued from page 1)

Caffey has signed an order instruction Howard Gould, trustee, to apply to the Reconstruction Finance Corp. for a first mortgage loan on the theater.

This is the first official move to reorganize the theater and if the RFC should approve the plan, reorganization and financing based on such financing will be started.

The petition states that the RFC will not give its approval unless the location is made by the trustee. It is not intended by the application to bind anybody to the making of a loan or to acceptance of such a loan if made, unless a plan for reorganization is consummated which has the approval of the bondholders and the court.

**Four Protests Hit Schedule in L.A.**

Los Angeles, May 15.—With the new clearance and zoning schedule going into effect today, four protests have been filed. They are slated for May 28 with John Film sitting in.

Harry H. Hicks, operating the Ar-lington, for 28 days, has asked that the six houses in that zone be declared non-competitive. Warners have filed a protest in the same zone. They want the block split into two zones, as formerly.

Mike Rosenberg of Principal Thea-ter protects the downtown price classifications specifying matinees. He wants matinee scales to remain at 35 cents, claiming that high film rentals make it impossible to classify matinees at 25 cents. Jules Wolfe of the Lin-coln wants Zones 20 and 21 combined. The exhibitors in both zones are com- petitive and are patronized solely by negroes.

Due to new protests on the zoning schedule, the clearance and grievance boards will call a protest meeting May 22 and 23 instead of waiting for the arrival of the Secretary John C. Flinn on May 28.

**Superserial Row Back to L. A.**

Washington, May 15.—Difficulties between Superserial Prod., and its studio labor were today remedied by Deputy Administrator William P. Farnsworth to the Studio Labor Board for inspection. It seems necessary following a conference with Chairman W. J. Davis.

Refuse Price Clearance

Bosworth, May 15.—No clearance can be based on admissions only, according to a ruling of the clearance and zoning board in a case brought by Charles A. Caballero, in behalf of his Art Theatre, Springfield.

Caballero contended that the Art recently remodeled, was engaged in films as soon as any house charging 25 cents, and that all houses charging less than this price should be set back behind the Art. The complaint was directed against the Paramount, Poli, Bijou, Broadway, Capitol, Glyden, Riverview, Jefferson, Liberty, Strand and Phillips.

An appeal is expected.

**Delay Century-RKO Appeal**

The appeal hearing of the Century-RKO clearance dispute on Long Island, scheduled for yesterday, was postponed until next Tuesday at the request of Campi.

Both Century and RKO appealed the decision of the local clearance board, which had ruled that the respondent's Alden in

**MPPDASigns Hays to New 5-Year Pact**

(Continued from page 1)

new alleged candidate as his name appeared in the lists.

It can be stated with complete certainty that in the latter day stages of the Hays regime, his principals never seriously contemplated a successor. Weeks ago when the preliminary discussions of a new contract were first aired, the heads of the major companies expressed themselves for a renewal. The outcome was entirely up to Hays, the solo question, if there were any, being whether or not Hays himself wanted to continue his motion picture activities.

Apparentely, he has.

**New NRA Confab on Extra List Impends**

Los Angeles, May 15.—Attorney Eugene H. Marcus is awaiting word from Compliance Director Sol A. Rosenblatt to fly to Washington for a new conference on the extra registration list. He is expected to pro- ceed to Washington either Saturday or Monday.

The conference will concern the official publication of the names of all registered extras. A regulatory measure that the labor capital outside the list which would force employers to state definite talents desired when hiring these people to avoid politics and nepotism will also be discussed. The meeting will also cover evasion of code provisions, such as studio entering into private contracts with extras.

**Discover Pickets' Aims**

Rochester, May 15.—"Mystery" of the picketing of the newly opened Hollywood Checkers is solved here when owners hailed the pickets into court and found they were kicking about the alleged failure to employ union labor on renovating the building and not about employment in operation of the theatre.

**Kinsler in Variety Job**

Cincinnati, May 15.—Ralph Kins- ler city salesman for RKO pictures, has been made treasurer of the local Variety Club, succeeding the Lin-gan, who has held the office since the club was formed. Kinsler also is a charter member.

**Vandals Damage Astor**

Vandals who wrecked the interior of the Astor over the week-end caused damages estimated by police in the neighborhood of $50,000. Master Cady re- closed the house Saturday night after an unsuccessful attempt to operate under a revival policy.

Jamaica was competitive to Century's Fantasy, Rockville Center, while the Strand and Columbia, Far Rockaway, were not in competition to the complaisant house.
DETROIT - (United Artists Theatre) - Smash 2nd week follows overflow 1st week!

NEW YORK - (Rivoli Theatre) - Still breaking the 8-year-old attendance and receipt record. Now in its 5th week and still going strong!

PITTSBURGH - (Loew’s Penn) - Played without usual stage show and topped receipts of previous pictures which had support of strong stage shows!

CINCINNATI - (Keith’s Albee) - Reached new high at Albee and continues smash 1st run after moving to Capitol Theatre.

ST. PAUL - (Riviera Theatre) - Hits new high for 1935!

PHILADELPHIA - (Aldine Theatre) - Biggest opening in 10 months. Will hold over for indefinite run!

WASHINGTON, D. C. - (Loew’s Palace) - Smash weekend business definitely insures 2nd week holdover.

INDIANAPOLIS - Biggest week in months forces 2nd week holdover at Loew’s Palace.

COLUMBUS - Crowds storm theatre. Loew’s Ohio turnstiles hum as picture starts second week.

Joseph M. Schenck presents
DARRYL ZANUCK’S production
of VICTOR HUGO’S
RABLES

FREDRIC MARCH
CHARLES LAUGHTON

CEDRIC HARDWICKE • Rochelle Hudson • Frances Drake • John Beal
Directed by RICHARD BOLESŁAWSKI

peased thru UNI TED ARTISTS
Richard Boleslawski
DIRECTOR

Les Miserables
W. P. Lipscomb
SCREENPLAY
"Les Miserables"

SCREENPLAY
"Clive of India"
"A Tale of Two Cities"

DIALOGUE
"Cardinal Richelieu"

UNDER CONTRACT TO
20th CENTURY

Fredric March
as
"JEAN VALJEAN"
Florence Eldridge
as
"FANTINE"
"Les Miserables"

* IN COLLABORATION
Reservations Gain For Allied's Meet

Atlanta, May 15.—Last minute reservations are pouring in on Allied headquarters at the Piedmont, the committee says, and as a result a second registration headquarters has been opened on Thursday. Registration will be started as early as noon on Sunday. The convention gets under way the following day. Two events are to photograph part of the proceedings and National Screen is to make trailers. The reels will run through the projector to be shown at the National Theatre on Friday, May 16.

Talmadge's Screen Club.


Delivery Men to Atlanta

Seven members of the National Film Carriers' Ass'n will attend the Allied convention in Atlanta May 20-22. The film delivery service is setting up a booth at convention headquarters.

N. Y. Allied Opposes Code

Albany, May 15.—Filing of the film code under the new state act calling for hearings before the Secretary of State can act only by opposition by Allied Theatre Owners of New York in a letter written by A. Stone, president. A hearing is to be held June 1. Stone writes: "We know the Allied objections: That the code was drafted or submitted to the NRA without being submitted to a representative group of exhibitors; that it is "oppressive, promotes monopolies and restrains interstate traffic; that it gives exhibitors complete domination and power; that it depends to independent the right to choose representatives; that it enables major producers to regulate trade practices.

Looking 'Em Over

“The Last Wilderness”

(Dawyodd) is a pictorial record of the last stands of American big game, this picture is to be commended. Using the wilds of Wyoming as a background, cameraman Ned Frost has caught elk, antelope, bear and various species of birds in their natural surroundings in such a manner that his work becomes doubly effective by his simple presentation.

Howard R. Hill, renowned archer, accompanies the expedition on the trip and his skill with a bow is well presented.

The film opens with a wildcat hunt. Hill kills two with his arrows. From this point on the picture takes the audience on the trail of bison, bear, mountain sheep and even moose. Most of the animals are merely photographed and only the dangerous ones are killed, all in full view of the camera. "The Last Wilderness" has the added value of being educational. Where nature or adventure films are liked, this picture should do very well.

Hill accompanies the action with explanatory dialogue. Reviewed without production code seal. Running time, 63 minutes. "G"
Kent Dentes Orders Withholding Product

WILMINGTON, May 15.—Under cross-examination Sidney R. Kent, president of Kent Dentes, said his testimony for the defendants—Erpi, Western Electric and A. T. & T.—in the General Talking Pictures and Dayton Telephone case, which is still in trial here today, did not give orders refusing to supply film to any theaters at any time.

Kent said his company had a censorship list of theaters which were refused films because their equipment was bad and very damaging to the reputation of the product of his firm but not because of non-Erpi equipment. He said his company supplied films to theaters with 28 different kinds of equipment.

George C. Pratt, vice-president of Erpi, followed Kent on the stand. Pratt’s testimony was mostly confined to the equality clause in agreements between Erpi producer licensees and exhibitors.

Allan McLean, Erpi electrical engineer; John Hanrick, operator of 11 theaters in St. Louis, St. Joseph, and Oregon, and Harold M. Steel, Erpi service engineer, also testified.

“G-Men” Fight Dormant

LOS ANGELES, May 15.—Warners is taking legal steps to have Rendering Erpi’s alleged bankruptcy. “G-Men” is to be released under the name “Kapal” as a second run because of the price slash at the downtown. It is understood no move will be made unless a license is pressed. The exchange says it has had no additional demands since the original blast last Saturday.

Yates to Go West on Liberty Production

(Continued from page 1)

About 10 days to sign contracts with M. H. Hoffman, head of Liberty, whereby the company will produce for Republic.

When Yates was here about two weeks ago he said Hoffman agreed on the deal “in principle.”

According to Hoffman, “I liberty will not produce eight features for Republic.” He says that his company “will not abandon its own identity as an independent producer,” nor become “an extension of Republic.”

“However,” he adds, “if satisfactory distributing terms are negotiated, Liberty may distribute its program through Republic exchanges.

Cleveland to Give Lump Sum for NVA

CLEVELAND, May 15.—Instead of contributing 10 per cent of the gross of one performance on May 20 to the N.Y. Fund, Cleveland leaders have indicated they will donate an arbitrary sum to the fund. Reason attributed for the move is in preference to disclose the amount of their gross receipts for any one performance.

M. P. Club Assesses Members $100 Each

In a move to strengthen its financial position, the M. P. Club on Sunday sent out notices to 270 members assessing each $100. Payments do not have to be made until June 15. Sums can be sent monthly or quarterly, according to the method deemed best for the members.

Christie Meeting May 21

LOS ANGELES, May 15.—A dividend meeting will be held by creditors of Christie in Los Angeles, here Thursday. The rehabilitation company is not in liquidation, reports have been made by the referee and creditors that it is in liquidation.

To Build on Concourse

A new theatre on Grand Concourse just north of Fordham Road is planned. Warner-Spear Co. has purchased the land with Concourse frontage of 125 feet. Plans for building a restaurant on the site are to be demolished.

Brecht to Take Apollo

A deal to take over the Apollo on 22th St., near 8th Ave., from Sidney Cohen is expected to be closed soon by Leo Brecher.
Ruben's Direction, Story Stand Out; Swell Acting Cast

"PUBLIC HERO NO. 1"

Producer .................. Lucien Hubbard
Direction .................. J. Walter Ruben
Original Screen Play: J. Walter Ruben and Wells Root.
Photography ............... Gregg Toland
Cast: Chester Morris, Joseph Calleia,
      Jean Arthur, Paul Kelly, Andy Lawlor, Ed Brady, Selmer Jackson,
      Stanley Price, George E. Stone, Bert Roach, Lewis Stone, Lionel
      Barrymore, Helene Costello, Billy Sullivan, Greta Meyer, Zeffie Tilbury,
      Frank Darien, Lillian Harmer.

Excellent entertainment of the action-plus school of drama that is made for
the pleasure and enjoyment of large audiences, due to the fact that
it has an A1 screen play enlivened by swell humor for the adults; A1 acting
by Chester Morris, Joseph Calleia, Jean Arthur and Lionel Barrymore,
and A1 direction by J. Walter Ruben that holds the picture up from start
to finish with lively interest. You can't get better movie material, bet-
ter done for any type of audience.

MGM's contribution to the string of stories about the Federal Govern-
ment's Department of Investigation considers the case of the "Purple
Gang" and the front page methods used to round them up, put them
away and make the country safe to live in. It offers a most interesting
characterization in Sonny Black—whose prototype was undoubtedly
Dillinger, a grand fighting hero in the
person of Jeff Crane, a G-Man—giving
the kiddies something they can really
admire and emulate in the way of
thrills that can benefit a community; an
intriguing heroine in Maria Theresa
O'Reilly, and an elegant old reprobate
in the Doctor. All the characters are
rolled together and mixed up into a
fine assortment of exciting interludes,
realistically told. And the fun is all
genuine.

From this may be gathered the fact
that J. Walter Ruben had a good idea
for an original and Wells Root has
fashioned a screen play that takes
full advantage of the picture possibili-
ties and injects that very elegant
brand of humor that was started by
"The Thin Man." Ruben, directing
his own story, gives himself a good
break by keeping the action moving
right along and getting the best in the
way of performances.

Chester Morris as the hero, Jeff
Crane, has the best role that he's had
in months and months, and he is once
more the boy who sprang to fame in
"Alibi." Joseph Calleia, making his
screen debut, repeats the quality per-
formance he gave in the stage play,
"Small Miracle." He's an actor who
should go very far in pictures. His
face is interesting—and his restraint
lends much power to his characteriza-
tion. He'll arouse the fans' interest
plenty.

And then there's that complete
revelation, Jean Arthur. A fresh, at-
tractive young Miss, with a grand
sense of comedy and a charming per-
sonality. She makes the heroine an
important person to the enjoyment of
the film. Lionel Barrymore is the
drunken doctor, beyond the law, and
it's the best thing he's done in an age.
You'll love him. Paul Kelly, Lewis
Stone, Paul Hurst are stand-outs in
their roles and the others quite per-
fect as to type.

The photography is a bit ragged and
rough in spots, as though hurried,
but on the whole, okay.

A picture that's fun to see and
should be a boon to the box-office.

Above is what the well-dressed lobby will wear!
Warners Seek
Stay to Stop
“G-Men” Use

Charge Unfair Tactics
In 2 Theatres’ Ads

CHICAGO, May 16.—Warners, acting through Vitagraph, Inc., distributing subsidiary, today started two actions in U. S. District Court here to protect its “G-Men” title against alleged unfair competition in advertising.

The actions are directed against Indiana Theatre Enterprises Inc., operating the Palace, South Bend, Ind., and Publix-Great States theatres, Inc., operating the Palace, Peoria, Ill.

An injunction is sought to stop advertising in newspapers, placards, billboards, etc.

Variety Club Aid
To Needy Spreads

PITTSBURGH, May 16.—Some idea of the extent of charitable work done by the 14 recognized chapters of Variety Clubs of America is contained in reports just submitted to John H. Harris, national chief, which, on the eve of the annual convention which starts tomorrow.

All chapters, in addition to their (Continued on page 7)

Report Bank Night
In 100 N. E. Houses

BOSTON, May 16.—More than 100 New England theatres have signed for bank night, according to James Kennedy, local franchise holder. The project has not been tested before the grievance board.

Circuits reported signed include Warners, Fox, Shubert, Allard Graves, Ansel-Samborn and Jack Eams. Other schemes for bolstering box-office returns are fast entering the territory, or are originating here. George Ryan has been retained to prosecute alleged infringers of the patented bank night plan.

Spyros Skouras
On Way Back from L. A.

Los Angeles, May 16.—Spyros Skouras left for New York by plane today after several day and night sessions with Fox West Coast officials (Continued on page 7)

Senator and House Battle
Line Forming on the NRA

By CLARENCE LINZ
WASHINGTON, May 16.—Battle lines in the fight between the Senate and House were drawn today with the announcement of President Roosevelt’s seven-point extension of the Recovery Act, a three to six months’ period for revision of existing codes and application of codes to intrastate businesses substantially affecting interstate commerce.

These were the major features of a seven-point program which comprises also the other points in the (Continued on page 7)

Neb. Chain Stores
Bill Under Attack

LINCOLN, Neb., May 16.—Pushed into a Senate conference committee today, the chain tax bill, originally designed for stores only, but which now carries a theatre circuit and oil station string amendment, is being the target for a concerted lobby.

Opponents of the bill have added these extra chain organizations, it is understood, desiring such a preponderance that the whole measure may be lost. It will be out for consideration the first of next week.

No Tax Compromise, Is Hepburn Warning

TORONTO, May 16.—There isn’t a chance in the world for theatre men of Ontario to secure any revision of the new amusement tax slab which becomes effective June 1, according to Premier M. F. Hepburn. The officers to the new five-cent tax on 25-cent admission tickets were only wasting their time, he said.

“The act will be rigidly enforced,” the Premier stated. “We need the money for relief purposes and are going to raise it from that source.”

Hearings Ended on
Alien Actors Bill

WASHINGTON, May 16.—With film producers conspicuous by their absence, the House Immigration Committee today completed its hearings on the Dickeinst bill petting all alien actors under the contract labor provisions of the Immigration Law.

The committee will meet again next week for final consideration of the bill and will probably then vote to report it favorably. Possibilities of opposition (Continued on page 7)

Para. Board
To Exercise Wide Powers

No Finance Committee
Will Be Named

The new Paramount board will retain for itself all administrative powers under a decision made yesterday by which no special authority will be delegated to the executive committee and no finance committee will be created.

There will be nine members of the executive committee, the board decided, and despite the committee’s lack of specific powers it will hold weekly meetings. Its function in all but urgent or routine matters will be restricted to reports and recommendations to be submitted to the board as a whole. The new board itself will meet once monthly.

Originally, the plans of the Paramount renunciation groups were to (Continued on page 2)

Cincinnati Picked
For Republic Meet

W. Ray Johnston has definitely picked Cincinnati for the first sales convention of Republic Pictures. It will be held at the Plaza Hotel June 7 and 8, with 26 of the company’s 39 exchanges represented. Edward Golden, sales manager, will preside. Edward Finney, advertising director, and Norton V. Ritchey of (Continued on page 7)

First Division Puts
Off Releasing Talks

A meeting of the board of First Division scheduled for yesterday to discuss new season releasing plans for the company and elect officers to fill vacancies was postponed to next Thursday. Several reciprocal distribution deals with British companies have been broached to First Division and additional time in which to consider them before taking action on any is (Continued on page 7)

Steele on Stand in
Delaware Sound Suit

WILMINGTON, May 16.—Harold M. Steele, Erpi service engineer, was the principal witness today in U. S. District Court in the monopoly suit of General Talking Pictures and Duovac Radio against Erpi, W. E., and A. T. & T.
Insiders’ Outlook

By RED KANN

T HE Warners, right now, are
burning. It’s all about that
sweetheart attraction it’s been
called “G-Men,” a competitive
attraction cast in the same mould
and how two Middle Western theatre
companies are again resizing “Let ’Em
Have It.” How the Palace in South Bend is doing it,
with this column, tells its own story. Added verbiage
would be merely gilding a dubious lily. . . . Or a
tink wind.

Hollywood—Walt Disney is
recovering from an emotional
earthquake. For a couple of days
it looked as though the animal
world would have to be reformed
by his animators and evening
clothes for Mickey Mouse for all
showings after 6 o’clock ordered.
Word came through that Penn-
sylvania censors were holding up
“Robber Kitten” on the ground that
there might be some influence
on children because it showed kittens as
robbers, stick-ups and gangsters.
Then good news. All the ani-
mators went back to work and
Disney took an aspirin . . .

Harrisburg—Cogitation has
come to an end for the time being.
After considering objections from the Pennsylvania
censors, they have approved “Robber Kitten”
without alterations. Objections
were raised on the ground the
film would have an “unwholesome
influence on children” and
therefore were overruled.
Popeye, the Sailor, may buy a safety razor
with impunity any day now. But
once he stops urging children to
eat spinach, then what? . . .

L. J. Hite Rites Set
PLEASANTVILLE, N. J., May 16.—
Funeral services for Lemuel J. Hite,
father of Mrs. W. Ray Johnston,
will be held here Saturday. Hite died
yesterday. Mrs. Johnston left by plane
from New York today to be on
hand. Hite was the father of the late
Charles J. Hite, president of the old
Thannbourer Film Corp.

J. P. Kennedy on Coast
LOS ANGELES, May 16—Joseph P.
Kennedy arrived here yesterday,
accompanied by his assistant, Edward
Moore. He said his visit was in
connection with the work of the
Secretary and Exchange Commission
and had nothing to do with films. He
left for San Francisco tonight.

Titles Are Changed
Although the Paramount picture
played under the title of “The Scoundrel”
recently at the Music Hall, the
picture will open today at the Palace
as “The Scoundrel in 4th St.” When
“The Dictator” opens at the Roxy
shortly, it will be advertised as “Loves of
a Dictator.”

Purely Personal
PHILLIP MOELLER, director of
“Break of Hearts,” came down
from Boston yesterday for the picture’s opening
at the Music Hall. He’s been
in Beantown working on the Theatre
Guild’s new show, “Parade.”

REXALD ARMOUR, managing
director of RKO Radio Pictures, Ltd., of
India, who is in New York, crossed
from London with Phil Reisman.
He’s here for the opening of the
convention in Chicago June 17.

HERMAN RIPKIN, Boston; Jack
BERKWITZ, Buffalo; Bernard MILLS,
Albany, all Republic franchise
holders, were in town conferring with W.
RAY JOHNSTON and Edward GOLDEN.

A. S. SHUBERT, head of Radio’s
contract and playdate departments,
has left Chicago to complete arrange-
ments for the Radio convention
at the Drake next month.

HAROLD HEUSER, research director
for Radio, will lecture before the
teachers of the public schools of
New Haven Saturday on “Authenticating
the Movies.”

HARRY COHRS got in from the
country last night, He was due a
day earlier but his ship was grounded at
El Paso by the weather.

Ee FINNEY left for New Haven
yesterday to address civic and school
groups on “The Motion Picture in
Transit from Studio to Theatre.”

WILLIAM ROGERS of M-G-M
yesterday returned from Cleveland. It
was a short trip.

BRUCE GALLUP met with the women
members of the Amap yesterday at
the Edison and outlined his new plans.

MORT BLUMENSHNE was in Phila-
delphia yesterday.

Aylesworth to Head
RKO Sales Speakers
Merlin H. Aylesworth, J. R. Mc-
donough, Robert F. Sisk and Leslie
E. Thompson will be among the
speakers at the RKO Radio sales
meet in Chicago June 17-19. Jules
Levy, general sales manager, has not
completed the product lineup yet, but
will have all details ready for the
evengay City session.

Ben Cohen Coming Here
HOLLYWOOD, May 16—Ben S.
Cohen, vice-president of Burroughs
Tartan, is in New York with a
print of the latest
Tartan film. The main reason
for Cohen’s trip east is to arrange
for foreign distribution of the film.

Monogram Pays Dividend
Monogram Pictures, Inc., yesterday
declared a dividend of one and one-
half per cent on its stock, payable
immediately. This is the first of four
quarterly dividends to be paid during
the next year.
ALL'S WELL IN SHOW BUSINESS

FOX SPRING FESTIVAL IS HERE

an event for showmen
ENJOY THE MONTHS OF


WARNER BAXTER and KETTI GALLIAN in "UNDER THE PAMPAS MOON" a B. G. DeSylva Production with Tito Guizar, Veloz & Yolanda. Directed by James Tinling.

"THE DARING YOUNG MAN" with James Dunn, Mae Clarke, Neil Hamilton. Produced by Robert T. Kane, directed by William A. Seiter.


WILL ROGERS in "DOUBTING THOMAS" a B. G. DeSylva Production with Billie Burke, Alison Skipworth, Sterling Holloway, Gail Patrick, Frances Grant. Directed by David Butler.

"CHARLIE CHAN IN EGYPT" starring WARNER OLAND, with "Pat" Paterson, Rita Cansino and Stepin Fetchit. Produced by Edward T. Lowe. Directed by Louis King.


"THE LORD'S REFEREE" (tentative title) with Lew Ayres, Paul Kelly and all-star cast. Produced by Joseph Engel. Directed by H. Bruce Humberstone.


GEORGE O'BRIEN in "HARD ROCK HARRIGAN." Presented by Sol Lesser and John Zanft.

SHIRLEY TEMPLE in "CURLY TOP" a Winfield Sheehan production with John Boles, Rochelle Hudson, Slim Summerville, Jane Darwell, El Brendel. Directed by Irving Cummings.
So-set your dates now to celebrate Fox Spring Festival and end the season right
Congress NRA Battle Line Being Formed

(Continued from page 1)

legislation originally introduced, including the prevention of practices tending to monopoly and the destruction of trust. Chairman Donald Richberg, with "ambition to be a Mussolini," Senator Clark of Missouri, author of the resolution, said, in a speech from the floor called the NRA staff in which he called the 10-month extension "complete folly" as "the most brazen exhibition of impu- nity on the part of a bureaucrat." He had ever seen.

Claims of administration leaders that they had 55 votes in the Senate for approval of the President's plan, if adopted by the House, are ridi- culed by members of the anti-NRA group, who declared that if the Admin- istration sought to force accept- ance of the plan the bill would be delayed indefinitely and the NRA al- lowed to exist.

Hearings on the legislation will be started by the House Ways and Means Committee tomor- row, it was announced as a result of the negotiations of N.R.A. officials expected to be the first witnesses.

Thompson Is Named

Grievance Chairman

(Continued from page 1)

whereby members of the committee and its subcommittees were appointed when their own or subsidiary companies are involved.

Supplementing a resolution adopted Aug. 11, the committee has decided that code decisions supersede contracts in individual complaints. Heretofore, the code rulings only affected clearance schedules.

Clearance and zoning schedules before Camp include Atlanta, Birming- ham, Chicago, Cleveland, Col- orado, Colombia, Dallas, Denver, Grand Rapids, Detroit, Hartford, Indianapolis, Kan- sa City, Memphis, Milwaukee, New Orleans, New Haven, Oakland, Portland, Provo, San Francisco, San Jose, Seattle and Utica.

Another complaint filed by Rosen- blatt on behalf of the Woodward, Westwood, N. J., against Skorars Theatres alleging the respondent used unfair methods in obtaining product was dismissed by Campi.

ITOA Opposes Filing

ALBANY, May 16—The latest pro- test against filing of the film code under the federal law which grants public hearings to objectors has been filed by the I. T. O. A.

Earnhart at NVA Show

The charity show being staged to- morrow night at the Garden by the N. V. A. jointly with the Masonic Clubs of New York City, is to feature Amelia Earnhart as guest of honor. Clyde Pangborn, Ruth Nichols and Clarence Everts, who are other flyers who will be present.

Walters Pick Hugo Yarn

HOLLYWOOD, May 16—Walters will film Victor Hugo’s "Nineety-Three," a French Revolutionary story. Cast, direction and starting date are to be decided shortly.

Wall Street

Warner Issues Gain on Big Board

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Walters seeks stay to end "G-Men" use

(Continued from page 1)

It is being advertised with the title of the United Artists film subordinated to "G-Men."

The New York Daily News carried advertisements and on billboard, a company spokesman says, "the title of 'Let 'em Have It' has been subordinated to large head- line, with the phrase 'Quo Vadis, Men in action,' with the 'G' and 'Men' in tremendous letters. Furthermore, the advertising copy word from our copyrighted press book on 'G-Men' has been used in adver- tising the other picture in newspa- pers protection of the interests in the public and in our own interests against a manifest attempt to obtain for this other production the benefit of the extensive editorial praise received by 'G-Men' and its acknowledged popular-

Variety Club Aid To Needy Spreads

(Continued from page 1)

social activities, have committed them- selves to a charity program, follow- ing the example set by the Pitts- burg chapter, which began by supporting a foundling and expanded its work until last year it furnished 200,000 bottles of milk to orphan asylums in Al- legheny County. This chapter also collects toys in theatres each Christ- mas, gives an annual show to the state penitentiary, and sponsors entertain- ment in hospitals throughout the year.

Fox-Roxy Suit Opens

Hearing of testimony in the Chi- cago Title & Trust Co.'s suit to re- cover $1,000,000 from William Fox as a result of alleged defaults in the guaranteed redemption of Roxy The- atre stock was begun yesterday be- fore Sol Strock, attorney, for the state supreme court here. Newspapermen were barred from the hearing under a stipulation signed by counsel at the Fox case. Law firms involved include Hirsh, New- man, Reiss & Beckers, representing Fox; Sullivan & Cromwell, for Chi- cago Title & Trust Co.; Max B. Steuer, for Fox Film; Wollman & Wollman, for Harley L. Clarke; Hornblower, Miller & Boston, for Albert H. Wiggan; Mudge, Stern, Williams & Tucker, for Chase Na- tional Bank and Chase Securities Corp., and Henry Brill, for Fox Thea- tres.

Flash Reviews

Hooray for L.A.—should please and rates as better-than-average entertainment.

Fighting Shadows—holds the interest closely contains some fine outdoor scene.

These slugs will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Boraze Heading East

HOLLYWOOD, May 16—Frank Boraze leaves Sunday for Annapolis to do preliminary work on "Anchors Aweigh." He will be joined the follow- ing week by Eddie Acuff, Broad- way comedian, signed by Warners for the picture.
Public Hero No. 1

Another of the department of justice crook-smashing hero pictures to come off the production ways for preview, but bound to have its share of first showings, Metro's 'Public Hero No. 1' stands up sturdily as exciting b.o. entertainment. It has distinction in direction, superb performances, melodramatic sweep, and in competition with other entries in the new cycle and the inevitable comparisons audiences will make, may be depended upon to remain among the leaders.

'Public Hero' starts off with swift, sinister suspense. It picks up arresting character conflict in a penitentiary food riot and uses as its major news-inspired scenes the recent convict kidnapping of prison board members in the San Quentin break; the wipe out of the Purple Gang; the Dillinger face-lifting incident, with an accomplice surgeon devoting his genius to mending outlaw killers, and the final battle with Dillinger when he stalked out of a Chicago theatre to get his requiem of lead.

Main dramatic action shuttles amongst four characters, strikingly portrayed. Lionel Barrymore is the renegade surgeon. Chester Morris is the Department of Justice operative. Joseph Calleia plays the number one mobster, and Jean Arthur is his sis-

by him with fanatic loyalty when she discovers, shockingly, that he is the object of the government hunt.

These four roles are wholly distinctive, each a superb portrait in itself. Lionel Barrymore comes close to his top characterization in a tragic kind of clowning as the sodden wreck still capable of pathetic professionalism in saving the lives of the hunted.

Jean Arthur shows her capacity as a resourceful and skilful actress in the strangely frank, alternately cajoling and hard girl whose confessed love for Morris develops while he is tracking her convict brother.

Joseph Calleia creates a role which for sinister power and unrelenting ruthlessness will stand beside the classic portraits of screen outlaws. His deadly menace is built with but a few spoken lines and the most meagre gesture—a piece of consummate skill.

Chester Morris capably fulfils the requirements of the effecting, duty driven hero who helps the crook leader escape prison in order to discover the gang's cover and identity. He plays with conviction and handles the romantic requirements nicely. Paul Kelly ably represents the Department of justice chief. Lewis Stone as the prison warden, Paul Hurst and George E. Stone as gangsters are effective, and Sam Baker gives importance to a bit as the victim of Calleia's suspicions.

J. Walter Ruben has directed soundly and with shrewd appreciation of the entertainment values, progressing the action with drive and balance between the romantic, the comic and the plot elements, and scoring most decisively in guiding the characterizations usually sloughed in this type picture. Story, on which Ruben shares credit with Wells Root, is well contrived, knit romance with melodramatic drive for both male and female appeal. Camera job by Gregg Toland is excellent, and the production values impressive.
Campi Group Has Mystery; Witness Gone
Six from Florida There, But No Complainant

Campi's appeals committee found itself with a mystery on its hands yesterday. A complainant from Florida was on the list of defendants on the 74th street and nobody could explain where the missing man was— not even his lawyer.

John A. Cunningham, president of Dade Enterprises, Inc., arrived in town last Monday, but his lawyer, Jacob Schecter, hasn't been able to get in touch with him since Wednesday. Schecter wanted a postponement. Willard C. McKay, chairman.

(Continued on page 3)

Clearance Row Set For Coast Hearing

Los Angeles, May 17.—Four exhibitor protests and maybe five have been set for hearing before the local board for May 23. Among these is the new protest of Harry Vimmicki, demanding the Circle and Princess be taken out of Zone No. 12 and placed in Zone No. 9 similar to his Strand. He bases his demand on the former joint ownership of the three houses with Simon Lazarus, at which time.

(Continued on page 3)

NRA Officials Quit Payrolls on June 16

Washington, May 17.—Compliance Director Sol A. Rosenberg, Deputy Administrator William P. Farnsworth and all other officials and employees of the NRA will go off the payroll June 16, but will immediately be re-hired if the law is extended.

Because of the fact that the law carries a termination date, the Industrial Recovery Board has held that all employees must file new applications for employment after June 16. Present plans are to retain the entire force, making the "firing" painless.

Allied-Gulf States At Parting of Ways

New Orleans, May 17.—Whether the rumors of a row between Allied Theatre Owners of Louisiana and the Gulf States Theatre Owners' Assn. had anything to do with it is not

(Continued on page 4)

Missouri May End Jam with 1% Sales Tax

Governor's Forces Push Compromise Moves

Jefferson City, Mo., May 17.—Although Senator M. E. Casey of Kansas City and other opponents of any increase in the state's one-half of one per cent sales tax have not given up the fight they have been waging since the middle of April, Gov. Guy B. Park and the administration leaders in the Senate are hopeful of putting through the substitute one per cent tax bill presented by Senator Albert M. Clark of Richmond on May 14. The tax would be levied on all individual sales above 14 cents, but would exempt street car and bus.

(Continued on page 3)

Mexico Producers Want Taxes Ended

By JAMES LOCKHART

Mexico City, D. F., May 17.—Mexico's infant film industry is not as robust as was at first indicated, it develops. Since 1931 only two or three profitable pictures, have been made, it is stated in a report to the Ministry of Finance, and producers want exemption from all taxes except the income tax.

The petitioners assert that Japan, Spain and the Argentine have exempted their film industries from all taxes for five years and that Musso- lini has signed a bill awarding

(Continued on page 3)

Columbia 9-Month Net Increases 100%

A net profit of $1,572,720.50 is reported for Columbia for the nine months ended March 30, 1935, comparing with $739,338.94 for the similar pre- period. Earnings this year are equivalent, after all charges, to approximatively $8.63 per share common after deducting preferred dividends, as against $4.17 for the corresponding period last year.

The consolidated balance sheet as of March 30 shows current assets of $72,670,746 and liabilities of $1,492,482,72, resulting in an increase of working capital to $6,128,135.76. Earned surplus increased to $4,499,595.20.

Flood of Talent Is Ready for NVA Show

The amusement world will release a flood of talent in the cause of charity tonight at the Garden when the N.V.A. puts on its benefit show, which this year is being sponsored jointly with the Masonic Clubs of New York State. No end of shining names in the realm of entertainment will be on the program, not to speak of many notable figures in the world of sports. And in the midst of it all will be Amelia Earhart as guest of honor. The affair will open with a number.

(Continued on page 4)

‘G-Men,’ ‘Frankenstein’ Only Broadway Grossers

With the Astor closed and demolition of the Rialto started, the number of Broadway first runs is reduced to eight, including the Palace, which occasionally dates a picture before it is shown in other Broadway houses.

With the exception of the Strand and Rovex, business was rather dull last week. Both the Music Hall and the Paramount which anticipated unusual grosses ended the period with weak tallies.

The second week of “G-Men” at the Strand netted approximately $36,000, while “Bride of Frankenstein” wound up the first stanza at the Roxy in the neighborhood of $8,000. Mae West’s opening week at the Paramount was indicative of about $7,000, while “The Informer” at the Music Hall grossed $6,000.

“Go Into Your Dance” and Abe Ly- man and his band at the Capitol for a second week drew $18,000 less than the first seven days. For the second week, the combination got $20,000. The Palace with “Mississippi” corrallled only $7,500.

RKO Expected To Make Para. Product Deal

Franchise Here Up, but Agreement Looked For

RKO, in all probability, will get together with Paramount next season on a new product deal locally, despite the fact that Paramount cancelled its franchise effective Aug. 1.

Circuit executives assert there is no desire to drop the distributor’s capital representation by reason to abrogate the six-year franchise which is now four years old and negotiate new terms from season to season. RKO heads contend they do not have franchises with any other company and do not want to be tied down to Para- mount.

Under the terms of the six-year deal signed July 31, 1931, RKO had

(Continued on page 4)

Para. Bank Deals Put Before Joyce

An agreement for settlement of a $501,827 claim against Paramount Publix by Commercial Investment Trust and U. S. & Foreign Securities Corp., based on royalties agreements made with Paramount's purchase of Southern Enterprises from S. A. Lynch, was submitted to Special Master John E. Joyce yesterday for approval.

The joint claim of the financial companies was filed in the amount

(Continued on page 4)

Metro-Goldwyn Cuts Capital $3,960,677

Wilmington, May 17.—Metro- Goldwyn Pictures Corp., reduced its capital here by $3,960,677,13 in the following manner: By retiring all of the issued and outstanding preferred stock of the company consisting of 146,691¼ shares, each of the par value of $27, and by providing that an amount not exceeding that part of the capital stock so retired may be charged against or paid out of the capital of the corporation.

Local 306 to Hear Reports on Monday

A special meeting of Local 306, I.A.T.S.E., for nomination of new officers of the local and the submis-
Purely Personal

H AROLD J. RINZLER, of Sam, partner of Louis Fisch in the operation of Randorf, will become a bachelor on June 16. The new bachelor is ROSALIND BERNSTEIN and the ceremony will take place at Brooklyn Jewish Center.

H. F. KINCEY and Bob WILAY of the southern circuit bearing their names arrived and left for Miami yesterday after attending a clearance and zoning case in which the Graham and Alco, Graham, N. C., were involved.

RUGGERS NELSON escorting Mrs. HEPBURN and her two other daughters, Peggy and Maria, into the Music Hall to see “Break of Hearts.” The advance ticket to the play for her more famous sister, KATHARINE, was A. B. and Mrs. Thompson of Burlington, N. C., are in town. They plan to leave for home today. J. J. HEN- DRICKSON, their attorney, accompanied the second clearance case against KINCEY & WILBY.

MRS. MAUDE SILVERSTONE is in New York with her two children, awaiting the arrival of her husband, who is managing director for U. A. in England.

JOHN E. KENNEDY, Paramount of New York, returned from Los Angeles to the Omaha office and is back in town about the first week in June.

SAM ECKEAN, Jr., managing director for M-G-M in England, sails on the Ile de France this morning, accompanied by Mrs. ECKEAN.

MRS. SAM MARX sails today on the Pennsylvania for the coast. Her husband, coast story editor for M-G-M, returned west last week.

REGINA CREWE, picture critic on the New American magazine, goes from coast tomorrow over the airline. She’ll be away three weeks.

BETTY GOLDSTEIN, secretary to MoS SANDER at the New York Fox exchange, leaves today for the Carolinas on a 10-day vacation.

CHARLES S. ROTH, owner of the State, Harrisburg, Pa., is in town looking for new equipment and picture deals.

WILLIE HOWARD has arrived on the last for his role in Paramount’s “Rose of the Rodeo.”

ROBERT EDMOND JONES has an article on color, particularly on its application to films. He is the only member of Vanity Fair.

NEFF DEPNER watching the crowd pour out of the Music Hall after the last performance of the other night.

CONRAD NAGEL, window shopping on Fifth Ave. the other night.

AL MENDELSON, New Jersey booker for the Fox exchange, starts commuting to Munsey Park, N. Y., for the summer on May 25.

TALLULAH BANKHEAD limping up Broadway yesterday. A broken toe prevented the night before the reason.

JAC PENNER will be master of ceremo- nies at the annual spring ball of Rutgers College Friday night.

ALFRED GRAY, brother of D. W. GRIFFITH, had J. J. McCARThy on his calling list yesterday.

MILTON FELD paid a visit to his old haunts in the Paramount Building yesterday.

AL JOLSON attended the recent double header at the Polo Grounds.

JOE SHIKELMAN arrives at Los Angeles today from “down under.”

ARTHUR MAYER is going to Mexico for a vacation.

Illinois Light Strike Shuts Many Theatres

SPRINGFIELD, Ill., May 17.—Scores of theatres in 49 central and southern Illinois towns have been forced to cease exhibition of pictures as a result of an industry wide strike called due to a strike of union employees of the Illinois Power and Light Co. Some towns are entirely without power, others having only a limited supply.

Some theatre owners who sought to handle private power for their buildings were informed the strikers would not permit such a step. Other houses are operating on stage lights, with oil lamps furnishing the illumination.

Gov. Hornor continued his efforts to bring about a peaceful settlement. Until the strike is settled theatres that are unable to operate will be compelled to refuse film shipment, and set back playdates. It is understood local exchanges will cooperate with exhibitors in the emergency.

Form Fox Winnebago

WILMINGTON, Ill., May 17.—Fox Winnebago Corp. was shattered here today with capital of $1,000. United Radio Artists, Inc., changed its name to Chervel Corp. and M. C. G., Inc., changed its name to United Radio Artists, Inc.

Approves New Members

HOLLYWOOD, May 17.—At a meeting of the Screen Writers’ Guild last night the following new members were approved: Marcella Burke, Mel- lanie Daves, Mortimer Howey, Ethel Gillette, Virginia Kellogg, Roger Whately and Robert Benchley.

Consolidated Dividend

Consolidated Film Industries yesterday declared a dividend of 25 cents a share on the preferred stock, payable June 10 to holders of record June 1. Previously the company had paid 50 cents a share on the issue.

MRS. WOOD RECOVERING

COLUMBUS, May 17.—Mrs. P. J. Wood, wife of the secretary of the Ohio I.T.O., has been discharged from the hospital where she is recov- ering from an aggrieved attack of the flu.

Grace Moore Given Art Society Medal

Grace Moore was presented the annual medal of the Society of Arts and Sciences “for raising the standard of motion picture entertainment through her performances in such pictures as ‘A Night of Love’” at a dinner and reception given by the society last night at the Ritz-Carlton.

Miss Moore is the first figure in the industry to receive the prize and the second woman in the 35 years of the organization’s existence to be honored. The first having been Eve LeGallienne.

Prominent among the speakers was W. H. Hayes, president of the M. P. D. A., who said in his address: “The motion picture is the most potent factor in the development of national appreciation of good music.”

Harry Cohn, president of Columbia, accompanied by Mrs. Cohn, was also present at the dinner and reception, having flown in from the coast for the occasion.

Film Board Meets

Directors of St. Louis Theatres Corp., holding control of the theatre which operates about 25 houses in the west and middle west, are considering a number of theatrical and general matters. Leslie E. Thompson is president of St. Louis Theatres Corp., and Sydney, on June 1 for the summer. Only one or two other houses will be darkened for the warm months. They are in college towns where the circuit has two theatres, with one closing.

William Elson, who is operating the President and 7th Ave. in Minnesota under a lease from RKO, arrives Monday for home office con- fers.

Music Hall Films Set

With “Escape Me Never” and “Becky Sharp” set for the Music Hall schedule for the run of the current Katherine Hepburn picture, “Break of Hearts,” the bookings for the house are considered wide open in the next six weeks. It is expected “Escape Me Never” will be held over for two weeks, and possibly more, and that “Becky Sharp” will be at least three weeks. The new Grace Moore film, “Love Me Forever,” is also set for a New York run and may play before “Becky Sharp.”

Morris Rabanous Killed

NEW HAVEN, May 17.—Morris Rabanous, operations manager, was killed last night in an auto crash near New London. He had returned last week from Detroit where he attend- ed the company’s regional sales meet.

Rabanous died at the Lawrence Hospi- tal, New London. He had been with M-G-M for 18 years. His widow is flying in from Chicago to set funeral arrangements.

Change Golfing Scene

The RKO golf tournament on May 25 has been switched from the Westchester Country Club to the Quimby Country Club, also in Westchester.

Pine Returns to Coast

HOLLYWOOD, May 17.—William Pine, publicity and advertising director for Paramount on the coast, returned here last night.
**Campi Group Has Mystery; Witness Gone**

(Continued from page 1)

Harry Buxbaum and Nathan Viner, the appeal committee, protested. So five additional events, attorney for J. Sparks, against whose houses, the Rex, Roxy, Rosetta, Coral Gables and Flagler at Miami, the complaint was directed.

There was much discussion and all hands adjourned to another room to talk over the case. It was agreed that the case would be heard June 14.

Schechter, told the board he had called the Lincoln Hotel for several days as well as a number of hospitals in an effort to find his client, but to no avail. He then asked for a conference of the committee that unless Sparcls was willing to put the hearing over which had been set to go on. After a lengthy discussion in the Lillian Duke's office, the postponement was worked out.

Sidney Meyer of Wolfson & Meyer, operator of the Eastwood, Big Beer, of the State, Miami, and a partner of Cunningham's; Charles Walker, Tivoli and 7th Ave., Miami, and general buyer for Sparks; Ernest Morrison, Miami division manager for Sparks, and Kent, were among those who journeyed here for the case.

**Clearance Row Set For Coast Hearing**

(Continued from page 1)

their policy was playing the Circle and Princess that day.

The Hawthorne Theatre, Hawthorne, now zoned later than adjacent towns, is also demanding equal zoning. Five additional events have been set for hearing before the board on May 28 and two more 10 days later.

**No Stay on Bank Night**

Des Moines, May 17—The grievance board was upheld in U. S. Dist. Court here today when Federal Judge Charles A. Dewey refused to grant an injunction to Midwest Film Distributors of Kansas City so that film might be supplied to Don Thompson, adjudged guilty of running bank nights at the Strand, Marshalltown.

Five additional events have been set for hearing before the board on May 28 and two more 10 days later.

**Ban Chicago Contests**

Hollywood, May 17.—At the Hays office publicity directors' meeting, the committee decided not to sanction the Chicago Amusement Publicists Asn. because, they said, the Chicago recorders would stage a series of beauty contests, dispatching the winners here for screen tests.

The local committee also ruled that film concessions connected with the San Diego Exposition would clear the contest.

**Mandell Plans Files**

Henry Mandel has filed plans for construction of a theatre at the south end of the new Century Civic Center, 1901 St. In spite of the fact that License Commissioner Mosher has denied an application for a license for the house, the plans have been drawn by C. A. Sandblom and cost of the house is estimated at $75,000.

**Missouri May End Jam with 1% Sales Tax**

A bill establishing a 1% sales tax for newspapers, newspaper circulation and virtually all articles sold in the ordinary five and dime shops was estimated to net the state upwards of $11,000,000 annually. The measure was well supported in the Senate, houses, programs, magazines, etc., would be affected.

Senator Clark and other senators who joined him in the preparation of the compromise measure are hopeful that it will terminate the deadlock that has frozen legislation in the General Assembly since April 13.

Senator Caseley immediately made an unsuccessful effort to pass the bill. A bill was presented on May 14 by raising a point of order against it and it is believed the bill will attempt to conduct a filibuster against its passage.

The bill will apply to the sale of tangible personal property, or on any service transaction for Hollywood revenue involving 14 cents and more and is to be passed along to the consumer. Merchants who sell items from advertising would absorb the tax.

**Kill Mass. License Bill**

Boston, May 17.—The Senate has killed a bill calling for licenses for booking agents. Some theatre men had favored it in the hope that it would eliminate a number of the so-called sidewalk agents.

The House has passed under suspension of the rules a bill to permit two years of dog racing with pari-mutuel betting before putting the question up to the voters in the 1956 election.

**Urges Pettengill Fight**

St. Louis, May 17—Ed Kuykendall, M.P.T.O.A. head, addressing the Better Business Council of St. Louis today, urged opposition to the Pettengill anti-block booking bill and support of a measure pending in Congress which calls for more reasonable music fees. "The Pettengill bill," he said, "won't do anybody any good, but will do a lot of harm to theatre owners and the industry as a whole.

Kuykendall asserted the clean film drive had improved the quality of the product. He attacked deals, saying they tend to cheapen the quality of pictures and are an "injustice" to high-grade producers.

**Martin to Coast**

Memphis, May 17—Harry Martin, film critic of the Commercial Appeal, arrives here today, where he will gather material for a series of Sunday feature articles.

**Lower Salt Lake Capital**

WILMINGTON, May 17—Publish-Salt Lake, Inc., of Salt Lake City, operating theatres in Utah and Idaho, recently reported $405,999 from $455,000 to $500,000.

**Cantor Arrives on Coast**

Hollywood, May 17—Eddie Cantor arrived here today, where the Nick Parkyakalak of the radio was with him.
RKO Expected to Make Para. Product Deal

(Continued from page 1)
to give Paramount 15 months’ notice of cancellation. This was done on May 6.
Following the annual Paramount sales meet at the Waldorf June 13-16, the company is reported to have decided on new product. Distributor officials are talking about selling away from RKO, but no decision has been reached by the company. This is to take place until after the sales caucus next month.
Both sides hope to get together, but from appearances it looks as if each side is waiting to see who moves first. RKO locally splits the Paramount output with Loew’s.

Para. Bank Deals Put Before Joyce

(Continued from page 1)
of $470,110 in Paramount’s bankruptcy proceedings, but the claimants con- tended recently that the claim had been increased to $580,527 by interest accruing since the agreement, for which court approval is sought, pro- poses to settle the claim for $371,368 and in lieu of $800,000.
The royalty contracts between Par- amount and Lynch were made in 1919, with the approval of the Southern Enterprises from the latter, and revised in 1922. Lynch sold the royalty contracts to Commercial Investment Trust and U. S. Foreign Securities in 1927. The payments called for in the royalty contracts were discontinued after Paramount’s bankruptcy.
Additional claims held by the two financial houses against Publix Enterprises were sold to Paramount for $100,000 in 1933.

Allied Case Again Delayed

Hearing on an application to accept the plan of reorganization of Allied Owners’ Corp. was postponed for a second time yesterday by U. S. Dis- trict Judge Robert A. Inch. The new date is June 21.
Monroe Goldwater of Goldwater & Flynn, attorneys for the trustees, told the court that more than the necessary two-thirds consents had been obtained from creditors, but that the trustees wanted to await settlement of a claim of the Reconstruction Finance Corp., which has been held up by an income tax claim.
In reply to a question of the court Goldwater said that he knew of no obstacle that could jeopardize con- firmation of the plan by the court.

Harrison Files Appeal

Notice of appeal of the $5,200 verdict awarded Gabriel Hess of the MPPDA in a libel action against P. S. Harrison published in the appellate division of the state supreme court. Jacob Schechter, Har- rison’s lawyer, said yesterday that the appeal is not expected to be heard before fall, as the appellant has 60 days in which to serve papers, follow- ing which the case will be placed on the regular court calendar to await a hearing.

MOTION PICTURE DAILY
Saturday, May 18, 1935

Flood of Talent Is Ready for NCA Show

(Continued from page 1)
called “The Massing of the Colors” and wind up with a grand ball at which the music will be supplied by a goodly number of our most promi- nent and orchestras organized into a single band. Ensembles from the town’s shows as well as individual performers will be on the program.
A part of the show will be a sports review sponsored by Jack Dempsey which will introduce such sports figures as Tony Canzoneri, Joe Louis, Benny Leonard, James J. Braddock, Earl Sande, Jim Crowley, Dick Fishel, and Yمامis. Boris Morros is responsible for ar- ranging the affair.

Says School Films Should Be Selected

BOSTON, May 17—“Motion pictures should not be introduced into schools just because they are interesting and new but just as educators will provide a technique which, if used wisely, can be introduced into the school curriculum, so, too, can the motion picture.” So declared Dr. Kirtley F. Mather of Harvard University said today in an address in observance of “Parents and the Children” conference week here.
“Motion pictures are not a substitute for something else which is already available in the classroom,” he said, “but there are certain things that can be done better with pictures.”

Make Huey Long Film

NEW ORLEANS, May 17—It is re- ported here that the Grace Film Co. of New York is producing a one- reel short for the Huey Long public- ity campaign. The picture consists of a photomontage of scenes of the state capitol building in Baton Rouge, Sen- ator Long addressing a meeting in Philadelphia and of him leading a girl band in the song “Every Man a King,” the theme song.
Criterion Film Co., New York, is the distributor. The picture has all ready been shipped to Louisiana, but to date no bookings have been se- cured.

At the New York office of the Cri- terion Film Co. it was said that the picture is not sponsored by Senator Long; it is an independent effort called “The Kingfish,” and will be dis- tributed throughout the country.

Testify in Erpi Suit

WILMINGTON, May 17—Harold M. Steele and Ralph E. Lawrence, Erpi service engineers, testified for the Longines-Hurtado suit brought by General Talking Pictures and Duvoce Radio against Erpi, West- ern Electric and R. M. Steele, who denied he advised theatres to use W. E. tubes in his servicing reports to exhibitors. Lawrence described service operations in the field.

Mrs. Yaminis Recovering

FALL RIVER, Mass., May 17—Na- tive of Fall River, Mrs. Yaminis is recuperating from a serious operation she under- went yesterday.

MOTION PICTURE DAILY’S HOLLYWOOD PREVIEW

“Hooray for Love” (Radio)

HOLLYWOOD, May 17.—Dance routines by Sammy Lee, clever tunes by Dorothy Lee and Jimmy McHugh, an unusually smart Harlem number by Bill Robinson, “Pats’ Walker and Jeni Legon, give vivacity to this otherwise routine Hollywood comedy.
Gene Raymond, through the efforts of Thurston Hall, the bungling father of Ann Sothern, mortages his home and invests the proceeds in a show being produced by Sam Hardy. With cash in hand, Hardy skips out on the eve of the opening, leaving Raymond and the rest of the players to find a replacement. Although the plot has served often for this type of musical, many novel touches are introduced here.
Director Walter Lang handles the straight romance between Raymond and Miss Sothern, also the comedy romances of Hall and Georgia Caime and Kaye Granger, with Kelson skillfully, getting many laughs. The screenplay by Laurence Hazard and Ray Harris takes in much ter- ritory, introducing Raymond as a college student and showing him as a Radio City guide when the story really gets started. In the support- ing cast, Lionel Stander as the stage manager and Maria Gambarello as the outstanding comic relief character, are just right.

Allied-Gulf States At Parting of Ways

(Continued from page 1)
known, but Allied has decided that no negotiations will be entered into with the Gulf States organization. Those present voted to send in their resignation to the Gulf States organization. At the same time, Allied voted to reduce dues to $12 a year; they were formerly $36.
The move to resign from Gulf States may embarrass that organization, since it has been tottering and very nearly collapsed in February when a one-day local’s strike in association with the M. P. T. O. A. resulted in the attend- ance of about 15.

Fair Committee Named

HOLLYWOOD, May 17.—Lucille Web- ster Gleason was named chairman of a committee which will be in charge of the Allied Pictures Hall of Fame at the San Diego International Ex- hibition at a meeting of the Allied committee yesterday. Members of the committee are:
Marion Davies, Jeanette MacDonald, May Robson, Ann Harding, Ann Darrow, Joan Bennett, Mary Brian, Dolores del Rio, Bebe Daniels, Sally Eilers, Helen Mack, Joan Crawford, Miriam Hopkins, Claintette of the Florida, Frances Dee, Diana Tyson, Thelma Todd, Eddie Cantor, Joe E. Brown, James Cagney, Bing Crosby, Mary Livingstone, Warren Williams, Robert Montgomery, Kenneth Thomson, Fredric March, Gail Patrick, Allan Dwan, George Raft, Clark Gable, Warner Baxter, Boris Karloff, James Gleason, Leon Errol, Loyd Talbot.

Atlantic Has Old Films

Atlantic Pictures, Inc., through Robert Savini, has closed a deal to handle the future distribution of sev- eral old features. Among the group ready for re-distribution face,” “Hell’s Angels” and “The Front Page.”

Schafer Cal. still Head

HOLLYWOOD, May 17.—A. L. Scha- fer has been appointed head of the still department at Columbia, succeed- ing William Fraker, who died last week. Schafer has been with Colum- bia for the past three years, and has been connected with the industry for 12.

Cal. ITO Meets May 22

LOS ANGELES, May 17.—I.T.O. of Southern California members will hold a meeting Wednesday the nature of which is kept secret at this time. It is understood fireworks are expected to pop.

Local 306 to Hear Reports on Monday

(Continued from page 1)
Local 306 of the Painters’ and Allied Trades has called a meeting of its members, including the executive commit- tee of a final report on the investi- gation of the local’s affairs by the par- ent organization will be held Mon- day night at Mecca Temple.
Calling of the special membership meeting, the first to be held since I.A.T.S.E. took over the local’s affairs and placed Harland Holmiden in charge more than a year ago, is regarded as a definite indication that the parent organization is preparing to return full autonomy to 306, and to withdraw from the local’s affairs itself. These moves have been urged by a liberal group within the local for some time past.

Jessel Settles Suit

George Jessel yesterday settled the $25,000 libel suit against him by Par-amount for $125. Jessel some time ago was booked for a week’s engage- ment at the Palace, Middletown, O., for some reason, and a day be- fore the opening claimed he was sick and could not go ahead with the date. Paramount alleged a walkout and filed suit for expenses in adver- tising.

Erpi Tourney Today

Erpi is holding its annual golf tourna- ment at Briarcliff today and tomorrow with some 45 men expected to tee off. Repre- sentatives from Washington, Philadel- phia and Newark are expected to ar- rive to take part in the play for the Peterson Trophy, the grand prize, on Sunday.

Hollywood, May 17.—A. L. Scha-
Paris Facing Big Shutdown In Tax Fight

May 31 Set as Date for Government Battle

By Pierre Autre

Paris, May 8.—This gay capital is facing the possibility of a complete shutdown of all forms of entertainment on May 31 (Ordinance 1), with the closing of all places of amusement— legitimate and film theatres, music halls, vaudeville spots, night clubs, sports exhibitions, dancing, skating, restaurants, cafes and orchestras—has informed the Government that they will close unless cuts are made in taxes.

The move is a climax to agitation dating back to the March session of Parliament, when at that time the Government promised action in Parliament, but nothing happened. Parliament resumed on May 27.

At present film houses pay 35 per cent (Continued on page 2)

Paramount Pictures New Name Approved

The name of reorganized Paramount Pictures, Inc., under a proposal for a change of the company's name which was approved by Federal Judge Alfred C. Cose on Saturday. The proposal must still be approved by stockholders at the special meeting, June 3, and by the secretary of state.

The decision to abandon the name Paramount Publix Corp., adopted about 1927, is in line with changes in name of subsidiary companies which resulted in the dropping of the Publix name from them as well.

Production Venture Started in Ottawa

Ottawa, May 19.—A production venture backed by United States and Canadian capital is in prospect for Ottawa, according to J. R. Booth, wealthy local businessman, who announced that he was interested in it.

Booth appeared before the civic Board of Control, who granted the application without a lease (Continued on page 2)

Premiums Get Into K. C. Downtown Area

Kansas City, May 19.—Premiums invaded the downtown here last week-end when the Dubinsky circuit effected a tieup with the Katz chain of drug stores to give 10-cent (Continued on page 3)

Code and Block Booking Up at Allied Convention

Marked Gains Are Shown in Theatre Field

Activity in the theatre field is gaining so rapidly it is hard to look like a boom. Transfers are more numerous than at any time in several years, new incorporations are increasing and houses are reopening.

Some of the reopenings, especially in New England, are due to the approach of summer, but this doesn't apply in many spots where warm weather brings aull rather than vacationists.

Western Theatres Shift

Omaha, May 19.—There have been several recent shifts on the theatre map in this territory. Milton Fuesner has sold the Oriental at Beaver City, Neb., to John Metzger of Syrcause, Neb. Earl Kerr of Lenexa has taken (Continued on page 3)

Theatres Give 10% To NVA Fund Today

Today is the day about 2,000 theatres of the country will contribute 10 per cent of their grosses to the NVA fund and distributors will remit 10 per cent of film rentals to the houses making these contributions.

In a number of cities where theatres have failed to agree to the 10 per cent quota, on the theory that it (Continued on page 2)

Surprise Meeting of Coast ITO Is Called

Hollywood, May 19.—The I. T. O. board of directors here is puzzling over a surprise move of members in calling a special meeting of the board and conventions (Continued on page 2)

Color Films, Television in SMPE Agenda

Hollywood, May 19.—Color photography and television on the screen, the two most promising upstarts in the studio and theatre world since the microphones and the flipbook made their appearance, will be examined soberly in the light of their present-day value to the industry during the convention of the Society of Motion Picture Engineers, which opens at the Roosevelt Hotel here Monday for a four-day session.

Approximately 300 S. M. P. E. members, half of them from the technical staffs of local studios, are expected to attend the convention, the first to be held in the studio capital since 1931.

A special session of the meeting will be devoted to the latest advances (Continued on page 3)

Production Leaps; 44 Features Going

Hollywood, May 19.—Production raced towards peak activity last week with the weekly studio checkup registering 44 features and six short subjects in work as compared to 39 features and four shorts for the week preceding.

M-G-M retained the lead in the feature classification with eight shoots (Continued on page 2)

Arrange for Sound Study in Hollywood

Hollywood, May 19.—The Technicians' Branch of the Academy and Frank Wiggins' Trade School have completed plans to inaugurare study (Continued on page 2)

Stage Shows Again Get Milwaukee Play

Milwaukee, May 19.—Stage shows are getting a play at Fox's Palace with Andre Lasly's French Revue as the current attraction at 25, 35 and (Continued on page 8)

Members Gathering from Many Spots for Start At Atlanta Today

By Red Kamm

Atlanta, May 19.—The code, compulsory block booking contributor "aggression" in exhibition and the Petengill bill, with only the last of these slated to receive a kind word, will command most of the attention of delegates at the business sessions of the Allied States Ass'n, convention which opens at the Hotel Piedmont here Monday for a four-day run.

Tied in with discussions of compulsory block booking will be commendation of the Petengill anti-block booking bill and a probable convention resolution endorsing the measure and urging its passage by Congress. Allied, both nationally and locally, has been active in marshaling support for the measure for several months past.

The code, already punch-drunk and bewildered from rough handling at earlier Allied sessions, has another mailing in store this time. Allied's traditional code position would indicate the registration of convention sentiment calling for complete nullification of the code. Discussions of the theatre on the theory that the sale of admission tickets is an intrastate and not interstate means of livelihood. Either that or a thorough re-drafting of the code to reapportion independent representation on Campl and the local boards and to liberalize the code's theatre provisions.

With the opening of Allied's meeting only 24 hours away, no champion of the code in its present form to-night had registered, invited or uninvited, for the session of the one.

Spirited condemnation of distributor "aggression" may be a feature of some of the business sessions with designated playing time and percentage policies probably bearing the brunt of it (Continued on page 6)

Leonia Hearing Is Delayed to May 27

On application by Adams Brothers, Vice-Chancellor Campbell of Paterson has postponed the hearing set for to-night May 23.

Peter and Adam Adams recently filed suit against Julius Charnow of the Leonia, Leonia, and Fox film in an effort to enjoin exhibition of the distributor's product at the Leonia (Continued on page 3)
Purely Personal

Harry H. Buxbaum thought he was being invited to a banquet when he received the following letter from John C. Flinn: "We are officially invited to meet with the Local Committee of three, of which you are one member, at the office of Code Authority. I would appreciate very much if you would let me know as soon as possible if you can keep the above engagement.

Grace Moore, Valentine Preter, Margalo Gillmore, Katharine Cornell, Desire Defriere, Lizter Ander, Mrs. Carl Van Vechten, Clifford Fisher and Mrs. Fisher, the whole crew, Woman, Arthur Gordon and Sam Eckman and Mrs. Eckman sailed for Europe Saturday on the Ile de France.

Ed Finney denies the picture above his name on the new Monogram stationery is a likeness of himself in costume. He also wants everyone to know that picture on the new Republic schedule is "Metropolitan Merrymaker" and not "New York Merrymaker" as first reported here.

E. D. Leibman, general European manager for RKO Radio, and Leon LeSain, general sales manager for the company in Europe, are due to arrive from abroad within the next few days to attend the annual sales operation in Chicago starting June 17.

Sam Cohan, who has purchased a Packard model, plans to sail for Europe the end of the month. He intends to visit his family in Greece.

Sidney Meyer, Fred Kent, Nat Perzy, Charles Waldron, Trance Rogers and Ernest Morrison, all associated with the Sparks circuit, returned to Florida over the weekend.

Bill Saal is preparing the Advertising Advisory Council for the forthcoming ads on "Frankie and Johnny," which RKO will distribute now that the picture finally has a code seal.

Mrs. Robert F. Sisk (Cepha Day) is in town from Hollywood. With her daughter and the air, the air journey consumed two days.

Pat Gary is only 10 pounds off what should be his normal standard. With the aid of stout and ale, he has hopes.

Tom Howard has purchased a horse at Rumson, N. J., merely a shack—11 rooms and two baths.

Robert Wolf, Joe Hornstein and Max Cohen amassed the greens of the Rock Trust Country Club over the weekend.

Zane Grey’s "Thunder Mountain" has been bought by Sol Lesser for George O’Brien.

Samuel Pike’s and Joe Kelly’s "Police Parade" has been acquired by Fox. The latter is chief of the Fox studio police.

Phil Tyrell, former director of bookings for the Music Hall, has joined Kensaw, Inc., Chicago.

Leon Schlesinger, Looney Tune producer, is back in Hollywood after a month’s visit here.

Alex Yorke has gone to L. A. for the coast premiere of his play, "Three Men on a Horse.

James Dunn will fly in from the coast this week to attend the Ross-McLarin fight.

William Raynor, handling "Lucky," has returned from Boston and New Haven.

Nunnally Johnson gets in from the coast Tuesday on the Santa Paula.

Lee Ochse is doing grand jury duty at present and finds it interesting.

Eddie Edelson plans another of his scores next Sunday afternoon.

Ray Henderson sailed for the other side Saturday.

Syrös Skogur is due today from Kansas City.

Theatres Give 10% To NVAFund Today

(Continued from page 1) would give information to their community organizations to make contributions of the same to the fund.

Saturday night was the highlight of this year’s effort to raise $200,000 for the Saracen Sanitarium and other charitable activities of the NVA. It was probably as big an array of talent as has been seen in New York. Practically all the important bands, radio, screen and stage personalities in town were present there was a big representation of boxers, wrestlers, flyvers and others. Madison Square Garden was packed.

Production Leaps; 44 Features Going

(Continued from page 1) one preparing and 10 in the cutting room. Paramount had seven, one and three; Fox, six, four and five; Warners, four, one and ten; Columbia, two, three and five; Universal, three zero and two; Roach, one, five and zero; with the independents chalking up eight, four and nine.

Short subject activity gained also. Roach had one short in production, three in preparation and six in the cutting room, M-G-M had zero, three and two; Universal, zero, one and one; Columbia, one, one and three; Radio, zero, one and four, with the independents registering four, two and five.

Rabanus Rides Today

New Haven, May 19.—Last rites for Morris Rabanus, local M-G-M salesman killed in an auto crash, will be held Monday at the funeral parlor of Beecher, Bennett & Lincoln, here.

Paris Facing Big Shutdown In Tax Fight

(Continued from page 1) cent of their grosses in various tax categories, town by town. To make the closing threat more realistic, all employees have been given notice.

Government officials claim more money than ever is needed. Amusement backers counter that they want a 50 per cent cut in all tax due to bad business. Film houses have recently cut scales to an average of 21 cents to $3.75 a week (20 cents for double features). Scales generally are down about 30 per cent.

The Government is maintaining an all-out attitude, upholding the closing threat has been called "blackmail."

Tie Vote Kills Lottery

Boston, May 19.—A tie vote of 110 to 110 in the House blocked the fight for a bill to legalize a state lottery. The legislators were put on record when a roll call was demanded by Representative W. B. Baker of Newton after a standing vote of 8 to 7 in the Senate was a third reading. Representative John J. Whalen, the sponsor of the measure, which, it is claimed, would net the state and municipalities, $12,000,000 annually, states he will continue the fight for enactment.

Wisconsin Tax Approved

Madison, Wis., May 19.—The Assembly committee on taxation has unanimously recommended for passage a substitute for the Carrow income tax bill which broadens the tax base considerably and levies a general amusement tax of three per cent on ticket sales as against the four per cent tax on gross receipts. The arrangement exempts entertainments given by schools and religious and charitable organizations.

Block Mass. Sales Tax

Boston, May 19.—Three bills for imposition of a sales tax in Massachusetts have been sent back to the Senate by the State. The House will have to make the next move.

Surprise Meeting of Coast ITO Is Called

(Continued from page 1) luncheon at the Elk’s Club next Wednesday. The meeting was called by a committee secretly appointed by the members and the details surrounding the gathering are being kept hidden.

The organization yesterday sent a telegram to Mr. Washington asking him to support the bonus bill now before Congress and also a letter to the Allied convention in Atlanta, notifying them that they are not having a representative.

Mascot Signs Autry

Hollywood, May 19.—Gene Autry has been signed by Mascot for a series of eight musical westerns. Armand Schaefer will supervise production of the radio singer’s first film venture.
Color Films, Television in SMPE Agenda

(Continued from page 1)

in color photography and its practical prospects for the immediate future on Tuesday afternoon will be the occasion sponsored by the Academy of M. P. Arts and Sciences and will be held at the Carthay Circle, Hollywood.

Technical shorts will be screened and the new three-color process will be demonstrated. Papers on the subject will be presented by Technicolor engineers.

The present status of television, as it affects News, is being described in a paper by Dr. Alfred N. Goldsmith, past president of the S. M. P. E., which will be read by Homer G. Tasker, New York, S. M. P. E. president. Dr. Goldsmith was unable to attend his committee.

In all, more than 70 papers dealing with the industry’s technical and scientific problems will be read during the 11 technical sessions to be held during the five-day meeting. The sessions have been divided into three general meetings, two open studio problems, one laboratory meeting, one on projection and studio lighting, three on sound and one apparatus symposium.

To Be Guests of Studios

In addition to the business program, S. M. P. E. members will be the guests of various studios and of the California Institute of Technology under the program arranged by W. C. Kunzman, convention vice-president. Major N. Levinson, chairman of the technicians’ branch of the Academy, will make the welcoming address at the opening luncheon, at which will be present S. M. Peck, assistant director of the Paramount writers’ staff; Rod La Rocque and Kenneth Macgowan, radio associate producer, will also be speakers.

S. M. P. E.’s semi-annual banquet will be held at the Roosevelt Wednesday evening.

Committees handling the convention will be:

dorn, H. C. Dabney, R. V. Worworth, A. Dunbar, E. F. James, Carl Drehler.
Press Relations—S. M. P. E. Secretary, W. C. Kunzman, O. Aalberg, L. E. Clark, R. H. McCullough, K. F. Morgen, They are officers and members of Los Angeles Local 110, I.A.T.S.E.

S. M. P. E. Officers—President, J. L. Crabtree; Secretary, S. F. G. Hunt; Treasurer, P. N. Love, Griffin, Peter Mole, P. J. Frank, Jr., S. Harris.


The opening day’s program follows:

Monday, May 20
9:00 A.M. Registration.
10:00 A.M. General Session.
Address of Welcome of SMPE, Presidential Response, H. G. Tasker.
Society Business.

Rex Chicago Office Makes Total Eight

With the opening of a Chicago branch in charge of Homer S. Schnei-

stein, Rex Premiums now has eight offices. Two others will be opened in Boston and the other in Omaha. Harry Egert, president, returned late last week from the Windy City after setting up the latest branch.

Cities where the company is now represented are: Philadelphia, with H. L. Snyder; in New York and Los Angeles, with representatives; in Boston, Washington, Roi-

day; in St. Louis, John J. Lane; in New York, Louis Weinimziger. James A. Goldstein, general sales manager, is on a trip to Omaha and Los Angeles. The company recently closed a deal with Skotoes Theatres for nine Jersey City theatres.

Leonia Hearing Is Delayed to May 27

(Continued from page 1)

ahead of the Park Lane, Palisades Park.

David W. Willetz, attorney general for the state of New Jersey, rep-

resenting Clarson, will hear the case on Tuesday, in the courtroom.

He has retained a lawyer to represent the company.

Meanwhile, the Leonia, Leonia, will play “Rogers’ Life of ‘40” for three days starting May 23. Two other films have already played in Leonia’s house.

Campi recently handed down a clearance decision granting the Leonia the right to play “Leone’s.” The director did not mention Palisades Park theatre, which has contracts providing for seven days’ protection over Leonia.

Premiums Get Into K. C. Downtown Area

(Continued from page 1)
coupons with each 20-cent admission and five-cent coupons with 15-cent tickets. The coupons are distributed at the box office and are re-

decamable at face value for any merch-

dandise at the Katz stores in Greater Kansas City.

Exhibitors protest that this is a plain case of reduced admission contrary to the code, but whether the first run at Public Newman, adjacent to the lib-

ercy, or other downtown first runs will do anything about it has not been determined.

MarkedGains Are Shown in Theatre Field

(Continued from page 1)

over the Broadway from Ray Felker at Council Bluffs, Iowa.

L. Weiner is managing the West at Springfield, New York, and is engaged in a protective receivership recently.

Two houses have been closed be-

cause of scarcity of epidemics. The one is the KMMJ at Clay Center, Neb., and the other is the Orphnum at Fair-

Auido Changes in Seattle

SEATTLE, May 19—Rumblings that forebode changes in the first run set-

up in the Pacific Northwest are under-

jolved are the John Hambrick and Evergreen circuits.

Both have been hit that vanguard will be “out” at both Hambrick’s Orphnum and Evergreen’s Paramount within three weeks. Further reports indicate that the Paramount may close Paramount and, despite a lease which says that the Paramount film product can be booked only by the operators of the theatre.

It is understood that if Evergreen closes the Paramount and thus loses the Paramount product, that Hambrick will not bid for the films. There are no local first runs that maintain the same control.

All Paramount theatre employes are understood to have received dismissal notices this week.

Buy Terre Haute House

TERRE HAUTE, Ind., May 19—The Little Virginia has been acquired by Ross Garver and M. D. Reinking, owners of the Orphnum and Swan.

The new owners have closed the house for remodeling. A new screen will be installed as well as new sound and interior decorations.

Plan Cleveland Drive-In

CLEVELAND, May 19.—Plans are afoot for Cleveland’s first Drive-In theatre to be established on the Tell-

ing Farm property on the east shore north of Willoughby. It is antici-

pated that affected theatres will fight it.

Takes Two at Tiffin, O.

TIFFIN, O., May 19.—David W. Britton, City, O., head of Seneca Theatres, Inc., has taken a lease on the Grand and Ritz, the only two houses in the city. His plans have not been announced.

Reopen Frisco Rialto

SAN FRANCISCO, May 19—Fox West Coast has reopened its New Rialto after spending several thousand dol-

lars remodeling. The house, a second run, is managed by Ward Morris.

Two Columbia Dividends

Columbia Pictures Corp. has de-


dared quarterly dividends totaling 19.25 cents and a semi-annual dividend on the common stock of two and one-half cent payable in common stock on Aug. 2 to stockholders of record June 12.
ONLY M-G-M DOES IT!

NATIONWIDE BILLBOARDS

NATIONWIDE MAGAZINES

NATIONWIDE BILLBOARDS

NATIONWIDE MAGAZINES

EXTRA! PREVIEW SENSATIONAL!
"PUBLIC HERO"
Read the Reviews! Tops Them ALL!
Okay America! 8000 smashing 24-sheets in 1500 cities pre-sells your public! Name the ONE AND ONLY company that does it! An M-G-M contract means co-operation from the day you sign. Magazines, newspapers, billboards. And it's all for YOU and FREE!

"It's Smart to be LIONIZED!"
Code Booking Up at Allied Atlanta Meet

(Continued from page 1)

the attack. M-G-M, because of its proposed invasion of the Chicago theatre field, through Loew's, Inc. as a result of Theatre Exhibitors' agreement against Metro sales policies, appears to have little chance of escaping a scolding in the form of resolution from the conventionists. Allied orators, with the Chicago situation in mind, arrived here several days ago and since have been brushing up on polished vituperation, according to reports about convention headquarters.

Early registration at the Piedmont has led convention officials to estimate that attendance will reach a minimum of 500 and may go as high as 800, including a large contingent of Canadian exhibitors and, also, the wives and guests of delegates. In addition, registered to may be the city with the decision to welcome all exhibitors, whether members of Allied or not. Mounting exhibitor interest in Allied in the South has been growing for the past few months and may result in an unusually large attendance from adjoining states. This, of course, would account for the bulk of the attendance which, as is the case with all national exhibitor conventions, has drawn into the territory in or adjacent to the convention city.

Representative groups, however, will be on hand from numerous Allied strongholds in the East, North and Midwest, present reservations at the Piedmont would indicate.

Many Social Events Scheduled

A full program of social events for both conventionists and their wives has been prepared under the direction of Mrs. Lee, the convention committee's Jules Benedict and N. H. Waters. Included will be a tea at the Governor's mansion attended by the conventionists, a dinner at the Taj Mahal, a dance at the Haymarket Club, a dinner at the Piedmont Hotel, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, another dinner at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymarket Club, a dinner at the Taj Mahal, a picnic for the group of all Allied exhibitors and wives at the Piedmont Hotel, a dance at the Haymark...
Eastern States and Middle West Send Big Delegations

(Continued from page 6)

Some Allied Leaders

Sydney Samuelson
New Jersey

 Abram F. Myers
 Washington
 Nathan Yarnell
 Massachusetts
 H. A. Cole
 Texas

H. M. Richey
 Michigan
 Aaron Saperstein
 Illinois
 W. A. Steffes
 Minnesota

Charles R. Metzger
 Indiana
 Herman Blum
 Maryland
 David Barrist
 Eastern Penna.

Those who have so far signified their intention of attending are Morris Wax, president of the group; David Barrist, Harry Fried, Bill Butler, Roy Schwartz, Dave Milgram, Jack Bagley, Leo Posel, Herb Elliott, Columbus Stamper, Jeanette Willensky and Mo Wax.

The group carries no specific local problem to the meeting, but plans to join in the discussions on code revision and block booking, both of which have engaged the attention of the IEPA for some time.

Twenty-two from Western Penna.

PITTSBURGH, May 19.—A special car left here tonight over the Pennsylvania railroad for Atlanta with 22 independent exhibitors aboard, as well as Fred J. Herrington of the M. P. T. O. of Western Pennsylvania, an Allied affiliate.

The party included Morris Roth, Plaza theatre, Duquesne; M. A. Rosenberg, Kiaito; I. W. Shearer, Highland; Norman Huban, Grandview; Bob Higgins, Guthrie, Grove City, Pa.; Ike Browarsky, Bellevue; Pete Antonoplos, East Pittsburgh; Mike Marx, Oil City, Pa.; Nick Amas, Weirton, W. Va.; Pete Nikas, Regal, Wilkinsburg; Al Weiland, of the Weiland, Wilkinsburg; Art Teila, New Kensington; Eli Goldstein, Paramount; Bill Lipser, Blairsville, Pa.; Frank Paapools, State, Clairton; Edie Beedle, Canonsburg; Bill Brown, Palace, Tarentum; Bill Walker, Crafton; All Glazer, West Park; Dave Leff, Metropolitan; Bill Wheat, Wickley, and Benny Amidor, of the Garden, Northside.

The delegation will be behind the Petengaill anti-block-bookng bill solidly, but otherwise has considered no legislation to bring before the convention.

No Providence Men

PROVIDENCE, May 19.—This city will not be represented at Atlanta, a check-up reveals. Martin Tisehoy is president of Allied Theatre Owners of Rhode Island. He operates the LeRoy at Pawtucket.

None from Eastern Missouri

ST. LOUIS, May 19.—Dr. J. L. Price, one-time president of the local Allied unit, informed Motion Picture Daily yesterday it will send no delegates to Atlanta. The local Allied affiliate was never active and disbanded a couple of years ago. In exhibitor association activities here the noise, as big as it is, is confined to the M. P. T. O. of Eastern Missouri and Southern Illinois.

Frisco Disinterested

SAN FRANCISCO, May 19.—There will be no delegates from this territory to the Allied convention. This region is almost entirely M. P. T. O. A. or Northern California Independent Theatre Owners’ Ass’n.

Pacific N. W. Supplies Blank

SEATTLE, May 19.—No delegates from the Pacific Northwest will attend (Continued on page 8)
Many Delegates from East and Mid-West

(Continued from page 7) Atlanta, a check-up shows. Allied Amusements of the Pacific Northwest is not actively affiliated with either Allied or the M. P. T. O. A. and apparently finds no more interest in the Atlanta sessions than it did in the recent New Orleans convention.

Three from the District
WASHINGTON, May 19.—The delegation from Washington to attend the Allied convention will be composed of Charles H. Olive, A. E. Lichman and J. H. Hiser. The group will make the southward trip in company of Martin Van Praag and Ben Rosen-berg, of the National Screen Service of New York.

The Allied Theatre Owners of the District of Columbia will take no particular grievances to the convention, nor will it bring up any matters of particular import to this district. Rather, the local group will be represented further to augment the force of the national organization in its battle for the independent exhibitor. Of particular interest, however, to the local group will be the analysis of the new code proposed by the Senate finance committee, the debates on the continuing of double featuring where "local option" has approved the practice and questions arising out of the growing tendency on the part of distributors to add restricting clauses to contracts allegedly without the knowledge and consent of the exhibitor.

The delegation will carry with it a resolution of the group it represents supporting the measure—H. R. 6472—introduced by Rep. Samuel B. Pettengill (Democrat, Indiana) for the prevention of compulsory block booking.

Latin Consuls Will Be M. P. Club Guests
The Latin American Consuls of New York will be guests of honor at the M. P. Club forum tomorrow with former Ambassador James W. Gerard heading the list of speakers under the chairmanship of Louis Nizer.

The following consuls will attend: Pablo Suarez, Cuba; Eduardo Villa-senor, Mexico; F. Pardo De Zeta, Peru; M. Jiminez, Costa Rica; and Jose Cambrul, publisher of the La Prensa; James Carson, chairman of the Council of Inter-American Relations; Conrado Traverso, Argentina; Louino De Paso, Brazil; Santiago Rivas Corta, and Jaime Yankelevich, president of Nacional Radio Corp. of Argentina.

Ask for Stock Listing
WASHINGTON, May 19.—Application for registration on the New York Stock Exchange of 626,755 shares of one dollar par common stock, not yet issued, has been filed with the Securities and Exchange Commission by Pathe, Inc.

New Ratoff Film Title
Gregory Ratoff's British made feature, "8 Minutes," which will be released this summer by Paramount, will go out under the new title, "This Woman Is Mine."

Stage Shows Again Get Milwaukee Play
(Continued from page 1)
55 cents, and Ted Fio-Rito and his band slated to open at the house May 31.

The avenue, with all its seven houses again ablaze for the first time in many moons, is making a play for some of the business from the Miller, Whitehouse and Princess, 15-cent houses a block off the Riviera, through the recently reopened Strand and L. R. Brit's Garden.

Reports have it that the Strand, with its 15-cent admission until 6 P.M. and free paddle pops to the kids on Saturdays and Sundays, has cut into the business of the three 15-cent houses. Now the Garden, formerly playing continued first runs, has also gone into the 15-25-cent class with revivals.

Comerford Taken Home
SCRANTON, May 19.—M. E. Comerford has been brought to his home here from the Emergency Hospital, Washington, D. C. Comerford was stricken in Washington on Feb. 22 while on his way to the M. P. T. O. A. convention in New Orleans. Dr. J. F. Comerford, a nephew and the attending physician, reports that Comerford is continuing to show improvement.

Ralph Kohn in Town
Ralph Kohn, who recently joined Columbia, arrived from the coast by plane over the week-end.

Fox Met Changes Up For Hearing Today
(Continued from page 1)
Federal Judge Julian W. Mack today. The court has given its tentative approval to the plan, subject to the inclusion of the modifications. With these now embodied, formal court approval may be given the plan at once.

The Fox Met bondholders' committee was authorized on Saturday by Judge Mack to begin its solicitation of creditors' assents to the plan, and the committee's deposit certificates, binding those bondholders whom it represents, were approved. This is regarded as assuring the necessary two-thirds creditor acceptance of the Schenck plan as the committee represents 86 per cent of the Fox Met bondholders and approves the plan.

Cup to W. G. Van Schmus
The Radio City Music Hall Spotlights, three members of the spotlight crew, will present the cup they won in the Greater N. Y. Theatrical Bowling League to W. G. Van Schmus, managing director of the theatre, Friday evening at an informal ceremony. The Spotlights, Teddy Pikuritz, Fred Pikuritz and Charles Kronyak, won the trophy last winter.

Mandel Incorporates
CHICAGO, May 19.—Republic Pictures Corp. of Illinois has been incorporated here by Irving Mandel to operate exchanges in Chicago, Indiana, and Milwaukee.

Dependable Film Delivery Assured By

Carolina Delivery Service Co., Charlotte, N. C.
Columbus-Cincinnati Trucking Co., Columbus, Ohio
Electric Delivery System, New Orleans, La.
Exhibitors Film Delivery & Service Co., Inc., Denver, Colo.
Exhibitors Film Delivery & Service Co., Inc., Kansas City, Mo.
Film Exchange Transfer Co., Boston, Mass.
Film Express Service, Minneapolis, Minn.
Film Pick-Up Service, Minneapolis, Minn.
Film Service, Inc., Milwaukee, Wis.
Film Transfer Co., Minneapolis, Minn.
Film Transportation Co., Des Moines, la.
Film Truck Service, Detroit, Mich., and Chicago, Ill.

Gilboy Company, San Francisco, Cal.
Gross & Johnson, Cleveland, Ohio
Howell Trucking Co., Inc., Rochester, N. Y.
Inland Film Express, Des Moines, la.
Inter-Carolina Delivery Service, Charlotte, N. C.
Interstate Film Service, Minneapolis, Minn.
Iowa Film Delivery, Des Moines, la.
Middle West Film Express, Minneapolis, Minn.
Northwest Film Delivery Co., Seattle, Wash.
Smith Film Service, Inc., Syracuse, N. Y.
Theatre Service Co., Minneapolis, Minn.
Theatre Transport Co., Toledo, Ohio

All Members of
NATIONAL FILM CARRIERS, Inc.
1228 Vine Street, Philadelphia
110 William Street, New York
Fight to Keep
NRA 2 Years
Gets Started

Richberg Appears Before
Committee of House

WASHINGTON, May 20.—Declaring himself in full sympathy with the idea of the Senate to limit codes, Donald R. Richberg, chairman of the National Industrial Recovery Board, today opened the door for a two-year extension of the act before the House Ways and Means Committee.

A two-year extension is absolutely necessary to carry out the plans of the NRA, he declared, foreseeing chaos if it is not granted. He also attacked the Senate exemption from code requirements of businesses wholly intrastate, declaring it unworkable.

While the House committee was hearing Richberg, Senator Nye of North Dakota, at the other end of the Capitol, unleashed an attack upon the "caravan" coming to Washington.

Defy Threatened
For Giveaway Ban

Independent exhibitors in the local area will defy Campi and the New York grievance board in the event they are required to put an end to giveaways, Melvin Albert of Quinn, Weisman, Allen & Spett, attorneys for the I.T.O.A., yesterday told a code appeal body. Albert represented Harry Brandt, operator of the Audubon, in a

Philad. Men Favor
Two-Day Giveaways

ATLANTA, May 20.—The I.E.P.A. of Eastern Pennsylvania, which recently affiliated with Allied, is seeking to regulate premiums by narrowing the practice to two days a week. A letter has been sent to John C. Flinn for an interpretation of the

Revive Rumors Over
F.P. Canada Control

TORONTO, May 20.—In spite of the fact that Paramount trustees in New York have received court authority to subscribe to 18,250 of the 18,940 additional common shares for issue to shareholders as of June 1 by decision of the board of Famous Players

Allied to Concentrate
Fire on M-G-M Building

Rosenblatt Says He Will Quit
His NRA Post Within a Month

WASHINGTON, May 20.—Reports that he would quit the government service within a month were today confirmed by Compliance Director Sol A. Rosenblatt, negotiator of the film and other amusement codes.

"I expect to quit after the new act is passed, but not before June 18," he admitted. "I expect to go back to my law practice in New York."

Rosenblatt, who came to the NRA in the summer of 1933 as a deputy administrator, to undertake the negotiation of a code for the picture industry, rapidly achieved a position as one of the strong men of the administration, both under General Hugh S. Johnson, who made him a division administrator and assigned to him a number of codes difficult of negotiation, and under the board which succeeded Johnson, which appointed him director of compliance.

Television Is
SMPE Topic
As Meet Opens

HOLLYWOOD, May 20.—Consideration of commercial television highlighted the opening session today of the annual convention of the Society of M. P. Engineers at the Roosevelt Hotel here. The place of television in the industry was outlined to the approximately 300 delegates by Dr. Alfred N. Goldsmith, past president of

Legal Ban on
Loew Chicago
Move Sought

ATLANTA, May 20.—Allied of Illinois is endeavoring to choke off M-G-M's proposed theatre entry into Chicago through the legislative mills now grinding at Springfield, Ill., it became known at the national Allied convention here today.

Representative Granata is the author of the measure, House bill 970.

Studies Dropping
Public Unit Trustee

An application for a discharge of Irving Trust Co. as trustee in bankruptcy for Publix Enterprises was taken under advisement yesterday by

F.W.C's Realignment
Complete, Skouras
Reorganization of Fox West Coast, a unit of National Theatres, is now complete, Spyros Skouras, executive vice-president of the holding company

Theatre Projects Booming
Here; Nine Are Now on Tap

New theatre building in the local area is taking an unprecedented spurt with plans now on tap for nine houses, six of which will be located in the Bronx and two in Brooklyn. The ninth project is in Manhattan.

The two Brooklyn projects are planned by Victor Salzi. One of them will be a 1,600-seat theatre at Myrtle Ave. and Fresh Pond Rd. The other site hasn't been selected as yet. Both

Chicago Invasion Gains
In Attention as Code Interest Recedes

By RED KANN

ATLANTA, May 20.—Considers its organized campaign to end block booking through the Potemkin Bill is forging steadily ahead and that widespread dissatisfaction with the law will result in a new NRA ruling exhibition out because of its intrastate nature. Allied, on a basis of indications tonight, will make most of its noise and concentrate its principal fire on M-G-M and its invasion of Chicago.

Allied leaders regard the issue as not merely one typified by M-G-M, but which may extend to other national producers whenever their sales departments cannot get together with their customers. There is some talk of a boycott. Several leaders do not like the sound of the word but one high in their councils has been known to remark "murder is illegal, too, except in self-defense."

Whatever attitude is struck and whatever decision is reached will result from a thorough exploration of facts. This much today was promised.

Fox Met Plan Gets
Tentative Approval

Modifications in the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses which were suggested at the time the plan was given tentative

Say Pennsylvanians
Oppose Open Sun.

ATLANTA, May 26.—Four hundred Pennsylvania exhibitors are opposed to the Sunday-day law, spokesmen for the I.E.P.A. of Philadelphia and the M.P.T.O. of Western

Advertises Houses
Of His Competitors

KANSAS CITY, May 20.—Managers of three local downtown first runs received the surprise of a lifetime when The Tower came out with a newspaper
FRANK J. NEUBERT, well known for 15 years in the industry, is now associated with the Rely Electrotype Works division of the Rely Graphic Corp. He will form a film and theatrical department within the Rely organization, and with the idea of developing a coast-to-coast plate and mat service for producers and exhibitors.

JOHN W. HICKS, Jr., head of Paramount's foreign department, and his assistant, GEORGE WELTMER, return today from a two-months trip. They have just been abroad attending the first Paramount international sales convention in Paris.

JOSEPH I. BRENNER, production code administration head, arrived from the coast yesterday and will sail for Europe tomorrow for a six-weeks' vacation at Carlsbad.

Mailbag

Editor, Motion Picture Daily:

I am writing you, Mr. Shabbus' contributions (?) under the heading of "Quips." All he does is to say, "I'm not complaining," and "complain, and explain." Perish the thought! You should relegated him to "Squawk of the Day," and make him editor.

You describe him as a Hollywood exhibitor on the fringe of the town. Ti me his name is a Hollywood exhibitor on the brink of despair. I'll lay six to two and even that he looks like a "before-taking" Sal Hepatica ad.

You are contributing to a complete demoralization of the character and morale of the industry if you continue to print such "shab-bizast." (a swell pun but neither you nor Max will get it.)

The right of free expression being safeguarded by the late Constitution of the U.S., I suggest that Mr. Shabbus be confined to the issue of Oct. 29, the anniversary of the Wall Street crash when the whole country was in mourning and Max's remark would be keeping with the notional mood.

Your for the sweet and the gentle in life.

ALL GAGA

(who still thinks that a woman's place is in the home and that Max Shabbus' place is in front of his theatre so that he can scare the trade over to the opposition.)

SAM SONIN and WALTER LANDOW, two prominent local exhibitors in the sick bay, are coming along nicely and expect to be around again within the next few weeks.

W. RAY JOHNSON and his wife are due today from Pleasantville, O., having been delayed a day due to bad flying weather.

HORACE JACKSON has arrived on the coast to write the screen play for "There's Always Juliet" for Paramount.

MRS. EDWARD GOLDEN and daughter, RUTE, have left for the coast.

DAVE BLUM is moving to a new domicile.

E. E. BLAIR of the State, Eribichville, O., and JERRY STEELE of Forum, Norwalk, O., left for home after a successful tour and a code appeal hearing in which were the complainants on clearance and zoning matters.

AL SELIGMAN, Columbia auxiliary sales manager, left yesterday for a last night stop at Seattle, Portland, San Francisco, Los Angeles, Salt Lake City and Denver. He'll be away five weeks.

L. H. FRANCIS, eastern theatre representative for Hayward-Wakefield, is back from a country-wide business tour.

EDWARD GOLDBERG, sales manager of Republic, was in Washington yesterday attending the opening of Sam Plax's new exchange.

TYRRE DILLARD, Jr., returned yesterday from a week-end in Philadelphia where he spent most of his time on the golf links.

JOSEPH BEENTHARD and the missus were on a week-end visit to Bobbud's dude ranch at Wallpack, N. J.

LEO JUSTIN returned yesterday from a week-end in Philadelphia where he was looking over the property for picture exchange, is in Buffalo. Last week he was in Atlanta.

LEO JUNIS is here.

MAE GREZ of the Monogram office is mourning the loss of her younger brother.

EVA LE GALLAINE will play the Diploma beginning Friday in "Open Door," the Alfred Sutro play.

WILLIAM R. FERGUSON is in St. Louis and is expected back the end of the week.

J. ARTHUR HIRSCH is in from Toronto for a few days.

Schwalbe Passes at 60 in Atlantic City

PHILADELPHIA, May 20.—Harry Schwalbe, 60, died in Atlantic City late this afternoon, according to word received here tonight. He had been ailing for some time and had been brooding over the death of his wife. He leaves a widowed daughter.

At his death Schwalbe still retained an interest in the Stanley Co., and his widow and two nieces were his executors.

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With approximately all of the 1,800 members voting, a spirited contest for nominations of officers of Local 306 was staged last night and early this morning at Mecca Temple. In many instances three and four names were submitted for each office. George E. Brown, president of the I.A.T.S.E. supervised the nominations. He was slated to attend the S.M.P.E. convention on the coast, but instead had Thad Barrows, head of the Boston local, proxy for him. A discussion of progress of the local under the international's supervision since the resignation of Harry Sherman as president was held.

Now to look back on a local autonomy basis. Harland Holmden of the I.A.T.S.E. has been guiding the activities of the local for the past year. In a recent move to spread employment, all working card members were put on a four-and-a-half week schedule.

Elections will be held next Monday.

Thalberg Will Have 13 on M-G-M's List


William Shapiro Here

William Shapiro, president of Franklin Pictures, arrived from the coast over the week-end. While in Hollywood he conferred with coast interests on his production plans. Shapiro expects to wind up the details of his venture here and return to the coast in about a week.

"Cyrano" for Laughton

LONDON, May 20—"Cyrano de Bergerac" has been selected as the next picture Charles Laughton will make for Alexander Korda. The latter plans to start production late next month at his local studios. United Artists will release the film in America.

RFC Hits Saenger Fees

New Orleans, May 20—The Reconstruction Finance Corporation has objected to the payment of attorney fees, etc., of Saenger, Inc., has intervened here in the Federal Court on the ground the bonds should be paid first. Saenger is expected to be out in three days.

Cantor Is in Hospital

Hollywood, May 20— Eddie Cantor was in the Good Samaritan Hospital for a minor operation. He is expected to be out in three days.
"It's Smart to be LIONIZED!"
THE PRODUCERS OF "G-MEN" INVADE THE FORBIDDEN FRONTIERS OF THE LOST EMPIRE!

THUNDER ROCKS THE SCREEN AS THE SLEEPING GIANT OF THE EAST AWAKENS!
FROM THE WORLD'S DANGER ZONE COMES A BLAZING NEW DRAMATIC SENSATION!

WARNER BROS. PRESENT

OIL FOR THE LAMPS OF CHINA

Directed by Mervyn LeRoy with a huge cast starring

PAT O'BRIEN • JOSEPHINE HUTCHINSON

JEAN MUIR • LYLE TALBOT • 1000's More

A Cosmopolitan Production • A First National Picture

BRINGING TO VIVID LIFE THE BOOK THAT RAISED THE VEIL OF THE EAST!
Legal Ban on Loew Move To Enter Chicago Sought

(Continued from page 1)

Allied Meet Aims Attack Upon M-G-M

(Continued from page 1) by Allied's president, Sidney E. Samuelson of Newton, N. J.

Aaron Saperstein, president of Al- lied Theatres of Illinois, said his firm is in the picture business in this state. The bill would make it unlawful for any distributor to build or lease theatres which have already been demonstrated to be coercion or intimidation of any existing exhibitor, and would give the Illinois attorney general the right to seek an injunction against any picture company in any city in Illinois, the measure, nevertheless, appears to be aimed at and have been inspired by the indicated M-G-M sales difficulties and theatre plans in Chicago. The text of the measure is as follows:

"Section 1—As used in this act, distributor shall mean (A) any natural person, partnership, corporation, or association, which engage or contracts to engage in the distribution of motion pictures and (B) any unincorporated association, or corporation in which or which any of the parties to the agreement have any interest whatsoever, whether direct or indirect, and (C) any natural personal partnership, unincorporated association, or corporation in which any person, partnership, or association has any interest whatsoever, whether direct or indirect, and/or

"As used in this act exhibitor shall mean any natural person, partnership, or association, or corporation, engaged in the ownership or operation of theatres for the exhibition of motion pictures.

"Section 2—It shall be unlawful for any distributor to threaten or to attempt any overt act in coercion, or for build, lease or otherwise acquire directly or indirectly, or in any competing motion picture theatre in any coming motion picture theatre in which such distributor has any interest whatsoever when coercion to be done for the purpose of coercing or intimidating such exhibitor into entry into any proposed contract for the exhibition of motion pictures.

"Section 3—Any corporation or foreign association, or corporation engaging in the support of any distribution of motion picture in any city in Illinois, the measure, nevertheless, appears to be aimed at and have been inspired by the indicated M-G-M sales difficulties and theatre plans in Chicago. The text of the measure is as follows:

"Section 4—Any exhibitor may join any distributor from continuing such threat or, or from continuing to commit any overt act, which would constitute an act of coercion, or to otherwise acquire directly or indirectly any competing motion picture theatre, or from exhibiting any motion pictures, or in any coming motion picture theatre, in any coming motion picture theatre, in which such distributor has any interest whatsoever when coercion to be done for the purpose of coercion or intimidating such exhibitor into entry into any proposed contract for the exhibition of motion pictures.

"Section 5—Any distributor or any person acting as an agent or employee of such distributor, who receives any money or other valuable thing for the purpose of coercion or intimidating such exhibitor into entry into any proposed contract for the exhibition of motion pictures, is guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 6—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 7—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 8—Any distributor who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 9—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 10—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 11—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 12—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 13—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 14—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 15—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 16—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.

"Section 17—Any person who violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and $500 nor more than $2,500 for each subsequent offense. Any person or corporation, who within a year preceding this act shall have been convicted of any offense under this act, if convicted of the offense, shall be fined not less than $500 dollars nor more than $2,500 for each offense. Any person or corporation who commits any offense under this act, shall be liable to an action in the nature of an injunction to enjoin any person or corporation from committing any offense under this act.
Monogram Pictures extend best wishes to President Sidney E. Samuelson and the Allied Theatre Owners for a successful convention and recommend the new Monogram Pictures for a successful summer season.

Gene Stratton Porter's
The Keeper of the Bees
with Neil Hamilton and Betty Furness
Directed by Christy Cabanne
A Wm. T. Lacker Production - Screen Play by Adele Buffington - Additional Dialogue by George Wagner

The Healer
with Ralph Bellamy, Karen Morley, Mickey Rooney
Directed by Reginald Barker
Suggested by the novel by Robert Herrick
Adaptation by James Knox Miller and John Goodrich - Continuity and dialogue by George Wagner

Neil Hamilton and Irene Hervey
in
Honeymoon Limited
Directed by Arthur Lubin
A Mrs. Wallace Reid Production
Based on the novel by Vida Hurst - Screen Play by Dorothy Reid and Betty Burbridge
A LOVE STORY...
TOLD IN BOX-OFFICE LANGUAGE!
HEPBURN aflame!... amazing!... glorious!... A 1935 heroine... gorgeously gowned by the fashion wizard of “Roberta”!... BOYER!... The new heart thrill for women! Masculine... magnetic... romantic dynamite!... Together in the surging drama of a love as sweeping as the tides of human emotion!

KATHARINE

HEPBURN

CHARLES

BOYER...

in

BREAK OF HEARTS

with JOHN BEAL... JEAN HERSHOLT

NOW PLAYING AT
RADIO CITY
MUSIC HALL

Directed by Philip Moeller... Jane Loring, Asso. Director... Pandro S. Berman Production

RKO RADIO PICTURE
Fox Met Plan Gets Tentative Approval
(Continued from page 1)
approval by the Federal court were submitted. Senator Julian W. Mack in chambers yesterday and an order to show cause why the plan as alleged should not be filed "fair and equitable" by the court was asked.
If the order is signed by Judge Mack a date for a final hearing on the fairness of the Schenck plan will be set.
Under the amendments in the plan Fox and Met have not mentioned in the board of the new Fox Met company will be reduced to two members, instead of the original three, and Keith-
Albee-Orgmph Corp., which is given a 10 per cent participation in the Schenck plan, will be entitled to fill the vacancy thus created. It is be-
lieved that either Herbert B. Swope, KAO chairman, or Leslie E. Thompson, president, will be named to the board replacing Samuel S. Allan, at-
torney.
Say Pennsylvanians Oppose Open Sun.
(Continued from page 1)
Pennsylvanians declared. Their opposition is based on the belief that the additional operating day might prove more costly than profitable and film may not be adequately protected.
They realize they have a fight on their hands, because large segments of the theatre show business, although a substantial church element is reported to be opposed.
Both of these All-Star groups will be represented at a public hearing to be held at Harrisburg Tuesday when objections will be registered.
Hand on the Stand In Electric's Suit
Hand denied telling Loew that he would be foolish to take DeForest equipment when the company was going to get out of the business and he as a result would be wise to secure patents. He also denied making a statement to Loew that Western and Bell Laboratories were not in a position to continue recording in studios whereby film would not be able to be used on any equipment except Erpi; and that Westerns and Bell made, or contemplated changing, recording so that film produced with Erpi equipment would be lost on equipment only.
He said he never told Loew that DeForest equipment was not "going to get along," because DeFor-
est equipment was using "bootleg pat-
tents," which belonged to Erpi and Western Electric, or that Westerns would-be liable for infringement.
Hand denied knowing or having met Levy who testified he had visited Hand with New England exhibitors to have Erpi service charges canceled or re-
duced.

Theatre Projects Booming Here; Nine Are Now on Top
(Continued from page 1)
will be built of cork and steel by the
Corkman Co. of New York.
The half dozen plans which have been filed in the Bronx include a the-
atre at Mount Eden Ave. east of Walton Ave., which is reported leased to Consolidated, Eli Manar plans to construct a new house at 167th St. and Sheri-
drd. Breiteregger has filed blue prints for a structure at 183rd St. and the Grand Concourse, constructed by the operator at 182nd St. and Grand Concourse. Springer & Cocalis have plans filed for a theatre at Boston Road and Fish Ave. and the last theatre will be built at Fordham Road and Grand Con-
course by an unnamed backer.
K 1, a Fox West Coast enterprise, has taken a lease on one of the Grand Concourse projects. The circuit has the Fordham on Fordham Road, east of the Con-
course, which is the Fox and the Grand in the same neighborhood.
Harry Mandel is fighting in court to secure a licence for his theatre at Madison Ave. and 79th St. License Commissioner Moss refused a licence after hearing protests of surrounding property owners. Argument for
Mandel's petition for a writ of mandate to compel issuance of the license was postponed yesterday Supreme Justice John F. Carey until next Monday.
Sell San Mateo Theatre
SAN MATEO, May 20.—The San Mateo which burned last year and which had a consideration reported to be $100,000. Purchasers are the San Francisco and San Mateo Amuse-
ment Co., a Fox Coast enterprise.
The theatre was formerly owned by Ben Levin, Harry Seipel, manager of the Baywood, San Mateo, is to be the new manager.
Reopen Milwaukee Strand
MILWAUKEE, May 20.—Standard Theatres Co has reopened the Strand, local 1400-seater, with a 15-cent ticket top to 6 P.M. and 25-cent top to 11 P.M. To-day, box-office is behind that of first runs and extended runs on outstanding films. Harry Miller, former Racine manager, is in charge.

Athena Theatres Formed
KANSAS CITY, May 20.—Athena Theatres, Inc. has been formed to operate a theatre in Kansas City, Col. Cruiser, Diamond, and Pinhook. The theatre was planned to be run by the chain, which is not yet the name of one of the operators of the Tower, Kansas City.

Schreiber Closes Another DETROIT, May 20.—Jacob Schreiber has closed the Blackstone No. 1, long a landmark on Michigan Ave. The theatre, which was dismantled, was the first of the Schreiber circuit, which included the Blackstone No. 2, Colonial, Majestic, Forest and Fine Arts. Schreiber re-
ently closed the Fine Arts upon ex-
piration of his lease.

Rushing St. James Work
ASBURY PARK, N. J., May 20.—
Walter Reade is rushing work on the St. James, and hopes to have it ready for opening May 30. The 1,800-
seat house is being completely re-
modelled at a cost of $125,000.

Form Waterbury Concern
WATERBURY, Conn., May 20.—Waterbury promotions, which have been formed here to operate theatres, the incorporators are Lena R. Sirica, Frederick Quatrano and William A. Sirica, all of this city.

Jefferson City Gets Two
JEFFERSON CITY, Mo., May 20.—The Jef-
ferson and Mueller theatres have been leased to the Gregory Circuit of Chi-
icago.

Rejuvenating Empress
Joe Rosenzweig is having the Em-
press, Washington Heights, completely rejuvenated. The work will be done by Joe Hornstein, Inc., without interruption of shows.

Portland Prices Change
PORTLAND, Ore., May 20.—A mini-
mum price of 25 cents has been set by sub-
sequences here. United Artists has gone back to its old scale of 25-40-
cents. Other first runs are ex-
pected to follow suit shortly. The strike affecting the lumber and allied trades is in its third week, with 40-
000 workers out in three states.

Plan 2nd Poster Meet
Second annual convention of the National Posters Service Protective Union will be held May 25-26. The June
Location and date are not yet set.
Within the next two weeks direc-
tors will meet in New York to discuss the session. A meeting of directors was held last week, when preliminary plans were talked over.

Johnston Is Re-Signed
HOLLYWOOD, May 20.—Julian John-
ston, who recently completed three years as head of the Fox story department, has been signed for an ad-
enhanced salary. At present Johnston is working on next season's material prior to his departure to the com-
pany's convention in Chicago May 30.

Derr Is on Way East
HOLLYWOOD, May 20.—E. B. Derr, former production head of Pathe, is on his way east.

NVA Fund Gets Aid Of 2,500 Theatres

Approximately 2,500 theatres, with present licenses issued to the company that included, joined yesterday in donating 10 per cent of their gross receipts for the day to the N.V.A.

The money raised will be used to maintain the organization's sanitation units and equipment, and the various hospital beds located in prac-
tically all the cities in the coun-
try. The money, estimated yesterday that $300,000 was raised in the first four weeks, the several quarters the figure was raised to $500,000.

At the monster benefit staged at Madison Square Garden Saturday night, the likes of which this jaded town has never seen before, it was estimated that $10,000 was taken at the box-office. The figure is not final, since the money for most of the seats was coming in by mail and has not yet reached N.V.A. headquarters. The Madison Square Garden affair was staged in conjunction with the Asso-
ciation of American Clubs of New York, which organization will also share in the proceeds.

Mr. Hathaway's high praise has been heaped upon the broad shoulders of Boris Morros, managing director of the Paramount Theatre, for the manner in which he has staged the show. He and his entire production staff worked for days and far into the night Satur-
day to stage the production. The en-
tire show went off without so much as one small hitch. Particularly enough, motherboard, sound, stage and production director, Arlo Masion, and not as a member of the N.V.A., as might have been expected, since he directly connected with the theatre.

Final returns of the complete amount raised by the drive are expected at N.V.A. headquarters in about a week and a half.

Advertises Houses Of His Competitors
Continued from page 1)

ad calling attention to competitive theatres and attractions.

Appended to the Tower's opening day insertion of 300 lines in the Kansas City Star was a three-column box announcing "outstanding entertainment downtown this week," with "down-
town" stressed. The box read: "UUni-
ually good attractions at all first run
downtown theatres. Enjoy them all!" The total of $40,000 in space for theatres and attractions: Newman, "Goin' to Town"; Midland, "Les Miserables"; Mainstreet, "G Men"; Tower, "Mr. Dynamic." S. Bernard Joffee, the Tower's man-
ger, explained it is an infrequent occasion when his advertisement is present simultaneously at all downtown first runs, and since the opportu-
nity presented itself he thought the public should be made aware of the fact.

The consensus of comment of those who commented: "A splendid idea and a fine gesture."

$4,000 for "Night at Ritz"

"A Night at the Ritz" wound up with about $4,000 for the week at the Mayfair last night. "A Shot in the Dark," a Chesterfield picture, is now current.
Specialists Make Your PICTURES
...Specialists Make CONSOLIDATED CERTIFIED PRINTS

Director, designer, cameraman and technical genius—these are the specialists who put showmanship into your negative. But still another specialist is required to give that showmanship expression—the specialist in film printing. For twenty-two years Consolidated has specialized in establishing film printing on a scientific basis, developing a product recognized today as the world’s finest medium for screen showmanship.
Ontario Exhibitors Stymied in Tax Row

Toronto, May 20.—The 275-odd exhibitors and theatre managers of Ontario appear to be stymied, following the blunt declaration by Premier M. F. Hepburn that the breath-taking amusement tax increases would be collected, regardless of what theatres said or did, in order to raise a further $1,500,000 during the next 12 months as compared with $9,500,000 which was the total revenue from this source in 1934. The deputation which waited upon the provincial premier got absolutely nowhere in its arguments or suggestions.

We didn’t conceive of any government, two weeks after the close-of-Parliament, attempting to raise $1,500,000 through one industry, without giving that industry the courtesy of an interview,” declared Oscar Hanson of Toronto, general manager of Allied Exhibitors of Ontario.

A committee of exhibitors has been appointed to deal with the taxation question, but what can be done is a moot question. This committee comprises Mayor P. J. O’Connor, C. J. Bradley of Windsor; Gordon Filman of London, president of Allied exhibitors of Ontario; C. L. Meretsky of New Liskeard; R. O. Hanson; J. O. Scott of Weston, secretary of the Independent Theatres of Ontario; S. S. Meaghan of Lindsay; Tom Ross of Bowmanville, past president of Ontario Allied; Gordon and Carl Nielsen of Oshawa, and J. L. Murray of Renfrew. These men represent practically the whole province.

Several objections have been made. It is proposed that the theatres open a second box-office in their lobbies for the sale of amusement tax tickets separately from the regular admission tickets in order to compel all patrons to realize that they are paying a heavy tax to the Government. One suggestion has been made in connection with the sign “Hepburn’s Nuisance Tax” should be placed over the second ticket window.

Tax Bills Reappear

TALLAHASSEE, Fla., May 20.—Amusement taxes bolded up again last week in the Florida legislature. Representative Bill Hill of Lafayette County presented an amusement tax bill, designed to raise a bill to raise funds for schools by a general sales tax of two per cent on all retail sales. Under this bill, the state would levy a tax of one cent on each 20 cents or fraction of that amount. On admission. Charges of five cents or less would be exempt.

Representative Buchholz of Alachua County is sponsoring a bill to raise funds for schools by a general sales tax of two per cent on all retail sales. Under this bill, the state would levy a tax of one cent on each 20 cents or fraction of that amount. On admission. Charges of five cents or less would be exempt.

Seek’s Ticket-Tax Repeal

WASHINGTON, May 20.—Taking advantage of the presence in Washington of the Senate Circus, Representative Frank of Ohio today introduced a bill to Congress to repeal the admission tax.

Revive Lottery Bill

BOSTON, May 20.—The lottery bill has been revived by the House, 108-101. A modified bill is to be presented tomorrow. It is figured it would raise about $12,000,000 for the state.

Appeal Erpi-Para, Order

An appeal from Federal Judge Alfred C. Cote’s order approving the terms of Erpi’s $1,200,000 claim settlement with Paramount Publix is being taken by William Yoost, Paramount bondholder, and is scheduled for hearing in the U. S. Circuit Court of Appeals here June 3. Yoost is opposed to the new recording agreements between Paramount and Erpi provided for in the settlement.

Wider School Use of Film Here Is Urged

Recognition of the sound film as a mechanical aid to learning as important as its education to instruction is urged by James Marshall, a member of the Board of Education, in a report to the board made public yesterday.

He recommended the experimental use of educational sound pictures in school subjects, and said the print is an audio-visual instruction in technical, classical, academic, fine arts and scientific courses.

“Tax the school system must use the most modern facilities to enrich the experience of its pupils,” Marshall said. “The school system can, and must, apply the head the complexities of a highly technical industrial age, the school system must utilize modern techniques. Just as the illustrated textbook amplified the printed word after the invention of photography, so now the sound film must amplify the symbolism of words more graphic.”

Bavetta to Brazil; Harley to Paris Job

Carlos Bavetta, former managing director for Fox in France and recently in South America office, leaves for his new post in June 15 after attending the United Artists sales convention in Chicago the latter part of May. Bavetta is now in New York on a vacation. He is succeeded in France by P. L. Harley of the Brazil branch.

Arriving on the Stattendaum last Monday night, were Fox foreign heads in addition to Clayton and Mrs. Sheehan, Carl Nielsen, Scandinavian district manager; F. S. Horan, managing director for Spain; P. M. Brinch, managing director for Germany, are on the liner to attend the year’s board meeting. They will remain for about two weeks.

Cleveland Session Called on Doubles

CLEVELAND, May 20.—A general meeting of the Cleveland M. P. Ex- hibitors is expected to start on June 4. It is anticipated that the local committee on double features will offer the association a plan to take the place of the single feature plan which expires July 8. A modified plan, allowing a limited number of dual changes per week, instead of total abstinence from duals, is expected to be discussed.

The threatened influx of premiums, giveaways and business builders and methods of control will also come up for discussion.

Glen M. Quick Dead

ALLENTOWN, O., May 20.—Glen M. Quick, manager of the Columbia, died at his home from a heart attack. He was formerly with the Morrison and at the time of his death was publicity director for the Tri-Theatres of Alliance. His widow, mother and a brother, all of Alliance, survive. Burial was held today.

Thomas E. Green Passes

CLEVELAND, May 20.—Judge Thomas E. Green, alternate official member of the grievance board, died of a heart attack. His successor has not as yet been named.
FASTER

MUCH faster than regular Eastman Super Sensitive

“Pan” under tungsten light. Faster even than that famous film is when hypersensitized. That is half of the news about Eastman Super X Panchromatic Negative. The other half: Eastman Super X shows no increase in grain size over Super Sensitive “Pan”... in fact, the tremendous gain in speed in this latest Eastman film has been achieved without sacrificing or impairing any valuable characteristic. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN SUPER X

Panchromatic Negative
"G-Men" Hits $9,700, High Seattle Take

Seattle, May 20.—"G-Men" turned out to be a sensation here. It ran up to $9,700, over average by $3,700, at the Orpheum.

"My Heart Is Calling" was strong in its second week at the Blue Mouse, getting $4,200. "Naughty Marietta" also had a good second week, with a take of $7,700 at the Fifth Avenue. Total first-run business was $33,600. Average is $3,100.

Estimated takings for the week ending May 17:

"MY HEART IS CALLING" (Gaumont British) BLUE MOUSE—$2,650, 25c-40c, 5c, 6 days, 2nd week. Gross: $4,200. (Average, $690)

"NAUGHTY MARIETTA" (M-G-M) FIFTH AVENUE—$2,500, 25c-35c, 5c, 7 days, 2nd week. Gross: $4,700. (Average, $670)

"EIGHT BELLS" (Col.) HOLM "EM YALE" (Para.) LIBERTY—$1,600, 19c-25c, 3c, 7 days. Gross: $3,250. (Average, $460)

"CARDINAL RICHELIEU" (U.A.) MUSIC BOX—$390, 25c-5c, 5c, 7 days, 2nd week. Gross: $500. (Average, $71)

"G-MEN" (F. N.) ORPHEUM—$650, 25c-35c, 5c, 7 days. Gross: $650. (Average, $93)

"CASINO MURDER CASE" (M-G-M) PARAMOUNT—$2,050, 25c-40c, 5c, 7 days, 2nd week. Gross: $600. (Average, $86)

IMPERIAL DISTRIBUTING CORP.

PRESENTS

For 1935-36

7 BOX OFFICE ATTRACTIONS

ALL STAR CASTS

"MANHATTAN BUTTERFLY" "RICH RELATIONS" "PENTHOUSE LOVE" "MURDERED BY TELEVISION" "SILVER LININGS" "SECOND CHOICE" "HIGH HAT"

ALL PUBLISHED BOOKS BY FAMOUS AUTHORS!

IMPERIAL DISTRIBUTING CORP.

William M. Pizor, President

729 Seventh Ave., New York City, Cable: PIZORFILMS, N. Y.

MOTION PICTURE DAILY

Tuesday, May 21, 1935

Wall Street

Columbia Rises 3 1/2% on Big Board (Continued from page 1)

Complaint filed by Loew's 175th St., which gives the rate for the last week.

"No matter what this board or the local board rules will continue, the New York independent will continue the practice," he said. "Because of the poor run of product, exhibitors playing third, fourth, fifth and sixth run are paying nearly as much as the circuits for film and must give patrons something in addition to the pictures to get them in," he stated.

Albert started a debate on the giveaway section of the code with Irving Greenfield, attorney for Loew's. He asserted that exhibitors giving premiums to "Lucky" winners were not violating the code. He added that the New York independent was giving away money as prizes, but discontinued the practice and is now handing out gifts.

Albert declared that giving prizes to 45 winners of a "Lucky" contest was discriminatory and that it was a code violation unless certain classes were given articles, such as dishes to all women, or special articles to all members of the opera. He added that the tendency to distribute articles to a select few was discriminatory.

Albert rebutted, stated that the giving away of prizes did not reduce admissions, but as a matter of fact increased the value of the ticket. "Despite Loew's threat to start a premium war, I do not believe the circuit will go through with it," the I.T.O.A. counsel continued.

The local grievance board today reconvenes to act on the discussions held last Tuesday on giveaways and chance games. At that meeting 30 representatives of independent and major circuits attended.

Albert yesterday told Motion Picture Daily that if Code Authority or the local board tries to stop distribution of premiums, he will file injunction papers which he said he has already prepared.

Defy Threatened For Giveaway Ban

Philadelphia, May 20—John Carroll, manager of the M. P. Public, Capitol, has recovered from a recent operation and is back at his desk.

Fight to Keep NRA 2 Years Gets Started

(Continued from page 1)

Wednesday to demand a two-year extension.

We're declared that the address, telephone number and officers of the "Indus-

try and Business Committee for NRA Extension" which is sponsoring the House bill as those of the code authority of the Silk Textile industry.

The North Dakota senator showed the Senate some 300 cards he had re-

ceived from retailers in his state, distr-

buted by some unknown body, on which the business men were asked to note whether they favored extension of the law and send them to the senator. Out of this number, he said, only six favored continuation of the NRA Senator Vandenberg of Michigan also showed similar cards, only four favoring and 300 opposing, while SenatorDickin-

son of Iowa showed 494 cards, only 12 of which favored the NRA.

RKO-Century Appeal Up

A Camp appeal committee today will meet to consider a letter to the secretary of labor on the question of whether the RKO and Century are now in com-

pliance with the new code.

The local clearance and zoning board devoted more than 30 hours to the case some time ago. It handed down a split decision, declaring that the RKO theatres in Far Rockaway were not competitive to the Fantasy, Rockville Center, while the RKO Al-

den in Jamaica is in competition. Both sides appealed.

Tonight another Code Authority committee will hold another hearing on the clearance and zoning complaint of the Regent against Springer & Coacals' Apollo. Both houses are in Brooklyn. Benjamin Rich was in court, while Melvin Albert will appear on behalf of the Regent. The hearing is slated to begin at 8 P. M.

FWC's Realignment Complete, Skouras

(Continued from page 1) stated yesterday upon his arrival from the coast where he conferred with his brother, Charles, in New York.

The 10-year joint operating contract with National, Chase National Bank, which was not yet signed, Skouras added. He had left the coast Thursday by plane, but due to bad weather was grounded at Albuquerque. After a night at Albuquerque he flew to Kansas City where he took a spe-

cial plane to New York.

E. L. Alperowicz, and E. J. Pesky did not return with Skouras, remaining on the coast for additional conferences.

Vaudville Back in N. O.

New Orleans, May 20.—Vaud-

vile has been brought back here by the United Theatres for its 10 suburban houses. Al Dunning is doing the book-

ing. Radio bands and night club en-

tertainers are being used.
Television Is
SMPE Topic
As Meet Opens

(Continued from page 1)

MOTION
PICTURE
DAILY

Revive Rumors Over
F-P Canada Control

(Continued from page 1)

Canadian Corp., the rumor has been
revived in Toronto financial circles of
the possibility of control of Famous
Players' chain coming to Canada
at the instigation of N. L. Nathanson,
who was then general manager.
Nathanson withdrew from the com-
pany as a result, but has since become
president. The new issue is being sold
to stockholders at $10 per share.
Incidentally, Nathanson has said he
would like to see the company under
Canadian control.

Paramount officials who were
asked to comment on the Toronto
report yesterday described it as "ridiculous,"
pointing out that control of Famous
Players Canadian could only pass from
Paramount through a sale of the stock
held by the latter and that if Parma-

Hollywood, May 20.—Harry Goetz
arrived here today for conversations
with Edward Small of Reliance.

"Bride" Gets
Big $24,600;
Detroit High

"Bride of Frank-
estown" led a remarkable pickup here
last week. It ran up to $24,600, over
by $9,600, and was moved to the
Adams Theatre.

"Les Miserables" reached $14,600,
over the line by $4,000, at the United
Artists. "G-Men" was something of
a sensation at the Michigan, getting $25,-
400, above the average mark by $5,400.
Total first run business was $88,300.
Average is $70,000.

Estimated takings for the week end-
ing May 9:

Mr. Dynamite" (Una). $9,900.
"Eight Bells" (Fox). $17,600.
"Bride of Frankenstein" (Univ.)
$23,100. $17,600. 7 days.
Stage. Everett Marshall and vaude. Gross:
$92,000. (Average, $13,100.)

"Naughty Marietta" (M-G-M)
"Western Point of the Air" (M-G-M)
FISHER—$725, $10c-40c, 7 days. 2nd run.
Gross: $1,500. (Average, $214.)

"G-Men" (Warner). MICHIGAN—
$44,000, 10c-40c. 7 days. Stage.
Gross: $25.000. (Average, $3,500.)

"Mark of the Vampire" (M-G-M)
"Shot in the Dark" (Chesfield)
DETOUR—$2,200, 10c-40c. 7 days.
Gross: $31,000. (Average, $6,200.)

UNITED ARTISTS—$2,500, 10c-40c. 7
days. Gross: $18,000. (Average, $2,500.)

"Let's Live Tonight" (Col.)
BROADWAY-CAPITOL—$4,400, 10c-40c.
7 days. Gross: $12,000. (Average, $1,600.)

S. S. KRELLBERG

Announces in Production

"LAWRENCE OF ARABIA"

A Dramatic Story on the Life of the
Greatest Hero of Modern Times, with
an Internationally known Star playing
LAWRENCE OF ARABIA

All Rights Reserved

REGAL DISTRIBUTING CORP.
729 Seventh Avenue
NEW YORK CITY
SWEEP THOSE DIMES
into your BOX-OFFICE!

NOW BOOKING! THE FIRST PICTURE TO CAPITALIZE THE NATIONAL CRAZE!

"CHAIN LETTER DIMES"

Leo's right on the job, giving you a side-splitting one-reel subject timed to the red hot minute!

TODAY! EXTRA! "CHAIN LETTER DIMES"
A Laugh Riot on America's New Indoor Sport!
A PETE SMITH M-G-M SHORT

SPECIAL ONE-SHEET! SPECIAL PRESS BOOK!

A PETE SMITH-M-G-M WOW!
Code Mauld as Allied Speakers Get Underway

Cole Charges Texas Move Is Leveled at Independents

Missouri 1% Tax Is Passed by the Senate

306 Men Ask for Extended IATSE Rule

Hicks Pleased by European Business

Laemmle-Grainer Agree on New Pact

Admission Taxes Up Over One Year Ago

No Decision Made on Giveaways Here

Augments "Aggressions," They Say—3-Point Program Offered

Myers Calls Ascap Group "Racketeers"

Sees Booking Crux Of All Complaints

British-1st Division Deal Is Abandoned

Columbia Asks Curb Listing For Its Stock

Makes Application to SEC For 177,933 Shares

By CLARENCE LINZ

WASHINGTON, May 21.—Application for the cancellation of the New York Curb Exchange of 177,933 shares of no par common stock, all issued, has been filed with the Securities and Exchange Commission by Columbia Pictures.

No information regarding salaries or finances accompanied the registration statement.

The application shows that Columbia has 100 per cent interest in Columbia Pictures Corp. of California, William Horsley Film Laboratories, Inc., Columbia (British) Products,

(Continued on page 8)

Quigley-Milliken Back from England

Martin Quigley and Carl E. Milliken, secretaries of the M.P.P.A.D.A., returned to New York yesterday on the Majestic, following conferences in London with the Film Producers Group of the Federation of British Industries.

It is learned that the proceedings of the conferences have been summarized in a letter which has been addressed to Will H. Hays which is expected to be made public shortly.

Boy lan Is Named as "I" Scenario Editor


It is expected Boylan, who was formerly publicity head of the studios, will take over his new post June 1, although no contracts have been signed as yet.

Another change in studio personnel has Henry McRae succeeding Milton Gaetz as serial producer, with the latter remaining until the finish of the last Buck Jones picture now in work.

Irving Trust Upheld As Trustee for RKO

The U. S. Circuit Court of Appeals in a decision handed down yesterday affirmed the appointment of

(Continued on page 2)

By RED KANN

ATLANTA, May 21.—Because it was declared to have failed to give independents the break they sought, because it presumably added to the advantages of major companies, because it failed to meet antitrust allegations of compulsory block booking, the code was pilloried, castigated, mauled and blamed for augmenting "aggressions" of distributors throughout the United States as Allied's first business session came to a close at the Piedmont last today.

Abram F. Myers, Allied's general counsel, delivered a 35-minute history of the past, present and future of the NRA pact, again striking the organization's well-known stand that independents had been "sold down the river.

Higher and higher rentals, despite lower negative costs, as well as the distributor practice of failing to protect old accounts over new ones and a three-point program, including a buyers' strike for bringing to independents a better break were expound ed by David Barrist, representing the

(Continued on page 4)

ATLANTA, May 21.—The American Society of Composers, Authors and Publishers and the Copyright Protection Bureau today were painted as "racketeers" by Abram F. Myers, in

(Continued on page 6)

ATLANTA, May 21.—Eliminate compulsory block booking and complaints of independents will be over, Walter B. Littlefield, New England regional vice-president of Allied, told the con

(Continued on page 4)

Nations looking toward a reciprocal distribution deals between First Division and the new Anglo-American Renters' Co. have been

(Continued on page 5)
Published daily except Sunday and holidays by Motion Picture Daily, Inc., sub- sidiary of Universal Pictures Corporation, Martin Quigley, president; Donald W. Vasey, Martin Quigley, editor-in-chief and publisher; James A. Cron, advertising manager.


Hearing Is Delayed On Para. Properties

LOS ANGELES, May 21—Attorneys representing Paramount Properties, Inc., yesterday told Federal Judge Paul J. McCormick that an approximately 46 percent of the creditors have agreed to the reorganization plan under the supervision of the Federal Court's supervision. The attorneys also presented a Motion of hearing until June 17 to obtain the sanction of other creditors at which time Judge McCormick is expected to approve the plan with the stipulation there will be no reduction in par value or lowering of interest in the company's outstanding $2,750,000 first mortgage six per cent bonds and no change in ownership or control.

“One” Forms Spanish Producing Division

HOLLYWOOD, May 21.—Universal has organized a Spanish film producing division to produce Spanish films. Christy Banke will direct the first picture for the division: “One of the Anxes.” The balance of the program has not yet been outlined.

“U” Men Go East Soon

LOS ANGELES, May 21.—A. J. O'Keefe, local Universal exchange manager, leaves shortly for the Universal Chicago convention accompanied by W. H. Cline, district manager. Following the Chicago meeting, Hethman plans to journey to Manhattan for conferences with James R. Grainger regarding F.W.C. booking of Universal product.

Purely Personal

SARI MARITZI (Mrs. Sam Katz), arrived on the Majestic yesterday ill from the crossing. She said she planned to return to Hollywood today by train and is through with pictures. Noah Beery, Jr., who appeared in a Gaumont British film, was a passenger on the Majestic. Miss Maritzi left at 4 o'clock for the coast by plane.

Bilie Burns, accompanied by her daughter, Patricia Ziegelfeld, and Mary Rogers, daughter of Will, arrives today on her first visit from the coast in three years. Miss Rogers will go on to Shilowgen, Me., for summer stock.

Bruce Gallup, president of the Ampa, will hold a closed session tomorrow and assign duties to various members. He plans to hold a big open session next week.

Alfred Sak of the Sak Amusement Co., Texas, arrived yesterday for a three-day visit. He recently completed an independent exchange in Los Angeles.

Boris Morros receiving congratulation for his handling of the N. V. A-Masonic Clubs benefit at the Garden last Saturday night.

An Eastwood of the William Morris Agency left yesterday for the coast for a short visit.

Joe Seldinman is due in from the coast today.

Laemmle-Grainer Agree on New Pact

(Copied from page 1)

busy of late on the new production of "The Green Pastures," running details of the sales convention. When the "U" president brought up the matter yesterday in the course of the usual exchange of business matters, the terms were agreed upon in a few moments and identical copies were signed on each coast.

Irvng Trust Upheld As Trustee for RKO

Irvng Trust Co. as trustee of RKO in reorganization.

The appointment of the trustee had been contested by Edward L. Garvin, attorney for RKO dissenters, who called a pre-emptive meeting to discuss the RKO's petition for reorganization under Section 77-B of the new bankruptcy law. The appointment had been prior to the enactment of S7-B. Garvin also contended that the RKO board, which filed the petition, was not without authority to direct the company to sign his petition.

Federal Judge Alfred C. Cox dis- missed the Garvin action after a dis- trict court hearing and the dismissal was affirmed by the Circuit court.

3 Plants in Europe Planned by Kalmus

Three foreign laboratories are planned by Technicolor, one in Lou- ise, France, another in Paris, which was held tonight under the sponsor- ship of the Academy of M. P. Arts, and others in the Carthy Circle, where Technicolor prints were under consideration and the new three-color process was demonstrated.

The film contains the latest developments in color photography and its prospects for the future were presented by Technicolor en- gineer Maurice Kalmus, who will present the new process. Problem confronting the director of pictures in natural tints were the subject of a talk by Rouben Mamoulian, who directed the first feature to be made in the new process Technicolor.

Natalie Kalmus, who with her hus- band, Herbert T. Kalmus, head of Technicolor, has been a leader in the development of color photography, discussed the psychological color, while J. A. Ball, a member of her staff, explained the new process. Problems confronting the director of pictures in natural tints were the subject of a talk by Rouben Mamoulian, who directed the first feature to be made in the new process Technicolor.

Limited Stays for Aliens Is Proposed

WASHINGTON, May 21—Continuation of the free entry of alien actors, but with a requirement that they leave the country as soon as their engagement ends. Alien actor or actress can only be present in Hollywood for不超过nine weeks by Representative Kramer of Califor- nia as a substitute for the bill placing foreign talent under the contract labor and provisions of the Immigration Law.

Under the amendment to be offered by Kramer the stay in this coun- try of alien actors would be strictly limited to the period of their engagement and they could not be present in any six months period of time as at present. At the same time no difficulties would be experienced by American producers desired to use.

Senate Bars Reels

WASHINGTON, May 21—Foreign cameras will be barred from the Senate Wednesday when President Roosevelt delivers his message on the sol- idarity of all nations. The Senate had voted a ruling made today by Speaker Byrnes.

Botsford to Hospital

HOLLYWOOD, May 21—A. M. Bots- ford, executive assistant to Henry Garvin at Paramount, goes to the Good Samaritan Hospital Wednesday for an appendicitis operation.

Color Films Chief Topic Of S.M.E.

Hollywood, May 21.—Color photog- raphy and its commercial application at the convention of the Society of M. P. Engineers here today. A session will be held tonight under the sponsorship of the Academy of M. P. Arts, and Sciences at the Carthy Circle, where Technicolor prints were under consideration and the new three-color process was demonstrated.

Ellis Funeral Services

Hollywood, May 21.—Funeral services will be held here Wednesday for Robert J. Ellis, art director at the Hollywood-Ramona Cemetery Chapel. Ellis died Monday at the Hollywood Hospital.

M-G-M Men in Frisco

SAN FRANCISCO, May 21.—M-G-M will hold a regional sales convention here late this week or early next week with R. W. Carmichael, Los Angeles sales manager, and Jack Jacobs, from Hollywood, attending.
"EXCUSE ME FOR POINTING—"

SHOWMEN'S TRADE REVIEW
MAY 18, 1925

PUBLIC HERO No. 1

MGM

88 mins.

PUBLIC HERO NUMBER 1 is the TOPS!

Everybody's Saying It!

Everybody's Saying It!

PUBLIC HERO NUMBER 1 is the TOPS!

PUBLIC HERO NUMBER 1 is the TOPS!

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Salutes Papers
Atlanta, May 21—Sidney Samuelson, Allied head, handed the trade papers a compliment of a sort at the opening session of the convention today saying: "I urge you to read the trade papers. I am well in return for such courtesy of such a large trade paper. I extended to me out of the kindness of these papers."

Sees Booking Crux
Of All Complaints

Buying Strike
Urged As One
Of Allied Aims

ATLANTA, May 21.—A buyers' strike, the marshaling of public opinion, and legislation, he said, were offered to Allied conventioners as a three-point, program to combat what were described as aggressions of distributors. David Barrist, representing the I.E.P.A. of Eastern Pennsylvania, was advocate as one of the speakers at the opening business meeting of the convention this afternoon.

Barrist deplored absence of elaborate product announcement books on the stand which, he said, were offered to distributors to furnish no background information, thus making it impossible for exhibitors to know what product is offered is and is not.

Rentals are higher, yet negative costs are lower and producers are not often billed. As a result, he said, distributors are demanding even higher prices, he averred, adding the exhibitor who protests is immediately stumped as a Bolshevik or radical. He added that distributors make no efforts to protect old customers, citing Philadelphia, where he said that garages and bowling alleys are being renovated at slight cost and are being serviced with film by distributors without question.

Cites Philadelphia Example

In expounding the three-point program, Barrist strikes are not to be expected need not be national. He stated 18 months ago in Philadelphia exhibitors there were contractors, who, in hundreds of spot competitive exhibitors today are forgetting their competition in order to be able to prevent themselves from being driven out of business.

Amplifying his second platform, he stated that John Flinn said the natural advantages rested with independents since they were a "deeply rooted confidence in the soil of public affection," further declaring, "18 months ago in Philadelphia we had a situation. We used to be able to attend sessions by the dozen with more than 24 hours that if we pulled the trailers we could get together. We did and we did it.

Legislatively independents had it all their way, he went on, pointing out major companies could not face the battle of such calibre on 20 or 30 fronts at the same time. Barrist made his best impression in conclusion when he expressed himself as for a resolution to end all resolutions.

Clearance Protests
In L. A. Up to Nine

LOS ANGELES, May 21.—Exhibitor protests on the local clearance and zoning schedule now total nine with heartening reports for May 27. John C. Flinn is expected here over the weekend to sit in at the hearings.

John C. Flinn has not decided when he will leave for the coast. He is anxious to attend sessions here on schedule protests and will probably fly out Saturday.
"When I mark a man 'personal'—he stays that way! . . . . And when I tell you I'm going to give those 'G-Men' figures a run for New York's money starting Friday at the Capitol, I mean every word I say!"

**BETTE DAVIS**
The girl from "Bordertown" and "Of Human Bondage" heads for the heights in Warner Bros.'

"THE GIRL FROM 10TH AVENUE"

With Ian Hunter, Colin Clive, Alison Skipworth. Directed by Alfred E. Green. A First National Picture
MPTOA Head Urges Allied To Cooperate

Restating M.P.T.O.A.'s position on leading exhibitor and trade problems of the moment, Ed Kykendall, M.P.T. O.A. president, in a lengthy bulletin of his organization released yesterday "to really do something for the theatre owners by inducing these same sensible and practical proposals."

The M.P.T.O.A. bulletin apparently is timed to make its appearance concurrently with the convention of Allied in Seattle at this week. Outspoken criticism of the Allied organization has been permeated throughout the message, side-by-side with liberal condemnation of M.P.T. O.A., it is a compromise effort for nothing for both parties in the case. There are 20 spots to date which have been forced into such situations and already three directors and 25 or 30 members of his association have been lost to it in the last 90 days, Cole continued.

No reason why the circuits cannot continue this indefinitely," he added. Without mentioning Interstate by name, other than to describe it as a Paramount affiliate, Cole charged Hoblitelle interests with attempting to stifle independents or to compel them to close through execution of contracts which prevent any neighborhood theatre from making any stock insert of their films.

"The theory that competitors can set your prices, plow your business in their hands, the power is never used detrimentally, at least in this business. That is the reason I am opposed beyond all consideration of business."

Cole admitted he did not know the answer and that he himself was threatened with extinction as an exhibitor. Recognizing his statement as serious, he also made a flat charge the Governor or a competitor had the market taken from him. "Federal Administration who sold out is only in Washington in a bigger job and at a bigger salary."

Myers Calls Ascap Group "Racketeers"

It was a general counsel of Allied, in explaining what Allied has been endeavoring to do to curtail collections from exhibitors by both those groups.

Kykendall reviews M.P.T.O.A.'s position on the code and states that while the organization is prepared to work with any legitimate interests, they can never back the drafting of "a much better code, based on over a year's experience with the present one," it is "useless" to make proposals until Congress has set the N.R.A. future. He observes that the main line of attack being employed by N.R.A. opponents is to have coal and try to run the other fellow's business for him?

Kykendall, in announcing a convention program gives no serious consideration to the business of managing a motion picture theatre. Perhaps that is unimportant."

He took an emphatic poke at the Copyright Protection Bureau, which he described as "an extorter" of money from theatre men and charged efforts to collect unauthorized holdovers were unjust in that such actions were never approved. He added that a perfect status would be a law eliminating any new copyright."

The bill, eight others were for it. If it were to be done, production and exhibition would not have codes.

"The distribution," Kykendall writes, "could have a code of its own, written entirely by distributors. What good do you think such a code will do if it is enacted? What is the purpose of the act itself. It is a code applying only to businesses engaged in interstate commerce and concludes, is that the distribution of a book, a code written entirely by distributors, the death of N.R.A. would mean the loss of our greatest opportunity to remove abuses in this business."

Maxwell May Not Come

LONDON, May 21—John Maxwell, chairman of the B.P.O.E., is not likely to go to New York after all. He has to be on hand May 29 when the company puts out a $3,000,000 stock issue, which is all underwritten. The next boat sails May 29 and he is undecided whether he will leave at that time.

years and brought the picture to date as be it saw it by declaring circuits now until at 1,500,000 under the code are a towns of 5,000 population and less where independents now remain, he added. Where circuits are not in exact booking fees, the law, he charged. Cole alleged the circuit method was to call Dallas exchanges and demand production of 10 or 20 more pictures, regardless of the fact the circuits themselves have no operation there.

Independent have no way out, he asserted, and so find themselves compelled to turn over four per cent of the gross to Dallas, in effect, it does nothing for them. There are 20 spots to date which have been forced into such situations and already three directors and 25 or 30 members of his association have been lost to it in the last 90 days, Cole continued.

No reason why the circuits cannot continue this indefinitely," he added. Without mentioning Interstate by name, other than to describe it as a Paramount affiliate, Cole charged Hoblitelle interests with attempting to stifle independents or to compel them to close through execution of copyrights. While not representative of all Allied wanted, Myers said the measure represented a washing out of copyright, available. He added that a perfect status would be a law eliminating any new copyright.

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Missouri's 1% Tax Is Passed by Senate

The Senate also passed a bill permitting horse racing in Missouri and...
THEY’LL LIKE HIS NERVE!

It took plenty of brass to break his wedding date and leave his fair bride in the lurch at the altar...but that's how the daring young man earned the price of his honeymoon.

It hums with excitement...as it bubbles with laughter!

The DARING YOUNG MAN

JAMES DUNN
MAE CLARKE
NEIL HAMILTON

Produced by Robert T. Kane
Directed by William A. Seiter

Screen play by William Hurlbut. Additional dialogue by Sam Hellman and Glenn Tryon. From a story by Claude Binyon and Sidney Skolsky.
Hicks Pleased by European Business

(Continued from page 1)

the first annual international sale, to be held in London W. Lange, Continental European general manager. The three-day session was held in Paris last week, with 125 in attendance. Welner, assistant to Hicks, also returned on the Majestic.

Hicks announced at the conclusion of his trip that 32 European films would be released abroad in addition to eight from the French films have been completed, having been made by outside producers at the Joinville studios. The 32 figure does not necessarily mean that this number will be released in America next season, since some of the films announced are lapovers from the current season. Shorts were not taken up.

No changes in personnel were made. Hicks added, and no new theaters are contemplated, he said. He will make a report on the foreign meet at the company’s annual sales meet at the Waldorf-Astoria. Hicks and Welner visited London, Paris, Berlin, Czechoslovakia, Hungary and Austria.

Appeals Committee Heirs Century-RKO

Because of the split decision by the New York clearance board, an appeal committee comprising Paul Burger of U. A., Nathan Varian, independent executive, and William Jaffe, Century attorney and chairman, yesterday heard the RKO appeal of the Far Rockaway situation in the Century-RKO dispute in Long Island.

Another meeting will be held this afternoon to listen to additional testimony and arguments in the Century appeal on the Tamaqua portion of the same case. Louis Loew, associate executive in charge of the RKO’s eastern office, John O’Connor represented RKO yesterday, while Mitchell Kptf and Tom Murray represented Century.

Though this afternoon’s meeting will not interfere with the golf game being sponsored by Campi at the Lakeville Country Club, Great Neck, L. I.

No Decision Made On Giveaways Here

(Continued from page 1)

tion for stopping the various forms of reduced admissions.

As a result, the meeting was adjourned after two hours until Friday, when a full meeting of the board will formulate an opinion for curtailing the practices. The various committees will not have any agreement which will be adopted Friday.

Determination of the interference of lease complaint filed by Leon Rosenblatt of the Maplewood, Maplewood N. J., against M. G. Feider also was adjourned.

Members of the board are George F. Thompson, impartial man and chairman; Myron Saltzer, Paramount; John O’Connor, RKO; Louis Geller, independent exhibitor; Jack Bellman, Hollywood Exchange.

Roxy Beasts Coliseum

The Roxy nine yesterday beat the Coliseum baseball team, 16 to 7.
Para. Election Going Over to Late in June

Conferences Required on Makeup of New Board

Election of officers of reorganized Paramount may not take place until mid-June or later, it was indicated yesterday following a meeting of the present Paramount board and creditor representatives.

The election of officers, it was pointed out, would be preceded by conferences on the subject by the new board, which will be formally installed on June 3. The election, according to present plans, would be held at the first meeting of the board thereafter, and because of the necessity for the intervening conferences and present uncertainty concerning their duration, no date has yet been set for the meeting next following the June 3 installation.

It is reported that, unlikeably, however, that it would be held prior to June 12.

Yesterday’s board installation approved final changes in the new Paramount (Continued on page 8)

Extension Planned On Para. Theatres

Agreements extending for three months all Paramount theatre operating contracts which expire June 27 have been prepared by the Paramount Publicists and are being submitted to the operating partners for their signature, it was stated by a spokesman for the trustees yesterday.

The extensions are being made in order to provide time in which the new Paramount management, which will not be definitely constituted until the (Continued on page 8)

Predict a Roxy Net Of About $500,000

Net profits of the Roxy for the year ending June 15, after taxes, charges for improvements and interest on receivables certificates, are expected to approximate $150,000. It is stated June 15 also marks the first year Howard S. Cullman has been (Continued on page 8)

Dent Deal for Astor Called Off, He Says

Arthur Dent, vice-president and general manager of British International Pictures, stated yesterday that his plans to take over the Astor for (Continued on page 6)

Allied Will Seek Hays’ Aid to End “Aggressions”

British Agree to Comply With Production Code Here

An agreement to aim for full compliance with the American Production Code on British pictures intended for distribution here was reached in London as a result of conversations carried on between Martin Quigley and Carl E. Milliken and representatives of the Federation of British Industries.

British producers have the exchange of views to a means of enhancing trade relations between the two countries.

A concrete proposal resulting from the talks is a suggestion from Charles Tennyson, chairman of the F.B.I. film group, to Will H. Hays that a New York branch of the Production Code Administration be set up to facilitate the handling of British scripts and pictures submitted to it for criticisms and suggestions. This would eliminate delays that would be caused by shipment to the coast.

For some time American scripts have been submitted in advance of production to the British Board of Film Censors in London.

The conferences were held as a result of a request from F.B.I. representatives to Will H. Hays, so that British producers could obtain a clear understanding of production standards required in this country. Hays was unable to make the trip and so asked Quigley to represent him. Milliken was assigned to attend the conferences on behalf of the M.P.P.D.A. Both returned to New York Tuesday afternoon on the Majestic.

Results of the proceedings are summarized in a letter from Tennyson to Hays.

After expressing appreciation for the way in which the Production Code Administration had been “carefully and meticulously,” explained to his group, Tennyson says that “the principles animating both systems (English and American) are identical, and that both are founded upon the necessity of avoiding in motion pictures any element calculated to debase public morals, but the methods of achieving these ends differ slightly in the two countries.”

He points out that American producers have found it desirable and useful to present their scripts to British (Continued on page 6)

Gaumont Meet Here To Draw About 100

About 100 home office men, branch managers and salesmen are expected to attend the annual first annual sales convention of Gaumont British set for the Hotel Warwick May 27, 28 and 29, according to George W. Weeks, general sales manager.

Home office personnel scheduled to attend includes Arthur A. Lee, vice-president; C. M. White, assistant (Continued on page 6)

Laboratories Lead SMPE Discussions

Hollywood, May 22—Laboratory problems held the attention of the Society of M. P. Engineers at its convention here today, with Emery Hase, executive vice-president of the society, presiding.

“A Dynamic Check on the Processing of Film for Sound Records” was the topic of F. G. Albin of United Artists, while Lynn Dunn of the RKO (Continued on page 6)

Denies Hearst Reel Will Go to Warners

Reports current for some time that Hearst has signed a deal with Warners starting the first of next year were denied yesterday by Edgar B. Hatrick (Continued on page 6)

Mexican Producers Hit by Tax Demand

By JAMES LOCKHART

MEXICO CITY, May 22—Mexican producers and distributors have been hard hit by the insistence of the Minister of Finance that they pay an im (Continued on page 6)

Agrees on Committee to Confer; May Appeal To Justice Dept.

By RED KANN

ATLANTA, May 22—Allied today unanimously voted to send a committee to New York to demand from Will Hays and the “powers that be” that distributor “aggressions” in the theatre field end and justice be meted out to injured exhibitors. If such effort comes a cropper it was determined to dump the issue in the lap of the Department of Justice for possible prosecution under the anti-trust laws.

It was Al Steffes, second president of Allied and for years its fire eater, who stepped from almost complete retirement in Allied affairs long enough to whom it up as of yore and swing the convention to this decision. Once he got going his pyrotechnics stirred other delegates from their lethargy and paved the way toward unfulfillment of stories from our exhibitors who charged distributor tactics were crowding them out of business.

Steffes built his fireworks around the address made Tuesday by Col. H. A. Cole of Texas, who had charged affiliated circuits with an organized attempt to etch force independents out of business or compel them to pay tribute to what he envisioned as a potential national booking combine.

“This is a lousy convention,” was Steffes’ opening bon mot. “I’ve been here two days and what has been accomplished? This is a reflection on the national officers. They are here to (Continued on page 4)

Try Code Test in Loew Chicago Row

CHICAGO, May 22—Exhibitors here are turning to the code in their fight to prevent Loew’s from making good its threat to invade Chicago.

Essaness has filed a complaint with the local grievance board under those provisions of the code which forbid (Continued on page 8)

Frisco Houses Hit In Bank Night Suit

SAN FRANCISCO, May 22—A $25,000 infringement suit will be filed Thursday against approximately 100 theatres here on behalf of Associated Enterprises, Inc., which owns and (Continued on page 8)
Purity

JOE PENNUN will this month replace his own private baseball game every afternoon with the Music Hall and Radio squads practice on the roof under his window. It takes nothing short of a home run to make Nelson turn to the window, however.

ED FISCHER is acquiring that summer run a hit early this year. That explains his continual turning around in the sun. His own version is: 

"He's to be toasted even on all sides."

Quip of the Day

George Brent, waxing familiar, asked an extra girl on a Warner set: 

"How are you today, Miss Barnard?"

"Very well—and you, Mr. Charterson?" she returned, equally snaggy rejoinder.

Edward Goulding helping Greta Nissen feed her pet rabbit in all the popular night spots. Goulding is official custodian of the bunny's late wife.

Charles Koepler, RKO Boston district head, arrived in town yesterday to practice on his golf for the company tournament today at the Fenimore Country Club.

William Gaxton is suffering from a stomach ailment and even has a doctor around while he does his part in "Anything Goes" every night.

Deputy Administrator William P. Farnsworth came in from Washington yesterday to attend the legitimate theatre code authority meeting.

Helen O'Toole, New York secretary of M.P.T.O.A., is recovering from an appendicitis operation at Mercy Hospital, Wilkes-Barre, Pa.

Will H. Hays, Frederick Herron and Phil Reisman spotted dining at the Cloud Club yesterday noon with Arthur Dent of B. I. P.

Sam and Jake Flax, Washington Republic and Times-Picayune holders and Hera- man Ripken of Boston, were in town yesterday.

Felix A. Jenkins, general counsel at Fox, will take in the convention at Chicago the end of the month.

Hers Berg busy organizing fishing trips to Sheephead Bay and thinking about getting his own boat.

Johnny Consenting, special representative for Spectrum Pictures, has

MOTION PICTURE DAILY

Vol. 37 May 21, 1935 No. 121


Schwalbe's Funeral Will Be Held Today

PHILADELPHIA, May 22—Funeral services will be held here Thursday for Harry Schwalbe, film writer, 4200 Market St., City Line, Bal.

Zanuck Returns Home

HOLLYWOOD, May 22—Darryl F. Zanuck, production head of 20th Century Fox, has returned home from three weeks' hunting trip in Alaska. He is scheduled to start production early next month on "Sing, Governor, Sing."

Rosenblatt Talk Denied

CHICAGO, May 22—George Browne, president of the E. A. L., has denied today reports in New York that Com- pliance Director Sol A. Rosenberg had been retained by the international.

B. F. Keith Meet Routine

Directors of B. F. Keith Corp. yesterday held a routine meeting. Policy and other company operation details were discussed.

Wing Quits Hospital Today; Wallet Out

KANSAS CITY, May 22—Paul Wing, Paramount studio executive in charge in the plane crash May 6 in Macon County, Mo., plans to leave Thursday morning by Toby Wing, actress, who is his daughter, and Mrs. Wing, who was among the most seriously injured.

C. J. Parker, electrician with the original "Annapolis Farewell" unit, while improved, will remain in Samaritan Hospital at Macon for some time, according to physicians, but may be transported to the coast shortly if his condition continues to show a decided improvement.

Richard Wallace, director, and Henry Sharpe, cameraman, have left the hospital for Hollywood by rail. Mrs. Parker, who has been in the injured and a nurse was in the party.

Arthur H. Cole of the Paramount management, who has been in Macon looking after the inter- ests of the injured since the wreck, has returned here.

Jubilee Film Gets New Title in U. S.

Following criticism on the point of fair practice of the British International picture, "Royal Cavalcade," this subject has been renamed "Jubilee Cavalcade" for the American market, according to Arthur Dent who is now in New York seeking releasing ar- rangements for a group of six B. I. P. pictures.

The picture, a collection of newsreels showing what has been released in England under the title "Royal Cavalcade" was confused with the Noel Coward play, "Cavalcade," a reissue of which has been announced in the British market. The B. I. P. picture continues to be shown in England under the title of "Royal Cavalcade."

Elson Confers at RKO

William Elson, operating the Presi- dence and 7th St., Minneapolis, yesterday left for home after confering with E. A. Reoch, head of the RKO real estate department. Elson operates the two northern undertakings under the concept of percentage of profits arrangement with RKO and is understood to be angling for additional theatres. He would not comment yesterday on future acquisi- tions, stating that business is only fair. Elson arrived Monday.

Sarah Siegel Gets Post

Helen Ferguson has appointed Sarah Siegel her local representative to handle RKO publicity in the office located in Hollywood. Miss Siegel succeeds Lynde Denig, who is leaving to recuperate from a recent illness.

Miss Ferguson is now on en route back to Hollywood after spending the past month here on business.

M-G-M Releases Durante

HOLLYWOOD, May 22—M-G-M has released Jerry Durante from his long- term contract.

$22,500 for 'Miserables'

The fourth week of "Les Miserables" at the Rivoli garnered approximately $22,500.
Having proved its outstanding drawing power by a pre-release opening in San Francisco to business 25% over record-breaking "G-Men" figures, "IN CALIENTE", advertised as 'Warner Bros.’ musical heat wave', joins the imposing list of that company’s current successes. Its pre-eminence among the week’s releases can be credited largely to the expert efforts of Pat O’Brien, Dolores Del Rio, Leo Carillo, Edward Everett Horton, Glenda Farrell, the De Marcos, Busby Berkeley’s girls, and Director Lloyd Bacon. A First National Picture. Released May 25th.
Allied to Ask Hays to Stop "Aggressions"

(Continued from page 1) follow your wishes. Yesterday Mayor Key spoke about weak-kneed politicians. Today you have weak-kneed exhibitors. Your committee will pass a lot of resolutions and they won't mean a thing.

"I just wish that someday we could come here and all you've heard is how the national organization is. Why this thing is running after more members? We have enough. Yesterday you heard the pitiful statement made by Colonel Colonel they were standing for that kind of treatment handed out to one of your pioneer organizers and a man who has been in the business for the past 20 years? May be we're getting too old. I know this, however, it's Allied in Florida to go places today and have one or two years from now, there won't be any Allied.

"Trying to Pull Us Apart"

"Hays or someone—I don't know who's trying to try us apart. Where I come from it's an honor and a pleasure to be known as a Bolshevik and a Red. The day of conservatism, in this industry at least, is over. When exhibitors call a cop they are destructivists, but producers and distributors are fighting to, I guess you have noticed that."

"I declare now that unless this organization can do something for Cole I'll attempt to do my best to disrupt in dues because it won't be worth it. Let's y'all way clear into New York and demand Cole be allowed to stay in business. Let's get the hell out of Atlanta and demand a real break for him."

"The big companies think they are out of bankruptcy now and are beginning to try their ruthless methods all over the place. They have the strength. Let's call on Hays. I haven't spoken more than one or two words to us of the National Organization. I don't know whether he is lying or telling the truth. I don't care about that. It's enough for me that an Allied director is in trouble.

Steffes Starts Something

Steffes fixed the convention into action. In quick order Fred Herrington, representing the M.P.T.O. of Western Pennsylvania; Cole himself; Abe Kramer, Clevely exhibitor; Henry G. Sparks, Cooper, Tex., theater owner; Ruben Free, who operates houses in Victoria, Tex.; Mrs. F. L. Liggert, theatre owner in McRae, Ga.; W. Stoppleman and Morris Wax of the I.E.P.A. of Eastern Pennsylvania, advanced to the microphone which boomed the proceedings across The City.

Herrington, long an Allied support- er, declared Steffes hadn't gone far enough and that Steffes had finished off with the statement Uncle Sam and Will Hays had merged in an effort to get the public running for a dime.

Cole spoke briefly, confining his remarks to the history of a case before the Dallas grievance board, which, despite the presence on it of a member who was a partner of Publix, had voted against supply of pictures for him to discover later that Campi in New York reversed the decision.

Kramer sounded off on a keynote of what he called the every store-in-tow in Washington for a tax on chains in what he thought would be a means of halting further exploitation of the nation. He referred briefly to the Jefferson Amusement Co. at Victoria, telling how he had been hit by the opposition of the counsel that Jefferson was seeking to drive him out of business. Jefferson built his circuit and made it operated, added Frey, and this year had again brought 300 pictures, thereby making his operation impossible.

Hunting a development which he promised to divulge Thursday, this exhibitor charged story that daily convention in the Atlanta Convention made it apparent Allied had to develop its own method of getting word of its activities to the public.

Whether or not he was referring indirectly to talks, closely held, that the organization was planning to open an Exhibitor, its own defunct house organ, was not apparent.

Tells of Her Troubles

Mrs. Liggert told of her difficulties in small Georgia towns. Referring to "persecution" and "intimidation," she charged a "Fox salesman" who came to her Satilla, Ga., and in 1931 had succeeded in leading her Community Theatre, Hawkinsville, following her into her own organization.

Later, she declared that the same individual was responsible for her losing business in a Georgia circuit.

"It was a beautiful thing to see," she said, "but it was a beautiful thing not to play Metro in his theatres, this individual was responsible for her losing business in a Georgia circuit."

Last year she avowed, the same operator entered McRae with opposition to the National Organization.

"I am not asking for anything, but merely hoping conditions will improve," she concluded.

Last year she reported she named the Fox salesman as J. H. Thompson, who, she said, now was operating the Princess circuit under the aegis of All Amusements, Inc., with headquarters in Hawkinsville.

Proves a Comedian

Stoppleman proved more of a comedian than he counted. In a Texas draw this Slilbee Theatre owner took a shot at Mr. Hampton's famous exhibition "Burdo," as he called it, and excoriated it for attempting to collect money from him, which he said was done by virtue of a venal agreement with an exchange which he did not name.

In his serious moments Stoppleman announced that Steffes' committee to wait on Hays failed to get results. While he may not have realized its significance, the committee was directed by Samuelson and several of the exhibitors in his line showed loyalty to it.

"That afternoon I had a call from the board of directors," Stoppleman said, "and I was asked if I would go to New York with the convention and take the time and the money to go to the convention."
Ohio to Close Session with Tax Uncertain

COLUMNIST, May 22 — The General Assembly, at its biennial session that ended last week, failed to do one thing that legislators and lobbyists have been fighting for for years — enact a state income tax. Two years ago a similar bill failed; this year another was defeated by a tie vote of 47 to 47.

The General Assembly has indicated that it expects to call a special session in the fall to formulate additional tax measures. With the failure of a $7,000,000 required for old-age pensions for the last half of this year, unmet, by some miracle, a solution is found when the legislators get back on the job this week.

During the current session, a bill prohibiting designated playdates was passed, and, although declared unconstitutional by Attorney General John W. Bricker, it became a law. Another bill passed raises censorship fees from $1 to $3 per 1000-foot reel or traction film. A bill banning endurance contests lasting longer than 12 hours was passed. A bill to tax billboards and a state income tax are pending in the legislature.

National Screen's delegation rivaling, and in many instances, outdistancing exhibitor representation for many areas. Herman Robbins, George Dembrowski, and von Pran, adjusted the bill to their liking. Plateau's attempt was extended to nine which round out the end of this week.

Blum says he will play to 50,000 admissions by the termination of the engagement. The house seats 285.

Addenda from Atlanta

**Perpetual Motion**

Atlanta, May 22 — When the public calls for three shots and those shots mean dough at the till, that's something.

Herman A. Blum, Allied delegate from Maryland who operates the Little Theatre, which was关 to exhibit this experience. "Unfinished Symphony," was played, and the doors were pulled after seven weeks. Only the public thought the bill was extended to nine which round out the end of this week.

Blum says he will play to 50,000 admissions by the termination of the engagement. The house seats 285.

among the conventioneers. Yamin's wife is passing through a critical operation at Fall River, Mass.

National Screen's delegation rivaling, and in many instances, outdistancing exhibitor representation for many areas. Herman Robbins, George Dembrowski, and von Pran, adjusted the bill to their liking. Plateau's attempt was extended to nine which round out the end of this week.

Blum says he will play to 50,000 admissions by the termination of the engagement. The house seats 285.

**Addenda from Atlanta**

Atlanta, May 22 — Everyone has troubles and it matters not what the exhibitors' affiliation — M. P. T. O. A. or Allied may be.

There is, for instance, Moe Horwitz, always a stormy petrel among Cleveland's independents. He's got his committee in a tizzy because his Saturday business is off. On the accepted week's unit of 10 points — three for Saturday, two for Sunday and one each for the remaining five days — Moe says he's doing only 80 per cent of the anticipated Saturday business. With matinees for kids included.

Interest is approximately 400 Pennsylvania independents, as reported principally by Dave Barrist of Philadelphia, on the Sunday local option law which had its public hearing in Harrisburg Tuesday.

Barrist, speaking for members of the I. E. P. A. (Eastern Pennsylvania), New York, New Jersey, Pennsylvania) says these men are satisfied without a seven-day operation because they're fearful they won't do as well. With six, film supply is given by him as another consideration. Yet, Barrist adds, the public is for Sunday shows. There is almost a perfectly service element which presumably figures in each theater's operating scheme and why these 400 want to be different.

Sid Samuelson, accompanied by his wife and his secretary, Sally Fisher, drove afternoon the preceding day and nothing playing theaters on the way but westerns and action films.

Harry G. Ballance, Southern district manager for Fox, and Paul Wilson, Atlanta manager, braved the dining room at the Piedmont for lunch, be- decked with Allied badges to boot.***

Reg Wilson, assistant to Gaumont British George Weeks, is here shaking hands and selling his company's product.

Abram F. Myers, Allied's general counsel, was out of his traveling clothes and into very fancy sports wear in a handful of minutes following his arrival.***

Peter Wood is in, but may have to hop back to Columbus on Ohio tax matters any minute. He drove with his wife, who has been ill and is now in Florida recuperating.

Mo Wax of the I. E. P. A. has a German camera with a hair-trigger shutter. Between it and Wax's photog- raphy, he is snatching everyone within and without range.***

Harry Fried's planed suit is something unusual. Harry opened this at Wayne at Wayne and the Seville at Bryn Mawr. Both Pennsylvania, of course.

Exhibitor Stamper has what might be described as an exploratory first. A May 30 show on his circuit’s calendar is no gag. He also has three houses in Philadelphia which are the Great Northern, Tison and Winsor.***

Nate Yamin will not be here. Which is a cause for disappointment.

Manhattan,”

Bernie Smash Denver Hits

DENVER, May 22 — "Romance in Manhattan," with Ben Bernie and his band on the Orpheum stage for four days, just about exhausted the staff. Ropes were up most of the time and the take went to $10,000. Average is $3,500.

"Les Miserables" doubled the normal take at the Aladdin by getting $5,000. There were three holdovers. One of them, "Richelieu," took $2,500 at the Aladdin in three days. This is $1,000 over par for a week. "Bride of the Rose," took $3,000 in a two-day holdover at the Paramount, and "Naughty Marietta" had $1,200 in four days.

In spite of all this big business, "G-Men" ran up to $9,000 at the Denver. This tops average by $3,000. Total for first show was $9,700, Average is $23,500. Estimated takings for the week ending May 16:

- **ONE MISERABLES** (U.A.)
  - ALADDIN — (1,500), 25c-35c-50c-
  - DENVER — (850), 25c-35c-50c-

- **NAUGHTY MARIETTA** (M-G-M)
  - BROADWAY — (1,150), 25c-35c-50c-
  - DENVER — (750), 25c-35c-50c-

- **STOLEN HARMONY** (Param.)
  - DARWIN — (1,250), 25c-50c-
  - DENVER — (850), 25c-35c-50c-

- **ROMANCE IN MANHATTAN** (Radio)
  - ORPHEUM — (1,150), 25c-35c-
  - DENVER — (2,500), 25c-35c-50c-

- **BRIDE OF FRANKENSTEIN** (Univ.)
  - PARAMOUNT — (800), 25c-35c-50c-

- **THUNDER IN THE EAST** (U.A.)
  - DARWIN — (2,200), 25c-35c-50c-

- **G-MEN** (F.N.)
  - DENVER — (2,000), 25c-35c-50c-

- **G-MEN** (F.N.)
  - DENVER — (1,250), 25c-35c-50c-

- **END OF THE ROAD** (Univ.)
  - DARWIN — (2,000), 25c-35c-50c-

- **HAPPENING** (T.W.)
  - DARWIN — (2,000), 25c-35c-50c-

- **I'LL LOVE YOU ALWAYS** (Col.)
  - DARWIN — (1,200), 25c-35c-

Dual Bill Is Only Grosser in Omaha

OMAHA, May 22 — Even the three remaining first runs failed to get enough business to stir any enthusiasm last week. "People Will Talk" and "One New York Night," a dual, reached $7,000 at the Orpheum, but the take was only par.

"Cardinal Richelieu" was weak at the Omaha.

Total first run business was $15,600, Average was $1,600 per week.

Estimated takings:

**Week Ending May 16:**

- **PEOPLE WILL TALK** (Para.)
  - ORPHEUM — (3,000), 25c-
  - DARWIN — (1,500), 25c-

- **ONE NEW YORK NIGHT** (U.A.)
  - ORPHEUM — (3,000), 25c-

- **THE CASE OF THE CURIOUS BRIDE** (U.A.)
  - ORPHEUM — (1,500), 25c-

- **I'LL LOVE YOU ALWAYS** (Col.)
  - DARWIN — (2,200), 25c-

Selmnick Reach Coast

Hollywood, May 22 — Myron and David Selnick arrived today.
BIGGER and BETTER

MORE USEFUL THAN EVER

1935-36 Edition Now in Preparation

MOTION PICTURE ALMANAC
Para. Election Going Over to Late in June

(Continued from page 1) company by-bills and arrived at virtual agreement on the classification of the 10 directors as to the terms each shall serve, whether for one, two or three years. While completion of final phases of the classification is being undertaken by a sub-committee which may complete the work within a few days. It is reported that discussions of a contract for Ernst Lubitsch to replace his present one, ending June 15, would be among the first business to be taken up by the new board following its installation on June 3 were given following yesterday's board meeting. It is reported that both the trustees of Paramount and the outgoing board felt that Lubitsch's new contract was properly a subject that warranted action by the new board.

The assurances were given, it is understood, as a result of inquiries made by Lubitsch concerning the contract.

General sentiment among the leading Paramount creditor groups favoring a continuation of the management headed by Adolph Zukor, which was reported in MOTION PICTURE DAILY of May 3, was today gaining strength daily. From present indications no change of great importance will result in the ranks of Paramount officers, it is reported. Though Zukor continued as president, the possibility arises that he may also be elected to one of the seats on the board. According to reports there is also the possibility that the chairmanship may be left vacant for a time. The present sentiment within the creditor groups is to minimize the authority of a board chairman, in any event.

WASHINGTON, May 22.—The Securities and Exchange Commission is studying Paramount's reorganization plan, which includes a list of options for the liquidation of shares of other companies, a spokesman for the S. E. C. said here today.

Extension Planned On Para. Theatres

(Continued from page 1) middle of June may negotiate permanent deals with the theatre partners. Operating contracts which expire June 27 and which will be extended to Sept. 27 include those of George Trendle, Detroit; Karl Hohltzle, Dallas; A. H. Blank, Des Moines, and Lucas & Jenklin. Although the extension agreements have not yet been signed by the partners, it is understood that they have been informally approved.

Loew-Momand Delay Sought

A hearing on exceptions to the $10,000,000 anti-trust claims filed by E. M. Loew of Boston and A. B. Mo- mand of Chicago, whose Paramount Publix was asked for June 5 before Federal Judge Coxe by the Paramount trustees yesterday. The request is being given consideration by the court.

Loew and Mondan filed claims of approximately $5,000,000 each against Paramount, representing triple damages for anti-trust suits which are pending against the company. Special

"Unknown Woman"

(Columbia)

Director Albert Rogell has here combined a mildly interesting story and several good character portrayals into an entertaining picture. The film has no outstanding qualities, but it should prove more than satisfactory on dual bills and in small towns.

The publicity now being given Federal investigators will probably help exhibitors in exploiting it, for it deals with a female government operator.

The yarn has Richard Cromwell, a young lawyer, entangled with Douglas Dumbrille and his gang and being used by the crooks as a means of finding the stolen jewels in a raid on Dumbrille gambling house and romance between the two blossoms. She tells him she is after some stock certificates Dumbrille had swindled from her father and thus enlists the unsuspecting youth's aid. In the end it is revealed Miss Marsh is a secret Federal agent, and in a smashing and comical finish all ends well.

Besides the three principals, Henry Armetta shines in a brief role. Arthur Hohl, George McKay, Robert Middlemass and Nana Bryant complete the cast.

Production Code Seal, No. 880. Running time, 60 minutes. "G."

Looking 'Em Over

"Unknown Woman"

(Columbia)

"Predict a Roxy Net Of About $150,000"

(Continued from page 1) operating the house as trustee. He will operate until July 1st.

The bondholders' committee recently made an application to the RFC for a loan of $75,000 to reorganize Roxy Theatres Corp. An assessment on the theatre is $4,000,000, of which $2,000,000 is allocated to the bondholders. The reorganization plan to change in management is contemplated.

The local RFC bureau has approved the loan and has sent the request to Washington. The loan would amount to about 20 per cent of the assessed value of the property and less than 40 per cent of the ground value.

If and when, the loan is granted, the $250,000 receiver's certificates would be liquidated as the first move in the reorganization plan. Cullman is expected to continue his operating head under the new setup, it is understood.

Century Appeal Delayed

Century circuit's appeal on the Jackson-Bowles case in the Century-RKO clearance and zoning decision was postponed yesterday until next Monday. The Far Rockaway hearing was held Tuesday, but because Louis Nizer, representing RKO, was in court on another case yesterday, the second hearing was put off.

Portland Price Complaint In

PORTLAND, Ore., May 22.—A complaint alleging price discrimination was filed at a meeting of the clearance board today by the Capitol here. It was declared a protest would be filed in Washington if necessary. Al Finchelstein was chairman.

Bridge Party May 25

The National Board of Review will hold its seventh annual bridge party at the Hotel Pennsylvania Saturday, May 25. Mrs. Oliver Harriman is chairman of the affair, which is part of the annual membership drive staged yearly by the association.

Try Code Test in Loew Chicago Row

(Continued from page 1) any action deliberately planned to injure the operation of a theatre and which specify that "no distributor shall procure or cause to be imported or distribute any theatre exhibiting any film as a result of the commission of any overt act evidencing an intention to build or otherwise acquire a motion picture theatre for operation in competition with such exhibitor."

The board has taken the complaint under advisement and will continue the hearing Monday without going into a hearing.
Plan Revived
For Theatres
Combine Here

New Proposal Is for Two Circuits—N. Y., N. J.

Plans for the formation of two large independent chains in Los Angeles, one in New Jersey and the other in New York, whereby exhibitors will pool their interests into one corporation for an exchange of stock, but retaining management, have been revived after being dormant several months. Full details have not been worked out.

Leon Rosenblatt is chairman of the committee behind the New Jersey proposal, while many of the plans are Julius Charnow, Harry Sentz (Continued on page 9)

Theatres Cut from Nebraska Chain Tax
LINCOLN, Neb., May 23.—Theatres were clipped from the proposed store tax measure here today and the bill was sent back to a conference committee for a third time. As reported, the bill proposed a graduated tax of from $1 to $100 per unit.

It is understood that the measure will be printed with strings that will hold up new construction until adjournment Saturday, or insure its defeat as soon as it comes out.

Republic Switches Meeting to Frisco

Republic has changed its convention plans. Instead of three regions, it will hold two. The Salt Lake City meeting has been called off and all eastern sales forces will meet in Cincinnati on June 8, while the western selling groups will gather in San Francisco. The latter date will be set today by W. Ray Johnston, president.

The Salt Lake meeting was dropped because of objections by franchise holders.

Say Operator Raise Would Shutter 200

More than 200 theatres in the local area will be forced to close their doors if the operators' scale promulgated by Compliance Director Sol A. Rosenblatt is adopted after the public hearing in Washington on June 4, leaders of the I.T.O.A. and the T.O.C.C., declared yesterday.

Both independent units are preparing to send large delegations to the Capital hearing to protest the plan.

Allied Drops Hays Talk Idea; To Try Litigation

Allied Agrees on Aug. 5 for 25% Donation to a War Chest

Atlanta, May 23.—By unanimous vote at the Allied convention today Aug. 5 was set aside as "National Independent Allied Theatre Day," when 25 per cent of each Allied house's receipts will be forwarded to the national organization headquarters to fortify the exchequer with sufficient funds to wage court fights against major companies on perhaps as many as "100 fronts.

W. Stoepplemann, exhibitor of Silbee, Tex., who made the individual hit of the convention with his drawing humor, was the author of the suggestion, which went through wrangles and suggestion stages until it was finally reached. The executive committee will handle all details, including preparation of banners, which Allied members will be expected to string across the fronts of their houses that day. Trailers explaining the purpose of the drive are in contemplation and are planned, provided the cost does not work out at an excessive figure.

Practical to the end, it was James Minter, Flint, Mich., exhibitor, who brought up Samuelson what about percentage bookings. "Don't play percentage on that day," shot back Samuelson.

Openings and Building Gain In Many Spots

Theatre openings and new building, as well as incorporations in various parts of the country, are gaining momentum. Even Enfield, where the theatre business has been hard hit, is about to have a new house, an $89,000 place, to be built by Howard Sheehan and Joe Sink.

A number of building projects are underway in Texas. In Milwaukee and Richmond new houses are under way. New York has eight under construction and another planned. Reports of plans for the construction of

Louisianans Refuse To Pay Ascap's Fees

NEW ORLEANS, May 23.—Some exhibitors here, believed to be led by Alex Dunsmure, lawyer exhibitor, say they will refuse to pay their music tax licenses until Ascap representatives show they have paid for the licenses called for under a new state law. This tax is $5,000 a year in each parish where collections are made.

Ascap has replied by canceling Dunsmure's license.

Tri-States Is Called Racket By Saperstein

ATLANTA, May 23.—A presumable second phase of implied efforts on the part of affiliated circuits to formulate a national booking combine was charged at the final session of the Allied convention yesterday when Aaron Saperstein described Tri-States Theatres, Inc., as an "up to date modern racket" compelling exhibitors in the southeast to pay tribute in the form of booking fees starting at $15 weekly and up for "the privilege of buying their pictures from them." The Allied leader asserted it was

IEPA Giveaway Idea Bumps a Code Snap

Plans by the I.E.P.A. of Eastern Pennsylvania to regulate premiums to two days a week will not develop, according to a ruling by Camp's legal committee yesterday.

The Tri-state independents recently requested an interpretation of the giveaway clause in this connection, but Code Authority yesterday ruled that there is nothing in the code pro-

Votes for Court Moves On "100 Fronts"; Session Ends

By RED KANN

ATLANTA, May 23.—Anticipating failure in any discussion with Will H. Hays and "powers that be" in obtaining relief from so-called distributor and affiliated theatre "aggressions" on independents, Allied in its closing session today voted to trust its future to court actions on perhaps as many as "100 fronts" and voted a war chest to aid its members to pursue their self-determined objectives.

Aug. 5 was named as national independent Allied theatre day on which those theatres enrolled in the organization, claimed to total approximately 5,000, will set aside 25 per cent of their receipts on behalf of the national treasury.

Policies sounded earlier in the conference

Say Hays Ready to Talk to Committee

"Any delegation with constructive objectives will always be received by Mr. Hays," a spokesman for the M.P.D.A. head said yesterday in response to inquiries as to whether or not the Allied States' exhibitor committee delegated by the organization's Atlanta convention to protest "aggressions" against independents would be given a hearing by Hays.

"At least," the spokesman added, "that has always been Mr. Hays' policy."

Efforts to communicate with Hays directly for his comment were unsuccessful.

Kansas City's Dual Bans Being Relaxed

KANSAS CITY, May 23.—Local exchange negotiations are progressively more disposed to meet independents' long-standing demands for dual bills and

Loew-Mayfair Deal Nearing Conclusion

Loew's is expected to close within the next 48 hours with Walter Reade on a 10-year lease for the Mayfair,
Weners will extend Meet for 13 Days

Warnings have decided to extend the time allotted for the annual sales convention from three days to 13, from June 13 to June 23. Instead of rushing through the days, executives and theatre men through a three-day meet devoted to sales talks and the screening of a few pictures, they will be given an opportunity to study production problems from beginning to end. At the same time production executives will have an opportunity to familiarize themselves with sales and exhibition problems.

"We intend to take advantage of the presence in Los Angeles of the largest gathering of distributing and exhibiting forces in the history of the industry," says Albert Warner, "to enable them to familiarize themselves with the entire process of production and exhibition and the aspects of the business of theatres."

The eastern delegation will get away June 24, return the same day, and will make the trip.

Delay Warner Board Meet

No meeting of the Warner's board of directors will be held on June 11, the session having been called off because of the company's annual sales convention which will be held in Los Angeles. At the May 14 session roundtable discussions was discussed. The annual stockholders meeting will be held the first Tuesday after the first Monday in December.

Study Plan to Ask U. S. Theatre Help

Proposals for asking Federal funds to aid in the development of the three production centers, putting companies on the road and getting actors back to work, were presented by a day,干货满满。The American Theatre Owners Association is theLegitimate Theatre Code Authority.

Under the plan theatre owners and lessees, labor representatives and players would be grouped in branches of a central organization.

F. D. Board Meet Delayed

A meeting of the board of First Division scheduled for yesterday, was postponed to early next week. A definite decision, but not a final one, was reached by the board yesterday for the Legitimate Theatre Code Authority.

Mrs. Yarns Recovering

Fall River, Mass., May 23.—Mrs. Nathan Yarns, who has passed the danger point after a serious operation and is recuperating nicely at the Truesdale Hospital here.

Sclafani to Rowland

L. J. Sclafani, former general sales manager for Universal, has joined William Rowland Prod.; has passed the danger point after a serious operation and is recuperating nicely at the Truesdale Hospital here.

New Telephone Cable "Interests Film Men"

Film men are viewing with interest the proposed installation of the new coaxial cable that has been tested by Philadelph, over which, it is claimed, 200 telephonic conversations and one television set of images may be carried simultaneously.

If the experiment is successful, it may be the forerunner to the establishment of a nationwide television system.

Already competition between television and pictures has developed in Europe with a cable similar to the new coaxial one. At Nice, France, last month, a conference was held to work out plans for the presentation on theatre screens of a "visual radio newscast." No definite decision was reached, however, and no public demonstrations of the invention were given.

A spokesman for the newsreel companies here yesterday told Motion Picture Daily that the local companies were "sitting back" and watching various television services since it didn't cost them anything to look." The proposed sending of a newsreel cablevision, as the manner recently tested in France, had been discussed, admitted, but it was decided to do nothing at present.

Schulberg's First Set

Hollywood, May 23.—"Rich Men's Daughters," with George Raft in the cast, will be B. P. Schulberg's first film as associate producer for Columbia.
YOU HAVEN'T A SHOW WITHOUT
FOX
THE BIG FOX PRESS BOOK CALLED THE TURN!

SECOND WEEK!

Shirley

held over of course!

HELD OVER! ...more days

by public demand!

held over through.....

You haven't a
SHIRLEY TEMPLE
in her greatest picture
'Ower Little Girl'

with
ROSEMARY AMES • JOEL McCREA
LYLE TALBOT • ERIN O'BRIEN-MOORE

Produced by Edward Butcher
Directed by John Robertson
From the story "Heaven's Gate" by Florence Leighton Pfalzgraf

show without
WHAT COULD BE SWEETER THAN "LIFE BEGINS AT 40"?

That's an easy one, teacher!
See the next page...
WILL ROGERS
in
"Doubting Thomas"

a B. G. DeSylva Production

with

BIILLE BURKE • ALISON SKIPWORTH
Sterling Holloway • Gail Patrick • Frances Grant

Directed by David Butler. Screen play by Willam Conselman. From the play "The Torch Bearers" by George Kelly. Adaptation by Bartlett Cormack.
MEN HID THEIR DARLINGS WHEN THE GAUCHO GREW ROMANTIC!

Warner Baxter in a role more dashing than his "Cisco Kid"... as the adventurous, reckless king of love... in the Argentine, where love is king. A gay charmer who met his match in a matchless beauty... the only woman who dared deceive him. Melting melodies! Moon-kissed nights! The fiery, fascinating Cobra Tango!

WARNER BAXTER KETTI GALLIAN

UNDER THE PAMPAS MOON

a B. G. DeSylva Production

VELOZ & YOLANDA

Today's dancing sensations

Directed by James Tinning. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.

You haven't a show without FOX
Plan Revived For Theatres Combine Here

(Continued from page 1)

Hecht, Louis Gold, Irving Dollinger, Jack Unger and Joseph Siecard.
A secret session was held about two weeks ago by the New Jersey group in Newark at which time tentative plans were discussed. About 25 exhibitors and distributors attended the session. No figures were released. It is reported that Mr. Hecht had the idea, it is said, and more than 75 more are expected to sign at the next session, which is slated to be held in 10 days. The committee is studying all legal phases of the plans before filing incorporation papers.

Aroused by Product Forcing
Particularly nettling the sponsors of the new circuit were the forcing of shorts, trailers and newss

viding for limitations of premiums. The exhibitor group is being advised accordingly by John C. Flink.

Paramount has not exercised its option with Ben Hecht and Charles MacArthur for a fourth picture. The independent producers made three picture propositions to the studio. Each has been acceptable to the Paramount pact, which carried an option for an additional film. It is understood Hecht and MacArthur will make a series of four pictures. M-G-M, negotiations now being made. The three produced by the duo are: "Crime Without Passion," "Once in a Blue Moon" and "The Scoundrel." Jimmy Savo appeared in "Once in a Blue Moon" and is under contract to appear in a fourth film. The Savo film has been nationally released, but has yet to be shown in a New York house.

Film Exports Gain, U. S. Report Shows
WASHINGTON, May 23—In a report issued by the Department of Commerce an increase is shown in the exports of both negatives and posi
tive films, sound and silent, for the first quarter of 1935.

The report says that for the first three months of this year, 36,625,180 feet were exported against 49,680,226 for the same period last year.

Isaac H. Lubin Passes
Issac H. Lubin, father of Leo Lub
in of the Morgan Lithograph Co., died Monday. Funeral services were held Tuesday morning at the west Memorial Chapel, Lubin is sur
vived by his widow and three daughters, Helen, Harriet, and Lurdine, and five grandchildren.

Fox Theatre Fines $500

The Fox Theatre, Brooklyn, has been fined $500 by License Commis
sioner Paul Moss for permitting the appearance on its regular bill of four children under 16 years of age. The commissioner first suspended the li

cense of the house for 24 hours, but then changed the sentence to a fine.

Kans h City's Dual Bans Being Relaxed

(Continued from page 1)
in some instances are lifting restrictions imposed at the start of the current season.

In the exception of Columbia and Universal, the large distributors adopted an ironclad rule here this season. The rule states: "The house will be closed for not more than 24 hours pending the institution of legal proceedings." When that time comes, they said it would be released for subsequent dis

allowing. While that will apply to percentage pictures the balance of this year, some exhibitors of small downtown houses were in agreement, it is said, the matter will be handled in a manner that will not interfere with the operation of the theatre at this time. The house was leased by P. T. Barnum Corp., headed by Charles C. Moskowitz and is engaged in a lease agreement that is due to expire on Nov. 15.

Theatres in the Mayfair District, which has been non-competitive for weeks, may be forced to join the rest of the Twin Cities in the competitive rush. It is said that the Mayfair district is the only part of the Twin Cities where downtown theatres are losing money. It is also said that the Mayfair district is the only part of the Twin Cities where downtown theatres are losing money. It is also said that the Mayfair district is the only part of the Twin Cities where downtown theatres are losing money.

Loew-Mayfair Deal Nearing Conclusion

(Continued from page 1)

starting June 1. Reade is personally handling the negotiations for the Broadway & 47th St. Corp., which owns the property. The deal is considered too weak without support will be given a double bill classification. The eventual fate of the Paramount, as the present, is limiting the privilege to produce turning in an unsatisfactory first run performance.

Hecht-MacArthur in Dicker with M-G-M

Paramount has not exercised its option with Ben Hecht and Charles MacArthur for a fourth picture. The independent producers made three picture propositions to the studio. Each has been acceptable to the Paramount pact, which carried an option for an additional film. It is understood Hecht and MacArthur will make a series of four pictures. M-G-M, negotiations now being made. The three produced by the duo are: "Crime Without Passion," "Once in a Blue Moon" and "The Scoundrel." Jimmy Savo appeared in "Once in a Blue Moon" and is under contract to appear in a fourth film. The Savo film has been nationally released, but has yet to be shown in a New York house.

Jersey Hearing Delayed

Hearing on injunction proceeding filed by Samuel Brothers on Park Lane, Palisades Park, N. J., against Fox and the Leonia, Leonia, slated for next Monday before Vice-Chancellor Campbell in Paterson, has again been postponed, this time until June 13.

Fox up to now has been the only company to go through the motions. It has sounded Charnow with film in accordance with a recent Campoli clearance decision. It is understood other companies are giv

ing deck in compliance with the Code Authority edit.

DE Mille to Do "Samson"

HOLLYWOOD, May 23— Cecil B. DeMille's next for Paramount will be "Samson and Delilah," which is slated to start five weeks after the comple

tion of "The Crusades." The studio has purchased the screen rights to the mus.c and the libretto of the opera of that name, Jeannie MacPherson and Harold Austin are now doing the re

search on the story.

Gallup Confers on Ampa

Bruce Gallup, president of the Ampa today, was considering the coming with the organization's board of directors. The next session will be held Wednesday at the Ampa house. The first open meeting is slated for June 6.

Bury Gillstrom Saturday

HOLLYWOOD, May 23—Funeral ser
vices for Arvid E. Gillstrom, director and producer, who died Tuesday, will be held Saturday, with burial in In

ternational Cemetery.

"Thunder" Held at Globe

"Thunder in the East" goes into a second week tomorrow at the Globe.

Openings and Building Gain In Many Spots

(Continued from page 1)

new theatres are coming in from many sections.

Two More Virginia Units
RICHMOND, May 23—Another new Virginia theatre corporation has been chartered and a North Carolina corporation has been domesticated here. The Virginia company is the Virgin
ia Beach Corp., headed by R. Allbrook of Roanoke Rapids, N. C. The other is the Floating Hotel & Amusement Corp., to be located at Norfolk and headed by W. Frank Robertson.

Sparks Remodels Theatre
Tampa, May 23—The Sparks company has remodeled the Nebraska at Sulphur Springs, a suburb, and has renamed it the Plaza. Mrs. Edward Bok intends to build a $100,000 house at Clearwater. She will call it the Francis Wilson, for her mother, who lives there and is hale and hearty at 81.

F. C. Thompson, owner of the Ra

son, has taken the house back from W. N. Carnahan, who operated it under lease for one year.

Columbus Star Opened
COLUMBUS, May 23—The Star, neighborhood house, dark for five years, has been reopened by O. A. Leff, whose company owns it. J. E. Harmer, brother of the owner, is managing. The house will be operated Fridays, Saturdays, Sundays and Mon
days for the present.

Renew Cincinnati Lease
CINCINNATI, May 23—The Royal Theatre, downtown, has renewed its lease on the house for five years longer, beginning May 15 of next year.

To Enlarge at Stamford
STAMFORD, May 23—The Weiss
burg Corp., intends to enlarge the Stamford, first run downtown house.

Marcus Delays Trip On Extras' Listing
HOLLYWOOD, May 23—Attorney Eugene H. Marcus has indefinitely postponed his trip to Washington for conferences with Compliance Director Rosenblatt regarding the new extra registration list, due to the present unsettled status of the NRA and Ros

enblatt's reported withdrawal from his post.

Marcus said today that he would know what course to follow within two weeks. The attorney had planned to make his departure today.

Nine Coast Zoning Protests Are Heard
LOS ANGELES, May 23—Nine exhibitors protests on the clearance and zoning schedule were heard today before the N.R.A. and Zoning grievance board. Decisions will be announced within three days, with nine more complaints set to be heard on May 27.
One of the fine "Lamps of Chrysippus" I have seen it before everything else.

The screen has A Cosmopolita PAT O' M

Jean M

I O
things I've seen. I was enthralled," says Alice Tildesly of Phila. Ledger
will appeal particularly to women," says Lester Wagner of United Press
and could see it again," says Harry Neimeyer of St. Louis Post-Dispatch
ever stated more sympathetically the case of the man whose work comes
and the woman who loves him in spite of it," says Harrison Carroll

Warner Bros. Present

FOR THE

MPS OF CHINA

rod'n from the famous best-seller. Directed by Mervyn LeRoy, starring

Rien • Josephine Hutchinson

JIR • Lyle Talbot • 1000's More

A First National Picture
Allied Drops Idea of Call of on Will Hays

(Continued from page 1)

vention followed a groove set for them this long ago, and the resolu-
tions passed today reflected an effective organization steam roller, which alone flattened out the code, took a deter-
mined and determined front. Mr. Richey took another poke against M-G-M for its proposed theatre invasion in Chicago, but left open for future deter-
mination what Allied will do and how it will view the new season’s selling policies of major companies.

When asked if he had the code in hand and on behalf of his committee urged Allied members to withdraw their plans for five-year contracts and step out of code boards unless Campi was reshuffled to give the buyer and seller an opportunity to place Allied means inde-
pendent exhibitors. By selling mean and affiliate exhibitors, since one of the conditions of the other twotwo are not divisible. Assuming it can land this objective, Allied, after its Campi recommendation, could then sit down and revamp the XRA pact itself.

Stating, but not explaining to what he refers to a recent convention where Ayala’s resolution was “well in hand,” Mr. Richey of Michigan reported his com-
mittee was able to work out a formula to assist Allied members in the Windy City. Called upon, Morris Wax of the T.F.P.A. of Eastern Massachusetts, and Governor Leo’s activities in that sector, read a resolution calling upon all Allied exhibitors to lay off M-G-M product if the company persisted in its present attitude as it affected Chicago.

M-G-M Is Denounced

Somewhere along the line it appar-
ently was made to condemn M-G-M with the charge that their product was a duds.

The text of this resolution, which is considered one of the most impor-
tant in the meeting’s proceedings:

“Whereas, it has become generally known that M-G-M has adopted an unfair and unethical policy of intimid-
ingen the contract theatres in Chicago in opposition to existing theatres operated by exhibi-
tors who have refused to accede to the unreasonable terms demanded by M-G-M in the sale of their pictures, now, therefore, be it resolved that such ac-
tion by M-G-M, either implied or executed, will be condemned by every delegate present at this convention, and that the committee vigorously be-
pledging himself to submit to his re-
descriptive organization for adoption a resolution that the action and decision of M-G-M’s policy as will in no uncertain terms declare the whole-
hearted sympathy of such organization with the stand of the Chicago exhibi-
tors and its intention to take a similar stand if Metro persists in its aggreg-
ate efforts.”

“Be it further resolved, that a copy of such resolution when adopted be sent by each Allied delegate to the M-G-M ex-
ecutives and to the trade press.”

“And, be it further resolved, that the committee appointed at this national convention of Allied states Ass’n, be authorized to draft a copy for a trailer
to be used on the screens of all All-
lied members throughout the nation to acquaint the public with the unfair and unethical tactics employed by Metro, and the manner in which the public will eventually be affected.”

“Whatever in any way to add to it hurts campaign,” Allied, ac-
cording to Samuelson, will go through with its announced decision to wait on the steps of M-G-M for allegedly injured members. He stated, however, the organization saw nothing by way of results, but decided to place all of its shots on what stands up as a campaign of “trust buster.”

On expounding methods of legal re-
quired to be used against the code out of them,” program. He declared it seemed curious how chain “depre-
dations” had been so little challenged in the last few years. A Hays represen-
tative in Washington, who went unnamed, according to Myers, the other Allied’s general counsel further ex-
bated, said, “The whole thing is a L. do-
appar- the

L. distributor can since Chicago, and that the exhibitors will persist in their refusal to fill anything whatever actions had been instituted.

When a convention was continued, “had resided in precedents embarrassing to other leaders.” He continued that some suits had been filed in the wrong courts and that the recent amendment they picked the strongest cases in their territories, then have the whole period worked properly, but sub-
mit the suggestion to the 1926 Washington prior to the actual filing.

Says M-G-M Being Probed

“I wonder what the situation would be if 100 suits were pending against producers and distributors at the same time. I wonder then if you would have any trouble in buying product,” he added. He informed the convention that the state of Washington had launched a probe of M-G-M’s the-
atre activities in Chicago and added that three Allied members had nothing to do with it.”

Allied members any instances of threats or intimidation.

You can go back years on this. The requirements do not 100 per cent, but remember you must be accu-
rate,” he warned.

Martin G. Smith, Ohio, handled the miscellaneous resolutions which in-
cluded a decision not to grant advice to sympathetic but unaffiliated units unless they formally joined Allied. The delegates adopted a new 

The use of such films, however, was declared to be optional with each All-
ed and that this order was to be enforced to eradicate them enti-

Equipment Men Praised

Equipment dealers who displayed their wares here were commended and Allied men were urged to patronize them where possible. National Screen Service was praised for “adapting en-
joyment” to the convention. Atlanta newspapers and trade papers were patterned on the back for the coverage and National Film Carriers, Inc., was mentioned as filling an “indispensable” place in the industry.

Lower insurance rates will be sought by a committee to be named, Allied feels the ratio of premiums is too high with respect to the ratio of in-
surance losses. Other raising reso-

lutions voted included an endorsement of the proposed tax rate by the Senate Finance Committee on the N.R.A., to Samuelson for his con-
duct of the meetings, to Nathan L., and Mr. Campi for his committee.

Borisky suggested, and the conven-

tion approved the suggestion, that a programme be prepared of the resolutions that are made be sent to Allied’s legal headquarters for reference.

H. M. Richey’s recommendations included the appointment of a group of representatives to contact units and to 

“Golf Gets Into Code

The Camp golf tournament at the Lakeville Coun-
ty Club, Saturday night, was the 100th annual me-

Golf Gets Into Code

The Camp golf tournament at the Lakeville Coun-
ty Club, Saturday night, was the 100th annual me-

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Addenda from Atlanta

Atlanta, May 23.—They had their battles the last, but one of the nicest of gestures which has come to light here is the visit paid by Moe Horwitz, director of the Loew's West Side Theatre on Wabash Avenue, and others of the Ohio crowd to Ed Schiller, the other night at Loew's Grand. It was Schiller's first night downtown in the theatre district.

The Loew executive is now spending his time in repose at his lovely home atop the Drum Hill section of the city. He is devoting relatively little time to business, visits the Grand perhaps three times a month, and gives his whole attention to the organisation of business and personal matters which are picayune by comparison with the business of his father.

He had ordered an office printed in New York before his lengthy illness compelled a halt.

Currently, Schiller is getting a kick out of the weekly amateur night he initiated on the stage of the Grand Monday. As soon as the weather turns generously sunny, and as the intermittent heat in Atlanta, he plans to go north for some fishing and a mild return to more active business.

The Saturday papers were recently supplied by messages brought to him here from Dave Bernstein, "Lep" Friedman, and Tommy Carroll, who are visiting colleagues and associates. You could talk that by the brightness in his eyes and the glow on his cheeks.

* * *

George DeWolm makes a perfect
cameraman. Mr. Van Prahg is practically
eagerly congenial in grabbing checks.
Herman Robbins has hot feet, feet, mind you!

H. M. Richsey brought Mrs. R.
along. She's been ill, seriously so, but now reports everything is O. K.

Bob Savini, the old Southern
gentleman, is here with New Orleans, his
building, the next stop. Then Dallas,
Kalamazoo, Oklahoma City, Cincinnati and the return to New York. He'll manage it complete, including the air-lands over the air-lands, of course. The Howard Hughes re-
acquires—there's the cause of it all.

The National Screen crowd received a shipment of special cigars from Tampa today. They are very long, thick and wide.

By a deal, Abram F. Myers this morning was to light one as soon as he awakened, and make it through the pencil and pad by his side. All this, for the sake of ascertaining exactly how his job is going. Confirmation on the results, but the reports are varied.

James Minter, former exchange man in Detroit where he operated Minter United Ammexations and now an ex-
distributor, is here with a cure for all for every industry problem. In-
cluding trade papers and how to run them.

Lighting Is SMPE

Convention Topic

Hollywood, May 23.—Projection and studio lighting were the principal topics of discussion at the morning session of the SMPE at the Biltmore. In the afternoon sound and standardization were taken up, and this was fol-

lowed by a visit to the California In-
stitute of the Arts.

This evening's session was devoted to
newsreel standardization, micro-
phonic and wide range reproduction in theatres.

Three sessions for the closing day of the convention tomorrow morning are devoted to a variety of papers on sound and projection.

In discussing "Trends in 16 mm. Projection," today A. Shapiro, of the engineering department of Ampro Corp., Chicago, pointed out that in the next five years print run increased so rapidly that 16 mm. film is now projected in large auditoriums. He pointed out that industries are turning to the use of this film and that it is spreading rapidly in the educational field. That he predicted in many schools as it is now, projectors would spell a difference between profit and loss.

It was voted to hold the fall meeting at the Waldorf-Astoria Hotel, Washing-

Roxy Details Claim

Of $211,404 on RKO

Details of Samuel L. (Roxy) Roth-
sheld's $211,404 claim against RKO

for alleged breach of an employment contract, which was included in a bill of particulars filed in Federal court here yesterday in support of the claim, and disclose a supplemental claim on 10,000 shares of RKO Class A stock, or its equivalent value.

Roxy, that his three-year contract with Rko Radio City theatres called for a salary of $2,000 per week, plus the 10,000 shares of stock. He asserts that he was paid $1,000 per week for the first year of his contract and noth-
in the second year, and $1,000 per week for the third year, resulting in an alleged salary deficit of $279,904.

Receipts outside of his RKO contract detail Roxy's paper and book sales, $48,503, which he deducts from the amount he claims is due him. The credit items listed include $15,000 from Paramount Publics for six weeks' work at $2,500 per week; $49,500 from Fletcher's Castoria for 33 weeks of Radio programs at $1,500 per week, and $4,000 from the Roxy Philadelphia Corp., for work at the Mastbaum. The claim has been filed in the RKO receivership, and is currently being contested by Irving Trust Co., trustee for RKO.

"Hearts" Gets $65,000

"Break of Hearts" at the Music Hall last week tallied about $65,000. The third week of "G-Man" at the Strand, next, made $32,000.

The Music Hall up to 5 P.M. gained $4,947 on the opening of "Escape Me Never," according to U. A.

Lesser Sings Gersdorff

Hollywood, May 23.—Philip Gersdorff has been signed by Sol Lesser to han-
dle the publicity for Sol Lesser En-
terprises, Inc.
### "Let 'Em" Is Frisco's Top With $10,500

San Francisco, May 23—"Let 'Em Have It" was the only attraction in town last week to develop real strength. It went up to $10,500 at the United Artists, topping par by $2,500.

The only other two first run attractions to get on the profit side of the line were "Black Fury," which reached $21,000 a week, and "The Informer," which took $15,500 at the Golden Gate "Stolen Harmony." "Black Fury," on a duel, took a normal $11,000 at the Paramount.

Total first run business was $84,000. Average is $8,400.

**Estimated takings:**
- **Weekend May 14:** $10,500 (Radio)
- **Weekend May 15:** $21,000 (Radio)
- **Weekend May 16:** $15,500 (Radio)

### "Miserables"

**Washington's Top, $17,000**

Washington, May 23—"Les Misérables" made the best comparative showing of the week at Loew's Palace. The $17,000 take was $2,500 over the average.

"G-Men," with a stage show, ran up to $19,500. Par is $17,600.

In the powerhouse RKO Metropolitan Theatre "McFadden's Flats" went $100 over average for a $2,400 take.

Despite rave reviews and an intensive campaign, "The Informer" receded to a red $6,500 at RKO-Keith's "Baby Face Harrington" at Loew's Fox also went down to $7,100, Par is $20,500.

Mark of the "Vampire" in its second week took $3,000, or only $100 under the first week average.

Total first run business was $71,300. Average is $7,300.

**Estimated takings:**
- **Weekend May 16:** $71,300 (Radio)

### "Let 'Em Have It" (U. A.)

**UNIVERSAL CITY, CALIF.**—Unintelligible.

Average, $6,900; Gross, $6,900.

**AWAKENING OF JIM BURKE** (Col.)

OREMIPRMU—$4,000, 16—90, 6c-3c, 7 days. Stage: $4,000. (Average, $571.)

**STOLEN HARMONY** (Par.)

GLEASON, MANITOWOC—$3,000, 16—90, 6c-3c-4c, 7 days. Stage, band: Gross: $3,000. (Average, $428.)

**BLACK FURY** (F.N.)

ZEpale—$2,500, 16—90, 6c-3c, 7 days. Stage, band: gross: $2,500. (Average, $357.)

**Who Knew, "Lies" High Buffalo Draw**

BUFFALO, May 23—"The Man Who Knew Too Much," "White Lies," combined to give the Lafayette $7,400, or $900 above normal, while "G-Men," in its second week in the Hippodrome hit average first week figures. Otherwise there was little to shout about in a fairly quiet week.

Total first run take was $39,200. Normal is $42,800.

**Estimated takings for the week ending May 17:**
- **BLACK FURY** (F.N.)...
- **STOLEN HARMONY** (Par.)...
- **BLACK FURY** (F.N.)...
- **WHO KNEW, "LIES"" High Buffalo Draw...

### "Vampire" Holds Up In Oklahoma Slump

Oklahoma City, May 23—"Mark of the Vampire" was the only attraction in town to show any strength at all last week. It reached $2,200 in four days at the Liberty. Average for seven days was $300.

The chain letter craze is blamed for the general slump. "Laddie" was fair at $1,900 at the Capitol.

Total first run business was $10,100. Average is $1,500.

**Estimated takings for the week ending May 18:**
- **BLACK FURY** (F.N.)
- **STOLEN HARMONY** (Par.)
- **HIPPODROME—$2,500, 16—90, 6c-3c, 7 days. Stage: $2,500. (Average, $357.)
- **G-MEN (F.N.)**

### "Miserables" Gets Indianapolis Lead

Indianapolis, May 23—"Les Misérables" was the only attraction in town to show any strength at all last week. It garnered $7,000, over the line by $2,500, at the Palace.

Business was pretty dull elsewhere. "Brave Frontenac," brought back to the Circle as a second run, took $2,500, and "Dinky" was weak at the Lyric with a take of $6,000.

Total first run business was $17,500. Average is $19,500.

**Estimated takings for the week ending May 18:**
- **MARK OF THE VAMPIRE"** (M-G-M)...
- **DINKY** (Warner's)...
- **LES MISÉRABLES (U. A.)**

### Rain and Cold Hit Chicago; "Doubt" Fair

Chicago, May 23—Rain and cold weather knocked the props out from under grosses all along the line. "Shadow of Doubt," with a stage show, made a par $15,000 at the Oriental.

"Black Fury" took $12,000 in 10 days at the Roosevelt. Normal for seven days is $11,000. "G-Men" reached $27,000 in its second week at the Lincoln. "Naughty Marietta" took $6,000 in its fourth Loop week at the Apollo.

Total first run business was $96,000. Average is $7,600.

**Estimated takings:**
- **Weekend May 14:** $6,000 (Average, $600)
- **Weekend May 15:** $12,000 (Average, $1,200)
- **Weekend May 16:** $3,000 (Average, $300)

### "Goin' To Town" Is Portland's Leader

Portland, May 23—"Goin' To Town," without the help of a stage show at the Paramount, was amble to take highest gross of week with $8,900, or $3,000 over the normal take.

"Les Misérables," playing to increased prices at United Artists second week, grossed $1,500, or $1,000 over average.

Other houses were average and below. The start of dog races and wet, windy weather proved detrimental to grosses.

Total first run business was $30,400. Average is $2,340.

**Estimated takings for the week ending May 17:**
- **MARK OF THE VAMPIRE"** (M-G-M)...

### "Goin' To Town" (Par.)

BROADWAY—$1,912, 25c-35c-40c, 7 days. Gross: $4,000. (Average, $571.)

BLUE MOOSE—$700, 16c-2c, 7 days. Gross: $700. (Average, $100.)

WHEN A MAN'S A MAN (Fox)

MAYFAIR—$1,250, 35c-40c-6c, 7 days. Gross: $1,250. (Average, $178.)

MR. DYNAMITE (Univ.)

ORR'S—$300, 25c-35c-40c, 7 days. Stage show gross: $300. (Average, $150.)
:

:

:

:

MOTION PICTURE

May

Friday,

DAILY

1935

24,

West Picture

Girl" Leader in

'Little

Coast
—

23.
Philadelphia,
Business
came back with a bang last week.
Standouts were "Our Little Girl,"

which did $21,000 at the Fox and "Les
Miserables" which took $16,000 at the
Aldine. Both raised the average ante
by $9,000 and both were held.
$7,000.
Not far behind was the Earle which
"Les Miserables" also was in the
money, getting $6,300 at the 4- Star, grabbed off $18,500 for "Party Wire"
"Go Into Your and Guy Lombardo's Band on the
over normal by $3,100.
Dance" at the Hillstreet clicked to stage. Gross was aided by a price
the tune of $10,000, which was $2,000 tilt of a dime to a 65c top. "G-Men,"
"Werewolf of Lon- which was only fair at the Boyd last
above average.
don" was slightly over normal, get- week, moved into the Stanton to get

May 23. "Goin' to
chalked up a huge $25,000 at
the Paramount and left par behind by
Los Angeles,

Week at Cleveland

Town"

ting a take of $3,500 at the Pantages.

Boston Weak;

Big Philadelphia Pickup "Devil" High
—
May
With $21,000
"G-Men"Bigin2nd

Hits $25,000

On the

15

$8,500 as against the house average of

Cleveland,

May

23.

—Biggest

business of the week was done by repeats.
"G-Men" grossed $9,500, or 50 per
cent over
average,
in
its
second
week at the Warners' Hippodrome,

and "Naughty Marietta" playing its
^hird consecutive week downtown went
)1,000 over par to a $5,000 gross at
i..oew's Stillman.

"Bride of Frankenstein" topped average at the
Palace by $500.
Other first runs were off.
Total first run gross was $43,800.

Boston, May 23.— Pleasant weather
and outdoor attractions hit grosses a
heavy bump last week. "The Devil Is

Woman," with a stage show that
included the Timbergs and Rooneys,
came within $1,000 of par on a take of
$21,000, but all other houses suffered.
"Straight from the Heart" grossed
$10,500, under the line by $500, at the
Boston. "It's a Small World"
a

RKO

and "Dinky," day and dated at the
Fenway and the Paramount, were off

RKO
cool, but business $6,000. Both "Star of Midnight" and
in both spots.
most spots. Total first run "Bride of Frankenstein" showed well
Total first run business was $63,000
Average is in the running.
grosses were $75,900.
Average is $68,500.
Total first run business was $97,600. Average is $41,000.
$75,700.
Estimated takings for the week endEstimated takings for the week endEstimated takings for the week end- Average is $72,900.
The weather was
in

fell off

May

ing

22:

Estimated takings in the week end-

"OUR LITTLE GIRL" (Fox)
"BABY FACE HARRINGTON" (M-G-M)

CHINESE— (2,500), 30c-5Sc, 6 days. Gross:
(Average, $12,500.)
57,400.
"EXPLORERS OF THE WORLD"
(Raspin)

CRITERION— (1,610), 10c-25c, 7 days.
Gross: $2,500.
"MY HEART IS CALLING" (Gaumont
British)

FILMARTE— (800),
Gross:

week.

$1,700.

days,

7

5th

(Average, $2,750.)
(U. A.)
Grosss
6 days.

"LES MISERABLES"

STAR— (900),

4

40c-50c,

30c-55c,

(Average,

$6,300.

$3,250.)

"GO INTO YOUR DANCE"

HILLSTREET— (2,700),

25c-40c,

(Average,

Gross: $10,000.

(F.
6

N.)
days.

$8,000.)

"OUR LITTLE GIRL" (Fox)
"BABY FACE HARRINGTON" (M-G-M)
LOEWS STATE— (2,500). 30c-55c, 6 days.
(Average, $14,000.)
Gross: $8,900.
"GOIN' TO TOWN" (Para.)

PARAMOUNT— (3,595),

Stage:

F.

& M.

revue.

Gross:

his orchestra.
$18,000.)

30c-55c,

7

days.

Rube Wolf and

Gross:

25c-40c, 6 days.
erage, $14,000.)

$10,600.

"WEREWOLF OF LONDON"
PANTAGES— (3,000),

Gross:

(Av-

(Univ.)
days.
7

25c-40c,

(Average,

$3,500.

May

$3,200.)

(U.A.)

Gross:

ALLEN— (3,300),
35c-42c,

RKO

(Col.)
25c-40c-65c,
6

,

days.

Guy Lombardo and Band.

Gross:

(Average, $12,000)

$18,500.

"OUR LITTLE GIRL"

FOX—

and Johnson,
Marty Bros, and Beatrice, Jack Seymour.
Gross:

$21,000.

KARLTON— (1,000),

25c-30c-40c,

(Average,

$2,200.

6

days.

$3,500)

"BLACK FURY"
Gross:

(F.N.)

30c-40c-50c,

STANLEY— (3,700),

days.

6

40c-55c,

'

7

(Univ.)
days.

(Average, 6 days, $12,000)
"G-MEN" (F.N.)
(2nd run)

$14,000.

STANTON — (1 ,700)
Gross:

7

7

7

(Average, $10,000)

week downtown. Gross:

days, 3rd

(Average.

$

LOEW'S

Gross:

$5,000.

$8,500.

.

30c-40c-50c,

6

days.

(Average, $6,000)

23.

23.

bill

cess,

Love You Always" at the Prin- Midnight" turned out to be the best
was the big money draw of the money-maker of the week. It grossed
It reached $10,000, over the $9,000 at the Mainstreet, $2,000 above
by $4,000. The bill was held over. normal.

week.
line

"Naughty Marietta" was strong,
getting $12,500, over par by $1,500, at
This also was held.
the
Palace.

Warmer

weather was a counter-draw

for theatres.

Total

run business was $44,500.

first

Average

is

Estimated takings for the week ending

May

"Mark of the Vampire" was the
only other above-par attraction downtown.
It also pulled $9,000, but this
was only $1,000 over the line for the
Midland.
Total

Average

$40,500.

days. Gross: $10,500. (Average, $9,500)
NIGHTS" (Russian)
"ST.
ANNIE" (Liberty)
IMPERIAL (1,914), 20c-25c-34c, 7 days.

(Col.)
15c-25c-30c,
7
days.
vaudeville. Gross: $3,000.

"DINKY"

NEWMAN— (1,800),
Gross:

Gross:

$4,000.

(Average, $3,500)

"VANESSA" (M-G-M)
"WHITE COCKATOO" (Warners)
LOEW'S— (3,115), 30c-34c-40c-50c-6Oc,
days. Gross:

$7,500.

(Average, $10,500)

"NAUGHTY MARIETTA" (M-G-M)
PALACE— (2,600), 25c-35c-40c-50c-65c,
days.

Gross:

$12,500.

(Average,

"CARDINAL RICHELIEU"

"I'LL

LOVE YOU ALWAYS"

7

$11,000.)

Herman Timberg and HerJr,; Fat Rooney and Pat
Rooney, 3rd; Four Albee Sisters; Georges
Baker; Elida Ballet;
Fabian Sevitzky
Gross: $21,000. (Average, $22,000)
"IT'S A SMALL WORLD" (Fox)
"DINKY" (Warners)
days.

Stage:

man Timberg,

PARAMOUNT— (1:793),

Gross:

(Average,

5

7

days. Gross: $10,000. (Average, $6,000.) Held

5

25c.

7

par by $3,000. The Warner, at $5,200,
topped par with "The Man Who Knew
Too Much" and "Dinky."
At the Stanley, the second week for
both "G-Men" and the Folies Bergere
revue, "Hello, Paris," attracted a little more than half the takings of the
opening session, with the figure around
$20,000, and the Alvin dropped likewise with "The Bride of Frankenstein" to $5,000.

UPTOWN— (2,000),

(Radio)

Stage:
Gross: $6,-

May

16:
(Univ.)
25c-40c, 6 days,

(Second Run)

"STRAIGHT FROM THE HEART"
(Univ.)

RKO BOSTON— (3,246),
$10,500.

25c-50c,

7

days.

(Average, $11,000)

23.

down on Providence and when
smoke of battle rolled away the

cracked
the

Majestic was $10,500 to the good,
a mark of $3,500 over the average
take.
The picture was widely acclaimed by the press and was held over
for a second week.
Fay's garnered $7,300 with "Cowboy Millionaire" and the "Springtime
Revue," while the Strand was at par,

Average

is

$40,500.

Estimated takings for the week ending

May

16:

"G-MEN" (FJN.)
"DINKY" (Warners)
MAJESTIC— (2,400). 15c-40c,
Gross:

$10,500.

STRAND— (2,300),
$6,500.

(Average,

$4,500)

age,

"LES MISERABLES"

PENN— (3,300),
$15,000.

25c-40c,
(Average, $12,000)

"G-MEN"

STANLEY—

6

(U. A.)
days. Gross:

(F. N.)

(3,600), 25c-55c, 6 days, 2nd
week. Stage: Folies Bergere revue, "Hello,
Paris." Gross: $20,000. (Average, $20,000)

WHO KNEW TOO MUCH"
(G. B.)

WARNER— (2,000),
$5,200.

(Average,

(Warners)
25c-40c, 6 days. Gross:

$5,000)

Gross:

15c-40c, 7 days.
$6,500)

"THE COWBOY MILLIONAIRE"
FAY'S— (1,600). 15c-40c, 7 days.

"Springtime Revue." Gross:

FULTON—

days.

7

(Average, $7,000)

"FOUR HOURS TO KILL" (Para.)
"SWELL HEAD" (Col.)

(Univ.)
(1,750), 15c-40c, 3 days, in 2nd
week. Gross: $2,000. (Average, for 6 days,

"DINKY"

days.

2nd week.

(Average, $6,000)

$5,000.

"IMITATION OF LIFE"

British)
7

its

"THE BRIDE OF FRANKENSTEIN"

days.

25c-40c.
(Average, $3,500)

During

40-cent scale for the holdover.
Total first run grosses were $47,200.
Average is $47,500.

Gross:

$7,000)

(Gaumont

$2,900.

days.

booking "Four Hours to Kill," and
"Swell Head." Loew's was $2,000
down, showing "Mark of the Vamfirst week, pire"
and "Vagabond Lady."
had stage
Total first run business was $44,050.

however, "Frankenstein"
support and a 55-cent top against the

ALVIN— (2,000),

16:

Armida. Jack Carson, others.
(Average,

three hold-overs in town last week, the
first time in years. "Les Miserables"
at the Penn finished with $15,000, over

Ping
days.

MAINSTREET— (3,100). 25c-40c. 7 days.
$9,000.
(Average, films only, $7,000)
"MARK OF THE VAMPIRE" (M-G-M)
MIDLAND— (4,000), 15c-25c-40c, 7 days.
Gross: $9,000. (Average, $8,000)
"I'LL LOVE YOU ALWAYS" (Col.)

Gross:

7

(Univ.)

"G-Men" Is $10,500
Pittsburgh's Top Hit in Providence
Pittsburgh, May
—There were Providence, May
—"G-Men"

days, $4,200).

"STAR OF MIDNIGHT"

400.

25c-S0c,

(Average, $7,000)

$6,000.

"BRIDE OF FRANKENSTEIN"

"Miserables" Gets

Week Ending May 17:
"THE MAN
"THE MAN WHO KNEW TOO MUCH"

(U.A.)

(Col.)
30c-35c-50c-65c,

25c-40c,

Week Ending May

TOWER— (2,200).

Held over.

PRINCESS— (2,272),

$3,000.

14:
(Warners)

Gross:

7

days

A WOMAN" (Para.)
METROPOLITAN- (4,332), 35c-65c, 7

Gross:

Estimated takings for the week end-

Week Ending May

PETERSBURG
"SWEEPSTAKE

—

run business was $30,300.

$29,700.

Estimated takings

18:

"THE DEVIL IS A WOMAN" (Para.)
"HOLD 'EM, YALE" (Para.)
CAPITOL— (2,547), 25c-35c-40c-50c-6O, 7

first
is

2Sc-65c, 7

(Average, $12,000)
IS

23.

"Richelieu" Leads
"Midnight" Leads
Montreal, $10,000
—"Cardinal K.C.;Week Slow
May
Montreal,,
—"Star of
Kansas City, May
with
Richelieu," topping a dual
"I'll

25c-65c, 7

-

STATE-(3,537),

$10,500.

$4,000)

"UNWELCOME STRANGER"

Stage: Five acts
(Average, $3,000)

'

(Average, $4,000)

$3,000.

"BRIDE OF FRANKENSTEIN
Gross:

30c-40c-60c,

"NAUGHTY MARIETTA" (M-G-M)
LOEW'S STILLMAN— (1,900), 30c-35c-42c,
CIRCLE— (1,925),

(2nd run)

KEITH'S— (2,000),

(Univ.)

"THE DEVIL IS A WOMAN" (Para.)
LOEW'S STATE— (3,400), 30c-35c-42c,

(Average, $12,000)

"BABY FACE HARRINGTON" (M-G-M)
Gross:

PALACE— (3,100),

days. Gross: $7,500.

:

"THE DEVIL

days. Stage: Rimac's Orchestra and five
acts vaudeville. Gross: $15,500. (Average,

(Fox)

Tucker

Foy,

$9,500.

$15,000)

(3,000). 40c-55c-65c. 6 days. Stage:
Riley and Comfort, Cookie Bowers, Jeanne

Deveraux,

Gross:

$6,000)

"BRIDE OF FRANKENSTEIN"

"PARTY WIRE"

EARLE— (2,000)
Stage:

(F. N.)

(Radio)

n 500 (Average, $12,000)
THE VAMPIRE" (M-G-M)
"THE UNWELCOME STRANGER" (Col.)

Gros?.
.»J»„
"MARK
OF

.

week.

2nd

-

$4,500)

KEITH'S MEMORIAL-(2,907),

days.

3

d

days,

7

(Average,

'

(Average,
" THE

INFORMER"

WARNERS' HIPPODROME— (3,800), 30c-

,

(Average, $2,400)
(Radio)
BOYD— (2,400), 40c-55c, 6 days. Gross:
(Average, $12,000)
$11,500.

30c-35c-42c,

-

'

*3
$3,500.

(Fox)

$1,100.

"G-MEN"

$2,900.

"STAR OF MIDNIGHT"

17

A SMALL WORLD" (Fox)
"DINKY" (Warners)
N AY~ (1 38 2) 30c 5Oc 7 d ays- Gross:
™ ^
,
"IT'S

(Fox)

4
days.
7 days, $3,000)

(Average,

$2,200.

"MYSTERY WOMAN"

Gross:

May

ing

17

A SMALL WORLD"
ALLEN— (3,300), 30c-35c-42c,

16

ALDINE— (1,200). 40c-55c-65c, 6 days.
Gross: $16,000.
(Average. $7,000)
"NAUGHTY MARIETTA" (M-G-M)
(2nd run)
ARCADIA— (600) 25c-40c-50c, 6 days.
Gross:

May
"ITS

"LES MISERABLES"

(Average,

$25,000.

"GO INTO YOUR DANCE" (F. N.)
WARNER BROS (HOLLYWOOD)-O,-

000),

ing

ing

$7,300.

(Fox)
Stage:
(Aver-

$7,000)

"VILLAGE TALE"

RKO ALBEE— (2,300),
Stage:
Gross:

$8,300.

Gross:

$10,200.

Mitzi

(Radio)

15c-40c,

7

days.

Green

heading vaudeville.
(Average, $7,000)

"MARK OF THE VAMPIRE" (M-G-M)
"VAGABOND LADY" (M-G-M)
LOEW'S STATE— (3.800). 15c-40c, 7 days.
(Average, $12,000)

"WILDERNESS MAIL"
"RANGE WAR"
RKO VICTORY— (1,600).
Gross:

$1,250.

(Average,

(Ambassador)

(Col.)
10c-25c,
$1,000)

4 days.


QUESTION:

"Will there ever be another short subject like 'Three Little Pigs'?"

ANSWER:

"It's here right now and the title is GOOD LITTLE MONKEYS"

The Anniversary gift of Harman-Ising to the industry. Screen it at once. It's terrific! Celebrating the completion of their first year as the Technicolor Cartoon Champs of M-G-M. And what a record they've set! They're headed for the Top Cartoon spot in 1935-36. You'll see!
NRA, Assured Of Extension, To Push Cases

Preparation of Appeals Now Being Hurried

By CLARENCE LINZ
WASHINGTON, May 24.—Fortified by assurances that the Recovery Act would be continued after June 16, the NRA is hastening preparation of appeals on all of its orders involving the film code, it was learned today.

Following a conference of Senate and House leaders with President Roose-velt, it was said an agreement had been reached to extend the law until April 1, 1937, a period of 22½ months, although it was admitted the consent of Senators Borah, Nye, King and other opponents of the NRA had not been secured.

Acceptance of an additional year's (Continued on page 4)

Farnsworth May Be New Administrator

Deputy Administrator William P. Farnsworth is expected to be named administrator of the Emergency Broadcasting Committee under the NRA when Compliance Director Sol A. Rosenblatt steps out June 16 to return to private law practice in New York.

Rosenblatt, in addition to being ad-ministrator, is also director of compli ance and enforcement of the NRA. Farnsworth is not expected to get the compliance and enforcement post, but only the title of administrator.

During the past several months, Farnsworth has virtually assumed the administration post without title.

Flinn Goes West on Coast Zoning Talks

John C. Flinn yesterday left by plane for Los Angeles to sit in on the clearance and zoning board meeting Monday. He plans to return June 2.

While on the coast Flinn will ad-vice the board on how Campi disposed of various individual complaints be-fore the schedule was adopted.

Board Delays Move On Giveaways Here

Unable to get together on a uniform plan for elimination of giveaways in the local area, the New York grievance board yesterday again postponed (Continued on page 4)

K-A-O Given U. A. Spot on Fox Met Board

H. B. Swope to Replace Buckley in Lineup

United Artists relinquishes one place on the board of reorganized Fox Met-ropolitan Playhouses to give Keith-Albee-Orpheum representation on the board for the latter's 10 per cent stock interest in the new company under amendments to the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met which were completed yesterday.

Herbert B. Swope, chairman of the board of K-A-O, is that company's representative on the Fox Met board. Swope replaces Harry D. Buckley, U. A. theatre head. The re-moval leaves Schenck and William P. Philips as the United Artists' rep-representatives on the board. Fox Thea-tres retains Samuel S. Allan and Mil-ton C. Weisman, attorneys, as its re-presentatives on the board. The sixth board member, William Rhinehender Stewart, is understood to be a U. A.

(Continued on page 3)

Use Gasoline Lamps

Collinsville, Ill., May 24.—The Illinois Power & Light Corp. has turned the pages of time back 50 years at Miners' Theatre here.

Eight acts of vaudeville, with a master of ceremonies and circus are being pre-sented three times a week with gasoline lamps the only illumination.

Tri-States No Combine, Say Its Officers

ATLANTA, May 24.—William K. Jenkins, of Lucas & Jenkins, dominant Atlanta exhibitors and powerful down-state Georgia chain operators, and Oscar Lam, who runs six theatres out of Rome, Ga., today denied charges made Thursday by Aaron Saperstein at the closing session of the Allied convention that Tri-States Theatres, Inc., was in its essence a booking combine formed two years ago to ex-pect fees from independent exhibitors in this area.

By long distance telephone from Rome, Lam said the charge was a (Continued on page 3)

Anglo-American and Rowland Close Deal

Negotiations were closed yesterday for a deal by which Anglo-American Film Renters, new British producing and distributing company, acquires a financial interest in Broadway Prod., Inc., William Rowland's new company, and obtains world distribution rights outside of the United States and Canada.

Bay State Theatres Battle Ad Control

BOSTON, May 24.—Theatre men are hotly opposing a bill to provide for appointment of a director of outdoor advertising by the Governor. The bill calls for special permits for all forms of outdoor advertising and a $100 fee.

It is all inclusive and would regulate signs, marquees, posters, panels, signs, placards, tacked signs, etc. General use of material would be pro-vided. Heavy fines are included for violations.

Allied Probe Of Charges to Be First Move

Will Then Ask Hays Help Before Court Attack

By RED KANN
ATLANTA, May 24.—Allied will thoroughly arrange charges of "oppression" by affiliated theatres and distributors made during the convention ses-sion here by Col. H. A. Sarnacki of Texas, Fred G. Weiss, John Cunningham, Charles Walder and Mrs. F. L. Liggott before proceeding with the mandate of the convention which pro-vides that a committee shall meet up on Will H. Hays and insist upon res-toration where Hays has been deprived.

En route to their various territories are the organization leaders who have been charged by President Sidney Sarnacki first to get facts and then submit them to Abram F. Myers, general counsel, who, it is indicated, will first determine whether they pos-sess merit. If he finds they do, he will pass them up to the line to Allied officers for action.

Practically, therefore, what happens (Continued on page 3)

Loew's, Criterion Given 12 More Days

Loew's and John P. Goring, opera-tors of the New York Criterion and Criterion, respectively yesterday were given an extension of 12 days by the City Bank Farmers Trust Co., owners of the property, before vacating the premises. Under the new time limit, the two houses will not close until June 14. Loew's will most likely sign a 10-year lease deal with Walter Reade for the Mayfair on Monday, taking pos-session on June 15.

The extension works out satisfac-torily to both Loew's and Goring on booking arrangements. Loew's has had a contract with Fox for "The Cowboy Millionaire" and has tried to date the George O'Brien western before this, but no print has been available. The picture is now set to open at the Criterion May 30.

Bernstein Has Call Upon 50,000 Shares

WASHINGTON, May 24.—Reports to the Securities and Exchange Com-mission show that David Bernstein, vice-president and treasurer of Loew's Inc., has optioned to purchase 50,000 (Continued on page 2)
RUTH CHATTERTON took off at the controls of her own plane from Roosevelt Field at 11:42 yesterday. She was accompanied by Brenda Forbes and Robert Blair, her flying instructor, as guests.

WILLIAM H. (“Big Bill”) EBBE, New England district manager for Paramount, is now a Kentucky colonel. He was a real captain in the engineering corps during the World War.

Ed Kukeydeil today leaves for dear of Mississipi, as he calls it, “the town where birds are twittering, flowers are blossoming and nature’s at its best.”

Sophie Tucker and her Music Hall Revue, which is a regular WHN feature Thursday nights, have been booked into the Capitol starting Friday.

LOUIS DENT is due in early next week for conferences with Y. Frank Freeman on paramount theatre operations in Salt Lake City.

Lloyd C. Douglas’ novel, “Green Light,” has been acquired by Warners and is to be planned into a Cospolitan production.

Quip of the Day

With Broadway having undergone many changes in the past few years, A. Lichman comes to bat with a new name for the Main Stem. He calls it Orange Juice Gulch.

Harry Buxbaum’s son, Harry, Jr., is representing Portable Cinema Service, Lawrence, L. I., when he’s not attending college.

Andre Merce, director of engineering for Airtemp Products, is now supervisor of the theatre division of the company.

Nathan Yamin’s returned to Fall River, Mass., yesterday and is planning to rent a boat and take a sailing vacation.

Edward Everett Horton is scheduled to sell for England early next month to make a film for Twickenham.

Blanche Yurka has arrived on the coat by plane for her role in M-G-M’s “The Tale of Two Cities.”

Adolph Berger has been appointed general sales manager of Ad Marketing Corp.

Harry Hervey’s original, “Every Mother’s Son,” has been bought by Paramount.

William A. Scully is back from a tour of M-G-M exchanges under his supervision.

Arthur T. Levering’s original, “Long Haul,” has been acquired by Radio.

Archie Laurie of Empire Films, Ltd., Toronto, was in town yesterday.

John Collier, British novelist, has reached the coast to work for Radio.

Dan Michalove is planning to go to the coast sometime next month.

Dave Blum has taken out a license as an amateur radio operator.

Bernstein Has Call Upon 50,000 Shares

(Continued from page 3)

shares of common stock before March 1, 1939.

The option gives him the right to purchase shares from Dec. 31, 1934, to March 1, 1935, at $30 per share; 13,890 shares from Dec. 31, 1935, to March 1, 1936 at $35 per share, and 22,200 shares from Dec. 31, 1938, to March 1, 1939, at $40. He already has purchased 13,890.

The name of the Paramount that Nicholas M. Schenck, president, in addition to a fixed salary, receives two and one-half per cent of the excess profits of the company after all charges.

Consolidated Film Industries, the report shows, paid H. J. Yates, president, $63,000 in 1934. Since March 1, he has served as executive vice-president, received $42,030, and H. M. Goetz, treasurer, received $40,600. C. W. Lavenstein, director and counsel, was paid $32,395.

Three L. A. Clearance Complaints Upheld

Los Angeles, May 24.—Of nine exhibitor protests against the local clearance schedule heard yesterday by the zone manager of the studio, the three largest, offered in favor of the protestors, one withdrawn and the remaining ones held over for the arrival of John C. Flynn for the Monday hearing.

Twelve protests are set for Monday, with the Forum and Balboa cases outstanding. Interne Theatre will have two protests, one involving night price classification, the other requiring the cutting of territories be incorporated in the city zone.

Winner Play Tonight

The Warner-Criss Playhouse will present “The Brat” at the Roxy Sherman Theatre in New Haven tonight for members of the Connecticut Warner Club and their guests. The cast is composed of Warner home office employees.

H. C. Bissell Is Father

Cleveland, May 24.—H. C. Bissell, local Columbia exchange manager, is now the father of a six-pound boy. Bissell and the baby are doing fine.

S. S. Crick Is Coming

Hollywood, May 24—S. S. Crick, Fox’s Australian sales chief, leaves for New York Saturday. From there he will go to the company’s convention in Chicago.

Drop Para. Orchestra

The Paramount theatre yesterday dropped the Para orchestra for the summer. The musicians are slated to resume the middle of August.

Mrs. Small Very Ill

Hollywood, May 24.—Mrs. Edward Small, wife of the Reliance executive, is seriously ill here with an infection of the throat.

SMILE Hears Tribute To the Technicians

Hollywood, May 24.—Tribute was paid to the technician today at the closing sessions here of the convention of the Society of M. P. Engineers, who described the work of their profession as "monstrous" and unjust to give proper attention to the technical aspects of the medium. The mastery of light and the control of sound are at the very core of this great industry," a paper by Dr. Alfred N. Goldstein, president of the society. Mr. Goldstein stated that in the hands of the technician lies "the real future of the industry so far as it depends on the availability of those tools which will inspire and strengthen the artist and move and hold the audience.

"For its continued pre-eminent and public acceptance those charged with the responsibility for the direction of studio technical fields now require its technical aspects and learn ever more fully to utilize them," the paper continued. The function of technicians is to foster the engineering workers who are able to contribute to the art. And, above all, there must be no conflict between the artist and the technician, "so that the encouragement of which is a fundamentally necessary condition for the industry's growth and success of the industry."

M. C. Batell of the RCA Manufacturing Co., speaking on "Recording Muzic" for motion pictures, said to his audience, "I am in his opinion insufficient attention had thus far been paid to the creation of musical programs for motion pictures and theatre, adding that new developments were bringing sound pictures nearer perfection of realism and tone fidelity. He asserted that pioneers in the development of talking pictures had been actuated by fundamental ideals which demanded the absorption with production problems.

"American films to compete with British product in India was blamed on jazz, the underworld and slang, in a paper by G. D. Laid of the Columbia Studios.

The society will elect a new board of governors at its fall meeting.

Jersey Trust Suit Going to a Master

(Continued from page 1)

Orange, and the Orange Operat- ing Co., controlling a house of the same name in East Orange. Suits were directed under the Sherman and Clayton anti-trust acts were filed and also equity suits asking dissolution of the alleged trust and an injunction.

The Strand and Palace are indepen- dent houses that named Warners, Paramount, Fox, United Artists, Cob- lumbia and RKO as a combination in restraint of trade by controlling book- ing in the river cities. M. H. Lavenstein, counsel for most of the defendants, contested jurisdiction of the suit on the ground the companies named had branches in New Jersey and cannot be sued here without their consent.

Mr. Small will testify to determine what interests the producing, operating and distributing companies have in New Jersey and forward the record to Judge Clark. The court then will decide whether the suit will be heard.
MOTION PICTURE DAILY
Saturday, May 25, 1935

Tri-States No Combine, Say Its Officers

(Armed from page 1)
lie. He described Tri-States as a sort of multiple protective association which he considered, for its members, plan-
tial about 20. The purpose of the organization is principally legislative, and on this score Lam declared efforts to ward off some bills have been successful in this state. Due paid by members constitutes a revolving fund available to its constituents in the con-
duct of their local business, if and when they run afoul of financial diffi-
culties. Specifically denying the claim that his company is in financial straits begins at $15 weekly and then up, Lam stated his answer to that was he paid only $5.50 and he
runs six horses.

Asked if it were a fact that he owned 25 per cent of Tri-States, Lam replied by saying he originally financed the organization at its outset in that percentage.

Lucas was in Savannah today, but Jenkins, his partner, had this to say: "We consider it marks a distinction and badge of honor that he is attached to a certain fact. The facts are so grossly misrepresented they require no denial. We, as an organization, are behind Pepper, and his policies and for the Administra-

Says No Force Used

"First, we realize the proper relation between producer, director and exhibitor and always assume a stand for the best interests of the in-
dustry as a whole. I speak for my asso-
ciate, Arthur Lucas, and myself when I say that we have not invit-
ed any exhibitor to join Tri-States. Those who have joined have done so by their own request. In some in-
stances, they requested us to recog-
nize, and in others they have not." Nat Williams of Thomasville, who is reported as a Tri-State member, had this to say in like amount with Lam, wired MORON PICTURE DAILY a statement as president of that unit, but nowhere in his comments did he refer to alleged bootleg activities. He
said: "If you consider the Allied charged news worthy, I suggest that you secure a membership list from the Atlanta office and question members other than the four acknowledged to the work-
ings of Tri-States. No member has ever resigned, although any may do so at any time without penalty. No member has ever kicked on the amount of dues, or failed to pay them, with-
out being billed. No theatre has ever paid $15 per week, and some have vol-
teered to raise their dues, but the offers have not been accepted."

"No off-limits, as every theatre has ever received one cent in salary, stock di-
vidends or traveling expense. Many membership requests have been re-
jected, even when accompanied by cash in advance, when the organiza-
tion has not been positive it could render services or delegate those who the applicants' obligations."

If and when Allied can emulate these Tri-State, I will like them and join them whether they are racketeers or not!"

Allied Probe Of Charges to Be First Move

(Armed from page 1)
hinges solely on the results of the fact gathering program. At the same time, the understanding appears to be quite clear.

The probe will get underway immedi-
ately. Hays is to be given full opportunity to make his case, whether or not the fact that the Hays association, through its members it figures it began in the first place.

How rapidly this agenda will crys-
tallize was difficult to foretell today, and about Samuelson had no comment to make. Whether or not the fact Federal authorities will be turned to if the Hays organization takes no action means Allied will hold in check his efforts to force them to "fronts" was not a determinable point.

Samuelson, accompanied by his wife and sister, Sally Fisher, left this afternoon for a motor trip through Tennessee and Ohio and will not reach New York until after Decoration Day. They left for Washington today, with the New York contingent, in-
cluding Herman Robbins, Morton Van Dyke, George Dembow, Ralph Rob-

A Wall Street

Mostly Sluggish Off on Big Board

COLUMBIA (Old).....4695 10900
Consolidated (Old).....1755 4045
Columbia, vte (c).....2595 5195
Consolidated (c).....40 4
Columbia, vte (b).....1345 1915
Eastman.....1445 1445
Fox.....1495 945
Lowe's, Inc......3405 4145
M-G-M, nit.....1065 1065
M-G-M, stock.....2795 2795
Paramount.....2060 2060
Peage.....3135 2135
RKO.....215 326
Warner Bros., a/o.....2345 2345
(Trans-Lux Up ¼ on Carb
Color Technicolor.....2050 2050
Trans-Lux (1934).....2550 2550
Warning Bonds Gain Slightly

Trans-Lux.....5635 5634
Net High Low Change
M-G-M.....4010 3625 3825
New York.....1465 1465
Paramount.....2060 2060
Whitney.....3070 3070
Walter.....5770 5770
(RKO ¼ sp. up 1 ¼)

Quotations as at close of May 24

Award Big Judgment In Trade Paper Sale

A judgment for $437,000 was award-
ed to Leslie M. Heatherton, president of Publishers Trade Journal, against James N. Heatherton, former owner of the publication, by Judge Witchen in state court at White Plains yesterday. The plaintiff sued for an accounting, claiming he was entitled to one-fifth of the sales price received for the trade paper, which it was, he said, to Angus Publishing Co. in 1930. The Angus company was the former own-
er of Motion Picture News.

Colle Declines To Go Home

COLLE.—May 24.—Col. H. A.
Colle has decided not to go to New York to tell distributors what he thinks of the Tri-State books in line.

Colle charged before the Allied con-
vex, and has stated that TPS was forcing independents in all Texas towns of 10,000 or over to pay four per cent of their grosses in booking fees and were squeezing them to the wall. Later it was stated that ex-
change heads here had suggested to him to tell his story to New York executives.

Yesterday he considered a New York trip before returning to Dallas, but last night decided against it.

Para. By-Laws Approved

The by-laws for reorganized Par-
mount were approved in their final form yesterday by Federal Judge Al-
fric C. Cox. A hearing to obtain approval of the form of indenture se-

duly, May 24.—J. S. MacLeod

Los Angeles, May 24.—J. S. Mac-
Leod, head of maintenance for M-G-
M exchanges, left for New York by plane

May 25.—The N.V.A. Fund will receive approximately $2,500 from the special midnight show held here Wednesday at the RKO Palace.

NVA Fund Gets $2,500

Cleveland, May 24.—The N.V.A.
Fund will receive approximately $2,500 from the special midnight show held here Wednesday at the RKO Palace.

Shirley Is in Hospital

Hollywood, May 25.—Shirley Tem-
ple is in a hospital here for a none operation.

K-A-O Given U. A. Spot on Fox-Met Board

(Armed from page 1)
representative. It is pointed out that U. A. may acquire all of the stock in the new film company by buying its stock af-
ters under an option contained in the plan which, it is expected, will be ex-
cercised shortly after reorganization. In this event, the board of directors will be displaced and U. A. board members would be elected to succeed them.

Reports that Harold B. Franklin would become operator of Fox Met and the Schenk reorganization plan has been finally approved by the court were scouted in reliable quarters yester-
day with the reminder that none of the amendments to the plan authorized by the court provide for a change of operators of Fox Met after reorgani-
ization. It is also reported that Federal Judge Julian Mack told the Skouras and Randoff organization of Fox Met and stressed the value of re-
aining them and their Fox Film franchise in giving his tentative approval to the Schenk plan early this month.

The Sophia Dixey, mortgagee of the un-
mortgaged cash of Fox Met which will be released to the proponents of the plan under the reorganization have led to the conclusion that the court's interest in the case will be the cause why the amount of un-mortgaged cash of the company should not be dignified. The order has been set for hearing before Judge Mack on June 3.

Anglo-American and Roundland Close Deal

(Armed from page 1)
NRA, Assured Of Extension, To Push Cases

(Continued from page 1)

extension by Senate leaders who 10 days ago asserted vehemently that they would not accept amendments to the Clark Resolution which the President has cracked the whip and is prepared for a finish fight on the question.

Among the film cases which are expected to be appealed by the Government are those at Los Angeles, Denver and Des Moines.

Board Delays Move On Giveaways Here

(Continued from page 1)

action on the matter until Tuesday. Some of the members wanted more time to go into the situation.

One of the discussions taken up yesterday was the general complaint of independent exhibitors at the Friday morning, 14 session. The consensus of opinion among independents at the time was that the agreements needed permissiveness and a chance to return to change games because of the product and run situations. It was felt by the board that this should be taken into consideration before definite action is taken.

While the board is agreed that giveaways should be banned to a certain extent, it does not want to impose restrictions on subsequent run exhibitors that would tend to work hardships on them. All independents at the general session held that unless some sort of artificial stimulus were injected into the programs smaller houses would be compelled to close.

Leon Rosenblatt’s interference-of-lease complaint against M. G. Fielder in connection with what is known as the Maplewood, N. J., was certified to Campi. No date for a hearing has been set.

Julius Charnow’s complaint against Harry and Joseph Friedman and Joseph Poringa, interfering with possession of the Leon swims, has also been certified. The Leon complaint dated on the Campi calendar for June 5.

Fight Looms on Film Order

Kansas City, May 24.—Film service has been ordered stopped May 30 by Jack Johnston, Ritz Theatre, Kansas City. Johnston has, on complaint of C. W. Holtzman, Warner, that he is being denied projection privileges. T. H. Charley, who has so far been certified to pictures at the Charley in Kansas City, has also been certified.

Johnston, it is understood, has retained counsel and is planning to file an injunction suit in Federal court.

Two similar complaints await action on the grievance board. Walter Hahlfield, Elite, Greenleaf, Kan., wants the board to enforce a desist order against Charles Swersinsky, Majestic, Washingtontown. The second complaint, filed by a 7th circuit exhibitor, refuses to quit night bank. The Fox Loom, Brookville, Mo., is cited in a complaint by the Majestic, same city, which charges the Fox Midwest house continues reduced admissions in the form of "trade-a-gift night." Both cases will be aired June 5.

The bank night and reduced admission case of Sam Yolle, Uptown, Trenton, Mo., against Commonwealth circuit’s Plaza has been withdrawn by agreement.

Illness of L. M. Robinson, Noll, Bethany, Mo., forced continuance of his bank night complaint against the Roxy, same town, to June 5.

B. B. Kreisman Resigns

Los Angeles, May 25.—B. Bernard Kreisman, member of the local grievance board, has forwarded his resignation to Campi. He left for Washington today on what is reported a business trip for a major company.

Campi yesterday had not received B. Bernard Kreisman’s resignation.

Walkathons Killed By Michigan Solons

Atlanta, May 24.—Walkathons have been killed in Michigan, H. M. Rogers, Chicago, announced today to the depart-ure for Detroit. He said that walkathons grossed $26,000 in Michigan last year. Of this total $10,000 was taken in Grand Rapids.

The next big exhibitor tussle in Michigan, against which the Allied convention passed resolutions Thursday, will be over the free show evil.

Riehley says there are now 75 of them in the state, most of them running inferior product, bootlegged from second and third string Chicago exchanges, with occasional instances of major proporting made possible.

Say Playtime Bill Dead

Los Angeles, May 24.—Little hope is seen here for enactment at this session of a bill which would make designated playing time illegal.

The bill is understood to have been sponsored by Allied of Michigan.

III. Tax Starts July 1

Springfield, Ill., May 24.—The new third cor sales tax law will not become effective until July 1, as it failed to obtain the necessary two-thirds majority in the House to make it an emergency measure effective im-

mediately upon being signed by the Governor.

The Democratic Republican opposition prevented the emergency clause getting through.

See Missouri Race Veto

Jefferson City, Mo., May 24.—Guy B. Park is expected to veto the horse and dog racing bill which slipped through the Senate on May 21 by a bare constitutional majority of 18 votes.

Mo. House Passes Sales Tax

Jefferson City, Mo., May 24.—The House today passed the com-

promised one-cent sales tax bill, 87 to 53. Gov. Park is expected to sign it as he has already announced he favors the bill.

M-G-M Caravan at K.C.

Kansas City, May 24.—M-G-M’s travelling studio will make its bow to Kansas City on Saturday when City Manager H. F. McElroy will greet the crew on arrival at Union station. A downtown street parade and demonstration in front of Loew’s Midland will follow. Preliminaries in the search for talent will be held Wednesday night at the Midland and screen tests will be staged at the theatre Friday night. John McManus, the Midland’s manager, is assisting Eddie Carrier in arrangements.

Two Theatres Are Sold

Two theatres were sold at auction yesterday at the manuscript office when they were the 40th St., formerly the Chabin, and the Imperial. Both theaters were operated by Joseph J. Adams, real estate and foreclosure plaintiff. He bid above the first mortgage bonds in each in-

surance.

The Times Square and the Apollo will be sold on June 6.

Warner in L. A. Today

Hollywood, May 24.—Major Albert Warner and S. Charles Einfeld, publicity and advertising head of Warn-

ers, are due here Saturday.

“Miserables” Has Big 2nd Week, Detroit

Detroit, May 24.—“Les Miserables” turned in a smashing $13,500 for its second week at the United Artists. This is $5,500 above a normal first week.

There were three other holdovers. “M-G-M’s” turned up to $6,600 at the State and “Brenda de Reippe” was good for $6,100 at the Adams, but “Sequoia” and “Mississippi” fell off to $1,800 for the second stanza at the Fisher.

Total first run business was $78,400. Average is $70,000.

Estimated takings for the week end-
ing May 16:

“BRIDE OF FRANKENSTEIN” (Univ.) ADAM—1,079 36c-85c, 7 days, 2nd week. Gross: $6,500. (Average, $900.)

“MISSISSIPPI” (Para.) FOX—(5), 10c-55c, 7 days, Stage. Gross: $7,500. (Average, $1,071.)

“SEQUOIA” (M-G-M) TOLLENT HARMONY (6, 10c-55c, 7 days, Stage. 3 acts vaude. Gross: $21,300. (Average, $3,043.)

“G-MEN” (F. N.) STATE—(2, 000), 24c 85c, 7 days 2nd week. Gross: $6,600. (Average, $900.)

“MISSISSIPPI” (Para.) UNITED ARTISTS—(2,000), 15c-55c, 7 days, Stage. Gross: $5,000. (Average, $714.)

“ON THE NEW YORK MINE” (M-G-M) BROADWAY-CAPITOL—(4,480) 10c-70c, 7 days, 6 acts vaude. Gross: $11,600. (Average, $1,650.)

Shuttle Wins First Award on “Ruggles”

W. B. Shuttle, Main Theatre, Pueblo, Colo., has been awarded first prize of $300 for best advertising and explo-

itation campaign on “Ruggles of Red Gap.” The contest was conducted in competition with 100 other theatre managers and advertising men participating, Six judges officiated.

Second prize, $200, went to Sid Hollingsworth, Liberal, Kan. Third prize was $300, went to Herman Kersken of the Warfield and St. Francis Theatres. Judges were: Frank Lake, Earl Kennedy, Washington, and Al Zimbardi, West End Lyric, St. Louis, secured fourth and fifth.

Twenty second prizes were given the following: A. Shubert, Shubert, Gooding, Idaho; George Baker, New-

burgh, Ky.; F. D. G. Mills; Allie Warmus, Street, Dover, N. H.; Joe Lee, Para-

mount, Brooklyn; Manager, Indiana, Kansas City; Charles B. Taylor, Shein’s Buffalo, Buffalo; M. S. Joiner, Orpheum, Vancouver; Milt Harris, Loew’s State, Cleveland; Manager, Capitol, Aberdeen, S. D.; B. B. Sat-

bella, 5th Ave., Seattle; Manager, Paramount, Cedar Rapids, La.; Max Shaw, Paramount, Los Angeles; Will-

iam Powell, Paramount, Newport, R. I.; George Sallows, Metropolitan, Organist, H. S. Dahn, Cap National, Montreal; William Hollander, Chicago, Chicago; E. M. Hart, Strand, Plainfield, N. J.; Manager, Fox, Sec-

tant’s, Lodi, Calif.; John B. Nell, and H. A. Gillespie, Liberty, Yakima.

They were Jack Aliceat, Red Kahn, A-Mike Vogel, Epes W. Sara-

gent, Charles E. Lewis and Frank S. Leyendecker.
Allied Moves To Fight RKO In Northwest

Orpheum Bargain Shows Start Buying Pool

MINNEAPOLIS, May 26—Allied Theatres of the Northwest threw down the gauntlet in the fight against bargain shows at the local Orpheum when some 40 exhibitors of this city and St. Paul and surrounding towns voted at a closed meeting yesterday to permit the organization to handle their buying of RKO product for one year.

Great States Amusements, at a heated discussion Monday, passed a resolution placing the buying of RKO product in the hands of the association's board of governors, which consists of J. B. Bolton, president; S. G. (Continued on page 2)

All Indies Asked To Pooling Talks

All independent exhibitors, regardless of whether they are affiliated with the I.T.O.A. or not, have been invited to attend a general meeting at the Astor this afternoon when plans for the formation of a new circuit will be detailed.

According to the proposal, exhibitors will be asked to pool their interests into one big corporation. They will get a certain percentage of stock and retain management of their houses under (Continued on page 2)

Production Slips; 39 Features Going

Hollywood, May 26—Production slumped slightly last week following a spurt during the preceding seven-day period. The checkup showed 39 features and nine shorts before the cameras as compared to 44 features and six shorts for the preceding week.

Fox and Paramount headed the major studios in production activity. Fox checked up with seven features in (Continued on page 2)

Consolidated Seeks Big Stock Listing

By BENJAMIN F. LINZ

WASHINGTON, May 26—Application for registration on the New York Stock Exchange of 400,000 shares no par $2 cumulative participating preferred and $24,973 shares of $1 par value common stock, all issued, has (Continued on page 7)

Insiders' Outlook

By RED KANN

IT was an interesting convention, the Allied war council in Atlanta. Interesting, not because the organization let loose to the South's sultry breezes any new standards around which the cohorts might rally. Not at all. Always on that side of the fence where the major producers and distributors are not, Allied continues determined to play in its own back yard exactly as the affiliated groups disport in theirs.

The interest which was in Atlanta was traced to something entirely different.

The Allied which forged ahead was not the organization of a few years ago. It was an Allied obviously considerably sobered, more mature and so less impetuous and, by the same token, more determined and confident of ultimate accomplishment. For instance, a point in evidence was the traditional stand on compulsory block booking, focussing now in the support of, and campaign for, the Pettengill bill. In Allied eyes and minds, this measure, or one similar to it, eventually will be legislated into the law.

A handful of years ago, which actually was the case when the Brookhart measure went down to defeat, the circumstance dulled enthusiasm and exploded optimism. Today, and here enters the difference, Allied holds small hope for the Pettengill proposal this session and appears to be little disturbed by the prospect. Its leaders point out "major reforms" take from 10 to 15 years to get through Congress. This is their own expression.

This is their expression, uttered calmly, mind you, with no untoward evidences of disappointment, but seemingly in recognition of a state of affairs which happens to be. The viewpoint reflects a realization that to reach the required objective so vital in Allied's program, work and more work must be done. The organization may be wrong and time only will kick in with the proof, but the reaction of this observer to its last week's deliberations is that all channels will be explored to the hilt before failure is recognized.

The approach which Sidney Samuelson made on the convention as a whole supplied further demonstration of how the association is settling down. He told the delegates not to expect millenniums; that they don't just happen and that Allied was setting forth to bring about its own "Allies don't kid equally as to conventions. They merely set up whatever we are trying to do. The work begins when we get home," was what he told the delegates, warning them at the same juncture that what they get will be what they earn by their own effort.

Allied repeated its familiar platform on the kind of a business it views this to be. There are independent exhibitors and the other kind, the second ilk being allied with major producers and distributors. Like the pants-andvest simile, to Allied there is no difference between the latter two because they go together; this is the argument. Thus, it is a case, certainly clear cut enough in so far as definition is concerned, of independent theatremen against all other theatremen, plus producers and distributors whether they like it or not.

With this fundamental line of demarcation sharply drawn, Allied, as a consequence, regards affiliated theatres in the sellers division along with distributors and, by the same token, independent theatres only as the real buyers. With this theory, the organization again sounded its policy on the code: That Campi should be divided equally as buyer and seller and that, unless this is done, Allied members will withdraw assents and assessments as well as participation in code board operation. On this score, Allied and the M. P. T. O. A. are not very far apart, for the Kuykendall organization resolute in New Orleans for a "reorganiza-

U.S. Reports 9% of Houses Gross to 49%

Nearly Half of Total in 920 Large Theatres

By CLARENCE LINZ

WASHINGTON, May 26—Nine per cent of the theatres surveyed by the Department of Commerce in its census of amusement shows did 49 per cent of the business, it was disclosed last night by the U. S. Census Bureau, while 24 per cent of the houses accounted for only a little more than 10 per cent of the receipts.

The census covered 10,265 theatres with total receipts of $41,153,000, of which 920 houses, or 8.9 percent, did a business of $100,000 or more, with receipts of $205,200,000 or 49.4 per cent of the total; 1,218 houses, or 11.9 per cent, had receipts between $50,000 and $100,000, taking in $84,947,000.

Ascap May Request High Court Delay

In an endeavor to forestall an early trial of the Government's suit to invalidate its music licensing procedure, the American Society of Composers, Authors & Publishers may apply to the U. S. Supreme Court within the next few days for a writ of prohibition denying the Federal district court the right to proceed with the trial of the Government's case on June 10.

Amendment Is Up On Zoning Rulings

WASHINGTON, May 26—A proposed amendment to the clearance and zoning provisions of the film code, to be considered for approval after June 13 unless substantial opposition is expressed before that date, was an-

Lynbrook's Council Stops Bank Nights

LYNBOOK, L. I., May 26—Skouras' Lynbrook has stopped bank nights as a result of an order by the Lynbrook village council which threatened to revoke the theatre's license.

The City Council stated that the game was impeding traffic, both pedes-

TEN CENTS

NEW YORK, MONDAY, MAY 27, 1935

alert, intelligent and faithfuL service to the industry in all branches

THE LEADING DAILY NEWSPAPER OF THE MOTION PICTURE INDUSTRY

MOTION PICTURE DAILY

VOL. 37. NO. 124

U.S. Reports

9% of Houses

Gross to 49%
alied Moves To Fight RKO In Northwest

(Continued from page 1)

Lebedoff and C. L. Peasley, The actual buying is expected to be done by a holding of about $250 is to be asked to guard against any walkout, it is understood.

For the second time this week have been protesting against the Orpheum's policy of big pictures plus five acts of vaudeville at low prices and they have also pointed out that the projected first runs aggravated the situation because of their inability to compete with the vaudeville at the downtown stand.

While the RKO manager, Nicholas Goldhammer, maintains the house is not operated by his company, but by Mort H. Singer, the Allied group is understood to feel his firm has sufficient assets to meet the ownership to force a change of policy.

A number of other companies, are serving product to the Orpheum to be played with vaudeville at prices against which Allied complains.

Whether the Minnesota Amusement Union has been cited here as a subject of suspicion, but the firm is known to oppose the combination policy which it said was intended to be forced to adopt at the State in order to meet the Orpheum setup.

Neither John J. Friedell nor Clinton Graham, who have been cited here, although the Allied was meeting to map further future plans in the action against RKO.

Mae West Film Gets $29,000 2nd Week

Mae West's second week at the Paramount in "Goin' to Town" garnered in the neighborhood of $29,000. Expectation by the management is that there won't be at least two, if not three, more weeks. The orchestra was let out Thursday night for the summer and will be reinstated about Aug. 15. "Age of Indiscretion" at the Capitol tallied about $26,000. Rudy Vallee headed the stage show. The second week of "Bride of Frankenstein" at the Roxy chalked up a profitable $25,000. About $30,000 was taken in at the Rivoli during the fifth week of "Les Miserables." The film is now in its sixth and last week.

A "Salute to the Girls in '49th Street" was off at the Palace where the take was approximately $7,000. "Becky Sharp" has been dated into the Music Hall starting June 12.

Gene Curtis Resigning

Toronto, May 26—Gene Curtis, Quigley Award winner and sales-promotion director for Famous Players Canadian Corp., has resigned from that company effective June 1, for a new position with an unknown any other company. No successor has been named as yet by Famous Players Canadian.

Kreiselman Joins Para.

Bernard Kreiselman, formerly rep- resenting the NRA in Los Angeles has joined the Paramount-Washington exchange as salesman. He flew in from the coast over the week-end.

(Continued from page 1)

ation of the Code Authority to provide for more equitable representation of the various departments of the industry and the various sections of the country. ▼

On the code and on compulsory block booking, Allied definitely knows where it stands, too. On the raising in Atlanta over alleged producer-distributor "aggressions," the unit is mixed up. Fanned into reactionary organizational nervous by Al Steffen and his whoop over the plight claimed by H. A. Cole, the delegates one day voted to demand retribution from Will H. Hays. On the next, they were divided and determined to seek relief through the Department of Justice and the anti-trust laws. In the backwash of the convention, it was remem- bered that court notices have been served on the manager and the patent was named to see Hays and so it was determined to return to the first mandate before trying the second.

Little hope is held for results in so far as any favorable legislation may be held with Hays. The or- ganization, forecasting conclu- sions, which is apt to be an un- satisfactory way of doing it, has placed itself in the untenable and unwise position of predicting the parley route will get nowhere... ▼

Between convention action looking toward potential talks with Hays and subsequent de- cision to put the old sale litigation, something hap- pened. There was talk of a mys- terious telephone call from New York and more talk, based on what may have been merely na- tional propaganda, that perhaps the procedure might better hinge on an effort to clean up within as a faster and a more immediately productive movement than any recourse to the lumber- ing machinery of the Justice De- partment... ▼

To what degree the excitement centered around "aggressions" will prove the usual battle cry type of stump speaking for dear, old organizational purposes will be determined as weeks and months slip by. Allied leaders were astute enough to realize that the quickest passage to their dele- gates' emotions was to yell "octo- pus" and "oppression." Cole did it calmly enough, but it must have echoed loudly. The extremities in the formula worked as the headlines of last week demonstrated. Yet Allied, wiser now, is determined not to be caught on the short end and, in order to prevent embarrassment, has or- dered a strict investigation of the facts for submission to Abram F. Myers before embarking on official action. ▼

Whereas Allied in Detroit a few years ago started off wild-eyed and stuck to it in that con- vention, Atlanta found more cau- tion—albeit less recognition in its management. The chronic "against" attitude continued there, but that is Allied's act. Adherence to it year after year has strengthened it and determined which it evidences. This is merely the fair thing to say, regardless of sympathy or not for the objectives which the organization is seeking.

All Indies Asked
To Pooling Talks

Production Slips;
39 Features Going

(Continued from page 1)

the plan. About 150 theatres are ex- pected to endorse the idea.

Last Thursday night Harry Brandt, president of the M. P. Barr, Abe Leff and Maurice Planchon held a special meeting at the M. P. Club where the next, it is understood, to sound the call for an open discus- sion of the topic.

An identical plan has progressed in New Jersey to the extent that 25 signatures have already been obtained. Leonard Bessishaid is head of the com- mittee working on the Jersey scheme, which is limited to non-competitive and last run situations. A meeting is set in Newark within the next week, when it is anticipated about 75 additional signatures will be secured.

Both plans are being sponsored by the independent exhibitor groups with the I.T.O.A. and the T.O.C.C. not inter- ested.

MOTION PICTURE DAILY
Registered U. S. Patent Office
Vol. 37 May 27, 1935 No. 124

Kalmus to Speak at
Forum of M.P. Club

With Dr. Herbert T. Kalmus, co- inventor and present head of Techni- color, as guest of honor and chief speaker, a special "color forum" lun- cheon will be held tomorrow at the M. P. Club.


John Snider Is Buried

NEWTON, Mass., May 26—John Sni- der, manager of the M. & P. Para- mount here, had a head cold and He- died at Baker Memorial Hospital Fri- day at the age of $1 after having been in the hospital for two days.

Snider was one of the first exhibi- tors, having opened the Idle Hour in Pittsburgh in the early days of the industry. He was a pioneer theatre interests in Detroit, where he became general manager. He went to Paramount in New York in 1921 and then to New England for the past 11 years.

Empire Film Adds 18

Empire Film Distributors, Inc., has completed arrangements to handle 18 features next season. This will be in addition to the 15 fea- tures already scheduled for next year.
VER
THE BORDER!--ON WITH THE HITS!
25% OVER 'G-MEN' IN SAN FRANCISCO!

BIGGER THAN "BLACK FURY" IN ALBANY!
TOPPED "BLACK FURY" IN NEW HAVEN!

WARNER BROS.' FOURTH SUCCESSIVE HIT SHOW IN A ROW...

IN Caliente

Seething with Senoritas! Ablaze with Stars!
PAT O'BRIEN • DOLORES DEL RIO
LEO CARRILLO • Edw. Everett HORTON
GLENDALAFARRELL•The Dancing DEMARCOS
11 OTHERS • Directed by LLOYD BACON

A First National Picture
Crowds jam radio city music hall

Wildly Acclaim Elisabeth B

1. 2000 ticket buyers were in the doors opened on first day.

2. Crowds were standing

3. Sensational review as people an hour before program.

4. Wild applause three times during each number.

5. Lobby crowd Bergner's in the house.

Presented by B & D
Directed by Paul Czinner

Released thru United Artists
Bergner in "ESCAPE ME NEVER"

theatre 15 minutes after
deep in the 2nd mezzanine!

N.Y. critics brought line of 1000
e the theatre opened on 2nd day!

Hated Bergner's performance 5 or 6
running of the picture!

eaving the theatre were raving about
parable performance!
-looking 'Em Over

"fighting Shadows"
(Columbia)

Although this Tim McCoy vehicle follows a tempestuous pace for the most part, it holds the interest closely because it creates a feeling there's something in the air. That something happens when McCoy and Ward Bond come to grips in as rousing an exhibition of fists and guns as an action fan could hope to see. It's the only real exchange of blows in the whole film, but it's worth waiting for. Literally a climax with a punch.

The story has nothing new to it. It's that old wheeze about the mountie on the trail of a gang of fur thieves. The mountie in this instance is McCoy. Assigned to put an end to the terrorism of the gang, he finds himself handicapped by the actions of Bond, his sweetheart (Geneva Mitchell's) brother, who harbors an old grudge against him.

Crosseued at every turn by the efforts of Bond to embarrass him, McCoy finally calls for a showdown. The fight referred to is the result. It develops at the close of the film that Bond, who has been suspected all along of having been hand-in-glove with the gang, is innocent. He had merely tried to solve the case himself in his own way in order to get even with McCoy.

At the fadeout McCoy and Bond have buried the hatchet, and the former has won him a promotion.

The film's color photography is an asset.

"avec L'Assurance"
(Paramount)

This French farce comedy from Paramount's Joinville studio is run-of-the-mill stuff. It is somewhat tedious and more than a little silly. Its prospects in America are still further lessened by the fact that it is without benefit of English subtitles.

"avec L’Assurance" (translated for American purposes as "Love Insurance") is the sort of thing that requires some understanding of the language if head or tail is to be made of it. American audiences will find the film not even scenically or photographically intriguing. Even the acting is no better than so-so.

The story has to do with a young fellow who gets a job selling policies through a childhood sweetheart, whose godfather is the head of a large insurance firm. To stir up interest in his business he steals a countess' jewelry with the intention of returning it later. Immediately he is flooded with demands for insurance. He insures against everything, putting the company in a pretty spot. However, all turns out for the best in the end.

Among the players are Saint-Granier, Madeleine Guitty, Jeanne Helbling, Armand Lurlive and Simone Rouvier, Roger Capellani directed.

No production code seal. Running time, 72 minutes. "G."

"fighting Pioneers"
(Resolute Pictures)

The U. S. Cavalry rides into the first reel of this film and battles the Crown Indians to save a wagon train. The rest of the film concerns the warfare between the two groups. Rex Bell, as an army lieutenant, does much to keep the action moving along at a fast pace.

Harry Fraser's direction is aimed at maintaining audience interest and Robert Clive's photography is accepted.

Bell, as an army officer, rescues a wagon train from attacking Indians and discovers they possess retired army rifles. Since he was responsible for the storage of these obsolete guns he sets out to solve the mystery of their disappearance from its fort. In the meantime the chief of the red men is killed in a skirmish and his daughter, Ruth Mix, takes over the leadership of the band. After much hard, long shooting, lots of chasing and fast action, Bell discovers one of his own men to be the traitor who sold the guns, and in a final battle the warriors are subdued and Miss Mix rides off with the implication she loves Bell but can't marry him because of their racial differences.

Where westerns are liked this film should receive a particularly favorable reception.

Reviewed without production code seal. Running time, 60 minutes. "G."

(Motion Picture Daily
Monday, May 27, 1935

Short Subjects

"Springtime Serenade" (Universal)

In spite of old Professor Groundhog's warning, all the wood folk imagine spring has come to stay and start their spring cleaning. Oswald, the rabbit, opens his summer hotel; Mrs. Pig gives her little ones a bath, brother turtle and his girl friend abandon their shell, and the sequined family start out on a round of calls. Suddenly snow begins to fall and there is a rush to rebuild and regain their shelters on the part of the animals. Old Professor Groundhog just sits back and laughs as the reel runs.

A cute cartoon, the most amusing reel and one highly recommended.

Production Code Seal No. 755. Running time, 8 mins. "G."

"Canzonieri- Ambers Fight" (Harry O. Feller)

All the action of the recent Tony Canzonieri-Ambers lightweight championship bout at Madison Square Garden is shown. The accompanying sound is not labeled, but in most spots the synchronization is poor.

The photography is excellent and all the high spots, particularly the three knockdowns of Ambers scored by Canzonieri are caught clearly.

Recommended. After the fight the game is still alive, this short film should draw. No production code seal. Running time, 34 mins. "G."

"Elmer, the Great Dane" (Universal)

Oswald, the rabbit, is awakened during the night by his dog, who is suffering from hiccoughs. He then proceeds to try all the common cures on the animal, such as making him dizzy, frightening him and by applying heat to his stomach. The last method creates much consternation because the dog had eaten some pop corn and it explodes inside him.

There are many very funny sequence gags in it which should provoke howls from most audiences. Production Code Seal No. 705. Running time, 9 mins. "G."

"Candyland" (Universal)

This color cartoon tells the tale of a little boy that wouldn't go to sleep at night. The Sand Man then takes care of the little fellow, who suddenly finds himself in Candyland. He has a grand time there, with all the candy he can eat or carry, until the king of that strange country presents him a dose of castor oil. Realizing the shock, the little fellow awakes in his own bed to discover it was all a nightmare.

Highly recommended. Reviewed without production code seal. Running time, 9 mins. "G."

"Would You Be Willing?" (Universal)

Featuring Frankie Masters and his orchestra, this is a pleasing miniature musical comedy that should satisfy.

Masters and his crew are stranded in a town where they encounter Eddie Calkins, who offers them a job in her father's cafe. This gives Masters an opportunity to present several popular songs in a satisfactory manner.

Recommended. Production Code Seal No. 724. Running time, 18 mins. "G."

M. & P.-Publix Uses Giveaways for N. E.

Boston, May 26—Giveaways have been adopted by M. and P.-Publix for some of its New England theatres. With the largest local circuit going in for off-office stimulation, it seems that this territory is due for a flood of similar business boosters as business steadily becomes fuller because of increased weather and attendance outside competition.

Bank nights are being furthered here as the result of a consistent campaign. Another angle on the situation is that the bank night sponsors are said to be planning suits against those alleged to have been scheduled.

George Ryan, attorney for E. M. Loew in a number of his suits, has been retained, it is said, by bank night interests.

Publix's plan locally is known as "cash nights."

Stoddard Works Out Summer Drive Plan

Boston, May 26— C. L. Stoddard, district manager for M. & P. Theatres' North Shore District, has just issued a 10-page campaign folder for the coming Aug. 4 drive.

The idea is to battle summer resistance with no-cost merchandise tie-ups, realigned advertising, new budgeted contests between managers.

A gag a week, a window display a week, with prizes, "Bondarmant Works" and 53 merchandising ideas are included.

Those participating in the drive are: Ship Dunn, Nat Silver, El Brodie, Jim Kinney, Bob Fagin, Art Murch, Phil Bloomberg, Jim Dempsey, Ralph Tully and Joe Ahern.

Short Costs Heavy

With Sound—Roach

Short subject production costs have risen 25-50% and are now running more expensively, according to Hal Roach, who breaks down the additional expenditures as follows:

$500.00 For Erpl royalty
$1,000.00 For Music copyright
$500.00 For Recording

Total $5,150 a picture

M-G-M Retitles Shorts

M-G-M has changed the titles of two short subject series. Smith's Sports Champions next season will be titled "Sports Parade" and the M-G-M Oddities will in the future be M-G-M Miniatures. Each series will comprise 12 subjects with Pete Smith handling the monologue.

Remodel at Middletown

MIDDLETOWN, O., May 26—Work has started on remodeling the Sorg Opera House, which was damaged by fire in September. Construction has been completed, about July 1, the house will be reopened by the Gordon Theatre Co., which recently leased it from Sam Finkelman, owner.

To Teach Color Work

Hollywood, May 26—Technicolor is now making plans to establish instruction units in all studios to teach cameramen the use of the Technicolor camera.
U.S. Reports
9% of Houses
Gross to 49%

(Continued from page 1)

Ascap May Request
High Court Delay

(Continued from page 1)

as now scheduled, it was learning on

Saturday.

That Ascap is vigorously opposed to trial at this time was made evident by the organization's
testimony at the recent hearing on the Government's
motion for a preference on the trial calendar. At that time Ascap
had declared that it would resist the extension of all expiring contracts
with its licensees to the end of the current year here to be without authority
until fall. The Government ignored this concession and insisted upon a trial preference,
which resulted in the

fourths of the trials in this size group and their receipts represented 63 per cent of the total receipts of all theatres in this class.

“Paris in Spring”

(Paramount)

Hollywood, May 26.—This one keeps amusing through good cast
performances and the humorous flow of dialogue. However, the lethargic
story continuity and listless staging of the musical numbers hurt the
film's entertainment prestige.

Music and comedy flavored with a continental atmosphere keynote the
picture's exploitation theme. The film will probably do the most business in
key cities.

Mary Ellis is the toast of an aristocratic Paris night spot. When she
turns down Tullio Caminiti's marriage proposal he goes to the top of
the pyramid on his own. Ruth is a Latin Lupa's grandmother, setting off the fireworks. The misunderstanding
finally works out satisfactorily and the love birds find their proper roots.

Director Lewis Milestone gets the most from the story with the brief
performances of Lynne Overman and Miss Ralph standouts. Samuel
Hoffenstein and Franz Schulz penned the screen play from Dwight
Taylor's play with Keene Thompson adapting. Gordon and Revel did
the music. Theodore Tetzlaff's photography is good.

Production Code Seal, No. 630. Running time, 82 minutes. "G."

Kuykendall Seeks
Copyright Support

Exhibitor support of the copyright bill introduced by Senator Duffy of
Wisconsin is urged by M.P.T.O.A, in a statement issued Saturday by Ed
Kuykendall of the Board of Directors. The statement, made now before the copyright and
patents committee of the Senate,

"should insist,"

Kuykendall's statement says, "that this
bill be passed intact and without
amendments. Write your Senator im-
mEDIATELY or contact him personally
if possible."

A second statement from Kuykendall
hits at Allied States' leaders for the
Atlanta convention's resolution calling for industry lawsuits to be filed
against the M.P.T.O.A.

The statement follows:

"It is not particularly surprising that Allied, led by Abe Myers, a law-
yer and a member of the Allied States' board, would be the

Saunders Again on Job

BRIDGEPORT, May 26—Matt Saunders has resumed his duties as man-
ger of the Palace after having been confined to his home for several days as the result of injuries sustained in a fall.

RKO Product Deals Nearly Finished Here

RKO is practically set on product buys next season. With 20 RKO Radio films in production, negotiations are nearing consumma-
tion for half of the Warner product figures.

The circuit during 1934-35 played half of Warners product on a year-to-
year basis. Under a recent deal, the three-year Fox franchise for which
was signed last year was extended seven additional years.

With the three products, the circuit will have 140 pictures. One more
company's output is needed, which would bring the total number of films
of 175 or 180. Paramount has indi-
ected interest in the job, but so far no deal is in

sight.

Paramount sales executives held a meeting all Friday night until 5 A.M.
saturday. Something surprising is expected to develop as a result of the

session.

RKO denies it is interested in a new theatre about to be constructed at
Fordham Road and Grand Concourse. The circuit's name has been linked with the project several times.

Columbia on Saturday announced it had closed a long-term franchise with the Music Hall, which expires with the Sep-

cative Oct. 1. The current contract with Columbia has not been completed by the Music Hall and efforts to reach

G. V. Vincent, president, or any other talk was left.

"Under the Pamps Moon" is dated to follow "Escape Me Never."

Consolidated Seeks
Big Stock Listing

(Continued from page 1)

been filed with the Securities and Exchange Commission by Consoli-

dated Films Inc.

The registration statement shows the company owns all of the stock of the American Film Record Corp., Bruins
wick Record Corp., Studio Camera Co., Lubin Publishing Corp., Cinema
Patents Co., and Biograph Studios. The only holder of 10 per cent or more of any class of stock is the Setty
Co., Inc., New York, with 58,973 shares of common, or 17.05 per cent.

This company also holds 62,900 shares of common not registered in its name.

Stock holdings of officers and directors included: E. C. Dearstyne, direc-
tor, 500 shares preferred, 1,100 shares common; A. D. Farwell, director, 100

preferred, 1,200 common; W. P. Stevens, director, 500 preferred, 400 common; J. E. MacPherson, director, 150

common; M. Taylor, director, 3,000 common.
Purely Personal

Charles M. Reagan, western division manager, will preside over the Chicago, Kansas City and San Francisco regional conventions which will be held following the annual Farm-in Mount sales meet at the Waldorf Astoria Hotel in New York and Memphis meetings. Dates for the five regions will be announced later.

Clayton and Mrs. Sheehan, Carl Nielson, Scandinavian district manager for Fox; P. S. Foran, managing director for the company in Spain; and P. M. Brinch, managing director in Germany, arrived yesterday on the Staatendam to attend the company's annual sales meeting which starts Thursday in Chicago.

Quip of the Day

"Every day it's a new something springs out to the exhibition world until Max Shabazz as he tuned his radio.

"It isn't enough I'm on the crust of Hollywood to say it's television, around the corner—maybe.

"First, we saw, then we heard pictures. Now they're combining the worst features of each.

"What can we expect next? Pictures that smell? With a trade name, instead of Smell-Avision.

"But for those kind of pictures, they don't need a name for it."

Daniel Haynes, negro actor who replaced Richard B. Harrison in "Green Pastures," has been signed by Paramount and is now en route to Hollywood.

Ruth Deaper, Marquis Henri de la Falaise, de la Courraye and Countess Tamara Swiszkaya sail for Europe today on the Champlain.

Dolores Del Rio has delayed her trip here from the coast and will come on later for the opening of her latest film, "In Caliente."

Florence Caroline, British actress, arrived here yesterday on the Britannia for a visit.

Armida, who had a role in Fox's "Under the Pampas Mood," is back in town from the coast.

E. B. Deer, in town for an indefinite business stay, spent the week-end in Boston and is due back here today.

George Roberts is now managing the Kingsbridge for Consolidated.

Harry H. Thomas of First Division is due back from Atlanta today.

... Pittsburgh


Roy Daniels is the new managing editor of Hearst's Sun-Telegraph, succeeding Dwight Fee.

Sam Galante of Columbia and Edward O. Fox of Fox have been recent Film Row visitors.

Harry Harris has been made business manager of his father's McCall baseball club.

The Isa Cohns feel simply awful about the recent death of their 11-year-old dog.

Amendment Is Up On Zoning Rulings

(Continued from page 1)

nounced yesterday by Division Administrator William F. Farnsworth. The amendment would be added as Section 16, Article 4, Part 1, and would provide that, regardless of the interest of an individual member of a board or of his company's interest in theatres, he would be permitted to serve on all matters involving a schedule or a protest of a number of the theatres, or a committee, or vote on the individual protests involving his own or his company's houses.

A provision barring members of Code Authority from sitting on cases in which they are interested is carried over, but it was the code that if that provision were extended to clearance and zoning boards every member thereof would be affected at one time or another.

It was explained that while officials of the NRA believe that all decisions have been sincere and honest, and no decision has ever been challenged on the ground of interest, it is felt that a better atmosphere will prevail if the amendment is incorporated in the code.

Hear Century Appeal Today

Century's clearance and zoning complaint against RKO in connection with the Jamaica situation is scheduled to be heard today by a Cymm appeal body consisting of Paul Bunger, William Jaffe and Nathan Vinegrad.

Last week the same committee heard the Far Rockaway appeal decided by the local board's decision. Century's original complaint was that the RKO Alden, Congo and Strand in Jamaica were in violation of the code. Far Rockaway, not in competition to the Fantasy, Rockville Center. The local board agreed with Century on the Far Rockaway appeal. Century decided all of Jamaica was competitive. Century appealed the Jamaica decision and RKO appealed the Far Rockaway order.

Treasurer to Handle Suit

MINNEAPOLIS, May 26—James Treasner, NRA litigation counsel, has been permitted to handle suits in connection with the local grievance board and distributors by the National Theatres Corporation, New York. Mr. C. W. Brainerd, to restrain the shutting off of service to enforce the cease and desist board decision.

Schwartz Heads N. O. Board

NEW ORLEANS, May 26—Herbert Schwartz has been named permanent chairman of the grievance board.

Stop Giveaways in N. O.

NEW ORLEANS, May 26—The grievance board has ordered Hardee Food Stores, Inc., early today, to cease giving passes to his house or putting out misleading advertising in the form of ticket which give the public an idea they admit them at cut rates when they do not.

Oppose Conn. Bank Nights

NEW HAVEN, May 26—Loew's Poli New England Theatres have filed the first balance complaints in Connecticut against bank note, one naming Warner's State, Waterbury, and the other, the Century's of Doreen's Hamilton, Waterbury, as respondents. Both complaints have been scheduled for hearing by the grievance board.

Alperson at Hearings

Los Angeles, May 26—E. L. Alper son, head of Los Angeles National Theatres, is staying over to attend the clearance and zoning hearings tomorrow, involving the Balboa and Forum-Uptown.

The Alperson hearings are the only ones to testify of the two situations and with Al Hanson will take up here where he left off in New York.

John C. Flinn came on from the east especially to attend the local session.

Edward J. Pesky, buyer for Skouras Theatres, arrived from Los Angeles over the week-end after attending the meetings with National Theatre executives on new product buys.

Sarecky to Do Serials

Hollywood, May 26—Barney Sa recky, Mascot supervisor, has been placed in charge of all serial production for Nat Levine. Four serials are lined up, one of them the series in the "Adventures of Rex and Rinty."

Dick Going to England


"Marietta" Is Return Smash In Washington

WASHINGTON, May 26—"Naughty Marietta" was the surprise of the week here. On a return engagement at Loew's Astor, it ran up to $9,000, which is $5,000 over a first week normal take.

"Black Fury" also was in the big money. It ran up to $25,000, over par by $4,500, at Loew's Fox. An added good point was a tour that made much of an impression. "Ladie" was the only other attraction in the profit division. It took $4,600 at the Metropolitan, but failed to pull up to the $10,000 and made much of a smash.

"Little Friend," "Black Fury" and "Let 'em Have It" were all weak only at the Astor and failed to pull up to the $10,000 as average without the Little Theatre is $7,270.

Estimated takings:

Week Ending May 20:

"SINS OF LOVE" (Cummins)

LITTLE (6), 35-60c. 7 days (men only).

Week Ending May 21:

"LITTLE FRIEND" (Gaumont British)

LITTLE (6), 35-60c. 7 days. Gross: $1,200. (Average, $150).

Week Ending May 23:

"NAUGHTY MARIETTA" (M-G-M)

LOEWS' COLUMBIA—(1,361), 35-60c, 7 days. Gross: $1,000. (Average, first week, $150).

"OUR LITTLE GIRL" (Fox)

"BLACK PONY" (Warner's)

EARLIE—(2,212), 25c-75c, 7 days. Stage: Lester Cole and singing Stars Texas Rang e, Texas Girl, Jeanette Haskett and Ivan Traveskiat. Ed Hanley, Harry Tall man & Louise Gay. Gross: $15,000. (Average, first week, $2,500).

"MISERABLES" (L. A)'

LOEWS' PALACE—(2,750), 35-77c, 7 days. Gross: $2,500. (Average, first week, $350).

"LADDIE" (Radio)

METROPOLITAN—(2,650), 35-60c, 7 days. Gross: $4,600. (Average, $410).

RKO-KEITH'S—(1,860), 25c-57c, 7 days. Gross: $3,000. (Average, $310).

Mrs. Winter Praises Film Cleanup Result

MINNEAPOLIS, May 26—Mrs. Thomas G. Winter, director of public relations for studio members of the Hays organization, said here yesterday that "the producers were just three steps ahead of film cleanup crusaders in supplying clean pictures."

"Letters of commendation on the studio's forward strides in the clean picture drive testify to the public's appreciation of the effort the industry is making," she continued.

"The industry took four steps when only one was asked," Mrs. Winter said.

Wading enthusiastic over the spirit of cooperation on the part of all the studios under "the new order of things," she paid tribute to Joseph I. Breen, for making up the procedures which may prove objectionable and said audience standards were showing marked improvement as a result of the revolutionary changes which elevated entertainment and artistic as well as moral standards in the films.
SCHENCK QITS U.A.; TAKES 20TH CENTURY OVER TO FOX

Gaumont Sets 16 Releases For U. S. List

Gaumont British will release 16 pictures in this market next season: Arthur A. Lee, vice-president, and George W. Weisz, sales manager, told the company's first annual sales convention which opened at the Warwick yesterday. The group has been selected from the 52 handled yearly by the parent organization and five already have been screened for the delegates, including "Thirty-Nine Steps," "The Clairvoyant," "Morals of Marcus".

(Continued on page 4)

Draw Up Contracts For Mayfair Lease

Contracts are now being drawn whereby Loew's will take over the Mayfair from Walter Reade on a 10-year leasing deal. The papers will be signed either today or tomorrow.

Preventing the deal from going through yesterday was Loew's insistence on a lease on the Mayfair ground, which is owned by an estate being handled by Chase National. This is expected to come through today.

Reade and practically all of the tenants in the Astor office building yesterday started moving. This will leave the receivers with only the stores rented. Estimates are being taken from equipment dealers for fixing up the Astor, which was recently wrecked.

WARNERS SUED OVER DEALS IN WHEELING

A suit charging conspiracy was filed in Supreme Court here yesterday against Warners and a number of other corporations and individuals.

(Continued on page 11)

No Paper Thursday

Motion Picture Daily will not publish on Thursday, May 30, which is Decoration Day and a legal holiday.

NRA IS DECLARED UNCONSTITUTIONAL

By BERTRAM F. LINZ

WASHINGTON, May 27.—Destroying with one blow the ambitious recovery effort of the Administration, the U. S. Supreme Court today unanimously held the code-making authority conferred by the Recovery Act is an unconstitutional delegation of legislative power.

Passing on the two cases involving the Schenect-Poultry Co., immediately after holding the Frazier-Lemke Farm Mortgage Moratorium Act unconstitutional, the court's ruling also put an end to speculation as to the NRA's interpretation of business affecting interstate commerce, which Donald R. Richman, president of the Individual Recovery Board, has held should be the basis for the imposition of codes.

"In determining how far the Federal Government may in controlling interstate transactions upon the ground that they 'affect' interstate commerce, there is a necessary and well-established distinction between direct and indirect effects," the court declared. "The precise line can be drawn only as individual cases arise.

(Continued on page 12)

Pathe, Loew Ask Security Registration

By CLARENCE LINZ

WASHINGTON, May 27.—Applications for registration of securities of Pathe Exchange, Inc., and Loew's, Inc., have been filed with the Securities and Exchange Commission. The former covers 251,853 shares of no par preference stock, issued, 7,886 shares, unused; 950,926 1/2 shares no par common, issued, and 123,943 1/2 shares, unused. The latter covers 88,715-000 15-year six per cent gold debentures, 136,722 shares no par 5 6/32 cumulative preferred and 1,464,205.

(Continued on page 5)

Agreement Reached To Push Pool Plan

With 86 exhibitors present, many unaffiliated with either of the two local independent organizations, plans to proceed with the pooling of theatres into one large circuit were adopted at a general meeting at the Astor yesterday. A committee of four, comprising John Benas, David Weinstock, Abe

(Continued on page 4)

K. C. Told to Study Coast Zoning Plan

KANSAS CITY, May 27.—Experience of Los Angeles with its clearance and zoning schedule will have a bearing on the final structure of other plans waiting approval, John C. Flinn, Campi secretary, indicates in correspondence received by the local clearance and zoning board. Flinn recommended that local boards refer to the Los Angeles schedule to clarify problems relating to protection, prints and other factors. He also advised that on his return from the coast city, where he plans

(Continued on page 12)

N.Y. Theatres Seek Arbitration Board

It didn't take local independents long to decide what to do about the elimination of the two local code boards after the U. S. Supreme Court's decision yesterday holding the NRA unconstitutional.

With the announcement of the decision by Milton C. Weisman, 86

(Continued on page 12)

Will Head Board; Zanuck To Be Vice-President; Combine Product

Joseph M. Schenck has resigned as president of United Artists to join Fox Films as chairman of its board of directors.

At the same time, 20th Century becomes a part of that organization with Darryl F. Zanuck, vice-president of the producing company, joining the Fox roster as a vice-president.

Terminating 48 hours of speculation, announcement of this unexpected and bombshell-like development was made jointly by Sidney R. Kent, president of Fox, and Schenck, as president of 20th Century, although the official statement made no mention of the latter's retirement from active participation in the affairs of United Artists, in which, it was understood last night, he may retain his one-sixth stock interest.

"We have concluded preliminary arrangements for a deal that calls for the combining of the interests of our respective companies, which will be finalized as soon as the necessary final contracts can be drawn, regulations of various kinds complied with and necessary corporate action taken," the statement read at one point.

The Fox directorate meets tomorrow at which it is anticipated the Schenck-20th Century deal will be formally ratified. This necessary cor

(Continued on page 8)

Hold Schenck Move

An Aid to Fox Met

Joseph M. Schenck's move to the chairmanship of Fox Film will not disturb his participation in the reorganization of Fox Metropolitan Playhouses, according to counsel for creditor groups associated with the reorganization who were questioned yesterday, and is regarded by many creditors as strengthening the Schenck-Fox Theatre's reorganization plan.

That Schenck's departure from United Artists will not affect his status as a proponent of the Fox Met plan was bald to be a certainty by

(Continued on page 8)
Purely Personal

WILLIAM G. SMITH, head of William G. Smith Prod., has left for the coast to supervise production of the first of a series of features with RALPH GRAVES and EVELYN BRENT.

JOHNNY O’CONNOR was presented with a colored enlargement of a snapshot he took in Central Park recently. The picture shows him holding the recent heir to the family.

PETE MAYER was assigned to JULIAN BRYAN who photographed the Russian material bought by “The March of Time” for partial inclusion in its third release.

ROBERT MONTGOMERY is on his way here from the coast for a three-month vacation. He’ll spend most of his time on his farm up-state.

Quip of the Day

Cincinnati, May 27—An experienced exhibitor, who has just acquired a small subsequent run suburban house in a nearby town, came in to one of the local exchanges and changes to book its initial product.

Here’s the salesman, referring to a certain picture, “is one which has been a big grosser with the chains.”

Looking puzzled for a moment, the exhibitor replies, “We have a big chain grocer in our town. The A. & P.”

Victor Fleming is scheduled to arrive here this week for a short stay before sailing on a Mediterranean cruise.

RALPH ROLAN, who broke the hop from Atlanta to New York, by stopping off at Charlotte, is back from the Allied convention.

SINDEY SAMUELSON will visit his son, who is attending an Ohio college, before returning to New York next week.

LILY PONS is expected back from Europe shortly. She is to report to Radio for her first picture July 1.

MORTON VAN PRAAG expects to spend Decoration Day and the week-end in Boston.

JOE MOSKOWITZ and BOB GOLDSTEIN at the ball game Sunday, Ditto Al Bondy.

LOU OSTROW, who recently finished his Universal contract, has arrived in town by plane.

AXELIA EARLEY is the target of offers for personal appearances from both the Capitol and Paramount.

MIRIAM HOPKINS is en route to Hollywood.

DICK HALLIBAY of Paramount is back from that European jaunt.

JOE STEIN is recovering from a siege of illness.

MORT SINGER, head of the Chicago circuit bearing his name, arrived from the coast yesterday for a two week stay, during which time he will confer with RKO home office executives on new product and general matters.

PAUL GRAETZ, head of distribution for Columbia Pictures in London, has arrived in London yesterday after three weeks conferring with various companies on a cooperative production-distribution basis. When he arrives in London, Graetz will discuss the proposition with the Toolett board.

WALTER READE yesterday started moving his headquarters from the Astor theatre building to the Mayfair building.

HARRY H. THOMAS is back from Allied Film Distributors from Albany and Buffalo.

ONOMA

Word has been received here that HERMAN S. KAMEN, a partner in the WALT DISNEY ENTERPRISES, was married recently to KATHLEEN GOLDSTINE, the daughter of the lateodore kamen once sold hats to the managerate.

CHARLEY SLAIFER, advertising manager for H. BLANK theatres, for the first time is without word of his Uncle Jack’s (L. J. SLAIFER’S) plans.

ROBES ALVES made himself popular with locals. Last night of his stand here, the manager threw a ROBES ALVES party.

Hix vs. Universal

Suit Goes to Trial

LOS ANGELES, May 27—A suit by Hix against Universal went on trial today before Judge Marshall F. McComb in Superior Court.

Hix charges infringement of copyright on his “Strange as It Seems” series recently produced by the studio. The copyright states that after Universal had completed 39 shorts in this series the studio failed to lift Hix’s name from the film credits. The series is titled “Stranger Than Fiction,” trading upon his name and using his drawings in advertising copy.

Alliance Will Show

Two at the Waldorf

Alliance Films, Ltd., a subsidiary of British International Pictures, will hold the first of two trade showings tonight in the ballroom of the Waldorf Astoria “April Blossoms” will be shown to circuit heads, exhibitors and the press.

Abud, the Damsel” will be shown tomorrow night in the same place.

Get Pilsudski Picture

Metrocolor Pictures Corp. has acquired distribution rights to the Polish film “Pilsudski,” which was produced under the supervision of the Polish government by Falana Films with the assistance of American producers. The film will open at St. Marks, 8th St., and Second Ave. on Thursday.

Koenig New Chairman

Hollywood, May 27—Frank Lloyd, president of the Academy, has appointed WILLIAM Koenig, executive manager of the Warner studios, as chairman of the Research Council. He takes over the office held by former president the past year by Samuel J. Biskin.

Reade, Bryant Held On Vandalism Charge

William Read Reade and Bryant, his business associates, have been held in $10,000 bail each by Judge Cornelius F. Collins in General Sessions Court and charged with malicious mischief in connection with a raid by vandals on the Astor recently.

Damage inflicted on the house was estimated at $3000. Some flowers were included in the s" value at $10,000. The projection apparatus, pipe organ, chairs, curtains, furnishings of the theatre were damaged beyond repair.

Reade, former owner of the house, was displaced by a receiver on May 12. When William Montgomery, attorney for the receiver, sought to take possession next day he found the interior of the theatre wrecked.

Dickinson’s Allied Move Is a Surprise

KANSAS CITY, May 27—Word from Atlanta that Glennis W. Dickinson, Kan- sas-Missouri circuit operator, was acquiring a National along Kansas City was a surprise to this territory. He had been a member many years of the local M.P.T.O.U. unit before it went to Allied.

Dickinson has been in difficulties with the local grievance board over laborers and other employees and now has labor boards over refusal to pay cash wages to operators, and in the light of these circumstances, it is said, may approve of Allied’s stand relative to the code setup.

Harman-Ising Celebrates

Hollywood, May 27—Executives of M-G-M and Harman-Ising celebrated the first anniversary of the latter company over the week-end. A showing of “Happy Harmanies,” “Good Little Monkeys,” “The Calico Dragon,” “The Flame Within,” “The Lost Clock,” “When the Gals’ Away” and “The Emperor and the Nightingale” preceded the festivities.

Sam Katz in Town

Sam Katz, executive assistant to Louis B. Mayer at the M-G-M studio, is in town. He came east to meet his father, who came from Europe last week and underwent an operation a few days following her arrival. With improvement in her condition, Katz proposes returning to Hollywood to-day by air.

Asks Stricter Regulations

Stricter regulations governing the attendance of children at film theatres are asked in the annual report of the New York Society for the Prevention of Cruelty to Children, issued yesterday. Special shows for children under attendance with their parents are urged by the society.

Ciney Convention Set

CLEVELAND, May 27—J. S. Jory, general manager of William Onie of Cincinnati will be in charge of arrangements for the Republic convention which will be held at the Netherlands-Plaza Hotel in Cincinnati. All Republic franchise owners east of Kansas City will attend.

M-G-M Re-Signs Collier

Hollywood, May 27—Constance Collier has been signed to a new long term contract by M-G-M.
"They say I'm a girl with a reputation—and those crowds at the New York Capitol last week-end sure make it seem true. I told you I'd come through with Warner Bros.' next big hit, and I guess any of the boys around the Capitol will tell you I've made good. Anyway, when a 10th Avenue dame's got sales appeal, she can expect to be talked about—and are those critics talking!"

THE GIRL FROM 10TH AVENUE" is bound to make you an unqualified devotee of BETTE DAVIS

She's "among the ten best actresses," says N. Y. American

A First National Picture with Ian Hunter, Colin Clive, Alison Skipworth. Directed by Alfred E. Green
Gaumont Sets 16 Releases For U. S. List

(Continued from page 1)

"Alias Bulldog Drummond" and "Born for Glory."

The company's program, as announced, follows:

"Thirty-Nine Steps," co-starring Robert Donat and Madeleine Carroll, based on the
spy story by Col. John Buchan, who, incidentally, is also the author of the
General Motors. "Thirty-Nine Steps" was directed by Alfred Hitchcock.

"The Evergreens," which stars Claude Rains and Fay Wray, is based on Ernst Lubitsch's novel and is being directed by Walter Forde.

"Meals of Marcus," starring Lupe Velez and Ian Hunter, is based on the story by
William J. Locke. It is a Real Art Prod-D, produced by
Hilmar Hagen produced and written by
Hilmar Hagen and directed by
Hilmar Hagen. "Meals of Marcus" was directed by
Hilmar Hagen. "Meals of Marcus" is being directed by
Hilmar Hagen.

Kipling Tale on List

Kipling's "Soldiers Three" with C. Aubrey Smith and Madeleine Carroll is
the technical unit headed by Geoffrey Barkas. George Moreton and Marie
Bette, a starlet of the new generation of writing and directing, is
the unit directed by
Marie Bette. "Kipling's Soldiers Three" was directed by
Marie Bette. "Kipling's Soldiers Three" is being directed by
Marie Bette.

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the unit directed by
Marie Bette. "Kipling's Soldiers Three" was directed by
Marie Bette. "Kipling's Soldiers Three" is being directed by
Marie Bette.

All G. B. 's to the Roxy

Howard S. Cullman, trustee of the Roxy, and M. A. Lightman,
timonee of the M.P.T. O.A., addressed the conventionists.
Today Sidney R. Kempe, president of
Fox, and W. G. Van Schmus, man-
aging director of the Music Hall, are scheduled to talk. Tomorrow which
is the festival day, the program will feature	
Sporry Skouras, vice-president of National Theatres, and Harry Brandt, president of
New York and New York, will lead the roster of speakers.

Star Assignments

Star and featured player assignments in its 1935-36 program, as
announced by Gaumont British yesterday, follow.

George Arliss-Star in limited production.
Robert Donat-Co-star with Madeleine Carroll.
Arliss with Peter Lorre in "Secret Agent.

Southern Wraps for the Roxy

Yesterday Howard S. Cullman, trustee of the Roxy, and M. A. Lightman,
timonee of the M.P.T. O.A., addressed the conventionists.
Today Sidney R. Kempe, president of
Fox, and W. G. Van Schmus, man-
aging director of the Music Hall, are scheduled to talk. Tomorrow which
is the festival day, the program will feature	
Sporry Skouras, vice-president of National Theatres, and Harry Brandt, president of
New York and New York, will lead the roster of speakers.

"My Song for You"

(Gaumont British)

This British production owes much to Jan Kiepura. Without him it
would have been mediocre stuff; with it he is pleasant musical diver-
sion.

The story is the familiar romantic tale of the famous tenor (Kiepura)
in pursuit of a sweet young woman who sets him palpitating the moment
he catches sight of her. The more the girl (Aileen Marison) tries to
put him off the more ardent he becomes. In the end the girl capitulates,
even if she has to throw over a member of the nobility for the sake of
a baby in the making.

The picture reaches its peak, musically, with Kiepura's rendition of
"Celeste Aida" and "Ave Maria," the latter sung in a church setting
as the woman he loves is about to wed her husband. The tenor's singing
of the sacred air excites such a power over her that she leaves her
husband-to-be and turns to Kiepura's arms.

Some hale's comedy as Kiepura's manager helps along. Emlyn
Williams and Gina Malo also are in the cast. Maurice Elvey directed.
No production code seal. Running time, 71 minutes. G."
Looking 'Em Over

"Bulldog Jack"
(Gumout-British)

LONDON, May 16.—A skit on the "Bulldog Drummond" series in which "Sapper," the author of the originals, has collaborated with Jack Hulbert, who is the star as well as part-author. Fay Wray, feminine lead, is an American name, but she has little to do, and the appeal rests much more on thrill episodes, treated as burlesque, than on star values.

Drummond is hot on the trail of the Morelle jewel-stealing gang when his car brakes are tampered with and he crashes in collision with Jack Pennington, man-about-town. Injured, Drummond instructs Pennington to take his place and receive a message from a mysterious girl which involves the Bulldog's equally fatuous assistant, Algy, bungles things completely, helping the gang to capture both the girl and her father, whom they wish to coerce into making duplicates of valuable jewels on an idol in the British Museum. The gang's headquarters are hidden in a deserted subway rail way station from which a tunnel has been made to the museum.

Pennington and Algy find their way to the underground lair and, of course, are easily captured, but eventually Pennington manages to follow the gang into the museum while Algy sets out to fetch the police. Morelle, chief of the gang, goes crazy and before the police can seize him starts a train with the girl, Pennington and Algy aboard, full speed through the empty tube. Pennington climbs out on the roof and stops him a few seconds before a crash is due.

Most of the entertainment is in the last half of the picture. There is very amusing burlesque stuff in the museum scenes, in which Hulbert, hiding in old suits of armor and behind classic statuary knocks out the whole gang by throwing boomerangs, and then also lays himself out. The finale on the speeding train in the under-London tunnels is a real thrill.

Hulbert's comedy methods may not be immediately understood by American audiences, and there appears to be considerable scope for cutting in the earlier scenes but the stunt and comedy values are considerable, and really original in the conclusion. Paul Graetz, Ralph Richardson and Jack Hulbert are all good in their parts.

This is definitely scheduled for American release. Running time, 70 minutes. "G." ALLAN RICHARDSON

MOTION PICTURE DAILY's
Hollywood Preview

"Arizonian"
(Radio)

Hollywood, May 27.—Routine heroics in every foot make this a superior western, fine for Saturday matinées or spotted on daily bills.

A splendid cast gives unusual value to a film of good average caliber. Richard Dix, noble and manly, saves Margot Graham from kidnapping by the villainous sheriff, Louis Calhern, who is running the town wide open.

James Bush, Dix's younger brother, also loves Margot. Each vies between big gun battles in giving her to the other. Tense scenes are built when Dix, unarmed, bluffs the bad men out of their guns and cleans up the town, so civilization can have a clear track.

Excellent performances are given by Preston Foster, as a debonair bandit; Dix, Calhern, Bush, Margot Graham, Ray Mayer, Willis Best, Joseph Sayers and Francis Ford, under Charles Vidor's direction from Dudley Nichols' screen play. Cliff Keil produced.

Produced without production code seal. Running time, 75 minutes. "G."

2000 common; David Warfield, director, 7,000 common.

The statement also discloses details of profit-sharing contracts including that with Louis B. Mayer, Irving Thalberg and Rubin, paid out at $30 to $40 per share, and that with Louis B. Mayer Pictures, which, in addition to salaries, calls for the payment of this option.

There is also a contract with David Bernstein, vice-president and director, running to Dec. 31, 1938, calling for a salary of $2,000 weekly and one and one-half per cent of excess profits and carrying an option for the purchase of 50,000 shares at $30 to $80, of which 13,890 shares have been taken.

A contract with Nicholas M. Schenck as president calls for a salary and two and one-half per cent of excess profits.

Hochreith's Charges
In Erpi Suit Denied

WILMINGTON, May 27.—Warren Conners, Erpi sales representative at Charlotte, N. C., denied today statements made by David R. Hochreith, former president of Vocalin, in the General Tailing Pictures-Duovac suit against Erpi, 20th Century Fox, A. T. and T. Hochreith testified for the plaintiffs several weeks ago.

Conners testified that Samson Theatres, R. D. Klein and Rockingham, wanted to change from DeForest because they were unable to get service from Erpi. He testified that Erpi attempted to get the Samson theatres to break their contract with John and DeForest.

Conners denied he attempted to have DeForest sound taken from a Lumberton, N. C., theatre by telling an exhibitor that DeForest was dispensing with its service staff. He also denied telling the Lumberton exhibitor that G.T.P. was going out of business.

Thomas C. Guthrie, counsel for Erpi in North Carolina, and Herbert M. Wilcox, Erpi's president, testified briefly for the defendants.

Drop Pittsburgh Duals

PITTSBURGH, May 27.—The Warner, for the last year a double feature house, will return to single bills Thursday with "Let 'Em Have It," the first United Artists release to play a Warner house first run here since "The Private Life of Don Juan.

According to a statement from local office, whether the Warner remains under this policy or resumes duals will depend entirely on the product available. The top, however, remains the same, 40 cents, for one or two pictures.

Daigler in Newman Job

PORTLAND, May 27—Hal E. Daigler, long connected with Hamrick theatres in Seattle, has been named manager of the Portland Paramount. He succeeds Frank L. Newman, jr., who returns to Seattle.

The Orpheum has dropped vaudeville, leaving the Capitol the only spot with vaudeville and films.

Cahill Forms Bureau

Harry A. Cahill, personal representative for Tito Schipa for the last 12 years, has organized the Radio Concert Bureau, Schipa's home in Europe, returns in July to spend some time in Hollywood where he has a home. In November, he will join the San Francisco Opera Co.

Atlanta Chapter Planned

ATLANTA, May 27—H. M. Lyons, RKO manager here, is leader in a movement looking toward formation of a local chapter of Variety Club, running to Dec. 31, 1938, calling for a salary of $2,000 weekly and one and one-half per cent of excess profits and carrying an option for the purchase of 50,000 shares at $30 to $80, of which 13,890 shares have been taken.

A contract with Nicholas M. Schenck as president calls for a salary and two and one-half per cent of excess profits.
Six Superlative Shows Reflecting Obligation Towards the

Douglas Fairbanks Jr.
Gertrude Lawrence

Mimi

"The high-water mark of technique in this country." — THE ERA

"A picture that should insure unmistakable box-office success." — DAILY FILM RENTER

"Smoothly told tale of hunger and privation, romance and gallantry, spectacle and pathos." — CINEMA

"A production of outstanding merit in staging, characterization and acting." — FAULKNER'S EDITORIAL REVIEW

"The stand-out of the picture is Douglas Fairbanks, Jr., who gave one of the best performances of his screen career." — HOLLYWOOD REPORTER

DIRECTED BY
PAUL L. STEIN

Nils Asther
Fritz Kortner
Adrienne Ames

Abdul the Damned

"Should be a candidate for exhibition throughout the world." — VARIETY

"Abdul the Damned"...with its brilliant acting, convincing eastern settings, spectacular dances, and grand story is a talkie triumph." — DAILY MOVIE

"An exceptionally powerful drama...will be immensely popular." — DAILY MAIL

"The acting is superb—a picture which any director might be proud of." — SUNDAY REFEREE

"There is a 'super' quality about this picture which could stand up to comparison in any part of the world. Abdul the Damned is an absolute winner." — SUNDAY CHRONICLE

"One of the three or four best pictures ever produced in this country." — DAILY TELEGRAPH

DIRECTED BY
KARL GRUNE

Richard Tauber
The World Renowned Tenor

April Blossom

With Jane Baxter

"Its obvious box-office values are backed by real artistry of direction and acting." — M. F. HERALD

"It is sure to be a box-office success in this country. There is no reason why it should not be an equal success in America." — MORNING POST

"Certain to have an appeal for all people. It is specially timely in view of the agitation against sex and crime stories." — VARIETY, NEW YORK

"One of the smoothest and most delicious talking picture it is possible to imagine." — SUNDAY PICTORIAL

"One of the most enchanting lyrical romances it has been my good fortune to see." — DAILY MAIL

"There is a wide potential audience for this picture and its wholesome nature should get it unanimous support." — FILM DAILY, NEW YORK

DIRECTED BY
PAUL L. STEIN

Invitations restricted to members of the industry. For tickets apply—Manager, Alliance Films, Warwick Hotel, 65 West 54th Street, New York City.

GRAND BALLROOM, WA
Wednesday, May 29th
"abdul the damned"

Other P
the Sincerity of "ELSTREE'S" Lotion Picture Industry

CHARLES BICKFORD
RAQUEL TORRES

in
Red Wagon
Lady Eleanor Smith's Saga of the Circus
With GRETA NISSEN.

"Just the live-stocks movie fans are fighting for." — DAILY GRAPHIC

"Greta Nissen's scene with a cage of tigers is a real thrill." — SUNDAY DISPATCH

"Crowded with incident, teeming with life." — SUNDAY HERALD

"Is honestly and triumphantly entertaining." — SUNDAY REFEREE

"A very worthwhile proposition for showmen." — CINEMA

"For sheer all-round entertainment ... it would be difficult to imagine a film that the exhibitor could book with more confidence." — ERA

DIRECTED BY PAUL L. STEIN

ATHENE SEYLER
AS QUEEN ELIZABETH

JANE BAXTER
MATHESON LANG

in
Elizabeth of England

First Review Received
Daily Film Renter

A SPECTACULAR AND COLORFUL HISTORICAL DRAMA!

Large-scale screen dramatization of episodes in life of Sir Francis Drake, depicting rise from unknown sailor to founder of England's naval greatness. Culminates in smashing naval battle of Spanish Armada, a thrilling sequence that is film highlight. Lavishly staged. A great effort which should prove big box-office anywhere.

DIRECTED BY ARTHUR WOODS

BUDDY ROGERS
JUNE CLYDE

in
DANCE BAND

A MERRY MELANGE OF MUSIC AND MIRTH!

This picture has not been given trade showings. Therefore, no reviews have been received.

DIRECTED BY MARCEL VARNEL

Note: This advertisement includes images of the cast and crew, as well as reviews and promotional text for each film. The text is a blend of personal endorsements and critical acclaim, highlighting the movie's historical accuracy and entertainment value.
Schenck Quits U. A., Taking 20th to Fox

(Continued from page 1)'

porate action is regarded as a routine matter.
The deal will send the Fox program to between 55 and 60 pictures next season with Fox supplying about 48, as usual, and 20th Century, which is expected to maintain its identity as a producing unit, the remaining 12.
Schenck, who sailed for Europe on the Majestic Friday night, will remain abroad about a week, then return to New York and later travel to Hollywood together with Kent.
Schenck will make his headquarters on the coast working in conjunction with Winfield Sheehan, vice-president in charge of Fox production, and Zanuck.
The statement left a number of points unsaid. It is assumed for instance, was made of the pictures Zanuck will produce, but the supposition was he would proceed with the program of 12 he has in mind, in his recent visit to New York. These include:

"Pillow," adapted from the novel by Sir Walter Scott. It will be produced as 20th Century, "The Man Who Was God" and will have an all-star cast.
"The Hand That Rocks the Cradle" and "The Bank at Monte Carlo," starring Ronald Colman and directed by John Ford from the scenario by Nunnally Johnson.
"Flirting," starring Governor Claude Rains and Paul Lukas, with Bette Davis, with his stogies, Beetle and Bottle; and Ro-Nela, directed by Ernst Lubitsch, with score by Gus Kahn and Arthur Johnson.

Tibbett Film in Lineup

"The Diamond Horsewhip," starring Lawrence Tibbett, with screenplay by Ben Sheehan and George Marion, Jr. "Shark Island," starring Freddie March. The screenplay is based on the life of Dr. Samuel Alexander Mudd from the book by his daughter.

"Pillow Talk," starring star of "Song of the South" Wallace Beery, with the scenario provided by Harold Darragh.
Four for which no stars have been selected are: "Gentlemen, the King!" by Howard Smuck, "Rechonjukke" by W. P. Lipscomb, and "It Had to Happen," by Harold Smith.

Zanuck is understood to be half owner of the United Artists studio in Hollywood, but the understanding as to how long he will keep it has not been revealed. It is that he will work on either of the two Fox lots.
The removal of Schenck from United Artists where he has been president for approximately 10 years is one of the most startling company upsets in the film world for some time. A one-third stockholder with partners in like percentage including Charles Chaplin, Mary Pickford, Samuel Goldwyn, Douglas Fairbanks and Art Cinema, an authoritative source last night denied the opinion he would continue to retain his interest.

Switch of 20th Century distribution to Fox removes from United Artists its largest producing contributor and reduces the latter's company's roster to Samuel Goldwyn, Reliance Prod., London Films and British and Dominions.
Al Lichtman, vice-president and general manager of distribution for U. A., leaving New York Saturday, is due to attend a meeting of stockholders when plans for replacement of the 20th Century line-up will be discussed. Who is in line for the presidency of U. A., was an open question yesterday, the most authentic slant on a successor having it this will be one to the insiders to be discussed when the stockholders convene.

Schenck's deal with Kent has been well publicized, but much crystallized in the last few days when the former became a more and more frequent visitor to Kent's office. Difficulties over Zanuck, long standing, were cited last night as a major factor in Schenck's decision to draw the present group of Artists in favor of the new alliance.

Following is the text of the joint statement issued by Schenck and Kent:

"We have concluded preliminary arrangements for a deal that calls for the combination of the interests of our respective companies which will be finalized as soon as the necessary final contracts can be drawn, regulations of various kinds complied with and necessary corporate action taken.

"This move will put together the entire producing interest of the 20th Century Corp, with those of Fox Film. It includes the future work of the two companies. Schenck, who will be chairman of the board of Fox Film Corp., and Darryl Zanuck, vice-president of 20th Century, who will become president of Fox Film. Mr. Kent will remain in his present capacity as president of Fox Film Corp.

"Mr. Kent stated that Fox Film had made considerable progress in the improvement of its box-office quality under the leadership of Winfield Sheehan and that this move was not the forewarned of any shake-up in the Fox organization, but rather a rearrangement of the executive work in Hollywood and the producing work involved in the two companies. This would strengthen our entire producing situation still further. Mr. Kent stated that all of the personnel involved have been put in a new and better position in the new organization. Mr. Kent will be chairman of the board of the new organization. Mrs. Zanuck will be the new president of Fox Film. Mr. Kent will remain in his present capacity as president of Fox Film Corp.

"Both president and Mrs. Zanuck have been invited by Mr. Schenck to go to New York to attend the meetings there. They will immediately begin to plan the future of the new organization and will also work together to establish a greater Fox Film 20th Century producing organization."

Schenck will make his headquarters on the coast working in close contact with Messrs. Sheehan and Zanuck, to the interests of the two present companies.

Both presidents are enthusiastic about the future of the new organization and wish to assure the trade that the one purpose behind the move is to make a still better program of quality motion pictures, feeling that the reources of the two put together, both as to manpower, personnel and box-office assets, will lead to an even better quality for the combined program than was possible with each of them producing on their own. The presidents made it clear that they had no intention of producing a minum of 55 to 60 pictures per annum so that the amount now being made by Fox Film and 20th Century were increased as much as the new plan.

With Messrs. Joseph M. Schenck and Sidney R. Kent indicated their happiness upon being able to conclude arrangements for the deal and that it was constructive for the entire industry.

"Mr. Schenck sailed for Europe on the Majestic and stated that further details would be available upon his return from the other side, at which time he and Mr. Kent will journey to California together."

Pickford Plans Changed

Hollywood, May 27—A meeting of the United Artists directors in Hollywood has caused a shift in Mary Pickford's stage plans. "Coquette," has been postponed at the Broadway, Portland, until May 31. She arrived from Portland today by plane.

Zanuck Still Hunting

Hollywood, May 27—While Hollywood continued to wait for the solution of the Joseph M. Schenck and Darryl F. Zanuck problem today is still reported somewhere in Alaska after bear.

Hold Schenck Move

An Aid to Fox Met

(Continued from page 1)

those interested in him in the reorganization, as well as counsel for Fox Met creditors. It was pointed out in this connection that Schenck throughout has dominated United Artists, until today in the Fox Met Theatre Circuit, Inc., the company which is to acquire one-half of the stock of the reorganized Fox Met company under the plan, that no difficulty is anticipated in the way of the A. theatre company being permitted to carry out its obligations under the plan. The theatre company is to be continued under Schenck's direction, it was said, with no immediate plans for making it an adjunct of Fox Film.

The U. A. theatre company, in addition to its stock ownership in Fox Met, is also made guarantor of various financial phases of the Schenck reorganization plan. Schenck is reported to be working on more than 50 per cent of the stock of U. A. Theatre Circuit.

Fox Met creditor factors, commenting on the Schenck move to Fox Film, offered the opinion that the new association would enhance the Fox Met company's future and be of distinct value to the plan. It was also pointed out that Schenck will still be able to deliver 20th Century product to Fox Met, which was a condition of the considerations leading to the tentative approval given the plan by the Federal court several weeks ago. The product to be delivered to Fox Met by Schenck is not specifically named in the plan, an amendment covering the subject refers only to "such product as Schenck controls."

Mr. Schenck agrees in the Fox Met plan to stay on with that company for a minimum of five years. The new Fox Met is already assured of Fox product from the old double held by Metrean, Skouras and Randorff, who will continue as operators of the circuit under Schenck's plan.
Not just one monster... But TWO! And both in the same picture!

"Frankenstein"

KARLOFF

plus

“Dracula”

in Edgar Allan Poe’s weirdest, eeriest, shudderiest sensation

The RAVEN

A Universal Picture with Irene Ware, Lester Matthews, Inez Courtney... Directed by Louis Friedlander......David Diamond, Associate Producer
**Town** Leads Three Denver Hits, $9,000

DENVER, May 27.—“Goin’ to Town” headed a remarkable group of smash hits here. It picked up $9,000 at the Denham, over normal by $5,000, and was held over.

At the Aladdin, “Our Little Girl” reached $10,000 at the Denver, which was over average by $4,000; “Les Misérables” held up $5,000 in its second week at the Aladdin and was held for a third. The Shirley Temple film was moved to the Broadway from the Denver.

Total first run business was $3,000. Average was $2,300. Estimated takings for the week ending May 23:

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<th>Days</th>
<th>Gross</th>
<th>Average</th>
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<td><strong>LES MISÉRABLES</strong> (U. A.)</td>
<td>7</td>
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<td><strong>THE RETURN OF BULLDOG RUMMUSONS (U. A.)</strong></td>
<td>7</td>
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<tr>
<td><strong>GOIN’ TO TOWN</strong> (Para.)</td>
<td>7</td>
<td>$2,000</td>
<td>$286</td>
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**Lightman Acquires Hot Springs House**

M. A. Lightman, head of Malco Theatres, Memphis, has closed with Sidney Natt for the Central, Hot Springs, Ark., where a new Hot Springs theatre on the site this summer for Sept. 1 opening, he stated here yesterday. The new acquisition follows Malco’s holdings to 41 houses, all in the Tennessee and Arkansas section. Lightman who plans to open Memphis theatre here today, has been here for final conferences with Y. Frank Freeman, Paramount theatre head, on his opening partnership for Paramount’s Memphis downtown houses. He reported that a new all-time house record at the Palace, Memphis, was recently established by “Goin’ to Town.”

**Names Maryland Board**

BALTIMORE, May 27.—Governor Frisbie yesterday issued a new law controlling vaudeville houses, with Levlenthal and Nelson D. Baldwin to the state board of examiners of motion picture houses.

Levlenthal is a pioneer operator and exhibitor and is now managing director of the Philip J. Scheck Theatrical Enterprises, Baldwin having been an operator for many years.

F.W.C. Group Is Coming

Los Angeles, May 27.—Jack Salo- nian, F.W.C. buyer; Charles Skouras; Arch Bowles, northern division manager, and Alpher, James David- son and Edward Shulman are on their way to New York. All will attend the Fox convention in Chicago, with the exception of Shulman who is slated for a three-month buying tour.

**MOTION PICTURE DAILY**

Tuesday, May 28, 1935

**“Miserables”**

**High in 2nd Phila. Week**

PHILADELPHIA, May 27.—“Les Miserables” took the spotlight in its second week in the Aladdin for $11,000 against a $7,000 average. Right with it was another second- week offering, “The Flame Within,” which took $14,000 at the Fox. “People Will Talk” also upped the Earl average by getting $1,500.

Mae West “Goin’ to Town” didn’t measure up to expectations at the Stanley, getting just the average $12,000 on the week. The buildup in the last three days of the week, however, resulted in its being held over.

Disappointment of the week was “Flame Within,” which went only five days at the Boyd to $7,000. The second week of “G-Men” at the Stanton (third week downtown) held up to a nice $6,500.

Total first run business was $71,500. Average was $1,600. Estimated takings for the week ending May 23:

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<td><strong>LES MISERABLES</strong> (U.A.)</td>
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<td><strong>NAUGHTY MAIDEN</strong> (M-G-M)</td>
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<td>$2,200</td>
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<td><strong>THE FLAME WITHIN</strong> (M-G-M)</td>
<td>2nd run</td>
<td>$12,000</td>
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<td><strong>OUR LITTLE GIRL</strong> (Fox)</td>
<td>2nd run</td>
<td>$1,500</td>
<td>$750</td>
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<tr>
<td><strong>G-Men</strong> (F.N.)</td>
<td>2nd run</td>
<td>$1,500</td>
<td>$750</td>
<td></td>
</tr>
</tbody>
</table>

**Mae West Picture At $7,800, Omaha**

OMAHA, May 27.—“Goin’ to Town” dragged ‘em in and droves at the Omaha. The take, $7,800, left average behind by $2,800.

At the same time a dual bill consisting of “Our Little Girl” and “Baby Face, Harrington,” which was good for $9,200, over the line by $1,700, at the Orpheum, and “Black Fury” was strong with $4,100 at the Brandon.

Total first run business was $21,200. Average is $11,100. Estimated takings for the week:

<table>
<thead>
<tr>
<th>Title</th>
<th>UA</th>
<th>Days</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LES MISERABLES</strong> (U.A.)</td>
<td>7</td>
<td>$2,500</td>
<td>$357</td>
<td></td>
</tr>
<tr>
<td><strong>BRIDE OF FRANKENSTEIN</strong> (Univ.)</td>
<td>7</td>
<td>$3,000</td>
<td>$429</td>
<td></td>
</tr>
<tr>
<td><strong>OUR LITTLE GIRL</strong> (Fox)</td>
<td>7</td>
<td>$5,000</td>
<td>$714</td>
<td></td>
</tr>
</tbody>
</table>

**Clear It All Up**

ST. LOUIS, May 27.—Col. Barney Fegan, former distributor, salesman and exhibitor, not to mention exploiter — he won a national reputation at that field once — was running around in circles for a few days ago trying to get a figment that theatres used for illumination prior to advent of gas.

It all started when his name came across a headline dated Octo- ber 25, 1917, announcing that a local theatre was to close until gas fixtures were reinstalled. Steve Cady, ex singer and now a tavern keeper down along the Gravios, has supplied the answer that was troubling Barney. He says the theatres used kerosene lamps before October 25, 1917.

Barney may know to what they used before kero- sene was discovered.

**“Miserables”**

**Hits $14,000 in Cleveland**

CLEVELAND, May 27.—“Les Misérables” was the best attraction of the week, it drew $14,000 at Loew’s State and $9,500 at the Allen for going straight into the Stillman.

“Our Little Girl” went $2,500 over the Sharits. “Baby Face, Harrington” was up to $7,500 gross and moved over to the Allen for another week. Third week of “G-Men” downtown toppled the Allen average by $1,100 with a $4,100 take.

McFadden’s Plats” and “Eight Bells” dropped below recent business at Stillman and Cady.

General movie business all through the city was good.

Total first run business was $49,550. Average is $4,300. Estimated takings for the week ending May 23:

<table>
<thead>
<tr>
<th>Title</th>
<th>UA</th>
<th>Days</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>LES MISERABLES</strong> (Univ.)</td>
<td>2nd week</td>
<td>$14,000</td>
<td>$2,800</td>
<td></td>
</tr>
<tr>
<td><strong>OUR LITTLE GIRL</strong> (Fox)</td>
<td>7</td>
<td>$7,500</td>
<td>$1,071</td>
<td></td>
</tr>
<tr>
<td><strong>BABY FACE, HARRINGTON</strong> (M-G-M)</td>
<td>7</td>
<td>$10,500</td>
<td>$1,500</td>
<td></td>
</tr>
<tr>
<td><strong>Bride of Frankenstein</strong> (Univ.)</td>
<td>7</td>
<td>$12,000</td>
<td>$1,714</td>
<td></td>
</tr>
</tbody>
</table>

**“Stolen Harmony”**

**Oklahoma Grooser**

OKLAHOMA CITY, May 27.—“Stolen Harmony” led a general pickup that made business good in all first runs. It reached $3,000, above normal by $1,300, at the Oklahoma.

“Our Little Girl” took $4,500 at the Criterion, “Bride of Frankenstein” was up to $4,500 at the Midwest, and

(Checked on page 11)

**“Fury, ‘Town”**

**Best Grossers in Twin Cities**

MINNEAPOLIS, May 27.—“Black Fury” here and “Goin’ to Town” across the city were the principal draws of the week. The Minn opus went $1,000 over par on a $6,500 take at the 3rd Avenue. “Fury” now at the State here, too, on a take of $6,000.

“George White’s 1935 Scandals,” “Night Life of the Gods” and “Bride of Frankenstein” were all on the profit side of the line, but not heavily so.

Total first run business in Minne- apolis was $20,500. Average is $28, 500.

Total St. Paul business was $17,500. Average is $16,000. Estimated takings:

<table>
<thead>
<tr>
<th>Title</th>
<th>UA</th>
<th>Days</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FURY, ‘TOWN”</strong></td>
<td>7</td>
<td>$10,500</td>
<td>$1,500</td>
<td></td>
</tr>
</tbody>
</table>

**West Film $9,800**

Provvidence Smash

PROVIDENCE, May 27.—Mae West went to town in a big way for the Strand, grossing $9,800, which is high, although some of her previous pictures have had bigger takes. Average business for the Strand is $6,500. Silk was up over par with “Let ’Em Have It” and “Chasing Yesterday,” which garnered $7,500, and was also well ahead of average with “Mutiny Ahead,” and a stage show.

“Les Mis’rables” at Loew’s, despite of poor sales, did only $10,500. “G-Men,” in its second week at the Majestic, had a near total of $6,000. Exhibitors here already are beginning

(Continued on page 11)
"Miserables" Boston Wow; Gets $19,000

Boston, May 27—"Les Misérables" came near breaking over a few records at Loew's State with a take of $19,000, which is over normal by $6,000. There were some other big grosses in spite of outdoor attractions, "Goin' to Town" taking in $25,000, above the line by $3,000, at the Metropolitan.

Total first run business was $93,000. Average was $7,750.

Estimated takings for the week ending May 24:

"G-MEN"(F.N.) (Second Run)
10c-20c-26c-36c-41c, Nevin chance days.

"LET EM HAVE IT"(U.A.)
KEITH'S MEMORIAL—(2,900), 35c-55c, 7 days.
Gross: $3,500. (Average, $500.)

"LES MISERABLES"(U.A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days.
Gross: $7,300. (Average, $1,650.)

"G-MEN"(F.N.) (Second Run)
10c-20c-26c-36c-41c, Nevin chance days.

WEST FILM $9,800 Providence Smash

(Continued from page 10) to feel the encouragement of sports and outdoor activities of all sorts.

Total first run business was $41,900. Average is $40,500.

Estimated takings for the week ending May 27:

"MUTINY AHEAD"(Majestic)
FAY'S—(6,000), 15c-40c, 7 days. Gross: $1,500. (Average, $214.)

"LES MISERABLES"(U.A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days.
Gross: $11,500. (Average, $3,000.)

"LET EM HAVE IT"(U.A.)
"CHASING YESTERDAY"(Radio)
REO ALABIE—(2,500), 15c-25c, 7 days.
Gross: $11,500. (Average, $1,650.)

Warners Sued Over Deals in Wheeling

(Continued from page 10) financially interested in the Capitol, Wheeling, W. Va., by Clarence H. Marrow, holder of $1,500 of first mortgage 6 1/2 per cent serial gold bonds of the Capitol Theatre Co., which operates the house, also a defendant.

The defendants are charged with purchasing three other theatres in Wheeling through pooling agreements to the detriment of the Capitol. They are also accused of buying inferior product for the theatre to injure its business and of engaging in other acts to reduce the value of the property so that they might obtain it at a reduced price.

MRS. NATALIE KALMUS color consultant

MOTION PICTURE DAILY

The man who brought living color to the screen.... Dr. Herbert T. Kalmus, president of Technicolor, will address the MOTION PICTURE CLUB at the MOTION PICTURE CLUB with MIRIAM HOPKINS star of "Becky Sharp," the first feature length production made entirely in the New Technicolor

JOHN HAY WHITNEY president of Pioneer Productions

ROBERT EDMOND JONES noted color consultant

ROUBEN MAMOULIAN director of "Becky Sharp"

BILLIE BURKE

featured player in "Becky Sharp"

M. H. AYLESWORTH

NED E. DEPINE

Luncheon served at 12:45 $1.25

The Color Forum with MRS. NATALIE KALMUS color consultant
Court Rules NRA Violates Constitution

(Continued from page 1)
but the distinction is clear in principle.

"If the commerce clause were con-
strued to reach all enterprises and tran-
sactions which could be said to have
an effect upon interstate commerce, the
Federal authority would embrace practically all the ac-
tivities of the people and the authority of
cen

(Continued from page 1)

Wall Street

Eastman Issues Gain on Big Board

(Continued from page 1)

K. C. Told to Study Coast Zoning Plan

(Continued from page 1)

to attendings on complaints
against the effective setup, he will
submit a report to Campi and local
which, it is expected, will be of

Ohio Acts in Code Case

Cleveland, May 27.—The county
prosecutor has filed a petition for in-
tervention to make the state a party
defendant in the case of Frances Reeh,
Cleveland, who filed suit on the grievance
board. Hearing is set for

No Giveaway Action

No action will be taken by the New
York giveaway board today when it
discusses the local giveaway and chance

Century Appeal Off Again

Century's appeal in the RKO clear-
ance and zoning decision affecting the
Jamaica situation, slated for hearing
yesterday by a Campi committee, was
postponed until tomorrow.
Fox Men Off To Three-Day Chicago Meet

Special Takes 150; Pick Up Others En Route

With the startling and unexpected acquisition of 20th Century product officially only 24 hours old, Fox home office executives, branch managers and salesmen to the tune of 150 left New York last night for Chicago where, on Thursday, the company's largest sales convention, a three-day event, will get under way at the Blackstone. The New York contingent, which left here with the New Haven crew and picked up Albany and Buffalo last night and early this morning, traveled west on a special train which was routed over the New York Central as a second section of the Commodore Vanderbilt.

Sidney R. Kent, company president, (Continued on page 10)

G. B. Men Discuss Problems in Field

Problems in the field were presented by the men themselves at an open forum which featured the second day of the first annual sales convention of G. B. at the Hotel Warwick here yesterday.

The meeting was opened with short addresses by George W. Weeks, general sales manager, and Arthur A. Lee, vice-president, who called on the

(Continued on page 5)

Verifies U. A. Resignation By Ship Phone

PHILADELPHIA, May 28.—That several Allied States units are and have been for several years receiving dues from affiliated theatres is a contention made in the current bulletin of M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, in comment on the recent affiliation of the Philadelphia I.E.P.A. with National Allied. The bulletin says the independent group was formed because the M.P.T.O. "had dues paying, affiliated theatre membership."

No Paper Tomorrow

Motion Picture Daily will not publish on Thursday, May 30, which is Decoration Day and a legal holiday.

Washington in Turmoil; Campi Suspends All Work

U. A. Owners Imply Schenck Deal Iced

In a brief statement issued yesterday over signatures of Mary Pickford, Charles Chaplin and Samuel Goldwyn, each a director of the United Artists Corp., it was implied Joseph M. Schenck had switched distribution of 20th Century to Fox because a new deal with U. A. had failed. The statement read:

"Mr. Joseph M. Schenck has been negotiating with the United Artists Corp. for several months for the release of his future pictures, but failed to come to satisfactory terms. He has, therefore, apparently made arrangements elsewhere."

Yesterday Al Lichtman postponed his trip west until Tuesday when he flies to Los Angeles. Mulvey, Goldwyn's eastern sales representative, arrived in Hollywood yesterday. Hal Horne left for the coast late yesterday by rail.

Federal Officials Admit Chaos; Statement Due In Next 48 Hours

By BERTRAM F. LINZ

WASHINGTON, May 28.—Frankly admitting that they did not know the answer to the countless questions regarding codes which have resulted from yesterday's Supreme Court decision, Administration officials today declared that further study would be necessary before clarification of the situation.

Throughout the city, at the White House, the Capitol, and in the various agencies set up under "blanket" authority from Congress and therefore subject to the same criticism of undue delegation of legislative power as was voiced on the Recovery Act, officials and legal experts were attempting to determine the full extent of the decision and lay plans to save as much as possible of the economic program.

So far as recovery codes are concerned, it was admitted that nobody today need continue to operate under them, although it was not expected that there would be an immediate return to the chaotic conditions which existed in many industries prior to the enactment of the law. With respect to the film code, it was said that contracts entered into thereunder would still be effective. This was taken as meaning that the 10 per cent cancellation clause in such contracts would continue to apply. However, there is some question as to the status of clearance and zoning and grievance boards.

For the time being, all legal questions are being left to code authorities and recovery officials are seeking what consolation they can from the repeated assertion that the court decision did not affect Section 4 of the law, authorizing the President to negotiate (Continued on page 4)

Plan for New NRA Reported by U. P.

The basis of a new NRA, minus compulsory features and predicated on a plan of voluntary cooperation by producers, is being formulated by the Administration, the United Press reported Friday.

The reported basis of the plan provides for self-regulation, with the Federal Trade Commission empowered to issue cease and desist orders to protect voluntary industries from possible chisellers.

Code Workings End with Industry Speculating On the Future

BY SHERWIN A. KANE

Code machinery in the form of local clearance and zoning and grievance boards was brought to an abrupt halt yesterday on nationwide instructions issued by John C. Filbin, executive secretary of Campi. All hearings in progress were terminated and new complaints and applications to the bodies were refused. Administration of the code, after a year and a half, became a thing of the past far more abruptly than it came into being.

The sweeping effects throughout the industry of the decision of the Supreme Court and with it the film code, could only be characterized yesterday with no definite word on future code procedure and policy forthcoming from the Administration at Washington. It was generally agreed, however, in executive circles here that unless voluntary company and exhibitor action continues to impose a restraint on unfair trade practices which were subject to code regulation, widespread confusion may result.

It is obvious to trade leaders that, with the code machinery, clearance and zoning schedules are rendered unenforceable and new demands for increased protection on distributors everywhere; overbuying is free of restraint, all forms of give-aways are unrestricted, the forcing of shorts with features can result in no penalty for the seller attempting it, nor can other forms of "coercive" selling.

In addition, it was pointed out that 10 per cent rejection privilege, unless contained in the sales contract, and some distributors have not proceeded in their contracts, is unenforceable.

As for the future processes of industry self-regulation, no one, from Campi

(Continued on page 4)

Code Hours to Stay At Studio—Warner

Declaring it would be unpatriotic to change the working schedule at the coast studios, Jack L. Warner last night stated that despite the Supreme Court ruling holding NRA codes unconstitutional the four shifts working six hours each in the Warner studios

(Continued on page 5)
SPECULATION over further developments and future policies in United Artists was prevalent in the office yesterday and was a luncheon table subject of conversation in the favored Broadway dining halls that superseded in importance both directors of the newly favored NRA and the film code. Dramatic as any of the best efforts out of Hollywood, here was something to talk about, to chew over, to conjure with in terms of guesswork and question marks.

Conversationals divided themselves into two distinct schools of thought on U.A.‘s future, each one of which is expected to center on what Al Lichtman will do next with Al furnishing no comment by way of light. The U.A. coholts and a majority of the studio’s directors are of the belief that Lichtman will come out of the impending U.A. board meeting in Hollywood as the new president of the company, succeeding Joseph M. Schenck. On this assumption, the speculation runs, one or several ranking producers may be brought into U.A. to fill the product blank occasioned by the 20th Century switch to Fox and, bolstered with the new product, U.A. would carry on as before in its customary position in the industry.

A variation of the comment which begins with the assumption that Lichtman will be the next U.A. president has the company entering into a distribution merger with another established company such as the independent Columbia, probably because such a move had been up for consideration in the past at least once. Under such a development, Lichtman would, according to the speculation, probably retain his own selling organization, trained to obtain top rentals for the U.A. output, but with the physical distribution machinery of one or the other company being scamped for the appreciable economy involved.

That the Schenck-20th Century move is highly beneficial to Fox is accepted without argument. Several dopesters offer the belief that the step can increase the Fox operating budget substantially through the addition of a minimum of twelve high rental pictures to the company’s schedule, sold through a distributing agency on the sidelines line to handle the increase. It has been said on behalf of Sidney Kent that his conception of a wholesale distributor in this business is the organization which handles from sixty to sixty-five pictures a year. Kent has had it in his mind to eventually increase the Fox program to that number. His objective is no longer beyond his reach.

That brief mention in the official announcement that Schenck will make his headquarters on the coast led to the question yesterday: “Will he be the Louis B. Mayer of Fox?” There were no answers to those who attempted to draw the parallel of Mayer, stepping out of the independent field, for this, and Thalberg under contract to join Metro and to become its general production overseer and Schenck stepping into the Fox picture with a position of equal status. No one there was—speculative and unprovable, but certainly an interesting something over which to cogitate.

Why did Schenck walk on United Artists after all these years? The argumentative Samuel Goldwyn is talked about as the primary reason. Two years ago when Schenck, Zanuck and some others formed 20th Century, those who knew Goldwyn didn’t take long to draw a quick conclusion that the storm signals had gone up. In the last three or four months, Goldwyn is understood to have been raising more hell than usual, which is normally a lot of hell, over allegedly preferential treatment meted out to 20th Century. He is said to have threatened Schenck he would do the walking, whereupon Schenck’s reply, presumably, was cryptic and, in the light of subsequent happenings, significant: “You’ll do the walking!”

The sidelines are many. Some of them lend themselves to easy explanation. Others do not. There, in fact, an entirely new association set up by this important deal. Schenck and Kent have known each other for years. Zanuck. They have had little or no direct business dealings except as their paths met or crossed—Kent at Paramount, now Fox; Schenck at United Artists. On the other hand, Schenck and Winnie Sheean are old and fast friends, the beginnings of that association going back many years and to the days before either of them became prominent in the industry. Interesting to remember, this last circumstance.

A significant angle is the stronger rapprochement which inevitably will develop between the Fox and Loew organizations. With Joe at the former, as board chairman and Brother Nick heading Loew’s and M-G-M, it inevitably follows that the inclination will be those two companies to proceed hand in hand. This is not suggesting a merger. Not at all. It is suggesting, for instance, that with 20th Century in the Fox fold, a friendly treatment which Zanuck has found his from the Metro lot may be expected to reach into the Fox production organization as well.

About the code. It is far too soon to draw any reasonable conclusions. The Administration fails to know where it stands. Code authorities and industry reflecting the same helplessness can do nothing but await further clarification of the import of the Supreme Court’s devastating decision. The immediate period at hand will be marked by widespread confusion, chaos, and, this commentator is afraid, speculation on the part of some in this industry on the strength of the complete breakdown of restrictions on unfair competition which the court in many respects, had set up. Zoning, premiums, premature advertising, overbuying—these and other practices which the code sought and partially did check—are back whence they began. The period of adjustment, no matter what form it may take, presents a most unhappy picture.

Lightman and Para. Sign a 50-50 Deal

M. A. Lightman yesterday signed contracts with Paramount for the 20th Century-Fox studio in Memphis involving the Palace, Strand and Orpheum. Malco Memphis, Inc., is the new company which headquarters opens. The deal was closed about two months ago, but the papers were signed only yesterday.

With Sidney Nutter abandoning the Central, Hot Springs, Ark., Lightman has signed a 15-year lease with the landlord for the house. He is building a new theatre on the site and expects to have it ready for opening on Sept. 1. He will rename the house either the Malco or the Paramount. In the meantime, the G.B. barrel at the Warwick last night, Lightman left for Memphis.

Wills Bright Made 1st Div. Treasurer

Wills Bright, formerly associated with First National Pictures, has been elected to the post of treasurer of First Division, it was stated yesterday subsequent to a meeting of the board of directors. Anos Hatt, acting treasurer, continues with the company in a new capacity.

Pending distribution deals between First National and product companies, which have been under discussion for several weeks, were left open to further negotiation by the board.

Court Approves New Paramount Security

The form of indenture securing the new Paramount debentures as approved by Federal Judge Alfred C. Cockey yesterday. A hearing date of "convenience" was set for June 6 in the court. The company’s signature in connection with the Paramount reorganization require court approval. At present, however, the distributors overlap in the decision of the scheduled hearing.

The sub-committee of the new Paramount directorate is continuing its discussion today when these plans are discussed today when these plans are discussed by new directors according to one, two and three-year terms on the new board. This work must be concluded before June 3, the date of the special meeting of stockholders at which the new board will be actually elected. Members of the sub-committee are Frank A. Vanderlip, Percy H. Johnston, W. H. Fortington and Maurice Newman.

Deal Off to Monday

Signing of the 10-year lease for the Mayfair by Loew’s has been put over until tomorrow. This delay is expected to turn the house over to Loew’s around June 15.

"A Shot in the Dark," which wound up on a high note at the Mayfair last night told all about $5,000.00.

Newsreel Men Killed

Hollywood, May 28—Alynn Alexander, cameraman, and Alves Tappan, sound engineer, both of Fox Movietone News, were burned to death today when their plane crashed as they were photographing army maneuvers over Sequoia National Park.
"THIS IS THE TOPS"
—Joe Blair in SHOWMEN'S TRADE REVIEW

PUBLIC HERO

When it EXPLODES—
you'll forget there was ever anything else!

"A clean hit!"
—M. P. Daily

"Boon to the box-office!"
—Hollywood Reporter
Speculation Rife as Code Workings End

(Continued from page 1)

authorities to ranking industry figures by authoritative information. Company executives looked to the M.P.P.D.A., that organization founded by Sol A. Rosenblatt, Rosenblatt looked to the Administration, and the Administration, according to late reports from England last night, was still seeking a way of salvaging something from the ruin of NRA.

Program for devising substitute several quarters was optimistic over the possibilities of organizing local industry arbitration within the NRA rule throughout trade territories. What they would be and how they could be organized and what enforcement methods could be used was not made clear, but that a fair substitute for code boards could be found was not doubted. "The industry is faced with operating without a code," one executive put it. "It did that back in 1933 and we can do it again. The machinery for this job cannot be concentrated in New York or Hollywood. This isn't a simple matter. Some of the intelligent machinery could be set up in each distributing center to the end that ideas and justifications can be speedily and fairly adjudicated, affording relief to the aggrieved parties." See Delay in New Plans

Generally, it was believed that no program for devising substitute machinery for the code would be undertaken for several days yet, at least until the Administration had a definite position and declared its policy on a program of complete abandonment or partial repair and management. It was felt that some intelligent machinery could be set up in each distributing center to the end that ideas and justifications can be speedily and fairly adjudicated, affording relief to the aggrieved parties.

Washington in Turmoil Over Court Ruling

(Continued from page 1)

Verifies U. A. Resignation By Ship Phone

(Continued from page 1)

"In view of the decision of the Supreme Court your board will receive no further complaints and take no further action under the code until further notice." (Signed) Tyree Dillard, Jr.

Washington in Turmoil Over Court Ruling

In the interim, all code decisions handed down by Code Authority are being nullified and exchanges are insisting that exhibitors live up to contracts as originally written. Locally, this upsets the Leonia clearance and zoning case and the RKO Century clearance issue in Long Island. In the Leonia instance, Julius Charnow, after seven months, was given a final decision with the order to go out. In the RKO Century case, which has been pending for sometime and is worth between $10,000, the case now goes into the discard.

Yesterday the local grievance board met and adjourned until next Tuesday. Two cases which were on the schedule were called off by Major L. E. Thompson after a phone call from Dillard requesting that they not be stopped. Attending the hearing were Louis Geller, Myron Satter and John O'Connor in addition to Thompson. Some members of the board were concerned about the 10 per cent canons and were awaiting instructions until the decision is studied. Nothing was done on the giveaway and chance games situation. From good authority it was stated that skir- rous units throughout the country will start in bank nights on Friday, but that there are plans of refusal to desist from the practice. It is known that all three units have been held by the people and that deals are under way for sale by automobiles.

The Code Authority telegram which was read as follows:

"In view of the decision of the Supreme Court your board will receive no further complaints and take no further action under the code until further notice." (Signed) Tyree Dillard, Jr.

Warner Is Surprised

Upon his arrival from England last night, Jack L. Warner was surprised to read in Motion Picture Daily that John M. Schenck's assistants, Darryl Zanuck would leave U. A. to join Fox.

Was surprised at first, but was assured the story was a fact by Harry Charnas and a reporter from this publication.

Zanuck, before joining U. A. with the charge of Warner production.

Warner was anxious to learn the inside of the split, stating that there was a rift between Samuel Goldwyn and U. A. heads while in England.

The Donada-Deutsch theatre interests expressed complete surprise and admitted they were awaiting Schenck's arrival to discuss affiliation and expansion with United Artists. Whether there would be no or various deals which have been pending, including renewal of the Corda deal with U. A., will proceed on behalf of Fox is being speculated widely here.

MOTION PICTURE DAILY yesterday reported Joseph M. Schenck's association with Fox as chairman of the board Omaha necessarily mean he would dispose of his one-sixth ownership in United Artists.

Hollywood, May 28.—Following a meeting of U. A. directors Mary Pickford said today she will go ahead with her plans to make three films, beginning this summer, with the first for fall release.
Code Hours to Stay At Studio-Warner

(Continued from page 1) will not be changed. He plans to remain in town for a week before heading west to attend the sales convention.

Warner asserted that the main purpose of his trip to England was to double the size of Warner's London, a favorite with American and English audiences. New films will be released abroad. This will include the release of the first of the new series of European films, "The Little Colonel." The national sales effort will be increased for this film, and distribution plans are being made for the release of the entire series abroad. Warner also stated that he had no idea how many units are needed for the release of foreign films, but that a great deal of the foreign distribution will be handled directly by Warner Bros. in London.

Looking 'Em Over

"April Blossoms" (Alliance)

Sumptuous settings can be an important element in film entertainment. Splendid singing can be another contributing factor, but the two combined without an actor who can project the arresting qualities of his personality beneath the surface emotions of a mass audience cannot make up for lack of story values, if the subject is intended for mass entertainment.

This production, called a romance to the music of Franz Schubert by its producers, is an eye-filling spectacle. The singing by Richard Tauber, who impersonates Shubert, is magnificent. Some of the words are by John Drinkwater, and some of the music is by G. H. Glutsam. It has class appeal aplenty, but it leaves the spectator with the relaxed feeling of having heard a fine concert.

The impression left is that of Robert's sacrificial desire to insure the happiness of a young dancing teacher who has refused his hand. He succeeds in getting an audience with the Archduchess to plead with her to let the girl marry a young lieutenant. The girl, Jane Baxter, is pretty, as seen across the stage. The lieutenant, Carl Emond, is good looking, but it takes something more than a singing to stir an American flapper's heart.

The photograph is beautiful, but the direction by Paul L. Stein is paced so slowly that he seems to be glowering over the magnificence of his scenes rather than the emotional values of his story.

Previewed without production code seal. Running time, about 110 minutes. "G."

Samuelson Absent; Allied Meeting Off

Due to absence of Sidney Samuelson from the city, Allied of New Jersey called off its meeting yesterday. The I.T.O.A. will not hold its session for the realtors to carry on in the efforts toward inter-industry cooperation, building on the foundation of past efforts."

Flinn Flies to New York

Los Angeles, May 28—John Flinn flew to New York this afternoon after a conference in Washington to discuss settlement of pending legal difficulties surrounding the recent decision of 14thdegree for Englewood, back to its former run. The old run is from 90 to 90 days after Newark. Peter and Adam Adams of the Park Lane, Palisades Park, have an injunction suit before Vice-Chancellor Campbell in Patterson, N.J., which is being handled by the Leonaicor discharge case. The order has been postponed several times and is now slated to come up next Monday. When the case is called on the docket, it is expected to be withdrawn since Adams Brothers are back on their former clearances.

Alice Aemeth in Alliance

Peter Van Horn, chairman of the Silk Textile Code Authority held a meeting of code authority chairman in his office yesterday afternoon, but a spokesman for Van Horn refused to give any information on what took place. Tyrone Dillard, Jr., Camp attorney, yesterday reported to the assembly. Aemeth was chairman of the meeting attended by several other persons.

Samuelson Absent; Allied Meeting Off

G. B. Men Discuss Problems in Field

(Continued from page 1) men to speak from their seats. Prominent among those who had speaking problems were Philip Meyer of the local office, Mark Goldman of Pittsburg, Sol Kraman of the local office, John Scully of Boston, J. L. Fransoni of Dallas and Irving Jacobs of Denver and Salt Lake City.

Immediately following the open forum, prizes for the winners of the "Big Push" sales drive were awarded. The winner was Warners' New York sales manager, who received a week's salary. His manager, An- geles branch manager, who won first prize of four weeks' salary. He had the choice of the salary or a trip to Lon- don. Walter Wesling of Seattle and Portland was awarded three weeks' salary for second prize; Fred Abelson of Chicago. This picture was a weekly sale prize for third prize and John Scully of Boston an extra week's paid for fourth place.

Immediately following the awards a vote was taken on the advisability of holding a similar campaign for the Star Specials and all present voted for the drive to be started in the fall.

Just before the meeting adjourned for lunch, Sidney R. Kent, president of the Allied Theatre Owners' of America, I.T.O.A., are listed as guest speakers at the short morning session today.

Following luncheon yesterday, the group attended the screening of "Thirty-Nine Steps" and "Born for Glory" at the home office.

Wall Street

Most Issues Office on Big Board

High Low Close Change

Columbia, vtc. 9 1/2 8 3/4 4 1/2

Consolidated 9 1/2 9 1/4 9 1/4 .75

Columbia, N.Y. 3 1/2 3 3/4 3 3/8

Eastman 3 1/2 1 8 1/2 1/4

Fon Film 'A' 10 8 9 1/4 10 3/4

K-A-O, ptd 5 1/4 5 3/8 5 3/4

London's 5 1/4 5 3 3/4

Savannah 6 1/4 6 5/8 6 1 3/4

Sampson 5 5/8 5 5/8 5 5/8

Warner's, ptd 5 1/4 5 1/2 5 1/2

Warner, ptd. 22 1/4 22 1/4 22 1/4

Curb Issues Down Slightly

High Low Close Change

Technicolor 19 3/8 19 3/8 19 3/8

Franklin (off. 3/8 3/8 3/8

Paramount Bonds down 2 3/4

High Low Close Change

General Theatre 11 1/2 11 1/2 11 1/2

General Theatres 11 1/2 11 1/2 11 1/2

64 '90 c't' 10 1/4 10 1/4 10 1/4

Loew's 64 '90 c't' 10 1/2 10 1/2 10 1/2

100's 10 1/2 10 1/2 10 1/2

56's 11 3/4 11 3/4 11 3/4

55's 13 13 13

64's 12 12 12

67's 12 12 12

Paramount Stock 12 1/4 12 1/4 12 1/4

59's 10 1/4 10 1/4 10 1/4

69's 10 1/4 10 1/4 10 1/4

80's 10 1/2 10 1/2 10 1/2

66's 10 1/2 10 1/2 10 1/2

(c) Plus stock extras. (x and y) Paid this week.

(Quotations as of close of May 28)
While picture business and the press are quite naturally absorbed in excited comment and acclaim for Warner Bros.' three great current hits, there is danger that the deeper significance of these productions may be overlooked. "G-MEN", "BLACK FURY" and "GO INTO YOUR DANCE" are more than an amazing succession of great box-office shows. They are straws that show which way the wind is blowing!... Shrewd film men have rightly appraised them as an augury of still greater projects afoot at Warner Bros.' Actually they are but the first steps in a broad-scale development of our entire production policy which will become increasingly apparent as the next few weeks go by.

Almost immediately you will see this new production phase strikingly demonstrated in "In Caliente", "The Girl from 10th Avenue", "Oil for the Lamps of China", "Alibi Ike", and "Stranded".... And in two short weeks you will hear from Hollywood the most stirring new-season news that ever came out of a film convention.... Yes, the trade winds are blowing. They are sweeping trade sentiment overwhelmingly to Warner Bros. for 1935-'36.
ANOTHER HONEY FOR THE LITTLE

BALTIMORE: Tremendous smash in second week!

PHILADELPHIA: Socko hold-over week biggest take in town!

INDIANAPOLIS: Beating her best. Set for hold-over!

WASHINGTON: Miles ahead of everything else in sight!

DETROIT: Crowds cram theatre in typical Temple crush!

OMAHA: S. R. O. crowds zoom it toward new house record!

CINCINNATI: Romping through opposition for outstanding biz!

CLEVELAND: Way up with the leaders in sensational run!

AKRON: Ushers swamped as management smiles!
MISS WHO NEVER MISSES!

SHIRLEY TEMPLE
in her greatest picture
'Our Little Girl'

with
ROSEMARY AMES • JOEL McCREA
LYLE TALBOT • ERIN O'BRIEN-MOORE

Produced by Edward Butcher
Directed by John Robertson
From the story "Heaven's Gate"
by Florence Leighton Pfalzgraf

You haven't a show without FOX
Fox Men Off to Chicago Meeting

(Continued from page 1)

leaves on the Century this afternoon and will be on hand when the gavel sounds at 10 o’clock morning.

Association of Joseph M. Schenck with Fox as chairman of the board and the merger with Century are destined to be the highlight of the convention at which somewhere between 60 and 65 pictures will be scheduled for the new season. Quietly and for weeks, the Fox selling force has been barnstorming the nation on a sales splurge in an objective of 4,000 new contracts prior to the official opening of the convention. The objective is intended to be realized by the end of the campaign. Delegates from New York and the field will be augmented by representatives from 10 foreign countries, the total attendance will reach to 200.

The first day’s program calls for a discussion of new product by Kent and Clark of the Midwest plans by Clayton P. Sheehan, general foreign manager; addresses by George Weeks, Louis Hyman and Syros Skouras, and with talks on short subjects of the new schedule by Earl Hammons, president of Educational Pictures; Jack Kupper, western division sales manager for Fox, also will discuss distribution at the afternoon session.

To Hear Ad Plans Thursday

Highlights of Thursday will be the presentation of publicity and advertising plans by Charles E. McCarthy, director of advertising, and an announcement of the “1935 Distribution Drive” by William C. Gehrig, sales manager of the Chicago exchange.

The closing day will be featured by department distribution meetings under the guidance of Clark, Kupper and Grainer; sales meetings conducted by William Sussman and Nat Finkler and a meeting of the ad sales department conducted by James A. Callahan will be devoted to another screening after which the convention will be adjourned.

The New York office returns to New York Sunday or Monday morning.

Those who will attend are:


From the field:

Eastern Division

Alban—Clayton Granger, manager; Ed. Hollander, H. S. Alexander, K. Goldsmith, B. Dare.


Cincinnati—J. Grady, manager; E. A. Burkart, J. A. Needham, L. E. Page, N. G. Shafer, J. B. Neff.


New Haven—B. S. Simon, manager; Ed. Wright, S. Germaine, S. H. Horwitz.


Canada


Western Division

Atlanta—Harry Ballance, district manager; Paul Wilson, manager; M. Mitchell, R. H. Fairchild, Phil Longdon, H. P. Lester, R. H. Ford, Don Reed.


Memphis—T. W. Young, manager; P. R. Donaldson, F. I. Baskin, Nat Wyse, G. S. Calvert.

Milwaukee—J. H. Lorentz, manager; George Edgerton, H. Horvitz, S. Kohberg, C. Michel, M. Kahn.


New Orleans—E. V. Landale, manager.

They’ll Sit In

Earle W. Hammons, president of Educational and J. H. Skibell, general sales manager, who left for the Fox convention in Chicago last night. There, they will sit in on the deliberations.

In Chicago for Fox Sales Convention

John D. Clark

General Sales Mgr.

E. C. Grainger

Eastern Sales Mgr.

W. J. Kupper

Western Sales Mgr.

HERMAN WOBBER

Coast Representative

CLAYTON SHEEHAN

Foreign Sales Mgr.

C. E. McCARTHY

Ad. Pub. Head

Deny Federal Move

On Loew in Chicago

(Continued from page 1)

ceed with any probe of Loew’s planned theatre invasion, as reported to the recent Allied convention in Atlanta by Abram F. Myers.

Edwin Silverman of Esavvness Theatres, one of the local circuits which has not bought Metro product because of its opposition to percentage terms and designated playing time, declined to comment prior to May 31. This is perhaps construable as indicating that the “dynamic” recently intimated ready to pop will be set off at that time.

May Sue Over Film Ban

A threat to take court action if the decision of N. Y. censor banning “Spring Shower,” a DuWorld release, is not reversed was made yesterday by Arthur Garfield Hays following the arguing of an appeal before the state censor board in Albany. The film, directed by Paul Pejos, was denied a license in New York in March on the ground it would tend to corrupt morals.

Koger: Charles Clark, G. J. Broggi, G. R. Farley.


Pittsburgh—Charles F. Powers, manager; C. L. Rhoberts, V. A. Whitcomb.


San Francisco—Herman Wolber, district manager; G. M. Ballentine, manager; Al Lautece, F. C. Bernard, A. Edvin, J. W. Flanagan.

St. Louis—B. Reingold, manager; J. A. Feld, G. H. Ware, L. J. Willman, Miss Paget, W. Gogin.


Wednesday, May 29, 1935
Exhibitors KNOW what patrons want!

**UNIVERSAL NEWSREEL**

with **GRAHAM McNAMEE**

And here's a quarter page ad in the Sacramento Bee that PROVES what they want!
Purely Personal

FRANK MURRA, Epit office superintendent, was the guest of honor at a luncheon given by his associates at the Great Northern Hotel in celebration of his 25th anniversary with the Bell System. Among those present were S.T. Rockwell, Jack Lawler, William Weitzzenberg, Sam Hen- zey, Wayne Beers, "Doc" Finch, Dave Young, Jimmie Collin, John Zahn and Vieth Metzger. Bert San- ford, northern division sales manager of Erpi, was toastmaster. Art rangements were in the hands of "Doc" Kniewell and Charles Fenning. A gold award emblematic of his quarter-century of service was presented to Murra earlier in the day by J.E. Otterson, head of Erpi.

JACK KNIGHT of Paramount has been decorated with a Congressional Medal of Honor for gallantry under fire at the battle of St. Mihiel. It appears just got around to the matter.

BILLY FERGUSON, Albert Hofmann and Nicholas Venezuela—all M-G-M's at the home office—celebrated birthdays yesterday.

DICK PELLS is now in today from Annapolis, where he has been filming scenes for "Anchors Aweigh." He returns to the studio Sunday.

GENE RAYMOND will be one of the guest stars on Ruby Valley's program Thursday night. He'll do a scene from "The Three Musketeers."

HERBERT T. KALMUS sailed last night on the Bremen for a month's trip to Germany, England and France.

GORDON MOLSON, Mascot casting director, will be on the boat over the coast by plane to look for talent.

PATRICK MURPHY of J.M. Handy Pictures Service is the latest to apply for membership to the A.M.P.A.

BERNARD NEWMAN, Radio stylist, has flown in from the coast.

JEAN ARTHUR has arrived in town for a short vacation from the coast.

Cincinnati

MAURIE WHITE, executive head of a local suburban circuit, turned his Forest Theatre over to the Better Films Council one night for the annual meet.

BILLY OXLEY, Republic franchise holder, shining up all the glassware in anticipation of the forthcoming regional convention.

Amend Chain Tax Bill

SACRAMENTO, May 28.—The Senate has amended the chain store tax bill to exempt film theatres.

Pa. Sunday Bill Favorled

HARRISBURG, May 28.—Before adjournment of the Senate last night, the lower house of the Legislature tonight received a favorable report from the Law and Order Committee on the compromise Sunday option bill.

Color New Industry Tonic, M.P. Club's Forum Is Told

By J. M. JERAULD

Color was described to the M.P.A. by J. M. Jerauld yesterday as the new touch of showmanship needed by the industry and as a way of forestalling the future competition of television. Increased investment of time and money with RKO and Technicolor described "Becky Sharp" as an industry favorite comparable to "The Jazz Singer."

It was the first forum to call out the S.R.O. sign. Extra tables were brought in for late arrivals, and when there was no more space for these a crowd gathered in the corridor.

The speakers included Dr. Herbert T. Kalmus, head of Technicolor; Robert Edmund Jones, Miss Billie Whitney, Thomas A.Otterson, Jr., Director John R. Whitman, John F. Wharton, W.G. Van Sehunis, Gene Raymond, Charles C. Pettijohn and Harry Hershfield.

Dr. Kalmus said that 50 per cent of producers, distributors and exhibitors were now interested in color. He re- phrased his earlier procedures for presenting Technicolor development and admitted all its early faults. The early color films used an "additive" process, he said, which increased the density of the sun, dimmed the whites and made enormous quantities of light necessary. In the new process, he said, an "active" process is used which makes whites practically clear celluloid on the prints and gives the film practically the same "limiting" black and white, photographically. The sound track is done in silver. As a result, he said, no more light is required than with ordinary prints.

Discusses Costs Of Process

The fuzzy quality of Douglas Fairbanks' "The Black Pirate" has been removed, he asserted, and all shades have been captured by the three-color process.

In discussing its cost he said that, if it captures the public fancy, the industry might be able to make money. The film had been reduced gradually from 20 cents a foot to one and one-half cents, and he predicted further reduction with quantity production.

If Kodachrome is developed so that it becomes applicable to standard motion pictures, he said, it could become the Technicolor method as a result of the cross-licensing agreement on patents worked out with Eastman.

Jones said color was no longer a technical problem, but an artistic one to be developed with use.

Aylesworth stirred a laugh by thanking his competitors, WHK and WMICA, for permitting him as president to present his views to the M.P.A.

Dulzell Again CEA Head

Paul Dulzell was reelected chairman of the executive committee of Chorus Equity Ass'n. for a one-year term at the 15th annual meeting of the organization May 27.

Others elected to the committee for three-year terms are Frank Wiener, president; Leo Cohn, vice president; Gertrude Rittenhouse, Tina Marie Jensen, Gerald Moore and John W. Merra. William Herrmann was elected recording secretary.

Equity Splits Vote on Sunday Showings

The membership of Actors' Equity Ass'n is split on the subject of Sunday performances, with an almost even division of those attending the organization's annual meeting either favoring or opposing the unconditional refusal to play on Sunday or acceptance of Sunday performances on a conditional basis for a one-time deal. Sunday performances are a feature of the votes cast at the annual meeting revealed.

The meeting at the was 152 for the flat refusal to perform on Sundays and 152 for the conditional acceptance on a one-year trial. Alternate proposals put to the membership included a block organizational acceptance without qualifications, which was favored, or a one-year experimental acceptance, which received 36 votes.

The subject will be submitted next to the Actors' Equity membership for a vote and will then go to Equity's council for final disposition.

The meeting, in response to a request recited Frank Gillmore as head of Equity and elected the entire regular slate of councilors by a substantial majority.

RKO Foreign Staff Due at Sales Meet

RKO's foreign forces will be present at the company's annual sales convention to be held at the Drake, Chicago, June 17-19. Among those who have sent word they will be on hand are: E. D. Leishman, managing director of Magna Film Laboratories, London; Ralph Hanbury, general manager, Radio Pictures, Ltd., London; H.W. Lea- sim, manager of Radio Pictures, S.A., Paris; Pierre Charles LeLong, manager of Foreign Sales of Art Film, Bucharest, RKO's Romanian distributor; Max Rossman of Brussels, RKO's Belgian licenses; Foot Smith of Amsterdam, RKO licensee in Ireland; Douglas Lom- berton, RKO sales manager at Sydney, Australia; Henry Abbe, manager of RKO's exchange in India; Louis Lertzman, managing director, London; Fred Hershfeld, manager, in Mexico; S. Gubranns, manager for RKO in Panama; Jacob Gluckman, New York representa- tive of RKO's Argentine distributors.

H. F. Shaw Dinner Guest

HARTFORD, May 28.—Harry F. Shaw, New England director of Loew-Poli, was unofficially nominated for Mayor of New Haven at a testi- monial dinner in his honor.

More than 200 friends and business associates and his business rivals, George Crouse of Paramount and Barney Hoffman of Warners, at- tended. The affair was in honor of Shaw's first anniversary.

To Open Music Hall Roof

The Music Hall playground roof atop the theatre will be officially opened Friday night with W.G. Van Schusberg, manager of the house, acting as host to the entire staff.

Brandt Adds Two More

Harry Brandt has taken over the Electra, Brooklyn, and the Arian, Middle Village, L.I., making a total of 36 for his circuit.

"Oil" at Strand June 5

"Oil for the Lamps of China" will have its world premiere at the Strand here on the night of June 5.
Fox Lists 54 Features and 110 Shorts

No Mention Made of 20th Century's Linup

CHICAGO, May 30—Fox confined its 1935-36 product announcement to 54 features, 110 shorts and 104 issues of Fox Movietone News today.

Details were given the assembled sales force at the Blackstone hotel with no specific mention made as to the product contribution which will be made by 20th Century under its merger deal. The anticipation is that Darryl F. Zanuck, who handled program of 12 announced some weeks ago in New York, thereby placing the complete total to be handled by Fox next season at 66.

More than 250 executives, managers and salesmen from all parts of the United States and Canada and foreign countries were in attendance to hear Sidney R. Kent and John D. Clark outline the company's plans for the new season.

A new trend toward spectacular productions and an increased use of music was revealed in the program. Pictures of a spectacular nature include "Dante's Inferno," "Mysteries of Paris," "Under Two Flags," "Ramona," "Hawk of the Desert." (Continued on page 11)

Product Talks End

G.B. Sales Session

The third and final day of the first annual G.B. sales convention at the Warwick Hotel Wednesday was featured by an address by Harry Brandt, president of the I.T.O.A., and talks by George Weeks, sales manager, and Arthur Lee, vice-president.

The session, which lasted only for an hour and a half, was followed by (Continued on page 8)

Para. Enterprises

May Get 10 Houses

Paramount Enterprises, theatre holding subsidiary of Paramount, may resume theatre operation if negotiations for the taking over of 10 Miami, Fla. (Continued on page 8)

Ticket Tax Return Probe Now Planned

WASHINGTON, May 30.—Thorough investigation by the Internal Revenue Bureau of admission tax returns filed (Continued on page 8)

Sales Heads for Keeping Present Code Contracts

Include Cancellation in Tentative Plan Until White House Acts

Sentiment of the sales managers of major distributors is for continuation of contract for codes under the NRA code without change. This would include retention of the 10 per cent cancellation clause.

Committed to no definite plan in view of the general uncertainty over the entire Recovery Administration program, the sales managers, nevertheless, are currently of the opinion the contracts should remain as they now stand and so expressed themselves at a joint meeting held with Will H. Hays at noon Wednesday.

The conference was called primarily as an open discussion of the probable course of the industry in the wake of the Supreme Court's decision ruling the NRA and all codes under it unconstitutional. The discussion was general and touched on a number of suggested procedures but conclusions were purposely avoided on the general theory that speculation over the Administration's next move made it impossible to light upon any definite program for the industry to pursue.

While nothing was stated about future meetings, the probabilities are others will be held but with no word emanates from the White House on steps to reconstruct some sort of a structure from the wreckage of the New Deal.

Kuykendall Looks

For Theatre Chaos


The little independent exhibitor benefited by it if anyone did, yet he complained most. Organized labor is (Continued on page 12)

Rosenblatt to Coast

On a Secret Mission

Compliance Director Sol A. Rosenblatt left by plane from Washington Wednesday afternoon for the coast on a secret mission. Efforts to learn from his office at the Capitol the reason for the sudden trip were unsuccessful.

Several reports were linked with the (Continued on page 12)

Mention of Century's Pictures (Continued)

Hollywood, May 30.—That United Artists producer-members will increase their output to fill in the gap caused by withdrawal of 20th Century product was indicated here today. At the same time it became known that Samuel Goldwyn feels the new president should not have fired a producer, thereby eliminating himself as a candidate for the post left vacant by Joseph M. Schenck's resignation.

Flinn to Await Campi Ruling

Before Dismissing His Staff

John C. Flinn will take no action on disbanding Campi and its 32 boards until he gets official word from Code Authority, he stated Wednesday afternoon on his arrival from the coast. Campi meets Monday to decide what action to take. Flinn adds he had no authority to act and that it was up to Code Authority.

More than 100 employees are on the payroll of Campi throughout the country and will be paid their salaries until dismissed.

Industry Eyes On Washington

For Guidance

Voluntarily continuing the basic labor provisions of NRA in effect, the industry continued its expectant wait over the holiday for word from Washington on the strategy to be followed in salvaging or replacing codes of fair competition. There appeared to be little to indicate that any official word would be forthcoming in advance of President Roosevelt's scheduled weekend radio address to the nation.

Meanwhile, hope of redrafting NRA along constitutional lines was reported in Washington, where Gen. Hugh S. Johnson, "father" of the act, returned to offer his services in an advisory capacity and messages poured in from the nation's industrial leaders urging the Administration to find a (Continued on page 12)

Voluntary Use Of Codes Seen

As a Stop Gap

By CLARENCE LINZ

WASHINGTON, May 30.—Possibilities of meeting temporarily the situation arising from the nullification of recovery codes by the Supreme Court, by inviting industry to turn its former codes into voluntary agreements, as provided for under Section 4 of the Recovery Act, were today under scrutiny by Administration officials and legal experts.

Close study of the Schechter poultry case decision, it is said, shows that the only provisions of the act flatly declared unconstitutional were those of Section 3, authorizing the President to prescribe codes.

Section 4, which did not enter into the case and therefore remains valid, (Continued on page 12)

Members of U. A. Plan an Increase in New Output

Mary Pickford says she has been planning to produce for the past 18 months and hopes to have one, in which she will not appear as a star, ready for fall release. She will not appear in a picture unless she can find a story that appeals strongly to her. Goldwyn, it is understood, will increase his output to six, and Charlie Chaplin is expected to have one upon (Continued on page 8)
**MOTION PICTURE DAILY**

Friday, May 31, 1935

(Restricted U. S. Patent Office)

**Purely Personal**

Tom and Stella Hammill of Film Corp are on a tour of several weeks. They will travel as far west as Wheatland, Wyo., Mrs. Hammill's hometown, and then return to New York in the absence of R. W. Barendore who will be in charge of things at Film Corp.

M. H. Aylesworth, Ned E. Definet, Willard McKay, Herman Robinson, Edgar Hatfield, Phil Reisman, Stanley Gibson and Sam Dembov—these and others pre-holiding at "21" on Wednesday.

George Bech, consul-general of Denmark, and Rolf Christiansen, consul-general of Norway, have promised to attend the opening of "Loves of a Dictator" at the Roxy tonight.

Harry H. Thomas, Robert Benjamin, Jules Chapman and Amos HIatt, a First Division foursome, grouped at one table at the M.P. Club Wednesday.

**Quip of the Day**

Max Shabbas, in a hurry and so scurrying from Hollywood: "Looks like the quip of the day should go to the exhibitor who mailed in his code assignment on Monday."

Robeson Mamoulian was the target of the barbs of the trade press at Rutledge Nelson's office Wednesday afternoon. Technology was the main topic.

Mike Clopine is expected to be discharged from the Cornell Medical Center over the week-end. He underwent an appendicitis operation last week.

Nat Levine, Mascot president, is in the coast in search of talent and for conferences on plans for the new season.

Morton Downey finishes work today at the Brooklyn Vegetable plant in a two-reel musical, "Dublin in Brass."

Jack Geertz, accompanied by the missus and his two kiddies, is off for California. They'll be away a month.

M. H. Hoffman has arrived in town by plane for various production conferences with H. J. Yates.

Chris Buckley was in from Chicago Wednesday and left the same night.

Arthur W. Kelly has temporarily called off that trip to the coast next week.

Sib Guy Standing is at the Waldorf-Astoria from the coast.

Sylvia Sidney has taken an apartment at the Lombardy.

Al Selig has gone to Boston to exploit "Escape Me Never" for U. A.

Jesse Hampton, former producer and more recently an investment bank, leaves for the coast tomorrow on what is reported to be the last of his discussion plans for his reentry into the business as an independent producer.

Ben Anker of Guatemala has arrived here for a short stay. While in town he'll make his headquarters with J. H. Hoffmeyer.

Harry M. Warner plans to spend the coming summer on the coast. He will take his family along with him on June 5.

Ben Shlyen may spend the summer in New York. Says this town is hot, but Kansas City is hotter.

E. A. Schiller expects to be here about June 10. After bigger and better fish in eastern waters.

Clyde Elliott, independent producer, planned to the coast over the holiday to talk picture.

Edgie Sargent, not the actor, is now managing the New United, Brooklyn.

Sidney Samuelson returns from Ohio next week.

... Baltimore

Al Zelis has been named salesman for L. O. S. & C.

Moe Kohen has taken over the Dainty from Milton Caplon.

Ben Fields, proprietor of the Rivoli and Embassy, has taken a 10-year lease on the Brodie. As a result, Joe Brandt expects to do some traveling.

**Warner's "G-Men" Suit Up on June 7**

CHICAGO, May 30—Argument will be heard on June 7 in U. S. District Court here on a report of a hearing before a master of chancery of charges of unfair competition in advertising brought by Warners against the Indiana Amusement Enterprises and Publicity Co. Inc.

The suit grew out of Warmer's assertion that "Let Em Have It," was advertised at the Palace, South Bend, Indiana, Amusement Enterprises house, and at the Palace, Peoria, Ill., Publicity-Great States theatre, with the title of a Publicity Artists picture substituted to "G-Men."

At the hearing representatives of Publicity-Great States testified they had discontinued the advertising practices objected to. They further stated that they were merely retaining the mention of "Government men" in their advertising.

The court will determine whether their use of this phrase constitutes unfair competition.

**Russians Due Monday**

Boris Shumitsky, head of the Soviet film industry; F. Ermilir, director of "Peasants," and V. Reisman, director of "Realities," which opens in New York shortly, arrive from Moscow Monday on the Normandie. They are to study American film methods. Hollywood is on the agenda.

1st Div. Meets Monday

Directors of First Division will meet Monday to discuss financing and other germane topics. A session of the board was slated for Wednesday, but was not held.

**RKO Cuts Its 1934 Deficit To $310,574**

Radio-Keith-Orpheum Corp. reported a consolidated net loss for the year 1934 of $310,574, it was disclosed in a financial report issued Wednesday by Irving Trust Co., trustee in reorganization for RKO. The loss compares with a net loss of $4,384,064 for 1933, and a net loss of $10,629,503 for 1932.

The bulk of the improvement in the company's position last year is traceable to subsidiaries having Pictures on which a net profit for the year of $570,000, as compared with a loss of $653,000 the preceding year. Total income from films and radio dwindled for 1934 amounted to $21,976,716. RKO Pathe Pictures, engaged mostly in the rent of the west coast studio, reduced its 1933 loss of $627,000 to a loss of $270,000 last year. Pathe is likewise, fundamentally unprofitable, in its losses last year compared with the preceding year. The 1934 report showed a loss of approximately $1,000,000.

Cash on hand at the end of the year amounted to $4,639,505, or a gain of approximately $1,000,000 over the preceding year. Consolidated capital deficit amounted to $10,822,925 at the end of the year, as compared with $19,973,141 at the end of 1933. Consolidated operating deficit increased from $13,899,122 at the end of 1933, to $15,701,808 in 1934.

Income from theatre admission for the year amounted to $18,290,803. The report disclosed that RKO's interest in Radio City Theatre Corp. has been written down to $11,816 as a result of the transfer of operation of the Music Hall to the C. W. Close Trust, and the withdrawal of the Cetera Theatre from RKO operation.

Income from wholly owned foreign subsidiaries amounted to $397,163 during 1934.

**Warner-Ascap Split Coming at Year End**

Warner and their music publishing subsidiaries will realize a profit from a split from the American Society of Composers, Authors and Publishers, says Motion Picture Herald in its current issue. Licensing agreements on the current Warner music libraries are still to be reached, it is said.

Warner have announced negotiations that after Dec. 31, 1935, negotiations for use of the Warner catalogue will have to be conducted directly with the company. Ascap is said to have told them any contract signed with it will guarantee use of Warner music, but the company has countered with the statement that it will take the issue to the U. S. Supreme Court if necessary.

**Huling Goes to Frisco**

LOS ANGELES, May 30—Mel Huling, partner in Far West Exchanges, has switched to the San Francisco branch replacing Bruce Johnnson whose future status remains undetermined. Far West is taking over the old U.A. office in San Francisco.

**French Extend Plan On Dubbing 6 Months**

French restrictions, permitting the importing of foreign pictures, will be extended by six months, for a total of 12 and each six months, for a total of 12, have been extended for a year from July 1, the foreign division of the Hays office learned by cable from Paris. The regulations govern that the "dubbing" must be handled in France. At an annual rate of 116 pictures a year, the requirements of American distributors in that country are adequately met, it was Hays' association opinion.

**Goulding-M-G-M on Deal**

Edmund Goulding, who recently completed "The Flame Within," is negotiating a new contract with M-G-M. On Wednesday afternoon he talked to Irving Thalberg in Hollywood over the telephone. While here the director is completing plans for his own stage play and has not set a date for his return to the coast.

**Maxwell on High Seas**


**Goldsmith Quits Mascot**

Hollywood, May 30—Ken Goldsmith has resigned as supervisor for Mascot. He states he has a deal pending with a major company.
Looking 'Em Over

“Tango Bar” (Paramount)

Despite its stereotyped story, this production, made by Paramount's Spanish producing unit and starring Carlos Gardel, should offer a gay time to those familiar with the language of its players, thanks to its gloss, its fine photography, the capability of the cast, the sumptuousness of its settings and its satisfactory musical content.

Gardel, teamed with Rosita Moreno in one of those romances given plenty of obstacles to hurdle before the road to happiness is reached, sings a quartet of tunes, several of them tango numbers.

Gardel and Miss Moreno fall in love at first sight on a ship bound for Spain. The girl, a dancer, is under the influence of a crooked gambler, in one of whose shady deals she has become involved inadvertently. When Gardel is called away, she is snatched by the crook from the bond that holds her to the villain. The girl tries unsuccessfully several times to break away, but at the end with the help of Gardel she has thrown over the yoke. There are a number of amusing incidents worked into the story that add to the entertainment.

The film is supported by an excellent cast, among others, John Reinhardt directed.

No production code seal. Running time, 61 minutes. “G.”

“College Scandal” (Paramount)

Hollywood, May 30.—This neat, expert murder mystery with an undergraduate background and cast looks and acts collegiate convincingly. Arline Judge plays a cute, determined sophomore in love with a senior, Edward Nugent, who is interested in Wendy Barrie, daughter of a mysterious French professor, William Stacks. Miss Judge's pursuit of Nugent is complicated by her slathering for the murderer of Nugent's two best friends with the latter next in line for death. Rehearsals of the college show add comedy with William Benedict and Benny Baker. Both are good.

The story by Beulah Marie Dix and Bertram Millhauser and the screen play by Frank Partos, Charles Brackett and Marguerite Roberts is involved, colorful and logical with the exception of one unexplained character.

The theme song, “In the Middle of a Kiss,” by Sam Coslow, is good. Elliot Nugent's direction is smooth. Albert Lewis produced.

The excellent cast includes Mary Nash, Kent Taylor, William Frawley, Johnny Downs, Douglas Blackley, Joyce Compton, Sam Hinds, Douglas Woods, Margaret Armstrong, Edith Arnold, Helena Phillips Evans and Mary Ellen Brown. This is a good, average offering.

Production Code Seal No. 883. Running time, 75 minutes. “G.”

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Soon the whole
MORE GLORIOUSLY EXCITING
WARNER
BAXTER
UNDER THE

a B. G. De Sylva
production

Hails Variety Daily:
"Certain to make the turnstiles click prosperously. A wealth of entertainment for all type audiences. Baxter plays his best character from 'Old Arizona' on!"

—and that
"COBRA TANGO"
"One of the entertainment highlights is the superbly danced 'Cobra Tango' by Veloz and Yolanda—a terp honey!" —Variety Daily
"Veloz and Yolanda are something no audience should miss." —Hollywood Reporter
country will acclaim it:

THAN HIS "CISCO KID!"

KETTI GALLIAN

PAMPAS MOON

Directed by James Tinling.
Screen play by Ernest Pascal and
Bradley King. From an original
story by Gordon Morris.

Whoops Hollywood Reporter: “Will click at box offices! Warner Baxter emerges with a sure fire performance for the fans. Direction, writing, cast, music swell. Should be a definite winner!”

A FOX SPRING FESTIVAL HIT

You haven’t a show without Fox
‘DOUBTING THOMAS’
A SCREAM;

Another Fox Hit For Will Rogers

“Another Will Rogers picture—and what a picture! Label this one a smash hit and you can do the big blast here, trot out all your nice adjectives and use your fanfare mightily; this comedy will roll ’em in the aisles. If your fans howl themselves as nearly into hysterics as did a big preview audience, you’ll need a regiment of ambulances to cart ’em home. To this reviewer the film was Rogers’ funniest. It’s a sure fire hit and one that will cash in heavily for Fox.”
WILL ROGERS in "Doubting Thomas"

a B. G. De Sylva production

with

BILLIE BURKE
ALISON SKIPWORTH

Sterling Holloway · Gail Patrick · Frances Grant

Directed by David Butler. Screen play by William Conselman. From the play "The Torch Bearers" by George Kelly. Adaptation by Bartlett Cormack.
Friday, May 31, 1935

Product Talks End
G. B. Sales Session

(Cocontinued from page 1)
the screening of "The Ghoul," "My Song for You" and "You, G. B. Dictator" at the home office. In between pictures, Lee and A. P. Waxman, director of advertising and publicity for Paramount, held several conferences with the visiting delegates to thresh out their problems.

Brandt, who was scheduled to be in conference with Spyros Skouras, vice-president of National Theatres, who couldn't keep his engagement, talked to the point that exhibitors should buy their product on the merits of each picture and not the reputation of the producer or distributor.

Following Brandt were Weeks and Lee. They outlined the tentative selling arrangements for the fall with the 16 Star Spangled Specials and announced a few of the plans to be incorporated in the fall selling campaign.

All of the 52 delegates left for their home territories over the holidays yesterday.

Ticket Tax Return Probe Now Planned

(Continued from page 1)
by exhibitors in a number of the larger cities is planned by the Treasury Department, it was learned yesterday with publication by the Division of Applications and Information of the work-relief setup of applications filed by the department for some $14,500,000.

While part of the money would be used for the examination of 350,000 tax returns which the normal force of the bureau is said be unable to handle, much of the sum would be used for a special investigation in 20 metropolitan areas, state industries subject to certain excise taxes, including that on admissions.

Among the towns in which the inquiry would be conducted, it was said, are New York, Buffalo, Chicago, Philadelphia, Pittsburgh, Detroit, Los Angeles, San Francisco, Cleveland, Cincinnati, St. Louis, Kansas City, Baltimore, Washington, Boston, Milwaukee, New Orleans, Newark and Seattle.

Para. Enterprises
May Get 10 Houses

(Continued from page 1)
houses from E. J. Sparks, Paramount theatre operating partners in the southeastern states, are consumed, according to a statement from Paramount on Wednesday.

The houses involved in the negotiations which may go to Paramount Enterprises early in June, are the Olympia, Rex, Rosetta, Community, Paramount, Roxy, Coral Gables, Flagler, Colony and the Miami Little Theatre. Most of the houses were originally owned by Paramount Enterprises.

Disposal of Sparks' Miami interests will not, however, affect operation of an additional 81 houses in the state, it was said.

Brandt Buys 16 Specials

Harry Brandt has bought the entire 16 Star Spangled Banner specials for his 36 houses.

MOTION PICTURE
DAILY

U. A. Members
Plan Increase
In New Output

(Continued from page 1)
which he has not yet worked ready for the new season.
Goldwyn, it is reported authoritative-
ly, feels that only two more pictures will be released by the company under its satisfactory schedule for U. A., inasmuch as 20th Century produced six last year, Goldwyn, three, and Chaplin one, making a total of nine.

There is talk to the effect that Walt Disney has been offered a producer franchise.

With the approval of Henry Duffy, sponsor of her stage engagement in "Coutquette," Miss Pickford has been prevailed upon to end her tour in the play with the termination of her Portland engagement. She agreed owing to present press of business and left for Portland last night by plane, being due back here on Sunday. The canceled engagement covers Denver, Colorado Springs, Kansas City, Fort Worth, Dallas, Houston and San Antonio.

The cancellation of her stage appearances makes it possible for Miss Pickford to attend a meeting of U. A. directors and stockholders in New York on June 20. It is not revealed whether Sebern or a representative of Art Craft will meet Miss Pickford, Chaplin, Goldwyn and Douglas Fairbanks are expected to be present in person or by proxy.

See Film Benefits
In Swedish Treaty

WASHINGTON, May 30.—Binding of the Swedish duty on American films at its present rate of 15 per cent. per kilogram is seen by the Department of Commerce as one of the advantages to accrue to the United States from the reciprocal trade agree-
ment signed May 25, which becomes operative 30 days after approval by the Swedish Riksdag.

Bond Heading West

Clayton Bond, chief film buyer for Warner theatres, leaves with Mrs. Bond for the coast tonight. He will include the Warnar sales convention in Hollywood before he returns. Such a journey ordinarily is unusual now that the buyers of the big film concerns by the various film franchises which Warner theatres hold with various producers, place the circuit in what is regarded as its most favorable position in several seasons.

Flash Review

Dizzy Dames—Several entertaining elements engage this production, not too strong in story. . . .

This film will be reviewed in full in a later issue of Motion Picture Daily.

Kay Francis Operated On

LONDON, May 30.—Kay Francis is recovering here today in a nursing home from an operation for the re-

moval of the salivary gland. She is ex-
pected to leave the hospital in a day or so.

Looking 'Em Over

"Alibi Ike"
(Warner)

Exhibitors that exploit this picture properly should do well. It deals with baseball and tiptoes with local teams, now that the leagues are begin-
ing to hit their full stride, should aid business.

Joe E. Brown fans will laugh more than ever at his antics and any person liking baseball should appreciate them.

Brown himself lists his characters as King Lardner's famous pitcher, "Alibi Ike." Olivia de Haviland, William Frawley, Roscoe Karns, Ruth Donnelly, Eddie Shubert, Paul Horey and Joseph Crenhorn round out the cast.

The yarn concerns Brown's debut with the Chicago Cubs as a pitcher. He runs wild on the field and around the hotel with the team. Karns is his nemesis, continually heckling. When Brown becomes engaged to Miss de Haviland he breaks up the romance with his gags. Then Brown, despondent, gets mixed up with crooked gamblers but all ends well.

Director Ray Enright is to be commended for his handling of Lard-
ner's story and his timing of the numerous comic situations. The photog-
raphy of Arthur Todd is excellent. This one should have trouble at the box-office where Brown registers.

Reviewed without production code seal. Running time, 68 minutes.

"G. Z."

Kent on Coast June 15
HOLLYWOOD, May 30.—Sidney E.
Kent is expected here by Fox studio
heads on June 15.

Hickey on M-G-M Tour
LOS ANGELES, May 30.—George A.
Hickey, western district manager has
left on a tour of M-G-M exchanges under his supervision.

With the G. B. Men

W. B. WESLING in his share of the business on the sugar in coffee and tea. GEORGE WESLING suggested the 16 lumps that went into his cup at breakfast stood for the Star Span-
gled Specials.

CHARNAS of Chicago expressed him-
selv to a table mate at breakfast with, "nuts." The next thing he knew the waiter placed a bowl of grape nuts in front of him. It actually happened.

RUSSELL BORG, the 300 pound bride-
groom, getting more than his share of the ribbing, particularly for missing some of the parties.

JACK McCARTY of Omaha seemed to be the only one attending that liked the heat. He said it, or anything else, would be better than the weather he's been living through at home.

IRVING JACOBS couldn't seem to de-
cide if those phone calls were gags or not. But he wasn't taking any chances by answering page calls.

JACOB, here from Denver, was re-
ceiving condolences yesterday over the death of his aged mother.

CHARLES LEACH led the giraffe down Broadway for its place in the show. A few residents of the Warwick are glad it's gone from its stand next to the eleva-
tors.

JOHN FRANCONI visited Ned E. DEPIENT in his RKO offices while in town for the gathering. FRANCONI, up from Dallas, hadn't seen DEPIENT since the latter left Dallas quite a few years ago.

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Hickey on M-G-M Tour
LOS ANGELES, May 30.—George A.
Hickey, western district manager has
left on a tour of M-G-M exchanges under his supervision.
RKO-RADIO has the honor to announce PIONEER PICTURES' presentation of a signal achievement in the art of the screen

BECKY SHARP

A MIRACLE OF BEAUTY....THE FIRST FULL-LENGTH PRODUCTION FILMED IN THE FULL GLORY OF THE NEW TECHNICOLOR
BEAUTIFUL ★ CHARMING ★ DANGEROUS

One of the most astonishing private lives in the annals of the world . . . Portrayed by

MIRIAM HOPKINS

with

FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE  ALAN MOWBRAY

A ROUBEN MAMOULIAN PRODUCTION
54 Features, 110 Shorts on Fox List

What They Are Down For

Chicago, May 30.—Star and player assignments on Fox's 1935-36 schedule, as broken down from the company's announcement, follow:

Astrid Allwyn—"Way Down East!" Lillian Avedon—Redheads on Parade.

Barbara Baxley—"Impersonation of a Lady." Virginia Bruce—"Cleopatra the Great." Virginia Bruce and Herbert Mundin in "Police War."

Scott Beckett—"Dante’s Inferno." Loretta Belsome—"The Dressmaker." Walter Bolen—"In Old Kentucky." James Dunn—"In Old Kentucky."

John Boles—"In Old Kentucky." Donald Crisp—"Redheads on Parade."

Rita Cansino—"Dante’s Inferno." Scott Beckett—"Dante’s Inferno."

Evelyn Dale—"Alfalfa"—"In Old Kentucky."

Brook Dashiell—"Redheads on Parade." Jane Darwell—"Mississippi Belles."

Charles Davenport—"Redheads on Parade." Frances Dee—"Redheads on Parade."

Arthur Edmund Carew—"Thunder in the Night."

James Dunn—"Song and Dance Man."

Roger E. Ewing—"Dante’s Inferno."

Jane Frazee—"Redheads on Parade."

Jack Haley—"In Old Kentucky."

C. Henry Gordon—"Redheads on Parade."

Dixie Lee—"Redheads on Parade."

Nino Martini—Star in "Here’s to Romance."

George Meeker—"Welcome Home."

Fred Melcher—"The Farmer Takes a Wife."

Karl Meredyth—"Thunder in the Night."

Charles Richman—"In Old Kentucky."

Bill Robinson—"Redheads on Parade."

Anne Shirley—"Steamboat Bill."

Simone Simon—"In Old Kentucky."

Margaret Hamilton—"The Farmer Takes a Wife."

J. Farrell MacDonald—"Dante’s Inferno."

Samuel S. Hinds—"Redheads on Parade."

Edward Everett Horton—"In Old Kentucky."

Jack Haley—"In Old Kentucky."

Tom Hudson—"In Old Kentucky."

Clara Bow—"Redheads on Parade."

Raymond Hatton—"In Old Kentucky."

Warner Baxter—"The Farmer Takes a Wife."

Fay Bainter—"Steamboat Bill."

Shirley Temple—Star in "Little Skipper."

Gypsy Rose Lee—"Redheads on Parade."

George Meeker—"Welcome Home."

Claire Trevor—Featured in "Farwell to Fifth Avenue," co-featured with Edmund Lowe and Patricia Ellis in "Dante’s Inferno." Robert Edgard—"Welcome Home."

Ruth Hussey—"Thunder in the Night."

Rochelle Hudson—"Redheads on Parade."


"The CGeap DitCEPTION," comedy-romance, with Gracie Fields and Robert Preble, will be directed by William Wyler.

"Redheads on Parade," musical, featuring Miss Temple and Walter Bolen, will be directed by Walter Bolen, Donald Crisp, Robert Preble and John Ford.

"The Dressmaker," (tentative title) musical romance in a continental setting, pre- senting for the first time Tuttia Rutta, Scandinavian star, with Clive Brook in the leading male role. Others in the cast include C. G. Huntley, Jr., Lionel Belmore, Nino Martini, with Anita Louise, Genevieve Tobin and Janet Gaynor directed by Charles S. Eames.

"The Man From Home," in which Will Rogers will star, will be directed by Edward Everett Horton.

"Your Uncle Dudley," story of a Mr. P. F. Diddly, will be directed by Charles S. Eames.

"Matinee Idol," a domestic tale based on Donald Hope's novel, will be directed by Charles S. Eames.

"Impersonation of a Lady," with Mona Martini, will be directed by Charles S. Eames.

"Argentina," a musical with an all-star cast, will be presented by Charles S. Eames.

Other productions scheduled include: "Mysteries of Paris," by Eugene Sue, in which co-starring Warner Baxter and Jane Withers, will be directed by Charles S. Eames.

"Hard to Get," in which is co-starring Ernestine Foran with Graeme Earl, will be directed by Charles S. Eames.

"Thanks to You," by Charles S. Eames, will be directed by Charles S. Eames.

"Time Out for Love," by Charles S. Eames, will be directed by Charles S. Eames.

Three untitled pictures complete the list of productions.

Four O'Brien Films on List

In addition, there will be four George O'Brien action pictures, First will be "Thunder Mountain," Zane Grey's Western story, to be adapted by Charles S. Eames.

"Whispering Smith Speaks" will be second on the list, adapted from the story by Frank Speakeen. The third will be "The Man from the Mountains," a Harold Bell Wright story and the fourth is yet to be selected.

Following the announcement of the 1935-36 releases the convention discussed plans for advertising, publicity and exploitation. Charles E. Mc- Caffrey, vice-president in charge of sales and publicity, opened the morning meeting. He was followed by Ad- vice, head of advertising, and O. B. Eckbeck, of Hanff-Metzger Advertising Agency; Gabe S. Yorke, studio publicity director; E. W. Wingart, publicist, and James A. Clark, ad sales manager.

Truman Talley, producer of Fox Movietone News; Laurentine Stalling, editor; Lowell Thomas, commentator; Lew Lehr, "newspaper" announcer, and Charles E. McCaffrey, public relations editor, followed the advertising forum and told of the plans for the reel.

Other addresses at the meeting were made by Charles A. Saxon, national sales manager, and Felix A. Jenkins, following the distribution of their annual report to the winners of the S. R. Kent Sales Drive for 1934-35, William C. Gehring, sales manager of the Chicago exchange, and Robert E. Sykes, director of distribution drive, discussed his plans.

George W. Wears, G. B.'s general sales manager, is here to address the convention.

Skeous Crowd Attending

Sypros Skeous, executive vice- president of National Theatres; Edward Fesky, buyer for Skouras Theatres Corp., and his assistant, Larry Kent, left for Chicago late Wednesday to attend the Fox sales meet.
Voluntary Use of Codes Is Seen as a Stop Gap

(Continued from page 1)

authorizes the President to "enter agreements with and to approve voluntary agreements between and among persons engaged in the trade, labor, organization, and trade or industrial organizations, associations and combinations relating to any trade or industry."

By translating the codes into voluntary agreements, it is pointed out, they could be retained practically unchanged, since Section 5 of the law, providing for the suspension of the anti-trust statutes, would still be applicable if the court did not rule upon the validity of such suspension.

Reports to Washington indicate that in the case of the industries a large portion of the members are anxious that some sort of code be retained, fearing that otherwise there will be an era of price-cutting which will force wages down and precipitate labor difficulties and depress business. In other words, it is feared that this code protection can be secured, since the court definitely ruled that no such agreement is contemplated under the act as originally written, nor, under any circumstances, undertaken to control interstate activities not closely linked with interstate commerce.

While it is admitted that under voluntary arrangements the Government would have no power of enforcement and any control of interstate activities would have to be secured by the exercise of collective bargaining, it is believed in Administration circles that business generally is willing to accept such regulation as a preferable alternative to unrestrained competition, at least for such time as may be necessary for the Administration to secure and enforce the enactment of legislation to succeed the Recovery Act.

The plan is considered purely as a stop gap to hold until the period in which legislation could be enacted. It is suggested that a simple resolution will be introduced providing temporarily those provisions of the Recovery Act not invalidated by the court decision. The new legislation, there were indications, might take the form of a measure transferring the administration and enforcement of fair trade provisions to the Federal Trade Commission and extending the suspension of agreements there made.

The Administration, it is claimed, would not solve the major problem which confronts the Administration of safeguarding the benefit of the law to the maximum hour, minimum wages and child labor provisions. There it is faced with the present apparent impossibility of writing a law which would cover labor engaged in interstate commerce in the view of the prohibitions thereon laid down by the Supreme Court. So far, it appears that the only control of the labor situation lies in the voluntary action of industry.

The need for quick action on this phase of the problem is considered imperative. Delay, it is feared, would be futile. Any prolonged suspension of code provisions would result in a gradual breaking away from hour and wage limitations. In asking industry voluntarily to regulate labor conditions under Section 4 of the Recovery Act, Administration officials feel that under the weight of public opinion behind them and that the present government would be sufficient to keep the majority of employers in line.

So far as the trade practice provisions are concerned, it is said, they can be handled by the Federal Trade Commission, without the expenditure of any effort in order to have them adopted as an industry-wide submarket policy, with or without further suspension of the anti-trust laws. While they might have to be revised if this suspension was not extended and confined to unfair methods of competition, it is believed satisfactory agreements could readily be drawn up for practically every industry.

Seals Off Films

Hollywood, May 30.—With the nullification of NRA, producers are eliminating the 15-foot flashe of the code seal from their pictures. The estimated saving of $60,000 or more per year is expected to result.

Of course it takes only 10 seconds running time. At the current rate of six flashe to each stock, developing and printing, the cost would be $125.00 per production. On the average of 500 flashe per year, the industry expends $6,250 per year for the display of the seals.

Rosenblatt to Coast On a Secret Mission

(Continued from page 1)

departure. One had it he was going to tie up with one of the major studios. Paramount has been mentioned as well as RKO Radio. Other stories had him going to confer with producers in Washington and hour provisions of the NRA code, but this is denied in the east. Jack L. Warner, upon his arrival from England Tuesday night, told Morris Picture Daily his studio would continue to operate four shifts six hours each as heretofore.

Call Off Chicago Hearing

Chicago, May 30.—Following instructions to neither receive nor act upon reports pending developments as a result of the Supreme Court decision, a session of the grievance board of the Telephone CoT was held. A. Rosenblatt's move to restrain Loc Luc was heard was postponed indefinitely.

All other activities of the code boards were suspended and speculation is rife as to the effect of the decision on trade practices.

This is also some apprehension over the possible effects on box-entries of relaxed control in other industries over wage levels. Exhibitors are apparently divided as to whether the death of the NRA will be beneficial or detrimental to box-entries.

Ohio Turns to State Code

COLUMBUS, May 30.—A quick survey of the Ohio situation indicates that the new state code will result in no immediate change in hours and wage scales pending a clarification of the situation, in accordance with suggestions of local Chambers of the state.

Code boards have suspended operations in accordance with wired instructions.

Governor Davey is hopeful that some form of code regulation can be fashioned and pending developments of the Ohio act modeled after the NIRA. O. W. L. Cuffin, administrator, is working on the idea.

Officially scheduled to become inoperative 60 days from June 16, the measure passed by the Legislature received a new lease on life Wednesday when Governor Davey signed the Ohio act into law. The Governor's signature is now awaiting Governor Davey's signature, in spite of the fact that a Cincinnati court declared the old act invalid in a case involving an exhibitor charged with paying less than the code scale.

No Changes in Virginia

RICHMOND, May 30.—No changes in working conditions or wages are expected to result from the Supreme Court decision. We intend to stick by the principles set forth by Elmer H. Brient, secretary of the M.P.T.O. of Virginia.

Industry Eyes On Washington For Guidance

(Continued from page 1)

substitute for NRA to avert business chaos.

The Industry & Business Committee for NRA, having agreed to confer with the New York on Wednesday, and representing 150 groups operating under codes, wired Washington a resolution denouncing a decision which reported instances of "chiseling and cut-throat practices, so common prior to N.R.A., which ultimately means to the producer reducing wages and increasing hours" and called upon the Administration to enact new legislation "as promptly as possible."

In the film industry sentiment favoring the development of some new form of self-regulation appeared to be increasing, but in the absence of definite and official guidance, actual moves in this direction were regarded as premature and futile. With the breakdown of N.R.A. and the nullification of the film code, unfair trade practices began to take hold in the business in confusion without fear of an immediate accounting.

With the courts free to offer inducements to breach contracts with competitors; to effect sales by threat, coercion or intimidation; to subordinate stars, directors, authors, books or plays for those scheduled in contracts; to sell indiscriminately to credit houses; to have the rights to shorts and newsreels with feature sales, or to designate playdates not specified in contracts.

Exhibitors stand today where contracts specifically provide otherwise, could be deprived of rejection privileges, even on grounds of the picture's "unsuitability" for exhibition on a certain day or in a certain locality; he could be deprived of the 10 percent cancellation privilege; overbuying goes unrestricted; reduced admissions and giveaways are unchecked except where the same charge applied to all companies and zoning schedules are nullified; grievance and arbitration boards are dissolved along with all of the code machinery.

No Restrictions on "Raiding"

Producers may negotiate for the services of other producers under contract without restriction; they may offer inducements, even in the way of "unreasonable and excessive" payments to talent employed by competitors, as a result of the elimination of the star and talent raiding restrictions of the code; the Agency Committee is disbanded and agents guilty of unprincipled action will not be dealt with penalty, and defam-
Wall Street

Eastman Off 4% on Big Board

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(Not season's end)

(Quotations as at close of May 29)

Academy Agreements Not Hit by Decision

Hollywood, May 30.—Outlawing of NRA by the Supreme Court will not affect agreements reached for the benefit of workers by the Academy, it is held here. The Academy will continue as an independent organization, its officials say, and will keep on with the four agreements affecting studio workers. These are: agreement on free lance players; writers' code, directors' code, and conciliation and arbitration board.

Memorial Day is the first of six holidays on which players with weekly contracts will collect pay without working under the new studio Academy working agreements.

Some of the employees of the local code offices have already started looking for new jobs. Two take new posts on Monday.

K. C. Reactions Varied

KANSAS CITY, May 30.—The majority of exhibitors here were pleased, or at least not much disappointed, and the majority of distributors appear somewhat grieved at the death of the Blue Eagle from the double barreled shotgun blast fired Monday by the Supreme Court.

"One thing is definite," said Irwin Dubinsky of Dubinsky Brothers, "we now can run our business as we see fit."

I think the NRA was a great thing, but feel it didn't give the individual enough leeway in business.

The way I take it, the Supreme Court's action wipes out every action taken under the NRA. Code violators who paid fines, apparently, will be entitled to recover from the government. Even those stopped by operation of the code from carrying on certain plans—bank night, etc.—why won't they be able to recover damages from the government?

"Naturally we are interested in what the film business now will do. Some companies provided for arbitration in their contracts at the beginning of the present season, but a few, seeing that the NRA completely covered the situation, eliminated them. Will we go back to the film boards of trade?"

"Although defeat of the NRA makes non-effective the present Kansas City schedule, it might very well be continued," Dubinsky feels. The schedule was worked out by film companies on a plan which followed closely the original schedule set up by the clearance board.

"The industry was paying little attention to the code, anyway," commented Jay Means, I.T.O. president and operator of the Oak Park and Legged. "Practically all exhibitors had grown restless under the code, and experienced a feeling of relief at the Supreme Court's decision, not so much because they were opposed to the code—many of them, in fact, favored it—but because the nickel was going down and they felt the restraint of the code under such circumstances was unfair."

"NRA doesn't look for any 'wide-open season of bad trade practices. Bank nights, cash nights, etc., are fizzling out of their own weight or are working, depending on natural economic factors and not the code."

G. C. S. (c) 1935

Golden Is Still Hopeful

Commenting on the U. S. Supreme Court's decision invalidating NRA codes, Edward Golden, alternate for W. Ray Johnston on the Campi setup, says:

"When the code was created we approached the situation with hope. Passage of Sunday Bill Seen in Penn.

Harrisburg, May 30.—Prospects for passage of the Sunday theatre opening bill are considered bright by its legislative backers. As favorably reported to the house it contains the original referendum provision permitting municipalities to decide whether theatres shall open after 2 o'clock. In addition, it has two amendments. One requires one day a week rest for employees and the other increases the fine for violations from $50 to $100. The bill has been made a special order of business for Tuesday. It will come up for third and final reading.

Passage in the Senate of bills permitting Sunday polo and exhibition tennis matches has inspired the prediction by Assemblyman Schwartz that the bill will go through the Senate.

To Hold Trade Showings


Now that the U. S. Supreme Court has said there is no code, there is still hope."

FRISCO BOARDS SUSPEND

SAN FRANCISCO, May 30.—Both code boards here have suspended all activity.

The new 4th issue of THE MARCH OF TIME brings to the screen three fast-moving, dramatic sequences: the "inside" on Washington politicians, the truth about Russia and the Pacific war games... all news subjects that can't fail to draw audiences from coast to coast.

THE MARCH OF TIME for June is backed by advertising campaigns in newspapers, on the air with "spot" broadcasting, and in national magazines.

Each month's issue of " The News Magazine of the Screen" spells bigger box office for theatres showing it. If you want details, write MARCH OF TIME DISTRIBUTORS, R. K. O. Building, New York City.

How Red Is Red Russia?

4th Release May 31
"Caliente" Is Frisco Leader With $22,000

Mae West Is Chicago Wow With $18,000

Vocal Combat

San Francisco, May 30.—There’s a better show going on this week in front of the Capitol than there is inside. The show in front consists of a duel between a leather-voiced spiveler and a leather-league unison picket. Outside any time the gypsy supports the passing pedestrians to step right up and buy their tickets to the hockey becket counters with an appeal to buy his union papers.

Temple Film Big Detroit Hit, $25,300

Detroit, May 30.—“Our Little Friend” and “Let Em Have It” were sensational. The Shirley Temple opera, the Fox, all week, with $25,300 gross, which is over by $10,300.

The United Artists film hit $17,200 at the United Artists. This tops normal by $7,200. All the other first runs found the going rough as a result.

Total first run business was $80,300. Average is $7,000.

Estimated takings:

Week End May 24:

"PEOPLE’S ENEMY" (Radio)
UNITED ARTISTS—(710), 25c-40c, 7 days, Stage: Sylvia Fros, Nina Olivier & Co. Gross: $11,300. Average, $1,592.

"THE DEVIL IS A WOMAN" (Par.)
PEOPLE WILL TALK—(Tt), 25c-30c, 7 days, Stage: Sylvia Fros, Nina Olivier & Co. Gross: $10,500. Average, $1,500.

"THE DREAMER" (Para.)
COVENTRY LEASE (Fox) (Mem.)—(1,600), 15c-35c, 7 days, Stage: Sylvia Fros, Nina Olivier & Co. Gross: $12,000. Average, $1,714.

"LET EM HAVE IT" (U. A.)
UNITED ARTISTS—(710), 25c, 7 days, 2nd week. Gross: $7,500. Average, ($800.)

"THE DEVIL IS A WOMAN" (Para.)
PEOPLE WILL TALK—(Tt), 25c-30c, 7 days, Stage: Sylvia Fros, Nina Olivier & Co. Gross: $10,500. Average, $1,500.

"THE DREAMER" (Para.)
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"ONE NIGHT" Takes $7,000 in Buffalo

BUFFALO, May 30.—“It Happened One Night,” on a return bill with "The Unwelcome Stranger" as companion, sold $7,000, or $100 over normal in the Lafayette, while “Goin’ to Town” was good for an overage of $400 at $8,400 in the Great Lakes. Total first run business was $9,000. Normal is $4,200.

Estimated takings for the week ending May 24:

"THE FLAME WITHIN" (M-G-M)
BUFFALO—(350), 25c-50c, 7 days, Stage: George Olsen and His Music, with Ethel Shatta. Gross: $12,100. Average, $1,730.

"THE PEOPLE’S ENEMY" (Radio)
"THE UNWELCOME STRANGER" (Col.)—(300), 15c-35c, 7 days, Stage: Arthur Lake, amongst others. Gross: $17,300. Average, $2,470.

Kern Loaned to Radio

Hollywood, May 30.—Jereon Kern has been loaned to Radio by M-G-M to do the music for the Lily Pons picture. He will report immediately.

"Ira Loew Is a Father"

LYNN, May 30.—Ira Loew, chief pitcher at the Capitol, is the father of a baby girl. Ira is the brother of E. M. Loew, owner of the Capitol and a string of other theatres in New England.

Mae West Top Draw in K.C.; Gets $14,000

KANSAS CITY, May 30.—Strong bills at downtown first runs and heavy exploitation zoomed the week’s aggregate past $48,000, a red letter figure for Kansas City. “Goin’ to Town,” given a big campaign, made the best box office show, $14,000, in nine days of a 16-day run at the Newman where $7,700 is normal for the period.

Still running at the Mainstreet, was another leader, taking $14,300 against par of $8,000. It was held. Despite potent competition, it garnered $9,500 on “Les Miserables,” exceeding average by $1,500. The Tower’s $7,500 for “Mr. Destination” and stagers of $6,000 and above. “Babonaa” disappointed at $2700, below the Uptown’s normal. Personal items: Mrs. Babs Grant and Mrs. Martin Johnson the opening day helped materially.

Total first run business was $48,000. Average, $3,420.

Estimated takings:

Week End May 23:

"MAIN STREET"—(350), 25c-40c, 7 days, Stage: Mrs. Babs Grant & Co., Babs Laval, Hal Young, James Evans, et al., others, Gross: $7,500. Average, $7,000.

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Transfer of Boston

Met Gets Court O. K.

Boston, May 30.—The Metropolitan, largest house in New England, will be taken over by a subsidiary of the new $40,000,000, under a 10-year lease. Judge Hugh D. McLeod of the U. S. District Court has certified the report of Arthur Black, master in the reorganization proceedings of Metropolitan Building, Inc., and approved the plan of reorganization. The approval is dependent upon the filing of the necessary assents by creditors and the confirmation of the lease by the court after it has been presented in final form.

Under the scheme, the Metropolitan will be held by New England Theatres, Inc., at a graduated rental of 12% per cent of the first $1,100,000 of gross, less admission tax; 15 per cent of the next $400,000, and 25 per cent of all receipts over $1,500,000. The minimum for the first five years will be $156,000. The week’s average is estimated at $22,000, although his shows often lift the gross above $35,000.

Hammerstein to Para.

Hollywood, May 30.—Oscar Hammerstein, 2nd, has secured his release from his M-G-M contract, and has signed with Paramount to do the screen play for the Jan Kiepura picture.
MOTION PICTURE DAILY

NEW YORK, TUESDAY, JUNE 4, 1935

VOL. 37, NO. 130

TEN CENTS

Para. May Be Free of Court In Two Weeks

Board Change, Cuts in Shares Approved

Reorganized Paramount may be rid of the shackles of court and trustee supervision within two weeks, it was stated by Alfred A. Cook, counsel for the debtor corporation and a director of the stockholders of the company yesterday. The meeting approved a proposal to change the number of directors from 20 to not less than 16 and not more than 18 and for the classification of the directors into one, two and three-year terms of service and also approved the proposed changes in the capital stock of the company. The meeting adjourned until today to permit the filing of the change in directorate with the secretary of state which must be done prior to the election of new directors. Tomorrow's

Paramount and RKO Talk Product Deal

Preliminary discussions on a product deal between Paramount and RKO have been started. The talks are expected to wind up with a new Paramount franchise to replace the one which expired Aug. 1. Under the present 10-year franchise, RKO had the right to cancel on 12 months' notice. This clause in the contract has been complied with and the deal ends at midnight July 31. While it has not definitely been decided whether this Paramount deal

Cleveland to Keep Up NRA Wage Level

Cleveland, June 3.—A survey of local distributors and exhibitors indicates that the Supreme Court decision scrapping the NRA will not affect either wages or hours in local circles. All exchanges will continue under the NRA provisions. Warner, RKO and Loew houses state they will maintain present wage scales and working hours.

Say Ohio May Drop Jump in Censor Fee

Columbus, June 3.—Ohio may repeal the law imposing a $3 per reprint censorship fee on newswires. Motion Picture Daily learns from an apparently reliable source. The law becomes effective July 16. Withdrawal

Fox Contract Case to Get Fall Hearing

Supreme Bench to Rule On Muller's Fight

By BERTRAM F. LINZ

WASHINGTON, June 3.—Legality of film contracts containing an arbitration provision will be considered by the U. S. Supreme Court this fall term as a result of an order today granting Fox Film's petition for review of a decision of the Minnesota Supreme Court holding the contract void.

The matter had previously been brought before the court by Fox, but the original appeal was dismissed February 18, on the ground that the writ of certiorari previously announced had been "improvidently granted" because no final judgment had been entered.

The case was returned to the Supreme Court as a result of the decision.

(Continued on page 2)

On Coast for More Product—Lichtman

Hollywood, June 3.—Upon his arrival here late last night Al Lichtman, vice-president of United Artists, said his mission was to confer with U. A. members on additional product totaling about 24 films. He said he had heard nothing about David O. Selznick, Walter Wanger or Emanuel Cohen joining U. A., although he admitted the company would need product. Lichtman, accompanied by his wife, wouldn't comment on the possibility of his becoming president.

Samuel Goldwyn, Mary Pickford and Charlie Chaplin met behind closed doors today, with Lichtman not present.

Goetz to Keep His 20th Century Jobs

William Goetz is expected to continue as general manager and associate producer for 20th Century under

(Continued on page 2)

K-A-O and Keith Ask for Registration of Securities

By CLARENCE LINZ

Washington, June 3.—Applications have been filed with the Securities and Exchange Commission for registration on the New York Stock Exchange of 64,304 shares of seven per cent cumulative preferred stock of Keith-Albee-Orpheum Corp. and $8,030,000 of first general six per cent gold mortgage bonds of B. F. Keith.

(Continued on page 3)

See Break in Chicago Front

Chicago, June 3.—The Coston circuit, controlled by Warners, is understood to have closed a product deal with M-G-M covering current and next season's releases.

The Coston theatres were part of the Windy City group, including Essaness and houses booked by the buying syndicate headed by Saperstein, which have persistently refused to accede to Metro's percentage and preferred playing time terms.

Whether or not the Coston deal, just closed, presages a change on that front was an open question yesterday with no answers. The contract, however, was viewed by those familiar with the situation as indicating the first break in the exhibitor line.

Schenck Plan For Fox Met Is Approved

Formal court approval was given the amended Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Metropolitan Playhouses by Federal Judge Julian W. Mack following a hearing yesterday on final amendments to the plan. The hearing was enlivened by a near-comic presentation by J. Herbert Stern, who described himself as a "finance officer," of a new offer for Fox Met of cash and securities representing 100 cents on the dollar.

Stern's offer, he said, would give Fox Met bondholders $200 cash and $800 in new 4½ per cent, 10-year, convertible securities for each $1,000 bond presently outstanding. The new securities, he said, would be convertible into 40 shares of new common.

(Continued on page 3)

Move Studied For Voluntary Industry Code

Reactions to Be Sought; Campi to Liquidate

A voluntary intra-industry machinery, perhaps predicated on ground covered in certain of the clauses in the new illegal NRA code, may follow in the wake of the Supreme Court's recent decision.

Nebulous, but under consideration sufficiently to have been discussed at a special meeting of Campi yesterday when the affairs of that body were ordered into immediate liquidation, the plan is understood to call for a general industry survey through the facilities of Campi in an effort to learn the reactions of the trade at large.

The fact-finding effort will take about three weeks to complete after which additional meetings will be held.

Immediate and immediate liquidation of Campi was authorized at yesterday's meeting and placed in the hands of the standing finance committee composed of Nathan Yamini.

(Continued on page 6)

Loew Deal to Take Mayfair Is Closed

Loew's, Inc., yesterday closed its deal for the Mayfair, now a Walter Reade operation, and will take possession of the house next week.

The date of operation has not been determined, but the plan provides for a shift of operation and, immediately after liquidation at Loew's New York to the new acquisition. The New York closes its doors Sunday night. The 44th-45th St. block on which it stands is to house a one-story tax-

Ohio Playdate Law To Get Court Test

Columbus, June 3.—A test of the constitutionality of the pending Ohio state law which would prohibit the designation of play dates in film contracts used within the state is in preparation and will be filed immediately.

(Continued on page 3)

Levine Denies Deal With First Division

Nat Levine, Mascot Pictures' head, yesterday denied reports that his company was negotiating with First Division for distribution by that company.

(Continued on page 2)
Ohio Playdate Law To Get Court Test
(Continued from page 1)
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Levine Denies Deal With First Division
(Continued from page 1)

Levine Denies Deal With First Division
(Continued from page 1)

H. J. Chapman Gaining
OMAHA, June 3.—H. J. Chapman, manager of the Columbia branch office, is in Lutheran Hospital recovering from an operation.

FOXP CONTRACT Case To Get Fall Hearing
(Continued from page 1)

FOXP CONTRACT Case To Get Fall Hearing
(Continued from page 1)

Educ'l Holds to Present Schedule
Educ'l Holds to Present Schedule
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Fox Contract Case To Get Fall Hearing
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KAO and Keith Seek Approval Of Securities

(Motion Picture Daily's Hollywood Preview)

“Love Me Forever” (Columbia)


Opening strong with “El Bacio” in an interesting ice skating combination of song and rhythm, the film concentrates less on the romance between Miss Moore and Robert Allen and more on the heart effect of a middle-aged gambler, Leo Carrillo, who finances the songbird’s career and is thwarted in love by her rise to fame. The climax finds Carrillo rubbed out by a rival gangster for non-payment of gangster coordination. The story is by the director, screen play by Jo Swerling and Sidney Buchanan.

Miss Moore’s singing registers strikingly at the opening and later with the “Neapolitan Love Song” and an aria from “Rigoletto,” but at the finale, singing from “La Boheme,” the duet is thrown to Michael Fleming, her partner. Minus popular melody, “La Boheme” lacks the showmanship punch for a hurrah finish.

All the performances of the cast are good with Carrillo overshadowing the others. Allen in a small part, nevertheless challenges Hollywood’s romantic leads. Luis Alberni, as a comic; Spring Byington, as Miss Moore’s maid, and others do well. Bartlett, in for one song, should go places.

Production values are not all that could be desired, with the photography good but not startling.

The musical accompaniment is well focused by Schertzinger’s symphonic coordination. The story is by the director, screen play by Jo Swerling and Sidney Buchanan.

Scheduled for trimming and revision, the finished production should ride on Miss Moore’s reputation and on the strength of her previous vehicle, even though “Love Me Forever” may leave audiences wishing for another dénouement of Miss Moore’s thrilling singing and root for more young romance.

No production code seal. Running time, 101 minutes. “G.”

Looking ’Em Over

“Mimi” (Alliance)

Selling efforts of American exhibitors must, of course, be centered on Douglas Fairbanks, Jr., in this blend of music, romance, tragedy and spectacle. Gertrude Lawrence’s name also is known, although the title footage states, “freely adapted from Münger’s ‘La Boheme.’” Puccini’s music is used effectively at intervals, with a song by Miss Lawrence and the “Barcarolle” from “Tales of Hoffman,” the latter played by a full orchestra as the background music for a masked ball.

Much of the background is laid in the Latin quarter of Paris in the era of candles and gaslight theatres. Mimi, played by Miss Lawrence, deserts a wealthy actor, Lamotte (Austin Trevor) and joins Rodolph, an aspiring dramatist (Fairbanks). Her love for him and her faithful in his talent inspire him to work, and instill some purpose into his aimless talent. And, he is a musician. Her plea to Lamotte gets a hearing for his playing, “La Boheme.”

In the first flush of Rodolphe’s success, Sidonia, a well known actress (Diana Napier) stirs Mimi’s jealousy. In an angry moment at the masked ball she decides to go back to Lamotte, but changing her mind, flees in a rainstorm. She passes away on the opening night of the play.

The moods contrast sharply, the pace shifts interestingly. There are gripping emotional moments. In some of these Fairbanks is deficient. It is an ambitious effort which upon plenty of money has been spent. The property is exceptional at times. Two stronger principals could have raised it from merely a good picture to an outstanding attraction.

Previewed without production code seal. Running time, about 95 minutes. “A.”

Mo. Session Ends; Tax Is Increased

KANSAS CITY, June 3—After the longest but one regular session in the state’s history, the Missouri legislature adjourned after passing no measures affecting the industry except the one per cent sales tax.

Gov. C. C. Holman, who promised he will sign the sales tax measure, which will produce an estimated $10,000,000 to $11,000,000 annually.

Just how exhibitors will collect the one per cent on admissions, especially on dime nights, is something which will have to be decided by the courts, but it will have to be an auditor. The tax, which will become effective 90 days after it has been passed, must be passed on to the consumer.

As it was, there were numerous scares during the session. One of the worst of these was a drastic censorship bill.

 Killed also were a footage tax and an SRO tax; and the 10¢ or $10 per head tax; a bill prohibiting bank night and cash night specifically, and covering other forms of drink; a bill providing for admission and mission; chain store tax that would have affected theatres; a bill providing for licensing of billboards by counties. A bill imposing taxes of from $3 to $15 a year on slot machines and vending devices was passed and signed.

Say Ohio May Drop Jump in Censor Fee

(Continued from page 1)

of newsreels from the state has been threatened, it is understood.

The Legislature recently passed a bill increasing censorship fees on features from $1 to $3 per 1,000-foot reel. Newsreels previously had been declared exempt from censorship and were not included. Subsequently, however, it was decided that they be returned to censorship requirements.

Cal. Session Near End

SACRAMENTO, June 3—The Legislature is expected to be the last week of its longest session to date with the one per cent gross profits tax on motion picture admissions. All other tax measures except the tax levies scheduled for a battle on the floors of both branches.

Hollywood is backing the transac tion that it is predicted it will pass the House and be killed in the Senate. It is also expected a compromise income tax will be passed with rates about one-fourth of the Federal rates.

Russians at M. P. Club

Russian film problems will be de
tailed today at the weekly forum at the M. P. Club. B. Shumiatsky, head of the Russian picture industry, will head the group which will speak. V. Verlinsky, president of Amlino; F. Ermiler, director of “Shame” and A. Nilsen, Y. Reisman, director of “Men on Wires” from the ranks of the Soviet cameramen; G. Mamel, vice-consul of the U.S.S.R., and Horacio Morros are others slated for talks.

Degree for Connolly

CINCINNATI, June 3—An honorary degree of Doctor of Laws will be conferred upon Walter Connolly by his alma mater, Xavier University, at the 95th annual commencement exer cises Wednesday evening.
Welcome To New York
S.S. NOR

Congratulations on your record run across the

"OIL FG

LAMPS

which will launch

AT THE N.Y. STRA

and in Chicago, Los Angeles, Pittsburgh

It's worth traveling

Starring Pat O'Brien, Josephine Hutchinson, Jean Muir,

Another nationally promote

WARN
Officers and Men of the
MANDIE
Atlantic in time to catch the world premiere of
THE
CHINA
own record runs
AND TOMORROW
baltimore, and other keys this week!
3192 miles to see!
Last of Thousands . . . . . Directed by Mervyn LeRoy
Metropolitan production from
BROS.
Para. May Be Free of Court
In Two Weeks

(Continued from page 1)

The meeting will select eight of the present directors and eight new ones, who will constitute the new board of 16, and will also vote on a proposal to change the name of the company from Paramount Publix Corp. to Paramount Pictures, Inc., and to pass on other proposed changes in the new charter and by-laws.

With Adolph Zukor, Paramount president, acting as chairman of the meeting, both proposals put to the stockholders yesterday were carried without dissenting votes. The proposal to change the name of the company, from a stock fund of $40,000,000 to $845,631, to reduce the par value of the common stock from $10 each to $1 each, and to reduce the number of shares of common stock from 4,000,000 to 845,631, was approved by a vote of 2,326,661 shares. The second two proposals were approved by a vote of 2,324,603 shares, and none dissenting.

The reduction in the number of shares of common stock was a part of the Paramount reorganization plan under which stockholders of the old company would receive a number of new shares for each share of the old. The change in the directorate provisions specify that four directors will serve for one year, two for two years, and six for three years, and that there will be annual elections thereafter.

3,211,119 Shares Outstanding

According to the company’s records, there are outstanding 3,211,119 shares of Paramount stock. The proxy committee represented 217,295 shares of stockholders present in person represented 5,974 shares, and the stockholders’ committee of which Cook is also counselor, and the total of 2,327,484 represented at the meeting, which is in excess of 72 per cent.

Cook in his report to the board ordered the trustees of Paramount to turn over the assets and properties to the new company ready for operating. He was Frederick Alfred C. Cox on June 17. This would end the company’s rehabilitation processes.

In reply to a query put to Zukor by a stockholder as to the future business plans of the company, Cook interceded to say that “Zukor is now in the hands of arrogant and repulsive lawyers, but a report will be made short. We are biding our time,” he said, “and when the proper time comes the board of directors will be advised of our plans. We are not closing our eyes to the future.”

Later, Cook said that it is hoped to have the new securities of the company ready for delivery to creditors and stockholders before the middle of July. They are being prepared for printing by the American Bank Note Co., he added, and the issuance of temporary certificates.

There is a possibility that the new board to be elected today may meet later this week, he said. If this should again, the meeting may be deferred for several days, Cook said.

Fred R. Cohn, holder of about 4,500 shares, came from Tampa to attend the session. Also in attendance were Barney Balaban, Norman Collyer, Gerald Brooks, Eugene Zukor, Walter Cokeher, E. P. Dillenbeck and H. P. Levy. Bernard Lubin and A. H. Hollander served as inspectors.

At the meeting, Cook remarked that the proceedings of the day were less interesting than a coming Paramount picture he had seen previewed a few days before.

Indications in Paramount creditor circles now are that Zukor may as well as an extension of the Paramount studio, serving in a financial advisory capacity to the new Paramount board and acting as principal publicist between the studio and the home office. In this event, four candidates are brought to the fore as possible successors: Alfred C. Cox, head of Erpi; George Schaefer, Paramount general manager; Matthew Sloan, head of the Paramount securities in settlement; and Harold Talbott, financier and chairman of the executive committee of 错误的公司名称. All of the four, other is regarded as having by far the largest amount of creditor support.

Ask Action for Allied

An order to show cause why Federal Judge Alfred C. Cox should not approve the more than $5,000,000 claim settlement of Allied Owners Corp. against the incorporators of the former Allied Pictures. The Allied board of directors were served with a complaint by the former Eastern Electric shareholders. The Allied board of directors has now been included in the new Paramount organization. The Allied claim includes the issuance of new shares of the old company.

The action for Allied, however, was brought by the Allied Pictures in the Federal Court by the Paramount for hearing on June 6. The Allied formation was in the Paramount organization plan and has been individually approved by the court to the satisfaction of the shareholders and the Allied directors to complete the reorganization of that company. Approval of the settlement is now essential to the winding up of Paramount organization. The Allied settlement calls for the issuance to the company of new Chrysler Motors. Of the four, other is regarded as having by far the largest amount of creditor support.

Cleveland Session

Off; Board to Act

Cleveland, June 3—The regular meeting of the Cleveland M. P. Exhibitors' Ass'n., previously announced for June 4, has been postponed indefinitely. The order of the board of trustees. Instead of the general meeting, the board will meet on June 4, to confer further on local duffles. Frontier will be specifically stated that an effort will be made to hold duffles to one a change a week, and that not to be on the agenda. It is all run-up for Paramount. Paramount, Fremont, O., and Paramount, Glen Falls, N. Y.

Court to Study Yoost Appeal

A petition for leave to appeal from Federal Judge Alfred C. Cox's order confirming the settlement of Erpi's $35,000,000 claim against Paramount was made to the U. S. Circuit Court of Appeals here yesterday by William Yoost, a Paramount boardholder, and taken under advisement by the court.

Yoost has opposed the settlement’s provisions calling for renewal of a royalty of 50 per cent on the fees. He is contending that the fees are "exorbitant." His petition to appeal the order was opposed by counsel for the Paramount. The decision from the court is expected within the next few weeks.

Paramount and RKO

Talk Product Deal

(Continued from page 1)

will be on a year-to-year basis, only half of which is guaranteed if the distributors product is involved, the other 50 per cent going to Loew’s on a previous long-term franchise.

Re-sign J. W. Ruben

Hollywood, June 3—M-G-M has signed J. Walter Ruben to a new contract.

NRA Ends; Ups Pay

Peru, Ill., June 3—End of the code has brought a five per cent increase in pay to all employees of E. S. Maddox, owner of a circuit of 10 houses. About 100 are affected.

Ager said abolition of the NRA would permit him to operate more profitably without restrictions on competition.

More Studied for Voluntary Industry Code

(Continued from page 1)

chairman; Sidney R. Kent and Harold S. Bareford.

John C. Finlan was empowered to engage Price, Waterhouse & Co. to make the study. The secretarial staffs of the 31 clearance and zoning boards and grievance boards are developments to the office unless being instructed to transmit all records to a central storage place in New York and leases terminated at the earliest possible date. The Dewey staff will be discontinued June 15.

Legal matters pending before Code Advisory committee, are those referred to the standing legal committee consisting of Austin C. Keough, chairman; J. Robert Rubin, William B. Bingham.

At the meeting, Rubin acted as chairman and there were present L. E. Davis, W. J. O'Reilly, E. A. Golden, Charles L. O'Reilly, Yamin, Walter Vincent, and John R. Vincent.

During the life of the code, approximately 2,300 cases were heard by the various boards. About 70 people have been on the Camp payroll, 50 in the field and 20 in the home office.

K. C. Bank Night Suit Off

Kansas City, June 3—The suit of Jack Johnston, Ritz, McPherson, and R. M. McEwan, bank night distributor for Kansas and Missouri, 651,000 against the city, will not be taken into court, although the suit will be ready for hearing if the present situation changes.

Johnston and McEwan were going to seek an injunction to prevent local exchanges from stopping film service to the Ritz on orders of the local grievance board.

Frontier reports that a number of exhibitors who stopped using bank when the grievance board began against them, now are going to use it again. Among these are C. A. Schultz, Commonwealth Theatres, Inc.; Granada, Lawrence, Kan.; Ritz, Chillicothe, Mo.; and Frank Cassill's Rialto, St. Joseph.

Rosenblatt Flies to Capital

Los Angeles, June 3—Sol A. Rosenblatt today flew to Washington, where he will remain the next few weeks cleaning up NRA business. Later he will go to New York to open his own law office. He stated definitely he would not join Nathan Burkan. Rosenblatt said the NRA's going would affect 60 or 70 on the film code payroll, with 2,400 on other code rosters throughout the country being dropped.

New Republic Directors

Hollywood, June 3—Louis B. Collins and Arthur Lubin have been elected by the directors of Forum Pictures, with each scheduled to make four pictures for coming release. Collins' first assignment will be "Legion of the Lost" and Lubin will work first on "Black Sheep."
Good in the Studio
Better on the Screen
when CERTIFIED PRINTS from
CONSOLIDATED are used

The months of work, the takes and retakes, the dreams and aspirations—the print is the final product of all this...the sum and substance of the money and effort expended on your production. Certified Prints are equal to this tremendous responsibility because they're made by an organization with 22 years experience, in a plant recognized as the world's most modern, scientific motion picture laboratory.

CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK HOLLYWOOD
Schenck Plan for Fox Met Approved

(Continued from page 1) stock for each $800 note. There would be 1,000,000 shares of new common authorized, the next 600,000, which would issued at once to Stern and his undisclosed associates and 400,000 shares would be set aside for the expenses of the proceeding rights. A minimum of $1,000,000 would be made available to the new Fox Met company.

After hearing Stern’s proposal, Judge Mack observed that the plan differed only slightly from the one proposed by St Fabian, which was rejected by the court as less favorable to Fox Met bondholders than the Schenck-Fox-Theatres plan. The court indicated, however, that it would have no objections to Stern’s proposal, or any of the plans presented for the bondholders for their consideration during the 15-day period in which they may either assent to the plan of a complete plan or withdraw their bond deposits from the court-appointed committee which will vote their decision on the day of May 16th.

Stern indicated that he would follow this procedure and have copies of his proposal printed and sent to Fox Met bondholders in the hope of ultimately obtaining enough support for it to block acceptance of the Kresel plan and obtain the required 25 per cent creditor sponsorship to permit him to formally place his own plan before the court.

Won’t Reveal Associates

Stern declined to disclose his associates and when asked by the court what his occupation was, replied “a financier wherever you want to call it.” He was contemptuous of the cash considerations involved in the Schenck plan, remarking at one juncture that “the money is in this very small—in fact, it’s a joke,” and plainly showed little enthusiasm of Schenck’s legal procedure involved in drawing up a reorganization plan and getting it before the court and creditors.

“Why are you just coming into court with your proposal now?” Judge Mack asked Stern, pointing out that important plans had been under consideration for weeks past.

“I was ready three weeks ago,” was the reply, “but Bogue (referring to Morton G. Bogue, of counsel to the Fox Met bondholders’ committee) gave me a triple play. He sent me to Kresel (Leslie Kresel, attorney for the Schenck-Fox-Theatres plan) and Kresel sent me to Littlefield (Walter Littlefield, attorney for Irving Trust Co., trustee of Fox Met). At one point, apropos of nothing before the court, Stern declared that “a new deal for the motion picture industry was under way which would put all the business being placed in the hands of Rocke- feller, through the Chase bank, Foyd B., and this is much that the interests I (Stern) represent. Rocke- feller,” he said, “already owns Fox, Loew’s and RKO. Odum will get Paramount and some other said we will have the rest of it.”

Stern was represented by David W. Kahn, Esq., who figured in several other projected bids for Fox Met a year ago which never materialized. One of these involved a $1,000,000 cash bid for the interests of which were never disclosed. Another reportedly had Joseph Plunkett, former RKO theatre head, figuring in it as a principal. Still another reportedly had Walter Reade and Joseph M. Stern as proponents.

Following various criticisms and suggestions of the accepted amendments to the Schenck plan, Judge Mack declared that he would enter an order holding that the plan be fair and equitable and feasible, and would permit the bondholders’ committee to begin solicitation to the plan to obtain the necessary third parties’ creditor affirmation to place the plan in effect. The plan would be under within the next few days and 15 days will be granted the committee to complete the work. Judge Mack said June 27 as the date on which the committee is to report back and, if the necessary asset are on hand, the plan will be finally affirmed and placed in effect on that date.

No objections to the plan were voiced as a result of Schenck’s recent appearance before the court, although the court, although the plan, the court, although Schenck, in his new position, could make good his agreement, contracts, in the plan, to furnish Fox Met the product he controls on “fair” terms.

In reply to this question Kresel, as representative of Schenck’s attorney, as to whether Schenck, in his new position, could make good his agreement, contracts, in the plan, to furnish Fox Met the product he controls on “fair” terms.

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60th Century Jobs

(Continued from page 1) the company’s new affiliation with Fox, he intimated yesterday upon his arrival from London on the Norman- dor. He said the production setup will be settled at a powwow to be held on the coast in three weeks and which will be attended by Joseph M. Schenck and R. Kent. He will represent by his wife. He was away 17 weeks, visiting London and Paris, and is in his prime, at age 60.

Rufus LeMaire, talent scout for M-G-M, and business agent for George Selznick, arrived in New York yesterday. He denies reports he had been a producer by Louis B. Mayer. He said he talked to Mayer about the transatlantic phone and no mention of the job was made.

Both Gatti and LeMaire discovered a new actress, Marcelle Chantel. She leaves with them by plane today for the coast to make tests. If the tests are favorable a joint agreement, services will be made. LeMaire also interviewed other talent while abroad and is having tests made of people in England and sent on to Hollywood. The M-G-M scout asserted that the plays abroad are brutal and there is no material for pictures. Arthur is now working on the first of two films he will make for Gaumont British, the second of which will be completed in September. He added Arliss has no other contractual obligations.

Arliss situation deserves a deal with M-G-M whereby the film company will participate in financing stage shows produced by him. He ad- ded that Arliss had been approached by others, but no papers have been signed. He said he was not returning to the show on the boat Sunday night, was the only American film screened.

A. J. Richard of Paramount News made several important changes in the staff of the city office, where he installed a new manager. He would not discuss the changes.

Jack Lait, Hearst writer, also came back on the boat. B. Shamitsky, head of the Soviet film industry, was accompanied by F. Eimerl, director. They plan to leave for Hollywood to study American production ideas.

COMFORTABLE VISION

• Immediately upon entering the theatre patrons enjoy the comfortable vision which High Intensity Projection permits. This screen light greatly improves black and white and makes colored pictures especially pleasant. National High Intensity Projector Carbons make available to theatres of every size a comfortable level of general illumination and the brilliant, snow white, screen reflection which only High Intensity Projection provides.

Use National
High Intensity Projector Carbons

Your Patrons Will Notice The Difference

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
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Roosevelt May Ask a Special NRA Session

Study Moves to Permit Drafting of New Law

By BERTRAM F. LINZ

WASHINGTON, June 2—Possibilities that the President will ask Congress to adjourn at the end of this month to return at the end of the summer for a special session to consider new recovery legislation as far as further study of the Supreme Court NRA decision develops more fully the difficulties which will be encountered in writing new laws.

In order that the government might not lose the advantage of the trained personnel which has been built up in the NRA, it is proposed that an appropriation be made to care for salaries.

(Continued on page 4)

MPTOA Asked to Keep NRA Scales

Recommendations to M.P.T.O.A. members to voluntarily maintain NRA minimum wage and maximum hour provisions on their theatres were issued on Saturday by Ed Kuykendall, president, following discussions with officers and directors of the organization.

"We propose to prevent by voluntary effort any increase in unemployment or decrease in wages in our theatres pending the solution of the tremendous problems presented by the Supreme Court's NRA decision," Kuykendall said.

Skourases Back for Talks on Contracts

With all principal points settled, talks between Spyros and Charles Skouras, Fox Film and Case National executives on the 10-year operating contract for National Theatres will be resumed this week.

Charles Skouras came on from Chicago after attending the three-day Fox sales meet with his brother. He is definitely set on staying east until the signatures are affixed to the pact, which is 65 pages and provides for $1,500 weekly for each of them.

Fox Acquires House in Wisconsin Moves

MILWAUKEE, June 2—The acquisition by the Fond du Lac Amusement Co., a Fox unit and operator of the

(Continued on page 2)

REPORT U. A. Heads Divide On Lichtman

Fairbanks Mentioned as Schenck Successor

HOLLYWOOD, June 2—Election of Al Lichtman to succeed Joseph M. Schenck as president of United Artists, and his decision to maintain the American Federation of motion picture employees as the bargaining agent for all workers, brings to a close one of the most important labor disputes of the industry.

By BRUCE ALLAN

London, June 2—Persistent reports scurriling through the British trade that Fox is negotiating to acquire complete ownership of Gaumont British are denied by Joseph M. Schenck, newly elected chairman of the board of the former company.

Fox is not interested in buying G.B., but in maintaining its current holdings which are understood to be approximately between 45 and 49 per cent.

He added his switch to Fox was actuated by a desire of many years' standing on his part to become associated with Sidney R. Kent and emphasized that complete friendship with all hands prevails in both Fox and United Artists.

Lord Beaverbrook, long dominant factor in the former Provin-
cial Cinematograph Theatres, Ltd., which were subsequently absorbed in the G.B. structure, is reported behind Schenck in his negotiations for the Deutsch-Donada circuits which would become affiliated with the United Artists Theatre Circuit, Inc., as Schenck explained here on Friday.

Para.'s New Setup to Be Voted Today

Allied, RKO Smoke Peace Pipe in N. W.

MINNEAPOLIS, June 2—The threatened battle between Northwest Allied and RKO came to an abrupt halt here yesterday when the RKO exchange was advised by Jules Levy, Radio sales manager, that vaudeville would be dropped by the Orpheum on June 6, thus removing the cause of the dispute.

The exhibitor organization last week declared war on Radio Pictures as a result of the Orpheum's continued use of baggage signs. In meetings here and at Faribault, Mor-

(Continued on page 4)

Warners Half-Year Loss Is $133,515

WARNER BROS., Pictures, Inc., and subsidiaries, reported a net operating loss of $133,515 for the 26 weeks ending Feb. 28. This is after all charges including amortization and depreciation and Federal income taxes and compares with a profit of $38,856 for the same period last year.

Before deducting Federal income taxes there was a net operating profit.

Cosmopolitan Plans Six, States Hatrick

Cosmopolitan will have six features on the Warner-First National lineup next season, Edgar I. Hatrick, general manager of Hearst's film interests, states. Two of the half dozen will star Marion Davies.

The poll will be conducted the week of June 3 and will ask patrons

(Continued on page 2)
Purely Personal

MRS. ALBERT SANDERS has announced the engagement of her daughter, Mrs. MARGARET VIRGINIA WAGNER, to HOWARD S. CULLMAN. The wedding will take place this week attended only by members of the immediate family.

KENNETH MCGOWAN arrives here by plane this week from the coast for the opening of "Becky Sharp" at the Music Hall June 13. He will return to the coast June 16.

DOUGLAS LOTHERINGTON, RKO sales manager at Sydney, has arrived in New York from the coast. He will stay here until the start of the sales convention at Chicago June 17.

M. H. AYLESWORTH and W. G. VAN SCHEMUS have not decided to go to the coast unless on first invites the other to be his guest.

CHARLES BOYER arrives in town today from the coast and plans to sail for Europe later in the week on the Normandie.

DICK FRANK, manager of the U. A. New Orleans exchange who came up here to visit his mother yesterday, has returned to the Crescent City.

RICHARD DIX will sail Wednesday for England where he is scheduled to co-star with CONRAD VEIDT in "The Tunnel" for G.B.

EDWARD GOLDFIN is planning to make a tour of all Republic exchanges following the Cincinnati regional June 7-8.

GEORGE GODSMITH is in Hollywood after picture talent for Broadway shows.

JACK BARNSTY sails on the "Staten Island" for a six months' visit to his brother in Holland.

GEORGE SOUBAS is moving his home from Mamaroneck to Long Island, probably around Great Neck.

M. H. HOFFMAN of Liberty Prod. is in from the coast. At the Park Central.

BUFFALO
NATE STEIN, who left here on a bicycle in 1922, returned recently as head of Cinemercial Advertising Co. of Hollywood. He is also an aide to JOHN W. CONSHIRN, Jr., M-G-M producer.

THOMAS BURKE, chief of the M.P. Division of the Bureau of Foreign and Domestic Commerce, talked to the Buffalo Kiwanis Club and Lockport Odd Fellows.

LOU BRESE, maestro at Shea's Buf- falo, is leading an orchestra at the Concert Hall, Niagara Falls, four nights a week.

Schaefer on Way Back

HOLLYWOOD, June 2—George Schaefer, Paramount general manager, left for New York today after conferences on new product with Henry Herbrum and Ernst Lubitsch.

Walt Disney: 4 Million

HOLLYWOOD, June 2—Walt Disney has won a jury verdict from the Superior Court for filing his answer to Frank Mastroy’s suit to determine whether Universal should pay his living expenses in New York while he was filling an executive post there.

Warners Half-Year Loss Is $133,515

(Continued from page 1)

of $119,736.75, an increase of $4,081.24 over the same period for the previous year.

The net profit from operations for the six weeks before amortization and depreciation of properties and Federal income taxes was given as $3,151,045.78.

During the period $754,214.32 was credited to deficit account. This represented a profit of $740,990.08 on operations and $13,224.24 of funds retired during the period and other items amounting to $13,224.24.

The cash balance sheet as of Feb. 23, 1935, shows total current assets of $18,848,333.85, including cash of $4,182,003.80. Current liabilities (other than mortgages and fund debt maturing within one year) were $12,494,411.48.

Cosmopolitan Plans Six, States Hatrick

(Continued from page 1)

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EXTRA SPEED

SUPER X "Pan" is much faster than regular Super Sensitive. Under normal conditions its extra speed gives definitely better shadow detail...general improvement in quality. And under adverse light it often means certain success instead of probable failure. Combining this great speed with startling fineness of grain, Eastman Super X marks a substantial advance in motion picture photography. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
Roosevelt May Ask a Special NRA Session

(Continued from page 1)

tories and wages of the organization during the interim. As things now stand, the NRA will go completely out of existence on June 16.

Thorough consideration of the matter has convinced Administration officials that voluntary codes will not answer the purpose, since they can be nullified by a very few members in any industry who refuse to abide by their conditions. Only a few states have recovery laws of their own and most of those will probably be found unconstitutional on the same ground of excessive delegation of power which nullified the national act. There would, therefore, be no way of keeping intrastate business in line.

Administration leaders point out that the submission of the legislation framed to meet the objections of the Supreme Court might be a matter of months, even years. The best results could be achieved by giving Congress a vacation while officials drafted new laws.

Minnicks Awarded $3,500

White Plains, June 2—Mr. and Mrs. Paul Minnick have been awarded $3,500 for damages sustained in the explosion in front of the RKO Theatre, Yonkers, several months ago. They sought $250,000.

Hammett Aids Stromberg

Hollywood, June 2—Dashiell Hammett has been made editorial aid to Hunt Stromberg at M-G-M with his first assignment being the adaptation of “The Foundry,” slated for Wallace Beery.

Skouras Takes the Glen

Skouras Theatres has taken over the Glen, Glen Cove, L. I., until recently operated by Jack Firk. Skouras also has the Cove and now operates both theatres in the town.

Wall Street

Most Off on Big Board

High Low Close Change
Columbia vte (c) 32 31 31 1/2 -1
Consolidated 33 1/2 33 1/2 33 -1/2
Cons. pd. (thru) 31 30 30 -1/2
Eastman 133 1/2 133 1/2 133 -1/2
Fox 17 1/2 16 1/2 16 -1/2
Loew's 35 34 34 -1/2
Paramount 14 33 14 -1/2
Paramount (p) 13 1/4 12 3/4 12 -1/4
Pathe 13 1/4 13 1/4 13 -1/4
RKO 13 3/8 13 3/8 13 -1/4
Warner 13 3/8 13 3/8 13 -1/4
Warner pd. 21 1/2 21 1/2 21 -1/2
Technicolor Down on Carb

High Low Close Change
Sentry Safety 15 3/4 15 3/4 15 -1/4
Technicolor 22 3/4 22 3/4 22 3/4 1
Bond Market Weakens

High Low Close Change
General Theatre Equip. 66 40 66 40 2 1/2
Paramount 13 5/8 13 5/8 13 -1/8
Orpheum 47 47 47 47 47 1/2
RKO 66 11/4 66 11/4 66 11/4
Warner 66 66 66 66 66 1/4
(c) Plus stock extras. (K and c) Paid this year.
(Quotations as at close of June 1)

No More Ladies

(M-G-M)

Hollywood, June 2—This modern, sophisticated comedy-drama paraded in swanky settings and sparkling with brilliant nonbalance affords Joan Crawford and Robert Montgomery intriguing, sympathetic and highly engaging roles. Irving Thalberg produced handsomely.

Joan and Robert decide to marry, knowing their personalities will cross-care. Miss Crawford believes herself strong enough to counteract, Montgomery, formerly philandering bachelor credited with starting a chain of broken hearts.

When Montgomery tarry in town, spending the evening with an old flame, Miss Crawford retaliates, invites all his former sweethearts for a week-end party, then leaves, going off with Franchot Tone. Tone, previously divorced because of Montgomery's peccadillos with his wife, brings Bob to his senses and reunites him with Joan.

On this pattern Director Edward H. Griffith has fashioned a production which swings gaily, surfaced with brittleness, undershot with heartlessness, Florida, cocktail bars, smart homes and fashionable restaurants are visualized.

Miss Crawford in this rises many notches as a finished actress, maintaining stylized pulchritude. The supporting cast of Charlie Ruggles, Montgomery's stumpy cousin, and Edna May Oliver, Miss Crawford's maid, were also excellent. Though the best results could be achieved by giving Congress a vacation while officials drafted new laws.

Report U. A. Heads Divide On Lichtman

(Continued from page 1)

Scheck's one-sixth interest which he states he would lose Friday if he presides keeping. It was pointed out here acquisition of that interest by any other U. A. owner would place two-thirds in the same hands and so upset the balance of power. On the other hand, a purchase of the Scheck interest could be talked of as a share among the other owners, thereby avoiding concentration of voting power in one firm.

Walter Waiger refuses to confirm or deny reports that he had been offered a producer post with U. A. A lengthy and remarkably protracted proposal for him to make six or eight pictures with finances guaranteed plus an option to buy into the distributing company after the year “sounded good to him.”

Emanuel Cohen, now in New York, is the lawyer who is reported flitting with U. A.

Emanuel Cohen could not be reached for a statement Saturday. He was away on a fishing trip.

Al Lichtman flew to Hollywood on Saturday.

Allied, RKO Smoke Peace Pipe in N. W.

(Continued from page 1)

ris and Detroit Lake exhibitors have authorized the board of governors of the Allied unit to represent them for one year in film sales deals with Radio. The New York decision came after it had been reported here that Minnesota Amusement Co. was willing to go along with the independent exhibitors in a refusal to play Radio product unless the Orpheum's policy was changed. Minnesota has contested that it was forced to adopt combination bargain shows at the State in order to meet the Orpheum's competition. It is expected to resume a straight film policy on June 13.

Affiliated Theatres Drop Stars from Ads

All use of star ratings or other similar system of artificial promotion will be eliminated from affiliated theatres' advertising matter on pictures released after May 1. A majority of the stars of the applies to all forms of theatre advertising, including publications, marquees, trailers, theatre fronts and lobbies, billboards and programs. It will not apply, however, on pictures released and reviewed prior to May 1. Exhibitors have the option of using the system of artificial promotion in advertising if they request permission to fictionalize scripts until the arrival of the delegates.

B. Shumiatsky, head of the Soviet film industry, accompanied by F. Ermler, director of "Shame" and "Murder," arrives here today on the "Normandie."
Roosevelt to Seek New NRA Legislation

Makes Intention Known; Critical of Court

By CLARENCE LINZ

WASHINGTON, May 31.—Sharply critical of all forms of entertainment in the NRA case as throwing the country back to "the horse-and-buggy stage," President Roosevelt today indicated that he would accept the challenge of the court and seek new legislation to save the gains made by the NRA act without violating the principles laid down this week by the nation's high tribunal.

What form the new legislation will take, it was indicated, has not yet been determined, but it was intimated that the Administration is less concerned with the NRA than with the effect of the decision on the AAA and other agencies, including the SEC.
A series of announcements from the White House, it was said, will deal (Continued on page 4)

Mascot-First Div. Talk Distribution

Negotiations are under way for First Division distribution for Mascot pictures next season, it was learned yesterday. Expectations are that the deal may be closed within the next few days, giving First Division the 24 pictures planned by Mascot for a new season production.
Nat Levine, head of Mascot, arrived from the coast by plane Thursday to (Continued on page 3)

Paris Amusements Shutdown Delayed

By PIERRE AUTRE

PARIS, May 31.—The complete shutdown of all film entertainment, which was scheduled here for today because of excessive taxes has been (Continued on page 3)

It Was Too Much

The March of Time was advised by wire from Columbus yesterday that clips of children bathing, which usually means in the nude, must be cut from the Russian sequence of the company's fourth release.

Schenck Says He Will Be Fox Studio "Coordinator"

Myers Advises Allied to End NRA Contacts

WASHINGTON, May 31.—Allied is advisory, its members that no independent exhibitor should sit or act on code boards, or pay assessments. They are also being warned Abram P. Myers, general counsel, that there is a question as to the validity of state NRA acts passed for the purpose of supplanting the Federal enactment.
At the same time Myers urges exhibitors not to reduce wages or increase working hours.
"The motion picture code, under the Supreme Court ruling, is to all intents and purposes dead because it is unnecessary," says Myers of his scheme (Continued on page 4)

Campi Scheduled to Hold Two Meetings

Campi is slated to hold two sessions next week. By request of the members, a special meeting will be held to discuss what action is to be taken for the continuance of the Code Authority and its various agencies (Continued on page 4)

Hamrick, FWC Pool Their Seattle, Portland Holdings

SEATTLE, May 31.—John Hamrick, independent first run operator here and in Portland, and Evergreen State Amusements, Fox West Coast subsidiary, have pooled their theatres in both cities.
The deal swings these Hamrick houses into the F.W.C. alignment: Orpheum, Music Box and Blue Mouse.Evergreen operates the Coliseum, 5th Ave., and Paramount. Hamrick recently returned from New York and has been busy with his lawyers since his arrival here.
Frank Newman, Jr., former manager of the Paramount, has been switched to the 5th Avenue. Herbert Sobolth goes to the Paramount where he replaces Harry Woodin, resigned. The Paramount has been deserted and has dropped vaudeville.

PORTLAND, Ore., May 31.—F.W.C. becomes the dominant theatre factor here through a pool just closed with John Hamrick. His three houses, the Music Box, Blue Mouse and Orpheum, now formandy augment Evergreen State Amusements, the F.W.C. subsidiary, which on its own operates the Paramount, Mayfair, Hollywood and Liberty.

Election on His Return—Schenck

London, May 31.—A new president for United Artists will be named after today, declared Joseph M. Schenck today. He said he did not know who his successor will be.
Schenck plans to leave here on the Normandie and is due back in New York on June 2.
He said under the arrangement with Fox the company's name in the future will be Fox 30th Century.

U. A. Moves to Fill Gaps in Release List

HOLLYWOOD, May 31.—Indicating United Artists owners propose losing no time in filling the gap created by the switch of 20th Century to Fox, negotiations are underway with three units for release through the company. Mary Pickford is authority for the statement.
She also admits that U. A. has been (Continued on page 2)

Will Keep His Holdings In U. A. and Remain Theatres' Head

By BRUCE ALLAN

LONDON, May 31.—Joseph M. Schenck will be the "coordinator" of Fox production under his new association which makes him chairman of the board of that company. He will also retain his holdings in United Artists.
In a press interview at the Savoy here today he made these statements and, at the same time, cleared up some of the mystery surrounding his sudden switch to Fox. In summary, he made it apparent that he proposes concentrating his personal activities on Fox 30th Century without relinquishing his substantial interest in United Artists.
Winfield Sheehan's status as vice-president in charge of Fox production continues without change, while Harry F. Zanuck, who is to be the new studio head, has been named director of the company. The president of the company, according to Schenck, is to keep the circuits independent and away from any domination by either Gaumont British or Associated British Cinemas.
Earlier reports which developed in (Continued on page 2)

20th Century Deal Enthuses Fox Men

CHICAGO, May 31.—News of the 20th Century alliance with Fox for next season was received enthusiastically (Continued on page 3)

173 Under Contract

Paramount has 173 players, writers and directors under contract. To collaborate on the company's 1933-34 schedule of 65 features, there are available 80 writers, 74 players and feature rank and 19 directors.
Schenck to Be “Coordinator” At Fox Studio

Wall Street

Eastman Paid. Gains on Big Board

High Low Close Change
Columb. vtc (150) 355 355 355 0
Consolidated 355 355 355 0
Cons., Pres. 355 355 355 0
Eastman 355 355 355 0
Fox “A” 1544 1544 1544 0
Paramount 355 355 355 0
Pathe “A” 9 9 9 +1
Laidlaw 34 164 164 0
Warner 355 355 355 0

Tecnicolor Off Slightly on Carb.

High Low Close Change
Technicolor 2354 2354 2354 0

Perra. F. L. Bonds Drop 2 3/8 Points

High Low Close Change
General Theatre 6s 61 61 61 0
6s 60 60 60 0
6s 60 60 60 0
Low end at 60
ww deb rights, 1014 1014 1014 0
Paragon 6s 54 54 54 0
Paragon 6s 54 54 54 0
55 55 55 0
6s 73 73 73 0
55 95 95 95 0
55 95 95 95 0
55 38 38 38 0
Warner Bond 6s 54 54 54 0
Warner Bond 6s 54 54 54 0

(Continued from page 1)

the speculation following his association with Fox that London Films and British and Dominions, both releasing product through United Artists eventually to be found allied with Fox, were discounted by Schenck’s comment that these companies definitely will continue their present releasing arrangements.

Insofar as the deal with the Deutsch and Donada interests is concerned, the plan provides for the current management to continue. Schenck or Maurice Silverstone, the latter U. A. managing director in England, will join the board. United Artists Theatre Circuit will supply the finances and United Artists, the distributing company, will benefit by additional outlets for its product.

Schenck also added that none of the United Artists personnel will join Fox.

Aside from his self-defined position as a production executive, he announced a big production expansion program for Fox in England, an ac-

tuality, on which, Schenck added, he will take charge of personally. Also, Fox, under this plan, proposes to finance independent producers, com-

nitting activity at the new studio as well as the B. & D. plant.

Twelve a Year Planned

Twelve a year will be made at a minimum of $400,000 a picture, which Schenck said he viewed as the min-

imum negative cost for the type of product he has in mind and all of

them will be aimed at the American market.

He was asked about Fox’s current production effort here when he declared quota films are not pictures. Until this phase of its domestic endeavors comes up, however, therefore, that Fox’s proposed

lay of the Wembly studio probably will not be ready until the fall.

Exactly what he had reference to was not amplified, but Schenck, at one point, made this statement:

“With trusties at hand, we may distribute through Fox, we would take British pictures from them.”

The speculation is that he was re-

ferring to the distribution of G.B. product through Fox in England, not in

America.

In the meantime, Motion Picture Daily learns United Artists’ sales-

men here have been instructed to pro-
cede with current negotiations for the company’s product announcement for next season. Gossip strongly links U. A. and Schenck with G. B. distri-

butors, Ltd., the company formed by C. M. Woolf, following his retirement as joint managing director of Gau-

mont, as a possible link between the company and the United Artists, and as

the Burgess agency.

United Artists producers are getting set for next season.

G. H. Cohn faces his business production year in many, “The Dark Angel” is before the cameras. In final stage of production is “Dreamland,” to be released by Dollar Bill,” and “Barbary Coast,” to star Miriam Hopkins. The story Rachel Crothers is writing for Miss Hopkins is reported nearing completion and will go into work as soon as “Barbary Coast” is completed. Charlotte Chaplin is first in some years in the editing stage.

Reliance will make four next year,

know promoter, will be the builder.

Schenck today admitted he plans to discuss production with Woolf.

Allied Artists, headed by Schenck’s London films appear tied in with the Deutsch Donada theatre; of course has five more to deliver on his current U. A. contract.

U.A. Moves to Fill Release List Gaps

(Continued from page 1)

negotiating with David O. and Myron Selznick to become producers.

David O. refuses to discuss the matter.

“I have nothing to say,” was his only comment. “I’m not saying boo to anybody; I have no idea what I am going to do.”

Before leaving for Portland to com-

plete his rounds, the baron promised Korda’s London films appear tied in with the Deutsch Donada theatre; of course has five more to deliver on his current U. A. contract.

“I don’t want to be president,” she said. “We have been negotiating with a powerful man in the industry to take over the presidency and believe he will join us. However, we will not have an announcement until next week from Monday.”

He predicted an expansion in U. A. during the coming year, saying that she would produce four pictures, in one of which she would star.

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Reliance will make four next year,
20th Century Deal
Enthuses Fox Men

By Michigan's Shores

(Continued from page 1)

CHICAGO, May 31.—President Sidney R. Kent inched and outed on the opening address at all the motors spinning concurrently at the Indianapolis Speedway and in every hotel radio.
+
CLYDE ECKHART, Chicago manager and one of the most to the convention, was all over the hotel, the old smile wider than usual, the old mitt working like a windmill, and the reason.
+
HARRY BUXBAUM bet a perfect card—five straight also ran—and decided that crack about man's best friend is a gag.
+
EARL W. HAMMONDS, J. H. SKIN- 
HALL, SOL EDWARDS and W. J. CLARK of Educational annexed the bridge championship, the special Chicago Peacock Alley seethed with vows of vengeance between sessions.
+
BILL S USSMAN and I R VING LINZER were given a rising, sitting and standing vote of thanks for the swell job done in making convention arrangements so well that they stayed, FOx is the password to everything the Congress offers and that's everything.
+
EARL WINGERT picked the winner in the last race and it paid $12.50 for every face on its nose to vindicate its advertising and publicity department's tradition that the show's never over while there's a one-sheet standing.
+
HERMAN WOBBER flew in from Frico and would like to fly back when the meet is over, but hasn't been able to make a deal as yet with the Chicago weather man, who's making up for all that rain he didn't turn on last summer.
+
WALTER BROWN of Federal Ross Service tells that Peacock Alley is renewing old friendships and distributing key to the city.
+
Cavanagh, Una O'Connor and Gloria Roy, Warner Hymer and Edward Pawley have been added to the cast of "The Lord's Reference" at the same studios.
+
Ties with Book Sales
HOLLYWOOD, May 31.—Production of "Thunder Mountain," Zane Grey story, to catch the peak of the book sale. Lesser will put his picture into work July 5. He estimates that the book, which has just gone on the market, will then be at its height of popularity. George O'Brien will play the lead in the production.
+
Robinson with Temple Again
HOLLYWOOD, May 31.—Bill will cast Bill Robinson in another Shirley Temple film.
+
Four Temple Tunes Ready
HOLLYWOOD, May 31.—Ray Henderson has completed four tunes which will be used in "Curly Top." Shirley Temple's next picture for Fox. Shirley will sing two of the numbers and do a dance routine conceived by Jack Donahue. The other numbers will be sung by John Boles, leading man, and Rochelle Hudson.
+
Mascot-First Div. Talk Distribution
(Continued from page 1)

discuss the deal with First Division and Pathe officials. Pathe has been working on a new financial setup for Pathe's local sales department. A report on completion it is reported that Pathe backing for Mascot may also figure in any new arrangement. The talks reached with First Division. Mascot, lathered to Consolidated Film, is doubling its production schedule next week. These new First Division exchanges may also be established if the Mascot deal is consummated.

It is understood that First Division may effect a reciprocal distribution deal with a British company in order to obtain foreign representation for the pictures it handles here.

Mascot Listing 24 Pictures
HOLLYWOOD, May 31.—Mascot has announced 24 pictures for next year, which will include four or five spe-
cials, 12 program pictures, eight musicals, five comedies, Gene Autry, and four 12-episode serials.

Tiger Talley, from Reginald Canada's "Mac" was the first special on the list with "Pocahontas," based on the life of the Indian girl, listed as second. "Down in Leatherland" and "You're on the Air" complete the list.


Nat Levine, Mascot president, put in a busy day here yesterday. He didn't have time to talk to anyone or submit to any interview, but promised to call all the editors personally when he had the time and something to talk about.

Paris Amusements
Shutdown Delayed
(Continued from page 1)

postponed until June 5 because of the present government crisis and the expected fall of the cabinet.

Organized branches of amusement— legitimate and film theatres, music hall, vaudeville spots, night clubs, sports exhibitions, dancing, skating, restaurants, cafes and orchestras—haven't been thrown out by the Schmidt act and will grow unless cuts are made in taxes. Since the move is a climax to agitation, the March session of Parliament it is expected in some quarters relief will be forthcoming from a new cabinet.

Seigel, Cohen Take Two in Philadelphia
Arthur Seigel and Max Cohen, operators of a local string of houses including the Harris, Selwyn, Prospect and Ritz, Bloomfield, N. J., yesterday took over two downtown Philadelphia houses.

Seigel, stepson of Albert Warner, will accept the same policies of deals at pop prices at the two New Quaker City additions.

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Roosevelt Will Seek New NRA Legislation

(Continued from page 1) with problems raised by the decision and possibly outline the steps to be taken to counteract its effects.

The need for new legislation today was seen as possibly keeping Congress in session throughout the month and nullifying the plans of leaders to have it adjourn early in July.

At the Capitol, where confusion still reigns, it developed that difficulties may be encountered in dealing with tax legislation. The effort is expected to push the legislation extending the Recovery Act, the Ways and Means Committee up to this week had found no time to consider the extension of the admission and other nuisance taxes. Since Monday the committee has been trying to determine the effects of the decision on legislation which was pending before it.

Compilers believe that they will be able to take up the tax bill during the week of June 10, which will necessitate quick action in House and Senate.

Campi Scheduled to Hold Two Meetings (Continued from page 1) throughout the country. On Thursday the regular session is scheduled to be held, but this is likely to be called off Monday.

No business can be transacted on Thursday unless plans are developed by Washington between now and then for continuing the code in a modified form.

Compliance Administrator Sol A. Rosenblatt is expected to fly from the coast in time for Monday's session. He is also due in Washington Monday and in this event may send Deputy Administrator William F. Farnsworth on to attend the special conclave.

Hollywood, May 31.—Denying emphatically that he will withdraw. Paramount, RKO or any other company, Compliance Administrator Sol A. Rosenblatt states he is here on a holiday visit for his sisters.

Rosenblatt insists he will return to private law practice on June 16, but reports persist in linking him with one of the major companies.

Casey Wants Facts Kept Hollywood, May 31.—In view of the Supreme Court's NRA decision, Pat Casey, studio labor contact for the producers, has asked all studios to continue to report along with the labor code provisions already applied in Hollywood. Until Washington advises regarding a new bill that it is understood is now being framed.

Acceptance of Casey's request is expected.

Brandt Appeals for NRA Scales With warning of increasing working hours and reducing wages in local theatres, Harry Brandt, president of the I.T.O.A., yesterday appealed to members and exhibitors at large to maintain conditions in force under the NRA. To emphasize the nature of the plan to adhere to the NRA schedule, Brandt stated he would continue without such a stoppage and wage scales in all of his 31 houses.

In the Sick Bay

Mort H. Singer, midwest circuit operator and partner of RKO, is ill at the suit the Warwick. He is expected to be out of bed in a few days.

Leo Kleinman is ill at his home. His illness is not regarded as serious.

Max Fellerman's son has recovered from a recent mastoid operation.

Richardson Lunch Guest Baltimore, May 31.—F. H. Richardson of Motion Picture Herald, was given a well abridged story with gingers at a luncheon at the Hotel Em-erson by William K. Saxton, Loew's city manager. Richardson gave a talk on projection.

To Make Lawrence Film London, May 31.—The trustees of the late Col. T. F. Lawrence, famous World War figure, have granted London Films permission to make a picture based on his career. Leslie Howard is being considered for the title role.

"U" Vanguard Leaves Joe Weil, exploitation director, and Andrew Shirked, assistant manager of Universal, left by plane for Chicago last night to prepare for the company's coming convention which opens at the Stevens Wednesday.

Richard Wallace Better Hollywood, May 31.—Richard Wallace, Paramount director who was injured in the Atlanta, Mo., plane crash recently, is convalescing at his home. He is expected up and about shortly.

Academy to Move Today Hollywood, May 31.—The Academy will move from its present headquarters at the Roosevelt Hotel to the Taft building Saturday. The organization will occupy the entire wing of the 12th floor.

The move is made necessary by the expiration of the Taft-Leopold contract and the need for more space for committee meetings. The Academy has been at the Roosevelt since 1930.

Loses Donat's Services London, May 31.—The Warners today lost their service of Robert Donat, Justice Goddard ruling the artist not under contract to the company.

The question involved was what company was to get the services of Robert Donat, whose popularity here skyrocketed with success of "The Count of Monte Cristo," Warners and Reliance both claimed him.

RKO Plans 2 Outings RKO has two outings set for next month. Indian Point is the destination in both instances, the first to be held June 17 and the second June 24.

Yesterday, RKA held a golf tournament on the Roebuck course at Tarrytown. Ned Depinet and Jules Levy represented RKO Radio.

Delay Color Suit Against San Francisco, May 31.—Attorneys for Leon Douglas, who is suing Fox for allegedly infringing of color patents, has secured an extension until June 5 in which to answer 35 interrogatories propounded by Fox attorneys. This is the fourth extension.

RKO Albee Drops Vaude For the first time since the house opened 12 years ago, the RKO Albee dropped vaudeville from its program last Thursday. Circuit heads have not decided whether to make the plan permanent or resume acts after the summer.

Myers Advises Allied End NRA Contacts (Continued from page 1) for continuing the present code by voluntary action without new enabling legislation would expose film industry to the gravest hazards. Independent exhibitors sitting on Code Authority do not consent to perform no act or deed under the code unless or until new legislation is passed.

"Also, independent exhibitors are under no legal obligation to obey any of the requirements of the code. Even in states having enabling acts it is believed that the legality of the codes makes such acts applicable only by the state. This view has been taken by the attorney general of at least one state. Further and more definite advice on this point will follow. Under no circumstances should exhibitors pay assessments to Code Authority for any period subsequent to May 27. In fact, it would be wise to withhold all payments until further notice. Additional action is that no exhibitor will reduce the wages of his employees or increase their working hours unless compelled to do so in order to continue to compete. According to registered for NRA have claimed great social and economic gains as a result of lower wages and higher profits of the code. These claims have been disputed, but should be given the benefit of the doubt. Certainly a decrease in employment and general down-payment from a general let-down in employment and wages would not be beneficial."

Waxman Has a Novel Yearbook for G. B.

A. P. Waxman has just issued a striking G. B. yearbook on the coming 16 weeks. Embracing the form of a brown leather folder desk pad, measuring two and a half feet in width and a foot and half deep. The pad is stamped in gold on the outside with the company's initials and its garbage margin.

Enclosed in the pad are 16 four-color photo-offsets of the stars of the features on heavy stock suitable for framing. The book contains 600000 words, reproductions from oil paintings by the portrait painter, A. Ginsberg, are of George Arliss, Walter Huston, Madge Evans, Conrad Veidt, Richard Dix, Robert Donat, Madeleine Carroll, Jessie Matthews, Claude Rains, Fay Wray, Boris Karloff and Lupe Velez.

Bank Night Goes to Court in Cleveland Cleveland, May 31.—Application has been made in Common Pleas Court here for a temporary injunction to prevent the Bank Night starring B. Horvitz Special, producing a bank night at the Haltworth. The action has been filed by Jerome Friedel, the bank's president. A hearing has been set for June 3.

The application is based on the contention that bank night is a lottery and unfair competition.

Flash Preview

No More Ladies—Strong marquees names, plus the genuine feminine appeal of a story about which the heart problems of the young married, give this high box-office rating.

This film will be released in full in a later issue of Motion Picture Daily.
Code Revival Is Abandoned By President

Sole Aim Is Continuance Of Skeletonized NRA

By BERTRAM F. LINZ
WASHINGTON, June 4.—Abandonment of all plans to revive codes was admitted today by President Roosevelt with the announcement he would seek only the continuance of a skeletonized NRA until April 1, next, for the gathering of statistical data on the basis of which, next session, Congress may be asked to enact new legislation on the industrial recovery program halted last week by the Supreme Court decision.

It was made known, however, that legislation to protect the gains of labor under the codes would be sought requiring all Federal purchasing agencies to place their contracts only with corporations or contractors who live up to certain "minimum requirements".

(Continued on page 18)

Trade Bill Sought As NRA Substitute

By CLARENCE LINZ
WASHINGTON, June 4.—Organization in the industry doing an interstate business would be subject to Federal control under the terms of a bill introduced in Congress today by Representative Stanley creating a Federal Commerce Control Commission to salvage and take over such.

(Continued on page 18)

Republic Heads to Cincy Meet Today

Republic's home office contingent, headed by W. Ray Johnston, president, consisting of Edward A. Golden, general sales manager; Edward Flynn, director of advertising and publicity; Norton V. Ritchey, president.

(Continued on page 4)

Mae Helps Bakers

Boston, June 4.—The popularity of Mae West's curves is largely responsible for an improvement in the bread and cake industry, declared William Heller, president of the New England Bakers' Ass'n., at the annual convention at Swampscott.

(Continued on page 5)

Otterson New Paramount Head; Zukor Is Chairman

"U" to Have 42 Features, 219 Shorts

CHICAGO, June 4.—Universal will release 42 features and 219 short subjects, including newsreels, next season. Its sales force which starts a three-day meeting at the Stevens tomorrow will be told on Thursday, James R. Grainger, general sales manager, who arrived from New York today, will divulge the lineup and conduct the working program of the convention. The feature schedule is an increase of two over this season's group.

The convention opens at 10:30 Wednesday morning in the Tower Ballroom when R. H. Cochrane, senior vice president, will make the opening address. Grainger then will take over the convention and give the detail of the 10 pictures yet to be delivered by the company on its current lineup.

(Continued on page 18)

Warner's Eastern Group Off Tonight

The Warner convention special leaves Pennsylvania Station at 7:05 P. M. tonight with the company's eastern delegation to the sales convention in Los Angeles June 10-23 on board. A. J. Dolan and Lyle Talbot will be on hand to speed the men on their way.

The train will make stops on route for the double purpose of picking up distribution and theatre men, and to

(Continued on page 17)

Theatre Merger Plan Up for Talks Today

Plans to merge about 150 local theatres into one large circuit will be discussed by the I.T.O.A. today at its regular meeting.

A meeting of New Jersey exhibitors to act on a similar plan will be called in about two weeks. The executive committee of Allied of New Jersey held a routine session yesterday, but the proposed theatre combination did not come up.

(Continued on page 4)

BIP to Jump Theatres to 300—Maxwell

B. I. P. plans to increase its theatre holdings in Great Britain to 300 by the end of the year. John Maxwell, chairman of the board, stated last night upon his arrival on the Aquitania. The company now has 240 houses and has 40 in various stages of construction throughout the country. About 20 additional theatres will be acquired, he said. Average cost of

(Continued on page 4)

Report BIP Again Refuses G. B. Deal

LONDON, June 4.—For the second time in recent months, B. I. P. is reported to have turned down an offer to buy Gaumont British. The latest bid was vetoed by John Maxwell, chairman of the B. I. P. board, about

(Continued on page 4)

New President Will Quit Erpi; Schaefer Stays As Vice-President

John E. Otterson, president of Erpi, was elected to the presidency of Paramount Pictures, Inc. and subsidiary companies at the first meeting of the new Paramount board of directors held yesterday, four hours after the formal election of the directors themselves.

Adolph Zukor, founder and former president of Paramount, was elected chairman of the board.

George J. Schaefer, vice-president and general manager, was re-elected a vice-president; Austin C. Keough, re-elected secretary and Walter B. Coakley, re-elected treasurer, a post he has held for the past two years.

H. A. Forthing, a new Paramount director, and American representative of the Royal and Liverpool British Insurance companies, was named chairman of the new executive committee.

Other members elected to this committee are John D. Heriz, former chairman of the Paramount finance committee and a partner in Lehman Bros.;

(Continued on page 4)

Pennsylvania House Passes Sunday Bill

HARRISBURG, June 4.—After a spirited debate on the floor of the House today the Schwartz-Melchiore-Barber bill to legalize Sunday films after 2 P. M. under a local option plan was passed, 120-80. Its friends believe it has a chance for passage in the Senate.

The bill requires each municipality to vote at the next general election.

French Cabinet Fall Halts Taxation Cut

PARIS, June 4.—French exhibitors seemed to be on the way to winning their fight for a reduction in taxes

(Continued on page 4)

Tops

The world's highest film rental terms, now in vogue in London, was made public by the Radio City Music Hall, are as follows:

Guarantee of $20,000 against the most per show revenue will be taken in excess of $65,000.

(Continued on page 4)
Insiders’ Outlook

MUCH might be written about the code and that which is to come. For once, at least, those in this business whose opinion carries weight are constrained to temper their points with caution in view of the indecisions which honeycombs the immediate situation arising from the Supreme Court’s recent decisions. In many quarters, however, there is a unanimity of thought on one basic observation: That a voluntary machinery, makeup currently unknown, is essential to keep the industry on some sort of an even keel and out of courts of law so far as this can be done.

On many lips is posed a question about the future. Nobody quite knows the answer, but significant about the state of flux which now prevails is the general lack of action in the courts. It is apparent that the need for an understanding control is a vital necessity. You get this on all sides and from spokesmen for interests which diametrically oppose each other. This attitude is important in that it demonstrates a desire at the outset to attempt to harmonize difficulties and to reduce them through a mechanism designed for such a purpose.

Straws in the wind as to date are two. One developed at a meeting of national sales managers last week when the consensus of opinion as expressed to Will Hays struck out for continuance of standard contracts or the setting up of such clauses in the late code. Coupled with that was the unofficial intention of keeping in effect the ten per cent cancellation clause which developed from code formulation in Washington. The second marker happened as recently as Monday, when Campi met and ordered itself to liquidate. While the statement issued following the meeting made no mention of the fact, an interesting development pivoted around the decision, again informal, to canvass the revisions of the industry through out the United States with the potential ultimate objective a code document voluntary in concept and in execution.

As unsatisfactory as the code has been in much of its functioning, we argue today that its benefits, accruing from certain of its clauses, were sufficient to make control a control which the industry would do well to maintain in a form to be determined. Exhibitors who had complained of overhanging have been relieved in many instances; the record shows that. Unfair clearances have been shortened in others; the record reveals that, also. Some vauricious exhibitors have been stopped in what would have been theft of their properties; the theatre lease clause of the code took care of that. Premature advertising has been halted by the ultimate and practical advantage of prior notice. The ten per cent cancellation clause, excoriated and lambasted as it has been, at last went beyond anything in calumny to the industry prior to the NRA. •

The code has been criticized largely because its purpose was too rarely clearly understood by the rank and file. When the Code Authority was found to be predominantly representative of the majors and effectively, in many quarters, echoed across the land and back again. What was overlooked almost entirely was the concept of the NRA, which at no point provided for either procedure but the retention of major control through code authorities in the hands of the majority interest, who had it anyway. It is true that the independent had to build up the argument that, in toto, they outstripped the majors in point of investment and holdings. It is also true, unless this memory has taken more than a usual turn for the worse, that the thesis was never proved.

With the majors, directly and indirectly through affiliated exhibitor membership the big noise that the NRA was coming on the scene after becomes more understandable. It is fair to point out at the same time, however, that there are many instances of decisions which ran counter to what might be viewed as the interests of the dominant group. Whereas the code, as such, was loosely and falsely viewed as the answer to all of the difficulties in this industry, its purpose and, in fact, the idea behind it were not that at all. The code, all through its history, was viewed as a step toward more understanding and more harmony, but only a step. The evil should be dropped, but the good continued for the benefit of the whole, and, if possible, enhanced.

Move Drew to Coast

Kansas City, June 4—Pat Drew, Paretsky's right-hand man in the TWA “Sky Chief” crash last week, has been finally taken from the Samaritan Hospital, Macou, Mo., and moved to his home in Los Angeles. The police have dropped a search for the missing man who was last seen就诊in the hospital further to recuperate from his injuries. Accompanying him are his wife, Ollie, from Staten Island, and Dr. B. Strathern, Paramount studio doctor.

Baseline Sailors to Produce in London

Jack Birdy, president of the British and Continental Trading Co., Ltd., controller of the newly-established London subsidiary, who was in service as the export field, sailed for Europe on the Starboard yesterday morning to procure new talent for London. He will be gone five months.
HOW LONG IS A CITY BLOCK?

St. Louis found out with M-G-M's "PUBLIC HERO No. 1" and so will YOU!

As Predicted!

PUBLIC HERO No. 1

Tops Them ALL!

Block-long lines an hour before opening. (Starting as early as 9 A.M.) Greatest Thursday opening in two years. A picture to exploit! You can clean up just as St. Louis and Bridgeport are now doing in the first two engagements of the industry's new box-office sensation!

SHOWMEN! ROLL UP YOUR SLEEVES AND WATCH THE DOUGH ROLL IN!
Otterson, 54., Was Long in Navy; Erpi Head Since '28

Born in Allegheny, Pa., on March 29, 1881, John Edward Otterson, elected president of Paramount yesterday to succeed Adolph Zukor who was named to that position on the board, was graduated from the U. S. Naval Academy at Annapolis, Md., in 1904 and from the Massachusetts Institute of Technology in 1900.

From 1900 to 1915 he saw service in the navy. At the time of his retirement, he was a naval constructor with the rank of lieutenant. For the next six years he served with the Winchester Repeating Arms Company, being president at the time he left the company to join the Winchester Simmons Co. as president.

In 1924 Otterson became associated with Western Electric, of which he was general commercial manager for three years, later he became vice-president and a director of Erpi. He was elevated to the presidency of Erpi when the film company entered upon the first phases of its sound era.

He is also president and director of one of the international subsidiaries of Western Electric.

Otterson likewise is a director of the General Electric Co.; American Arbitration Ass'n, New York; New Haven Hospital and the Boston Chamber of Commerce, and is a member of the U. S. Naval Institute, Navy Athletic League, and Massachusetts Institute of Technology Alumni Ass'n.

Jersey's Sales Tax
Not to Hit Theatres

Taxナー, N. J., June 4—The Senate today passed the two per cent sales tax, sending it to Gov. Harold G. Hoffman. A last-minute effort to add a provision to the bill to give admissions a tax-free status was voted down and all admissions are exempt.

A coalition of 10 Republicans and three Democrats passed the bill, expected to yield $20,000,000 annually for emergency relief.

French Cabinet Fall
Hails Taxation

(Continued from page 1)

today when the fall of the new cabinet dealt a fresh blow to their hopes of obtaining more equitable taxation.

The new French Finance Minister, Joseph Galliart, had predicted just before the collapse of the cabinet a decree would be made granting a reduction of about 50 per cent in the so-called papier tax and about 25 per cent in the state income tax.

Samuel H. Kusell Dead

Samuel H. Kusell, father of Milton H. Kusell, of Paramount, died last night at his home in Larchmont. Funeral services will be held at 11 o'clock today at the Gehlert & Meisler Church in Larchmont.

Kusell was 75 years old. Death was due to heart trouble. He is survived by his widow, three sons, Milton, Daniel and Buddy, and one daughter, Sally Holden.

George Lane Passes

George Lane, studio manager of Fox Movietone News, died yesterday at the Post Graduate Hospital after a long illness. He was a veteran of eastern production, having worked in various studios for the past 30 years. He was at 14 W. 36th St., New York, the week before last, and at the Bronx. Funeral arrangements have not been made as yet.

BIP to Jump Theatres to 300—Maxwell

(Continued from page 1)

each new theatre will be around $250,000. Seating capacity will average 2,000.

Maxwell's purpose in coming over is to decide on the company's future policy. A former Dufur Theatre manager, as general manager, has been here for the past two weeks making a survey for Maxwell who will make the final decision. B. P. is planning to sell $4,000,000 to $5,000,000 annually on production. Maxwell contemplates going to Hollywood on an search for talent.

He plans to be here about three weeks, returning to England with Dufur.

Maxwell said this was his first trip in four years. He added business with the company is "very good." B. P. plans to make 25 pictures this year. Pictures will be released under the invitation to a "Waltz," "My Heart's Delight," "The Dubarry," "Old Heidelberg" and "Music of Charms."

Report BIP Again
Recuses G. B. Deal

(Continued from page 1)
six weeks ago, it is learned on excellent authority.

Fox holds 49 per cent of the G. B. stock, the Oster Brothers control 49 per cent and Lord Lee of Farestan has two per cent, which is regarded here as the controlling vote.

It is stated that if G. B. sold, Lord Lee would swing his votes with the film company. B. P. is not interested in the competing company and is rapidly increasing its production costs and its theatre circuit.

Republic Heads to Cincy Meet Today

(Continued from page 1)
of Republic International Corp., and Miss Madeleine Winton, who is president. Mr. Johnston, leaves here today for Cincinnati for the company's two-day sales convention at the Netherlands Plaza. The meeting is scheduled to open Friday and close with a banquet Saturday.

Trem Carr, vice-president in charge of production, leaves Hollywood tonight for Cincinnati by plane.

Twenty-six of Republic's 39 exchanges will be represented at the meeting, including Robert Witthers of Kansas City, manager of the Midwest Film Exchange; C. A. Schultz of Midwest and also of Commonwealth Corp.; C. M. Parkhurst, Lester F. Meigs, William W. Ringle, John E. Troxall, F. E. Judde, and J. C. Collins, the last three named coming from Omaha.

Trem Carr, following the Cincinnati meeting, Golden will work his way westward, winding up on the coast on or about June 21 for the two-day meeting in Los Angeles that is now scheduled in place of the one originally set for Salt Lake City at that time.

Hold Australian Lead

American pictures are maintaining their leadership in the favor of Australian theatre patrons, John E. Kenebeck, Paramount managing director in Australia and New Zealand, who is here on his first visit to the home office in five years, reported yesterday.

Kenebeck said that admissions were maintained on their usual levels throughout the summer in Australasia. 1,100 theatres and New Zealand's 350, and that with the economic recovery in both countries receipts are now again normal. He favors a bill that would give to other forms of competing popular entertainment in his territory, films were by far the leading amusement of the masses.

Kenebeck leaves for the west coast in about two weeks on his return trip to Sydney.

Para-Dent Deal On

Negotiations for a new operating agreement for Paramount's Salt Lake City theatres are under way here between Paramount's theatre head, and Louis Dent, the present operator of the Salt Lake houses. Dent arrived early this week for the conferences.

Domingo in New Post

Boston, June 4—Ben Domingo, manager of the RKO Bijou, has been made manager of the RKO Keith. He replaces Bert Hensel, who has resigned because of ill health.
The Vanguard of the Oldest Company's Greatest Line-Up

Universal 1935-36
BLUEBEARD'S EIGHT WIVES

STARRING THE GREAT KARLOFF

THE PRIVATE LIFE OF THE MOST FABULOUS HUSBAND OF FANTASTIC HISTORY!
MARGARET SULLAVAN
PRODUCTIONS

UNIVERSAL'S GREAT STAR AT HER BEST!
IN TWO REALLY BIG STORIES TO BE
SELECTED FROM SIX TOP-NOTCHERS NOW
UNDER CONSIDERATION... BOTH IDEALLY
SUITED TO HER CHARMING PERSONALITY
AND REMARKABLE TALENT!
THE GOVERNOR

THE FIRST WOMAN GOVERNOR OF HER STATE . . . AND THE FATHER OF HER CHILD CONDEMNED TO DIE FOR MURDER!

NINA WILCOX PUTNAM'S SOUL-STIRRING STORY
Dracula's Daughter

MORE SENSATIONAL THAN HER UNFORGETTABLE FATHER!

FROM PALACES OF QUEENS TO JUNGLES OF AFRICA...HE PLAYS THE WORLD'S MOST DANGEROUS GAME!

EDMUND LOWE

The GREAT IMPERSONATION

FROM THE MAGAZINE SERIAL AND BEST-SELLING NOVEL BY E. PHILLIPS OPPENHEIM
Carole Lombard

in FAITH BALDWIN'S
COSMOPOLITAN MAGAZINE
STORY

SPINSTER DINNER
(TEMPORARY TITLE)

STARTS WITH A BANG!
BLAZES LIKE WILDFIRE!
ENDS LIKE A CYCLONE!

The

HANGOVER MURDERS

From this year's best-selling
mystery, by Adam Hobhouse
A Carl Laemmle, Jr. Production
NEW, BEWITCHING AND GOLDEN-VOICED
SINGING STAR! SHE'LL LIFT AUDIENCES' HEARTS HIGHER THAN HER HIGH C's!

MARTA EGGERTH

Song of Joy

THE BREAK OF HEARTS BEHIND THE SCENES OF THE ROARING MOB!

WHILE the CROWD CHEERS
CHESTER MORRIS IN

KING SOLOMON

OF BROADWAY

FROM THE STORY BY

ALBERT J. COHEN and ROBERT SHANNON

Fast and Furious

GAYER THAN LIFE!

BOLDER THAN LOVE!

PACED WITH THE SPEED
OF UPROARIOUS FARCE,
THE ZIP OF MADCAP
ADVENTURE, AND THE
ZEST OF YOUNG LOVE!
EVERY WOMAN WILL WANT TO KNOW
AND EVERY MAN WILL WANT TO KNOW
WHAT THE BOY FRIEND DOES ON
AND WHAT HE OUGHT TO DO ON
HIS NIGHT OUT
HIS NIGHT OUT

EVERY YORK TURNS TOPSY TURVY WITH EXCITEMENT
WHEN THREE OF THE TOUGHEST BOYS FROM HELL’S KITCHEN
“ADOPT” THE RICHEST SOCIETY QUEEN ON RECORD?

"HIS NIGHT OUT"

Starring
EDWARD EVERETT HORTON

Based on Henry Irving Dodge’s
famous play, "SKINNER’S DRESS SUIT"
36 FEATURES
6 BUCK JONES FEATURES
4 SERIALS
27 TWO-REELERS
52 ONE-REELERS
104 NEWSREELS
That’s UNIVERSAL FOR 1935-1936
and...

DON'T FORGET!

UNIVERSAL ENDS ITS CURRENT SEASON IN A BLAZE of GLORY

WITH...

HITS HITS HITS
MARGARET SULLAVAN in "NEXT TIME WE LIVE" from Ursula Parrott's latest novel

IRENE DUNNE in JOHN M. STAHL'S PRODUCTION OF "MAGNIFICENT OBSESSION" from the big best-seller by Lloyd C. Douglas

WILLIAM POWELL in "MY MAN GODFREY" temporary title from the Liberty Magazine serial by Eric Hatch

HOWARD HAWKS' Production of "SUTTER'S GOLD" from the Epic Novel by Blaise Cendrars adapted by Gene Fowler

IRENE DUNNE in Edna Ferber's "SHOW BOAT" music by Jerome Kern...Directed by James Whale a carl laemmle, jr. production
Shumiatyksy Says Russian Films Have to Be Tripled

Bows to Make Shorts
Major Edward Bowers is negotiating to make a series of shorts in the coming fall. It is expected that he will feature amateur radio talent. The deal is expected to be closed within a day or two.

Friedman to WMCA
Zach Friedman has resigned as manager of the Fort-Brooklyn to organize the WMCA Artists' Bureau. Friedman is a popular and unknown talent. He is expected to be succeeded by a popular predecessor to take over his former duties.

Looking 'Em Over

“Dance Band” (Alliance)
This is a pleasing little musical, unpretentious by comparison with Hollywood’s lavish revues, but succeeding in sustaining a light entertainment that is appealing throughout. It is expected that the romance of two band leaders—girl and boy—and the obstacles to it presented by their professional rivalry, is as slight as the theme of any musical, but it serves as a suitable background for songs, dances, comedy and the display of Buddy Rogers’ and June Clyde’s voices and syncopation.

Rogers, as the band leader whose professional skill and good fortune contrast sharply with his romantic passion of Miss Clyde, the leader of a girl’s orchestra entered in a band contest against him, appears to good advantage under the direction of Marcel Varnel. Miss Clyde, similarly well cast, is at her best in the musical numbers. The remainder of the cast consists of a group of dancers, occasionally, leaving something to be desired. Photography is good.

The picture should be a good contribution to any double feature program. Previewed without production code seal. Running time, about 75 minutes. “G.”

MOTION PICTURE DAILY
Wednesday, June 9, 1935

Purely Personal

CHARLES BEAHAN has opened his own office in New York out of which he will represent authors and actors. It is reported he has placed ALAN BAXTER with Walter Wanger Prod., on a four-year deal calling for two pictures yearly.

WILLIAM GORGET, general manager of 20th Century, changed his transportation medium yesterday and left for the coast instead of by plane.

NORMA TALMADGE, George Jessel, Miss Ben Thohey, the former RUFUS URIEMER; and Mrs. JOHN W. ALLCOTE left for the coast yesterday by train.

E. A. SCHILLES is in town from Atlanta, a week ahead of schedule. The Lee T. Glennors will be in fine conversational form at lunch on Monday.

MARCELLE CHANTEL, French actress, leaves for the coast today to make a screen test for M-G-M and 20th Century. If the tests are successful both companies will sign her.

GUY and MRS. PEARCE arrive in town today en route to the G. B. studies where they will continue their work as makeup experts.

RUFUS LE MAIRE, M-G-M talent scout, left for the coast by plane yesterday.

... Atlanta

George Jones, for several years office manager for Vitagraph here, has been named office manager for Arthur C. Bromberg Attractions, distributors in this section for Republic Pictures. William Haies succeeds him.

P. H. SAYIN, for several years office manager for Vitagraph, named general manager for the company covering exchanges in Atlanta, Tampa, Fla.; New Orleans, La., and Charlotte, N. C., with headquarters in Atlanta.

IRE KATE, who recently sold his Montgomery theaters to R. B. WILAY, has bought KP Theatre here from GEORGE CAMPBELL. It is a suburban 400-seater.

Bach Back from England
W. A. Bach, president of Audio, arrived last night on the Aquitania after a two weeks’ trip to England where he dealt with Lyric Tea Co. to make an industrial reel for exhibition in Great Britain.

Bach stated the English are giving the “Mozartian” series a wonderful reception. He anticipates making 12 more for the new season.

Universal’s general European manager was on the boat enroute to Chicago to attend the company’s sales meet.

Lauds Hays on Radio
Los Angeles, June 4.—Mrs. Leo B. Hedges, film chairman of the California Federation of Teachers, praised Will Hays tonight in the first of a series of radio broadcasts. The film board, she said, has improved under his guidance.
U" to Have 42 Features, 219 Shorts

(Continued from page 1)
This group includes "Show Boat," two with Irene Dunne, a John Stahl production, and "Welcome," with William Powell. Wednesday afternoon, he will discuss expectations for the remainder of the 1934-35 season. Edward Arnold, star of "Diamond Jim," which is to be "U's" last off picture for next year, is making a special trip to Chicago as a convention surprise. He is due Thursday and will be the guest at a luncheon that day as well as at a dinner which Universal will give local newspaper men that night.

On Friday, Carl Laemmle, Sr., will address the convention which will terminate in time for the conventioners to leave for their respective cities by early afternoon.

Several home office executives and field men were concentrating here tonight for the sounding of the opening gavel Wednesday morning. The list includes:


Canada

The official program follows:

Wednesday
10:30 A. M.—Welcome by R. H. Cochrane, 11 A. M.—Anouncement of sales price to be announced by J. B. Grainger, 12:30 P. M.—Luncheon and address by Carl Laemmle, Jr., 2:30 P. M.—Plant operations and general discussion by Grainger.

Thursday
9 A. M.—Screening of trailer, 10:30 A. M.—New product announcement, season of 1935-36, by Grainger, 11:30 A. M.—Announcement of sales price to be announced by J. B. Grainger, 12:30 P. M.—Luncheon and address by Carl Laemmle, Jr., 2:30 P. M.—Announcement of sales policy by Grainger, Discussion.

Friday
10:30 A. M.—Concluding address by Grainger, Important angles, new product and sales policy, Noon—Address by Carl Laemmle, Jr., Official closing.

Trade Bill Sought As NRA Substitute

(Continued from page 1)
of the NRA as remains valid under the Supreme Court decision.

The measure would declare interstate commerce to be a public utility and impose an excise tax of one dollar on every enterprise engaged therein. All enterprises using the mails or any form of interstate transportation or communication would be required to register with and secure a license from the commission.

The commission would have the authority to impose regulations for the conduct of businesses subject to its control, but no effort would be made to control or regulate enterprises engaged solely in intrastate commerce, held by the court to be beyond the reach of the Federal government.

In addition to the measure introduced by Stanley, Representative Connolly of Massachusetts announced he would introduce a bill tomorrow also requiring licenses but with the further requirements that licensed establishments observe the 30-hour week and pay specified minimum wages.

To Report on Coast Cuts

Los Angeles, June 4.—The local labor boards have received instructions from NRA headquarters in Washington to file the names and addresses of all employers trying to extend working hours and reduce wages, according to R. L. Haywood of the operators' union following a general labor meeting yesterday.

To date there have been no wage reductions or hour extensions in the exhibiting field or any effort to change the NRA scale by independent exhibitors. However, there have been complaints over the loss of NRA protection against the flood of bank night and other giveaways.

Another labor rally is scheduled here for June 13 at Trinity Auditorium. All affiliated stage and screen craft organizations are expected to attend.

Leonia Suit Is Delayed

Hearing on the Adams Brothers' suit for an injunction to restrain Fox from releasing pictures to the Leonia, ahead of the Park Lane, Palladium, the court did not hear the arguments of the parties.

Wall Street

Small Gains Mark Big Board

High Low Close Change
Columbia, v/c (4s) 3745 36 3851 +96
Consolidated ....... 39 39 39 +0
Conns. pfd (15s) .... 1454 1454 1454 +1
Eastman ......... 123 123 123 +0
Fox "A" ........ 1576 1576 1576 +1
Fox "B" ........ 3306 3306 3306 +1
Katz ......... 374 374 374 +1
KKO ......... 2 2 2 +0
Warner .... 546 546 546 +1
Warner, pfd .... 23 23 +1

Technicolor Hits New High

High Low Close Net
Technicolor ....... 29 2976 2976 +91

Bonds Show Small Gains Net

High Low Close Change
Common Theatre Equip. 6s 100 ct 1294 12 1294 +2
Keith 6s 46 80 804 +116
Paramount 6s 51 45 454 +41
Paramount 6s 47 88 854 +16
Paramount 55 8 894 874 +2
Ward Bros. 6s 59 64 645 636 +1

(Continued from page 1)

Code Revival Is Abandoned By President

(Continued from page 1)

which, the President said, would be the hour and labor provisions of the codes.

The effect of this will be that any producer or distributor who hopes to sell films to any Federal agency will have to retain the labor provisions of the film code.

Although the President did not comment on the matter, there were indications that resort may yet be had to the Federal Trade Commission's trade practice agreement plan to enable such industries as desire to retain such of their code trade provisions as would not run afoul of the anti-trust laws to do so. It is not likely, however, that any legislation would be sought this session either to extend the scope of these agreements or to cover them with the anti-trust law exemption by which they were protected while in the codes.

The only other legislation on the matter expected to be sought this session is the approval by the House of the first paragraph of the Clark resolution passed by the Senate May 14, extending the NRA for nine and one-half months. The provisions of this resolution applying to codes will be eliminated.

The President made it clear no effort would be made to enforce any of the provisions of the codes. "It should not be assumed by any person," it was declared in an official White House statement, "that this proposed continuance of the National Recovery Administration, in skeletonized form, relates in any way to the enforcement of working conditions or fair trade practices formerly existing under the codes. All such requirements were eliminated by the Supreme Court decision."

The legislation planned by the Administration, it was admitted, "does not make such progress toward obtaining the ultimate objectives of the standards for the working population of America nor for national standards which seek to protect honorable employers against the unfair practices of less honorable competitors."

Pivotal Figures at "U" Convention

Carl Laemmle
President

B. H. Cochrane
Vice-President

J. R. Grainger
Gen'l Sales Mgr'

F. D. Cochrane
Advertising Chief

Wednesday, June 5, 1935

MOTION PICTURE DAILY
There's no doubt about it—
DOUBLE YOUR AD BUDGET—
AND YOU'LL TRIPLE YOUR PROFIT
with Will's most hilarious hit!

WILL ROGERS
in
"Doubting Thomas"

A B. G. De Sylva production

with BILLIE BURKE
ALISON SKIPWORTH
Sterling Holloway • Gail Patrick • Frances Grant
Directed by David Butler • Screen play by William Conselman
From the play "The Torch Bearers" by George Kelly
Adaptation by Berleant Connack

YOU HAVEN'T A SHOW WITHOUT FOX
He's Dizzy!...He's Daffy!...He's Box-Office!

J O E    E.    B R O W N
in "ALIBI IKE"

Another proof that Warner Bros. have plenty on the ball this summer!
"U" to Retain Code Features
In Contracts

Chicago Convention Gets
News from McKay

CHICAGO, June 5—Universal today made public its intention to retain in its exhibition contracts all of the rules, provisions and specifications in augurated under the NRA code, the sole change contemplated being alterations in the text to eliminate dictation and specific mention of the code itself. Presumably, this means Universal will continue the 10 per cent cancellation clause among others.

Announcement of the company's policy was divulged by Willard S. McKay, general counsel, as the company swung into the opening day of the convention yesterday.

End of Basic Wage Deals
Brings on New Move

With the public hearing on the operators' basic wage scale in Washington having been called off, members of Local 306 are expected to ask for local autonomy for the union.

The I.A.T.S.E. has been representing the local at various conferences held with circuits and independent exhibitors, but now that the scale situation is wide open and free from NRA jurisdiction, projectors feel that the union should be turned over to the members again for operation. At a meeting of the membership about two weeks ago, the local autonomy angle was discarded in favor of (Continued on page 10)

Taxes May Be Used
In Federal Control

By BERTRAM F. LINZ
WASHINGTON, June 5.—Resort to the government taxing power as a basis for a new code system was under consideration at the Capitol today as members of the House Ways and Means Committee began consideration of the legislation for continuation of the skeletonized NRA asked yesterday by President Roosevelt.

Indications are that a new measure would go farther than contemplated (Continued on page 10)

Settlement Talked
In Fox Color Suit

SAN FRANCISCO, June 5.—A possible out of court settlement of the color infringements action brought against Fox Film by Leon Douglas was revealed today by attorneys for Douglas.

The fourth extension of time for the answering of interrogatories filed by Fox attorneys expired yesterday, giving rise to reports of a possible settlement which were verified by the Douglas attorneys.

Cal. Senate Passes
3% Sales Tax Bill

SACRAMENTO, June 5.—The California Senate has passed a new sales tax bill raising the rate from the present two and one-half per cent to three per cent, with foodstuffs exempt. It is anticipated the measure (Continued on page 4)

Eyebrows Up
M. H. ("Dee") Aylesworth, president of NBC, and William Paley, president of CBS, lunched at "21" yesterday and, from time to time, were serious about it. Film men in the same emporium at the same time raised their eyebrows, then lowered them when they learned the two broadcasting moguls had a habit of breaking bread often.

Zanuck to Be
One of Big 3
In Fox-20th

HOLLYWOOD, June 5.—The revelation that he will be one of the big three in the Fox-20th Century combine, together with Joseph M. Schenck and Winfield Sheehan, was made by Darryl Zanuck today upon his return from his Alaskan hunting trip. Fox and 20th Century, he said, will be one unified company with Schenck chairman of the board, Sidney R. (Continued on page 2)

SEC to Rule Upon
Non-Salary Reports

WASHINGTON, June 5.—Decision as to the action to be taken in the case of corporations filing registration applications for their securities, in which information as to salaries was withheld, will be reached by the Securities and Exchange Commission in the near future, it was learned today.

The commission will probably (Continued on page 10)

Loew-Momand Claim
To Get New Hearing

A motion asking leave to liquidate the claims of E. M. Loew of Boston and A. B. Momand of Oklahoma, which were filed against Paramount in the company's reorganization proceedings, was set for hearing on June (Continued on page 4)

Floods Hit Theatres
In Western Section

DENVER, June 5.—Theatres in Colorado and Nebraska were hard hit by the recent floods. Lack of film closed (Continued on page 10)

E. S. Bloom to Head Erpi As Its President

In Otterson Post; To Be Announced Soon

Edgar S. Bloom, president of Western Electric, an American Telephone and Telegraph subsidiary, is slated to succeed John E. Otterson as president of Erpi.

The step has been agreed upon, but will not be submitted for formal action until the board of Erpi meets, which may be in about a week. Bloom, an old-time telephone man, was once-timer president of the Missouri Bell Telephone Co. A successor to his post at W. E. has not been determined upon so far as could be learned yesterday.

It was unofficially reported that his Erpi appointment will in no way affect his current duties and that he may continue as president of both companies although this procedure was viewed yesterday as running contrary to the telephone company's thoughts on corporate procedure for its subsidiary and affiliate companies.

Otterson, who was elected president of Paramount on Tuesday, will assume his new post June 17. In a brief statement issued yesterday, Erpi made it clear that he would resign all posts with Erpi and with the Bell System.

Decentralizing Two
Fox Theatre Units

That a move is on foot to decentralize the operations of Fox Midwest and Fox Rocky Mountain was learned here yesterday. Elmer C. Rhoden, operating head of Fox Midwest, and Rick Ricketson, in charge of Fox Rocky Mountain, have moved a step toward decentralization.

Ontario's New Tax
Is Passed to Public

TORONTO, June 5.—The new amusement tax went into effect Saturday with exhibitors showing a 100 per cent front in following their pledge to

One-Fourth of New
Para. List on Way

HOLLYWOOD, June 5.—Paramount already has one-fourth of its 1935-36 schedule in work, the studio states.
Purely Personal

E. R. GOURDEAU, head of Inter-

world Films Studios, London, ar-

arrives on the Georgic, June 9. He is 

bringing with him several pictures, in-

cluding the one BUSTER KEATON made 

for the company last year. While here 

he will buy some American films for 

distribution abroad and make his head-

quarters at J. H. HOFFERBRG's office.

M. H. AYLESWORTH, BILLY PALEY, 

HERB YATES, NEF DEFIMIN, JACK 

CONNOLLY, MARTIN QUELLE, PHIL 

REIDMAN, HERMAN ROBINS, SAM 

DEBROW, Jr., and JOE VOGEL did their 

lunching at "21" yesterday.

EDWARD ARNOLD has finished work 

in Universal's "Diamond Jim" and is 

headed this way on a vacation. ED-

WARD SUTHERLAND is also en route 

for a vacation from the same studios.

Quip of the Day

"Now that the buying season is setting in, there's the reason this 

year I'm getting up 'riders' to go on all contracts I sign. 

So say Mr. Shably, Holly-

wood's, sharpening his pencil.

"My 'rider' to start will insist 

NO FIRST RUNS for my picture. 

Why should I rent my house as a try out theater? 

I'm running a proving ground. 

"Let other exhibitors test the picture 

and give the public—me—satisfaction with the cream."

SIDNEY SAMUBILIN, president of 

national Allied, is back from his 

motor trip which began following the 

recent Atlantic convention. Has piles 

of mail to clear away.

ADOLPH ZUKOR and JULES E. 

BRULATOUR held an extended con-

ference in front of the Paramount 

building, which was brought about by 

all and sundry could see.

DICK BRADY, the old Eastman 

Kodak man, has an European trip 

beneath him. TED CURTIS, same 

company, is due back about mid-June.

PHILIP FOSTER is on her way here 

by train from the coast to fulfill an 

engagement on the local stage. She's 

been under contract to M-G-M.

HERS SHUMATSKY and F. EMRER, 

Russian film directors, were conducted 

through the Music Hall yesterday by 

W. G. VAN SCHMID.

FRANK BORZAGE, in the east shoot-

ning scenes for "Anchors Aweigh," is 

still on the Warner for a day or so.

AL JOLSON and LYLE TALBOT are 

at the foundry of "Oil for the Lamps 

of China" at the Strand last night.

LORETA YOUNG is due in New 

York the latter part of the week on 

her way to Europe.

FLORENCE RYAN and RUTH 

HOEHTH, secretaries to SOL LEESER,

are in town for a brief vacation. They 

attended the Fox convention in 

Chicago with LESER, who returned to 

Hollywood.

AL FINSTONE, long correspondent 

in Kansas City for Quigley Publica-

tions, is back on the scene, and 

as a member of the repportorial 

staff of Picture Motion Herald in 

New York.

MONTY SHEAFF is on a tour of 

Cleveland, Chicago, Detroit, Omaha 

and other points. He's discussing 

certain exchanges in the interests of "Dealers in Death."

SOPHIE TUCKER will be at the Cap-

itol the week beginning Friday in a 

revue featuring the Ritz Brothers and 

DORALD NOYES.

ROBERT MONTGOMERY, around town 

on a vacation from M-G-M's studios, 

is talking about sailing for Europe 

in two weeks or so.

A. J. RICHARDS is laid up at home 

with a bad cold, but expects to be 

back at his office at Paramount News 

in a day or so.

E. H. ALLEN, western Educational 

producer manager, is in town for 

a business conference with E. W. 

HAMS.

COLE PORTER and MISS HAY are 

back from that world cruise. That team of funny cables have come to an end.

MAIKE EVANS arrives in town 

from the coast today. On Friday she 

sails on the Aquitania in a short vacation.

LEW SELLER arrives here by plane 

from the coast Friday to direct exter-

iors for Fox's "Police Parade."

LEG KLENSWORST is out of bed 

and around again after a short illness.

ARTHUR KOBEN is at the Lombardy 

from the coast.

MIKE MARCO is due from the 

coast shortly.

ST. LOUIS

Compton theatre reopened by 

SINCE JOHNSON's brother... BILL 

HOPP, JR., district manager for 

ST. LOUIS AMUSEMENT, M.C.'s at all 

his theatres' amateur nights and give-

aways. GEORGE WOODS, district 

manager, up from a severe attack of 

cold... at Foss and going from a 

report of flu.

Kiddie birthday surprise party 

held for HEMER HARMON, assistant 

to the manager, by Warner chief 

here. ATTIRE ALL WERE KIDS, the 

begging were kids for a night: MOORE, 

BILL MAHONEY, BOB HICKS, NOS- 

BURG, RATHFILL, AL ZIMBELICH, PHIL 

SHAPIRO, MIKE SHAPIRO and numer-

ous others.

TOMADELL, manager of the 

Uptown, made a killing at the 

Biltmore Country Club.

GEORGE WEGAND, contact manage-

or, in at Kershaw's as is also the 

Dodge crew... HENRY BURD, sound 

technician with a new coach...

JIMMY TAPPELLA with a new con-

vertible... AL FREDLENDER, operator, 

with a new sedan... AL VINESAIL, 

with a headache.

Zanuck to Be 

In One of Big 3

In Fox-20th

(Continued from page 1)

Kent president and Sheehan and him-

self vice-presidents, with the manage-

ment of the "combined" or "the 

united control" of Schenck, Sheehan, 

and himself.

In announcing the merger was not a case of either company absorb-

ing the other, but a consolidation of all assets and talents of both. 

Housing facilities for 20th Century will be brought by Fox, being 

sunk by Fox, he said, with the former's moving slated for Aug. 1.

An important factor in the develop-

ment of 20th Century, Zanuck said, 

was the fact that its distribution 

had been in the hands of Al Lichtman of United Artists, whom he called "one of 

the fine minds of the industry."

Zanuck will go to New York next 

week for a meeting with Schenck 

and Kent at which plans for Fox-20th 

Century will be completed. His trip 

east will be necessitated by the fact 

that as a partner in 20th Century 

he must sign the papers sealing the 

union along with Schenck. Kent 

and Sheehan will then return here 

with Zanuck.

It was also learned today on 

unapproachable authority that John 

Krum, assistant to Producer Ed-

ward Butcher, is to be made a pro-

ducer at Fox at an early date.

Decentralizing Two 

Fox Theatre Units

(Continued from page 1)

Rocky Mountain, are in town confer-

ning with associates and Fox Film 

and Chase National Bank fac-

tors.

Under a plan being worked out by 

Skouras and National Theatres 

greater authority will be granted 

to the operating heads of the two units. Exchanges will be put in the 

windup of the Fox Midwest and Fox 

Rocky Mountain receiverships in Fed-

eral court, at Kansas City, the next 

setup calls for transfer of the general 

bookkeeping department staff 

from Los Angeles to the divisional 

headquarters. Only general records will go to 

Fox West Coast in Los Angeles, 

with a periodical report made to 

Kansas City.

Under the decentralization plan 72 

houses in Montana, Wyoming, Colo-

rado, New Mexico and most of 

Nebraska will be included in Richel-

son's division, while Rhode will 

have under his supervision 120 theatres in 

Kanas, Missouri, Southern Illinois, 

Iowa and Beatrice, Neb., not all of 

which are open.

Flash Review

The Red Wagon— Antiquated 

treatment of a circus story this 

may be a decidedly mediocre affair... 

This film will be reviewed in full in a later issue of MOVIE PICTURE DAILY.

Vano Goes to Maine

STANFORD, June 5—William Vano, 

general manager of the Vano circuit, 

gone to Maine to try the fishing at 

 Moosehead lake.
Hailed everywhere by preview critics as a 'must see', "OIL FOR THE LAMPS OF CHINA", a Cosmopolitan production for Warner Bros., is unquestionably the most important of this week's screen releases. Brilliantly directed by Mervyn LeRoy from the recent best-seller, its powerful story of young American lovers and their battle with the mystic East affords splendid acting opportunities for Pat O'Brien, Josephine Hutchinson, Jean Muir, Lyle Talbot. A First National picture. Released June 8th.
Australians Prepare For Start of Quota

BY CLIFF HOLT
Sydney, May 5.—Although the New South Wales Film Quota was brought down more than a month ago, there is little activity among producers or investors. Realizing that the first effects of the quota will not be felt for another 12 months, producers are apparently taking their time, but the resulting lack of recording equipment is landed from Great Britain.

F. W. Thring, pioneer of film production, has called a temporary halt to his efforts to bring an English film company to Melbourne, with the Victorian Government to introduce a Quota Bill similar to that which will operate in N.S.W.

Important announcements as to Cinesound activities are expected here from Ken G. Hall, production head just back from the United States. Expeditionary Films, winners of the Commonwealth £25,000 production competition, have increased the company's capital from £15,000 to £50,000.

The gift practice has assumed alarming proportions here. Furniture, radios, vacuum cleaners, crockery, etc., are being sold at prices listed in the giving lists, one exhibitor going so far as to plug the line "Bigger and Better Gifts next Saturday" in his advertisements.

Pentagon's S. W. Exhibitors' Ass'n called a general meeting which ended in a decision to exclude all midget cinemas from the circuit by putting in a halting a. The distributors were right behind the Exhibitors' Ass'n, decision, but, despite the utmost efforts by exhibitors involved, there is no conclusion.

There is some talk of embodying a no-gift clause in a standard contract, if the distributors are agreeable.

"English producers are offering extraordinary money to Hollywood players and directors who aren't worth one quarter of it. They're doing the silly things that sent Hollywood bankrupt," said Ken G. Hall, production head of Cinesound, when he returned after a six-months' survey of studio activities in Hollywood.

Hall expressed the opinion that the major studios, now watching the independents, who, on a lower overhead, are delivering hits with almost absolute consistency as the larger companies.

"Embezzled with heavy operating costs, and lacking any really effective revenue from the theater, the major production companies are likely to find themselves embattled by the independents' competition," he said.

Pictures and vaudeville on a 50-50 basis are being revived by General

Wall Street

Small Gains Mark Big Board

COLUMBIA, May 5—The New York Stock Exchange, which opened at the close of business on Thursday, May 5, advanced on a volume of $88,000,000, the highest since the close of business on Thursday, May 5, 1933. The New York Times call it the "biggest day of the year," and the gains were due to a number of factors.

One of these factors was the fact that the United States government had agreed to purchase $100,000,000 worth of its own bonds, thus reducing its debt burden and helping to stabilize the financial situation.

Another factor was the announcement of a new policy by the Federal Reserve Board, which would allow banks to lend more money to businesses.

Still another factor was the fact that the European countries had agreed to purchase American goods, thus increasing the demand for American securities.

Despite these favorable factors, the market was not without its problems. The weather was a concern, with fears of a prolonged drought and higher food prices.

Overall, however, the gains were significant, and the market was expected to continue to improve in the coming weeks.

Ontario's New Tax Is Passed to Public

(Continued from page 1)

add the complete assessment of the quota to the tax on any portion of the tax. In passing on the whole of the tax to the people the brute fall on the purchasers of the quota, 25 cents and under in face value, which were formerly tax free. The most strenuous objections were made, and a five-cent tax on quarter admissions and a two cents levy on dime tickets for children.

The policy of demanding the extra tax from the public is expected to be a great loss to the theatre industry, but it is also an important step in the direction of a fairer system of taxation.

Cal. Senate Passes 3% Sales Tax Bill

(Continued from page 1)

will continue and others $35,000,000, 000 biannually.

The Senate has also approved a bill which would permit store taxation of the federal levy, offering a substitute measure cutting the rate to one-fifth.

Kill Bill on Coin Devices

Boston, June 5.—A bill introduced in the state legislature by Governor Curley to tax automatic weighting and vending machines $5,000,000 annually, was defeated today when the house accepted the report of the ways and means committee, which held that such legislation was "necessary."

It was shown at the hearing on the bill which, it was claimed, would put the department in control of the vending machines, and on a paying basis, that the department in question was already returning $80,000 annually to the state.

The bill, under the present setup, would have affected all theatres and Loew's two Boston houses alone, which would have been taxed an estimated $10,000 annually.

A measure to license theatrical book agents was passed by the Senate. It was favored by many film men who believe it will do away with unfair business methods by agents.

Most of the 200 agents who sent representatives to a hearing today to protest a bill calling for the appointment of a director of outdoor advertising to the legislative committee on mercantile affairs film men are opposing.

Coast Indigent Ban Fails

Sacramento, June 5.—The Assembly has refused passage of the bill which would have prohibited indigents from staying in the public hospitals. The bill was designed to cut the costs of care for indigents daily as 2,500 indigents a month pour into the state.

Mrs. Goodrow Gaining

New Orleans, June 5—Mrs. Fred F. Goodrow, who has been in a hospital for two weeks, is recovering. She is the wife of the First Division Manager.

Warmer Men Entrain For Coast Parleys

Los Angeles joined the New York contingent yesterday, passing through the city today after 3:38 A.M. Included were Lieutenants J. R. Dunbar, zone manager; R. H. J. Dunbar, F. J. Krummack and Bob Lynch.

Indianapolis, June 5.—Cincinnati and Indianapolis delegates to the Warner convention join the train to Los Angeles 8:30 Thursday morning. The group will consist of O. Kuschiner, local branch manager; E. H. Kusmich, with the late train from Fazio, A. Smithen, Cincinnati manager; H. Bugie, R. Burns and J. P. Egbert make up the delegation from that city.

St. Louis, June 5.—The Warner convention opens in San Francisco July 1st, starting at the 15th point on a special train. The eastern delegation arrives at 4 P.M. Thursday and lays over until 6:30. These groups join the trek west out of this city:

Buffalo—Harry Seed, manager; J. Sitter and J. R. Levere.
Chicago—James Wynn, manager; R. C. Herrold, special assistant; W. Kahl, T. R. Gilliam and James Coson, theatre managers.

Cleveland—M. Mooney, manager; W. J. Brandi, F. Hathaway, Nate Wolfe, theatre managers.

Detroit—Fred North, manager; W. B. Collins, S. L. Gilbert.
Oklahoma—C. K. Olson, manager; F. S. Hamson, L. Mendelson.
Pittsburgh—M. W. Buckholz, manager; A. L. Solowski, manager; E. Taylor—Hal Wahls, manager; T. M. Connolly, manager.
Toronto—H. Payten, manager; F. Gilman.
Winnepeg—W. Cohen, manager; G. Simmon.

Allied to Meet in Hub

Eastern regional directors of Allied will meet in Boston June 24 with Walter Littlefield presiding. Allied English rights of "The Last City" have also scheduled to gather in Boston a day later. Sidney Samuelson, president of the organization, will attend both sessions.

Bromberg Shifts June 21

New Orleans, June 5—Arthur C. Bromberg, Attractions, oldest of the independent exchanges in the South, will be known as Republic Pictures Corp. after June 21. Bromberg has exchanges in Atlanta, Charlotte, Tampa, Memphis and New Orleans.

Tri-States to Meet

New Orleans, June 5.—The Mississippi division of Tri-States M. P. will hold a convention June 16 and 17 at the Robert E. Lee Hotel, Jackson, Miss.

Sold to B. I. P.

Sherman S. Krellberg has sold "Tokyo City" to B. I. P., having closed the deal with John Maxwell and Arthur Dent.
CALLING ALL SHOWMEN!

P. S. Record-breaking biz at St. Louis and Bridgeport, first two engagements. You're next!
THE PRESS ACCLAIMS IT A MASTERPIECE

...AND THAT MEANS PLENTY OF MONEY

ALEXANDER KORDA presents

SANDER

OF

PAUL ROBESON
LESLEE BANKS
Nina Mae McKinney

The anthropological empire and more
Aand rates it with 'Bengal Lancer' at any box-office!"— Hollywood Reporter

From the great story by
EDGAR WALLACE
Directed by ZOLTAN KORDA

Drama of one white man who held the destiny of a native in the hollow of his hand... whose whisper was mightier and fearsome than the ominous boom of jungle war drums!

Released thru
UNITED ARTISTS
Looking 'Em Over

“Border Brigands” (Universal)

Stuck Jones changes the usual order of things around a bit here. He is a member of the Canadian Royal Northwest Mounted Police instead of the usual cowpuncher, but the result is good entertainment.

The story is typical of previous Jones vehicles of this series. Director Nick Grinde extracts the maximum of entertainment from the ingredients handed him and is ably assisted toward that end by good cast portrayals, particularly on the part of Jones, Lona Andre and Fred Kohler.

The yarn has Jones a sergeant in the mounted police under the command of his brother, who is murdered by Kohler as he hangs the latter’s brother for a killing. Jones then sets out to capture his brother’s assassin and crosses the border into the United States, where he succeeds in joining Kohler’s gang. A romance develops between the hero and Miss Andre, who aids materially in bringing things to a head because Kohler resents her attentions to Jones. The climax is a grand gunfight between the mounted police and the bandits, with the law winning out. Jones is the villain in a hand-to-hand struggle and winds up in Miss Andre’s arms.

The camera work of William Sierck and Allen Thompson is particularly good, and doubly so on the outdoor shots.

For territories where westerns are liked this one is highly recommended.

Production Code Seal No. 781. Running time, 60 minutes. “G.”

“Red Blood of Courage” (Syndicate)

Although this Ambassador production is a routine tale of villainy in the north country, it has enough exciting action to draw younger filmgoers.

Kermit Maynard, who is starred, plays a mountie in disguise on the trail of a gang trying to seize some lands rich in natural resources belonging to Ann Sheridan’s uncle, whom she has not seen since childhood. A member of the outfit poses as her uncle and tries to get her to turn over her interest in the property.

Maynard meets the girl when he saves her from one of the gang, only to fall into the hands of the villains himself later. He cuts a mysterious figure. He keeps the villains guessing (if not the audience) until the film is in its closing chapter. When his identity is learned things become still hotter for him. After a pretty game of tag with the bad men, featured by pursuits, gunplay and fistfighting without stint, he comes out on top and finds himself with Miss Sheridan on his hands.

The film contains some nice exterior shots.

George Regas, Nat Carr and Reginald Barlow are among those in the supporting cast. The direction is credited to Jack English.

Production Code Seal No. 831. Running time, 55 minutes. “G.”

“Heroes of the Arctic” (Amkino)

Despite the fact that this film is a very interesting pictorial record of the Chelyuskin scientific expedition, its disastrous end and the rescue of the members of the party, it is undoubtedly meant as strong propaganda for the Soviet air force.

The material in the film is of the usual type found in Arctic pictures, until the wracking of the expedition’s ship. From that point on the audience interest should mount until the last survivor of the ill-fated group is flown off the ice.

The Chelyuskin expedition will probably still be familiar in the minds of most people and exhibitors will do well to exploit those angles played up in the daily press last year when airplanes were scouring the Bering Sea for traces of the party. Also familiar will be the stories of the ladies born on the ice.

Where this type picture is liked this should prove satisfactory, but it must be remembered that it is Soviet propaganda.

Reviewed without production code seal. Running time, 65 minutes. “G.”

“Elizabeth of England” (Associated British)

(Continued on page 9)

May Sit at Trust Trial

St. Louis, June 5—Federal Judge George H. Moore, recently appointed by President Roosevelt, will probably preside in the anti-trust trial against major distributors, accused of withholding product from the Ambassador, Missouri and Grand Central here. The trial is expected to come up in the early fall.

Cleveland, June 5—“Goin’ to Town” was the big show of the week, grossing $20,000, or double the house average at Loew’s State.

“Les Misérables,” in its second week downtown, took in $3,300 over the $4,000 per at Loew’s Stillman.imitation of the same title at the Circle, grossed $4,000, or $1,000 over the usual take at the Circle.

Daily Business Day was spotty. Total first run gross was $47,000. Average is $38,000.

Estimated takings for the week ending May 31:

“OUR LITTLE GIRL” (Fox) ALES—$1,300, 30c-35c-42c, 6 days, 2nd week.

“DOUBTING THOMAS” (Fox) WARNER HILL—$1,300-1,800, 30c-35c-42c, 7 days, Gross: $6,800. (Average, $957.)

“BLACK FURY” (F. N) RKO PALACE—$1,000, 30c-35c-42c, 6 days, Gross: $6,500. (Average, $1,083.)

“OUR TOWN” (Para) LOEW’S STATE—$1,000-1,600, 30c-35c-42c, 7 days, Gross: $8,000. (Average, $1,143.)

“PARTY WHALE” (U. A.) LOEW’S STILLMAN—$1,000, 30c-35c-42c, 7 days, 2nd week downtown, Gross: $7,300. (Average, $1,043.)

“ATTITUDE OF LIFE” (Univ) CIRCLE—(F.5), 25c-30c-35c, 7 days, Repeat run, Gross: $4,800. (Average, $686.)

“Goin’ Town” Tops

Montreal, $11,000

Montreal, June 5.—Ascension Day, a legal holiday in the Province of Quebec, brought some extra change to mainstreet houses. “Goin’ to Town” topped a bill at the Palace that spelled $1,500.

“Les Misérables” brought a good $9,500 to the Princess on an appeal to the French patriotism and was held for a second week. The Canadian war picture, “Let Us Forget,” released by Columbia, made $7,000 at Loew’s.

Total first run business was $39,500. Average is $46,500.

Estimated takings for the week ending June 1:

“BRIDE OF FRANKENSTEIN” (Univ) PRINCESS O’HARA (Univ) CAMERON (Univ) $9,000. (Average, $900.)

“MADAM JANE’S PA” (F. N) IMPERIAL—(F.5), 25c-30c-35c, 6 days, Added: “2nd Street” revival, Gross: $1,000. (Average, $167.)

“LET US FORGET” (Col) “THE NATIVE” (Univ) “THE NIGHT AT THE RITZ” (Univ) “LES MISERABLES” (Univ) LOEW’S—$3,100, 30c-35c-42c, 7 days, Gross: $2,000. (Average, $100.)

“OUR TOWN” (Para) PALACE—(Para) “PEOPLE WILL TALK” (Para) $1,000. (Average, $100.)

“PRINCESS” (U. A.) “LES MISERABLES” (U. A.) LOEW’S—$2,275, 30c-35c-42c, 6 days, Gross: $2,500. (Average, $625.)

“Goin’ to Town” was the big show of the week, grossing $20,000, or double the house average at Loew’s State.

May Sit at Trust Trial

St. Louis, June 5—Federal Judge George H. Moore, recently appointed by President Roosevelt, will probably preside in the anti-trust trial against major distributors, accused of withholding product from the Ambassador, Missouri and Grand Central here. The trial is expected to come up in the early fall.
"Casino Case" With Show Is Chicago High

CHICAGO, June 5—"Casino Murder Case" on the screen and Fifi Dorsay heading a stage show at the Oriental made for the best showing of the week on $23,000. This tops normally by $8,000.

"Reckless" at the Garrick in its second week was up with $1,000 above the line on a take of $6,000. "Goin' to Town" held up to $15,000, up by $4,000, at easily be classed as the finest of all recent historical films. The veracity of her acting is enhanced by the care of the construction of the interior sets which have been founded upon historical research. There is a pleasing lack of pseudo-lavishness which is invariably shown in such films but is not borne out by fact. While these serve as but a test case for the antics of a comedy delineating the lack of such a quality in the broader scenes, and the sequences of the Spanish Armada of 140 galleons and their clashes with the much smaller English vessels—shots which could quite justifiably be built on de Mille lines—are disappointing.

The models are obviously models and the sea completely fails to give up the impresion of anything more than a ruffled pool. Some attempt has been made to overcome this defect by filming in the twilight, a trick which fails to come off. Yet the poorness of these shots is more than made up for by the actual battle scenes, with hand to hand encounters from locked-together galleons reminiscent of Ben Hur.

Matheson Lang is satisfying as the huff son of Devon, who tells Elizabeth of the treachery of her so-called ally. Philip of Spain, and encourages her to ignore the advice of her timid councillors and ignored the paramount power of Europe at that time. While officially refusing to acknowledge the profits of the buccaneers in pillaging the treasure towns of South America, she does, in the end, give her personal approval. Finally, after his epic expedition round the world in the Golden Hind (very sketchily shown in the film) she officially recognizes him, knits him, and so sets Spain at the throat of England. Drake, after his historically famous game of bowls on Plymouth Hoe, substantiates the Invincible Armada and thereby founded his country's maritime strength.

Elizabeth, well-nigh perfectly portrayed, with her speeches founded on fact, and her unquenchable regard for the unconventional, is the greatest box-office factor in the film. The story, which could have superseded her, somehow lacks cohesion and reality. Jane Baxter, as Drake's lover, does her best with her part, but as it is her sequences which hamper the continuity it is difficult for her to shine. Ben Webster is admirably cast as the old and timid Lord Burghley, chief advisor to the Queen.

Running time, 95 minutes. "G." A.

"Looking 'Em Over"

"Elizabeth of England"

(Continued from page 8)

attempt to paint a wide and sweeping picture of the most picturesque period in England's rise to power is, however, somewhat marred by the restrictions of the scenario which force the conventional love interest of the play. Because of this, the almost majestic sequences periodically descend to bathos, and the story is held up to tell of what was, after all, a romance which had nothing to do with the story.

But in the scenes with Elizabeth, the Queen, and Drake, the sailor, both camera work, acting and direction are first rate. Athene Seyler's portrayal of the Queen is easily be classed as the finest of all recent historical films. The veracity of her acting is enhanced by the care of the construction of the interior sets which have been founded upon historical research. There is a pleasing lack of pseudo-lavishness which is invariably shown in such films but is not borne out by fact. While these serve as but a test case for the antics of a comedy delineating the lack of such a quality in the broader scenes, and the sequences of the Spanish Armada of 140 galleons and their clashes with the much smaller English vessels—shots which could quite justifiably be built on de Mille lines—are disappointing.

"Miserables" Tops Buffalo, $11,200

BUFFALO, June 5—"Les Miserables" led the parade at $11,200, while "Our Little Girl" also was over the top at $14,000. Color first run business remained fair but comparatively cool. Total first run take was $42,400. Normal is $42,500.

Estimated takings for the week ending May 31:

"OUR LITTLE GIRL" (Fox) BUFFALO—$1500, 35c-40c, 7 days. Stage: Pickens Sisters; 12 Aristocrats; Fred Sanborn; Tommy Mack. Gross: $14,300. (Average, $2,043)

"HURRY "EM, YALE!" (Para) GREAT LAKES—$1,000, 25c-40c, 7 days. Great Lakes: $11,200. Average: $1,586.

"THE COWBOY MILLIONAIRE" (Fox) CENTERVILLE—$1,000, 35c-40c, 7 days. Gross: $5,000. Average: $714.

"PRINCESS O'HARA" (Univ.) LAFAYETTE—$1,000, 25c-40c, 7 days. Gross: $5,000. Average: $714.

"THE HERITAGE OF THE CHATEAU" (Univ.) LAFAYETTE—$1,000, 25c-40c, 7 days. Gross: $5,000. Average: $714.

"AGED MERRIABLES" (A. U.) GREAT LAKES—$1,000, 25c-40c, 7 days. Gross: $5,000. Average: $714.

"OUR LITTLE GIRL" (Fox) BUFFALO—$1500, 35c-40c, 7 days. Stage: Pickens Sisters; 12 Aristocrats; Fred Sanborn; Tommy Mack. Gross: $14,300. (Average, $2,043)

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"THE HERITAGE OF THE CHATEAU" (Univ.) LAFAYETTE—$1,000, 25c-40c, 7 days. Gross: $5,000. Average: $714.
"U" to Retain Code Features In Contracts

(Continued from page 1)

its annual sales convention at the Stevens.

Following the prearranged procedure, R. H. Cochran, senior vice president, addressed the meeting with a heart-to-heart talk instilling optimism in the minds of the 79 delegates present, who were from all over the United States and Canada.

James R. Grainger, general sales manager, followed and divulged details of the company's remaining 10 releases for the balance of the current season. The list includes:

"Shanghai," to be made from Edna Ferber's book and Floresten Ziegfeld's play. Carl Laemmle is producing. Percy M. Whale will direct from a script by Zoe Akins with Irene Dunn in the lead. Production will not start until Miss Dunn completes her starring role in "Magnificent Obsession."

"Magnificent Obsession," will be John M. Stahl's production. Additional casting is now under way.

Margaret Sullivan has one more male to make on the current program. This will be "Next Time We Live" by Ursula Parrott, Rose Franken, author, of the stage play, "Another September," has completed the treatment. William Powell will star in one, "My Man Godfrey," by Eric Hashe.

"Sutter's Gold," is next on the list, Blaiz Cannon is the author; Gene Fowler has prepared the scenario, and Howard Hawks will direct.

Assignment went to Universal for one picture this season and will team with Hugh O'Connell in "Lonesome," adapted from a novel by E. J. Borden and Ira and M. J. Darcy and Agnes Christine Johnson. Kurt Neumann will direct.

Two ready for release are: "The Raven," based on the poem by Edgar Allan Poe and starring Boris Karloff and Bella Lugosi; and "Waverly of London," starring Henry Hull and Warner Oland. Stuart Walker directed the latter.

Two in work are "Lucky in Love," also directed by Walker and starring Chester Morris and Dorothy Page, the latter a radio star, and "Mrs. Loring," directed by Homer Croy and starring Alice Brady and Dorothy Montgomery. Alan Crossland is directing.

On Thursday, Grainger will divulge the lineup of 42 features for 1936-37. The distribution will be the same today that Warren Howe had been added to the cast of "Show Boat" and Francis Leiber, all opposite Miss Dunn in "Magnificent Obsession."

Pitc-O-Connell Teamed

Hollywood, June 5.—Paul Pitts, who hasn't made a picture at Universal for almost two years, although under contract to that studio, will return to the screen in "Magnificent Obsession" with Hugh O'Connell in "Lonesome."

This picture has been put on the schedule for the author of 'Rhapsody in Blue,' and will go into production within two weeks. No director has been assigned.

"U" Studio in a Lull

Hollywood, June 5—With "Lady Tutti" and "Jefferson" coming from Universal, Fred Meyer says no new pictures will start during the first two weeks of June. It is planned, however, that the unit will be in front of the cameras before August.

Lease Space at "U"

Hollywood, June 5—British Normandie Prod., newly formed English film concern headed by Belaine Gordon, will produce here. The company has signed Robert Pressnell as producer of the first feature, "Here Comes Your Man."

Space has been leased from Universal. The company is reported to be angling for Claudette Colbert and Robert Montgomery for the leads.

Shoot 2 "Andes" Versions

Hollywood, June 5.—Universal will shoot the Spanish and English versions of "Storm Over the Andes" at the same time, using the same sets and a prearranged schedule of production as soon as the English is completed. Cesar Romero, who is featured in this picture, and Colleen Moore, who will also appear in the Spanish film, Christy Cabanne will direct under the supervision of Maurice Pivar.

Nigh to Direct "G-Woman"

Hollywood, June 5.—Universal has selected William Nigh to direct "G-Woman," which will be based on the popular series of radio shows. Alice Brady and Dorothy Montgomery direct.

Tomlin in "Solomon"

Hollywood, June 5.—Universal has signed "Pinky" Tomlin for a role in "King Solomon of Broadway." Chester Morris and Dorothy Page have the top roles and Alan Crosland will direct under supervision of Julian R. Bonar and Albert J. Freidberger. Robert T. Shannon wrote the original.

Klein Back on Newspaper

Hollywood, June 5.—Julius Klein, Chicago newspaperman who was here as assistant to Carl Laemmle, Sr., but who recently returned to the newspaper business, is covering the Weyerhaeuser kidnapping for the Hearst papers.

Assigns Writers

Hollywood, June 5.—Universal has assigned Florabelle Muir and Henry Johnson to write the screen play of "As the Crow Cheers," football yarn which Fred Friend will produce for next season's program.

Karloff in "Bluebeard"

Hollywood, June 5.—Bayard Veiller has been signed by Universal to direct the original called "Bluebeard," which will be used as a vehicle for Boris Karloff.

Sinft Takes A Theatre

Hollywood, June 5.—M. C. Sinft, salesman for Universal, has taken over the Brentwood in Los Angeles on the outskirts of Sawtelle from C. F. Spathe.

Preparing Holt Vehicle

Hollywood, June 5.—Universal has signed Carol Graham and C. A. Powell to write an original for Jack Holt. Production will start in July.

Faith Baldwin Yarn to "U"


Friedland in from London

Max Friedland, general representative for Universal on the Continent with headquarters in London, is in New York to confer with Carl Laemmle.

Taxes May Be Used In Federal Control

(Continued from page 1)

by the President and make provision for certain codes, but Administration leaders place little or no confidence in them and apparently would be just as well pleased if the whole code effort were dropped. Leaders at the Capitol today made it clear that they have not decided how the taxing power could be applied to the control of the industry. Several measures have been introduced or are being written, the first of which will be introduced by Congressman Shanley of Connecticut, would create a Federal Commerce Control Commission with which all companies involved in the making or handling of interstate communication would have to register. The taxing power would be applied in this bill as an excise tax of one dollar upon every concern engaged in interstate commerce.

Concerning taxes also made clear that no determination has been reached as to the desirability of permanent NRA legislation, but it was emphasized in all quarters that any bill written with an eye to follow faithfully the limitations imposed by the Supreme Court.

Allied Is Sifting Member Complaints

(Continued from page 1)

NRA, says that "the decision robbed the codes of their statutory powers, authorities of their status as government agencies and left nothing of the old setup which anybody could conceivably want."

The bulletin later states that "many lawyers, including Allied's general counsel (Aram P. Myers), believe there remains a wide field for industrial cooperation under Federal supervision within the limits of the Constitution."

The prospect of the Pettengill bill receiving a hearing in Congress next January is predicted in the bulletin. Writing on "Loewe's" recent building plans for Chicago, the Allied bulletin calls them "a coercive campaign" either to "compel exhibitors to buy M-G-M pictures on the ground that failure to do so will punish them for not doing so."

It urges exhibitors to protest the Illinois Commerce commission, which has threatened to fine Nicholas M. Schemck, Loewe's M-G-M head.

Mascot's Lawyer Here

Gordon Levoy, attorney for Mascot Pictures, is due in from Hollywood today by plane for conferences with Nat Levine, Mascot president, on new season distribution plans.

Antony Up Again Among 306 Members

(Continued from page 1)

L.A.T.E.S. supervision. At the session Harlan Holms, who has been in charge of the union for the international during the past six months, has been in control and showed that the organization had grown,contrasting this with a deficit when he took over the reins.

Six members were favored for the presidency of the districts for the locos including Sam Kaplan, former president, Joe Basson, "Pop" Steinberg, Ben Norton and Harry Sherman. Kaplan had a strong chance for the post until the majority of the members voted for continuity under the international.

The membership is reported set to request a meeting for nominations again in about 10 days.

SEC to Rule Upon Non-Salary Reports

(Continued from page 1)

take the matter up for consideration early next month.

Salary data was omitted in several of the statements that have been filed by film companies, in some cases additional time being given to furnish.

While officials of the commission refused to comment on the subject, it was pointed out that under other sections of the law these instances where requests have been made that figures be kept confidential they have been denied, although it was not indicated whether this was precedent which necessarily would be followed in the case of salary data.

Floods Hit Theatres In Western Section

(Continued from page 1)

a number of houses and flood damage affected others.

Colorado houses closed were in Sterling, Wray, Brush, Fort Morgan and Las Animas, where floodwaters rose to roofs. Houses in Benkelman, McCook, Imperial, Wamita and Palisades.

The Emerson at Brush and Sherman in Nebraska spots dark were in Benkelman, McCook, Imperial, Wamita and Palisades.

The Arrowhead at Brush was flooded up to the level of the stage. It had been refurnished recently. The Chief at Lodgepole to substitute "Woman in the Dark" for "Break of Hearts."

The print of the latter was stalled on a Burlington train at Benkelman. Alexander Film Co., Colorado Springs, took pictures of the flood and sold them to reels. M-G-M used planes for Wyoming deliveries. De- tours of over 100 miles were made by the Exhibitors' Film Delivery Service.

Bowes Signs for Shorts

Major Edward Bowes has closed a deal with John H. Auer for a series of 18 shorts. Auer will produce for Bowes for 12 weeks. Auer will produce and direct at the Biograph Studios. Actual scenes before the microphones will be reproduced, according to the plan. There will be 26 in the series. The first two will start June 11.
“Reckless” $3,800
Lincoln Leader

LINCOLN, June 5—“Reckless” and “Traveling Saleslady” did battle here for supremacy, but “Reckless” at the Stuart topped in money after a sensa- tional Saturday that took $7,000. That’s $700 in the black. “Saleslady” at the Lincoln took $2,800, $600 to the good.

The Orpheum, doing three days of “Our Daily Bread” with “Rhapsody in Blue” on the stage, had a second week with the small bill, $3,300. “It’s a Small World” and “Million Dollar Baby” was worth $2,200 on the six days, although the seven-day normal is $2,300. “Tonto Kid,” “Chinatown Squad” and “Night at the Ritz” kept the Colonial hitting with $1,100, $250 up.

Total first run business was $9,900. Average is $8,450.

Estimates for Week Ending June 5:

Week Ending May 29:

“TOTO KID” (Monogram)
“CHINATOWN SQUAD” (Univ.)
“NIGHT AT THE RITZ” (Warners)
“FTERMEET” (M.G.M.)
Total:
Average: $8,800

Week Ending May 30:

“TRAVELING SALESLADY” (F. N. Lincoln)
“RECKLESS” (M.G.M)
STUART—(2,000), 10c-25c-40c.
Total:
Average: $3,100

Looking ’Em Over

“Give Her a Ring” (Alliance)
This is the third musical in the current series of 12 just brought to this country by Alliance. It is tuneful and has a light story thread that keeps the romantic interest alive. Wendy Barrie is a gorgeous eyeful.

The principal chorus number, starting at a switchboard, with the telephone operators singing and plugging wires in rhythm has been done before in a Vitaphone short. Miss Barrie makes a blind date to meet Eric Rhodes at a fountain in a park. At the same time Zelma O’Neal makes an engagement for the same place with the manager of the telephone company, Clifford Mollis, while complaining about the telephone service. Both couples wind up in a restful spot in an amusement park. This furnishes an opportunity for the director to shift the scenes from one attraction to another, with incidental music. Complications develop, but eventually Mollison and Miss Barrie get together. Arthur Woods directed.

It’s no musical spectacle, but it is pleasant diversion.

Previewed without production code seal. Running time, about 90 minutes. “G.”

“Keep of the Bees” (Monogram)
Hollywood, June 5—This modernized version of the widely read Gene Stratton Porter novel will please lovers of her works. Telling of the rehabilitation of Neil Hamilton, the story takes its cue from the book and leaves the picture untouched.

Hamilton, leaving the hospital for a final spree before death, detours to follow Betty Furness and meets Hobart Bosworth, a bee master and a dying victim of the Spanish American war. With the help of Edith Fellows, child actress, Hamilton takes care of the bees while Bosworth is hospitalized and inherits a half interest in the bee ranch when Bosworth dies. Meanwhile Hamilton has married Miss Furness for her convenience, believing he will die soon. Under the care of Emma Dunn’s open air orange juice treatment recovery comes to him. It develops Miss Furness married him for the benefit of Miss Dunn’s daughter, Marion Shilling, who dies in child birth, leaving Hamilton and Miss Furness to start anew.

Adele Baldwin’s screen adaptation follows the original faithfully, eliminating the elements which dated the Porter novel. The small cast makes it possible to give the roles with Miss Dunn outstanding in support. The direction of Christy Cabanne shows deft understanding.

The picture should click especially where folksy, sunshine and faith entertainment is appreciated.

Production Code Seal No. 936. Running time, 74 minutes. “G.”

“Dizzy Dames” (Liberty)
Hollywood, June 5—Several entertaining elements engage this production, not to strong in story. Running a theatrical boarding house, Marjorie Rambeau, a former stage favorite, raises her daughter (Florine McKinney), keeping her show business past from the girl. When Miss McKinney returns from finishing school engaged to a society boy, Miss Rambeau makes her believe the boarders are society house guests.

Miss McKinney soon finds she prefers Lawrence Gray, a song writer, to John Warburton, her fiancé, but Miss Rambeau opposes her marrying Warburton. Just when the boys clinches during a junior league show, when Miss McKinney learns the truth about her mother and the boarders. The story ends with Gray getting the girl during the big number.

The dialogue of George Waggner and the direction of William Nigh make the situations believable. Performances by the supporting cast, which includes Bertin Church, Lillian Miles, Fuzzy Knight and Inez Courtney, are good.

Several musical numbers, including “Rumba,” “Martinique” and “I Was Taken by Storm,” may be remembered.

Before a hill includes more serious subject. No production code number. Running time, 68 minutes. “G.”

MOTION PICTURE DAILY's
HOLLYWOOD PREVIEW

“G-Men” Oklahoma City Hit, $7,000

OKLAHOMA CITY, June 5.—“G-Men” was the big noise among the first runs. It reached a fine $7,000, above par by $2,000, at the Criterion.

“It can’t make a good showing in spite of this heavy competition by getting a par $4,000 at the Midwest. "Cowboy Millionaire," in for four plays at all houses, did $7,100. Normal for seven days at the house is $1,700.

Total first run business was $14,900. Average is $2,130.

Estimated takings for the week ending June 1:

“G-MEN" (F. N.)
CRITERION—(1,200), 10c-25c-40c.
Average: $2,000

“CALIENTE” (Warners)
MIDWAY—(1,600), 10c-25c-40c.
Average: $4,000

“COWBOY MILLIONAIRE” (Fox)
CAPITOL—(1,200), 10c-25c-30c.
Average: $2,100

“NIGHT AT THE RITZ” (Warners)
LIBERTY—(1,600), 10c-25c-30c.
Average: $401

Estimated HOURS

One-Fourth of New Para. List on Way

Sixteen of the 21 features now in production are for the new list.

Expected to be embraced in the new schedule, and an important one it is, is "Reckless," produced by Cecil B. DeMille, with Loretta Young, Henry Wilcoxon, Luise Rainer, and initiative star in this story of hatred and love.

"The Crusades," produced by Louis B. Mayer, has been given the story of the religious conflicts of the 12th century, and the part of the chief religious leaders, is in hand.

"Annapolis Farewell," which Alexander Hall is directing, is a story of the last moments of the old United States Naval Academy, and the story of young "Miller" Coxe, who, after enlisting, is discharged.

"The Milky Way," Leo McCarey directing Harold Lloyd, is considered a little piece of smartness.

Two For Tonight," with Bing Crosby, Joan Bennett and Mary Boland, to be directed by Frank Tashlin.

"Across the Table," Mitchell Leisen directing C. Lombard.

"Without Regret," to feature Kent Taylor and Elissa Landi, with Harold Young directing.

"Song to Scans," Norman McLeod directing George Burns and Gracie Allen. The picture has been directed by Max Marcin.

"College Days," to star Joe Penna.

"Every Night at Eight," Walter Wanger directing George and Alice Faye starring.

No Hearing by SEC

WASHINGTON, June 5—No hearing is planned by the Securities and Exchange Commission on the Paramount reorganization, it was learned today, and in the near future. It is held it would be purely academic for the gathering of information.

In a letter as the commission is concerned, it was said, the company is free to submit applications for the reorganization of the business at any time. It is understood that Paramount does not plan to issue any new securities, so that its applications will be solely to cover issues now outstanding.
HAPPY NEW YEAR! The good news appears in Motion Picture Herald’s issue of June 8th (out today) and in Motion Picture Daily next week. Ask M-G-M for a copy of the most thrilling announcement since the dawn of movies!

AS PREDICTED! Wow! “PUBLIC HERO No. 1” socks St. Louis and Bridgeport. First two engagements cracking all records! And the preview of “NO MORE LADIES” starring JOAN CRAWFORD, BOB MONTGOMERY is the sensation of Hollywood! Ain’t we got fun!
“U” Lists 26 Of New List; 2 Roadshows

79 Shorts and 104 News Round Out Schedule

Chicago, June 6.—Of its schedule of 42 features for next season, Universal divulged data on 26 to its sales convention at the Stevens today. James R. Grainger, general sales manager, outlined the schedule and declared it was planned to handle "The Hunchback of Notre Dame" and Phantom of the Opera" as roadshows. He gave no detail as to casts or direction for these potential standouts on the Universal lineup. Edward Arnold in "Diamond Jim," which is already finished, will lead off the 1935-36 group.

In the subject field, the company will have 27 two-reelers, 52 one-reelers (Continued on page 4).

Republic's Forces Converge on Cincy

Cincinnati, June 6.—Branch managers and salesmen from approximately every key city in the east and south are convening here for the opening Friday of the first regional sales meeting of Republic Pictures. W. Ray Johnston, president, arrived late (Continued on page 10).

Lasky Seen Nearing End of Fox Contract

Hollywood, June 6.—Jesse L. Lasky will terminate his contract and his association with Fox, October 1, according to authoritative information which reached Motion Picture Daily today.

"Here's to Romance" and "The Gay Deception" will wind up his commitment.

Buys "Dodsworth"

Hollywood, June 6.—Samuel Goldwyn added another title to the quota of films he will contribute to United Artists' current program today when he won in the bidding for the rights to "Dodsworth." Sidney Howard, who wrote the play, will produce and direct it.

Expect Fall Trial Of St. Louis Case

Chicago, June 6.—The suit brought in U. S. District Court here by Warner Bros. through Vitagraph, Inc., involving the alleged inability of Paramount to purchase at an adequate price a certain list of films, is the government's conspiracy suit against RKO, Paramount and Warner Bros. (Continued on page 2).
NOT in some time has the rumor market reached the heights which currently border on from lip to lip, through telephone to telephone to eagerly poised ears. Never shy on yarns to talk about, this late spring has been particularly rich in the listlessness which is apt to cloak the industry immediately prior to the season of sales conventions. • • •

Take the merger situation, for instance. That's always an interesting, if often cook-eyed, matter to contemplate and to wallow in. Scarcely has the seepage done its work and word of the July 14, 1935 -Darryl Zanuck-20th Century hegira to Fox gotten about when the buzzings shifted into high. And what a high! Around for the asking, or even less, is the yarn around Mr. Fox's head, Odlur, a little known man to the film fraternity but the head of Atlas, America's largest investment trust and a very important behind-the-scenes figure in Paramount. His company has afinger in the RK0 situation, or will. More suggestion of the circumstance was enough for those who take large, and very cautious, to gather Paramount and RK0 into the same fold. If it's caution you want, you'll get it: Put your mental calisthenics through a cautious routine on that one.

In loud whisper is the one that control of one of your biggest and best known producers and distributors has changed hands through the usual means of buying up the controlling block of stock with San Francisco intermediaries in reality operating for a New York group which will, if given the opportunity, take Paramount and RK0 into the same fold. If it's caution you want, you'll get it: Put your mental calisthenics through a cautious routine on that one.

Ernst Lubitsch takes the skyway into New York from Hollywood on Sunday. His business is urgent. Currently head of Param- ount's producing unit, he is following a very reliable report, runs out June 15. Herr Lubitsch wants to know about the future of, and of course, cannot say where any of that. Next week, therefore, will see parleys between Lubitsch and John Edward Ottesen, midshipman, technologist, naval constructor. Lubitsch, engineer, arm man, sound equipment manufacturer, and now president-elect of Paramount. Those meetings will be significant in that the studio berth will be the subject matter. • • •

In the interim and not necessarily tied in with what you have just read if you've gotten this far is the cordial association strongly struck between Ot- terson and an ex-laboratory man who made a tidy sum of money when he sold his plant some years back. Watsoner R. Roads,acker of his name. That name, months ago, was rolling around not a few tongues in connection with Paramount production. Ot- terson, of course, was not then the head of the company, although Erpi's position as a large creditor gave his opinions weight in the councils which determined matters. Today, Ottersen is that may mean nothing or something where "Watty" is concerned. It's hard to tell. • • •

In this space on May 29:

"The brief mention in the official Ergo council's announcement of the successor to Fox) that Schenk will make his headquarters on the coast led to the question yesterday: Will it be the Louis B. Mayer of Fox? There were no answers to these who attempted to draw the parallel of Mayer stepping out of the independent field years ago with Irving Thalberg under con- tract to join Metro and to become its general production overseer and Schenk stepping into the Fox picture with Zanuck as his Thal- berg. But there it is a coincidence, or maybe just coincidence, unprovable, or unprovable, but certainly an interesting something over which to laugh."

Page one, June 1, via the London cable:

"Joseph S. Schenk will be the 'coordinator' of Fox production under his new association which makes him chairman of the board of that company. . . ."

It would seem that the question has been answered by the party most directly concerned. • • •

High above Pershing Square, his general manager, Arthur Dent, was diligently causing to be screened a series of ten and more B.P. attractions for which the company seeks an outlet here. While this was pro- ceeding on schedule in the Chain Auditorium, John Maxwell, who is B.P., was discerning from the Agitatornia. Already two hundred and forty British theatres are strong forty and additional stages of construction and an additional 20 will be acquired for Associated British Cinemas, by corporate infusion a blood relation of B.P. Such was Maxwell's arrival statement. He could have gone on about conditions in England and the status of production at some length. Curious is one way of describing why he stressed the situations which mean playdates for American distributors over there when it's playdates which Dent is seeking over here . . .

Expect Fall Trial Of St. Louis Case

(Continued from page 1)

three St. Louis first run houses to obtain product will not go to trial until next fall, attorneys for the defendant film companies here said yesterday.

Although June 17 has been reported as a possible trial date for the case, lawyer for the Epic attorneys have not been notified yet or instructed to appear in Federal court at St. Louis on that date. With an adjournment having now the defendants' attorneys point out that it is most improbable that the case will be called for trial on the 17th when the trial has been set out yet. It is also pointed out that the Federal court session adjourns for the term a week later, further indi- cating the unlikelihood of a trial before fall.

Seven film executives associated with the three companies were indicted by a St. Louis Federal grand jury last winter in the conspiracy case.

Court Drops Warner Suit Over "G-Men"

(Continued from page 1)

against Publix-Great States in an en- deavor to make "G-Men" part of the suit was apprehended for an injunction to restrain Publix-Great States from referring to G-men in ad- vertising the United Artists picture "Let 'Em Have It." The direct cause of the suit was the charge that "Let 'Em Have It" had been advertised at the Marion Theatre, Ill., with its title subordinated to "G-Men."

Allied Won't Shift On M-G-M Booking

(Continued from page 1)

of M-G-M, had confirmed that a con- tract was negotiated for the latter asserting on inquiry that it deviated in no particular from the standard M-G-M contract terms.

The generally credited belief in the trade that play dates for Warner films in Loew theatres east were bal- anced against play dates for M-G-M pictures in Warner-Coslon theatres here and that everything came out even.

M-G-M and Essaness Court Move Dropped

Court. Rumors spread that Essaness had decided to give up the battle with M-G-M and had reached an agreement.

The Sheridan case was argued most of the time but it is expected to be finished tomorrow.
S.S. "NORMANDIE" BOOKS "GINGER" FOR RETURN TRIP

The floating palace...new wonder of the age...for which nothing is too fine or too costly...has chosen "Ginger" to delight its exclusive passengers on its first trip from American shores. The first tribute to a picture destined to win laurels from audiences everywhere.

"GINGER"

with

JANE WITHERS
O. P. HEGGIE
JACKIE SEARL
KATHARINE ALEXANDER

Produced by Sol M. Wurtzel
Directed by Lewis Seiler
Story and screen play by Arthur Kober
CHICAGO, June 6—A substantial majority of the 79 delegations that Chicago on Tuesday and R. H. Cochrane pitched a party for them in the afternoon that exhausted the stock of provender put in for Wednesday's luncheon necessitating a re-order, but had everybody in the pink for the opening session yesterday morning.

Chicago Manager Henry Herbel was greatly accued to staging the luncheon now just around a swift corner from the Universal exchange—"gratefully" because the boys say the convention quarter is in Tower Building to all previous zeniths for facility, convenience and sheer swell-elegant grandeur.

The New York contempt Centuried in Wednesday morning.

William McKay displayed some of the ability it required to be a general counsel when he made a neat profit from the sale of several rubbers of Charles Warren, commented on the train.

E. T. ("Peek") Gomersall, western sales manager who has been operating from New York, will step in and make his headquarters in Chicago for a number of months. The local exchange is being remodeled to afford him suitable offices.

The sartorial championship was awarded without contest to Paul Gulick, a nephew in byway and brightness from whose directorship of Universal publicity over more years than most news-warp old is an interesting character in the annals of industry press agency.

Volatile James R. Grainger, whose staccato interjections crackle like wireless over a sales meeting, had his Wednesday lightened and brightened by an announcement from an associate producer, saying: "Diamond Jim is on the way season's going to be okay.

J. B. Horne, Charlotte, N. C., manager, aired a legitimate grievance because he hadn't been invited to the golf tournament. Last year he shot a birdie three for a final 72, winning the North Carolina state tournament. "It's admitted that's tops for the company."

P. D. Cochrane "cut" Wednesdays luncheon session to spend the time with his brother, Witt K., who directs Universal's national (direct-to-public) advertising from Chicago.

Max Friedland, continental manager, arrived Thursday morning after crossing on the Normandie, which he states is quite a caue.

President Carl Laemmle arrived on the Chief today completely recovered from his recent illness and under their own power, and as always, to visit again the scene of his early successes.

Louis Laemmle's reviewing organization contacts on all sides, says it's like old home week.

Exploitation Manager Joe Weil has had back "Diamond Jim" cigars and stuffing their pockets with all the same—that's selling at the sales source.

Sam Sedron, purchasing agent, mentioned too loudly that he'd shot an authenticated 86 on Jimmey Grainer's golf course and got himself promptly challenged by the latter for a match on Sunday. Wherefore Sedron's planning for Friday so he can put in a practice round on Saturday in preparation for the title match.

Charlie Leonard came to town a week before the Players' Week and spent the week with the screen scrib of the daily press, of whom he knows so many and so much.

Charlie Ford, newsreel editor, was met at the train by a sound truck.

Dick Anderson, Charles Leonard, Paul Gulick and Joe Weil behooked themselves on Wednesday night for a little bit of 'Swanee,' swank loco-daleney, for the purpose of par-taking of the renowned punch dispensed thereat. And they came back feeling a little better, saying: "No news because that's punch!"

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A New National Organization to Serve Exhibitors

Republic Pictures

46 Superior Attractions for 1935-36

The Public's Choice
FIVE REPUBLIC GO

- THE HARVESTER
  by Gene Stratton-Porter
- LEGION OF THE LOST
  by Ex-Legionnaire
- HOUSE OF A
  by Meredith

8 Republic Showmanship Group

- SAILORS FORGET
  by Roland Pertwee
- GENTLEMAN FROM LOUISIANA
  by Tristram Tupper
- FRISCO WATERFRONT
  by Norman Houston
- THE BIG SHOW
  by George McCall
- THE DEERSLAYER
  by James Fenimore Cooper
- MANHUNTERS
  by Norman Hall
- LAUGHING IRISH EYES
  with Guy Robertson
- FAIR GROUNDS
  by Harry Hoyt
- MICHAEL O’L
  by Gene Stratton-Porter
- TWO BLACK
  by Warwick
- CAPPY RICKS
  by Peter B
- MY OLD KEN
  from the fa
- METROPOLIT
  MERRY-G
  New York

4 BIG
OF 12 EPI
including th
ROBINSON
by Da

39 EXCHANGES
TO SERVE YOU
EXCHANGES TO SERVE YOU

Albany, N. Y. . 1046 Broadway
Atlanta, Ga. . 162 Walton St.
Boston, Mass. . 25 Winchester St.
Buffalo, N. Y. . 505 Pearl St.
Butte, Mont. . 115 E. Granite St.
Charlotte, N. C. . 300 W. Third St.
Chicago, Ill. . 1304 S. Wabash Ave.
Cincinnati, Ohio . 1635 Central Parkway
Cleveland, Ohio . 450 Film Building
Dallas, Texas . 2011 Jackson St.
Denver, Colo. . 2075 Broadway
Des Moines, Iowa . 515 Tenth St.
Detroit, Mich. 610 Film Exchange Building
Indianapolis, Ind. . 404 N. Illinois St.
Kansas City, Mo. . 221 W. 18th St.
Little Rock, Ark. . 108 Cross St.
Los Angeles, Cal. 1928 South Vermont Ave.
Milwaukee, Wis. . 641 North Seventh St.
Minneapolis, Minn. . 42 Glenwood Ave.
New Haven, Conn. . 130 Meadow St.
New Orleans, La. . 1307 Tulane Ave.
New York, N. Y. . 630 Ninth Ave.
Oklahoma City, Okla. 623 West Grand Ave.
Omaha, Neb. . 1516 Davenport St.
Pittsburgh, Pa. . 1701 Blvd. of the Allies
Portland, Ore. . 925 N. W. 19th Ave.
St. Louis, Mo. . 3214 Olive St.
Salt Lake City, Utah . 252 E. First South St.
San Francisco, Cal. 221 Golden Gate Ave.
Seattle, Wash. . 2417 Second Ave.
Tampa, Fla. . 115 South Franklin St.
Washington, D. C. 925 New Jersey Ave. N. W.

EMPIRE FILMS LTD.

Toronto, Ont. . 277 Victoria St.
Calgary, Alberta . 8th Ave. & 6th St. W.
Montreal, Que. . 5959 Monkland Ave.
St. John, N. B. . 162 Union St.
Vancouver, B. C. . 1204 Burrard St.
Winnipeg, Man. . Film Exchange Building

FOREIGN DISTRIBUTORS:

REPUBLIC INTERNATIONAL CORPORATION

REPUBLIC PICTURES CORPORATION

W. RAY JOHNSTON, President

REPUBLIC PICTURES
THE PUBLIC'S CHOICE
**Purely Personal**

**Ben Perse** of Capitol M. P. Supply is going around with a gleam of satisfaction in his eye. Reason: a little Perse (male, weight 8½ pounds) has come into the world. Mother and child are doing nicely at Bronx Hospital.


**Lew Seiler,** whose latest for Fox is “Police Parade,” arrives from Hollywood today. That is, he’s due in. The weather was not known.

**Mrs. John Hay Whitney** is resting easily after having been pitched by a hunter she was showing at an up-state show Wednesday.

**Mabel Drew,** of the U. A. publicity department, will be interviewed this morning on the Gloom Chasers program over WOR.

**Jack Alicoate,** publisher and editor of The Film Daily, is expected in London in August, according to word from that city.

**May Robson** is now enroute here from the coast on the Santa Elena for a short vacation with her family on Long Island.

**Mike Simmons,** that big Hollywood scenario man, washed up a New York holiday last night and enquired for California.

**Gene Raymond** pulled out yesterday by train for the coast and the Radio studio to begin work on another musical.

**N. L. and Mrs. Nathanson** sail for Europe today on the Normandie.

**... Boston**

**Alton K. Freeman,** former manager of the M. & F.-Public Scollay Square Theatre here, continued on to the Orient after reaching the West Coast because it seemed pretty close from there. Freeman is now returning to Boston via India, Egypt, etc., because he says its just as cheap as going back the other way.

**Gladye Pillman** has resigned as treasurer of the RKO Boston. Tom Sheehan of M-G-M has been in the Hub.

**Donald Novis** appeared at the Metropolitan.

**Charles C. Curran,** formerly publisher for M. & P.-Public in town, has joined the staff of Donahue & Coe in New York.

**George Brebenek,** well known checker, has recovered from a long illness and is back on the job.

Larry Barrow, head artist of the Metropolitan Theatre publicity department, has been sojourning and sketching in Prowincetown.

**Jack Beauvais,** who has appeared on several stages here, was scheduled to be married June 1, but contracted measles several days before.

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**Go West with a Smile**

Candid camera shot of Sales Managers Sears and Smith as the Warner convention special slid out of Pennsylvania Station Wednesday evening. The man with the Eddie Cotton optics looks suspiciously like Jackolson.

**St. Louis, June 6—**The Warner convention special, Los Angeles-bound, left here early this evening for the coast via the Southwest. It is scheduled to arrive at Longview, Tex., Friday, where a stopover will allow a visit to nearby oil wells.

Four more groups join the delegation at the Texas point, these being: Atlantic: H. Ochs, manager; R. H. Bryan, E. R. Kleider, H. Parks, and F. Sanders; Charlotte: F. D. Bryan, manager; F. Gebhardt and D. House; Memphis: Byron Adams, manager; Howard Waugh, zone manager, G. Hammond and W. Q. Williamson, Jr.; New Orleans: L. Cronece, manager; H. Hissey and P. Spindler.

At Texarkana, the train makes a brief stop to pick up Allen Glenn, special exploiter in the southern territory.

The special is due at Dallas about 12:45 P.M. Friday and will be met by the mayor and the police head if current arrangements hold. It will resume at 1:30 P.M. with the following additions: Dallas: Fred Jack, southern district manager; W. E. Collaway, manager; J. Groves, W. Brumbel, R. McCoy and W. O. Williamson; Oklahoma City: J. O. Rhodes, manager; W. C. Blackstone and E. Scwum.

**Herb Crooker,** Warner publicity department representative and special correspondent on the westbound convention special, reported these early activities of delegates by wire yesterday:

"Traveling Warriers having swell time... Stanley Shuford, Andy Smith and Bob Mochrie playing bridge... Girl Sears hot at pineapple... Moe Silver, Mort Blumenstock, Harry Kalmine at stud poker... Crooker playing solitaire and winning from himself heavily... Zipper-neck, sport shirts with cigars the leading fashion note, but Tom Spry is startling in white deck pants and cap... Bob Smeltzer in wild blue shirt... Charlie Rich worrying over contest prizes... Norman Moray says shorts here to stay... Les Tietjen is proving a wizard on the car clan piano (illustrated above)... Harry Rosenquist is the train coke... Everybody is name-plated with Warner badges... Lots of grass, cows and sheep out here where the West almost begins..."

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**Ad Men Confer Today**

Twenty advertising men from all parts of the country began a conference today on a campaign for Fox's "Dante's Inferno." They will be welcomened by John D. Clark, general manager of distribution, and Charles E. McCarthy, advertising and publicity chief.

Following a screening of the picture the group will have lunch on the Starlight Roof of the Waldorf, followed by informal discussions and an ad and accessories exhibit in the Romany Suite.

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**Color Suit Dismissed**

**San Francisco, June 6—**Federal Judge A. F. St. Sure has ordered the Leon Douglas color patent infringement suit against Fox dismissed on stipulation of attorneys for both sides, according to court records made Wednesday.

**Fox Wins S-C Action**

Fox Film yesterday was awarded $3,589 in an arbitration hearing with Springer and Cocalis in a dispute involving film service. The circuit court in Los Angeles awarded a sum of $23,000,000,000, but was finally allowed to settle for $9,000,000 and a proportionate share of the huge sum. The award was made to satisfy a $5,000,000 claim, the payment of $150,000,000, the purchase of the Brooklyn Paramount and the leasing of the Paramount theaters at Birmingham, Glen Falls, N. Y., and Fremont, O. A special hearing date was set for June 17, at which time application will be made by the new Paramount company for a transfer of Paramount's assets from trustees to the board and officers of the new company. This is regarded as the final step, except for the actual discharge of the trustees, in the Paramount rehabilitation process.

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**Ascap Is Ready for Trial, Says Burkan**

The American Society of Composers, Authors & Publishers is ready to go to trial on Monday in the government's anti-trust suit against the organization, it was stated yesterday at the office of Nathan Burkan, counsel for Ascap.

The Burkan office has abandoned all thought of petitioning for a writ of prohibition to halt the trial for the present, a consideration that was entertained for some time. Following the government's successful effort to have the case given a preference on the calendar. In addition, it was stated that no motion for an adjournment would be made by Ascap on Monday. The organization is prepared to proceed with the trial on that day if the government is, it was said. Federal Judge Henry W. Goddard may preside at the trial. Ascap will probably retain former Judge Thomas D. Thacher as associate counsel for Burkan. The government, through its anti-trust suit, is endeavoring primarily to have Ascap's fee-fixing methods for music licensing declared illegal.

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**Para.-Allied Owners Settlement Approved**

The agreement in settlement of Allied Owners Corp.'s claim against Paramount was approved by Federal Judge Alfred C. Cox, of the S. C. Circuit Court of Appeals here.

The settlement of the claim, which was originally filed for more than $25,000,000, provides for the issuance to Allied Owners Corp. of securities to satisfy a $5,000,000 claim, the payment of $150,000,000, the purchase of the Brooklyn Paramount and the leasing of the Paramount theatres at Birmingham, Glen Falls, N. Y., and Fremont, O. A special hearing date was set for June 17, at which time application will be made by the new Paramount company for a transfer of Paramount's assets from trustees to the board and officers of the new company. This is regarded as the final step, except for the actual discharge of the trustees, in the Paramount rehabilitation process.

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**Yoost Is Denied Appeal**

William Yoost, a Paramount bondholder, was denied leave to appeal from Federal Judge Alfred C. Cox's order approving the settlement of Erpi's claim against Paramount under a decision handed down last week by the U. S. Circuit Court of Appeals here. Yoost has been opposing acceptance of the settlement in the courts for the past three months, directing his attack at the provisions in the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charged that the proposed agreement for the purposes set forth above and in accordance with the contract for elimination of Paramount of Erpi licensing and servicing. He charg
Republic’s Forces Converge on Cincy

(Continued from page 1)
today accompanied by Edward A. Golden, general sales manager; Edward Finney, director of advertising and publicity; and Norman V. Ritchey, president of Republic International Corp., and Madeleine White, Johnstown.

Johnston will open the session in the morning with an address and the introduction of Mayor Wilson. The meeting will then turn over to Golden, who will be in charge of the balance of the day.

In the opening speeches, Golden will address the men on coming product. It is expected this will take up the rest of the day.

Salesmen were devoted to the usual sales discussions, and the meeting will close with a banquet that night.

355 of Sales Force Present

Approximately 135 members of the sales force are present, including:


Baton Rouge: Herman Riffkin, M. E. Moyer, B. Pach, Stephen Brophy.


Cleveland: Claude Exell, William G. Underwood, Lloyd Stout, H. R. Bishy, Roy Starling.

Dayton: Dr. Maurice, H. E. Judd.

Detroit: Sam Skupinskas, Fred G. Strunk, Chet T. Townsend, W. B. hlbert.

Indianapolis: L. W. Martin, E. A. Sapojnik.

Kansas City: Robert E. Witbers, L. F. Durfey, G. M. Pickert.

Little Rock: H. B. Bucy, S. A. Arnon.


Montreal: Gilbert Nathanson.

New Haven: Robert Cole.


Oklahoma City: Sol Davis, J. A. Smith.

G. M. M.:

Omaha: L. O. Ringler, Joe Smith.


St. Louis: Nat E. Steinberg, Barney Rosenhall, William Weiss.

Tampa: Carl Floyd.


Dent Memorial Day Meeting June 12

The Salt Lake and Denver office will meet at the Cosmopolitan Hotel, Denver, on June 12. Portland and Seattle together at the New Washington, Seattle, June 15, and the San Francisco-Los Angeles session at the Roosevelt, Hollywood, June 20. Local executives will be present at luncheons. Tom Carr, vice-president in charge of production, will, of course, attend the Southern California session.

Erpi Trust Trial Is Ended in Wilmington

WILMINGTON, Del., June 6—Trial of the anti-trust suit brought by Duovac Radio and General Talking Picture against Erpi, Western Electric and A. T. & T. ended in U. S. District Court here today. Argument has been heard for Nov. 6. In the meantime briefs will be filed by both sides.

The trial consumed 27 court days spread over a period of seven weeks. The records of the trial filled more than 5,000 pages.

The last to testify today was Nathan Goldin, president of Duovac, who appeared for the plaintiffs. Others to testify for the plaintiffs were: Sam Gluckman, director of government affairs; theatre sales for Duovac; Alexander Seneauke, Bronx consultant for Duovac, and Harry Lintkof of the Federal Telegraph Co.

Closing witnesses for the defense were: Thomas Raymond Griffith, W. E. employee; Dr. Edgar G. Wagner, formerly of Duovac, and Mervin J. Kelly, tube engineer.

At the Helm

(Continued from page 1)
were working for Universal or whether you were working for some other company.

"I don’t blame you. In fact, far from blaming you, I have often wondered how you could have done the work you did. Now, however, I have decided to talk with you.

"Will you take my word for it that when I left the home office yesterday afternoon to come to this meeting, the Universal still owned itself, body, soul and breeches? I waited at the office until the very last minute to see whether I should come here as R. H. Cochrane or whether I should come disguised as someone else. Imagine my deep joy when I found that I could cast aside away the New York and come here as Cochrane.

"God knows I am not given to gloating. No, I will not gloat, or even if I do I pose as a philosopher. But if you and I together cannot get something good out of all the work which has been reported about Universal during the last year, we are nothing more nor less than a lot of dumbbells.

The Universal Brook

A ‘Guy named Tennyson wrote a poem called ‘The Brook’ But, in the brook, in fact, it was nothing, and I assure you it was everlasting. For just a minute, think of Universal as the brook. It goes on forever. The damned thing never stops! I can’t imagine that anything in the world can kill it. It is everlasting. It has gone through the gates of hell so that all the companies put together—but it last.

“Now, I have always tried to give you the lowdown every time I have talked to you, so I am going to stick to that policy. It is the truth that at one time this spring we had nine different setups hit sell out. That’s a hell of a lot of options, even if only two or three of them might have been bona fide. They were real. They were you—and a lot of other Universal men whom he wanted to protect. He would not sell here for 20 dollars, unless he first had it in writing that the key men in the organization must be taken care of.”

M-G-M Men Meet Frisco

LOS ANGELES, June 6—M-G-M will hold a meeting of exchange office managers at San Francisco Sunday and Monday, with R. W. Carmichael, sales manager, and Izzy Jacobs, booker, representing this city.

Advance "Call" Release

Hollywood, June 6.—20th Century-Fox is moving "Call of the Wild" up for immediate release. It has been scheduled for the last film for the U. A. program. Release had been slated for July 15.

Code Revival Held in Capital

(Continued from page 1)
the NRA will be administered during the remainder of its life, but it is general that the Federal Trade Commission will authoritatively. R. Richberg will not be at its head.

Discussion of a revival of the code was based on reports that the President had had under consideration general legislation which would return to effec-

tiveness all of those provisions of the original recovery act which checked practices and price cutting. It is also believed that the present administration is seeking to see that the extension bill’s repeal of powers, since it would be necessary to make the sections which gave the President power to impose codes so as to make them conform to the decision.

The plan under consideration is said to contemplate the presentation of codes upon businesses engaged in interstate commerce, possibly with a change in the National Labor Relations Act and to end the machinery whereby cease and desist orders could be speedily issued in offices will be closed June 15. An adoption of voluntary codes by establish-

ments confined to intrastate activities.

In the event the administration fails to submit a comprehensive plan for in-

dustrial control Senator Nye of North Dakota is expected to introduce a bill which has prepared authorizing the Federal Trade Commission to cooperate with industries in the drafting of agree-

ments for the abandonment or prevent-

ion of unfair methods of competi-

tion and establishment of business practices in an unlawful manner, and for restraint of trade and monopolistic practices. Such agreements would be exempt from the anti-trust statutes.

To Talk Code Problems

RICHMOND, June 6.—Sentiment among members of the Virginia M. P. T. O. is for continuing code wages but that a majority of the members think the code can be salvaged, if any, will come up for discussion at the state convention. But it is expected that the Patrick Henry Hotel here June 16-17.

Block booking is also on the pro-

gram.

Hunter Perry of Charlottesville is chairman of the arrangements com-

mittee.

None of the Virginia exhibitors are scheduled to hold their state convention at the Greenbrier, White Sulphur Springs, June 27.

L. A. Boards Winding Up

LOS ANGELES, June 6—Code boards have begun liquidating here as a result of orders from New York. The H.B. will be closed June 15. All records will be sent to New York.

Gets Film of Pope Pius

JACQUES A. KERR, president of Edward P. F. Co., acquired the rights to North and South America rights to “Pope Pius XI Blesses the World.” Comments in English, Spanish and Italian are to be supplied.

Increase Benchley List

HOLLYWOOD, June 6.—Results on the first Robert Benchley one-reeler have caused M-G-M to increase the program to six. Jack Cherkow will produce.
NEXT WEEK THE WORLD WILL BEHOLD A NEW MIRACLE IN MOTION PICTURES!

HUMAN DRAMA IN THE NEW GLORY OF LIVING COLOR!

BECKY SHARP
A WOMAN OF AMBITION!... her silvery laugh was the toast... and scourge... of common men and kings!

PIONEER PICTURES presents

MIRIAM HOPKINS

in

BECKY SHARP

The first full-length production stunningly photographed in wondrous new TECHNICOLOR

with

FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE • ALAN MOWBRAY

A ROUBEN MAMOULIAN PRODUCTION

DESIGNED IN COLOR BY ROBERT EDMOND JONES
PRODUCED BY KENNETH MACGOWAN
Florida Quits
With No Taxes
Hitting Films

Tallahassee, June 6.—The zero hour of the 1935 session of the Florida legis-
lature arrived and nothing had been done to correct the much-panicked
prohibition laws, although the last week had witnessed a “hot fight” to assess
a three per cent sales tax against all lines of liquor, but no action was
taken. The bills were stopped and the war continued.

Finally the three per cent tax was
ditched, and then a try was made for a
two per cent tax, but that was finally
done away. The schools closed so the
teachers could troop to the capital.
They wanted $10,000,000 and the lay-
out showed the anticipated taxes were
shy about $4,000,000. Finally the ad-
voates of a chain store tax got the
dollar rolling, and it was all over but
the shouting.

The chain store tax, and that meant
only “retail” stores, which gave the
theatre circuits a break, as they were
not retailers, starts out with a license
tax of $10 for one store to the state, and
a like amount to the county and city.
For three, five, 10 and over 16 stores
the license fee keeps piling up until
the state collects $400, and a like
amount for the county and city.
In addition to the license fee there
will be a tax on gross receipts, the
individual store pays one-half of one
per cent. Chains of three will have
to pay 2 per cent; seven to 10 have
a levy of three per cent; 11 to 15 com-
in with four per cent, and more than
16 store six per cent.

Gambling got a break, with all kinds
of slot machines, push boards and skill
games, legal, providing a license
is purchased for each machine. Dog
and horse racing betting has been
legal for several years, and now jai-
al has been legalized in the capital city.

A bill to tax “traveling shows” a
daily license fee of $1,000 was pre-
sented today, to take effect during the
final week of the session, but it got lost
in the shuffle.

Missouri Sales Tax Signed
KANSAS CITY, June 6.—Governor
Park today signed the one per cent
sales tax, which will become effec-
tive August 7.

State Auditor Forrest Smith, ad-
ministrator of the tax, has planned
tentative plans for the selection of
sales. Exercisers contend this would
be a money making proposition.

Merchants have been confering with
Smith in an effort to work out a
simple plan for collection. At pres-
tent many exhibitors favor adding one
cent to every admission, but others
have talked cuts in scales to absorb the

Report Pa. Sunday Bill
HARRISBURG, June 5.—Bringing the
Sunday show bill one step closer to
enactment, the Committee on State
Government of the Senate last night
reported the measure favorably and the
full Senate passed it on first
reading. It is practically certain that
next Monday the bill will be passed
on second reading and then sent back
to a committee for a public hearing next
Tuesday evening. Unless unforeseen

circumstances arise the committee will
re-report the measure after the hear-
ing which would put it in position
for final passage next Wednesday.

The measure already has passed
the House, 122—80.

Study Copyright Changes
WASHINGTON, June 6.—The Senate
Foreign Affairs Committee has under
consideration a number of changes
for the copyright laws, including
sub-committee in charge of the mea-
ure. No information is available as to
what the committee is doing or when
it will report the measure, although
it is extremely doubtful if it can be
put through Congress this session.

To Report Alien Bill
WASHINGTON, June 6.—The House
immigration committee today agreed
to report the Dickstein bill making
alien actors subject to the contract
labor provisions of the Immigration
Law.

Owing to the absence from the com-
mittee meeting of Representative
Kramer of California he was unable to
secure action on his amendment
which would permit free entry as at
present, but require all aliens to
leave the country within 90 days after
their entries expire and, he will probably
un when the bill comes up on the
floor of the House.

Rosenblatt to New York
WASHINGTON, June 6.—Compliance
Director Sol A. Rosenblatt this after-
noon left for New York, the reason
for his trip not being divulged. He is
expected to return here before the end
of the week.

Attack Begun
On Playdate
Law in Ohio

(Continued from page 1)

member companies. An answer to the
complaint was filed late Wednesday
by Aheam F. Myers, general counsel of
Allied States, representing the Ohio
independent exhibitors’ unit in the
action.

Although a hearing is scheduled to
be held either here or in Cincinnati
some time next week, Bricker is at-
taching no importance to a postponement
of two or three weeks.

P. J. Wood, secretary of the Ohio
exhibitor unit which sponsored the law,
denied Motion Picture Daily’s belief
was confirmed of an ultimate victory for
the new law and described Myers’
chances of success in this latest
important document in the history of the
industry.

Bricker is expected to attract na-
tionwide attention because of the
precedent involved.

Deny Offers Made
For New U. A. Head

(Continued from page 1)

Corp. has been offered no one despite
reports to the contrary and will not be
offered anyone until after June 22.
On the date of the convention in
Chicago, where the new head will be
held and Joseph M. Schenck’s resigna-
tion as president will be ac-
ted and a successor considered.

Thus far we have made absolutely
no decision as to who that successor
will be.

Bay State Spot Wins
Fight on Dog Track

(Continued from page 1)

BOSTON, June 6.—Judge Franklin
Hammond has upheld the right of mu-
cipalities to ban pari mutuel dog
tracks from their limits. The decision
thwarts the owners of Revere, who
have been ransoming completion of a track
at Dighton for the Bristol County
Kennel Club.

Town authorities contested in a
suit that a local license was necessary
as well as a license from the State
Regulating Commission. The court upheld
this contention.

May Return Earlier
LONDON, June 6.—Joseph M.
Schenck will determine on Friday
whether he will return to New York
immediately on the Beveragian or
avail the return trip of the Normandie.
Maurice Silverstone, U. A.’s manag-
ing director here, will accompany him.
U. A. has been getting substantial
publicity in the daily press on the strength
of its anticipation that nearly
$50 per cent of its future output will
have its origin in British studios.

Alliance Ending Shows
Alliance Films, Ltd., which has been
showing B. P. products this week
at the Chanin Auditorium, and last
night screened “Elizabeth of England.”
This afternoon it will show “The Old
Curiosity Shop” and tonight, “Radio
Parade of 1935.” All three
have already been reviewed by Mo-
tion Picture Daily from London, the
first on June 6; the second, on Jan. 16,
and the third, on Dec. 28, 1934.
Cheers “Showmen’s Trade Review:”

“BAXTER BRINGS DOWN THE HOUSE IN HIS COLORFUL LATIN ROLE SIMILAR TO THE CISCO KID”

WARNER BAXTER and KETTI GALLIAN in UNDER THE PAMPAS MOON

a B. G. DeSylva production
Directed by James Tisling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.

More praise for the “COBRA TANGO”

“Veloz and Yolanda, popular international dance team, are applauded for their number called ‘Cobra Tango,’ so plug this team and dance”—Showmen’s Trade Review
Republic Set
On Financing
List—Golden

Blames Poor Product
On Other Firms’ Worries

CINCINNATI, June 7—Edward A. Golden, general sales manager of Republic, declared today that the reason there are many poor pictures was because production companies have been in financial difficulties. He spoke at the opening session of Republic Pictures’ sales convention.

Republic has no such trouble, he said. He told home office officials, exchange managers and salesmen from 39 branches that Republic is financed for the delivery of every one of the 46 pictures which he announced for the 1935-36 schedule. His announcement

(Continued on page 4)

Laemmle Sees Good
Season; Meet Ends

CHICAGO, June 7—Eulogizing Fred S. Meyer’s studio management and basking expressions of confidence in a prosperous season squarely on product, Carl Laemmle told the sales force in an address at the closing session of the Universal convention that for the first time in years there had been no criticism and he accepted full responsibility for the past season’s record.

Telling how he had renewed James R. Grainger’s contract for a long term

(Continued on page 3)

Warner Meet Special
Makes El Paso Stop

El PASO, June 7—The Warner convention special, carrying delegates to the parleys which get under way at the Ambassador, Los Angeles, Monday, passed through here this morning.

The men left the train for a trip across the river to Juarez, where they spent several hours. After picking up E. Bell, manager; W:

(Continued on page 3)

B. & K. Asks Chicago
Stock Registration

WASHINGTON, June 7—Registration on the Chicago Stock Exchange of 26,126 shares of $100 par value seven per cent cumulative preferred stock is asked in an application filed with the Securities and Exchange Commission by Balaban & Katz Corp.

The application recites that the company is a subsidiary of Paramount

(Continued on page 2)

St. Louis Has
Building Boom
With 6 Going

Wehrenberg Heads List; Plans 1,600-Seat

St. Louis, June 7.—Theater building is getting into something resembling the boom stage in this territory.

Six new houses will be ready before the year is closed, it is expected. Fred Wehrenberg is the latest to get plans underway. His project is a 1,600-seat house to cost $150,000 at Grand Boulevard and Eichelberger St. He has owned the site for six years.

Walls are up on two other local houses, the Grand and the Avalon. Incorporation papers have just been issued to the U-City Theater Corp.

(Continued on page 3)

Old Timers to Mark
Loew N. Y. Closing

Final closing of Loew’s New York is to be marked with a brief ceremony at 11 o’clock as the doors are pad-locked before the wreckers start.

Among those scheduled to take part will be Victor Moore, who made a hit there 25 years ago with George M. Cohan in “Forty-Five Minutes from Broadway”; George B. Lederer, old

(Continued on page 3)

New Financing for
Mascot Up in Talks

New financing arrangements for Mascot Pictures are being discussed with H. J. Yates, and if concluded within the next few days, as expected

“Infenno” Round Table Hits; Fox Will Use Ideas on Others

A one-day advertising and exploitation convention sponsored by Fox on behalf of “Dante’s Inferno” with circuit theatre operators and their advertising directors from the field as participants was carried through to a successful conclusion yesterday. From time to time as picture rate, Fox proposes using the plan along identical lines.

The idea is credited to Sidney R. Kent. The execution was placed in the hands of Charles E. McCarthy, director of advertising and publicity for the company. Advertising roughs and sample lobby displays and lithographs were prepared by the Fox advertising department and strung around sample quarters at the Waldorf yesterday for the consideration of the visiting theatreman.

The session started in the morning with a screening of the picture, which was followed by lunch at which the merits of the attraction were discussed and then moved into an all-afternoon conference when the Fox suggestions

(Continued on page 4)
B. & K. Asks Chicago Stock Registration

(Continued from page 1)

Cantor Out for One Day

Hollywood, June 7—Eddie Cantor will leave the hospital Sunday for one day to attend the 25th wedding anniversary with his oldest daughter, Marjorie. He will return to the hospital to complete his recuperation.

McNutts Now Producer

Hollywood, June 7—Patrick McNutts, novelist and short story writer, has been made a producer for Fox. His first picture will be "Fly By Night," with shooting scheduled for late this month.

Retention of NRA Standard Is Predicted

(Continued from page 1)

to discuss the subject. So far as could be learned yesterday no such meetings are in prospect, and representatives of the Supreme Court have said that, barring a new business emergency, it could reasonably be expected that no changes or prevailing schedules would be made.

The possibility of isolated variations in English schedules and drug prices by individual theatres, particularly during the summer months, was suggested by some exhibition officials. Circuit heads, however, declared that no changes were contemplated in their organizations. A large percentage of the personnel is working under union labor contracts and the remainder, it is believed, would be unaffected for the most part except in the far West, where actors and playwrights. Allied States and M.P.T.O.A. have urged member exhibitors to maintain prevailing standards for all employees.

House Passes Bill Extending the NRA

(Continued from page 1)

Board, was accepted by President Roosevelt yesterday.

Sol A. Rosenblatt, compliance director, visited the White House today to take leave of the President, who will be out of the city until shortly before Rosenblatt severs his connection with the NRA next week.

Move to Cut Press Lists for Studios

Hollywood, June 7—The first step toward cutting down the film press conference list was taken at the publicity executive meeting yesterday at the Hays office when the publicists agreed that no publication hereafter will be recognized unless it is published in Red and its circulation is at least 25,000.

The group also decided to ask editors of an independent news service to cease the information herein.

Disciplinary action will be taken at the next meeting against Modern Screen for printing allegedly unsubstantiated stories on the personal lives of stars.

George Grossmith Dead

London, June 7—George Grossmith of famous companies that he is dead at the age of 61. After his first visit to the United States in 1893 he made a number of tours and appeared in several Broadway productions. He also appeared in many pictures. In 1932 he was made chairman of London Film Prod.

Again Delay Allied Case

Approval of the reorganization plan of the Allied Film Company was delayed again yesterday, this time until next Wednesday, because no agreement has been reached with Government on payment of tax claim. The case is before U. S. District Judge Robert A. Inch in Brooklyn.
Laemmle Sees Good Season; Meet Ends

(Continued from page 1)
by telegraph from Los Angeles, he emphasized his complete reliance on his sales manager.

The convention adjourned shortly after noon.

Laemmle will leave for New York Sunday.

"U" Plant Getting Set

HOLLYWOOD, June 7—The following production plans for Universal was announced by Fred S. Meyer, general manager:

June 19—"Storm Over the Andes," with Jack Holt and Cesar Romero.
June 23—"The Great Romance," with same trio, starring with Romeros.
June 24—"Lonesome," with ZaSu Pitts and Hugh O'Connell.
June 27—"Hollywood Obsession," a John Stahl production with Irene Dunne.
June 28—"King Solomon of Broadway," with Cherie Morris, Dorothy Page and Pinky Tomlin.
June 29—"While the Queen Cheers," with Jack Kelly and Dorothy Jordan.

Seven features are scheduled to start in July. They are:


When We Were Lovers—Margaret Sullavan and Francis Lederer, and an untitled burlesque on G-men stories with ZaSu Pitts and Hugh O'Connell. In August "Spinder Dinner" with Carole Lombard will go before the cameras.

Warner Meet Special Makes El Paso Stop

(Continued from page 1)
Hoeflinger, R. Jamison, all of the Denver office, and Arthur Abele, manager in Mexico, the train left at 9 A.M. yesterday and at 9 A.M. Sunday morning.

Whirling the Time Away

Herb Crooker, ordinarily of the Warner press department, covering the biggest and the west-bound conventions, reported these goings on from Dallas last night:

"Train has ten packed dining cars, two club cars . . . . luckily air-cooled. . . . Gang getting musical with Tom Gilmat, Chicago, at the piano and Leo Blank, Minneapolis at the violin. . . . Hot jazz and glee club from Norma Moray . . . also boogling . . . Bob Smith, Milwaukee, insistently belittling college songs but bass notes of the piano fell out when Leserman played the twentieth verse of "Frannie and Johnny"—Leserman sports the only cane and Hathaway of Cleveland, balletsos a new hair tonic for no visible reason.

Longview Journal and Dallas News issue special Warner editions . . . Fans crowd station to see stars with Andy Smith and Grad Sears taking bows. . . . At Longview, sound truck blares musical welcome to the tune of I Only Have Eyes for You" leading automobile procession through sweating oil field where Herb Crooker remained stowaway. At Shreveport were delegates from New Orleans, Memphis, Atlanta, Charlotte joined . . . . Noon at Dallas where police band, city officials and more fans join at station . . . . Also Schepp Brewing Co. generous hosts . . . At Abilene, Tex., met by Texas Cowboy Band and paraded to campus of Harding Simmons University for barbecues. . . . Credit Allen Glenn for tearing Texas wide open at stations and in newspapers . . . All is terrific, and everyone says the fashion note: Ten gallon hats, reception committee and us guys . . . .

J. L. Warner on Coast

HOLLYWOOD, June 7—Jack L. Warner arrived here last night in advance of the Warner conventions.

Pictures Improving, Clubwomen Are Told

DETROIT, June 7—Hollywood has kept its promise to the clubwomen of America and is making a higher percentage of films suitable for the entire family. Mrs. Richard M. McClure of Chicago, chairman of the motion picture committee, told 500 delegates to the national meeting of the General Federation of Women's Clubs.

"Last April this department announced producers had plans for family night programs and had promised the 1935 production schedule would bring more films suitable for the entire family," Mrs. McClure said.

"Producers have kept that promise. Of 333 features released since May, 1934, 116 are classed as family entertainment, as against 70 the preceding year."

Chicago, June 7.—Edward ("Diamond Jim") Arnold arrived in time to tell the delegates a couple of gags before the Thursday morning session broke and ran for the eats and such readied in the dining salon below.

A speech to wife to the book "Diamond Jim," had been passed out to members and Arnold spent the rest of the afternoon autographing them.

Jack Miller showed up for the buffet lunch and said business wasn't so hot, but the latter had nothing to do with the former.

William K. Hollander of B. & K. came in and shook hands around.

Eddie Bonnis, short subjects manager, screened the opening sessions of "Roaring West," serial, at the World Playhouse on Thursday morning, putting the delegates in fighting fettle for the business session.

Wallace A. Saulst, St. John, N. B., who says that railroad transportation could teach the school to the U. S. lines, brought along his overcoat—just in case—and tried to wear it when the mercury dived Thursday.

Dave Miller, back in the fold and welcome in spades, unreeled a spanking set of silent and talkie stories that knotted all hands.

Clark Rodenrech of the Daily News eked an interview out of Arnold in the gastronomic interlude—eats to us—with neither boy ducking a dish.

F. J. A. McCarthy held out for the customary room with the customary cold shower and got it.

D. LeDuc, Montreal, confirmed the generally creating rumor that good enough pictures can get the money without NRA, as in his territory where there never was a Blue Eagle, as well as with it.

John Drummy, chief booker for Great States, dropped in to renew state relations, including a practical one-to-one acquaintance with your reporter.

Charlie Ryan, assistant to James Coston, and Larry Stein, publicist, were the conventioneers for Warner theatres.

At a late hour sleuths were hot on the trail of the unidentifed photographer who telephoned delegates at six o'clock Thursday to warn them, as they'd been warned the day before, not to be late for the screening at nine. He's never been seen, caught, from the top of the Stevens into Buckingham Foun- tain, forthwith.

New Financing for Mascot Up in Talks

(Continued from page 1)
distribution would probably be continued through Mascot's present franchise holders.

Nate Levine, president of Mascot, and Gordon Levoy, attorney, are here from the coast for the negotiations.

A proposal for distribution of Mascot's new season lineup by First Division, broached recently, is now definitely off.

Mascot officials could not be reached yesterday for comment on the progress of the Yates' conferences.

Old Timers to Mark Loew N. Y. Closing

(Continued from page 1)
time producer; New Wayburn, whose "Minstred Misses" was staged there; George Miller, volume; Arol Hammond, Stein, Gus Edwards, Belle Blanche. Others who have been invited are: Edna Ferber,man, Mar- garet Sullavan, Billie Burke, Anna Held, Jr., Gene Buck, Harry B. Smith, Fannie Brice, Bob Hope, Miss Elizabeth Har- rison, William Morris, Jr., Theodore Mitchell and David Warfield.

CLASSIFIED

POSTERS

CASH PAID FOR USED ADVERTISING. Please send via express, charges collect, to DAILY TRAILER SERVICE, 190 West 18th Street, Kansas City, Mo.

BOOKS

ORDER NOW! RICHARDSON'S NEW Blue Book of Projection—6th edition, complete with thousands of illustrations, over 100 illustrations. Full text on projection assembly details with the nickel shooter. $5.25. Mr. Richardson will auto- matically forward your order for $5.75. QUIGLEY BOOKSHOP, 1790 Broadway, New York City.

10,000 SHORT, PRECISE BIOGRAPHIES of motion picture personalities—All new—about each phase of the movie industry—the book to have at your hand every minute of the day—Motion Picture Almanac, the leading publication in the field, 1935 edition, 10,000-word book. All 35-36 edition now in preparation. Order yours early. $5.00. QUIGLEY PUBLISHING CO., 1790 Broadway, New York City.

ACCOUNTING SYSTEMS


TRAILER SERVICE

SPECIAL SOUND TRAILERS MADE TO meet your special wishes. See our copy and we will quote prices. Box 135A, MOTION PICTURE DAILY.

AGENTS WANTED

AGENTS IN EVERY CITY IN AMER- ICA to represent reliable concern furnishing the necessary personal ex- perience as film or premium salesmen preferred. Must have car and be prepared to work on commission basis only. State all requirements in first letter. Box 136-A, MOTION PICTURE DAILY.
Republic Set On Financing List—Goldén

(Continued from page 1) was received with cheers by the 150 men present. Later Golden declared that the company was ready to take its place among the leading producing organizations in the industry.

Golden asserted Republic would continue the Monogram policies. The morning before his speech to the board, he declared, would be founded on the practice of "delivery on every promise." He pointed out that in 1933-34 every picture promised by Monogram was delivered. Golden said Republic's policy of placing the various sales territories under one control was being recognized by other companies as the only sensible method of operation.

According to Golden, the majors have taken recognition of the value of action films in their new announcements. He added that his organization had taken cognizance of a long time ago. Golden said he wished to correct any impression Republic Pictures are devoted only for the double-feature market.

The convention was opened this morning by W. Ray Rock, president. He backed up Golden's statements about company financing and said that every promise made would be kept.

Says Has High Ideals

"Republic has high ideals for the production of pictures," Johnston stated, and they are—to see that its product is of such a nature that any member of a family can see it and be entertained without being offended by indecency or grossness."

"It aims," he declared, "to give the public the classics and works of famous authors, as well as to encourage and support the writing of better stories for the screen."

Johnston also said that "as the company grows and new positions of authority are created, these positions will be filled by men from the ranks," adding that next year he expected "to see a number of boys now in the field seated in the dais in some executive capacity, thus building up our structure on a firm foundation."

Johnston then introduced Mayor Russell Wilson of Cincinnati. The mayor welcomed the guests in the name of the city and extended the well wishes of himself and official family.

Edward Finney, advertising and publicity head, said Republic would continue the policies of Monogram on a far more extensive basis. He revealed a number of projects that had already been arranged, including the first Republic releases, "Forbidden Heaven" and "Eastward Ho!" and stressed faith in advertising for the future.

All franchise holders were present except Floyd St. John and T. J. Sheffield, for whose benefit a special meeting was arranged at the close of the Cincinnati convention.

Trem Carr and Ben Goetz arrived from the coast as the afternoon session opened.

Following luncheon, Golden again took the floor, and after going into salesmanship angles, announced that Republic would make a new issue on its 1935-36 program. These are to be broken up into several groups, the first of which is five special productions to be known as Gold Medal Specials, the second five Blue Ribbon Winners, then eight Showmanship Pictures, eight Entertainment Groups, eight John Wayne Great Western Series and four Serials.

First in the de luxe group of five Republic Gold Medal Specials to go into production will be "Forbidden Heaven," directed by Charles Henry. This picture is to be directed by Reginald Barker.

There will be another session of the convention tomorrow, when the delegates will sit down to dinner at the Grand Central Hotel. Following the dinner, there will be a reception during the evening at the hotel, and the National Theatres will be given a gala banquet in the Netherland-Plaza Saturday night.

New Rules Made for Mass. Sunday Shows

Boston, June 7—Applications and programs accompanying entries for Sunday shows, which must be submitted for the approval of the Commission of Public Safety under the Massachusetts Sunday censorship law, must be signed by the person responsible for the presentation or they will be disapproved in the future. Patrick F. Healey, supervisory clerk of the commission, said that several improvements, has notified exhibitors to this effect.

Of particular interest to vaudeville houses is the part of the bulletin which states that "if change of program shall be permitted after same has received the approval of the Commission of Public Safety, such change has been approved by a representative of this bureau, and said approval must be received directly and not later than 12 o'clock noon Saturday.

Reliance Starts List

Hollywood, June 7—Reliance Pictures starts its new season's lineup with "Red Salute," in which Constance Cummings will be starred. "Amateur Girl," originally scheduled as the first, has been delayed.

St. Louis Has Building Boom With 6 Going

(Continued from page 1) a house to be built on Delmar Boulevard.

The fifth house will be a 650-seater at Fine Lawn in St. Louis County. A Mission of Public Utilities, Inc., at De Soto, Mo., by the Karte Trading Co. for operation by the Collins Circuit.

Buy, Build in Texas Towns


Small Texas towns continue a fertile field for new theatres. Lester Dob- lison has opened the Texas in Bal- ker and the Prince in Abilene. The At- tice, owned by C. G. Harman, H. J. McFerrin is operating a new house in Taylor. J. C. Powers, A. A. Schen- nault has opened an outdoor theatre, the Airdome, in Quemado.

Plan Second Mass. Drive-in

Boston, June 7.—A second drive-in theatre is planned for this state. The second venture will be located north of Oak Square on the first, which will be in the vicinity of Hingham, will be under way.

The third Massachusetts drive-in, recently taken over by M. & P. Public, is in operation. In East Weymouth, the Roosevelt has been rejuvenated with new sound.

Fire has closed the Methven at Methven Point. On Cape Cod at Mashpee, the Moore & Fitzgerald have opened the Chatham.

Warners Get Control

Johnstown, Pa., June 7.—Acquisi- tion of the Johnstown circuit gives Warners the circuit virtual control of this town except for one house owned and oper- ated by Wilmer & Vincent.

The state, at one time the largest of Paramount's properties, has been managed under a Federal receivership for some time.

Sabatini Winner on Income Tax Appeal

Washington, June 7.—Income de- terred by Rafael Sabatini, British author, from sale of the film rights of five of his books, "Gates of Doom," "Starling Saint," "Fardaleys, the Mas- sificant," "Tavern Knight" and "Cap- tain Blood," today was held by the U.S. Tax Appeals to be exempt from American income taxes. The contracts gave the producers world wide picture rights to the books but state that the agreements were signed in London.

Sabatini, however, was held sub- ject to U.S. law for all receipts from the dramatization of "Scaramouche," for which he received a settlement of $500 from Charles I. Wagner.

The Government was seeking the collection of some $40,000 in tax deficiencies and penalties for the years 1921-1928, inclusive.
Republic Set On Financing List—Golden

Blames Poor Product on Other Firms' Worries

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St. Louis Has Building Boom With 6 Going

Wehrenberg Heads List; Plans 1,600-Seater

ST. LOUIS, June 7.—Theatrical building is getting into something resembling the boom stage in this territory. Six new houses will be ready before the year is closed, it is expected.

Fred Wehrenberg is the latest to get plans underway. His project is a 1,600-seat house to cost $1,500,000 at Grand Boulevard and Eichelberger St. He has owned the site for six years. Walls are up on two other local houses, the Grand and the Avalon. Incorporation papers have just been issued to the U-City Theatre Corp. for (Continued on page 4)

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Lubitsch to Give Ideas to Otterson

HOLLYWOOD, June 7.—Ernst Lubitsch is to confer with John E. Otterson in New York the first of the week for the purpose of presenting his views on studio management and to get Otterson's viewpoint, he said today.

"Certainty and morale are most important present necessities for the studio administration," Lubitsch said. "I am going to Manhattan to get Otterson's ideas and at the same time to give him mine, I have never met him. Our conversation should be helpful to each other."

Lubitsch said he did not know how long he would be in New York, the stay depending upon the conferences.

Sheridan Transfer Voided in Chicago

CHICAGO, June 7.—The recent sale of the Sheridan for $112,000 was set aside by the Supreme Court yesterday in a suit brought by the Chicago Title & Trust Co. against Ascher Bros. The case was continued to June 13, when a motion for receivership by Leo Solomon, representing bondholders, will be heard.

Today's development means the struggle between Loew and Eassanee for control of the Sheridan will be postponed six days.

U. A. Releases Over Last Year—Lichtman

HOLLYWOOD, June 7—U. A. already has pictures set for release that total one more than last year, Al Lichtman said today. In answer to reports that Jesse Laszy and A. C. Blumenthal, (Continued on page 3)

"Inferno" Round Table Hits; Fox Will Use Ideas on Others

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The session started in the morning with a screening of the picture, was followed by lunch at which the merits of the attraction were discussed and then moved into an all-afternoon conference when the Fox suggestions (Continued on page 4)

Sentiment for Keeping Hour, Wage Levels

Maintenance of NRA scales of minimum wages and maximum working hours will be voluntarily continued throughout the industry in the absence of a compulsory code, it appeared fairly certain from inquiries made at home offices here yesterday. It was stated by representatives of most companies that the continuation of prevailing wage and hour schedules was taken for granted for the time being, at least until the lack of necessity for a revision of this kind has made it unnecessary for any of the large concerns to cut meetings (Continued on page 2)

Illinois Allied Will Keep Code Salaries

CHICAGO, June 7.—Adherence to wage and hour levels established under the NRA code was pledged by Allied in a resolution offered by Aaron Saperstein and passed by members. Saperstein's report of activities at the Atlanta convention was submitted and approved. The organization went on record as maintaining and re-enforcing its stand against the use of premiums, lotteries and assorted box-office hypodermics.

House Passes Bill Extending the NRA

BY CLARENCE LINZ
WASHINGTON, June 7.—The House today passed the bill extending the NRA until April after defeating a number of amendments, including one by Representative Treadway of Massachusetts to transfer the trade practice agreements to the Federal Trade Commission.

Donald R. Richberg's resignation as chairman of the Industrial Recovery (Continued on page 2)

Hearing in St. Louis Trust Suit June 18

ST. LOUIS, June 7.—Federal Judge George Moore today set June 18 for the hearing on defense motions in the antitrust suit against Paramount, Warners and RKO and their officers. The suit was here on a demurrer on behalf of RKO and Ed Depinet and a request for a bill of particulars.

At a hearing before Judge Moore, (Continued on page 2)
Edward Arnold, star of University of Chicago's "Diamond J" from Chicago today for a five-day visit before returning to the coast for a new picture assignment. Beheld his recent play on the picture, will give a cocktail party for Arnold and the press at the Essex House Tavern.

Laurence Stullman, Tallal Talley, Willard McKay, just back from the Universal convention in Chicago; Charlie Paine and Albert de Coutevilles, visiting from England, at "21" around lunch time yesterday.

Charles Boys, Pat Patterson Walt and Mrs. Disney, Roy and Mrs. Disney, Richard Dix, N. L. and Mrs. Nathanson and Miriam Jordan sailed yesterday for Europe on the Normandie.

A. J. Richards of Paramount News office was recently recovered from that cold to drop in at his office Friday. He'll be back at his desk Monday.

Roger Ferri will head west in early July on the new Kent Sales Drive for Fox. In the meantime, his wife will be traveling Europe.

Ed Kreykendall is due in town Monday for the opening of the trial of the government's suit against Ascap.

Howard S. and Mrs. Cullman, who were married last night, sail today for a European honeymoon on the Aquitania.

Rosamond Pinchot left yesterday on the 20th Century for the coast to work in "The Miracle" for Radio.

Joan Marsh and her mother are at the Warneck. She will make personal appearances at Loew's State.

Nate Blumberg is home and in bed with a heavy cold. Earliest office appearance for him is Monday.

Jean Arthur, Universal player, is in town visiting her husband, Frank J. Ross, Jr., real estate broker.

Gabe Yorke, head of the Fox studio publicity department, leaves for Hollywood tomorrow.

Anna Stern among the guest stars on Ruby Valee's program Thursday night.

... Pittsburgh...

McNutt Now Producer

B. & K. Asks Chicago Stock Registration

Reduction of NRA Standard Is Predicted

B. & K. Asks Chicago Stock Registration

Retention of NRA Standard Is Predicted

House Passes Bill Extending the NRA

Move to Cut Press Lists for Studios

George Grossmith Dead

Again Delay Allied Case
Laemmle Sees Good Season; Meet Ends
(Continued from page 1)
by telegraph Tuesday, was the em-
phasized his complete reliance on his
sales manager.
The convention adjourned shortly af-
ther noon.
Laemmle will leave for New York Sun-
day.
"U" Plant Getting Set
Hollywood, June 7.—The following
production schedule for Universal was
announced by Fred S. Meyer, general
manager:
June 26—"Storm Over the Andes," with
Jack Holt and Cesar Romero.
June 28—Spanish version of same film with
Romero.
June 29—"Lonesome," with Zasu Pitts
and Hugh O'Connell.
June 30—"Magnificent Obsession," a John
Stahl production with Irene Dunne.
July 2—"King Solomon of Broadway," with
Chester Morris, Dorothy Page and
Pinky Tomlin.
July 6—"With Plenty Excellence, the
Governor." July 29—"While the Crowd
Cheers," with Clark Williams.
Seven features are scheduled to
start in July. They are: "East of Java,"
"Stormy," a western musical with the
Arizona Wranglers; "Yellowstone,"
with Johnny King; "Furiously,"
with Clark "Rex" Oakes; "Hangover
Murders," a Carl Laemmle, Jr., pro-
duction; "Next Time We Love," with
Margaret Sullivan and Francis Leder-
er, and an untitled burlesque on Go-
mor stories with Zasu Pitts and Hugh
O'Connell. August 2—"The Murderer"
with Carole Lombard will go before the
cameras.
Warner Meet Special Makes El Paso Stop
(Continued from page 1)
Hoeflinger, R. J. Anderson of the Den-
ver office, and Arthur Abele, manager
in Mexico, the train left at 11 A. M., with the next stop at Abilene. It arrives at 9 A. M.
Sunday morning.
Whiling the Time Away
Herb Crooker, ordinarily of the Warner press department and now covering the state convention of the
bound conventioners, reported these goings on from Dallas last night:
"Train has ten parked cars, two din-
ers, twoErrorMessage chat circles, and an
ice cream stand. . . .
"Hot jazz and glee club formed by
Norman Moray . . . also boogie.
Bob Smith, Milwaukee, insistently
bellowing college songs, not in the
notes of the piano fell out when Leserman
played the twentieth verse of "Frankie
and Johnny." . . . Moe Silver sports the
only cane and Hathaway of Cleveland,
ballyhoos a new hair tonic for no vis-
ible reason. . . . Tarponian, Gazette,
Longines Journal and Dallas News
issue special Warner editions. . . . Fans
crowd stations to see stars with Andy
Smith and Grad Searles taking photos.
"At Longview, sound truck blares musi-
cal welcome to the tune of "I Only Have
Eyes for You" leading automo-
tible producers on their returning
trip.
"On the road from Abilene to Dallas,
the weather was so hot that the
men of the 140-car train didn't
get off the train at Abilene, but made it by taxi to this
point. . . ."

J. L. Warner on Coast
Hollywood, June 7.—Jack L. War-
er arrived here last night in advance
of the Warner conventioners.

Pictures Improving, Clubwomen Are Told
DETROIT, June 7—Hollywood has
kept its promise to the clubwomen of
America and is making a higher per-
centage of films suitable for the
entire family, Mrs. Richard M. Mc-
Clure of Chicago, chairman of the
motion picture committee, told 5,000
delegates to the national meeting of
the General Federation of Women's
Clubs.
"Last April this department
announced producers had accepted our
pledge to provide films suitable for the
entire family and had promised the 1935 production
schedule would bring more films suit-
able for the entire family," Mrs. Mc-
Clure said.
"Producers have kept that promise. Of 333 features released since May, 1934, 116 are classed as family enter-
tainment, as against 70 the preceding year."

CHICAGO, June 7.—EDWARD ("Dia-
mond Jim") Arnold arrived in time
to tell the delegates a couple of gags
just before the Thursday morn-
ion broke and ran for the eats and
such readied in the dining salon
below. Copies of the book, "Diamond
Jim," had been passed out to mem-
ers and Arnold spent the rest of the
afternoon autographing them.

Jack Miller showed up for the
buffet lunch and said business wasn't
so hot, but the latter had nothing to
do with the former.

William K. Hollander of B. & K.
came in and shook hands around.

Eddie Boney, short subjects mana-
ger, screened the opening episodes of
"The Roaring West," serial, at the
World Playhouse on Thursday morn-
ing, putting the delegates in fighting
fettle for the business session.

Wallace A. Saully, St. John, N. B.,
who says that railroad transporta-
tion in the Dominion countryside is
school to the U. S. lines, brought
along his overcoat—just in case—and
got a swell chance to wear it when
the mercury dived Thursday.

Dave Miller, back in the fold and
welcome in seeds, unseeded a speech-
ing new line of dialect stories that
knotted all hands.

CLARK ROBENBACH of the Daily
News deek an interview out of Arnold
in the gastronomic interludes
—eats to us—with neither boy duck-
ning a dish.

F. J. A. McCarthy held out for
the customary room with the custom-
ary cold shower and got it, while
the weather man cooled an equivalent
courtesy, unasked, on the local and
guest population gratis.

D. L. Duc, Montreal, confirmed the
get was an uncredited rummage on the
enough pictures can get the money
without NRA, as in his territory
where there never was a Blue Eagle,
as well as with it.

John Drummy, chief hooker for
Great States, dropped in to renew old
friendships, including a practically
stone-age acquaintance with your re-
porter.

Charlie Ryan, assistant to James
Coston, and Larry Stein, publicist,
were the conventioners for War-
er theatres.

At a late hour sleuths were hot on
the trail of the unidentified prank-
ster who telephoned delegates at six
a.m. Thursday to warn them, as they'd
been warned the day before, not to
be late for the screening at nine. He's
to have been caught, from the top of
the Stevens into Buckingham Foun-
dant, forthwith.

U.A. Releases Over Last Year-Lightman
(Continued from page 1)
Among others, were joining the com-
pany he stated: "No new producers
have been signed as yet, although
negotiations are in progress."

Lightman plans to remain here at least
another week.

After American Units
LONDON, June 7—Maurice Silver-
stone, managing director here for
United Artists, declared today the
company is negotiating for several im-
portant American producers, but re-
insured to divulge their identity. He
also stated an early announcement
will be made of two big British pictures
for U. A. distribution.

The company has closed for a Tech-
nicolor feature to be made by Tower
Film Prod.

Joseph M. Schenck today decided to
return to New York on the Norman-
die next week. Silverstone will ac-
company him.

MOTION PICTURE DAILY
Saturday, June 8, 1935

New Financing for Mascot Up in Talks
(Continued from page 1)
distribution would probably be con-
tinued through Mascot's present fran-
chise holder.

Nat Levine, president of Mascot,
and Gordon Leovy, attorney, are here
from the coast for the negotiations.
A proposal for distribution of Mascot's
new season lineup by First Division
broached recently, is now definitely
The Mascot officials could not be reached
yet for comment on the progress of the
Yates' conferences.

Old Timers to Mark Loew N. Y. Closing
(Continued from page 1)
time producer; New Wayburn, whose
"Minstrel Misses" was staged there;
George M. Cohan, Arthur Hammer-
stein, Gus Edwards, Belle Blanche.
Others who have been invited are:
Elbie Jants,Flusher, Thomas "Ding" Trig-
ner, Arbuckle, Arthur Godfrey, Bill
Gene Buck, Harry B. Smith, Fannie
Brice, Daniel Frohman, Lillian Lor-
raine, Willard Waterman, Morris, Jr., Theodore
Mitchell and David Warfield.

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or premium salesmanship preferred. Must have car and ability to work on commission basis only. State all
requirements in first letter. Box 136-A.
MOTION PICTURE DAILY.
Republic Set On Financing Film List

(Continued from page 1)

MOTION PICTURE DAILY
Saturday, June 8, 1935

Republic Set On Financing Film List

“Looking ‘Em Over”

(Continued from page 1)

Republic has another banner year planned, beyond the 150
months present. Later Golden declared that the company was ready to take its place among the leading producing

companies in the industry. Golden asserted that the company would continue the Monogram policies.

Golden asserted that Republic would continue the Monogram policies. The new company's reputation, he declared, is being built up by the practice of “delivery on every promise.” He pointed out that in 1933-34 every picture promised by Monogram was delivered. Golden said Republic's policy of placing the various sales territories under one control was being recognized by other companies as the only sensible method of operation.

According to Golden, the majors have taken recognition of the value of action films in their new announcements; some of which, he said, his organization had taken cognizance of a long time ago. Golden said he wished to correct any impression Republic would make only for the double-feature market.

The convention was opened this morning by B. R. Johnston, presi
dent, who declared that the company's statements about company financing and said that every promise made would be kept.

“Say's Has High Ideals”

“Republic has high ideals for the production of pictures,” Johnston said, and “there are to see that its product is of such a nature that any member of a family can see it and be entertained without being offended by indecency or grossness. It aims,” he declared, “to give the public the classics and works of famous authors, as well as to encourage American writers to write better stories for the screen.”

Johnston also said that “as the company grows and new positions of authority are created they will be filled by men from the ranks,” adding that next year he expected “to see a number of boys now in the field seated on the dais in some executive capacity, thus building up our structure on a firm foundation.”

Johnston then introduced Mayor Russell Wilson of Cincinnati. The Mayor welcomed the guests in the name of the city and extended the well wishes of himself and official family.

Edward Finney, advertising and publicity head, said Republic would continue the policies of Monogram on a far more extensive basis. He revealed a number of tips he had already been arranged or the first Republic releases, “Forbidden Heaven” and “Eastward Ho!” and stressed truth in advertising.

All franchise holders were present except Floyd St. John and J. T. Shet
dfield, for whose benefit a special meeting was arranged after the close of the Cincinnati convention.

Trem Carr and Ben Goetz arrived from the coast as the afternoon ses
tion opened.

Following luncheon, Golden again took the floor, and, after going into

salesmanship angles, announced that Republic would make 46 attractions in 1935-36.

Ten films were to be broken up into several groups, the first of which is five special productions to be known as Gold Medal Specials, the second five Blue Ribbon Winners, then eight Showmanship Pictures, eight Entertainment Groups, eight John Wayne Greater Western Series, eight Fast Action Westerns, and four Serials.

The release studio will have the de luxe group of five Republic Gold Medal Specials to go into production will be “Forbidden Heaven” with Charles Farrell and Charlotte Henry. This picture is to be directed by Reginald Barker.

There will be another session of the convention with the presentation of a banquet in the Netherlands-Plaza Saturday night.

New Rules Made for Mass. Sunday Shows

Boston, June 7.—Applications and programs accompanying licenses for Sunday shows, which must be submitted for the approval of the Commission of Public Safety under the Massachusetts Sunday censorship law, must be signed by the person responsi
able for the accommodation or they will be disapproved in the future.

Patrick F. Fealey, supervisor of the Sunday Film Exhibitions, has notified exhibitors to this effect.

Of particular interest to vaudeville houses in the part of the bulletin which states that “no license for any of the "lice
gram shall be permitted after same has received the approval of the Commission of Public Safety.” This change has been approved by a representative of this bureau, and said approval to be received directly and not later than 12 o'clock noon

Saturday.

Reliance Starts List

Hollywood, June 7.—Reliance Pictures starts its new season’s lineup with “Red Salute,” in which Con
tance Cummings will be starred.

“Amateur Girl,” originally scheduled as the first, has been delayed.

St. Louis Has Building Boom With 6 Going

(Continued from page 1)

the house to be built on Delmar Boule
yard.

The fifth house will be a 650-seater at Pine Lawn in St. Louis County. A contract for the construction was awarded to L. E. De Soto, Mo., by the Karte Trading Co. for operation by the Collins Circuit.

Buy, Build in Texas Towns

Dallas, June 7—R. & R. Circuit has acquired five new theatres: the Palace and the Lyric at Commerce, and the Mission, Broadway and Pal
ce at Sulphur Springs. East Theatre has taken over the Rex at Abilene and Texas at Kilgore.

Small Texas Towns acquire a fer
tile field for new theatres. Lester Dol
lison has opened the Texas in Bal
nor, the leading house in the town.

The Alamo, now under the Az
tec, owned by C. G. Harman. H. J. Mc
Ferrin is operating a new house in Timpson, while G. A. Schen
nault has opened an outdoor theatre, the Airdome, in Quemado.

Plan Second Mass. Drive-in

Boston, June 7.—A second drive-in theatre is planned for this state. The second venture will be located near Waldorf & Work on the first, which will be in the vicinity of Hingham, is well under way.

The Union Hill in Gloucester, re
cently taken over by M. & P. Pappas, is in operation. In East Weymouth, the Roosevelt has been rejuvenated with new sound.

Fire has closed the Methven at Methven Point. On Cape Cod at West Barnstable, M. G. Fitzgerald have opened the Chatham.

Warner's Get Control

Johnstown, Pa., June 7.—Acquisi
tion of the Johnstown Theatres gives the circuit virtual control of this town, except for one house owned and oper
ated by Wilmer & Vince.

The State, at one time part of Par
amount's property, has been managed under a Federal receivership for some time.

Sabatini Winner on Income Tax Appeal

Washington, June 7.—Income de
rived by Raffaello C. Sabatini, British author, from sale of the film rights of five of his books, “Gates of Doom,” “Strong Rain,” “Paralyzed,” the Mag
ificent,” “Tavern Knight” and “Cap
tain Blood,” was held by the U. S. Tax Court of Appeals to be exempt from American income taxes.

The contracts gave the producers world wide picture rights for the books to 1939, and agreements were signed in London.

Sabatini, however, was held sub
ject to the tax laws of his own country for all receipts from the dramatization of “Scaramouche,” for which he received an advance of $500 from Charles I. W. Baxter, The Government was seeking the collection of some $40,000 in tax de
ficiencies and penalties for the years 1921-1928, inclusive.
60 Expected
On W. B. List;
Meet in L. A.

Convention Is Set — 180
Delegates There

Los Angeles, June 9.—Writers
are expected to attend to their current
program of 60 features and the same
number of Vitaphone shorts for 1935-
36. The schedule will be outlined to
the assembled sales force, domestic
and foreign, later in the week.

Considerable attention will be
concentrated on “A Midsummer Night’s
Dream,” which, it is understood, will
be the company’s big shot for next season.

With the arrival this morning of the special train from the east, delegates
from all points are now assembled at
the Ambassador and tonight were
prepared for the opening gun, which is
slated for Monday morning. The
meetings may run for as many as 10
days.

The convention, which is to be at-
tended by Harry M., Albert W. and
Jack L. Warner, all of whom are on
the ground will be opened by Grad-
well L. Sears, western sales manager.
He will introduce A. W. Smith, Jr.,
estern and Canadian manager. The
latter will introduce H. M. Warner,
who will deliver an address, followed
(Continued on page 10)

Grainger Revamps
“U” Sales Forces

James R. Grainger, general sales
manager of Universal, returned to
New York from his company’s three-
day sales convention in Chicago on
Saturday enthused over the delibera-
(Continued on page 10)

RKO to Take Sales
For March of Time

RKO will be the new distributor of
The March of Time beginning
with the fifth edition of the reel to be
released in July, Roy E. Larsen, presi-
(Continued on page 10)

Ascap Anti-Trust
Suit Starts Today

Trial of the government’s anti-
trust suit against the American So-
ciety of Composers, Authors & Pub-
lishers is scheduled to begin today.
(Continued on page 2)

Film Deliveries by Boat
Beat Out Flood Problems

Kansas City, June 9.—Flood, fol-
lowing hard on the heels of dust
storms and drought, added another
note of drama to the film business in
this territory. Northern Kansas—
Manhattan, Kansas, Galveston, etc. — and Central Missouri
above and below Jefferson City, ex-
perienced the most severe damage.

Drivers for Exhibitors Film Deliv-
ery Service probably came into more
frequent and direct contact with flood
areas than any other one in the business.

It became a night and day problem
for both drivers and Sam Abend. At
said to retain restriction on duals to
ster was closed early in the week be-
cause flood waters had backed up into
it. Film Delivery had to carry film in
(Continued on page 10)

Indiana Group
Hits Allied’s Lawsuit Plan

Indianapolis, June 9.—Expressing
a viewpoint in sharp conflict with the
policy of starting law suits “on 100
fronts” which was adopted at the
recent national convention of Allied
of Indiana, a state independent exhibi-
tors’ organization headed by Charles
Metzger, refers in its current bul-
letin to court recourse as a means of
settling exhibitor problems as “a long
and expensive procedure” which can
(Continued on page 2)

Rumors Stir
Of Merger by
Air Coolers

Hollywood, June 9.—Recent rumors
of a possible merger in the air condi-
tioning field gained credence here
over the week-end when A. C. Blu-
menthal admitted he was interested.

With 100 theatres in New York
considering air cooling,” he said, “it
might be a good thing to get into the
air conditioning field.”

He was noncommittal on details.
Blumenthal’s presence here is said to
also be due to a possible post with
United Artists.
(Continued on page 2)

Cleveland Reported
Set on Duals’ Limit

Cleveland, June 9.—Sustained ex-
pressions to hold duals here to a
minimum upon the expiration on July
8 of the single feature policy is
reported to have resulted in a plan
to limit them to one change a week.

The plan, reported ready for sub-
mission to the local exhibitor body, is
said to contain restriction of duals to
features that have not played a seven-
day downtown first run engagement.

The plan further provides, according
to report, that violations will be fol-
lowed by injunctions through regular
legal procedure.

No date has been set for an exhibi-
tor meeting to pass on this plan.
(Continued on page 10)

War Scare in Westchester

Purchase, N. Y., June 9.—A detachment of CCC workers
boldered by a horde of carpenters and construction gangs, has
descended on this quiet little village to remodel and reconstruct
storm cellars that haven’t been used here since the Great Wind
of 1899. Several of the large and more strongly built houses are
(Continued on page 11)

NRA End Seen
As Brake for
Merger Moves

Anti-Trust Laws Back in
Effect, Is Warning

Voluntary codes, if they are adopted
by the industry, will perpetuate any of
the advantages developed under the
NRA, cannot be made to protect
subscribers to such agreements from
the anti-trust laws, was possible
under NRA. President Roosevelt
pointed out to industry at large in a
statement over the week-end.

The declaration is regarded as sig-
ificant in industry quarters in view of
the consideration given by financial
and executive groups to proposed
mergers. The large scale companies in recent months. Such
mergers, if it is pointed out, would have
undoubtedly encountered fewer Fed-
eral objections while NRA, or any
other statute providing for the sus-
pension of anti-trust laws for coded
industries, was in effect. With the
modification of the NRA codes, how-
ever, and the declared impossibility
of waiving compliance with the anti-
trust statutes for the benefit of sub-
scribers to voluntary industry codes,
any anticipated mergers of large
scale operations are once more re-
garded as being subject to close
government scrutiny and intervention.

It has been rumored for weeks that
several proposals for combinations of
(Continued on page 2)

Republic-Liberty
Deal Set: Johnston

Cincinnati, June 9.—The long-
pending deal with M. H. Hoffman, head of Liberty, calling for distribu-
tion through Republic of his com-
pany’s product for the coming year
has been set, it was revealed in an
announcement made by W. Ray
Johnston, Republic president, at the
closing session of the new company’s
sales convention here yesterday. Lib-
erty, Johnston said, is presently
scheduled to make eight releases.

In making reference to the deal
(Continued on page 10)

Sput in Production
Is Begun on Coast

Hollywood, June 9.—Production
jumped back towards the record peak
of three weeks ago here last week,
with the seven-day checkup showing 44
features and eight shorts shooting as
(Continued on page 2)
N ow that executive management of Paramount at this end is set and John E. Otterson on June 17 officially steps into the presidency, there remains a job to be done in the next few days about the studio, admittedly and, of course, the nerve center of any producing and distributing company, no matter how major or minor. Flowing from, through and about the various financial groups which are now welded together in Paramount capacity many angles touching upon the ultimate determination of this vital problem . . .

Available are the following, all predicated on what appears to go beyond gossip:

That Ernest Lubitsch, who took an airplane east from Hollywood yesterday, is generally considered and reputedly in a ranking production capacity.

That a long-term contract to replace his short-term contract which expired June 15 could be his. A matter of terms, which means negotiations.

That, the above being what it is, there are several other possibilities, all of varying degrees of strength. One persistently and doggedly swings around the name of Emmanuel Cohen and the report he may return to Paramount. One source says in his former capacity; another, in a high production post, but not necessarily the old one. A spokesman for the so-called Fortington-Atlas group on the new board, in that state, states his principals have consistently avowed Cohen's championship . . .

To conjure with, also, are these semi-loud whispers:

That Lubitsch and Henry Herzbrun would be retained in their present capacities of producer and business administrator, respectively, with a third man, who might be described as a general overseer, to collaborate with both. If such procedure is determined, Waterson R. Rothacker enters the lists as a strong contender.

That not remote by any manner of means is the possibility which would send Adolph Zukor, now chairman of the board, to Hollywood where he would assume stewardship of the studio . . .

The choice may come out of executive committee meetings in New York this week. Another piece of Grade A business which the committee will have before it is the subject of a formal contract with Otterson, it is reliably understood. It is reported no definite basis of remuneration was agreed upon between the new head of Paramount and the board prior to the election. The understanding is that an almost unani-
mous board wanted Otterson and that the former Erpi chief was not unwilling. It was on such a basis, there appears substantial reason to believe, the election was consummated. Terms, at best, are said to have been outlined only in general. A term contract for Otterson, therefore, is a task to be worked out. New York financial editors have been reporting his salary will run about $100,000 a year . . .

The Fox West Coast pool with John Hamrick in Seattle and Portland is capturing the attention of sales managers and others in New York. The operating merger makes F. W. C. or Evergreen State Theatres which are tantamount to the same thing, the big noise in those Far Northwestern cities. Wafted about is conviction about deals to come in that same area as part of a post-depression ambition to once again make F. W. C., certainly powerful enough now, the uncontested theatre giant of the Pacific slope . . .

Certain men, to remain unnamed here today, will be inter-

ested in the President's statement that relaxation of the anti-trust laws under voluntary codes, such as this industry is weighing, will not be countenanced. That may upset some plans smacking of mergers, . . .

Ascap Anti-Trust Suit Starts Today

(Continued from page 1)

before Federal Judge Henry W. God-
dard in U. S. District Court.

At stake is the legality of Ascap's licensing and fee fixing policies for the reproduction of music in theatres and for recording in studies, radio broadcasting and other public performance of music. Numerous repre-

sentations are made to the court by the government as witnesses for the trial which, it is expected, may continue for three weeks.

Cantor Recuperating

Hollywood, June 9—Eddie Cantor has left the Good Samaritan Hospital. He is recovering nicely, and spends several hours a day working on magazine articles and on "Dreamland," his next picture.

Indiana Group Hits Allied's Lawsuit Plan

(Continued from page 1)

leave the exhibitor "bankrupt and out of business before some of the issues are settled, these people are in a hurry.

The bulletin reflects on the significance to exhibitors of the nullification provision in the industry code, citing nine direct benefits or concessions which are in force or which, the bulletin states, now are apparently lost.

"At first thought," it remarks, "many exhibitors will rejoice that they are now freed from the restrictions of the code. But, upon closer consideration, many exhibitors are considerably disturbed about the future."

Referring to the court procedure, which stands the code's antitrust con-

vention as a national policy, the bulletin declares that "the very nature of law makes it necessary that you that cannot afford to be tied up waiting for a decision for years. Looking back over the past 15 years of this industry, we cannot recall one time when any piece of litigation by either the government in behalf of the Code, or by exhibitors themselves, has ever given either speedy relief or the type of relief desired, or anything more."

Cites Benefits Under Code

"Our code," the bulletin says, "seemed to offer some rules (how- ever imperfect) whereby we could stand up as a group and face the outstanding problems. . . . That is now, but the need for such clarification in this industry remains."

The adverse report by exhibitors cited by the bulletin are clearance and zoning, restriction of prior sales, commitment on overbuying, curtailment of the forcing of shorts with features, a helpful 10 per cent cancellation, bans on film service, parity in police protection, bans on servicing free street shows, restrictions on reduced admission practices and, finally, the definition of exhibitors' rights and liabilities.

Commenting on bank nights and lotter-

ies, subsequent to the modification of the code, the bulletin remarks that "it has long been our thought that lotteries and things of that nature help each theatre in its own competition puts on the same or a similar stunt. It is like double features, after your competitor starts them you are both doing the same business you did be-

fore you started them except that you are both spending a lot more money to do the same old amount of business."

NRA End Seen As Merger Moves Brake

(Continued from page 1)

large film companies have been con-
duced and reputedly favored by the heads of the companies involved. The most tremendous potential threat of the change of venue in regard to such proposed combinations is that of government disfavor.

David Cohen a Father

Boston, June 9—David Cohen of the M. & P. Publix Fenway and Mrs. Cohen are receiving congratulations on the birth of a daughter.
NOW BOOKING
Box Office Attractions
—That Sell Out!

THE

BAER vs. BRADDOCK
FIGHT PICTURE—JUNE 13
WORLD’S HEAVYWEIGHT TITLE — LONG ISLAND BOWL

Copyrighted and Fully Protected—the Entire World—In Sound—and Slow Motion

Is booked solid by RKO in New York State opening—
Friday, June 14th, at the following theaters:

PALACE APOLLO 81st STREET 23rd STREET 50th STREET 86th STREET REGENT 125th STREET HAMILTON

COLISEUM FORDHAM FRANKLYN ROYAL CHESTER FLUSHING YONKERS MT. VERNON NEW ROCHELLE WHITE PLAINS ALHAMBA COLONIAL JEFFERSON STRAND-YONKERS ACADEMY CROTONA PARK PLAZA ALBEE BROOKLYN

ALDEN KENMORE PROSPECT GREENPOINT BUSHWICK TILYOU MADISON RICHMOND HILL DYKER

ORPHEUM YORKTOWN MIDTOWN COSTELLO UPTOWN FAR ROCKAWAY ROCKAWAY PARK CEDARHURST EMPIRE HOLLYWOOD

Keith’s — Syracuse, N. Y.
Century — Rochester, N. Y.

Palace — Albany, N. Y.
Proctors — Troy, N. Y.
Proctors — Schenectady, N. Y.

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Foreign distribution throughout the World, outside of Canada, through RKO Export Corporation

Produced and Distributed by

OLIVER FILM CORPORATION

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HOTEL ASTOR
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New York City

MAX BAER
World’s Heavyweight Champion

JAMES J. BRADDOCK
Contender

In Canada distributed by Columbia Pictures of Canada, Ltd.
IF IT'S A PARAMOUNT PICTURE IT'S PARAMOUNT

* AMOS 'N 'ANDY * BENNY BAKER * GEORGE BARBIER
* WENDY BARRIE * JOAN BENNETT [In "Two for Tonight"] * DOUGLAS BLACKLEY
* MARY BOLAND * JOHN BOLES [By Arrangement with Fox Films] * GRACE BRADLEY
* CARL BRISSON * MARY ELLEN BROWN * KATHLEEN BURKE
* GEORGE BURNS AND GRACIE ALLEN * KITTY CARLISLE
* DOLORES CASEY * ERNEST COSSART * CLAUDETTE COLBERT
* GARY COOPER * JOHNNY COX * LARRY CRABBE * BING CROSBY
* KATHERINE DeMILLE * MARLENE DIETRICH * JOHN DOWNS
* JESSICA DRAGONETTE * FRANCES DRAKE * MARY ELLIS
* W. C. FIELDS * WILLIAM FRAWLEY * TRIXIE FRIGANZA
* JAMES GLEASON * CARY GRANT * ANN HARDING [By Arrangement with R.K.O. Pictures]
* JULIE HAYDON * SAMUEL S. HINDS * BETTY HOLT * WILLIE HOWARD * DEAN JAGGER * HELEN JEPSON * ROSCOE KARNS
* ROSALIND KEITH * WALTER C. KELLY * LOIS KENT * JAN

IN TOWN!... IF IT'S A PARAMOUNT P
IN PLAYERS

KIEPURA ★ ELISSA LANDI ★ BILLY LEE ★ BABY LeROY ★ HAROLD LLOYD ★ CAROLE LOMBARD ★ PAULINE LORD ★ IDA LUPINO ★ FRED MacMURRAY ★ MARIAN MANSFIELD ★ MARGO ★ HERBERT MARSHALL ★ ETHEL MERMAN ★ GERTRUDE MICHAEL ★ RAY MILLAND ★ JOE MORRISON ★ GRETE NATZER ★ JACK OAKIE ★ LYNNE OVERMAN ★ GAIL PATRICK ★ ELIZABETH PATTERSON ★ JOE PENNER ★ GEORGE RAFT ★ CLAUDE RAINS ★ MAXINE REINER ★ LYDA ROBERTI ★ CHARLIE RUGGLES ★ MARINA SCHUBERT ★ RANDOLPH SCOTT ★ SYLVIA SIDNEY ★ ALISON SKIPWORTH ★ SIR GUY STANDING ★ BARBARA STANWYCK ★ FRED STONE ★ MILDRED STONE ★ MARGARET SULLAVAN [By Arrangement with Universal] ★ GLADYS SWARTHOUT ★ AKIM TAMIROFF ★ COLIN TAPLEY ★ KENT TAYLOR ★ LEE TRACY ★ VIRGINIA WEIDLER ★ MAE WEST ★ HENRY WILCOXON ★ HERB WILLIAMS ★ LORETTA YOUNG [By Arrangement with 20th Century]
No Wonder the Industry 
WHEN LEADERS MEET, THE

WARNER BROS.'
International Sales
Convention Opens in
HOLLYWOOD TODAY
Industry Is All Ears... for
THE WHOLE WORLD LISTENS


In Los Angeles for the Warner Convention

Albert W. Warner
Distribution

Jack L. Warner
Production

A. W. Smith, Jr.
Eastern Sales Mgr.

Gradwell Sears
Western Sales Mgr.

NORMAN H. MOWRY
Vitaphone Sales

JOSEPH BERNHARD
Theatre Head

SAM E. MORRIS
Foreign Sales

MAX MILLER
U. K. Chief

HARRY M. WARNER
President

WILLIAM F. WOLFE
Head of Foreign Sales

ROBERT SCHLESS
General Manager

SANDY EINFIELD
Ad. and Publicity

On W. B. List; Meet in L. A.

(Carried on from page 1)

by a talk by Albert Warner. The remainder of the morning session will be turned over to addresses to the delegates by Sam E. Morris, vice-president in charge of foreign distribution; S. Charles Einfeld, the company's advertising and publicity head; Joseph Bernhard, managing director of the Warner Theatres; H. S. Bareford, of the legal department; Norman H. Moray, Vitaphone sales manager in charge of shorts and trailers; Max Miller, managing director for Warner in Great Britain; and D. E. Griffiths, managing director for First National in the same country.

Jack L. Warner, Hal B. Wallis and William Koenig will welcome the delegates at a luncheon in the studio. This will be followed by a combination exhibitor and product conference at the studio, involving Jack L. Wallis, Major Warner, Smith, Sears, Bernhard and the theatre zone managers, including James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silver, Albany; Harry Kalmine, Pittsburgh; J. J. Payette, Washington; L. J. Halper, Los Angeles, and Howard Waugh, Memphis.

MONDAY

JUNE 10, 1935


NEWARK—Don Jacobs, zone manager.

NEW HAVEN—Ray Fusari, manager; I. J. Hoffman, zone manager; J. Favone.

NEW ORLEANS—Lake Connor, manager; H. Hisey, P. Spindler.


Oklahoma City—J. G. Rohde, manager; W. C. Blackstone, E. E. Shumow.


Philadelphia—W. G. Mansell, manager; Reelins, J. Bachman, J. R. Mahan, W. Quintillian.


Sacramento Lake City—W. Gordon, manager; M. Gustavson, C. L. Marcotte.


St. Louis—Hal Walsh, manager; T. M. Robert, J. Hill, L. Iorns.

Walters Have Big Contract Lineup Ready

Hollywood, June 9.—Here are the production names and facts where are under contract and who will make the company’s 1935-36 program, as prepared by the Warner’s radio:

Stars:

Featured Players—54
George Brent, Genevieve Tobin, Mary Astor, Josephine Hutchinson, Margaret Lindsay, Lottie Lewis, Tanis Grey, Vera Vassar, Verne Tindell, James Melton, Colm Meaney, Ann Doran, Anna Lethie, Donald Woods, Patricia Ellis, Hugh Herbert, Barton MacLane, Frank McHugh, Allen Jenkins, Everett Marshall, Philip Reed, Hobart Cavanaugh, Claire Dodd, Robert Barron, Gordon Westcott, Ross Alexander, William Varegan, Helen Lowell, Phil Regan, Johnny Arledge, Maxine Doyle, Elsie Helen, Ian Hunter, Henry O’Neill, Dorothy Dare, Olivia de Havilland, Alice Faye, Tom生, June Storey.

Directors—22

Writers—38


Muni in “Death Fighter”

Hollywood, June 9.—Paul Muni has been set by Warners for the leading role in “Death Fighter,” an original story by Pierre Collings which deals with the sensational prosecution scheduled to follow “Dr. Socrates.” No director has been selected.

Richards in “Big Shot”

Hollywood, June 9—Warners have added Addison Richards, Joe Sauer and Arthur Vinson to the cast of “Little Big Shot.” Glenda Farrell, Robert Armstrong and Edward Everett Horton head the cast, and Michael Curtiz is directing.

“Java Head”

(First Division)

With the familiar theme of “East is East and West is West and never the twain shall meet” woven freely through the plot structure and vividly portraying the dignity of the 18th century, this picturization of Professor Herwegh’s story of the same name is adult entertainment.

With Edmund Gwenn, Anna May Wong, John Loder and Elizabeth Allan heading the cast, the picture’s value is greatly enhanced by their excellent portrayals. Director J. Walter Ruben has deftly handled his characters to keep the action moving along to the climax.

The familiar story has Loder, dashing sea captain, bringing home an Oriental bride, Miss Wong, to staid Bristol after he loses Miss Allan because of her family. His family, headed by Gwenn, accepts his wife and the two manage to conquer the prejudices of the town. All is serene until Loder’s love for Miss Allan begins to crop up again along with hers for him. When Miss Wong realizes what has happened, she reverses to type and commits suicide. The fadeout shows Loder and Miss Allan sailing away together on his ship.

American audiences probably appreciate this film, for it has many good qualities. Basil Dean Prod., London, produced.

Others in the capable cast are Ralph Richardson, Herbert Lomans and George Curzon.

Reviewed without production code seal. Running time, 80 minutes. “A.”

“Circus Shadows”

(Perf."

Forced situations and amateurish acting combine to make this independently produced picture a pretty dull effort. It will probably make the grade in the neighborhood grinds. Caught at the Skouras Valentine, the audience did not refrain from showing disapproval. Compared with other independent features, the photography could be improved considerably.

Her mother killed in a fall when she misses her trapeze in the circus, Dorothy Wilson takes up her career under the big top guessing weights. Being closely allied with Russell Hopton so many years, a strong friendship develops between the heroine and the pocke-turn. However, the entrance of Kane Riordan and the romance and Miss Wilson falls head over heels for the wealthy boy.

Complications set in when the heroine leaves the circus to join up with William Ruhl, a mystic, who goes into business for himself and becomes immersed in a plot to force Richmond’s aunt to sell her mining property. The hero finds the former circus girl mixed up in the affair, but it takes the stout hearted Hopton to set the lovers straight.

No production code seal. Running time, 66 minutes. “G.”

“Tovarish!”

(Ambino)

Only those who dote on Russian pictures are likely to find more than mild entertainment in this Lentfilm production fitted out with English subtitles. The whole operation is a hit dull, with no exo-

The story is a little muddled. It attempts to tell of life in the Soviet and results in a strange admixture of romance and Soviet ideals. Premiarily it endeavors to show how the Russian’s sense of fidelity and duty toward the Soviet governs everything he does. One is brought to this conclusion by the fact that the two leading masculine characters seem to have difficulty in carrying on their work as true sons of the Soviet state and at the same time doing justice to their love life. Romantically, the film ends happily for one but unhappily for the other.

The direction is by S. Timoshenko. Among the players are Nikolai Batulov, Anatoli Gorinov, Mikhail Jharov, Tatiana Guretska and Veronica Polonskaya.

No production code seal. Running time, 75 minutes. “G.”

“Wagon Trail”

(Alas)

There is more than enough entertainment to please western fans in this William Berke production, which stars Harry Carey. It is packed with action, with no stint of gun play, boat heats and flying fists.

Carey is cast as a two-fisted sheriff who sets out to clear his son when the boy is condemned. The hero finds the former circus girl mixed up in the affair, but it takes the stout hearted Hopton to set the lovers straight.

No production code seal. Running time, 75 minutes. “G.”

(Continued on page 11)

Three Hits, 2 Big Grossers

Stir Detroit

Detroit, June 9.—Three outstanding pictures of a strong week, all of which had downtown managers giving three cheers. “Let ‘em Have It” was a knockout in its second week at the State, running up to $12,500, which was $7,500 over a first week normal. “The Town” topped normal by $4,300 for a total of $14,300 at the United Artists, “Our Little Girl,” also in a second week, hit $18,600, which was $3,600 above the line. “Age of Indiscretion” was $2,400 up on a take of $22,400 at the Michigan. Total first week business was $85,300. Average is $70,000.

Estimated takings for the week ending May 30:

“DARING YOUNG MAN” (Fox) “NIGHT LIFE OF THE GODS” (Univ.) “BABY GIRL” (Fox)

ACHE" (Fox)—(2,925), 10c-40c, 7 days run

“FISHER” (F.N.)—(Univ.)—(2,925), 10c-40c, 7 days run

“AGE OF INDECISION” (M-G-M) MICHIGAN—(4,100), 10c-55c, 7 days run, Stage, 5 acts vanda. Gross: $23,000. (Average, $3,570.)

“LET ’EM HAVE IT” (U.A.) ST. LOUIS—(295) 10c-40c, 2nd week. Gross: $12,500. (Average, $6,500.)

UNITED ARTISTS—(2,075), 10c-55c, 7 days run. Gross: $14,500. (Average, $2,100.)

“BENACE HARRINGTON” (M-G-M) BROADWAY-CAPITOL—(3,445), 10c-40c, 7 days run, Stage, 5 acts vanda. Gross: $10,700. (Average, $1,500.)

Authorised by Lewis

Sinclair Lewis is the author of “Babes on the Earth,” and this was, as erroneously reported in Motion Picture Daily of last Friday.

Wall Street

Columbia Big Board Leader Net
( ) High Low Close Change

Columbia v.tg. (c) 63 5955 6285 4285
Cons. pdl. (15v) 18 15 15 15
Eastman 14 14 14 14
Eastman pdl. (15) 155 155 155 155
Loew’s 405 405 405 405
Loew’s pdl. 464 464 464 464
Loew’s w 464 464 464 464
Paramount 301 301 301 301
Palche 39 39 39 39
Pic 28 28 28 28
RKO 245 245 245 245
Universal pdl. 315 315 315 315
Warner pdl. (c) 22 27 27 27
Warner w 305 305 305 305
( ) Plus stock extras. (c) and (w) Paid this year.

Technicolor Up on Carb Net
( ) High Low Close Change

Sentry Safety 15 15 15 15
Technicolor 2506 2506 3006 3006
Keith Bonds Gain 1/2
( ) High Low Close Change

Gold Bullion (c) 8070 8070 8070
Low 66 66 66 66
Par 66 66 66 66
Paramont Bond 2506 2506 2506 2506
RKO 355 355 355 355
Warner pdl. 27 27 27 27
Warner w 305 305 305 305
( ) Plus stock extras. (c) and (w) Paid this year.

Quotations as close of June 8)
**Film Deliveries by Boat Beat Out Flood Problems**

(Continued from page 1)

A group of ten film chartered a plane the afternoon of June 5 to fly to the Kans. for the Six Freedoms for Peace. Among them were Frank Bo- wen, Heywood-Wakefield; H. L. Blackwell, Independent Poster Ex- hibition Co. and W. D. de Mille, National Screen Service; Homer Fox, Sun; C. H. Exterly, Sate, and his assistant, Jim Gottschalk, in charge of the Western Consolidated Film Exchange; Bill Porter, Stubbins Theatre Equipment Co.; and Paul Bayzman, Box-Office. Observers do not believe the flight will affect business for long.

**RKO to Take Sales For March of Time**

(Continued from page 1)

Hoffman said: "I am happier today with the new proposition than ever before. I feel Republic is going places and I want to go along." Trem Carr, Republic vice-president in charge of production, pledged every effort to maintain a high aver- age for new Republic films. "Wrongly directed film advertising and publicity huck is helping to ruin our business," he said. "We hope to take the hook out of Republic advertising so that the public will not be led to expect more than it receives." 

**Republic-Liberty Deal Set: Johnston**

(Continued from page 1)

Dover, June 9. — EDMUND GRAINGER, producer of "Diamond Heads," and former owner of the American Federation of Actors, has resigned to do free lance radio public.

**RKO to Meet June 11**

Hollywood, June 9—J. R. Mc- Donald, RKO sales manager, and Borden S. Benedict and Robert Sisk leave June 11 for the RKO Radio convention in Chicago. All but Sisk will continue the trip to New York for the meeting of home office conferences.

**Granger Revamps "U" Sales Forces**

(Continued from page 1)

RKO's big 1936 sales move was made as a result of the collective efforts of the company's sales managers and heads of various relief depart- ments to complete the arrangements.

The circuses were urged by the American Federation of Actors to give employment to idle actors.

**Plan Relief Shows In Parks, Armories**

Following conferences between Mayor LeGardia and Sophie Tucker, C. B. Ford, special agent of the Parks and Recreation, and A. C. Kasem, is now making all the trailers for Fox West Coast since he moved to Hollywood from the company's Los Angeles studio. Kasem is in charge of the local code offices, is still standing by waiting for further instructions before abandoning the office.

**San Francisco**

Bob Harvey, press agent at the Orpheum, has left for Australia on a new job, details of which are unavailable here.

Rowena Foley, in charge of the local code offices, is still standing by waiting for further instructions before abandoning the office.

A. C. Kasem is now making all the trailers for Fox West Coast since he moved to Hollywood from the company's Los Angeles studio. Kasem is in charge of the local code offices, is still standing by waiting for further instructions before abandoning the office.

**Godfrey" Script Completed**

Hollywood, June 9—Robert Pres- nell, associate producer for Universal, has finished the script of the film in which William Hopper will star for the company, "My Man, Godfrey." Presnell is now on his way to Cabo San Lucas, Mexico, for his annual vacation. They get back July 15.

**Herzbrun with Luibitsch**

Hollywood, June 9—Henry Herzbrun is back from a trip to Germany, where the latter left by plane for New York today. It is understood they were summoned by John E. Ottersen, new Paramount head, and Adolph Zukor.
**Variety Club**

**Albany**

**Albany, June 9.—** Charles Johnson was guest of honor at the last club luncheon.

Joe Wolfe and Herman Rupp were kings for a day, and the principal speaker was William Fitts Simons, president of the Albany Chamber of Commerce and the Bar Ass’n.

**Cincinnati**

**Cincinnati, June 9.—** Preliminary notice has been posted for the picnic to be held at Stricker’s Grove July 27.

Tom Reilly, who recently took over Pleasure Isle, a nearby summer resort, has the place in full operation.

Bill Williams of Albany Tent No. 9, accompanied by Mrs. Williams, was a visitor at local headquarters.

Nat Turberg, manager of the Paramount, Hamilton, is the newest member of the Rotary Club there.

Mrs. Prescilla Moritz, wife of the club’s proxy, is recovering at her home following an operation at a local hospital.

**Para. Departments To Shuffle Offices**

Paramount theatre departments under Y. Frank Freeman, now housed on the 17th floor of the home office building, will be consolidated with other home office departments on the ninth floor by the end of the month.

The theatre’s clerical staff of Root Clark, Buckner & Ballantine, counsel to the Paramount trustees, which occupied the ninth floor during the bankruptcy period, will begin vacating the offices June 17 and are expected to be entirely removed by July 1.

The trustees, Charles D. Hilles and Eugene Leake, with their secretarial staffs, are also preparing to vacate their ninth-floor quarters shortly after June 17, the date on which Federal Judge Alfred C. Coxe is scheduled to be asked to sign an order directing the trustees to turn over the Paramount assets to the officers and directors of the new company.

**Carey Sues Weiss**

Los Angeles, June 9.—Harry Carey filed suit in the Superior Court against Louis Weiss for alleged breach of contract.

Carey claims that in 1931 he was signed by Weiss to make eight films in 16 weeks at $1,500 a week; that he made four films, was paid $11,500 and told that his services were no longer needed. The actor is suing for $12,750. Artclass Pictures Corp. also is named in the suit.

Louis Weiss is still in California. His brother, Max, was not in New York on Saturday.

**Delay Bank Night Case**

**Cleveland, June 9.—** Hearing by Common Pleas Judge McMahon on the first bank night case filed locally, originally set for last Friday, has been indefinitely postponed.

Meyer Fischer, Fountain, is asking for an injunction to stop bank night at the Haltforth, operated by M. B. Horwitz. Judge McMahon refused to issue a temporary injunction pending hearing the case on its merits.

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**Looking ’Em Over**

"Wagon Trail"

(Continued from page 9)

of the gang to be caught. He was forced to join the outfit on the threat of the head villain, the owner of the town saloon, to turn over his gambling debts to his dad.

When Carey learns the truth he turns the boy loose, with the result he is deprived of his sheriff’s badge. Carey sets out after the villains, with the added incentive of winning back his post. There is a hot chase when the gang gets its hands on the boy. The film winds up with the chief villain killing himself when he is caught and the boy and his sweet-heart headed for a quiet nook. The girl, who is the foster-daughter of the saloon operator, is played by Gertrude Messinger.

Also in the cast are Edward Norris and Roger Williams. Harry Fraser directed and Robert Cline handled the photography, which is good.

Production Code Seal No. 832. Running time, 35 minutes. "G."

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

"Twenty Dollars a Week"

(Aajax-Selected)

Hollywood, June 9.—"Twenty Dollars a Week" had the preview audience in the aisles—some rolling, but most walking out.

It is a tale of obvious lechery rampant all over a business office. Pauline Starke takes one look at James Murray, and falls into a staring love trance, but she has determined to marry a millionaire so she breaks their date to go out with a sub-boss, Bryant Washburn. She gets an apartment which could not have been under $20 a day, but remains malignant a good girl even when engaged to the owner of the business.

Produced by a major company, the story would be no worse than routine, but struggling with inadequate adaptation, direction and cutting, here it becomes a burlesque of heavy melodrama.

In the cast are Gwen Lee, Dorothy Revere, William Worthington, Audry Rice, Jr., Bertlett Carre. Wesley Forde directed the screenplay by L. V. Jefferson from Rob Lister’s novel.

No production code seal. Running time, 60 minutes. "G."

**War Scare in Westchester**

(Continued from page 1)

merely being fitted with new steel windows and new locks and hinges, however.

The reason for all this preparation is the Film Daily Golf Tournament set for next Wednesday at the Progress Country Club. The townspeople intend to be prepared for the bombardment of mud clots that is certain to descend upon them once the film boys begin belaboring the earth with their clubs. The greatest danger, however, is thought to lie in the gales of wind that will sweep down on the houses all day long from squalls in swamps. For those who have to venture outside on this day, special helmets and protective suits are being provided by the Village Board of Selectmen and special lifelines will be strung along the main thoroughfare. All traffic will be re-routed away from the town to insure safety to travelers forced to pass in this vicinity.

Approximately 150 filmers will meet to vie for the number of prizes, among which will be one presented by the Quigley Publications. James Cron, leading golfer of that organization, denies that that prize will be presented to the player whose divot travels farthest from where he makes his shot.

The main match of the day, however, will be the one between the teams from the M.P. Club and the Arma for a leg on the Albem Memorial Trophy.

John W. Aliche, formerly general of the Kentucky colonels, has been resting at White Sulphur by way of preparation for the event.

He, plus entourage, will arrive here Tuesday evening to survey the terrain and to make certain the cellars—wine, not storm—are in the pink.

---

**Patrons Flock to the Theatres with**

**Photophone offering**

A sound box office attraction. Unfailing sound satisfaction. Complete ownership. RCA super-service.

RCA Manufacturing Co., Inc. Photophone Division Camden, N. J. A Radio Corporation of America Subsidiary
A CHAIN LETTER THAT IS NO FAD

Just

Good Business

Educational's

GUARANTEED PROSPERITY FRATERNITY

Ad your Theatre's Name to the Bottom of this List... Don't Cross Off a Thing... Advertise It to Your Patrons to Let Them Know Your Spring and Summer Programs Will Be Fine Entertainment All Through the Show.

Ernest Truex in "Friendly Spirits"

Sylvia Fraas with Warren Hull, in "Love in a Hurry"

"It Never Rains"

From the Stage Play by Aurania Rouwerl Frolics of Youth with Jr. Coghn and Dorothea Kent

Tom Howard and George Shelton in "Time Out"

"Ski-Scrapers"

Another Gem from The Treasure Chest

Paul Terry-Toons

by Frank Moser and Paul Terry

"A Modern Red Riding Hood"

"Opera Night"

"King Looney XIV"

Don't Break the Chain... Book Educational Short Subjects Every Week... Tell Your Public... This Will Bring Speedy Returns of $$$$ at the Box-Office.

Presented by E.W. Hammons

Distributed in U.S.A. by FOX Film Corporation
M-G-M Peace Pact Foreseen in windy City

Samuelson - Feist Talks Near Fruition Here

M-G-M’s difficulties with Allied in Chicago will in all probability be straightened out within the next two weeks, it is learned. Several conferences between Felix F. Feist, general sales manager for the distributor, and Sidney Samuelson, president of Allied, have been held in connection with the sales policy of M-G-M in the Windy City.

Although the first few meetings ended with no results, the later sessions are bearing fruit. Samuelson will not discuss the M-G-M topic.

Feist Due from Chicago
Chicago, June 10—Felix Feist, general sales manager of M-G-M, left (Continued on page 20)

All Code Boards to Close on Saturday
All of the 51 code boards will be closed Saturday. Violations on all the offices have been paid up to June 15 when the secretaries wind up their work under the code. Furnishings in all branches are on lease and are being returned to respective owners, in some cases local Film Boards of Trade.

A number of the 20 girls working at Camp headquarters are being given (Continued on page 20)

Giveaways Spread in N. O. as Code Passes
New Orleans, June 10—Optimists who had hoped it would be possible to hold subsequent run houses together under NRA practices forbidding giveaways and the like are either due to (Continued on page 20)

Pleased
Cincinnati, June 10—Delegates to the Republic regional, prior to their departure over the week-end, expressed appreciation over distribution of Motion Picture Daily at their convention. The paper was flown here Friday and Saturday from New York.

"That’s real service and character of the paper," was the reaction.

Capital Stops Move to Delay Ascap Hearing

Cummings Vetoes Plan As Case Comes Up

Attorney General Homer S. Cummings in Washington yesterday vetoed the proposal calling for a postponement to October of trial of the government’s anti-trust suit against the American Society of Composers, Authors & Publishers and insisted that the case go to trial immediately, as scheduled.

Accordingly, it is expected that trial of the suit will begin before Federal Judge Henry W. Goddard this morning.

It will probably continue until July 1, when a forced adjournment (Continued on page 20)

Television Cable Hearing Is Fixed

Washington, June 10.—A hearing on A. T. & T.’s application to the Federal Communications Commission to install a television cable between New York and Philadelphia has been set for June 17 here. Western Union and Postal Telegraph, who, it is reported, fear that the new service may (Continued on page 20)

Ohio Playdate Case May Go to Fall

Columbus, June 10.—Because of injuries sustained by Judges Robert R. Nevin and Benson W. Hough of the Federal Court in an automobile accident trial of the constitutional attack on the Ohio playdate bill may go over until fall.

It was scheduled for hearing this week.

Senate Group Moves for Voluntary Code Measure

Washington, June 10.—Paving the way for the adoption of voluntary codes, the Senate Finance Committee today agreed upon amendments to the measure passed last week extending the Industrial Recovery Act to April 1, next.

The measure will be brought up tomorrow in the Senate, which will meet an hour early for the purpose, and will probably be disposed of within an hour or two.

The committee amendment adds to the House extension of the NRA a provision provided in Section 5 of such title shall extend only to agreements and action thereunder (1) putting into effect the requirements of Section 7-A, (Continued on page 20)

Circuit Idea Goes Dormant

In N. Y., N. J.

Exhibitors Dislike Idea Of New Corporation

Despite manifested hopes of its sponsors that the plan eventually will bear fruit, the two local schemes to corral about 150 independent houses in New York and 75 in New Jersey into two compact corporations again have reached the dormancy stage. The latter emerged three weeks ago from a prolonged lethargy.

It's the same old story and its only reasonable possibility nothing may come of the plan. The story is that where exhibitors are asked to pool their interests in a corporation for which stock would be given in return, although management would be retained by the owner, there develops (Continued on page 2)

Rogers, Goldstein Will Join Republic

Budd Rogers, sales manager of Liberty, and E. H. Goldstein, former general manager of Majestic, are expected to join Republic's home office staff in executive sales capacities. Both men will work under supervision of E. A. Golden, general sales manager.

W. Ray Johnston, Norton Richey, Herman Ricken, Herman Gluckman, Rogers, Ed Finney and Madeleine White returned from the Cincinnati regional yesterday morning. Golden is en route to Seattle, where a second regional will be held beginning Friday.

Report Rosenblatt May Join the TOCC

Reports are current that Compliance Director Sol A. Rosenblatt will be retained as counsel for the TOCC upon his retirement from the NRA on Sunday. Rosenblatt has held several conferences with Charles L. O'Reilly, (Continued on page 20)

Joining Paramount

It is understood Watters is R. Rothacker will join Paramount in an executive capacity. Reports persist his new post will identify him with the studio.

“We Pastures” Bought

Hollywood, June 10.—"The Green Pastures," Mark Connolly’s play based upon the minstrels’ and blackface stories, has been bought by Warners at what is reported a record-breaking price. Max Reinhardt may produce. Connolly is in negotiation with Warners on a supervisory position on this production.

Warners Up Sears, Smith And Einfeld

Los Angeles, June 10.—Promotion of A. W. Smith, Jr., eastern and Canadian sales manager; Gradwell Sears, western and southern sales manager, and S. Charles Einfeld, advertising and publicity head of Warners, to vice-presidents of the Vitagraph Corp., was announced by Harry Warner at the opening of the company’s convention here today. Smith and Sears president.

Harry Warner told the conventioners Warner business today was double what it was at the height of the depression. He asserted the company's (Continued on page 28)

RKO-Warner Product Deal to Be Set Soon

Negotiations between RKO and Warners for 50 per cent of the latter company’s profit in the circuit’s local houses will be concluded upon return of the distributor’s sales heads from the sales convention on the coast.

Preliminary details were set on the deal before the Warner men departed for Los Angeles. Loew’s gets the other 50 per cent of the product locally.

(Continued on page 28)
**Purely Personal**

MIKE ROSENBERG, head of Principal Theatres, has returned to Los Angeles after attending product confabs with National Theatres subsidiary heads here. Harold J. Fitzgerald has returned from Milwaukee, but Jack J. Sullivan, Rick Rickerson, Elmer C. Rhoden, Arch Bowles, Charles B. Sauder, and Edward Zabel remain for additional talks.

JOHN GILMOUR, producer of General Electric Industrials, is in town from Schenectady. He has just finished "Excursions in Science" and may make other short reels for the company at the rate of four annually.

Cecil B. DeMille is due in with a print of "The Crusades" on Thursday. He will make an appearance at the Paramount sales convention at the Waldorf this week.

Max Gordon is all set on the deal whereby M-G-M will participate in the financing of his shows and papers are expected to be signed shortly.

J. Robert Rubin sails shortly for a month's vacation in Europe. He doesn't like the coast and that's where he's jumping it.

Charles Walsh has been signed by M-G-M for a role in "Here Comes the Band." The deal was handled by the William Morris Agency.

ROBEN MAUMON has been awarded the American Institute of Cinematography honor diploma for his work on "Becky Sharp."

Ed Kuykendall had to postpone his planned trip here and now does not expect to be in until the middle of next week.

Lee Libson will arrive from Cincinnati tomorrow for conferences with RKO home office executives.

Mort Singer is fully recovered from his recent illness. He may take a train to Chicago by day now.

H. W. Keiter has been appointed publicity director of International Road Shows, Inc.

Nate Blumberg has licked that cold and was back on the job of running RKO theatres yesterday.

Irving Berlin arrived from the coast yesterday after finishing music for "Top Hat."

LORETTA YOUNG arrives from the coast today for a brief vacation.

Paul Ash headlines the revue at the Roxy beginning Friday.

Lily Pons is due to arrive in Hollywood about July 1.

Lee Shubert sails Friday for Europe. Business and pleasure trip.

• • •

Hiroko Eckard, assistant manager of the RKO Shubert, is at the ticket window of a Los Angeles racetrack since closing of the theatre for remodeling 10 days ago.

Theatrical M-G-M manager, back from a sojourn in Florida.

Nelson Thombrige, head man at the Palace, has taken a trip to Michigan for the annual summer vacation.

E. Otterman and Joe Gotte, advertising chief and division booker, respectively, for RKO, have given up their contemplated trip to Hollywood, due to a partial part of their vacation in New York instead.

Roy Millholland, staff artist at RKO division office, has resigned his art department of the Kroger Grocery & Baking Co. here.

**Lubitsch, Herzbrun Start Conferences**

Ernst Lubitsch and Henry Herzbrun, who arrived from the coast by plane yesterday evening, went into conference early in the afternoon with Adolph Zukor and John E. Otterman and remained closeted until a late hour.

Out of the conferences with Lubitsch and Herbrun are expected to come back to New York a recommendation by the new Paramount board and executive committee which will decide the future development of the company.

The executive committee is scheduled to consider the subject this week and may itself take summary action, subject to the later approval of the board.

**Strike Closes Three Mexico City Houses**

By James Lockhart

MEXICO CITY, June 10.—A strike resulting from alleged unjustified dismissal of 25 ticket-takers and a disorderly condition of three neighborhood houses and theaters to shut one first run and five second runs next Saturday, was taken by both of the Mexican foreign distributors, was cleared by the distributors.

A boycott of Mexican and foreign distributors has been voted by the local branches of the Confederation of the independent movie industry's strongest labor organization, a protest against distributors' refusal to allow local exhibitors to join the Cinema Employees' Union. The federation has advised some distributors that the boycott will be put in effect unless they reinstate employees dismissed for alleged union activities. Other branches of the federation are supporting the boycott move.

The distributors point out that these workers already have a union of their own.

**Philip Klein, 46, Dead**

Hollywood, June 10.—Philip Klein, 46, film writer and producer, died here yesterday of pneumonia. He was the Academy award winner several years back with his script of "Four Sons." He wrote Shirley Temple's first starring vehicle, "Baby, Take a Bow." His last writing job was the script of "Mrs. Parkington," to be made later this year, and he has been working for the RKO screen play division in New York.

**Gar Moore's Son Killed**

NEW ORLEANS, June 10.—Gar Moore, Jr., son of Gar Moore, Orpheum Theatre publicity head, was instantaneously killed here Wednesday when he darted in the path of an automobile.

**Circuit Idea Goes Dormant In N. Y., N. J.**

(Continued from page 1) sufficient distrust in the minds of some exhibitors to upset the applecart.

About two weeks ago when the plan was revived about 25 New Jersey independents openly approved the idea at a meeting in Newark. Following this session, a conclave of 86 New York exhibitors was held at the M. P. Club. The men present were in the mood and endorsed the local tipu.

Sponsors of the plan visualized the proposal as promising for pooling, since it is just a few weeks ahead of new selling. It was figured it would take a few weeks to work out the details and if the plan were successful the combine would make itself felt when the selling season breaks.

E. W. Warden, manager for the I.T.O.A., had been detailed to draw up the plan for the local unit, but he decided he might as well let matters.

The idea has no connection with either the I.T.O.A. or the Term.

Although the circuit idea is back in the doldrums, there are several unaffiliated exhibitors who cling to the notion that in the future some will develop along the lines outlined. However, the few days left does not put the possibility as to a definite date. No future meetings are scheduled in New Jersey and New York.

**May Quigley Award Goes to Sindlinger**

Al Sindlinger, manager of the Appleton, Appleton, Wisconsin, winner of the May Quigley Award, captured it for his campaign on "Goin' to Town," and was the winner by a close vote of the judges for Managers' Round Table Club of Motion Picture Exhibitors.

Herb Morgan, Loew's Baltimore publicity man, came in second and won the bronze plaque for his campaign on "Les Misérables."

Three entries received first mentions. These were: Ongie Ratto and Lou Brown, Loew's Palace, Washington, "Goin' to Town"; Sam Gilman, Loew's Harrisburg, "Mark of the Vampire"; Dwight Van Meter, Warner's Astor, Reading, "Bride of Frankenstein."

**Milgrim Files Suit Against Fox on Film**

PHILADELPHIA, June 10.—Suit has been filed by David Milgrim of the Philadelphia Eastern District Court, against Fox, alleging that the distributor assured the exhibitor he would continue to get Fox product. Milgrim claims he has been playing Fox for the last two years and now the company has sold away a large portion of his business. Goldner is representing the plaintiff.

Felix Jenkins, general counsel of Fox, yesterday stated he had heard of the suit but has had no details.
The FIRST COMPANY in 1935-1936
The First Company keeps Faith!
1935-1936

There's an obligation in leadership. The following pages tell why M-G-M in '35-'36 will be the backbone and security of your business. They explain why M-G-M has meant safety, not speculation, for eleven years. They reveal why your patrons who buy names will want the line-up that has more STARS than all other companies combined. In no previous year of its history has the Leader offered such an array of Giant Productions. Keeping faith means keeping FIRST. Keeping FIRST means having the greatest resources and talent on earth! Here it is!
Presenting on this page that First Lady of the Screen NORMA SHEARER—that gent who is a diamond in the rough WALLACE BEERY—the One and Only GARBO and CLARK GABLE whose smile is his fortune and yours!
Such an assemblage of STELLAR names on this page: JOAN CRAWFORD at the very top of box-office glory—WILLIAM POWELL that debonaire fellow—and the girl the public voted for Stardom MYRNA LOY—also that sly mixer of fun and romance ROBERT MONTGOMERY.
We have with us on this page JEAN HARLOW, luscious lady of platinum tresses—and CHARLES LAUGHTON who appears in big hits only—also JEANETTE MACDONALD exquisite song bird; and the handsome star whose fan mail is the envy of Hollywood NELSON EDDY, next season's big name!
Needing no introduction Miss GRACE MOORE who wins all the prizes; LAUREL-HARDY, who win all the laughs and that boy FREDDIE BARTHOLOMEW whose Copperfield was just the beginning — CONSTANCE BENNETT more stunning than ever and bless his heart, that grand-est man LIONEL BARRYMORE.
Smart Leo to have signed up (on this page) that merriest of radio favorites JACK BENNY, that stage star, comedian and dancer CLIFTON WEBB; here also are beloved JACKIE COOPER; those mad MARX BROTHERS and SPENCER TRACY; for all of them Leo has very interesting plans, indeed!
THE First PRODUCT of 1935 & 1936

6 Specials
of STAR-combination and GIANT-size destined to be the year's Extended Run hits!

22 Star Productions
from the Gallery of the Great emblazoned on preceding pages

4 Promotion Specials
a new sensational showmanship idea in the M-G-M manner

3 Musical Pictures
with STAR casts in famed vehicles of "Naughty Marietta" prominence

14 Marquee Pictures
reverting to their original popular policy of timely stories, strongly cast!

49 from M'G'M (and they will make box-office history!)
Six Specials

CHINA SEAS

is COMPLETED and will be released in August. It is one of the GREATEST FILMS EVER MADE! starring

CLARK GABLE · JEAN HARLOW · WALLACE BEERY

Based on novel by Crosbie Garsten. Directed by Tay Garnett. Adapted by Jules Furthman

WHEN you glimpse Irving Thalberg’s production of “China Seas”, you will get an idea of the kind of product M-G-M will flash on the industry in the new season. From now on the title “China Seas” will be mentioned wherever film talk meet. You will read about it often in the trade press.

Behind a wall at the M-G-M studios is one of the most amazing sets created since “Ben-Hur.” It is the harbor of Hong Kong, noisy, crowded, colorful. Here is enacted the pulse-pounding drama between Clark Gable, as the hard-bitten sea-faring man; Jean Harlow as the frank lady of the Oriental ports and Wallace Beery as the bluff trader who also seeks Miss Harlow’s affections. The power and the elemental thrill of Gable and Harlow in this picture is even more tempestuous than it was in “Red Dust.”

“China Seas” deals with fierce loves, bitter hatreds and dangerous intrigues and is played against a background of tropical hurricanes and pirate raids. Aboard the wheezy old liner Kin Lung, as she beats down the coast from Hong Kong to Singapore, are not only the group of white people in her cabins but also a wild assortment of Malay gangsters in her forecastle. Storms batter the Kin Lung and all but disable her. Pirates capture her and torture Gable, her skipper. The pirate raid is a scene never to be forgotten in the action annals of films. And right out of the headlines, too, for this coast of China is the last stronghold of pirates today. This stark, throbbing panorama comes to the screen for the first time in what is destined to be one of the most lustily exciting screen dramas of our time.

WIFE vs. SECRETARY

Based on the novel by Faith Baldwin in Cosmopolitan Magazine

LISTEN to this yarn... and visualize it portrayed by BIG STAR names... and produced in the de luxe M-G-M manner with backgrounds of Park Avenue pent-houses, swanky Palm Beach, beautiful Bermuda. Faith Baldwin, the authoress, who knows what-the-public-wants, has given here in full, rich measure, a sparkling comedy drama. She relates her high-voltage story in the ultra modern manner, and yet with a tug at the heart and a primitive elemental thrill of the soul. Briefly, a combination business executive and society playboy in love with his wife engages in a harmless flirtation with his beautiful secretary. This man finds it possible to be crazy over two women at the same time and true to both of them. The secretary doesn’t want another woman’s husband. She doesn’t know that side of him. She’s in love with her boss, a different kind of loyalty and devotion that the modern world of business causes to happen. On the other hand, the wife doesn’t truly know the man at the office. But audiences will be excited by this true-story-telling, because these human relationships happen in their own lives. The showman-producers of M-G-M sensed this in the selection of this story. Their judgment has been confirmed by the overwhelming response which Miss Baldwin’s story has received nation-wide from readers of Cosmopolitan Magazine. It is one of the HIT magazine features of the year. It will be one of the HIT screen attractions of ’35-’36 in a Star-Studded, de luxe M-G-M entertainment.

(Continued on the following page)
BROADWAY MELODY OF 1936

Cast: JACK BENNY, ELEANOR POWELL, ROBERT TAYLOR, SID SILVERS, BUDDY & VILMA EBSEN, JENNY LEGON, FRANCES LANGFORD, SHIRLEY ROSS, UNA MERKEL, STUART ERWIN, JUNE KNIGHT, NICK LONG, JR., Etc.


OKAY, gentlemen... tell us it was a long time coming... tell us the public has patiently awaited another smash romantic musical to equal M-G-M's one and only original "Broadway Melody." But don't forget to add that all the dreams have come true... here is "Broadway Melody of 1936" to top its famed predecessor with its talent, with its music, with its production wonders and with its story that combines heart-throbs, dramatic suspense, a million laughs and a wallop at the end to send them away cheering. It was the exciting human interest story of M-G-M's earlier success that kept them clinging to the edge of their seats. The "Broadway Melody of 1936" is blessed with a dramatic love story twice as intense, with twists and unexpected developments in rapid-fire, breath-taking profusion. Unique methods of introducing song and dance and spectacle, make this a model of ingenuity. Carl Randall's "Magic Dance" number, mystifying as a Houdini trick and beautiful to behold, is a brand new note on the screen. Numbers like "I've Got A Feeling For You," "Broadway Rhythm" and "Lucky Star" blaze a new trail for music and spectacle on the screen. And that WALLOP at the end... a surprise finish with a bang! And what a cast, headed by radio favorite Jack Benny. And those gowns by Adrian! Sing out the good news... "Broadway Melody of 1936"... a success-picture that will pack them in for the biggest money's worth of joy they've ever had in their lives.

A TALE OF TWO CITIES

starring

RONALD COLMAN

and big name cast, including

ELIZABETH ALLAN, BASIL RATHBONE, DUDLEY DIGGES, EDNA MAY OLIVER, CONSTANCE COLLIER, HENRY B. WALThAL, REGINALD OWEN, WALTER CATLETT

Based on the Charles Dickens novel. Adapted to the screen by W. P. Lipscomb, who did the famed script on "Les Miserables." Jack Conway, Director

At this time when BIG spectacular productions defy all precedent in what they can do at the box office, M-G-M comes along with the BIGGEST! "A Tale of Two Cities" is Dickens' most celebrated action romance, read by millions, known the world over.

The drama takes place in London and Paris during the thunderous days of the French Revolution. Ronald Colman plays the part of Sidney Carton, handsome English idler who falls in love with Lucie Manette, French beauty. Lucie, after securing the release of her father from the grim prison Bastille, marries Charles Darnay, a titled French nobleman who greatly resembles Carton. Darnay bravely faces the terror of Paris to rescue an old family servant; he is betrayed by the shrewdness of the relentless Madame Defarge, a wine-seller, and is thrown into the dread dungeons of the Revolutionists. The spectacle approaches its unforgettable climax when Ronald Colman, as Carton, taking advantage of his resemblance to the condemned Darnay, saves the husband of Lucie whom he loves dearly, by substituting himself in the dungeon and going to his death on the scaffold instead of Darnay.

How fortunate that writer W. P. Lipscomb, whose screen story of "Les Miserables" is so widely credited with that picture's success, should be the one selected to tell the story of "A Tale of Two Cities" for the screen. Go back in your memory to the most glorious M-G-M giant attractions that have stirred the world and be assured that "A Tale of Two Cities" will top them all!
THE FORTY DAYS OF MUSA DAGH

Based on the novel by Franz Werfel. Screen play by Carey Wilson and Talbot Jennings.

The most electrifying announcement of recent times was the flash to the world that M-G-M had bought the year's best seller, "The Forty Days of Musa Dagh," and that this remarkable novel would be filmed by Irving Thalberg as one of the most staggering production- undertakings of all picture history. No wonder this news-flash sped to the four corners of the globe, because the book, with its heart-stabbing story, had gripped the sympathetic attention of a world-audience. More than a hundred and seventy thousand copies were rapidly sold and the presses have been pouring forth additional thousands ever since! Why? Because this is life's blood, vivid on the printed page . . . the drama of the people of seven Armenian villages who, during the first year of the World War were cut off from the rest of the world. Facing extermination at the hands of the Turks, their beautiful daughters fleeing from the bestial approach of the soldiery, struggling against inhuman odds to preserve their lives, this wretched band entrenched themselves in the wild fastnesses of the holy mountain Musa Dagh. At their head was a handsome and wealthy young Armenian who yielded a life of ease and luxury in Paris to lead his distress'd people. A mountain forest fire, a devastating avalanche, the endless replacement troops of the enemy, the distracting love of a beautiful woman . . . all these plagued him, but for forty memorable, world-shaking days he and his little band held out. And then at desperation's last stand, when the French cruisers arrive for the breath-taking rescue, there is climax on climax to win the tears and cheers of all audiences. There are actually 63 name parts assuring a host of the industry's stars in the brilliant cast of next season's towering entertainment. Salute now the genius of Thalberg, for this picture is destined for inclusion among the rare few immortalized in the Screen's Hall of Fame! Backed by a $2,500 Prize Contest now current in Modern Screen Magazine in cooperation with M-G-M and the publishers, Viking Press.

THE GREAT ZIEGFELD

starring

WILLIAM POWELL

and Big Name Cast

By arrangement with the estate of Florenz Ziegfeld and presented in an original story by William Anthony McGuire

EVERYBODY wanted it! M-G-M got it! So big in possibilities, so gigantic in stature for proper presentation of the most magical name in show business... that only M-G-M could handle it! ZIEGFELD! What a wealth of showmanship it represents for every highway and byway of the globe! It is the symbol of this generation's ultimate vision of what's top in the show world! A trademark on any theatre's marquee that pre-sells a giant entertainment GLORIFYING THE AMERICAN GIRL. Only M-G-M has the rights to "The Great Ziegfeld," a name that's worth its weight in gold, built up by years of glamour and scintillating headliners. The production of this picture is being undertaken by the M-G-M studios on a scale ranking with the most pretentious in its history. William Powell has been chosen for the role of Ziegfeld. Harriet Hctor, dancing star, is the first of a long list of celebrities engaged. Of many lavish scenes, a typical example is the Lion Ballet being staged by the renowned dance director, Seymour Felix, in which countless beauties, trained lions, ponies, dogs and other animals take part. William Anthony McGuire, who wrote the original story, will be associated in its production. McGuire's background of hits gives you an idea of what he can do..."Whoopie," "Three Musketeers," "Kid Boots," "Roman Scandals," just to mention a few that poured millions into box-offices! And that's why Mr. Exhibitor may safely dust off the S.R.O. sign...or better yet, get himself a few extra ones, for here comes M-G-M's "The Great Ziegfeld."
22 Star Pictures

(In addition to the names mentioned below there will be co-stars as occasion permits)

2 CLARK GABLE
2 GARBO
1 GRACE MOORE
3 JOAN CRAWFORD
2 JEAN HARLOW
1 JEANETTE MACDONALD
1 JEANETTE MACDONALD—NELSON EDDY
3 LIONEL BARRYMORE
1 MARX BROTHERS
1 NORMA SHEARER
2 ROBERT MONTGOMERY
2 WALLACE BEERY
1 WILLIAM POWELL

3 Musical Pictures

with STAR casts in famed vehicles of "Naughty Marietta" prominence.

14 Marquee Pictures

Reverting to the original popular policy of this series, Timely stories with strong casts.

4 Promotion Specials

Introducing a new idea in the merchandising of motion pictures. Of course, M-G-M does it first. Combines a smash advertising campaign with a new twist. The plan is now being developed nationwide, and details will shortly be announced. Depend on it for something box-office-wise that's never before been attempted!
First in Personnel

GREAT TALENTS MAKE GREAT PICTURES
(Listed Alphabetically)

STARS — Lionel Barrymore, Freddie Bartholomew, Wallace Beery, Constance Bennett, Jack Benny, Jackie Cooper, Joan Crawford, Nelson Eddy, Clark Gable, Greta Garbo, Jean Harlow, Charles Laughton, Myrna Loy, Jeanette MacDonald, Marx Brothers, Robert Montgomery, Grace Moore, William Powell, Norma Shearer, Spencer Tracy, Clifton Webb.


From the Star Group

GARBO and FREDRIC MARCH in ANNA KARENINA
(For September Release.) It is completed and is positively the greatest Garbo picture of her entire career. Based on the novel by Tolstoi. Director Clarence Brown

The Cast: GRETA GARBO, FREDRIC MARCH, FREDDIE BARTHOLOMEW, MAUREEN O'SULLIVAN, MAY ROBSON, REGINALD OWEN, BASIL RATHBONE, REGINALD DENNY, PHOEBE FOSTER, JOAN MARCH and 15 more!

THOSE who have been privileged to see the completed production of "Anna Karenina" state without reservation that this is the Garbo picture for which the fans have yearned. This is the Garbo to yield tears, to grip souls, to thrill a romance-hungry world. Beautiful wife of a neglectful Russian government official, she meets the handsome Vronsky and their lives become fatefully joined. Their overpowering love surmounts tragedy and social ostracism. Their story is tear-dimmed, yet exquisitely beautiful, a drama so gripping it reaches deep into the public heart. Garbo is magnificent.Fredric March, newly applauded in "Les Miserables," is handsome and powerful in his role of lover. Freddie Bartholomew makes his first appearance following his "Copperfield" triumph and is definitely on the way to stardom. The skilled direction of Clarence Brown prophesies a headline triumph of the next season!

AFTER THE THIN MAN with WM. POWELL • MYRNA LOY

A NATURAL because the fans are waiting for it. And Dashiell Hammett, the author, Goodrich and Hackett, the adaptors, and W. S. Van Dyke, the director, are conspiring again to repeat the record-breaking success of their previous popular entertainment, "The Thin Man." The sequel is equally smart in dialogue and much more dramatic in story, with the delightful romantic feeling between William Powell and Myrna Loy that the fans loved.

First in Story Properties

Following are part of M-G-M's great story properties from which many of the 1935-36 productions may be selected

MAYTIME
Sigmund Romberg's famed light opera, one of the most tenderly romantic ever written, set the world singing "Will You Remember?" a love song of imperishable quality. By Rida Johnson Young, who wrote "Naughty Marietta."

SACRED AND PROFANE LOVE
The renowned artist's model story by Arnold Bennett.

TISH
Mary Roberts Rinehart's story of the indomitable old lady who meets any situation and triumphs.

TIMBERLINE
Gene Fowler's best-seller portraying great events and great romance in the lives of two newspaper publishers in the roaring West.

THE WIND AND THE RAIN
Stage hit by Merton Hodge of British boarding school life and a youth who falls in love with the headmaster's pretty wife.

BLACK CHAMBER
By Herbert O. Yardley. The inside goings-on of the American secret service in Washington during the war.

AH WILDERNESS
Theatre Guild success by Eugene O'Neill. George M. Cohan's role won fame comparable to Frank Bacon's "Lightnin." An extensive road tour has given the play a national reputation. Clarence Brown director.

LIVING IN A BIG WAY
Cosmopolitan Magazine novelette by Louis Bromfield. A beauty contest winner gets into trouble with gangsters in New York and is rescued by an old lady friend from her home town.

MAN CRAZY
Based on Liberty Magazine serial story, "Bright Girl" by Vina Delmar. A small town girl leaves home to make her own way in the world only to find out that home is the best place after all.

LADY COMES TO TOWN

HER EXCELLENCY'S TOBACCO SHOP
European stage hit. A girl behind the counter of a tobacco shop is lifted to Cinderella heights by the love of a Prince.
GOLD EAGLE GUY
Outstanding hit of New York's famed Group Theatre. By Melvin P. Levy. Story of a great shipping family of the Pacific Coast. Spectacular scenes include the San Francisco earthquake.

HERE COMES THE BAND

SILAS MARNER

OLIVER TWIST
Who but the producers of "Copperfield" could better capture for the screen the heart-stabbing pages of this world-famed Charles Dickens masterpiece.

WITCH OF TIMBUCTOO
Fantastic Voodoo rites in Africa, the horrors of Devil's Island and the mysteries of the Paris underworld. To be directed by Tod Browning as one of the most important mystery-horror thrillers of the year.

MALA
M-G-M stands alone in the department of "expedition-ory pictures." "White Shadows," "The Pagan," "Trader Horn" and others. M-G-M the leader of trail-blazing enterprises in search of unusual entertainment sent Director Richard Thorpe and a staff of sixty, including technicians, actors and others, to Papeete. "Mala," the drama of the coming of white civilization to the innocent natives of the Polynesian group, will be a screen event!

THE SHINING HOUR
Celebrated Broadway stage success by Keith Winter. Produced by Max Gordon.

GOODBYE, MR. CHIPS
The great heart-touching novel by James Hilton. Hundreds of thousands of copies have been sold all over the globe.

RAGE IN HEAVEN
Another stirring novel by James Hilton.

THE PRISONER OF ZENDA
The greatest of Graustarkian romances. The novel by Anthony Hope Hawkins and the play by Edward Rose are known the world over.

MA PETTINGILL
By Harry Leon Wilson, author of "Ruggles of Red Gap." Famous Sattevepost character comes to life running a dude ranch in California.

WHIPSAY
Liberty magazine prize story of the detective who goes to novel lengths to get his girl.

THE BISHOP MISBEHAVES
Now current on Broadway. Great John Golden stage success by Frederick Jackson. A. E. Du Pont, Director.

MURDER MAN
Temporary title for the brilliant original story selected as a vehicle for Spencer Tracy.

TELL NO TALES
Mystery drama aboard a gold-laden ship by Oliver H. P. Garrett and Fritz Lang.

ANY PORT IN A STORM
Sattevepost series of a Scotch sea captain who sails many ports and never gets a bad bargain. Guy Kilpatrick "S. S. Glencannon Stories".

PICKWICK PAPERS
The producers of "David Copperfield" pick another winner from the pen of the great portrayer of humanity—Charles Dickens.

MERRILY WE ROLL ALONG
One of the decade's big stage hits. Play by George S. Kaufman and Moss Hart. Produced by Sam Harris.

ROBIN HOOD OF EL DORADO
Walter Noble Burns' novel tells the story of the romantic adventures of Joaquim Murrieta, the early California bandit.

THE HOUSE OF TRUJILLO
Story by Anne Cameron ron serially in Sattevepost and now a novel. An American girl involved in an affair with an impetuous romantic native is rescued by an American engineer in colorful Central America.

20,000 LEAGUES UNDER THE SEA
The great Jules Verne novel hailed as one of the most imaginatively thrilling ever written.

THE DISTAFF SIDE

THE GIRL FROM TRIESTE
Franz Molnar's delightfully exciting story of the little secretary who is treated to a month in the great Swiss resort and what happens when luxury overtakes her.

MIRACLE IN THE MOUNTAINS
Molnar's religious thunderbolt with the dramatic intensity of Hall Caine's "The Christian."

KIM
By Rudyard Kipling. Takes place in the same locale and is as big in thrill and spectacle as "Lives of a Bengal Lancer."

NANCY STAIR
Popular novel by Elinor Macartney Lane. Adapted for the screen by Philip Barry.

LILY MARS
Booth Tarkington's story of a small town girl who becomes the greatest actress of today.

RENNIE PEDDIGOE
Popular Sattevepost hit by Booth Tarkington, who created Penrod.

SUZY
Herbert Gorman's novel of an American girl involved with spies in Paris during the war. George Fitzmaurice who made "Mara Hari" is director.

THREE WISE GUYS
Collier's short story by Damon Runyon, author of many screen successes.

MANNERS MAKE MAN
Original story by John Monk Saunders of the regeneration of a fresh American boy who goes to Oxford University.
The Answer Has Been the Same For 11 Years

May 29th, 1935
The FIRST COMPANY is naturally FIRST in SHORTS!

Next Week in this Magazine Metro-Goldwyn-Mayer reveals its Junior Features of 1935-36
Capital Stops Move to Delay Ascap Hearing (Continued from page 1)

may be taken, and resumed again in October.

Ascap's proposal to delay trial until fall was accepted, counsel for the government and Ascap would have got together in the meantime for agree- ment on various forms of evidence which would be admitted at the trial. With Ascap consenting to various stipulations, it was agreed that the trial be dropped to an early winter session, the trial itself could have been greatly shortened, attorneys said.

The suggestion to adopt this proce- dure was made by Nathan Burkan, Ascap's counsel, who refused the gov- ernment's statement that the trial could be concluded in three weeks if begun immediately, as scheduled. Burkan said that the trial would consist of at least three months and pointed out that with Judge Goddard slated for another court assignment July 1 the Ascap trial would have to be post- poned until fall on that date, re- gardless.

Special Assistant Attorney General Andrew Dennett would have agreed to the postponement on the condition that Ascap's attorneys agreed during the summer to certain stipulations on evidence which would have saved con- siderable trial time next fall. Judge Goddard, it is understood, had approved this course. When Burkan agreed to Dennett's condition an ef- fort was made to obtain Attorney Gen- eral Cummings' sanction of the post- ponement.

The cold stream was crowded yester- day, with witnesses and attorneys. The government is endeavoring to have Ascap's licensing and price fixing policies declared illegal. It is under- stood that Ascap's current contracts, some of which expire next fall, would be a part of the trial. One of the if the trial were delayed until October.

Gen. Beck, Ascap president, yes- terday named national rate race- casting companies as the real figures behind the government's action.

"Ascap's only fear is that one thing is being brought out into the open," he said. "The monopolies which have sold millions of recording sets and tapes have scrambled practically every phonograph in America and closed the lid on every piano. The composer wants a fair deal and an end to the legalized piracy of his work."

Cohen Advisor on Beacon

Sydney Cohen, advisor to the Roxy bondholders' committee and treasurer of Artco, which has a management contract with the theater, has been retained by the Beacon Theatre bond- holders' group to organize the prop- erly of the theater. Cohen's locals are now operating the Beacon.

Pine East Again

Hollywood, June 10.—Bill Pine, Paramount studio publicity head, is scheduled to fly to New York Tues- day and attend the Paramount sales conference.

Senate Group Moves for Voluntary Code Measure

(Continued from page 1)

New Color Process Gets Chicago Trial

Chicago, June 10.—Sons of J. Szczepanik, an inventor, who died in Europe in 1928 after eight years de- velopment work on a color process known as "Ascap's postulation," have demonstrated the complete apparatus at Chicago Film Laboratory to an invited audience of Chicago film executives. This was the first time that Ascap's color process has been shown outside of New York.

The invention's sons explained through an interpreter, that their camera feeds a continuously flowing negative at 30 per cent above normal speed past a single lens supplemented by 18 to 24 secondary lenses revolving back of it and in front of the nega- tive. Projection is from a single projec- tor with three lenses successively ex- posed by a dissolving shutter device. Picture tones are primarily green, red and a shade of violet, successively. The pull-down is 40 against the usual 24. It is claimed for the process that it will consume less than the 25 per cent of the energy used in the film color process used in the same film with color and that production cost is moderate. No commercial use of the process has been made, according to the interpreter.

Report Rosenblatt May Join the TOCC

(Continued from page 1)

Rosenblatt yesterday denied the story. Despite the denial, it is reputed Rosen- blatt would make his headquarters at the T.O.C.C. Whether this would be under a temporary arrangement until Rosenblatt gets himself an office is not known. Rosenblatt president also denies this.

Several weeks ago, Rosenblatt dis- turbed O'Reilly when he drafted a "basic operators' wage scale" for this territory. Other independents raised hallalaboo, contending that the N.R.A. directive was far above the S.E. and Local 306. This immediately led to reports that Rosenblatt had been re- named by the International, starting June 16. Denials were made both by Rosenblatt and George Browne, head of the I. A. T. S. E.

Says Europe Needs Technical Experts

Hollywood, June 10.—"Technical experts with Hollywood training are more necessary to the improvement of pictures than Hollywood stars," says William Goetz, vice-president of 20th Century Pictures. He is back from an extended tour of European films.

According to him, the recent ex- change of players is just a forerunner of a larger exchange of alliance personnel between American and European companies. He looks forward to the time when technicians and producers will be exchanged between American and European companies.

Shearer to Be Juliet

Hollywood, June 10.—Irv Thal- berg has definitely decided to make "Romeo and Juliet," with Norma Shearer in the Juliet role and is now looking for a lead to play Romeo.

New Color Process Gets Chicago Trial

(Continued from page 1)

The measure as reported to the House will replace the present law, provid- ing for voluntary agreements, and Section 5 excepting them from a prior clause as Sub- section B of Section 3, that violations of standards of fair com- petition in codes in interstate and foreign commerce shall be deemed an unfair method of competition under the Federal Trade Commission Act.

It was stressed by Senator Harrli- son of Mississippi, chairman of the Finance Committee, that there is no waiver or suspension of the anti- competition laws under this bill, and agreements, and violations, he hoped, would be prosecuted by the govern- ment.

All Code Boards to Close on Saturday

(Continued from page 1)

jobs by major companies. Lilian Silver, secretary of the New York board, is returning to the T. O. C. C. as Charles L. O'Reilly's secretary. Florence Abramson, secre- tary of the local clearance, is rejoining the New York Film Board.

Records and files in the various code branches are being forwarded to New York where they will be stored.

Giveaways Spread in N. O., as Code Police

(Continued from page 1)

be pessimistic shortly, or must over- look the facts.

Giveaways are spreading in one form or another. Schumann Bros. opened the Plaza giveaway with sur- prise boxes. The Coliseum is adver- tising giveaways, which will send the Happy Hour to follow. United Theatres, which have given prizes wherever it has been thought neces- sary to boost business or meet com- petition, have made no move as yet, but have reduced prices at the Wash- ington to 15 cents.

Boston Records Shipped

Boston, June 10.—All code board records have been shipped to New York. The office furniture in the Hotel Tournaine has not been sold as yet, but the offices will close June 15.

M-G-M Peace Pact Foreseen in Chicago

(Continued from page 1)

for New York this afternoon on the 20th Century-Fox release for the 20th Century-Fox release. This will be in almost continuous conferences on the Loew building and M-G-M prod- ucts thus here.

He issued no statement before leav- ing, but it was indicated that an im- portant announcement might be made in New York after his arrival. No comment was forthcoming from local M-G-M officials.

Television Cable Hearing Is Fixed

(Continued from page 1)

be made available for commercial tele- vision work, will oppose the applica- tion.

Installation of the cable, it was stated by A. T. & T. spokesmen here, is primarily for test of short-circuiting facilities outside the laboratory.

The television transmissions will require proper radiotelegraph stations at 10-mile intervals and the testing facilities will cost about $600,000 it was said.

RCA, through David Sarnoff, presi- dent, also announced a $1,000,000 fund would be applied for field tests of reminiscences of performances at the theatre and did bits of their acts be- fore wreckers began demolishing the building.

Among those present were: Daniel Frohman, Arthur Hammerstein, Ned Wayburn, Charles Moskowitz, Victor Merver, Sir Edward and Eugene Howard. Joe Laurie, Jr., president and offered a toast. He thanked those "in singing "Auld Lang Syne." The par- ticipants in the ceremony were given bricks and parts of the stage door as mementos of the occasion.

The party went over to the recently acquired Mayfair where a bronze plaque of Marcus Loew which had been transferred from the New York was unveiled by Arthur Hammerstein in a ceremony presided over by Charles C. Moskowitz.

The manager of the New York, Jack Feiman, takes over the reins at the Mayfair and some ticket holders had been waiting to see the opening pro- gram, consisting of "Cardinal Rich- ard," and "Bobby Tenderfoot.

Moskowitz, general operator of the New York City Loew houses, was on deck, busily checking the house and the smoothness with which operations were proceeding, even taking tickets at the door.
It took HOURS to Produce this Scene...

Careful Production Gets Careful REproduction with CONSOLIDATED CERTIFIED PRINTS

... Certified Prints capture every beam of light and whisper of sound that your technical experts have struggled to secure. Produced in the world's largest and best equipped film laboratories they are always loyal to your original negative and as dependable as science can make them.

CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD
Wants Allied Work With Less Talking

Passage of a resolution calling upon Allied's leaders to tone down their talks and do more hard work may be asked at the board of directors' meeting at the Warwick Theatre May 22.

President Sidney Samuelson yesterday asserted: "We've got a job to do which entails a lot of work. If we are to be successful in the job, we'll have to spend our time working and not talking."

Asked if any lawsuits had been filed, following a resolution favoring them passed at the Atlanta convention, the Allied head said: "Wherever a lawsuit is warranted it will receive the blessing of Allied, both financially and physically."

No meeting is slated for Allied for New Jersey today. Samuelson hasn't set one for next Tuesday, but is considering calling a session to be held either in New York or Newark.

Ohio Manager Is Held
FRANKLIN, O., June 10.—Charles C. Steinbeck, operating the Ohio, independent, is being held pending outcome of wounds inflicted on Orville Cole- man, negro electrician, who is said to have become obnoxious in the theatre and to have been ejected by Steinbeck. He arrived here yesterday, and Steinbeck is said to have procured a revolver from his office and shot Coleman twice, one bullet entering his heart and the other his left leg. Hospital authorities report his condition serious.

Listen to "Teresina"
KANSAS CITY, June 10.—Jack Rob- bins, president of Jack Robbins Music Co., M-G-M affiliate, and in charge of music at M-G-M studios, picked up the Municipal Opera at St. Louis over the week-end.

With a representative of Locic's and one from M-G-M from the East, Rob- bins heard Oscar Strauss's "Teresina" in Forest Park with the possibility in mind that M-G-M may make a musical based on it. It was the American premiere.

Schines Spread in Ohio
COLUMBUS, June 10—News is cur- rent here that Schines will have five additional houses in their Ohio circuit, all of which will be new structures. One house at Bucyrus is par- tially completed and the report is that the chain will acquire it. Others will be built at Bellefontaine, Port Clinton, Van Wert and Wooster, according to the story.

Form a Partnership
Robinson Smith and Frederick W. Ayer have formed a partnership for production of stage plays next season. Smith, head of both a theatre, Ayer also has been on the stage as a player and director and has had experience in London. Until last week he was connected with Motion Picture Herald.

One More for U. A.
HOLLYWOOD, June 10—Coehnita Montenegro has been signed by New Films, Paris concern, for the top spot in another Latin picture. United Artists will release. The London office of Selznick & Joyce negotiated the deal through Sherman Grantell, the actress's manager.

Looking 'Em Over

"The Farmer Takes a Wife"

(San Jose, June 10.—Under the spell of Victor Fleming's competent direction, California theatre patrons, at a first preview, saw Janet Gay- nor as a canal girl and Henry Fonda as a farm boy reveal a rare romance, and shown present sensed an important, big money picture was ready for theounce.

In 1840, set against the picturesque backgrounds of the Erie canal, cities of the Empire State and historical events cavalcade behind the love story, as covered wagons parade west, county fairs boom, railroad arrivals and the canal relieves to progress.

Before Evans, which is enacted a heart-socking romance, suffused with warmth and charm, racy with the flavor of good earth and painted in heroic proportions.

Simplicity marks the story of Miss Gaynor, who is fiercely loyal to the canal people in conflict with Fonda, who is working on the canal to earn enough money to buy a farm.

There's that likable heavy, Charles Bickford, who can lick any man on the canal and drink twice as much. There's Slim Summervill, who wins a set of dentist's instruments in a poker game and starts practising.

There's Andy Devine, the backer and perfume buyer; Roger Imhof, who runs a boat and wins a lottery; Jane Wuthers, who says: "Cows don't give milk, you've got to take it from them."

Everyone in the cast is topnotch. Miss Gaynor is lovely to look at and gives her best screen performance, graduating from her syrupy roles with skill. Young Fonda, a sensitive young Abraham Lincoln, is sincere, repressed and strong in what it takes. In linking Miss Gaynor with Fonda a new romantic team is created.

Edwin Burke's screen play adapted from L. Gordon's play and from the novel "Rome Haul" by Walter Edmonds, is taut, well constructed and strongly focused on our young people.

The production contains comedy, wealth of dramatic interludes and a homy, down-to-earth anguish. Enriched by the beauty of Erin Palmer's photography, the authentic settings make for eye appeal.

With Miss Gaynor going from sweet-faced roles to maturity in a romance that captures an interesting era, Fox, in producing this, has transmuted dramatic metals into finely rolled gold, cashable at any box-office.

Production Code Seal No. 927. Running time, 80 minutes. "G."

"Calm Yourself"

(San Jose, June 10.—This lively farce is expertly played and designed as average entertainment.

Robert Young, an advertising agent, is fired by Claude Gillingwater for flirting with Betty Furness, his daughter. Gillingwater's temper inspires Young to start a confidential service bureau to perform unpleasant tasks. When established, the service draws a wide variety of clients. Ralph Morgan employs Young to take care of his daughter, and until he can trust his second wife that he is old enough to have sired a young child. Hardie Albright uses the service to rid himself of a baby he has been asked to mind. An unseen client turns over a great Dane for care. In the complication a kidnap angle is introduced and Young finally wins Miss Evans.

Director George B. Seitz maintains a rapid fire pace, throughout, building situations deftly for hilarity. Nat Pendleton, introduced with the kidnap theme, scores many laughs. The screen play by Arthur Kober and the production by Lucien Hubbard are up to M-G-M standards for this type picture. The title lends itself nicely for exploitation.

No production code seal. Running time, 71 minutes. "G."

Paramount to Take Back Ten in Miami

Paramount Enterprises will resume operation of all ten houses under a deal just closed with E. J. Sparks, who took over operation of the houses from Samuelson about seven years ago. The theatres involved are the Olympia, Rex, Rosetta, Com- munity, Roxo, Paramount, Coral Gables and the Miami Plaza and Little Theatre.

Negotiations for a renewal of Louis Dietz's operating agreement for the Paramount Salt Lake City houses were not concluded during Dietz's visit here last week and will be resumed at the office house in the near future.

Old Associates Join For Kennebeck Lunch

John E. Kennebeck, managing direc- tor for Paramount in Australia, who arrived yesterday for the sales convention, will be honor guest at a luncheon to- day at the Tavern, to be given by his former associates and Paramount executives.

Among those expected are John Hicks, Chal Saunders, Oscar Doob, Fred Kober, Fred Levine, Leon J. Bamberger, Albert Deane, John McInerney, Jack Pegler, Russ Moon, Les Whelan, Harry Royster, Fred V. Greene, Fred Walter, Earl O. Hall, Irving Zelmer and A-Mike Vogel.

Mrs. Johnston Stays

CINCINNATI, June 10.—Mrs. W. Ray Johnston, who accompanied her hus- band to the Republic convention, will remain here for a week as guest of Nate Levine, Universal salesmen and his wife, old friends of the family. Before returning east she will visit her former home at Pleasantville, O., where her father passed away a few weeks ago.

Roach Starts Thursday

Hal Roach will place "Lucky Be- ginner," in work at Eastern Service Theatre, at 12:30 Thursday. The film is one of the two-reeler growing out of the amateur contest conducted in association with the New York Daily Mirror.

Brecher Adds the Apollo

Leo Brecher has added to his local string of theatres the Apollo on West 125th St. Brecher is president of the Duane Theatre Corp., which has just taken a long term lease on the property owned by Sydney Cohen.

Mrs. Al Cohen a Mother

BOSTON, June 10.—Mrs. Al Cohen, sister-in-law of Elia M. Loew, circuit operator, and the widow of the former E. M. Loew Theatres travelling man- ager, who was killed a few months ago in an automobile accident, has become the mother of a baby girl.

Denies Normandie Deal

HOLLYWOOD, June 10.—Fred Meyer emphatically denies that British Nor- mandie, headed by Belaine Gordon, will purchase the Normandie studios. He says he has not had any negotia- tions with the company or any of its representatives.

Sheehan Going Abroad

HOLLYWOOD, June 10.—Winfield Sheehan is planning to leave for Europe in the fall.

(Motion Picture Daily, Tuesday, June 11, 1935)
ITS BREATHTLESS BEAUTY BURSTS UPON THE WORLD IN LIVING COLOR!

This week the crowds at RADIO CITY MUSIC HALL behold the stunning glory of NEW TECHNICOLOR as they thrill to the stirring human drama of . . . . . 

BECKY SHARP
The most astonishing private life in the annals of the world... recreated on the technicolor screen!

MIRIAM HOPKINS

BECKY

A ROUBEN MAMOULIAN PRODUCTION

A WOMAN OF THE WORLD... Her silvery laugh was the toast... and scourge... of common men and kings! Her beauty blazed in conquest... while the world about her flamed...
A PICTURE AS DEEP AS THE HUMAN HEART...AS BIG AS THE MIGHTY EVENTS THROUGH WHICH ITS DRAMA ROLLS!
MIRIAM HOPKINS in
BECKY SHARP

the carefree charmer who rose from the mud of a great battlefield to the palace of a king....

WITH
FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE • ALAN MOWBRAY

DESIGNED IN COLOR BY ROBERT EDMOND JONES
FILMED IN ALL THE BEAUTY OF THE NEWLY PERFECTED TECHNICOLOR

A ROUBEN MAMOULIAN PRODUCTION

RKO-RADIO PICTURE PRODUCED BY KENNETH MACGOWAN
**Boats and Beaches Hit Buffalo Takes**

Boat Buffalo June 10.—Boats and beaches got the week-end trade with the result that at the balance of the week could not make up the difference. Every house was below normal. "Doubling Thomas" took $12,700 at the Buffalo. Total first run take was $37,600. Average is $42,800.

**Estimates for week ending June 7: "DOUBTING THOMAS" (Fox) $1,220, 25c-5c, 8 days. Stage: Pennsylvania."Doubting Thomas" (Fox) $1,220. (Average, $140.)

"BABY FACE HARRINGTON" (M-G-M) "LADIES LOVE DANGER" (Fox) CENTURY—(310), $50, 7 days. Gross: $5,000. (Average, $700.)

"LET 'EM HAVE IT'S" (U. A.) WARNER—(1,100), $2,400, 6 days. Gross: $250. (Average, $50.)

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**"Little Girl" And Show Top Boston Draw**

**Boots, June 10.—**"Our Little Girl" and a stage bill headed by Donald Novis at the Metropolitan were the principal profit-makers of the week. The $24,000 take passed average by $2,000.

"Goin' to Town," brought back as a second "Fireside" bill with the "Last Wilderness," hit $8,000, up by $1,000, at the Paramount, and the same bill was also over the line by $500 on a $5,000 take at the Fenway, but elsewhere business was dull. Total first run business was $72,500. Total second run business was $23,000.

**Estimated takings for the week ending June 7: "GOMIN TO TOWN" (Param) (Second Run) $12,000. (Average, $2,000.)

"THE LAST WILDERNESS" (Du World) FENWAY—(310), 25c-5c, 7 days. Gross: $7,500. (Average, $1,000.)

"BREAK OF HEARTS" (Radio) KIRKOD MEMORIAL—(200), $50, 5c-25c, 6 days. Gross: $7,500. (Average, $1,000.)

"MILLS OF THE GODS" (Col) LAFAYETTE—(300), 25c, 7 days. Gross: $1,700. (Average, $200.)

"SWELL HEAVEN GODS" (Col) "LET 'EM HAVE IT" (U. A.) HIPPOPODROME—(250), $25, 6 days. Gross: $1,700. (Average, $200.)

"MUSIC HALL" (Radio) CENTURY—(300), 25c, 7 days. Gross: $1,700. (Average, $200.)

"GOMIN TO TOWN" (Para.) $12,000. (Average, $2,000.)

"THE LAST WILDERNESS" (Du World) $12,000. (Average, $2,000.)

"CHINATOWN SQUAD" (Univ) $12,000. (Average, $2,000.)

"GOMEZ TO TOWN" (Para.) $12,000. (Average, $2,000.)

"CHINATOWN SQUAD" (Univ) $12,000. (Average, $2,000.)

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**"Miserables" Good in 2nd Seattle Week**

**Seattle, June 10.—**"Les Miserables," in its second week, stood up in spite of a general slump, getting $4,000 at the Music Box. It was held for a third stanza.

The only other attraction to get over the average mark was "Break of Hearts," which took $4,100 at the Music Box.

Total first run business was $27,000. Average is $3,000.

**Estimated takings for the week ending June 8: "LES MISERABLES" (U. A.) BLUE HEN (Col) $10,000. (Average, $0.)

"THE LAST WELDERNESS" (Du World) FENWAY—(310), 25c-5c, 7 days. Gross: $7,500. (Average, $1,000.)

"BREAK OF HEARTS" (Radio) "MILLS OF THE GODS" (Col) LAFAYETTE—(300), 25c, 7 days. Gross: $1,700. (Average, $200.)

"SWELL HEAVEN GODS" (Col) "LET 'EM HAVE IT" (U. A.) HIPPOPODROME—(250), $25, 6 days. Gross: $1,700. (Average, $200.)

"MUSIC HALL" (Radio) CENTURY—(300), 25c, 7 days. Gross: $1,700. (Average, $200.)

"GOMIN TO TOWN" (Para.) $12,000. (Average, $2,000.)

"THE LAST WILDERNESS" (Du World) $12,000. (Average, $2,000.)

"CHINATOWN SQUAD" (Univ) $12,000. (Average, $2,000.)

"GOMEZ TO TOWN" (Para.) $12,000. (Average, $2,000.)

"CHINATOWN SQUAD" (Univ) $12,000. (Average, $2,000.)

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**"Moon" and "Wire" High in Portland**

Portland, June 10.—"Under the Pampas Moon," plus "Party Wire," a return to double bill, at the Paramount secured the highest gross with $8,000, or $3,000 over normal.

Total first run business was $28,400. Average is $4,200.

**Estimated takings for the week ending June 1: "JANE'S PA" (F. N.) BROADWAY—(1,920), 25c-35c and 4c, 7 days. Gross: $5,000. (Average, $500.)

"THE LAST MISTER" (Radio) ORPHUR—(900), $50, 5c and 4c, 7 days. Gross: $1,000. (Average, $500.)
WARNERS UP SEARS, SMITH AND EINFIELD

(Continued from page 1)

pany's easy way out of its theatre debts would have been a stark rip-off. The company could have let the re-
civers struggle with the problem and go out of business, he said, "but my brother, Biff, decided it was a lifet-
time to build up the business, refused to surrender without a struggle. Bankruptcy would have been cowardly.

Major Albert Warner told the con-
vention the company would stop at no expense to produce high-quality prod-
ucts.

The conventioners on Tuesday will be
given the Vitaphone lineup for the new season with Norman H. Moray in charge of sales of the abbreviated subjects, divulging details in the morning. "cleanup" problems in connection with the remainder of the convention's season's product will be
handled by Robert W. Buchanan, Secre-
tary, Robert McHale, who is the former's assistant, and Carl Lesman, who is Sears' aide. Discussion will
focus on "Alibi Ike," "Strand," "Don't Bet on
Blondes," "Broadway Gondolier," "The
Sailor," "We're in the Money," "Broadway Joe" and "Front Page Woman.

On Wednesday, the feature lineup rep-
resented at the set up to 60 titles will be.

Other speakers today were Sam E.
Moray, publicists, Wallis Gargan, Editor
of Einfeld, Max Milder and D. E. Griffiths. Luncheon for the visitors was held at the Burbank Studios and
was given by John W. Warner, Hal Wal- lis, and William Koenig as a trib-
ute for the purposes of the studio. It was followed by a tour of the sets. Equally of the theatre angle with the Warren cir-
culating zones managers, headed by Joseph
Bernhard, as chief participants. This group embraced Harry Kalminie, Pittsburgh; John J. Fayette, Wash-
ington: D. C.: Nal. Davis, Columbus; Do-
na Salk, N. J.: Howard Waugh, Memphis; I. J. Hoffman, New Haven; James Coston, Chicago; Moe Silver, Albany, and Lou J. Hal-
er, Los Angeles.

4 Working, 8 Preparing

HOLLYWOOD, June 10.—Four fea-
tures are in production at Warner's and eight more in preparation. The lineup:

Features in work include "Broadway Joe," starring Joe E. Brown with Ann Dvorak, Patricia Ellis, William Gargan and Gordon Westcott; director, Ruby Berkeley; "We're in the Money," with Joan Blondell, Glenda Farrell, Hugh Herbert, Robert Greig, directed by John Raw-
son with Lewis Stone, Ross Alexander, Nick Jovan and Robert Light; director, Frank Bor-
gare. The preparation are "Little Big Shot," with Robert Armstrong, Glenda Farrell, Edward Esten, Mae Busch; "The Real McCoy" from the story by George Bricker; "Dick Tracy's Kidnapper," with Paul Muni, directed by Joe Hively. The story is in the novel by the latter. Directed by Michael Curt- line from the "Cosmopolitan Magazine" story by Mildred Crain; "The Cat from the Cot Hill," by the ablest writer, written by Louis D. Corder, from the novel by Paul Muni and directed by 

New Joe Brown in Work

HOLLYWOOD, June 10.—Production on "Broadway Joe," new musical starring Joe E. Brown, will be com-
pleted in two or three weeks, and will

DARRO ADDED TO CAST

HOLLYWOOD, June 10.—Frank Darro has been signed by Warner's for a part in "The Real McCoy," which will feature James Dunn, Claire Dodd, Patricia Ellis and Ricardo Cortez. Bryan Foy is producing.

STRAIGHT BOOKINGS SET

"Strandton," co-starring Ray Francis and George Brent, has been set to follow "In Caliente" into the New York Strand Theatre. The latter follows the run of "Oil For the Lamps of China," which stays a second week.

SIGN VERREE TEASDALE

HOLLYWOOD, June 10.—Verree Teasdale will play the lead opposite Everett Marshall in "Romance in a Glass House.

NEW ONE FOR BETTE DAVIS

HOLLYWOOD, June 10.—"Hard Luck Dane" by Laird Doyle is being pre-
pared at the Warner studio as the next vehicle for Bette Davis, following her role opposite Paul Muni in "Dr. Socrates.

Borrow James Dunn

HOLLYWOOD, June 10.—James Dunn has been borrowed from Fox by Warner to play the lead in "Real McCoy," with Claire Dodd, Patricia Ellis and Ricardo Cortez also in the cast.

NOW ITS "DRESS PARADE"

HOLLYWOOD, June 10.—Title of the Annapolis picture at Warners has been changed to "Dress Parade." It had formerly been called "Classmates" and later "Anchors Aweigh."

New York, June 10.—The brewers, Dick Powell and Ruby Keeler have the leads. Lou Edelman is producing.

Wall Street

Columbia Gains 1% on Big Board

High  Low  Close Change

Columbia, vtc (dl) 61  61  61  +16
Avoidm 1604  1414  1414  +16
Foy "A"  1544  1544  1544  +16
Longwy  102  102  102  +
Paramount 35  35  35  +
Palace  20  20  20  +
Universal, pid  315  315  315  +16
Warren, pid 45  45  45  +
Warren, pld 27  27  27  +

Technicolor Up on Carburetor

High  Low  Close  Change

Technicolor   1058  1058  1058  +16
Trans-Lux (10K)  23  23  23  +16

Most Bond Issues Gain

High  Low  Close  Change

General Theatre Equip. 216  216  216  +16
Republic 11145  11145  11145  +16
Keith B. F. 6  6  6  +
Loew's 6  6  6  +
Metropolitan 2014  2014  2014  +16
Paramount B'way  554  554  554  +16
Paramount Public 500  500  500  +16
Samuel 100  100  100  +16
Warren Bros. 60  60  60  +16
Warner Bros. 17  17  17  +16

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as of close of June 10)

Joseph Sauers has been signed for a part, and will leave for Annapoli
to soon join the company now work-
ing on location under Frank Bor-
gare's direction. Marilyn Merril and Mary Tree already have left.

WARNERS RETITLE FILM

HOLLYWOOD, June 10.—Warners have retitled "Not on Your Life." Now it is called "Don't Bet On Blondes." William Warren, Chire Dodd and Guy Kibbee play the lead-
ing roles.

Buy Story for Cagney

HOLLYWOOD, June 10.—You Have to Learn Some Time," a novel by Richard Wornmer, has been purchased

by Warners as a starring vehicle for James Cagney. Ben Markson and Harry Sauber are working on the screenplay. Harry Joe Brown will produce.

Buy "Petrified Forest"

Warners are understood to have purchased talker rights to "The Petri-
ified Forest" for about $100,000. Leslie Howard, star of the play, probably will star in the film. He is reported to have eight more to make under his current Warner pact.

Felipe Mier Starts Writing, Producing

MEXICO CITY, June 10.—The popu-
larly among Mexicans of dramatic and
comic plays in the country, has inspired Felipe Mier, who resigned last fall as Warner producer, to become a dis-
tributor on his own, to branch out as a writer and producer. His first production is "El Tesoro de Pancha Villa" ("Pancha Villa's Treasure"). The picture is now being made and is scheduled for release in June. Mier sold exhibition rights in the southern United States.

Another with a historical back-
ground is "Martin Garuta," pictur-
ing deeds of the last Mexican independence leader who fought for the 17th century when Mexico was a Spanish colony. This production has had a good recep-
tion here. Agula Films, S. A., is the producer.

Missouri's Racing Bill Gets a Veto

KANSAS CITY, June 10.—Governor Park has vetoed the bill legalizing horse and dog racing in Missouri. Be-
cause it would have made the state a partner in racetrack gambling entre-
prises, with 12 per cent to operators and three per cent to the state, Park pronounced it unconstitutional. Dog racing would have been legal within 20 miles of St. Louis, horse racing throughout the state. Theatre men are pleased.

Cal. Income Bill Up Today

SACRAMENTO, June 10.—The Senate-
Assembly conference Committee today prepared to send to the floor of both houses of the California Legisla-
ture tomorrow the income tax bill calling for a quarter of the Federal rate, plus a tax on unearned income, such as dividends. The original Assembly bill would have ex-
longevity. This was amended in the Senate to one-fifth.

William Tallman Gains

EAST LIVERPOOL, June 10.—Will-
iam Tallman, the theatre executive and for the past 20 years owner-
manager of the Ceramic, is recovering following an operation in a Pittsburgh hospital.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

"Orchids to You"

(Continued from page 23)

values incorporated in an exclusive flower shop, the plot settings and maps suggest unique techniques.

Pitched to a human key, the yarn blends two intriguing situations. An ace lawyer conducting eviction proceedings becomes attached to a woman florist victim of big business greed. Meanwhile, a wife, infatuated with a police detective, is not aware that her husband is the mysterious co-respondent. The florist, through dealing with the smart

John Boles, singing two songs, fits like a glove into the lawyer role. The florist, Jean Muir, performs with charm and grace. Charles Butter-
worth, characteristically bemoaning a blighted romance, abetted by Arthur Treacher, supplies sparkling comedy. Spring Byington, Patricia Ellis and Harvey Stephens are very convincing in dramatic romantic contrasts. William Seiter's smart direction adds entertainment and an exploitation sock to the Gordon Rigby-Robert Dillon original expertly adapted by Howard Estabrook and Bartlett Comnak.

Previewed without production code seal. Running time, 75 min-
utes, "G."
Voluntary Code Delayed By Trade's Legal Doubts

Arbitration Back Locally; It Reappears with a Bang

While ways and means of evolving a general industry program of voluntary code procedure is keeping brows furrowed, voluntary arbitration, virtually at a standstill since code was put into force, is returning with a bang locally. Three cases were on the calendar at the New York Film Board of Trade yesterday. Only one was heard and two postponed until next Tuesday. One of the two delayed cases will most likely be settled in the interim.

Prior to the handing down of the Thacher decree declaring compulsory (Continued on page 11)

Bloom Named For Otterson Post by Erpi

Edgar S. Bloom, president of Western Electric, was named president of Erpi to succeed John E. Otterson at a meeting of the board of directors held yesterday. His election was predicated by Motion Picture Daily on June 6. Bloom will assume his new post, at the same time retaining his present W. E. job, on June 17, when Otterson's resignation goes into effect so that he can become head of Paramount.

It is understood the refusal of the (Continued on page 7)

Sarnoff Status Not Clear Under Ruling

Whether Monday's ruling of the Federal Communications Commission limiting officials of communications companies to one job with firms of this type would affect the position of David Sarnoff, head of the RCA, with RKO was not clear yesterday. It was said at his office the understanding was that the Federal order concerned only posts in the communications field.

(Continued on page 11)

Laemmle to Avoid Color Next Season

Carl Laemmle, Sr., is not keen for color and declared yesterday Universal will remain black and white for the present regardless of what other producers may do.

In New York from the Chicago sales convention for a week, his optimism ran in high gear. "I am more..." (Continued on page 11)
Clifford Ross, head of the production department of Ross
Federal Service, of which his father, Harry A., is president, is honeymoon-
ing in New England. He was married Saturday in New Rochelle to Mary
Virginia Stevens. The couple will make their home in New Rochelle.

Charles Carabine, Walter
Brae, Sidney and Leo Jutin, Phil
Meyer, Harry Thomas, F. Louis
Blumenthal, William George (Ike) Seating of Grand Rapids, Michigan,
Louis Phillips and many others kept the M. P. Club dining room humming
yesterday.

Edmund Mantell returned yester-
day from Lexington, Va., where he attended the opening of his son's
University graduation exercises. His
son, Bertram, was awarded a journalistic
license certificate.

E. R. Gourdeau of Interworld
Film Studios, London, has arrived in
America prior to the opening of European showings. He is making
his headquarters with J. H. Hoffregen.

Tom Connors returned yesterday from a short tour of M-G-M ex-
changes under his supervision, William
F. Rogers is also back from a
10-day trip.

Edwin Arnold, star of "Diamond
Jim," was target of a cocktail party
tendered him yesterday by a city
representative, Breulah Livingstone.

John E. Ottersen, new Paramount
president, inspected available office
suites in the Paramount Bldg. yester-
day prior to making a selection.

Lewis Seiler, Fox director, is due here tomorrow. He is looking for story material and will also do exter-
ioris for "Police Pardon."

Walter Huston will be honored by a cocktail party to be given
by G. B. at the company offices this
afternoon.

Robert Montgomery sails tomorrow
row on the Majestic for an extended
tour abroad. His wife is accompany-
ing him.

H. A. Fortington, new Paramount
factotum, was a visitor at home of-
ices desks yesterday.

Mrs. A. P. Waxman sails on the President Roosevelt today for two
months in Paris.

Henry Danziger of the New York
Film Board yesterday celebrated an-
other birthday.

Irving Berlin is in from the coast
and is stopping at the Warwick.

Dad Roach to Hospital

Hollywood, June 11.—C. H. ("Dad") Roach today was taken to the
Good Samaritan Hospital for ob-
ervation. He is understood to be suffering from coronary thrombosis.

MAYFAIR GETS $2,813

Opening day's receipts of the May-
fair under its new name, called
$2,813. The double headline is "Cardi-
nal Richelieu" and "The Scoundrel."

Michael Bartlett in Col.
"LADY HAMLET"

Break of Hearts
William Morris Office

WALL STREET

Most Gain on Big Board

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Keith Bonds Gain

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Price Fixing ON Issue in Ascap Action

The elimination of "price fixing by concerted action" is the only issue
recognized by the government in its anti-trust action against the American
Theater Owners' Association, Publishers, and Distributors, Andrew W. Bennett,
special assistant to the Attorney General, told the Circuit Court of Ap-
deas in the opening of the trial of the suit in U. S. District Court here yest-
erday.

"The government," Bennett said, "is not trying to injure Ascap or to
cause its dissolution. We are only trying to make the company a
commerce which has prevented competition where competition should exist.
We believe the evidence will show that price fixing by concerted action has
made this possible and that is therefore illegal.

Bennett's remarks followed the opening statements of Nathan Bur-
ning, chief attorney for Ascap, who described the background and activi-
ties of the music society to the court and asked that all allegations brought
by the government against the company be stricken out.

Sears 3 Cases Tried as One

Francis Gilbert, counsel for Music Dealers' Service Corp., and
William H. Marshall, the latter also a defendant in the govern-
ment's action, argued the claim of the government that all three of the
actions pending in one court.

In reply, Bennett pointed out that all three organizations had in-
cluded a number of independent local organizations of govern-
ors, officers and other employees of the companies and that the music
publishers group planned to revive the others. He also told the court that
Music Publishers had been involved in the government's antitrust
actions against Ascap and moved that allegations of the publishers' group
also be stricken from the government's complaint.

Judge Goddard indicated he would rule on the defense motions
of the next few days.

In his opening remarks Bennett said that most of the present-day users
of Ascap's service came into being long after the licensing society was
organized. He declared that a $30 annual fee for a corporation, gives
the license the right to use the works of 44,000 composers as often as de-
fined.

The trial will continue and is expected to run throughout the month.
Judge Goddard is scheduled for a new court assignment during
July and August, which may necessi-
tate postponement of the case until if it is not concluded by July 1.
FOX

proudly presents these

AUGUST • SEPTEMBER

OCTOBER • RELEASES

for the

1935-36 SEASON

The strongest line-up in FOX history...
cast with the greatest names on the FOX roster...conceived with an unerring eye for showmanship values. Read the following pages carefully and convince yourself!
More than 9,000 exhibitors who shared with FOX the fulfillment of its promises for the current year will hail with enthusiasm and confidence the announcement of the first FOX pictures of the coming season.

AUGUST

WILL ROGERS in
IN OLD KENTUCKY

FRANCIS LEDERER in
THE GAY DECEPTION

WELCOME HOME
A B. G. DeSylva production. With JAMES DUNN, Arline Judge, Raymond Walburn, Rosina Lawrence, William Frawley, Charles Sellon, Charles Ray. Directed by James Tinling.

REDHEADS ON PARADE
SEPTEMBER

THE DRESSMAKER

WARNER BAXTER in
A LADY REGRETS
(Tentative Title)
From the story by Vina Delmar. Produced by Robert T. Kane.

ZANE GREY’S
THUNDER MOUNTAIN
starring GEORGE O’BRIEN
From the serial story in Collier’s Magazine. Presented by Sol Lesser and John Zanft.

JANET HENRY
GAYNOR and FONDA in
THE FARMER TAKES
A WIFE

OCTOBER

HERE’S TO ROMANCE

CHARLIE CHAN
at the RACE TRACK
(Tentative Title)

DANTE’S INFERNO

SHIRLEY TEMPLE in
THE LITTLE SKIPPER
Story by Frank H. Spearman. Produced by Edward Butcher.

You haven’t a show without Fox
Some of the names who make FOX MOVIE TONE NEWS the world’s greatest newsreel

- Lowell Thomas
  - Chief Commentator
- Truman Talley
  - Producer and General Manager
- Benjamin Miggins
  - European Director
- Sir Malcolm Campbell
  - British Editor
- Laurence Stallings
  - Editor-in-Chief
- Gerald Sanger
  - British Producer
- Sir Malcolm Campbell
  - Chief Commentator
- Ed Thorgersen
  - Sports Commentator
- Lew Lehr
  - Newsreel Commentator
- Russell Muth
  - Central European Supervisor
- Louise Vance
  - Fashion Commentator
- Vvyyan Donner
  - Fashion Editor
- Edmund Reek
  - Sound Editor
- You haven’t a show without FOX
**Warners Stay At 130, Same Shorts List**

(Continued from page 1)

20 two-reel Vitaphone Comedies.
1 one-reel "Our Unknown United States." (Continued from page 1)
1 one-reel "Pepper Pot" novelities.
1 one-reel "Merric Melodie" song cartoons in Technicolor.
1 one-reel "Loney Tunes" cartoons.
1 one-reel "Melody Master" band numbers.
1 one-reel "Big Time Vaudeville Units.

**Ask 34 Changes in Nebraska Law Suit**

LINCONE, June 11—Two motions involving 34 requests either to strike out portions of the complaint or to make which this year is made up of Tom Gerety, captain; Charles C. Pettijohn, Monroe Greenholt, Herb Berg, Herbert Beck of Motion Picture Herald and James Allen Cron of Motion Picture Daily. This group will pit its wits and its golden hips against the Motion Picture Club team, which is captained by Al Lichtman and made up of Mitchell May, Jr., Phil Reisman, Herbert J. Yates and Harry Brandt as manager.

About 150 are expected to play, with some40-50 different men who play the day more are expected. Last night, as customary, an advance guard descended on the arena to see that all arrangements, including the bar, were in working trim.

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"ONE OF THE SCREEN'S!

is the way the New Y

A memorable motion picture entertainment.

"A well-directed, finely acted and mos

"Takes its place as one of the screen's

"Colorful, picturesque, sincere . . . eng

"Stunning, tense, exciting and harrowing. M

4TH HOLDOVER IN A R
—and in other theatres playing War

"O I L F O

LAMPS

A Cosmopolitan Production . . . . Directed by Mer

PAT O'BRIEN • JOSEH

JEAN MUIR • LYLE

A First N
The film is exceptional. A hit!"—American enthralling motion picture."—Telegraph
nest achievements."—Evening Journal
sing and satisfying!"—World-Telegram
ure, exhilarating entertainment!"—Mirror
AT THE N. Y. STRAND
er Bros. pictures from coast to coast!

THE

CHINA

LeRoy from the famous best-seller . . . . Starring
HINE HUTCHINSON
TALBOT • 1000's MORE
Legal Doubts Delay Voluntary Code Start

(Continued from page 1)

Admittedly, a formula of some kind must be set up to adjudicate intra-case variances in the regulation. Once known as adjudication, Judge Thomas Thacher, a few years ago, ruled that the mechanics of such a system was illegal. Voluntarily pursued, the plan was within the law as the jurist read the law, but it was asserted as they do now, that any other type but the enforced type defeated the purpose which brought the plan into existence.

That purpose, in their lights, was to keep the flow of buying and selling running smoothly and without interruption or long-winded delay necessitated by recurrence to overcrowded courts of law.

The industry should seem to any individual should be set aside the privilege of legal redress, it is also held to have been thrown out of gear by the picayune judicial tribunals, trade jurisdictional conflicts might better be settled from below, at any rate, the Thacher decision is a mental and an actual hurdle which has to be jumped under any theory of self-regulation, and the only answer to the question of what the answer is to exactly what is causing much of the difficulty. Company lawyers are being relied upon to furnish the answer.

Have Been Burned Often

Having been burned plentifully and often, the industry is now learning the hard lesson that the matter be kept on ice. In other instances, notably the S-5-5 deliberations which ran hectically and then not so hectically over a period of 22 months, the legal criterion decided thumbs down because they envisioned unhappiness that was ahead with the Department of Justice and, perhaps, with the Federal Trade Commission thrown into the brew as well.

Clearance, once known as protection until there came along those who insisted upon a change of name to rework the present industry, is now in the light of the camera, a second big something which calls for an answer so far apparently not supplied. The legal standing of the practice which becomes as part of the fabric of the industry has been challenged from time to time through the years, but a clear, sharply defined exposition of what can or what cannot be permitted with out stinging toes has never been forthcoming

There are instances, distinctly removed, no where, where clearance under its former moniker has been conditioned in lower court decisions. Distributors, however, have been called upon to defend in the light line up the higher courts of jurisdiction, the consequence being considerable confusion as to whether or not they are taking advantage as to their exact rights or interests.

Procedure in the past has taken a twofold course. Where complaining and answering had won in earlier rounds, practice, as a rule, has been to straighten out such a situation by threat of legal action. In other instances where distributors had been found traveling too fast and too hard, the regulations sent decrees had been entered upon, thereby wringing an admission of malpractice out coupling with it a promise to be good in the future.

Several highly placed officials

The M.P.T.O.A. suggestion to end duals, to avoid advertisement price cuts, and to eliminate all forms of premiums and giveaways, was discussed in the organization’s latest bulletin.

The purpose, as outlined in the bulletin, is to:

"To protect the so-called de-lusen operating in competitive spots, and to prevent the chipping and clipping by means of premiums in such competitive areas, as has happened in the past time and again, we suggest the following provision in the license agreements by exhibitors operating Class "A" theatres similar to the following riders:"

Execution of the idea, described as one to be voluntarily requested by the exhibitor in the contract of a rider to existing exhibition contracts, it would provide:

(a) The exhibitor to and made a part of this application for a contract bearing even date heretofore shall be deemed to constitute a rider to the existing contract by the distributor.

(b) The distributor agrees to require by contract with any exhibitor to whom a licence is granted for a single or double feature motion pictures specified in the contract thereof, that the exhibitor has made a part thereof, for exhibition as any such feature motion pictures shall be exhibited, whether they be exhibited or not, under all other provisions of said contract shall remain unaltered.

Approved:

Exhibitor

"The minimum admission for evening and matinee performances; the time indicated, shall be the charge to be made. Any increase in the above shall not be made without prior notice to the theatre situated within the said territorial limits specified in the Schedule in connection with the contract. Furthermore, on the part of the franchise holder, there shall be a minimum admission under all other provisions of said contract shall remain unaltered.

Exhibitor

"The restrictions would apply only to the pictures specified in the contract in which the rider is incorporated. Pictures by other distributors and other pictures of the same distributor can be sold any time they choose to any theatres. It does not restrain other theatres from double booking pictures. The purpose of the restrictions is to prevent the use of unreasonably low admissions, merely that they cannot use these same pictures that way in unfair competition, directly or indirectly with this theatre.

The restrictions of such a rider can be cut to fit the local situation in which it is applied by elimination of the restrictions or additions to the suggested provisions. The restrictions are intended to prevent other exhibitors directly competing with the exhibitor in the territory, which is suitably protected by the rider."

(3) The exhibitor should be prepared to defend the agreement in court, if necessary. There is every indication that the premium dealers, promoters of "advertising," moving pictures and other features, cannot tax threaten law suits or get some small exhibitors out of the picture. As far as we can ascertain, these questions have never been decided by a superior court. There is an inferior court decision on a double feature case which is reported and clearly shows that there is reversed on appeal, but this is on the ground of a conspiracy between two or more distributors. In many situations the cost of such a court defense should be less than the value of such protection against the closing of un-fair and uncompetitive competitors.

(4) Under such a clause, it is a distributor who makes one of the subsequent run showings without requiring a minimum admission, etc., he must refund a percentage of the film rental paid by the exhibitor.

(5) If the subsequent run secures a limited attendance, he shall be entitled, under such condition that he will charge a minimum admission, etc., then he should be entitled to the entire running charge for admission to the theatre during the run of the picture, provided he also specifies in said contract and agrees to permit any of the acts specified in the rider so designated as (b) and (c).

(6) If the exhibitor, using the rider, should maintain an exhibition contract with the exhibitor of any pictures under this rider, he must agree to maintain the agreement in his own home territory, and in other situations where the exhibitor is not to do so. The agreement is in effect reciprocal.

Arthur Lee Denies G. B. Is to Be Sold

(Continued from page 1)

plan than amply financed and that it is extending its theatre circuit, is spending more money on individual production. Theatre to buy a controlling interest in its equipment company to make it more self contained.

It should be noted that G. B. is probably the only company which, in addition to production, distribution and exhibition, also has large interests in the motion picture industry, in its own recording process, equipment company, research and invention staffs, the executive of Luxemburg and in television.

The Ostrera, Lee asserted, are "in the business to stay; they have contemplated selling, they have made definite plans to make even greater contributions in the future." It is also held that distribution and exhibition are the business in which Lee is interested, and that the company will be allocated to some of the pictures or originally intended, and all contracts for their distribution will be definitely adhered to by G. B.

The president of the M.P.T.O.A., who strikes out for curtailment of duals, has already signified his displeasure over a modification the new wrinkle written into many of his film service contracts. It has been observed that Karl Hoblitte of the Interstate Circuit in Texas.

The wrinkle has taken the form of a clause which would prevent any first-run product playing an Interstate house at more than 40 cents, and if this premium through a house thereafter under 25 cents. Dalas neighborhood have protested the plan but have tried their luck in court with no success so far. In the meantime, Hoblitte, through his circuit buying power, has won his point.

How Kuykendall Plan Works

Kuykendall proposes to eliminate production and distribution duals by restrictions in the form of a contract rider on distributor and exhibitor contracts. The plan, for instance, states that he would be compelled to refund 25 per cent of the rental rent to the Class A exhibitor, which is almost a guarantee that the exhibitor takes a stroll on his agreement, the distributor would be relieved of the obligation to pay the exhibitor. It is noteworthy that the proposal would be confined to specifically named pictures, and that the same distributor may be sold in any manner and under any terms. Avidly, the plan is directly designed to protect its interest, which is that by being an M.P.T.O.A. member, also will not.

While the proposed rider was described as a scheme emanating from Kuykendall’s own think tank, a question unanswered was whether or not the "traffic balloon" sent aloft by distributors at large to catch the sentiment of the exhibitor body to a suggestion which was to be his discussion as well as hot argument.
Laemmle to Avoid Color Next Season

(Continued from page 1) hopeful over move now that I have been in 10 past," he told Motion Picture Daily, "It naturally depends on the problem of the producer. I am Laemmle leaves for Hollywood on Saturday night and is prepared to forgo his annual trip this year in order to keep a personal eye on production. He is sanguine about Universal's new unit system which calls for a total of next year's program of 42 features among six producers.

Production is being geared with direct attention to overseas markets, he added. "Pictures today must be made not only for America, but for world consumption. We have made our plans accordingly," he concluded.

"U" Directors Meet

A regular monthly meeting of the directors of Universal was held yesterday, but isn't carried in-hand of minutes. Procedure was described as routine.

Jane Wyatt Going West

Jane Wyatt, who has just closed a part in "The Bishop Misbehaves," stage play, is going to Universal where Universal is lining up vehicles for her. A likely one is "Strangers at the Feast," by Beatrice Lulitz.

Begin on Holloway Short

Hollywood, June 11.—The Sterling Holloway short, "His Last Flame," has started at Universal under direction of Charles Lamont. Phyllis Frazier, and Carla Laemmle are in the cast.

Buck Jones Starts Work

Hollywood, June 11.—Buck Jones has started his new western for Universal under direction of Ray Taylor. Initial scenes of "Outlaw's Gold," are being made on location in Kernville. Ruth Channing has the feminine lead.

One More Finished


Record Crowd Going To RKO Sales Meet

(Continued from June 1) over the country will attend this meet, in addition to home office executives, managers and me, have the field. Leon J. Bamberger, sales promotion manager, who has charge of the new product displays, is already in Chicago, accompanied by H. R. Folliter of the American Display Co.

Lezama, Gulbransen Here

Luis Lezama, RKO's Mexican manager and Fred Gulbransen, manager of the Mexican branch, have arrived at the home office in New York for conferences before proceeding to the Chicago meeting.

Back to Reviewing

PROVIDENCE, June 11.—Jack Sullivan is again reviewing pictures for the News-Tribune.

Arbitration Back Locally; It Reappears with a Bang

Arbitration illegal several years ago, granting the first freedom from suits \[...\]


did not get a number of pictures day and date and with the Veronos their opposition and when the booker could not get them the dates canceled before the exchange sent him a written approval, he said.

Durham's Nizer warned the board that if the decision was in favor of the exhibitor the future would not spot book on contracts until home-office approvals were made. The board held in favor of Paramount. It decided that the Idle Hour must play all releases from June 29 on.

The two cases put out until next week are: Fox against A. W. Savage of the Rívoli, Hoboken, on an alleged breach of contract against Matty Chrystamos of the Mineola, Mineola, L. I., alleged breach of contract. The Savage dispute is expected to be settled before the meeting.

Ends Film Studies

For New Army Post

Hollywood, June 11.—LIEUT. Charles S. Stroher, here since last fall to take charge of a cooperative arrangement between the Army and the War Department, has been asked by Washington to take charge of the Signal Corps photographic laboratory and studio.

Capt. M. E. Gillette, here on the same duty last year, will take over the post of chief Signal Corps officer in the War Department, replacing Capt. Fred Hoorn in charge of the Army victorial service.

Adams Drops Fox Suit

With Fox now serving the Park Land division, Pat L. Adams has withdrawn his injunction suit against the exchange. Fox had been serving the Leonia, Leonia, ahead of the ok of documents as a result of decision, but with invalidation of the codes by the U. S. Supreme Court, the distributor has reverted to the contracted stipulations.

I. T. O. A. Meet Off

No meeting of the I.T.O.A. will be held today, the next session being date of September. The board of I.T.O.A. at exhibitor unit is on a summer schedule which calls for meetings every other week.

See Lubitsch And Herzbrun Staying

See Lubitsch and Herzbrun staying arrangement made by him with Vlubitsch and Herzbrun could be regarded as final and its approval by the board of directors on Monday, June 27, taken as a matter of course.

Acclaimed to the reports yesterday, while speaking held nothing the statement that "while no definite decision has been reached yet, everything is harmonious, the conferences are moving along." Also, the names are in accord on all important matters thus far. Decision could not be reached for his statement yesterday. It is understood, however, that the conferences will continue for several days. Neither Lubitsch nor Herzbrun knows definitely when he will be able to return to the coast at year.

While it was generally anticipated that both studio executives would be retained by the new Paramount administration, in important capacities, providing mutually satisfactory terms could be worked out, it was authorized yesterday that the executive status of the two might undergo a change with a new Paramount administration. Names most prominently heard in this connection were those of Waterson R. B. Cooper, who is a veteran of the current developments, however, indicate that Cohen's name either has been dropped from consideration or will be and that Rankenberger's appointment to a top studio post now is unlikely. However, his name still figures in reports of a studio connection of lesser magnitude.

Take Claim Under Advisement

A proposal to settle George J. Schaefer's $98,500 claim against Paramount for $35,000 was taken under advisement by Special Master John E. Joyce following a hearing yesterday at which no objections to the proposal were made.

Schaefer's claim is based on a personal service contract as general manager of Warners' New York office. It is expected to submit his report and recommendations on the proposed settlement in a few weeks.

A report approving Paramount's participation in a three-way pooling arrangement with M. E. Comerford and RKO houses in Rochester was submitted by Joyce yesterday to Federal Judge Alfred C. Coxe, by whom it must also be approved. The proposal involves Paramount's Century and Regent, Comerford's Capitol and B. F. Keith's Palace and Temple.

Five Straight for NBC

With "Sugar" Cain on the pitcher's mound and Pete Finnerty on the home plate, NBC won its fifth straight victory by swamping M-G-M with a score of 15 to 3. The NBC team remains at the top in the league standings.

The Roxy yesterday beat Loew's 175th St. nine by a score of 3-0. R. R. FOXERI, writer for the Roxy, only allowed one hit.

Last Saturday United Artists defeated M-G-M, 7 to 2, at James Madison Field. Five hits were allowed on that day was caused because of rain.

Games scheduled for this week are: Thursday, Universal vs. NBC at the George Washington Stadium; Saturday, M-G-M vs. Erp at the James Madison Field.
And wait till this one explodes!
WARNERS NAME 45 OF 60 ON SEASON’S LIST

SOME HAVE STARS, CASTS; INCLUDE SIX WESTERNS

LOS ANGELES, June 12—Jack L. Warner told the Warner convention yesterday that the company will release 60 features during 1935-36, thereby confirming Motion Picture Daily’s forecast of Monday. Of that total, 45 were listed by name and title and, in many instances, by stars and casts.

Six westerns figured in the releasing plans, although no data as to star, story or director was divulged.

Likewise was the lineup completely silent on the July 4th Midsummer Night’s (Continued on page 10)

PARA. TO HOLD LINEUP TO 65 FOR 1935-36

SCHAEFER TO TELL PLAN AT START OF CONVENTION

Paramount will adhere to its traditional output of 65 features next season, its sales force, assembled from the United States, Canada and a number of foreign countries will be told by George J. Schaefer, vice-president of the company, today. Little change is anticipated in the lineup of shorts.

The first of four daily sessions is slated to get under way at 9:15 this morning in the Jade Room at the Waldorf. Assembled in New York are division, district, branch and sales managers, bookers, ad sales managers and members of Paramount’s 100% Club. Elsewhere in the city and (Continued on page 8)

APPROVAL IS GIVEN ALLIED OWNER PLAN

Approval of the plan of reorganization for Allied Owners, Corp., was given yesterday by Federal Judge Robert A. Inch in Brooklyn and attorneys present were instructed to present a detailed order for him to sign.

Objections were made by Murray Kranisbaer, who said he was attorney for the Safrin Congressional Committee investigating various corporate reorganizations.

The motion for approval had been presented by Monroe Goldwater of (Continued on page 9)

NEW SETUP PUTS HUB MET IN PARA. CONTROL

BOSTON, June 12—The Metropolitan, largest theatre in New England, is retained by Paramount through a (Continued on page 9)

THEATRE LOAN LIMIT RAISED TO $50,000

Under the revised rulings of the Federal Housing Administration raising from $2,000 to $50,000 the limit (Continued on page 4)

REPORT UPON RKO CLAIMS SCHEDULED WITHIN A WEEK

A report which will indicate the probability and ultimate allowance of more than $25,800,000 of claims filed against the RKO in its reorganization proceedings will be submitted to the Federal district court here within the next week by Special Master Thomas D. Thacher, it was learned yesterday.

The report will cover all but approximately $10,000,000 of the total claims filed by all RKO creditors, including the huge Rockefeller Center and RCA claims. It is regarded as being of special significance in the light of current activities on the development (Continued on page 4)

GATSBY EAGLE TO BE A. HEAD

SLEETED FOR ELECTION BY BOARD HERE JUNE 25, STATEMENT SAYS

Al Lichtman will be elected president of United Artists when the board of directors meet at New York on June 25.

Mary Pickford, Charles Chaplin, Douglas Fairbanks and Samuel Goldwyn, representing four-sixths of the ownership of the distributing company, from Hollywood yesterday issued a joint statement in which they declared agreement on Joseph M. Schenck’s successor had been reached.

From Wilmingtton came word yesterday of a bid on the part of Miss Pickford, Chaplin and Goldwyn for an additional one-sixth interest in U.A. now held by Art Cinema which is in the process of dissolution.

Maurice Silverstone, for 12 years managing director of British United Artists, will be elected chairman of (Continued on page 4)

RECEIVER WILL END CAMP’S ACTIVITIES

Code Authority will wind up its activities by means of a receivership. A petition has been filed in the N. Y. County Supreme Court, by the Lexington Theatre, Inc., of Ill. Shaine & Weinrib are attorneys for the petitioners with M. Selignon of the company handling the case. Tyrre Dilard, Jr., is representing Camp.

A hearing yesterday was put over until June 18.

RECEIVER IS ASKED FOR PATHE EXCHANGE

A petition asking the appointment of a receiver for Pathe Exchange, Inc., has been filed in the state Supreme Court and is scheduled for hearing before Justice Edward Dore tomorrow.

The application was filed by Martin E. King, attorney, on behalf of Pathe (Continued on page 4)
Cantor Denies It

Broadway gasped and got itself into a state of excitement yesterday over the news that Eddie Cantor had died.

Elevator men forgot to say "floor, please," and asked: "What floor you had the news?"

"It spread like a prairie fire. United Artists used the telephones out of the building, and the pay- wire service began shooting queries. The censor blinked his big eyes and grinned. "It ain't so," he insisted.

Drama has no relation to Social Welfare in behalf of the industry.

C. A. COAL. general manager of Canadian Universal, Toronto, shares honors with His Majesty the King for a long reign. Class has given receiving felicitations from associates and rivals because of his quarter century as Canadian representative of "F. S.".

FRED TIEBRECK, assistant manager of the Imperial, Toronto, leaves June 20 to attend the annual convention which will wind up with a sailing on the Normandie from Havre to New York, arriving at N. Y. Sept 2. Before that he will attend the M-G-M convention which will look over California.

JACK ANTHUER, manager of the Toronto, Imperial, is a member of Famous Players Canadian, went to Washington for the Masonic gathering.

Skouras, FWC Men Go Back to Coast

Charles Skouras, president of Fox West Coast, has left for Hollywood to attend the M-G-M convention which will look over California.

"Little Girl" $55,000

"Our Little Girl" ended a week's run at the Music Hall last night with a gross close to $55,000.

California Income Tax, Pages House

SACRAMENTO, June 12.—The House has adopted the conference report fixing the proposed state income tax rate at 25 per cent of the Federal rate. It would go into effect July 1.

The rates are scaled from one per cent on $3,000 to 15 per cent for $250,000 and over. The compromise broke the long deadlock which had prevailed when studies threatened to quit California if any rate higher than one-third of the Federal tax was adopted.

Another bill passed by the House and sent to the Senate calls for payments of third of all the salaries of employees getting less than $2,500 per year into a state unemployment insurance fund. Each employee would contribute one per cent of his monthly pay to the fund and draw from it $7 to $15 per week when unemployed.

Acts for Biennial Session

BOSTON, June 12.—In a tempestuous session today the Legislature in session called Monday night for biennial sessions. The matter will go on the ballots at the next election.

Business generally, including exhibitors, favors the move.

Broadcasters Heard In Ascap Trust Suit

Radio broadcasters were given the first inning as witnesses in the trial of an antitrust suit that was begun against the American Society of Composers, Authors & Publishers, which was yesterday in Federal Judge Henry W. Good- dard in U. S. District Court here. There is no definite indication yet when film and theatre men who have been subpoenaed as witnesses by the government will be called to the stand. Yesterday was largely of a technical nature, intended to show that radio broadcasting is an integral part of the entertainment business. C. R. Jolliffe, chief engineer of the Federal Communications Commission, supported this view in his testimony. Raymond P. Robinson and William C. Siegfried, officials of the U. S. Copyright Bureau, testified that Ascap was controlled more than one-sixth of the musical copyrights registered since July 1, 1909. Thomas Del Bovio, manager of the Music Library Research Dept. of the music rights division of NBC, was on the stand when the trial was adjourned for the day. He testified as to the amount of music used by the chain and the percentage of it that was controlled by Ascap. He will resume the stand today for further cross-examination by Nathan Burlan, Ascap counsel.

Burlan indicated yesterday by his cross-examination that he would endeavor to show that Ascap's fees are unreasonable because the large audiences reached by radio.

Allied Meet on Today

Allied's board of directors will open the first of a two-day session at the Warwick today to take up unfinished business left over from the Atlanta convention. Among those attending will be Sidney Samuelson, publisher; Abram F. Myers, general counsel; Nathan Yamin, Fall River, Mass.; H. M. Reichey, Detroit.

M. & S.-RKO Hearing To Wind Up Tonight

Closing arguments in the arbitration of Meyer & Schneider's breach of lease charges against RKO will be heard here today before the three-man arbitration board at the Bar Assn Building. A decision from the board will then be due not later than June 18. Arbitration of the case was begun early last winter, but encountered numerous delays and postponements. M. & S. contended that RKO has failed to pay the same product at the Holly- wood and Apollo on the same policy as at RKO houses in comparable classifications alleged that its percentage of the grosses at the two houses, proportioned for the leases with RKO, was injured as a result.

Supply Men Gather At Chicago Session

CHICAGO, June 12.—Joe E. Robin arrives at the Edgewater Beach Hotel tomorrow to open a two-day session of the National Board of the Independent Theatre Dealers' Supply Ass'n. This will precede a four-day convention scheduled to start Saturday.

About 60 reservations have been made. Conventions will be held in the hotel's lounge and the west lounge will be used for an exhibit.

McVickers Back to Jones

CHICAGO, June 12.—Aaron Jones is expected to take back the McVickers from Paramount within two months.

"HATT BEALL, well-known coast production man, was in New York yesterday on route to Hollywood. Was at the Shirrins' con- vention in Washington which he handled public relations."
With Joe E. Brown at his hilarious best, Warner Bros.' "ALIBI IKE" takes its place as the week's most enjoyable screen play. In the role of Ring Lardner's immortal excuse-making ball player, Joe E. gets expert assistance from Olivia de Havilland, Ruth Donnelly, Roscoe Karns and Director Ray Enright. Released June 15th.
Lichtman to Be Made New Head of U. A.

(Continued from page 1)

that subsidiary, succeeding Schenck who occupied that post as well. No word of Schenck's successor was available yesterday.

With decision to move Lichtman in to the highest post at U.A., the company's hopes for the new season and announced it will hold its annual sales convention in Hollywood July 8-11. Deals currently in Hollywood and in London are expected to fill in the gap created by some of 20th Century-Fox; perhaps increase the 1935-36 output beyond the current season's level.

Apply for U. A. Stock Sale

WILMINGTON, June 12—A petition was filed in Chancery Court here today to dissolve the controlling stock of Art Cinema Corp., for permission to sell 1,000 shares of common stock in United Artists. Corp., which is controlled by Douglas Fairbanks, Mary Pickford, Charles Chaplin, Joseph M. Schenck and Samuel Goldwyn.

The petition states that the trustees have received an offer of $650,000 for the stock on behalf of United Artists from Marion P. Phillips, representing the Elton Corp., controlled by Fairbanks, will have a right to purchase the stock with the proceeds of the purchase. The offer, which has been accepted by the trustees, gives maintenance of the balance of power.

The court directed that stockholders of the corporation be notified of the petition and directed to appear before the court June 26, at which time the petition will be heard.

It is believed here that the proposed sale, which represents one-sixth of the outstanding stock, was one of the reasons Fairbanks cut short his world cruise. There is a possibility that he may attend the hearings.

The petition states that the stock was appraised at $613,254 on Oct. 26 last and was sold for $484,825, a dividend amounting to $38,330 was paid on it. The trustees express the opinion that the sale will be fair to all stockholders of Art Cinema stockholders.

They add that they have been assured that Schenck will vote for the purchase of a unit of 1,000 shares by United Artists.

Art Cinema is a subsidiary corporation of Fairbanks, Chaplin, O'Brien, general counsel, and William Phillips, treasurer of United Artists, were appointed trustees in dissolution last October in Chancery Court.

Zanuck and Goetz Coming


Roach Offers Pitts Job

HOLLYWOOD, June 12—Darryl Roach has offered a job to Marion Pitts a job as an assistant cameraman and the cooperation of studio workers in studying the production end of the film business. Thomas Landis asked him to give Pitts a chance to play professional baseball.

Lichtman Man of Varied Talents; Popular Figure

At Lichtman's election to the presidency of United Artists will mark another event among the colorful figures regarded as one of the colorful figures of the industry—a rare blend of forceful executive, suave social figure, and successful lawyer.

His varied talents have made it possible for him to build up a reputation in the film industry. He has become the highest rentals in the business while at the same time widening his circle (x) from the traditional branches makes them pay and like it, but combines his persuasive salesman who is a poster in vaudeville: a manager of an act: a film salesman.

Lichtman was born in Hungary in 1888 and reached this country while a small boy. Later he joined the army.

His start in the amusement business was as an unsuccessful vaudeville act. He became a manager of a poster company in Chicago: an actor in vaudeville: a manager of an act: a film salesman.

Eventually he became general manager of distribution for Monopol Film Corp., D. W. H. Powers, managing director. He handled "Dante's Inferno," "Homer's Odyssey" and "The Life of Christ."

When Famous Players Co. was organized he was its first sales manager. While serving as vice-president, the appointment coming from Irvin May, in May, 1926, the Follies of New York he was made stock director by Joseph M. Schenck and later became vice-president and a member of the executive committee.

Horwitz Bank Night Injunction Denied

CLEVELAND, June 12—Application of H. Horwitz for temporary injunction to prevent M. B. Horwitz from conducting a bank night at the Halton, was denied to day by Judge William Thacher, of the Common Pleas Court. The petition had been based on the charge that bank night is a lottery and unfair competition.

Basing his ruling on a Supreme Court decision that unfair competition involves deceiving the public, Judge Thacher held that bank night does not constitute the public. No case of a lottery was involved in his decision.

The court held that if a criminal act is committed, the matter is one for criminal procedure.

Theatre Loan Limit Raised to $50,000

(Continued from June 11)

for borrowing by theatre owners almost everything used in reconditioning is eligible for loans.

Herefore loans could not be applied to movable equipment. Under the new arrangement sound equipment, including projectors, dry projectors and sound equipment, curtains, decorations and all forms of remodeling are held entitled to Federal aid. No decision has been reached on carpets.

Promissory notes will be accepted and financial institutions will be allowed to charge fees equivalent to more than $5 per $100 of original face amount of a one-year note to be paid in monthly installments.

Steinbeck Out on Bail

FRANKLIN, O., June 12—William E. Steinbeck, operating an Ohio, who has been held in custody as a material witness in the extinction of shooting with intent to kill his. has been released on $5,500 bond. Having been held under indictment for perjury, the hearing has been postponed for a week.

Steinbeck is said to have shot a man in a scuffle.

Pa. Sunday Hearing Stirs Lively Debate

HARRISBURG, Pa., June 12—The Pa. Sunday option bill was bitterly debated at a hearing last night before a Senate committee.

Jeanette Wilkins of Pittsburgh, representing a number of patrons, who oppose the measure, charged big theatre circuits had sent powerful arguments through the present bill for the last night's and earlier hearings. She declared "paid" employees of circuits have been forced to come to Harrisburg to try to put the bill across.

Others who spoke against the measure were Rev. W. E. Weeks, secretary of the Lord's Day Alliance and Rev. W. R. W. Mudge, secretary of the Pennsylvania Ministerial League.

John A. Phillips, head of the Pennsylvania Federation of Labor, and Walter Vincent of the Wilmer & Vincent law firm, were among those who urged enactment of the bill.

The measure, which has passed the lower house, will go before the Senate on a second reading if it is reported back to that body by the Committee on State Government, before which last night's hearing was held.

J. J. Franklin Expands

SAN FRANCISCO, June 12—J. J. Franklin, former division manager of the RKO interests here, is conducting an expansion program in Hawaii, according to William Citron, Franklin's representative here.

He is also adding a $50,000 theatre to the two he already has in Honolulu. The new theatre will be in the center of the downtown district and he has obtained a lease for a period of five years. The lease calls for an aggregate rental of $125,000.

Libson in for Meeting

In addition to the important business matters will be discussed at the monthly session.

Report on RKO Claims Coming Within a Week

(Continued from page 1)

ment of an RKO reorganization plan. While the claims covered in the report show no profits, the据悉 contest bill filed by either the RKO trustee or by the claimants before finally being allowed or disqualified, the report, nevertheless, does not dispute the fact that the company's directors were determining the approximate amounts for which provision would have to be made in any plan of reorganization that Thacher's report, therefore, is considered to be a vital factor in clearing the way for further progress toward a reorganization of RKO.

The $25,800,000 of claims were contested by the RKO trustee, Irving Traub, at hearings held before Thacher last year, but no decisions have been rendered on any of them to date. If the company admits RKO amounted to $35,766,000, exclusive of four additional claims aggregating about $10,000,000 for RKO's controlling stockholders' claims for restrictions on the sale and distribution of subsidiaries which are not now in default. If no default occurs, there will be a liability on the part of RKO in respect to these claims. Of the approximately $10,000,000 of claims not paid by Thacher, more than $2,500,000 have either been withdrawn or dismissed by the court and more than $2,000,000 additionally have been withdrawn by the receivership.

RKO has outstanding approximately $16,200,000 of gold notes and debentures for which no proof of claims have been required by the court.

Receiver Is Asked For Pathe Exchange

(Continued from page 1)

Casey, head of Vaudeville Managers' Protective Ass'n., and studio labor distributors has introduced an amendment to the bill which is described in the application as the owner of 40 shares of Pathe stock. The application will be contested by Pathe through Coudert Bros., former counsel to the company.

Re correlate, for the first time in Pathe production head, is connected with the filing of the action were being submitted yesterday. Derr came here from the coast about two weeks ago, preceded by reports that he was interested in purchasing Pathe. Reached at his hotel yesterday, Derr declined to comment on the reports and asked for an appointment. At the time of Derr's reported interest in acquiring Pathe, official of Pathe claimed that no offer has been received from him but that the offer was not being considered.

CCC Film Showings To Be Scrutinized

Distributors' complaints that "Jack Benny" and "Lafayette" pictures being held unauthorized showings of films in many CCC camps have resulted in the Department of Interior that in the future these exhibitors must produce specific authorizations for showings in specific camps. The new system will have read "camps" or "CCC camps" in many instances, and nearby exhibitors have been subjected to unfair competition, it is claimed.
AS WE PREDICTED!

Socko! Wow! Smash!

HELD OVER

2nd Big Week, CAPITOL, N.Y.

BUSINESS TERRIFIC FROM COAST TO COAST

A PICTURE TO EXPLOIT!

Here are TRIED and PROVEN IDEAS!

From St. Louis, Bridgeport and other cities.

POSTING—All around the town, special block paper, 3-sheets, 1-sheets, 6-sheets, vivid pictorial M-G-M 24-sheets.

ADVANCE LOBBY DISPLAY—Two weeks ahead of opening, theatre displayed huge enlargements of Hollywood critical previews (obtainable at M-G-M exchanges) also pictorial material, enlarged ads, etc.

HERALDS—Fifty thousand heralds used as inserts in all packages as a city-wide tie-up in A. & P. Grocery Stores—10,000 heralds attached to Liberty Magazines and distributed in a house-to-house canvass by Liberty Magazine boys.

RADIO—Starting ten days in advance a fifteen-minute broadcast daily over Station WIL at 11 o’clock A. M. Personal talks about experiences at the studio during the filming of this picture.

WIRE COMPANIES—Tie-ups made both with Western Union and Postal Telegraph for the placing of special worded stickers on the backs of the telegraph envelopes or on the body of the messages themselves. Jumbo blanks posted in their windows with a special message from Chester Morris to St. Louis theatre patrons.

DICK TRACY STRIP—Arrangements made to tie-in the Dick Tracy Detective Strip with “Public Hero Number 1”. 200 lines of free space for Tuesday and 200 lines on Wednesday, prior to opening.

WALGREEN DRUG—A city-wide tie-up with the Walgreen Drug Co., (36 drug stores). Special two-sheet block cards displayed on bar, tying in with fountain special advertising their “Public Hero Number 1 Fountain Special”. This tie-up, one week prior to opening and current, gave two weeks tie-up with these drug stores.

CINEMA WAY TIE-UP—Special Wednesday display at Famous-Barr, St. Louis, using large blow-ups of Chester Morris and Jean Arthur with appropriate selling copy. Paid advertising featuring this tie-up.

DEPARTMENT STORES—Gowns worn by Miss Arthur in the making of “Public Hero Number 1” displayed in the Sonnenfeld Department Store Wednesday in the heart of the downtown district. A large blow-up of Miss Arthur and other art displays of the various stars from the production. Also special art card with appropriate selling copy.

ST. LOUIS NEWS COMPANY—Cooperative tie-up with St. Louis News Company on the detective story magazines with a half-sheet card used on all magazine and news stands located throughout St. Louis. Also special stickers attached to all photoplay magazines distributed week prior to the opening.

Plaster the town as you’ve never done before!
Lobby display by local police!
Most amazing lobby ever flashed to public. Material gathered by St. Louis police during 45 years. Show cases brought thousands in.

THEATRE FRONT—On each end of the marquee large four-foot electric letters spelling out the title. Also a large pictorial cutout of the two male leads and the girl from 24+sheet. A silk transparent valance used under the canopy with overhead hanging double-faced sign—a large 12x20-foot flag hung from the top of the vertical sign hanging out almost over the street. Flood lights mounted on the marquee of Grimm & Gorly Flower Shop located directly across the street from the theatre to highlight the front of the theatre.

TRAILERS—Two weeks in advance, special advance teaser trailers used selling the magnitude of the production, followed one week in advance by the regular M-G-M trailer on this attraction.

SPECIAL SCREENING—Special screenings arranged for heads of women's clubs, wives of the leading police officers, etc., to get the women's cooperation on this picture.

ROYAL WINDOW TIE-UPS—Window displays obtained through the efforts of the Royal Typewriter Agency in St. Louis.

SMALL FLAGS—Small flags made up as a lapel decoration with the title “Public Hero Number 1” inserted, distributed to school children.

RADIO REVIEW—The day following the opening a special review presented over Station KMOX on the Evans Coffee Hour. Prominent lady handles this broadcast and has considerable following.

INSURANCE TIE-UP—National Life Insurance Co., of Nashville, Tennessee, issued an accident policy to each patron entering the theatre to insure them for the duration of the performance only. Paid newspaper space to advertise. Newspaper stories outlining the details of this stunt planted with all St. Louis newspapers.

DILLINGER MODEL—Special Dillinger Mask made to fit dummy—laid on marble slab on display—live man alternates with dummy on slab. Signs—“Crime Doesn't Pay”—see “Public Hero No. 1,” etc.

STREET CORNERS—50 prominent street corner stands in Bridgeport. 200 cards 18”x29½” (four sides each corner) located on all prominent corners of city.

MAX FACTOR—Max Factor display—Howlands Dept. Store in Bridgeport on main floor.

GANGSTER CAR—Auto from Ford dealer—open car with gangsters and guards on running board—banners on both sides of car.

OFFICIAL LETTERS—Letters Mailed—copies of Police Commissioner Otto H. Loven and Warren J. Nichols of Board of Education, Endorsement of Superintendent of Bridgeport Police, Chas. W. Wheeler, retired president of International Police Chiefs of America, and is also a personal friend of J. Edgar Hoover, Department of Justice.
TIMELY!
No advertising idea in years has won so widespread attention as the showmanship idea (right) used from coast to coast by M-G-M.

TRUCK COVERS TOWN!
M-G-M's 24-sheet spreads the message around town. Announcer broadcasts. 6-sheet in rear.

GUARD HOUSE ON MAIN STREET
Specially constructed set resembling prison. Illuminated at night. Prison guard with rifle.

TELEPHONE GIRLS IN WINDOW
Great flash with pretty girls phoning residents from store windows.

$500 REWARD!
TO THE FIRST PERSON BRINGING TO THE CAPITOL THEATRE (During the engagement of Public Hero No. 1) ONE OF THE RANSOM BILLS PAID TO THE WEYERHAUSER KIDNAPPERS! LIST OF RANSOM BILL SERIAL NUMBERS POSTED IN FRONT OF THE CAPITOL THEATRE! HELP CAPTURE THE WEYERHAUSER KIDNAPPERS AND BECOME PUBLIC HERO NO. 2

NEVER WAS A PICTURE SO TIMELY! NEVER HAS A PICTURE SO COMPLETELY CAUGHT THE HEART THROB OF THE DAY!
PUBLIC HERO NO. 1
is Today's NO. 1 ENTERTAINMENT SENSATION!
with Lionel Barrymore — Jean Arthur — Chester Morris Joseph Calleia — Paul Kelly — Lewis Stone
64 Metro-Goldwyn-Mayer Picture
SEE the Government's grim "men behind the guns" track down and unmask the "rats of civilization"..
PUBLIC HERO NO. 1 reveals how the Federal forces work. We predict that when the Weyerhaeuser kidnappers are caught, the "inside" workings of the Department of Justice men on the case will be similar to what you see in PUBLIC HERO NO. 1 — a prophetic picture — a terrific picture — a picture every mother, every woman, every man must see!
NOTE: "Manhattan Melodrama" was the picture that helped catch John Dillinger. Loew's Sheridan Theatre, N. Y. C. discovered one of the Lindbergh ransom notes that helped convict Hauptmann. Now PUBLIC HERO NO. 1 may help solve the Weyerhaeuser case!

STARTS FRIDAY
"PUBLIC HERO No. 1"
tops them ALL!
It's different! It's got more inside stuff! It's got more comedy! It's got a grand love story! It's got a Bigger Cast!
A PICTURE TO EXPLOIT!
Para. to Hold Lineup to 65 For 1935-36

(Continued from page 1)
not officially included in the convention agenda as it stood yesterday is Ernest L. Ottersen, managing director of production, and Henry Hershbin, business administrator, both of whom are here discussing studio management and other business with President-elect John E. Dunne. The latter does not assume his new post until June 17 and the probability is that, therefore, that he will not participate in the company's sales parleys.

Neil F. Agnew, general sales manager, will preside over the sessions, flanked on either side by his two divisional managers, Joseph J. Unger and Charles M. Reagan.

Today the highlight will be a detailed story of the company's reorganization to be told by Schaefer and bringing to the assembled men for what will probably be the first time a detailed account of the organization and future efforts to emerge from bankruptcy.

Contest Awards Today

The recent sales contest prizes and the 100% Club awards will also take place this morning. In the afternoon John W. Hicks, vice-president of Paramount International, will review activity in the foreign field, and Louis Pickett, head of the short subjects department, will discuss shorts and the newsreel.

Today product for the 1935-36 season will be announced by Schaefer and sales policies reviewed. Friday afternoon, advertising and ad sales plans will be discussed by Robert M. Gillham, director of advertising and publicity; Bill Fine, in charge of advertising and publicity at the studio, and Don Velde, ad sales manager.

On Saturday, Schaefer, Agnew, Unger and Reagan will confer, detailing with district managers and specific sales policy matters will be discussed with the district, branch and sales managers. Louis Phillips of the legal department will give a talk at the morning session. In the afternoon, Cecil B. DeMille will screen a reprint of "The Crusades" which he brings with him from Hollywood today.

Individual Meetings Sunday

On Sunday, individual district and branch managers' meetings will be held with the division managers.

The complete program of the convention is as follows:

**Today**

9:30 A.M.—Roll call by G. B. J. Frawley, 10:00 A.M.—Opening by Neil P. Agnew, 10:15 Gold Key club awards by J. J. Unger, 10:30 Continental dinner by George J. Schaefer, 11:00 Continental dinner by George J. Schaefer, 12:30 P.M.—Meeting of foreign department by Louis J. Richards, 2:00 Foreign department activities by John W. Hicks and foreign sales managers, 2:30 succeeded by Louis Diamond Max Fletcher and S. J. Richards, 4:00 Reorganized convention trailer and shorts.

**Saturday**

9:30 A.M.—District, branch and sales managers' individual meetings conducted by Neil F. Agnew, J. J. Unger, C. M. Reagan, George J. Schaefer, 11:00 Code and legal questions by Louis Phillips, 11:00 Noon Meeting with district managers conducted by Schaefer, Agnew, Unger and Reagan, 1:00 Louis J. Richards, 2:00 Loretta Young, Sylvia Sidney and Joe Penner will meet delegates, 4:00 Address by Cecil B. DeMille, 5:00 Screening of "The Crusades," Buses to Whisnant Golf Club.

**Sunday**

7:00 P.M.—Informal dinner at Whisnant Golf Club.

Head Paramount Convention

Office production department, Louis Phillips, I. Cohen, H. Luber and A. Israel will be present from the legal staff. Charlie Pine, recently appointed studio publicity and advertising head, is in from Hollywood.

From the field:

Albany—C. O. Eastman, manager.
Atlanta—G. A. Muran, district manager; Dave Prince, manager; E. Price, sales manager.
Baltimore—E. C. Ely, district manager; J. H. Stevens, manager; J. Moore, sales manager.
Buffalo—K. G. Robinson, manager; E. Weil, sales manager.
Charlotte—J. Kirby, manager.
Chicago—J. E. Fontaine, district manager; Allan Usher, manager; E. T. Hard, sales manager; H. Hamburg, sales manager.
Cincinnati—J. F. Mount, manager.
Cleveland—H. H. Coldstein, district manager; J. S. Wein, manager; H. Roth, booker.
Columbia—M.R. ("Duke") Clark, manager.
Dallas—J. B. Duggar, district manager; H. E. Pickett, manager; F. A. Tomos, sales manager.
Denver—H. W. Braly, district manager; W. F. Weins, manager; C. J. Duer, sales manager.
Detroit—R. M. Copeland, manager; O. W. Oble, manager; C. J. Bell, sales manager.
Indianapolis—J. Howard, manager.
Jackieville—S. E. Scownutt, manager.
New Jersey—E. H. Bell, manager; C. Perley, booker; A. Gelhain, sales manager; H. A. Frank, booker.
Kansas City—H. C. Lilleau, district manager; J. T. Manfre, manager; A. H. Coyle, special representative.
Los Angeles—M. H. Lewis, district manager; Carroll N. Peasook, manager; I. C. White, sales manager.
Maine—R. Ruff, manager.
Memphis—W. F. Bugie, manager; M. Miller—J. O. Kent, manager; J. Luna- hank, booker.
Minneapolis—Ben Blotczyk, district manager; J. J. Donahue, manager; W. D. Wonn, manager.
New Haven—A. M. Kane, manager.
New Orleans—Harold F. Wilken, manager.
New York—Nils S. Kusel, district manager; M. R. Randall, manager; H. R. Martin, Brooklyn manager; G. Quick, sales manager; J. A. Lemoine, salesman; J. J. Houdes, salesman; M. R. Volik, jr.; salesmen: H. I. Frenkel, Brooklyn salesman; Miss K. Flynn, booker; Miss L. Bergson, Brooklyn, booker.
Ohio City—B. R. Simpson, manager; Osmus—A. Mendenthal, manager; G. Hin- tze, booker.
Philadelphia—P. A. Brogl, district manager; Earl W. Sweigert, manager; U. Smith, manager; J. A. Libby, salesman.
Pittsburgh—D. Kimelman, manager; G. Keim, salesman.
Portland—F. C. Clark, manager.
Salt Lake City—E. D. Thompson, manager.
San Antonio—C. E. House, manager.
San Francisco—George A. Smith, manager; J. Batten, manager; J. Houk, manager.
Seattle—E. K. Rust, manager.
Situs Falls—A. R. Anderson, manager; C. Gilmore, salesman.
St. Louis—M. Schwartzman, manager.
Washington—H. Hunter, manager.
Cedano—M. A. Milligan, general manager; W. J. O'Neill, treasurer; J. Hunter, manager; H. Phath, sales manager, all Toronto; H. Q. Burns, ad sales manager for Canadian exchanges; M. Brown, manager; T. Dowling, sales manager, Montreal; C. Doran, Horan, St. Johns; W. Hanbour, district manager, Vancouver; W. O. Kelly, manager; C. A. Brown, manager, Winnipeg; L. D. Hatfield, salesman, toronto.

W. C. Fields to Rest

Hollywood, June 12—W. C. Fields says that when he finishes "Everything Happens at Once" at Paramount, he will take a four-month vacation. He plans to leave Hollywood, and establish headquarters in Lower California.

Tomin for "Smart Girl"

Hollywood, June 12—"Pinky" Tomin will make his debut as an opening act at "Smart Girl," which Walter Wanger will produce. Aubrey Scotto will direct. In the cast are Ids Lupino, Kent Taylor, Gail Patrick, Sidney Blackmer and Joseph Cawthorn.
Par. Has 80 Players with 19 Directors

Hollywood, June 12.—Paramount has 80 stars and 19 directors, according to 1935-36 program of 65 features.

The contract list, as drawn up by the studio, follows:

Players—74

Directors—19

Writers—6
Sam Coslow, Marc Connelly, Ralph Rain- ger, Harry Revel, Leo Robin, Richard Wanger.

The executive staff numbers 27, in- cludes nine associate producers and five supervisors.

Wanger Signs Alan Baxter
Hollywood, June 12.—Alan Baxter, New York stage player currently en- gaged in “The Black Pit,” has been signed by Walter Wanger to make pictures for the next four years. He will arrive following completion of his stage part.

Para. Gets Six Youngsters
Hollywood, June 12.—Paramount has signed six young players to test options connecting John Carbras, Don Beatty, who appeared with Ramon No- varro in a Spanish film; George El- bridge, Robert Elliot, William Levy, Marsha Hunt and Jack Rhodes.

“Easy Living” for Colbert
Hollywood, June 12.—Paramount has engaged Edith Col- bert, who has appeared with Edward in a recent Broadway production, as manager of the Strand at a dinner in the Biltmore Hotel. Edward M. Fay is chief featured salesman here.

Among the guest list, which included political and civic leaders as well as showmen, were Joseph Mccollvile of Columbia at York, Maurice Wolf of Boston and A. A. Spitz, dean of Rhode Island showmen. Martin R. Toombes of Walker’s was toastmaster. Reed was presented a silver service set.

Production Code to Have Office in N. Y.

(Continued from page 1)

that this be done in order to expedite consideration by the Production Code Administration of stories and scripts submitted by British producers, and the reviewing by the Administration of British pictures, all this with a view toward facilitating the American distribution of foreign films,” said an announcement of the action issued following the meeting.

“The service thus provided,” the statement concluded, “will be available to other producers, foreign or domestic, who find it more accessible to their needs than the West Coast office.”

It is anticipated that producers using eastern studio facilities during the new year will make use of the new production code agency here.

Consideration of the effects on the industry of the NRA nullification also occupied the M. P. D. A. directors’ meeting and further study will be given by the subject by that group, it was said.

KRO and Paramount Deadlocked on Deal

KRO and Paramount are deadlocked on the terms of a new product deal for distribution of KRO’s pictures. The terms for the 1935-36 output are said to be far above those hoped for by KRO. All negotiations have been called off for the time being.

Geddes at Seattle
Seattle, June 12.—Don Geddes of Portland has taken over management of John Hamrick’s Orpheum. He succeeds George S. Hoed, who resigned. William Hamrick remains at the house as assistant.

Geddes is a former Seattle show- man, who has been associated with William Hamrick in Portland for the last two years.

Wall Street

Trading Irregular on Big Board

High Low Close Change
Columbia, vct (c) 6 266+ 256 +1 1-1/16
Consolidated 214 214 214 0
Eastman 245 244 244 1
Fox “A” 144 145 145 1
Fox “A” 141 142 141 1
Lowes, Inc 106 106 106 0
Paramount 3 3 3 0
Pathe 41 41 41 0
Warner 40 40 40 0

Technology Of an Curb Net

High Low Close Change
Technicolor 254 254 254 0
Trans-Lux (10K) 286 286 286 0

General Theatre Bonds Up

High Low Close Change
Variable 110 110 110 0
RKO 110 110 110 0

(Continued from page 1)

Republic to Take Mascot
In New Setup

Republic has announced a new mis- sion, which will be founded on John- stone’s Monogram organization. In addition to Mascot to the Republic studios many the new season production schedule by an as yet undetermined number of pictures. Republic has already announced a line- up of 28 for 1935-36, while the company will come from M. H. Hoffman, for- merly of Liberty.

While Mascot, previously had annou- nced 24 pictures for next season, it is known that this schedule will be completely revised. It will probably produce in the neighborhood of 16, thus carrying the Republic lineup to approximately 60. Tenn, Arr, Repub- lic producer, would be in charge of the remaining 20 to 24 pictures. Levine’s production units will continue to use their former studio space, while the Carr and Hoffman units will produce at the Republic lot.

Mascot and Liberty names will be dropped and Republic will divide its production among Levine, Carr and Hoffman. Levine, who recently leased the Mascot and Liberty studio, will continue to produce there. The production of Republic product will be spread over the Monogram, and Wolfe’s studios.

Earlier Republic consolidations brought Herman Gluckman and Em- manuel and Levin, who were joined by Budd Rogers to Liberty into the Re- public executive fold. No announce- ment has been made by the firm or Levine yesterday as to any officials of Mas- cot, other than Levine, being transferred to Republic.

Seattle Meeting Saturday

Seattle, June 12.—The first of Re- public Pictures’ two Pacific coast re- mission sales meetings will be held Saturday with branch managers and salesman from Washington, Oregon, Idaho, Utah, Montana and Idaho. The second meeting will open at the Hotel Roosevelt, Los Angeles, on June 20. A large number of salesmen from San Francisco and Los Angeles attending, E. A. Golden, Republic general sales manager, will pre- side at both meetings.

Friends Honor E. L. Reed

Providence, June 12.—Two hundred friends of Edward L. Reed, veteran showman, celebrated his 71st birthday as manager of the Strand at a dinner in the Biltmore Hotel. Edward M. Fay is chief featured salesman here.

Among the guest list, which included political and civic leaders as well as showmen, were Joseph Mccollvile of Columbia at York, Maurice Wolf of Boston and A. A. Spitz, dean of Rhode Island showmen. Martin R. Toombes of Walker’s was toastmaster. Reed was presented a silver service set.

Rule Utah Tax Valid

Salt Lake City, June 12.—The two-month-old sales tax recently imple- mented a court attack on its constitu- tionality. Judge Charles F. Roelck has decided not only that it is constitu- tional but also that it is not subject to referendum.

Open Shreveport Office

New Orleans, June 12.—The Southern Theatre Service & Supply Co., under the direction of L. R. Beatty, has opened for business in Shreveport.
MOTION PICTURE DAILY

Thursday, June 13, 1935

4,000 W. B. Pacts Reported Signed

(Continued from page 1)
in its history. He told the salesmen to urge exhibitors to spend more money on advertising. Einfeld also told the delegates that he brought product to deliver, product with merchandising and selling angles.

Warner's affiliation with Cosmopolitan was the biggest thing in the company's history from an advertising standpoint. Einfeld revealed that Marion Davies' newest picture, "Page Miss Glory," would have the greatest merchandising but the studio polish given every picture by his company. It was said by Einfeld that the company would continue to back and produce stage plays to overcome story shortage.

Club Leader Claims Huge Aid to Films

That a new audience numbering at least 25,000,000 people has been created for approved pictures was one of the striking statements made to the General Federation of Women's Clubs by Mrs. C. E. C. McMillan, president of the national chairman of the committee on motion pictures, at the recent Detroit convention. The Society of Motion Picture Herald's current issue.

This new market, she said, had been created by the production of films with an appeal both to the masses and the "discriminating and cultured."

Through its affiliated groups the federation has been in states by stimulating interest in selected pictures. The campaign has been conducted in magazines, radio, newspapers, books, speeches, radio, speakers' bureaus, libraries, "Family Nights" and "Girls' Matinees." The aid of 225 Better Films Councils has been enlisted. In some instances ticket-selling campaigns were conducted.

Flash Previews

Ladies Crewe Excitement—The picture as an action melodrama should please those where this type of film is popular.

Honeymoon Limited—An unusually slyly, gay comedy romance but was turned out on a small budget, but which is nonetheless a good bet on a double bill.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

To Rebuild Carrolton

New Orleans, June 12—The Carrolton, recently destroyed by fire, will be rebuilt by United Theatres, Inc., costing at a cost of approximately $50,000.

WARNERS NAME 45 OF 60 ON SEASON'S LIST

(Continued from page 1)

Dream," which cost well over $1,000,000 to produce. The understanding of the public, however, will be the key problem.

Cosmopolitan will furnish six, two of which—"The Three Stooges" first, already finished, is "Page Miss Glory." No information was given on the second, but it is Cosmopolitan's first attempt at "Light and Bright."

Warner stated Max Reinhardt, who directed "A Midsummer Night's Dream," has been in charge of the showing picture. He did not list it, but, if reports are to be credited, the vehicle will be the "Green Pastures," which Warner writers will handle as a special new season.

The company is preparing to open 10 Broadway shows and has published various stories for its program of 60. Warner also stressed his intention of keeping plenty of "flexible" advantages to "toy" in plays of a timely nature that may come along during the year.

As far as is divulged, shows the co-starring team of Joan Blondell and Genda Farrell are among the two pictures, "Blondes Prefer Gentlemen" and "Miss Pacific Fleet." Joe E. Brown, Betty Davis, Dolores Del Rio, Kay Francis, Paul Muni, Dick Powell and Rudy Vallee are listed for solo starring pictures, although several in this group are to be co-starring in others as well. Edward G. Robinson returns to the program in "Silentto," while Warren will be starring in at least two.

Some Names Missing

Absent from the announced roster are Hugh Herbert, Josephine Hutchinson, Rance Howard, Milly Mir and Lytbe Talbot, although it does not necessarily follow they will not appear in one or more of the pictures, the product may be cast later.

Definitely slated for the new program are these:

"The Green Pastures," the Pulitzer Prize play by Marc Connelly. This will be made into a special.

"Page Miss Glory," already completed as a Marion Davies' first picture under the Warner-Cosmopolitan affiliation. Pat O'Brien and Robert Armstrong.

"Captain Blood," by Rafael Sabatini.


"The Green Pastures," will be made with an all-star cast.

"Page Miss Glory," already completed as a Marion Davies' first picture under the Warner-Cosmopolitan affiliation. Pat O'Brien and Robert Armstrong.

"Captain Blood," by Rafael Sabatini.


"The Green Pastures," will be made with an all-star cast.

Those Busy Warnerites

LOS ANGELES, June 12.—Six buses and a string of private cars were required to carry the 300 delegates to the Warner convention from their Ambassador headquarters to the studio at the conclusion of a three-hour business session Monday, which saw the annual convention open with a bang.

Duplicating the delegation's Sunday arrival, the buses were met with a brass band (very brassy) at the studio gates. The group filed out en masse and within 10 minutes were comfortably seated at lengthy tables in one of the sound stages. Everything went like clockwork. An orchestra tuned up with popular melodies, flashbulbs popped, cameras clicked and the guests started in on their Avocados, bathed in a glare from a thousand and one giant arc lights.

Following several interesting moments, during which time knives, forks and whatemnot offered a clattering accompaniment to the other noises, the canvassed delegates leaned back in their chairs and watched the world go by.

Vocal numbers were then contributed by Phil Regan, Dorothy Dare, Maxine Doyle, Wini Shaw, Harry Seymour and Everett Marshall, all contract players.

Jack Warner finished up on a chicken leg in record time and stood up at the speaker's table to extend a formal welcome to the conventioneers, followed by introductions of stars, producers, and directors.

Bill Boeing took a beating from Warner on the introductions. He got blamed for everything including the introduction list which seemed to be all balled up for some reason.

Irving Rothenberg, from the New York exchange, was a class mate of Director Archie Mayo in public school. They met for the first time since graduation at the convention and held a happy reunion, with Archie inviting Boeing out to the house for dinner.

The luncheon wound up after the introductions and the delegates filed out to watch "Man Mountain Dean" and Chief Pontiac scramble a few ears, during which they wrestled in and out of the ring and spent several minutes out of each fall in the lap of Sam Morse.

After the regular shot of the wrestling match in "We're in the Money," had been taken, "Man Mountain" Dean and "Little Chief" put on a gag bout for the conventioneers. The back of "Man Mountain's" sweatshirt bore the sign "Production." While the Indian was labeled "Distribution," Dean threw the Indian out of the ring, landing "Distribution" right in the lap of Morse. Sam, however, tossed it right back to Joe E. Brown, who acted as referee. When the match seemed a draw, Brown removed his sweater, revealing that he was "Exhibitor" and finally

(Continued on column 4)

The Camera Goes Candid

Los Angeles.—The Warner— all three of them. Left to right: Albert W., Harry M. and Jack L. They are here for their company's annual sales convention, now in its fourth day.

Meet the three new vice-presidents of Vitagraph, Warner distributing company: A. W. Smith, Jr., S. Charles Einfeld and Gradwell L. Sears. They got their promotions Monday.

Not "Man Mountain Dean" in the center but Archie Mayo, Warner director. On the left, Arthur Saxon of the home office. On the right, Al Cohn, Collector of the Port of Los Angeles.

Those Busy Warnerites

(Continued from column 1)

threw Dean, proving perhaps that the man who sells the tickets is the key to the situation.

Nat Furst, New Haven, celebrated his birthday on the opening day. Mrs. Furst and the kids sent a wire from home wishing him many more happy returns.

Ray S. Smith, Albany, is trying to figure a way to get down to the San Diego Fair before he goes back east. Ray thinks it would be a shame to get so close and not attend.

The afternoon session on the opening day gave the boys the answer to the question, "For what?" which exhibitors ask when told that a negative cost $300,000. Many of them saw the workings of a studio for the first time. They were taken on the sets of "We're in the Money," "The Irish in Us," and "Little Big Shot." On the "Irish" set, they saw an exact replica of a New York precinct police station. They saw that it sometimes takes an hour to film sequences which appear as flashes in a picture. When they saw "Little Big Shot," they saw how a child actress is trained to play her scenes. They watched Director Michael Curtiz patiently instruct baby Syria Jason in a song and dance routine, then sat entranced as the child did her number and later gave the audience of Jimmy Durante and Marx instead.

When they finished watching them make the picture, they were taken on buses around the lot, and realized for the first time that their studio covers more than 75 acres. Later, over cocktails in the Cosmopolitan bungalow, the boys thought these things over, and wondered if the production department does not underestimate the cost of making a picture.

At the studio luncheon, Jack Warner recalled the picture "Conventional City" which the company made. He said he hoped that no delegate would turn out like Hugo Beretti in that film, who attended the wrong convention.

The entrance to Stage 2 where the luncheon was held was guarded by a curtain on which there was a sign, "Sell our pictures or else!"

Herb Crooker of the New York press department was all over the place. When Director Ray Enright called for boos from the crowd during the filming of the wrestling match scene, Herb gave it to him in the best Madison Square Garden manner.

Credit and lots of it, should go to Eddie Seltzer of the studio publicity department and his staff. The publicity boys thought of nearly everything, and the delegates had no complaints about the way all arrangements have been handled.

Grad Sears, one of three new vice-president of the Warner distributing company, says the market opened strongly on V.P.'s but hopes it doesn't sell off later.
The Moaners

Purchase, N. Y., June 12.

One hundred and eighty five tee off in the morning. It was a record playing and this was the 23rd tournament which The Film Daily has sponsored.

That was a very deliberate drive. The golfers made it at the 18th hole. They shot an 89 and won $40. Six holes were made at par.

Harry J. Warner, the director of the tourney, showed the boys how Tuesday night.

Ed Levy, whose native terrain is in New Jersey, turned in from that point all for the game's sweet sake. Not only that he was on time at the first hole.

The overnight contingent tallied 22, another record for a pre-tournament tournament.

Lou Nizer crept up the stairs at 6:30 bending low over something or other. It developed it was tennis that bowed his shoulders.

C. C. Ryan, after a strenuous struggle with Clint Weyler, was finally convinced, that the weather was great - and who cared about golf and a score.

Gregory Dickson swears that the going was of continuous interest. The fair was a test for him and he did nothing with that score 112. Bruce Gallup, his partner in crime, in that foursome, will attest to that.

Charlie Pettijohn showed up the night before the big show and claimed to have a special sport coat that was the envy of many eyes.

Al Selig and Lou Ochs copped the honorary.golf certificate to register at the club. The official timer clocked em at 7:59 A.M.

Old Colon Alcockate had about 30 golf mugs present for that special breakfast he threw in their honor.

Arthur W. Kelly got a hand for one of the nifty puts he pulled in the putting contest. He lost out to one who didn't come up to snuff at the finish.

There was a howl on the fourth green, but it proved no mug, just a par three regulation par. Jack Nickery, Tim Keough and Charlie Moses.

Harry Shipman didn't care much for that morning round. The score was enough.

Paul Benjamin and Billy Ferguson were highly elated over the fact that both have improved their golf to the extent where they both chipped three strikes off their score.

Don Hancock finally showed up but did not go for the golf.

"That's for the your fellows," said he.

Ed Finney decided to warm up for the afternoon golf by a snappy set-to of tennis. Walter Eberhardt knows that if improved his score any. From what was seen on the 18th, Ed could easily go back to the courts.

Herb Yates almost lost his temper on the 17th when his caddy lost the ball at the crucial moment. That up hill traffic finally were Herb down.

T.H. Boland Coming East

Hollywood, June 12—Thomas H. Boland, who has leased his theatres in Oklahoma City to Warners, leaves by motor today for Oklahoma City and New York. He expects to be gone three weeks.

Northwest's Merger Expected in August

Seattle, June 12—Indications are that the Evergreen-John Hamrick-Gale Pictures-Highline merger of theatres in Portland, announced last week, will become effective some time in August. Charles E. Eberhardt, Seattle, and D. H. Cohen, head of the Evergreen circuit, have been spending much time away from the theatre and offices in the New York and Los Angeles and other details of the merger are being arranged at these out-of-town points.

Definite information on the theatre policies will not be announced until the plans are more closely planned, it was stated here last week.

The Winners

Purchase, N. Y., June 12.

Prizes, prizes everywhere and one for every man. The year’s biggest shorehouse at Progress was cluttered with ‘em today and to-night.

Here is the list of principal winners, and what they won them for, if not why.

The winners and prizes follow:

Team winners (Albee memorial cup and Film Daily medals)—Amma, with Tom Gerety of M-G-M, captain, and Mr. Irving, chairman. Herbert Feke of Motion Picture Herald, and James Cron of Motion Picture Daily.

Low net (Film Daily cup and RKO Radio trophy)—Monroe Greenhale.

Low net runner-up (Stebbins, Letterman, Gates trophy)—Edward S. Gaylor.

Low net, Motion Picture Club member (All Lichtman plaque)—Joe Hornstein.

Low gross (Quigley Publications trophy)—Irving Regensburg.

Low net, exhibitor (Columbia trophy)—John Flinn.

Low, net, morning round (DuPont cup)—Edward S. Gaylor.

Low, net, exhibitor (Arts trophy)—Boris Morros.

Low gross, exhibitor (Erpi trophy)—Irving Regensburg.

Putting contest winner (Consolidated Film Industries trophy)—Milt Brown.

Putting contest first runner-up (RC&A Radio)—Neal Lang.

Putting contest second runner-up (Eastman Kodak)—Harry Brandt.

Driving contest winner (Willie Massie trophy)—Tom Gerety.

Casting contest runner-up (National Theatre Supply Co. trophy)—C. C. Pettijohn, Jr.

Putting contest—(Columbia)—Chet Bluhardt, Mervin Polskoff—Irving Regensburg.

Best-dressed golfer (Nat Lewis trophy)—Lee Leventhal.

"SC" cup”—Edward S. Gaylor.

Most strokes on one hole (Variety magazine trophy)—Fred Duffer's prize—Norman Arwernald.

Foursome prize winners (J. E. Bluhardt, Mervin Polskoff, Altmann, Paul Benjamin, H. Brown, Harry Charnas, James Clark, S. Fabian, William Franklin, Louis Frisch, Bruce Gallup, Jack Guckin, Paul Greenhalch, Irving Goodfield, Arthur Hamner, Bob Hadley, Joe Hulse, Donald McRae, Edward L. Hyman, Herbert Kahn, Martin Korath, Morris Kuties, Most strokes on one hole (Variety magazine)—Fred Duffer's prize—Norman Arwernald.

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Para. Titles, Casts Listed For 46 of 65

Shorts, Newsmen Total Up to 211 Subjects

Titles and, in many instances, casts of 46 of its 65 features for next season were divulged to his sales force by George J. Schaefer at the opening of Paramount's four-day session at the Waldorf yesterday.

In the short subject division, the company will release 106 one-reelers, one two-reeler and 104 issues of Paramount News to a grand total of 211, an increase of seven over the current season.

Accompanying the announcement were definite release dates of the 19 features which Paramount will release in its first quarter ending Oct.

(Continued on page 6)

Para. Clear Monday, Schaefer Predicts

"Paramount will emerge from bankruptcy on Monday, provided everything goes along as it has," George J. Schaefer, vice-president of the company, yesterday told the company's conventioners as the first of a three-day international sales meet opened at the Waldorf. He did not elaborate on the statement, but indicated that the company would be turned over to the new administration by the trustees on that date.

The morning session was opened by Neil Agnew, general sales manager. (Continued on page 7)

Allied-Paramount Pact Is Approved

A motion for the approval of the settlement of Allied Owners Corp.'s claim against Paramount Publix was granted yesterday by Federal Judge Robert Inch in U. S. District Court at Brooklyn following a hearing at which no objections to the settlement were made.

Allied originally filed a claim against Paramount in the latter's bankruptcy proceedings for $25,000. (Continued on page 7)

RKO Claims Reduced Nearly $12,500,000

Claims against RKO in its reorganization proceedings are reduced by approximately $12,500,000 under a report by Special Master Thomas D. (Continued on page 10)

Lichtman to Hold 2 Jobs Temporarily

HOLLYWOOD, June 13.—Following his election as president of United Artists, A. Lichtman will function both as president and general sales manager for a time, with a strong possibility that someone from the ranks will be named head of the sales forces later.

Lichtman will receive salary and percentages as usual, it is understood here.

A new chairman of the board will (Continued on page 2)

Receiver Suit Against Campi To Be Dropped

Campi was notified yesterday by the Lexington Theatre in Chicago that the receivership petition filed by its attorneys, Shainey & Weinrib in the N. Y. County Supreme Court will be withdrawn. The exhibitor said he has advised his counsel accordingly, but M. Seligman of the legal firm for the petitioners would not comment on the matter.

According to Code Authority, the suit is a mystery. The theatre has (Continued on page 12)

Depinet Heads RKO Hegira to Chicago

Ned E. Depinet, president of RKO Radio Pictures, will head the advance guard of home office executives leaving this afternoon on the 20th Century-Fox plane.

(Continued on page 10)

New Skeleton NRA Given Senate Vote

WASHINGTON, June 13.—A skeleton NRA, authorized only to accept voluntary agreements, was provided early today by the Senate after sitting (Continued on page 12)

‘Time’ Buyer of RKO Notes, Casey Pathe Suit Revealed

Time magazine purchased from Pathe the latter's $1,696,000 of RKO notes for approximately $340,000 in two recent transactions, it was disclosed yesterday at a hearing before Justice Edward A. Dore in state supreme court here on the application of Pat Casey for the appointment of a receiver for Pathe.

The notes were acquired during April and, according to Pathe's affidavit, the purchase, presumably, was due to Time's interest in attaining a closer affiliation with RKO preliminary to consummation of the recent deal by which RKO took over distribution of the "March of Time" reel.

Replying to Casey's allegation that (Continued on page 11)

Mascot to Deliver Until Next Season

Mascot Pictures goes into the Republic setup with the advent of the 1935-36 season, but will deliver its picture commitments for the current season, Nat Levine declared yesterday. The company does use its mike under its own name with the start of the new year.

The Mascot production organization will be kept intact to produce its quota of new season pictures for Republic release, but present indications are that Mascot's home office and sales staffs will be dispensed with at the end of the current season, it was said.

Form Booking Group For Wisconsin Men

GREEN BAY, Wis., June 13—United Theatres, Inc., has been organized to buy and book films for independent houses in Wisconsin and Upper Michigan. The new organization is headed by W. R. Vincent, District Manager.

Independents aim to pool buying power to eliminate percentage deals, forcing of 100 per cent contracts, unfair clearance and other practices they oppose.

No Majestic Shift, Gluckman Declares

Majestic will not enter into a merger with Republic or any other producing or distributing company, Her-
Insiders’ Outlook

By RED KANN

"BECKY SHARP" bowed in at the Music Hall yesterday. That’s news on more than one score. In the first instance, or maybe it’s the second, there’s a new production, "Pioneer—Jock" Whitney, made for RKO distribution, is the initial feature in Technicolor’s new three-warehouse plan. Much heralding has preceded it, largely on the basis of color, of course, and much of what has been claimed is there, caught on film by way of product. 

►

The attraction is a real one. Let’s process this in this way. Why and how open up avenues of various approach, some of them following along now quickly. Kenneth Macgowan, the producer, and Rouben Mamoulian, the director, demonstrated their sagacity in building ‘“BECKY SHARP” first’ by point of story and dramatic content. "BECKY SHARP" was designed with a view therefor for its eighty-five minutes an interesting page torn out of the life and customs of an England worried over the return of the protean from the continent. It is, medium, not necessarily color at all, this "BECKY SHARP," therefore, would have been a first-rate show. In color, indubitably its value is enhanced. 

►

Important for another reason. "BECKY SHARP" takes Miriam Hopkins who has been on the borderline as a drawing card and very definitely sends her over that line onto that rare ground rigidly, for the select few among the ranks of this industry. Miss Hopkins, always competent and always attractive, here got her chance and delivers with an emphasis that may defy ultimate analysis because the hallucabalo and fuss which will be tied with the exploitation of the picture and the new program by which ‘“BECKY SHARP”’ has been made will be so difficult to divorce from any individual performances. 

►

Yet to this commentator, '“BECKY SHARP” is what it is, which is plenty, far and away because of the brilliance of Miss Hopkins’ rendition of the title role. She is photographed beautifully, uniformly, with whatever artistry. She is accredited with all of the nostalgia of the style of the period. But she is also a complete and charming knockout in a generally unappealing role, which, by treatment, does its best to make her sweet and worthwhile when actually she is untrustworthy, a moral cheat and a liar. It’s her picture from go to finish. 

The Technicolor which makes its appearance here is a sharp improvement over anything which has been marketed to date. Launching itself in soft grays and light blues, the color design which is credited to Robert Edmond Jones, the stage director, turns out to be an ingenious one, a saving of the stranger variations and thereby adroitly avoids conflict with the unfoldment of the story. This reporter’s reaction to the color strengths of this observation, naturally conscious slip into low gear along about the third reel. He was aware of the beautiful lighting and photographic job which is credited in soft and restful pictorial gems. He realized that, clipped bluntly at almost any point where a mythical shears is torn, the frame so cut away would make a lovely picture. But his primary interest was in Miss Hopkins and her devilies. 

►

Exactly how much, then, does this high-water mark in color photography aid "BECKY SHARP"? And beyond that, exactly how much will any concentration on color to the slighting of other important elements in picture making mean when added production and print cost are calculated? It is difficult to tell because producers have a way of stampeding toward the medium with what is more often enthusiasm than good judgment. 

►

This department’s thought, as it always has been, is color an added appendage; that the first requisite, the narrative, and color cannot replace although it can make that entertainment optical and, therefore, esthetically, more acceptable. Becky’s strength lies here. This observation naturally suggests that caution is always commendable and headlong flight usually disastrous. No one can forecast how much excitement the picture will create. We see in it no revolution, but the holding forth of a promise, extent unknown, which can blossom into something of the same kind once the public, many of whom are thoroughly impressed, is sighted.

John Maxwell Returns

John Maxwell, chairman of the Board, returned to his position on the Majestic after 10 days in New York. Arthur Dent, general manager, is remaining for about two more months to finish up a number of deals he has pending on the company’s distribution here.

Lichtman to Hold 2 Jobs Temporarily

(Continued from page 1)

Lichtman to Hold 2 Jobs Temporarily

WASHINGTON, June 13—Denying that he will join the T.O.C.C., the L.A.T.S.E. or any other of the organizations with which his name has been linked since announcement of his resignation from N.R.A., Compliance Director Sol A. Rosenblatt today made it known that on and after June 17 his headquarters will be at the Waldorf Astoria. Rosenblatt declares himself unable to discuss his future plans, other than that his first step would be to look around for an office. He repeated that he has made no arrangements for his activities when he returns to private practice.

Mrs. Roosevelt Renews

Mrs. James Roosevelt, mother of the President, has been heard from the honorary vice-presidency of the M.P. Research Council. She said that she thought the Council’s work was vitally important because of her health and other business and did not wish to be merely a “name.”

Denies Lugosi Deal

Michael E. Balcon, production chief of G.B., has called Arthur A. toward improvements on which the company has not signed Bela Lugosi and has no plans for starring him in a picture called “Marie Celeste.”

Levin Made Producer

Hollywood, June 13—Albert Levin has been made an associate producer under Irving Thalberg. Levin has been executive aide to Thalberg for several years.
The bounding main resounds with laughs...excitement grips the passenger list...as six travelers with shady pasts entangle in intrigue on the most luxurious liner ever launched. Flashing fun...tingling action...to delight the crowds of any theatre.

**BLACK SHEEP**

*Produced by Sol M. Wurtzel*  
*Directed by Allan Dwan*  
*Screen Play by Allan Rivkin*  
*Story by Allan Dwan*

**EDMUND LOWE**  
— lone-wolf ship gambler who wisecracks his way out of peril.

**CLAIRES TREVOR**  
— actress who plays her most dangerous role to save a desperate youth.

**TOM BROWN**  
— misguided playboy in the power of a scheming woman.

**ADRIENNE AMES**  
— beautiful adventurer smuggling in a stolen rope of pearls.

**EUGENE PALLETTE**  
— millionaire oil man out for a good time and a trimming.

**HERBERT MUNDIN**  
— a tippler who spends seven days at sea looking for himself.

—Showmen’s Trade Review

With the whole world discussing big ships  
FOX gives you **THE BEST ‘SHIP’ STORY YET TO REACH THE SCREEN!**
Again the nation's showmen are saying:

He's the best friend a box-office ever had!

You haven't a show without Fox
WILL ROGERS in "Doubting Thomas"

A B. G. De Sylva production

with BILLIE BURKE
ALISON SKIPWORTH
Sterling Holloway · Gail Patrick · Frances Grant

Directed by David Butler · Screen play by William Conselman
From the play "The Torch Bearers" by George Kelly
Adaptation by Bartlett Cormack
Para. Titles, Casts Listed
For 46 of 65 (Continued from page 1)


The First Quarter
"The Big Broadcast of 1935" outdoor produc-
tion, will lead off the season. Paramount
says the cast has "nearly 100 fea-
tures" this year. Among them are: William
Waxman, Jason Robards, James Cagney,
Oscar Hammerstein, II, and Jennifer Jones.

"Annapolis Farewell," with Sir Guy
Standing, Richard Cromwell, Tom Brown
and Virginia Gregg. Also co-starred with
Peter Benchley in "The Big Broadcast of
1935."

"Pet's Evening," with Bob Hope, Fanny
MacMurray, and Jane Wyman. Also co-
starred with Ann Harding in "Two for Tonight.

Edward Everett Horton — The Imperfect
Husband." Also co-starred with Ann
Horton in "The Big Broadcast of 1935.

"The Big Broadcast of 1935," with Ann
Harding, co-starred with Gary Cooper in
"The Big Broadcast of 1935.

Harold Lloyd — Star in "The Milky
Way," a two-reeler, also co-starred with
Herbert Marshall in "Honors Are Even.

"The Big Broadcast of 1935," with
Gary Cooper, Joel Mccrea, and Bette
Dykstra in the cast. Also starred with
Ray Milland in "The Big Broadcast of
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Paramount Personalities

(Continued from page 1)

who welcomed the 140 men from all over the eastern United States to Paramount, he was followed by J. J. Unger, eastern and southern divisional head, who distributed chocolates to the men. The sales contest continued this week in honor of Schaefer.

Charles Reagan, western division head, then announced the 15 new members elected to the 100 Per Cent Club. He gave each of the men a present of a $1,000 insurance policy on the premises.

Paramount Lineup

RAPPAPORT UNVEILED THE Paramount lineup, Chicago; C. J. Duer, Denver; H. R. Hamburg, Chicago; G. Hinton, Omaha; G. E. Seissler, New York; Charles Rawles, Cleveland; E. Youngman, Buffalo; C. J. L. Menahan, Montreal; L. D. Hatfield, Toronto.

Roth and Lenahan are bookers, while Walter acts as manager of his exchange. The other 12 are salesmen.

Unlike the last convention, which was held on the coast, theatre operating partners did not attend, the session being limited to distribution forces.

John W. Hicks, vice-president of Paramount International, took the floor in the afternoon session and introduced about five foreign managers. He stated that many of his offices have already selected new managers. He gave his lineup, announcement of which will be made at today's meeting.

Clement Graham of the London office and Jack Rappaport of the Havana branch also spoke briefly. George Weltert, assistant to Hicks, related how the foreign field operates.

Says Zukor Will Stay Active

Eugene J. Zukor, son of the chairman of the new board of directors, told the men that his father would continue to run the company's affairs. He did not go into details, but it was an assurance to the convention members. Zukor then reviewed his many years with the company.

Lou Diamond, in charge of shorts, gave an analysis of the one-reelers. A. J. Richard, head of the newsreel, talked on the 104 issues to be released for the new season. Grantland Rice, who is producing a series of sports reels, announced that Ted Husing had been signed as commentator for the series. Rice's talk was brief. He had to rush away to interview Max Baer before the big fight last night.

After the screening, a screening was held. Tests of Gladys Swarthout and Helen Jepson, radio and opera stars, were shown. The two personalities will figure prominently in future Paramount releases.

The first Granitland Rice reel in which Zane Grey was exhibited. Also "Better Than Worster," a Popeye cartoon, and a new Variety short, "Broadway Highlights."

An enlarged photo taken at the Paris International Film Convention on May 12 was unveiled at the hall by Hicks prior to the session.

Blank Reflects Optimism

Theatre business in the west has greatly improved over last year, Percy Block, district manager for Philadelphia and Washington, brought with him from the Quaker City where he has been making his home since he was in the Siegelkraft, branch manager; Theodore Abner, salesman, just elected to the 100% Club, and Ulrik Smith, salesman.

MORRIS GLUCK, ad salesman for the New York exchange, proudly displayed the $150 check received at the second prize in the recent contest. Ed Walters, who took fourth and received a $75 bonus, also displayed considerable gratification. These two were the only ad salesmen present.

MYKE LEWIS, coast district manager, was all smiles after being awarded a $1,000 check as winner of the recent 3-1-1 drive.

A. H. Blank, who is town on theatre business, didn't put in an appearance at the convention and George Unger gave his rats for being in the hotel and not dropping in. He is here with Ralph G. Branton, general manager of Tri-States. Both leave this afternoon for Des Moines.

JACK HEMMELIN of Cleveland and Ernie Ruyp of Maine are inseparable. They promenade up and down the Waldorf lobby, taking in all the window displays.

MYRON SALTER, New York branch manager, a symphony in blue, himself up a couple of the boys who lend their ears to a couple of quips he had saved for the occasion.

HENRY RANDEL, Brooklyn and Long Island exchange manager, bought himself a new hat for the conference. He is the fourth in his series and the conservative one, is repeating on his $10 Stetson of last year.

IRWIN LESSER, New York salesman, was high on the list of winners for winning the 100% Club award for the second consecutive time.

MAX FLISCHER was ill and could not attend.

JOHNNY MOORE, sales manager at Boston, and AL KANE, New Haven branch manager, arrived at 11 P.M. Wednesday night, and immediately went on a liquid diet.

A. H. Blank, Paramount theatre partner in Iowa, stated yesterday. He says there has been a lot of rain which has prevented the general morale of the farmer because of the prospects of fine crops.

Business is on the mend and everything points to a better season. He has been here with Ralph G. Branton, general manager of Tri-States, and finished up conferences with Y. Frank Freeman yesterday. He decided to stay over to see the Baer-Braddock fight last night and will leave with Branton for Des Moines this afternoon.

Fields III, Vacationing

W. C. Fields, who is missing from the Paramount announcements, has been granted a three-months vacation to recuperate from an illness. No vehicle has been selected for him when he returns, but studio forces are now surveying the material market for a story.

Para. Buys Amateurs’ Song

Victor Mizzy and Irving Taylor, N. Y. U. students who took first place in Allied-Paramount Pact Is Approved

(Continued from page 1)

000, based on obligations accruing from the acquisition of theatres for Paramount. The claim was later reduced to $12,000,000. The settlement provides for the issuance to Allied of $5,000,000 of new Paramount notes and stock, the payment of $150,000 in cash and for rent on the Brooklyn, Paramount, the purchase of the Paramount at Birmingham, Ala., and the leasing of the Paramount theatres in Brooklyn, Glenn Falls, N. Y., and Fremont, O. A condition involved in the settlement also provided for the inclusion of the Alva-Callaghan, a trustee of Allied, to the new Paramount board.

The Allied settlement was approved as far as Paramount's participation was concerned by Federal Judge Al- fred C. Coox in U. S. District Court here. Approval of Allied's participation yesterday concludes the proceedings. The claim was the largest individual one filed against Paramount.

Rawles INS Coast Head

HOLLYWOOD, June 13.—Wallace X. Rawles is the new director of the Pa- ramount division of Jones, L. B. Stock and Co., where he has been vice-president of the Allied division, which has been sold. Rawles controls a staff of about 200 men from Denver to the Philippines and reports to Jack Rawles, president of the Allied division, who is in charge of the Jones, L. B. Stock and Co. Rawles will continue handling Hollywood picture news. He sends a thousand words daily over the Hearst wires and about 4,000 words weekly over INS fast news service.

Vaudville for De Luxe

The De Luxe on 125th St., operated by H. C. Hartman, will feature stage presentations in addition to the regular film program, to be changed weekly. The new policy will start in September.

Meyer Gets New Post

HOLLYWOOD, June 13.—Fred Meyer was named yesterday to represent Uni- versal as director of the offices of the Producers’ Ass’n. He fills a vacancy left by a number of studio executive charges.

Rowland Picks New Title

“Sweet Surrender” has been selected as the final title for William Row- land’s picture, which was described as “a Western Story.” The former title was “Romance Unlimited.”

Delay Ascher Bros. Suit

CHICAGO, June 13.—Ascher Broth- ers’ suit involving control of the Sher- idan was postponed to today when it came up yesterday before Judge Lib- say.

Robinson for “Barbary”

HOLLYWOOD, June 13.—Samuel Goldwyn signed Edward M. Rob-inson to appear in “Barbary Coast.” on one of the Fred Allen amateur broadcasts and played the Rob-
They're always a box-office joy together ★

JOAN CRAWFORD, BOB MONTGOMERY ★

In M-G-M's gay "NO MORE LADIES" ★

Just what your show-shop needs right now ★

Some Cast! Charlie Ruggles, Franchot Tone ★

And Edna May Oliver—E. H. Griffith, director ★
Because it doesn’t take life seriously...

Because it ripples with June romance...

Because it’s brimful of the joy of living...

Because it’s wise, witty, human, true...

Because it brings two bright stars together again...

That’s why it’s the sweetheart of the film year!
Depinet Heads RKO to Hegira to Chicago

(Continued from page 1) tury for the Chicago sales convention. The gathering will open at the Drake Chicago June 14 and continue through Wednesday.

Assembling Depinet were: Jules Levy, vice-president and general sales manager of the RKO Distributing Co.; Cresson W. Smith, western and southern sales manager; Al Mertz, short subject sales manager; A. A. Schubert, head of the contract department; John Dowd, publicity and exploitation head of RKO Radio Pictures; and other executives of the radio-phonograph, radio picture and radio publicity departments.

The European delegates, headed by E. D. Leishman, chairman of the board of Radio Pictures, Ltd., and director of Radio Independent, Ltd., arrived Thursday in New York on the Manhattan, Phil Reisman, vice-president and eastern sales manager for the RKO Export Corp., met the delegation at the hotel.

Others in this group were: Ralph Hopkins, manager of Radio Picture Corp., Ltd., London; Harry W. Leasin, general sales manager of Radio Pictures, Ltd., London; and Carl Gerhard Walmann, sales representative in Scandinavia; Pierre Charles Lelong, general manager of Compagnie Radio Cinema, Paris; Nicholas Cazanis, manager of the German branch of RKO, and M. J. A. Bakker, general manager of Les Films Bosman and Bourland, Antwerp, and Joost Smit, managing director of the Film Distributiebedrijf, N. V., Amsterdam.

RKO Claims Reduced Nearly $12,500,000

(Continued from page 1) Thereafter, forwarding to the RKO trustee yesterday.

The report covers hearings held last year on $25,800,000 of the $45,000,000 total claims filed against RKO. Of the reductions recommended by Thacher the largest was that dealing with the $2,700,000 held by the Vulcan Trust which resulted in $1,850,000, which were reduced to $960,000. These claims were based on RKO’s liability for part of the costs of constructing the RKO Radio City theatres and for office space in the RKO Bldg. The portions of the claims that were reduced were disallowed by the special master. Another large claim which was material was that of Walter Reade for $2,700,000, based on a lease on the Mayfair, which was cut to $337,500. Numerous additional smaller claims were reduced or totally disallowed or disallowed in their entirety. It is assumed that the RKO trustee will ask Thacher to further the Rockefeller Center claim, and other individual claimants in all probability will appeal the special master’s rulings in respect to their claims.

Wall Street

Eastman Leads Gain on Big Board

Columbia, vte (c) 164, 314 314 314 314 314
Cons. pfd (164) 122 122 122 122 122 122
Eastman 140 140 140 140 140 140
Fox 130 130 130 130 130 130
Loew’s 414 414 414 414 414 414
Paramount 414 414 414 414 414 414
Pathe 54 54 54 54 54 54
RKO 33 33 33 33 33 33
Warner, pfd 2855 2855 2855 2855 2855 2855

Technicolor Up on Curt Net

Curt 241 241 241 241 241 241

Para, B’s Bonds Up 1

Low High Close Change

General Theatre Eq. 66 66 66 66 66
Low 66 66 66 66 66

(Quotations as at close of June 13)

Those Busy Warnerites

Los Angeles, June 13.—Colonel Howard Waugh of Memphis found himself locked out of his room at the Ambassador on the first night of the Warner convention by people he always had regarded as pals and friends. To add to his injury, he took his comb and brush when they finally were dislodged. Up to press time he had not located the missing articles.

More Blumenstock left Hollywood three years ago as a director. His last picture was “Morals of the Moment” for Tiffany. Even though he is busy greeting studio here, he leaves Friday night by plane and will stop over for several hours in Detroit on business.

L. Schwaberg, in charge of entertainment arrangements, is commenting studio men on their cooperation, and getting compliments in return. He has been here since Saturday and busy every minute.

Thornton Sargent of the local Fox West Coast office, and John N. Dillon of the local Fox exchange turned up the second Warner day at the Ambassador, lunched early in the lonely splendor before the morning session broke up and were waiting at the counter to the Coca-Cola Group to greet friends from the east. The rally around them took on the proportions of a convention of their own before they left.

More Kentucky colonels are at the convention than are to be found in all of Kentucky, to all appearances. For instance, M. A. Silver, of Nashville, greets the local era from Albion; Fred M. Jack of Dallas, Mort Blumenstock of New York, Nat Wolf of Cleveland and Harry Kalmine of Pittsburgh.

Warner Calls Films a Service to Public

Los Angeles, June 13.—Warner pictures are performing a public service and “G-Men” is significant among the films that might be put in this category. According to both Warner, vice-president in charge of production, at the convention session in the Hollywood Ambassador, today.

“Films are an important factor in world betterment,” Warner declared. “We are no longer merely in the entertainment business, but are helping standards, morals and living conditions.”

Warner told the convention gathering that “A Midsummer Night’s Dream” represents “a triumph for the entire industry. He described it as “the greatest forward step from the beaten path.”

Ed Hattrick, vice-president of Cosmopolitan Prod., expressed his pleasure over the affiliation of his company with Warners. Hal Wallis, studio production executive, said he believed that the coming year the advertising budget would be the largest in the history of the company.

William Paley, producing the sales and production executives H. M. Warner surprised the delegates by telling them he had no own stock in any company other than Warners.

Mervyn LeRoy also spoke.

The convention ended tonight with the New Apartment House presenting the winners of the company’s “California or Bust” contest. Jack L. Warner distributed the winners.

Further studio conferences are to be held Friday between studio executives and theatre and production heads.

Warner to Film “G-Women”

Hollywood, June 13.—A picture based on the new proposed government’s fight against crime is planned by Warners under the title “G-Women.”

LeRoys to Tour Europe

Hollywood, June 13.—Mervyn LeRoy, who is leaving for Europe several weeks in Europe, will tour the principal capitals of Europe.

“Special Agent” Set to Start

Hollywood, June 13.—“Special Agent” with a cast headed by Betty Davis, George Brent and Ricardo Cortez, goes into production in a day or two at Warners.

Visit Warner Home Office

Jack Holden, Warner studio art director; Dr. Dickey, Studio physician; and Leslie Clark, his assistant, who came east for the Shriners’ Convention in Washington, were of home office.

Jolson Off to Coast Sunday

Al Jolson leaves town for the Warner studios Sunday.

Mass Dog Races Start

Boston, June 13.—Massachusetts has its first taste of pari-mutuel dog racing when the $500,000 Wonderland track opened last night a few miles outside of Boston.

Music Details Up

In Ascap Hearing

Further testimony of a technical nature relating to the use of copyrighted music by radio broadcasters, of which RKO has been the test case, and a demonstration by the engineer of NBC’s music library research department, during cross examination by Nathan Burkan, counsel for Ascap, has gone to the public interest. In addition to that, similarly, other radio programs are prepared without benefit of Ascap.

Belviso was on the stand all day. His testimony concerned music that has come into the public domain through the lapse of copyrights or the failure of renewal, and he was available in full for public performance. The government contends that Ascap’s alleged monopoly on copyrighted music is not such as to give a succession of varied, public performances of music without being licensed by the organization. Most of the music in the public domain, Belviso contended, is the classical compositions of long-dead composers.

Belviso was followed in the stand by Mr. Bonnycastle, counsel for Ascap, who has been active in the calling of theatre and film men to the stand as witnesses for the government. This may require another week.

Penn. Sunday Bill Undergoes Changes

Harrisburg, June 13.—After accepting an amendment today to make the proposed Sunday local option bill more like the Senate version, the House members whose votes were in doubt, the Pennsylvania Senate passed the measure on second reading. The bill will now proceed to a vote for final passage next week.

The bill originally made mandatory each municipal sub-division of the state with the number of votes for and against permitting to show Sunday pictures. This amendment provides that a referendum may be held only if such a proposal is petitioned for by at least five per cent of the voters of the party that polled the highest vote in the previous municipal election.

While for many weeks the bill proposing a 10 per cent tax on gross receipts of the state has not drawn many committee interest, it was revived today in an amusement tax proposal, though on a lower percentage basis. The new suggestion is for a four per cent tax on admissions to all places of amusement.

If the Sunday bill goes through, it is said theatre interests will be less hostile to the proposed receipts tax at the present time.

The bill proposing a tax on billboards was favorably reported.

Jersey Sales Tax Signed

Trenton, June 13.—Governor Hoff-
man has signed New Jersey’s new sales tax law. It provides for a two cent levy on all retail sales, but does not affect theatre admissions.
B ILL FETTELSON, attorney for independent film companies, is covering from a breakdown from overwork at Loew's Astorium, but expects to be able to transfer to his Jersey country home in a few days.

WALTER GOLDS has resigned from Columbia to rejoin United Artists as division manager for Central and South America. He was with the company from 1926 to 1935.

RALPH B. AUSTRAND has been appointed special representative for RCA Photophone by Edwin M. HARTLEY, manager, and he will make his headquarters here.

HARRY MARTEL, who was picked as the best amateur counterpoint on PAUL ALLEN'S hour, begins a week's engagement at the Roxy today.

LILY POES came in on the Bremen yesterday. She will leave shortly for the coast to start work in a Radio picture tentatively titled "Love Song."

JOHN MAESEFIELD has been assigned by M-G-M to "Romeo and Juliet." He will come to this country soon.

SOPHIE TUCKER will play hostess to members of her "Life Begins At 40" club at the Capitol next Monday.

KENNETH MACGOWAN, Radio producer, has flown in for the opening of "Becky Sharp."

J. VON HERBERG is in town from the Pacific Northwest. At the Savoy Plaza.

EDIE DOWLING will be guest star on AL JOLSON'S radio hour, Saturday.

Baltimore
HERMAN ZIMMERMAN, proprietor of the Echo and Deluxie, is recovering from an operation at Sinai Hospital.
MOS KOHN, operator of the Leader and Dwarf theatres, both of which are operated by Mr. Kohn, has had an operation.

PAUL CAPLAN has closed the New Elektra for the summer.
J. LOUIS ROME has started work on the new stadium.

SAM CLARKE, publicist attached to the "Anchors Aweigh" unit working at Annapolis, has been a busy man about town.

Remove Pat Drew's Leg
HOLLYWOOD, June 13.—Pat Drew, Paramount plane crash victim, underwent amputation of one leg below the knee in an effort to save his life today. Infection set in and he weakened in spite of several blood transfusions.

The operation was performed by Dr. H. J. STRATHAM, Paramount surgeon.

Drew refused to submit to the operation at Massacon, Mo., following the plane crash.

Marcus Made Producer
HOLLYWOOD, June 13.—Lee Marcus, formerly head of the Marion studio, has been promoted to associate producer. His first assignment is "The Rainmaker," featuring Wheeler and Woolsey.

Loew's and RKO Plan No Summer Closings
Loew's and RKO will not close any theaters at the completion of the current season, as was expected yesterday. The former circuit operates on a 40-week rental basis and has already paid rents for the 10-week winter season.

While RKO previously followed the same procedure as Loew's in charging off rentals for the summer months, this practice has been discontinued.

Loew's recently closed the Lyric, Bridgeport, Conn., and did not inform local officials that it had laid off employees, believing that the theatre will remain dark for at least a month.

Mrs. Julia Baker Dead

Roxy Beats Brooklyn
The Roxy nine yesterday beat the Brooklyn Paramount team by a score of 10-3.

Would be injuring myself most of all."

He adds that the only dealings he had with Loew's was for the purchase of the old studio building in 1933, involved a few hundred shares and resulted in a loss of $50,000.

Young also denies that his purchase of Pathe debentures was for speculative purposes or to hold for redemption. He now maintains that the debentures were selling at above or slightly below par for nine months before they were called for retirement.

The answers defend the $2,000,000 loan to Bankers Trust and the pledging of the Du Pont stock as security for it in pointing out that the loan which made possible the calling of Pathe debentures was avoided.

In his answer, the defendants outline the details of the case's action, the reply of the defendants advances the belief that Derr is using Case's title to bring the Peck and Coffin suit in connection with the "defendants' interest in Pathe" because of "facts which took place" at the time that he was in possession of the Peck and Coffin suit and has "anything but the best interests of the company at heart."

The defendants further state that Derr recently "had the audacity to ask that the management of Pathe be turned over to him."

The defendants state that the production loan for "The Girl Friend" would amount to less than $30,000, net, and that in the two cases, it has been learned from "officers of Columbia" that it will be repaid "at its part" and may not be a profit.

In a separate reply filed by Young, denial is made that he dominates the management and operation of the company. He forthright that he owns 2,000 shares of Pathe's 8 per cent preferred, or 25 per cent of the total stock, and that he owns 25,000 shares of the Class A stock, or about 10 per cent of that issue. In this connection Young points out that the directors and officers of the company encourage the mismanagement of Pathe "and ruthlessly destroy the activity of the company and us...as the largest stockholder, I
Receiver Suit Against Campi To Be Dropped

(Continued from page 1)

paid only $18 for the second half of the 1914 assessment and counsel of Campi is trying to find out what is behind it.

Felix A. Jenkins, alternating for S. R. and Nathan Yamins, chairman of the finance committee, met yesterday to discuss with John C. Fenn, publisher, and agreed to wind up Campi’s affairs. Price, Waterhouse & Co. has started an audit on the financial structure of the boards. Balances from each code secretary who had $30 on hand for expenses are coming in and it will be another week before the report is completed.

Bids are being taken for furniture at Code Authority and at local boards where the equipment has been leased. Exhibitors paid about $4,000 for the first half of 1935, while producers and distributors were paid $2,000. Disposition of the balance after Campi has quit will be made by the finance committee. Producers and distributors already have notified Campi that decision of the committee will meet with its approval. There is a possibility that the remaining money may be divided pro rata among members who paid assessments for the first half of this year.

New Skeleton NRA Given Senate Vote

(Continued from page 1)

through the longest session in recent years.

Despite bitters over the amendment of the resolution by the Senate, the House of Representatives is expected to approve it tomorrow.

The provisions for will be required to deal with collective bargaining, minimum wages, maximum hours and child labor, and may prohibit trade practices as are forbidden by the Federal Trade, Clayton and other laws. No exemption from operation of the anti-trust statutes would be given such codes.

Administration officials, while accepting the situation philosophically, are emphasizing the effects of the provision for voluntary agreements and do not anticipate a rush of industry representatives under the cover of a type of agreement which, without restrictions as to labor conditions, has been available at any time during the past 10 years from the Federal Trade Commission.

Meanwhile, finally certain that the days of the robust NRA are drawing to a close, officials began to arrange plans to cut the staff from 5,000 to 1,500 or less. The end of the week will see a greater cut than is expected from Washington of officials who have been engaged in the negotiation and administration of codes.

Ohio NRA Act Ended

COLUMBUS, June 13—Seven judges of the state Supreme Court have pronounced an order declared in the opinion of a lower court declaring the Ohio NRA act unconstitutional as a delegation of legislative authority.

Ohio was the first state to enact a law modeled on the National Industrial Recovery Act. Governor Davey recently signed an act extending the

MOTION PICTURE DAILY

MOTION PICTURE DAILY’S

HOLLYWOOD PREVIEW

“Honeymoon Limited”

(Monogram)

Hollywood, June 13.—An unusually spritely, gay comedy romance was turned out on a small budget, but it is nonetheless a good bet on the box office hill.

Neil Hamilton wagers his choleric publisher, Henry Kolker, that he can walk across the country penniless, arriving in six months with a completed novel. The time is almost up and the novel still isn’t started when Hamilton finds a deserted house and the publisher’s three runaway granddaughters. Gangsters Russell Hicks and Lorin Raker, who are after hidden money in an firepower, provide laughs and maquerading as a honeymooning pair from the deep south.

The slight inconsistencies in the story are easily overlooked in clever characterizations, resourceful plot variations and excellent dialogue by Dorothy Reid and Betty Burbridge, who adapted from Vida Hurst’s novel, Arthur Lobing’s direction is smooth. Irene Hervey is a pleasing feminine lead. The cute twins, Joy and June Filmer, register heavily in a cast that includes Lloyd Hughes, George Hayes, Gerrit Astor, Virginia Brissack and Lee Moran.

Production Code Seal No. 915. Running time, 83 minutes. “G.”

Looking ’Em Over

“Becky Sharp”

(Pioneer-Radio)

“Becky Sharp” is a splendid piece of entertainment highlighted with a fine, established performance by Miriam Hopkins. It would be an important picture in black and white. How much more important it will be with color is demonstrated at the box-office within the next few weeks and months.

Most certainly color doesn’t detract from the dramatic values. After the first few moments of curiosity and conscious delight in the beauty of the effects achieved the observer becomes absorbed in the characterization being unfolded by Miss Hopkins. The impression deepens that she is a new milestone in her career, that she is vitalizing a difficult role with swift, kaleidoscopic emotional flashes.

Becky Sharp, as presented here, is an ambitious orphan determined to go somewhere socially when she leaves a fashionable English boarding school of the period of 1812. Her purpose never wavers. She tries to trick Nigel Bruce into a proposal, she succeeds in marrying an impious officer of good family, she goes into debt and gambles. She tricks money from everyone, she marries the Marquis of St. Ewe (Cedric Hardywork) with her fatal lure on the eve of the battle of Waterloo. Finally her husband leaves her in disgrace and she goes back to her first admirer, Bruce, but through it all she is delightful.

Closeups, gorgeous spectacles, swift action are shrewdly blended by Robert M. Mamoulian in a production design conceived by Robert Edmond Jones to get the best results from the new three-tone Technicolor process, but he keeps his story in hand at all times and makes the tints an adjunct to the telling.

The cast is outstanding. Alan Mowbray, as the husband, is impressive as are Douglas Fairbanks, Jr., as the father of the heroine’s first love. Billie Burke appears to advantage in brief flashes. G. P. Huntley, Jr., as the husband of Becky’s girlfriend, is adequate. Exhibitors have a ready-made exploitation angle—the first full length feature in the three-color process and the extensive campaign Radio has put on to build it up. It is bound to make money. It may take its place as a significant new industry turning point, but time will tell on that point.

Production Code Seal No. 735. Running time, 85 minutes. “G.”

Allied Heads Talk to Hays On Problems

(Continued from page 1)

to supplant the regulations in force under the NRA industry code was not among the topics discussed by Col. H. A. Cole, Allied director, who declared that they were determined not to go out of business or to make them a part of a national booking combine.

The complaints, relayed to Hays yesterday, are to be further investigated by his office. Pending developments from this study, it is regarded as unlikely that further meetings on the subject will be held during the current session of Allied’s executive committee, but the possibility that other meetings may result later was advanced.

The Allied delegation, following the meeting with Hays, repaired to the Hotel Warwick, where the executive committee is convening. No official statement on the conference with Hays was issued, President Sidney S. Sennett, a member of the delegation, will be in town to attend the conference.

Ohio law during the life of the NRA, but not longer than April 1 next year.

To Discuss Code Problems

KANSAS CITY, June 13.—How to get along without code and what to put in its place will be the principal topics of discussion at the 17th annual convention of the K. M. A. scheduled to be held here June 26-27.

“Because of the elimination of the code, there is an acute need for a structure of national legislation,” says R. R. Biechele, secretary.

“Exhibitors are today without a means of conciliation or arbitration between exhibitors, between exhibitors and distributors, and between exhibitors and producers.”

There are other vital matters which will be considered. For Kansas exhibitors there is the question of a special session of the Legislature, definitely set for this year, to consider their problems. An effort will be made to pass a sales tax.

Missouri exhibitors are faced with the problem of collecting the sales tax. No definite plan has been outlined by state officials by which the tax can be collected.

Insurance also will be discussed.
Move for New Code Fails to Cheer Chicago

Good for Employees, But Little Else, Is View

Chicago, June 14.—Voluntary code suggestions are met with little enthusiasm here. The prevailing opinion seems to be that a code backed by governmental authority could not be enforced no other kind stands a chance.

If there is to be a code, some say, it should be limited to wages and working conditions for the protection of employees and should not attempt to regulate trade practices.

Speaking for B. & K., Barney Balaban says: "Based on experience here, the local, state, & federal organizations do (Continued on page 3)

NRA Extension Is Approved by House

WASHINGTON, June 14.—Legislative moves to keep the NRA until next April were completed today when the House passed the resolution calling for its extension. The resolution was sent to the President, who signed it.

The resolution repeals those provisions of the NRA granting the President power to approve or prescribe codes and providing for code enforcement, except where minimum wages, maximum hours, prohibition of child labor and unfair competitive practices in violation of existing laws are concerned.

Coast ITO Working On Clearance Plan

LOS ANGELES, June 14.—Daily conferences are being held by I. T. O. leaders in an effort to draft a clearance and zoning schedule applicable to small exhibitors.

The organization is definitely against a code, voluntary or otherwise, which takes in small houses with circuits. They insist the independent always gets the short end of it.

I. T. O. has recently taken in a number of former members of Associated Exhibitors.

MPTO in St. Louis Seeks Arbitration

ST. LOUIS, June 14.—In a special bulletin sent to the membership of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, Fred (Continued on page 3)

Allied Heads, Feist Discuss Chicago Today

Hopes Strong for Some Sort of Agreement

The dual subjects of the proposed theatre invasion of Chicago by Loew's and M-G-M's sales policies will be taken up with Felix F. Feist, M-G-M general sales manager. Under the Illinois States committee designated to meet with him today.

The Allied committee consists of Sidney Samuelson, president; Aaron Saperstein, head of the Illinois Allied unit, who arrived from Chicago last night, and N. H. Waters of Atlanta.

The possibility of the committee's arriving at some sort of understanding with Feist which would pacify both (Continued on page 2)

Supply Men Convene Chicago Meet Today

CHICAGO, June 14.—The fifth annual convention of the Independent Theatre Supply Dealers Ass'n gets under way tomorrow afternoon at the Edgewater Beach Hotel. It will last four days.

Standardization, prices and dealer discounts are among the principal (Continued on page 2)

Spyros and Charles Skouras' Nat'l Theatre Pact Signed

By BILL ORNSTEIN

Climaxing more than nine months of negotiations, Spyros and Charles Skouras yesterday signed contracts with National Theatres Corp., holding company for Fox West Coast and four other subsidiaries. Harry Cave, treasurer, and Summons Gamby, vice-president, signed for National.

Under the terms of the 10-year pacts, National may cancel any time after five years upon six months' notice. The contracts are retroactive to Jan. 1, 1935, Spyros is executive vice-president of National with headquarters in New York while Charles is president of F.W.C., with home offices in Los Angeles.

Accompanied by Arch Bowles, district manager of the San Francisco territory; Spyros' daughter and son, Diana by air yesterday.

Bowles is being given a five-year contract as well as Rick Rickenton and Elmer C. Roden, the latter two to be president of Fox intermittent and Fox Midwest respectively. Rickenton (Continued on page 3)

WARNER MEN GIVEN SELL SALE AWARDS

LOS ANGELES, June 14.—Thirty-five prizes were awarded branch managers and salesmen for their work in the "California or Bust!" contest at the (Continued on page 3)

PARA. CONVENTION TOLD STUDIO REGIME WILL REMAIN UNCHANGED

Ernst Lubitsch will continue as managing director of Paramount production, and Henry Herzbrun as studio business administrator.

Following four days of negotiation with John E. Otter, president-elect of the company, negotiations are understood to have been consummated Thursday evening. Paramount, however, will make no official announcement until Monday or thereafter when the deal will be verified and, it is understood, contracts are signed.

Indicating that the current management in Hollywood will stay without change, was George J. Schaefer's statement to the sales convention at the Waldorf yesterday that "no change is contemplated in the management of the studio."

While he made no specific reference by name, a second statement that "there would be no restoration of former studio management" clearly inferred that Emanuel Cohen, persistently mentioned in connection with a return to Paramount, was now definitely and conclusively out of the running.

This verifies MOTION PICTURE DAILY'S exclusive story of Wednesday that Lubitsch and Herzbrun will stay at the helm of Paramount.

With the election of Adolph Zukor to the board chairmanship, he will concentrate considerable of his time collaborating in production, his son, (Continued on page 4)

"They're Wrong," Is Comment by Goldwyn

Hollywood, June 14.—Samuel Goldwyn's reply to rumors that he was dickering for release through Paramount was: "They must have that wrong. If anybody is dickering, it must be Paramount trying to produce for United Artists; not Goldwyn for Paramount."

It is reported here that the position of chairman of the U. A. board may be left open for the time being.

APPEAL BANK NIGHT CASE IN CLEVELAND

CLEVELAND, June 14.—Mayor Fisher is going to the mat in an effort to establish a test case that will prevent a spread of bank nights, screening (Continued on page 2)
Purely Personal

GEORGE SKOURAS is boasting over that $90 he won on the Bax-Brook姆 fight. The money was contributed by his relatives, Rich, Rick, Rickoff, Elmer C. Rhoden, William Powers, Arch Bowles, J. S. Sullivan and Ed Alperson.

FRANK WINTERSTEIN, German author who wrote "Three Men in a Boat," arrived by train yesterday and today leaves for Hollywood, where he will join the staff of Paul Kohner, unit producer.

E. H. ALLAN, Educational production manager on the coast, left yesterday for production conferences here with E. W. Hammons.

JULES E. BRULATOUR and Mrs. BRULATOUR (Hope Hampton) will sail today on the Rex for Italy. Victor Fleming, director, will be on the same ship.

MAUREY DELANY of the Abbey Players of Dublin will have a leading role opposite James Barton in a story now in preparation for Radio.

LORRIN GORMAN, European baritone, has been signed by M-G-M after a screen test. He will leave shortly for the coast.

RAMON NOWACK opens at Shea's Toronto on June 28. The William Morris office secured the engagement.

RAY ROSSON, Lillian HAMMER and JOHN BEAL will arrive from the coast Tuesday on the Santa Elena.

AL ZIMBALIST started east from St. Louis yesterday over the highways. He's breaking in a new V-8.

RUDY VALLEE has been elected to the executive council of the American Federation of Actors.

AL CHRISTIE and his Educational Pictures' eastern staff are taking a vacation until July 8.

IRVING BERLIN'S and Moss HARE'S "As Thousands Cheer" has been acquired by M-G-M.

JANE FRUMAN, signed by Warners, will leave soon for the coast to work in pictures.

GEORGE TEMPLETON'S "Too Many Parents" has been acquired by Paramount.

HOWARD S. COULMAN is slated to return from a European honeymoon around July 1.

SAM HAMMER is going to Maine on a two-week vacation. He starts today.

ALBERT HALPER'S "The Foundry" has been acquired by M-G-M.

LYLE TALBOT, on his vacation, leaves for the coast next week.

ROUBEN MAMOULIAN, director of "Becky Sharp," was interviewed over the RCA Victor station.

Wall Street

Loewe's Gain on Big Board

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Technicolor 3½ on Curbs

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Paramount F. L. Bonds Gain ¾

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WMCA Thursday night by Sam TAYLOR. This was his second broadcast on the Technicolor feature.

Radio's Delegation Leaves for Chicago


The convention opens Monday at the Drake and continues through Wednesday.

Helen Mack in Town

Helen Mack arrived here yesterday on the Cunard line from London, accompanied by her husband, Charles Irwin. She has just finished work in Radio's "The Return of Peter Grimm," and will spend a brief vacation here.

Heather Angel Signed

Hollywood, June 14. - Heather Angel has been signed to a term contract by Radio. She will make her debut under the new agreement in "The Three Musketeers."

Radio Buys Springer Yard


Allied Heads, Feist Discuss Chicago Today

(Continued from page 1)

Chicago exhibitors and the distribution company was indicated by an Allied official, who stated that the committee would remain "as long as there is anything for us to do."

The Allied executive committee wound up a two-day session here yesterday with further discussion of administrative subjects, Abram E. Myerson and H. M. Richley were designated to perfect plans for National Allied, scheduled for Aug. 5, at which time member theatres are expected to contribute 25 per cent of their day's receipts to the national Allied treasury.

Supply Men Convene Chicago Meet Today

(Continued from page 1)

topics set for discussion. Financing and advertising also will be taken up. Concerned with the plan to protect theatre owners against fly-by-night manufacturers will be urged by President J. E. Robin, who plans to have them investigate all product offered dealers and limit approval to quality merchandise made by responsible companies.

The first day's program follows: "The Service Projectors and Dealers Render Each Other," J. E. Finn; reports of special committees and re-election of new members; inspection of exhibits, an exhibition for dealers with manufacturers' representatives.

Appeal Bank Night Case in Cleveland

(Continued from page 1)

and other forms of giveaways. He has filed an appeal from Judge Frederick P. Walther's refusal to grant an injunction against M. B. Horwitz's use of bank night at the Halmont.

Spread of all these practices is feared unless court help is secured. A. F. Pulk has started bank night at the Lyceum and others are reported to be considering it.

Ascap Trial Progresses

C. W. Bennier, NBC aide, was the only witness to testify yesterday in the government's anti-trust suit against the National Broadcasting Co. & Authors & Publishers, which is in progress before Federal Judge Henry W. Goddard, of the S. District Court here. Bennier's testimony related to the quantity of music used on NBC programs and licensed by Ascap, and that used which required no licensing. The trial resumes again on Monday.

Well's Book Sparkles

Joe Well of Universal has turned out a striking pressbook for "Diamond Jim." The outside cover printed in purple on a gift background is illum-inated with a lot of sparklers that look like diamonds. Edward Arndt's studies, his bootjack, his cane, cuff links, and the title letters all stand out brilliantly.
Move for New Code Fails to Cheer Chicago

(Continued from page 1) not want a code, voluntary or other- wise, extending beyond hours and wages for the protection of a free and fair arbitration regulation of trade prac- tices such as resulted in frequent in- justices and in decisions lacking equity is desirable.

Edwin Silverman, speaking for Ess- aness house, was equally emphatic.

"If they couldn't enforce the quasi- judicial code, why try a voluntary one?" he asked. "Naturally we and every reputable organization are abiding by the law, and will, because this is economically sound, but in Chicago the code was the cause of so much trouble that the busi- ness had had in all of the 10 years preceding it. It gave the chiselers, who wouldn't abide by the board de- cisions, a free hand."

Charles H. Ryan, assistant zone manager for Warners, concurred in the thought that codes should be given beyond hour and wage regulation.

Against Voluntary Code

"I am not in favor of adopting a voluntary code," he said, "I was satis- fied with the operation of the code as it related to hours and wages, but when regulation went beyond that it went wrong. When the code attempted to tell exhibitors how to run their busi- nesses, and whether or not he could use bank night, screeno and such things, it was detrimental rather than helpful. We believe in and practice fair com- petition, but are not in favor of adopt- ing a voluntary code which works hardship on the little fellow as well as the big fellow. Of course, the assurance of fair and square treatment of employees is the best purpose that a code serves, al- though most men in business have come to consider this merely the honest and human thing to do. It ought not to require enforcement."

"I have never used the code, per- sonally; that is, I have never been brought before a board or had anyone else brought before one, but if a code were to be worked out to a suffi- cient discussion of the pros and cons by conscientious members of the industry it could serve a worthwhile purpose."

MPTO in St. Louis Seeks Arbitration

(Continued from page 1) Wehrenberg & Co. have sounded out the membership on the question of setting up a voluntary arbitration board to handle grievances.

His bulletin reads: "Now that the Supreme Court has declared the NRA unconstitutional, I think that the in-

Spyros and Charles Skouras’ Nat’l Theatre Pact Signed

(Continued from page 1) has 40 of 55 theatres in his group now operating with hours of 12 to 20 open. Conferences with Spyon on the Rickstein and Rhodes parts start Monday and are expected to be signed, scaled to be signed, scaled to be signed. The John Hamrick units in Portland and Seattle have been com- pleted and a new company is being formed. The Skouras group, along with little group, while Al Finkelstein will operate Portland.

J. J. Sullivan and his assistant Edward Zabel, are staying in New York
dustry should organize self-regulation, where disputes and contractual viola- tions are concerned. The Rubber arbitration board, selected by exhibi- tors to consist of three exhibitors and three exchange men and in the event that both parties shall agree upon the seventh arbiter. I rather think a setup of this kind should be wel- come because it would have the same setup as in the old Film Board of Trade days, but some kind of a tribunal where industry disputes could be settled within the industry.

"Won't you please sign the enclosed postcard and mail at once to this office, and indicate you are in favor of such a setup?"

Early returns indicate exhibitors are in favor of the idea.

Aims for Bay State NRA

BOSTON, June 14.—A bill designed to preserve as many of the NRA fea-
tures as possible in this state has been introduced by James C. Scanlon of Somerville. It calls for the ap- pointment of a Massachusetts Com- mission on Interstate Cooperation.

Warner Men Given Sale Drive Awards

(Continued from page 1) Warner convention banquet Thursday night.

The prizes and the winners were: First place: James M. Duff, Atlanta, Georgia; B. A. Fromer, Raleigh, North Carolina; A. W. Schlechter, Kansas City; R. M. Doberly, Langer, Nevada; W. Rosen, St. Louis; W. S. C. Benes, Providence, Rhode Island.


Warner Sale Drive Awards 1935

(Continued from page 1) the summer. The only product the studio will give Fox. Next week negotiations with other companies begin.

Doman to Los Angeles

Louis Doman, the Chicago studio boss, has taken over Loew’s State and Grau- man’s Chinese for F.W.C., replacing Phil Gerador, who resigned to handle publicity. Mr. Doman, who has been handling the United Artists in San Francisco, which has closed for the summer. Doman was at Loew’s State some years ago.

Charles Rihe, Pittsburgh branch manager; Robert L. Merlan, New York manager; Margaret Lindsay prize, Bill Warner, Kansas City, Missouri.

The awards were made personally by the donors and by Jack L. Warner, earlier in the day the delegates at- tended a screening of "A Midsummer Night’s Dream."

H. M. Warner will hold theatre conferences in the coming week. The next week he will preside at a series of production conferences.

LeRoy to Direct Cagney

HOLLYWOOD, June 14.—Mervyn Le Roy has been assigned to direct James Cagney’s next, "The False Kid," a screen play by Seton L. Miller, author of "G-Men," and War- ren Duff.

Howard in “Green Light”

HOLLYWOOD, June 14.—Leslie Howard will play the lead in "The Green Light," a Communipol Prod., which is being planned as one of the most important productions on the company’s schedule.

Darro in “Real McCoy”

HOLLYWOOD, June 14.—Frankie Darro has been cast in "The Real McCoy" at Warners, James Dunn, Claire Dodd and Patricia Ellis have leading roles under direction of Robert Florey.

Blondell, Farrell Again

Blondell, Farrell Again

Blondell and Glenda Farrell, who recently completed "We’re In The Money," will again co-starred in "Gilt Edge Blondes," an original by Hazel Dawn and Boyce Degaw.

Checker Is Ejected; House Manager Fined

John Mounds, manager of the Park, Valley Park, Mo., has been fined and assessed a charge of assault preferred by Charles Elbreder, Ross Federal checker, according to Claude Saunders of the house office.

Elbreder was ejected from the thea- tre by Mounds because, he charged, Mounds is objected to being checked. The checker carried credentials of M-G, for checking "Forsaking All Others."

Horne Coming by Train

HOLLYWOOD, June 14.—Hal Horne decided not to fly east with Al Licht- man yesterday and took the train instead. He is due in New York Tuesday.

Short Subjects

“Baer-Braddock Fight” (Oliver)

Dull may sound like a strange criticism, but the following is a record of a lightweight championship fight. But a picture such as this is one bit of celluloid that can never be better than the cast. The producer has made a fine job of filming the Baer-Braddock bout. If the two gladiators had made their final appeal to each other each other this would have been a swell film of its kind.

As revealed by the camera (and through the large wide angle camera) of a motion picture camera at a ring- side the fight was devoid of any real excitement. So dull it was so downright bad that an audience at the Palace here broke out into guffaws. The picture leaves no question of Braddock’s supremacy. Every blow is clearly captured by the camera. All that this picture suffers from is actor troubles and that in a tepid pool. Is a pretty serious fault. No production code seal. Running time, 30 mins. “G.”

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A TIME-SAVING, SIMPLIFIED, totally accurate system of accounts-keeping for theatres. Full explanatory text com- bined with blank record pages for a 12 week period. Contains 32 pages. Send your name and address to Harry Morris Theatre Accounting, direct from QUIGLEY BOOKSHOP, 1790 Broadway, New York.

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AGENTS IN EVERY CITY IN AMER- ica to represent reliable concern furnishing pictures, equipment and services as in- experienced as film or premium salesmen preferred. Must have car and willing to work on commission basis only. State all requirements in first letter. Box 136-A, MOTION PICTURE DAILY.
Lubitsch to Stay On with Herzbrun

(Continued from page 1)
Eugene, said yesterday in the lobby of the hotel, "My father has been buried on details of the company for many years and his new post will give him a clear mind to lay out production plans," he said. Zkor will most likely make a trip to the coast shortly, but he plans to take it easy for the summer.

Schafer also told the delegates a new deal had been signed with Ben Hecht and Charles MacArthur for two pictures on the new program, likewise confirming another of this publication's exclusives of Thursday. Their deal will be "down to earth and designed for the masses," Schafer added.

The Paramount vice-president spent considerable time yesterday in delving into angles on next season's product. He stressed star names, asserted that where Paramount had scheduled stars for given numbers of pictures, the company will bend every effort to deliver on those promises. Paramount, he pointed out, regards its stellar array as formidable as any in the industry.

He announced that, by a deal with Columbia, Frank Capra, that company's "ace" director, will make one picture for Paramount which, in turn, has "loaned" Bing Crosby to Columbia for one picture.

Pending, but not signed, is a new deal with Walter Wanger for a series of six. The producer is in New York in connection with the impending contract, which, by all indications, is set for signature.

During the afternoon session Schafer discussed the sales policy generally in addition to the important 400 first runs throughout the country. He was called out of the meeting for conferences at the home office with Lubitsch and Herzbrun. He and Neil F. Agnew today will discuss individual territorial sales plans with district and branch men.

Robert M. Gillham, Bill Pine and Don Velde went over advertising, publicity and exploitation plans.

"Nat'l Velvet" Undetermined

Sylvia Sidney and Fred MacMurray will not be teamed in "National Velvet," as reported yesterday.

McFaul to Look In

Vincent McFaul, president and general manager of the Shea circuit upstate, arrives from Buffalo today to attend the Paramount sales meet.

Schein After Deal

BUFFALO, June 14.—Meyer Schein is seeking a deal with Paramount to take over the latter's Glen Falls house. If he can get the house he will close the Rialto, in that city. Paramount is not anxious to dispose of any of its theatre holdings at present and there is no immediate outlook for a deal going through.

Rifkin to Host N. E. Men

NEW HAVEN, June 14.—Herman Rifkin will play host to New England exhibitors at a buffet luncheon to be held at the Republic offices here next Tuesday. The occasion is the formal opening of Republic Pictures of New England.

Paramount Camera Tour

Head men at the head table. Left to right: Neil F. Agnew, J. J. Unger, George J. Schafer, John W. Hicks and Charles M. Reagan.

Leon Netter, Russell Holman, Oscar Morgan and Dave Prince settling something or other across the luncheon table.

The eyes are on Charles M. Reagan, hands in pockets. Guarding his sales manual is Ralph LaBeau. Next, William Erb, then John Howard.
Radio Holds
New List to
48-50 Films

Chicago Meet with 275
There Starts Today

Chicago, June 16.—Radio will ad-
dress to its current program of be-
tween 48 and 50 features for 1935-
36 with approximately the same num-
ber of shows.

With the largest attendance in its
history, the company will open its
fourth annual and first big interna-
tional sales convention in the grand
ballroom of the Drake Monday
morning. Two hundred and seventy-five
home office, sales and studio execu-
tives, foreign representatives, district,
branch and office managers, head
hosters and salesmen are headed by
Ned E. DePinet, president of RKO
Distribution, and Jules Levy, vice-
president and general manager of that
company. The latter will preside at
the three day conclaves.

Following the roll call by A. A.
Schulart, manager of the contract de-
partment, Depinet will welcome the
departments, laying strong emphasis and
significance on the large representa-
tion from foreign fields. Mayor Ed-
(Continued on page 5)

Selling Plans Told
As Para. Meet Ends

Selling plans featured the final hours
of the Paramount national sales con-
vention, which terminated at the Wal-
dorf-Astoria yesterday. Delegates from
out-of-town points were well on
their way home by this morning.

George J. Schaefer and Nell Ag-
new outlined the company's policy on
(Continued on page 8)

"Public Hero" Best
Bet Along Broadway

"Public Hero No. 1" was the best
bet on Broadway last week, garnering
$42,000 at the Capitol in its first
(Continued on page 11)

New Federal
Film Probes
Are Stirring

Justice Dept. Seeking
Campi Texas Records

By CLARENCE LINZ
WASHINGTON, June 16.—Possibil-
ities of widespread film prosecutions,
rumored some months ago following
the filing of the St. Louis anti-trust
case, were revived when it was
learned that the Department of Justice
was seeking to secure the records of
Campi.

It was indicated that the department
at present is particularly interested in
conditions in Texas, where the griev-
ances have been based on difficulty in dealing with controversies
over the supply of product.

Whether the department will seek to
secure all of the Campi records or only
those dealing with the Texas situation
could not be learned.

Following the filing of the St. Louis
action it was rumored the department
was planning to bring a number of
prosecutions in the metropolitan areas,
although officials declared they
did not contemplate any particular
drive against the industry.

Saperstein Absent;
Allied Defers Talk

Delay in the arrival of Aaron
Saperstein, Illinois, Allied head, from
Chicago over the week-end resulted in
the suspension of definite action by the
Allied States' committee which was
delegated to meet with Felix F. Feist,
M-G-M general sales manager, on
Saturday to discuss methods of set-
(Continued on page 11)

Ask Classification
For Fox Met Claims

A petition asking for the classifica-
tion of creditors of Fox Metropolitan
Playhouses according to the nature of
their claims, fixing the amount of
debenture holders' claims and pro-
visionally allowing all claims provided
(Continued on page 11)

Now It's the Dime

Kansas City, June 16.—On the steps
below the box office of the Royal, Jack Tru-
itt and Breckenridge Fagin's 10-
cent house appeared the following message: "Glory-
ifying the American Dime."

Uncertainties
Dampen Hopes
For Code Rule

By BERTRAM F. LINZ
WASHINGTON, June 16.—Beset by
grave uncertainties as to its fate, the
National Recovery Administration to-
day started in on what will probably
be the final phase of a tempestuous
career.

Stripped of its powers to impose and
enforce codes, without any definite
plans for the future and with little
likelihood of its hands being strength-
ened by new legislation, the NRA to-
day is but a shell of the powerful
weapon for industrial control which
was visualized by Gen. Hugh S. John-
son, under whose administration nearly
500,000 codes were developed.

Under the new legislation, the Ad-
ministration is continued for nine and
a half months—until April 1, 1936—
so that Congress, next session, may
enact such legislation as then seems
desirable if the effort is to be con-
tinued. But, faced with the definite
limitations laid down by the Supreme
(Continued on page 8)

Code Problems Come
Up at Virginia Meet

RICHMOND, June 16.—Problems de-
veloping out of the scrapping of the
code will be one of the leading sub-
jects to come before the annual con-
vention of the M. P. T. O. of Virginia
which started a two-day session here
today.

Morton G. Thalheimer of Richmond
is presiding. Edwin S. Reid and Mrs.
Elizabeth C. Chalkley of the state
 censor board are to be among the
speakers.

Richardson Begins Paramount
Job; Court Control Near End

John E. Otterton, newly elected president of Paramount, officially
takes over that position today, concurrently with the anticipated
ending of court supervision of the administration of Paramount.

The law firm of Cook, Nathan & Lehman, counsel for Par-
aramount in reorganization, has been working night and day for the
past week to clear legal obstacles in order to make possible the
submission of an order to Federal Judge Alfred C. Coxe today
directing the Paramount trustees to return title to the company's
assets to the new board and office.

Court supervision has been in effect since January, 1933. With the
lawyers working all day yesterday, indications are that the order
will be ready for submission and signing by Judge Coxe today,
although the actual transfer of assets may entail another two
weeks.

Loew Decides
On Giveaways;
RKO Shies Off

Loew's has definitely decided to go
in for giveaways and chance games in
the local area. The circuit will first
experiment with chance games in one
or two spots where its competitors
have been employing the practices. The
theatres have not been set.

Negotiations are on with several of
the game and premium agents. As
soon as one of the games is success-
ful, it will be put on in a number of
other houses.

RKO is drying clear of the practices
for the time being. Circuit heads feel
that until its theatres are hurt by com-
peting exhibitors using the various
stimulants it will not go for the
schemes.

With 112 houses in the metropoli-
tan area already signed up, Parco Co.,
distributor of Lucky, expects to have
250 theatres playing the game within
the next three months. William Ray-
nor, general manager of the company,
is authority for the statement. Since
(Continued on page 11)

Production Falls;
37 Features Going

HOLLYWOOD, June 16.—Production
went into a slump last week from the
preceding week's high, although still
holding a substantial gain over past
months with the seven-day checkup
showing 37 features and four shorts
before the cameras as compared to 44
features and eight shorts for the week
before.

M-G-M gained the lead with nine
features in work, two in preparation
(Continued on page 2)


**Promise for the future.** Sidney Kent, quotes and all, addressing the recent Fox convention:

"I tell you this is the most important deal (20th Century) made in this industry and in a show business year I will appreciate the full significance of that statement."

Intriguing, however, there is:

"Those in charge of our theatre affiliations have done a wonderful piece of work. Today we can announce with justifiable pride the fact that our every division of theatres is in black. Every single division of the entire organization is showing a nice profit.

And then on this balance:

"Your company is in a very good position. We have maintained our high position. We have no obligations to meet and had to make no loans. I am glad to tell you that in the first six months of this year we have earned more than we did during all of 1934."

That's how it is with Fox these days.

Typhewriter keys going careless on a quiet Saturday and emerging with this:

That Dave Selznick might be heading United Artists, new Zanuck, particularly if he can shuffle the arrangement to allow the birth of Selznick Pictures. For Dave and Myron are proud of that name. Many have said they did not regard his 4 G's a week from Metro sufficient reward. Especially when he looks over on his old lot, Radio, and sees "Pan" Berman doing almost twice as well on a percentage-of-profit basis. Of course, any contemplation of things that may be at UA, cannot take into consideration Sam Goldwyn. That's plenty to consider in any man's company.

A roster of those who did not know about Joe Schenck's deal with Kent would fill an industry blue book. Schenck's pledges to Kent's office were known, but the frequency with which they happened seemed logical enough in New York. Just a Fox Met offer in which Kent has a decisive interest because of playdates for Fox product. Then, too, there were equities in the bankrupt Fox Theatre estate. An amusing sidelight had an executive who found the story poured into his unsuspecting ear at the cocktail hour six days before the yarn broke. His informant was a Wall Street source. The executive concluded quickly the whisperer was merely drunk.

"Jock" Whitney wanted to take in the Braddock-Baer fight Thursday night. He did. Also wanted three hundred of his intimate friends to see "Becky Sharp" privately after the bout. Therefore, he had blocked off the necessary and best seats in the Music Hall lobbies. Some one cautiously suggested that even high society might feel too exclusive with almost six thousand vacant seats around it. Then there were problems to conjure with such as exciting, and incidentally, interesting two or two wild-eyed lost souls rambling for days through the limitless expanse of the structure in search of an exit might swoop down on the confusion of delicate sensibilities. Anyhow, a public performance was delicately suggested to make everything and everybody honey and cozy. That's how the Music Hall happened to hold a midnight show on Thursday.

Personal Preferences: Jean Arthur's pet, lively and thoroughly consummate performer with a rangy, romantic lead in "Public Hero Number 1." It reminds her also did a swell job in "The Whole Town's Talking." Both suggest bright days for her, a secret producer gets smart... Josephine Hutchinson's quiet but emotionally stirring work in "Oil for the Lamps of China," which combines power with some of the issues pushed forward by the novel, but which is expertly and smoothly directed by Mervyn LeRoy none-theless... Joseph Calleia, who debuts strongly as the menace in "Public Hero Number 1."...

The "Truth Must Prevail" department cannot square its conscience without drawing attention to Columbia and their active and ambitious press yarn, tall kind, about its Music Hall deal. Claiming 30 per cent of that theatre's playing time, which the lightning comic and computer valores hit 60 weeks, the fact is Columbia product will play only 10 weeks. One picture or nine more than one, it makes no difference. The arrangement is for 70 days of playing time. Then it ends. . .

Campi, or what's left of it, has been getting wires lately. Inter-

### Wall Street

#### Most Off on Big Board

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#### Para. F. L. Bonds Rise 3/4

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#### News

- Selznick Pictures: Dave and Myron are proud of the name.
- "Pan" Berman doing almost twice as well on a percentage-of-profit basis.
- Sam Goldwyn's involvement considered.
- Joe Schenck's deal with United Artists mentioned.

### Production Falls; 37 Features Going

(Continued from page 1) and slashed work for two weeks and 14 in the cutting room. Fox had eight, zero and six; Paramount, five, three and one; and Uni, three; Warners, four and one eight; Columbia, four, one and five; Roach, one, zero and zero; Goldwyn, one, zero and zero; Universal, two, and three. The independent studios were dark on production, but had six pictures in that of shooting.

Short subject production also dropped off. M-G-M had two short shooting, one preparing and five editing. Goldwyn one, Roach, zero and two; Universal, one and one; Columbia, zero, zero and three; with the independents registering one, three and four.

### Netzger Takes Cabrillo

San Diego, June 16.—Lana Netzger has landed the title role in "Cabrillo" and played it as a grind house at 15 and 20 cents. A new front is now being installed.

G. Bush has given up the Super-

bowl for the next three years. The house has been closed and dismantled.

### Rites for Mrs. Dobson

Hollywood, June 16.—Funeral services will be held Tuesday for Mrs. Edith Woodthorpe Dobson, mother of James W. Dobson, who died Friday. She suffered a stroke 10 days before her death. Mrs. Dobson was on the stage for 50 years.

### Laemmle on Way West

Chicago, June 16.—Carl Laemmle passed through here tonight on route for Washington. Jack Ross, his secretary, accompanied him.

### 1st Div. Product Up

Several product deals which are in negotiation will be discussed today at First Division's board of directors at the regular Monday meeting.

### Tri-State Men Meet

Jackson, Miss., June 16.—Tri-State M. P. T. O. started its annual convention here today at the Robert E. Lee Hotel. It will continue through tomorrow.

- Several exhibitors who say they are for a revival of Film Boards of Trade under voluntary code machinery. If you should ask Charlie Petijohn what he knows about it, he'd incline toward a discussion of the tailoring points of his new short jacket. It's understandable. It's a very impressive jacket.
- Emanuel Cohen is selling for Metro out of Pittsburgh. Just another Cohen.
"IT DOESN'T PAY TO BE GOOD TO A MAN!

—but I just couldn't refuse the boys at the New York Strand when they told me they had to have a really great picture to hold the pace set by 'Black Fury', 'G-Men' and 'Oil for the Lamps of China.' So I've given everything to make sure 'Stranded' keeps their record—and your record—of consecutive hits unbroken!"

PATRICIA ELLIS DONALD WOODS ROBERT BARRAT BARTON MACLEANE in All-Star Cast A Frank Borzage Production for WARNER BROS.

KAY FRANCIS faces a woman's greatest problem in "STRANDED" with GEORGE BRENT
CHARLES BARTON

CLYDE BRUCKMAN

FRANK BORZAGE

COURTESY OF WARNER BROS.

CECIL B. DeMILLE

MARION GERING

ALEXANDER HALL

HENRY HATHAWAY

BEN HECHT and CHAS. MACARTHUR

ARTHUR JACOBSON

MITCHELL LEISEN

LEO McCAREY

"ROCKY MOUNTAIN MYSTERY"

"WAGON WHEELS"

"SEVENTH HEAVEN"

"A FAREWELL TO ARMS"

"THE SIGN OF THE CROSS"

"CLEOPATRA"

"LADIES OF THE BIG HOUSE"

"GOOD DAME"

"LITTLE MISS MUNN"

"GOIN' TO TOWN"

"NOW AND FOREVER"

"THE LIVES OF A BENGAL LANCER"

"THE SCOUNDER"

"CRIME WITHOUT PASSION"

"HOME ON THE RANGE"

"DEATH TAKES A HOLIDAY"

"MURDER AT THE VANITIES"

"BELLE OF THE NINETIES"

"RUGGLES OF RED GAP"
NORMAN McLEOD
"HORSE FEATHERS" "MAMA LOVES PAPA"
"SCARFACE" "FRONT PAGE"

LEWIS MILESTONE
"70,000 WITNESSES"
"THREE CORNERED MOON"

RALPH MURPHY
"SHE LOVES ME NOT"
"COLLEGE HUMOR"

ELLIOTT NUGENT
"THREE CORNERED MOON"
"COLLEGE HUMOR"

WESLEY RUGGLES
"I'M NO ANGEL"
"SUNNYBROOK"

ALFRED SANTELLI
"REBECCA"

NORMAN TAUROG
"MRS. WIGGS"
"COCK-EYED WORLD"

FRANK TUTTLE
"HERE IS MY HEART"
"THE BIG PARADE"

KING VIDOR
"STREET SCENE"
"COCK-EYED WORLD"

RAOUL WALSH
"THE BOWERY"
"HOUSE OF ROTHCHILD"

ALFRED WERKER
"HERE IS MY HEART"
"SUNNYBROOK"
Radio Holds New List to 48-50 Films

(Continued from page 1)

ward J. Kelly of Chicago will present the official opening to the City.

Levy will bring the meeting to official business following the opening ceremonies and present a preview of the current season's films.

Dinapoli will conclude the opening session with a discussion of the season's specials.

The afternoon will be opened by Levy for a general sales discussion and he will be followed by S. Barrett McCormick, director of advertising and publicity, who will outline exploitation plans for specials, including "She" and "The Last Days of Pompeii." Levy's aides, E. L. McEvoy, eastern and Canadian sales manager, and Cresson E. Smith, western and southern sales manager, will analyze the season's pictures.

Other speakers will include Michael Poller, manager of the contract liquidation and playdate department; J. P. Skelly, manager of exchange operations; Thomas Quinn, legal department; and Sridaran, manager of the print and negative department; William L. Wharton, corporate counsel; and S. Barrett McCormick, head of the legal department and Edward J. Smith, head of the audit control department, and scholar. Courtland Smith, president, and Jack Connolly, general manager of Pathe News, are scheduled to discuss the new season.

Guests and onlookers include Herbert J. Yates, president, Consolidated Film Laboratories; W. G. Van Schmus, managing director, Radio City Music Hall; Herbert Bayard Swope, chairman of the board, Keith-Albee circuit; A. W. Cotesworth, chairman of the board, RKO Radio Pictures; Courtland Smith, president, Pathe News; Jack Connolly, general manager, Pathe News; John Hay Whitney; Lowell V. Calvert and John F. Wharton, Pioneer Pictures; Don Husnock and Martin Finlay, President, J. Van Beuren Corp; E. P. Williams, Fred J. McConnell, Richard E. Beck of the "March of Time."
Radio Dots and Dashes

CHICAGO, June 16.—RALPH ROLAY's ambition is to have enough clothes to go to raves, but he says, "No wonder Time Marches On!!!"

Although he lost one arm in a hunting accident, when he was 14, JOHN MARTIN still plays a better game of golf than most, shooting in the low seventies. All champs look out!

ROY LARSEN, "March of Time" president, claims his favorite working day is March 17th, when he still is in the morning, which is when a good bit of each "March of Time" is put together. Now he knows why they called off the NRA.

S. BARRET MCCORMICK, believed to be the only human in captivity who has been exhibited or produced by a publicity director, talked to all the boys in their own language.

BOB SIEK, J. R. MCDONOUGH'S executive assistant, reversed his year's travel proceedings. At that time he went from New York to Chicago and then to the coast. Now he comes back to the studio just after the convention.

PHIL REISSMAN'S foreign force was one of the most representative ever gathered for a sales convention, there being some 15 countries to send delegations.

Three musketeers (just a picture play) of the fairways are Eddie McEVOY, Cress STAMI, and AL MERTZ.

"BIG BILL" JONES, the master mind of the Pacific Slope, is one of the really truly veterans of LEZ DE BONJOUR and "March of Time." "BIG BILL" goes back to the old "black top" days and he was one of the first carnival men to tour Canada, starting as a Barker.

The studio delegation included two men attending RKO meets for the first time. I. S. BRAITBERG, publicity, and IRVING BERLIN, the song writer, J. R. MCDONOUGH, president of RKO Pictures, and WILHELM KAHANE, president of RKO Studios, have made previous trips from the coast to RKO conventions at Chicago. Joan HENDERSON was the fifth member of the L. A. delegation.

Radio Nearing End Of Current Program

Hollywood, June 16.—With five features in work, in two preparation, looking forward to return soon from the Malay Peninsula with his latest animal film, Radio will soon have less to do. The physician in charge of the medical staff, Ned E. Depinet, president of RKO Distributing Corp., stated today.

This is the busiest of the year, with the following in work: Merian C. Cooper's "The Last Days of Pompeii"; Alice B. Toklas' "The Round House"; Katharine Hepburn; "Jahna"; "Old Man Rhythm," a musical with Charles Buddy Rogers, "Gallant Hero," which has its world première at the Drake today for the three-day sales gathering which opens Monday.

Among the various eye-filers were 12 art 22 inch pictures. Katherine Hepburn's "Jahna" was not punctured by glittering cylinders and 6-foot sheet in full color. Doctor's three-foot floor were four-five foot star cut-out heads in full color. Short subject series were represented by 40x 60 layouts in easel frames.

Flags of all nations are mingled with sales messages and advertising in many languages.

The decorative plan was prepared by Leon J. Bamberger, sales promotion department, by the American Display Corp. from sketches by the Radio art department under David J. Strumpf.

See "Becky" Tonight

CHICAGO, June 16.—Radio's army of delegates, 275 strong, will attend Monday night's performance of "Becky Sharp," at the Palace.

Bank Night Men Confer

KANSAS CITY, June 16.—Judge Emmett Thurman, general counsel of Allied-Underwriters, Denver; Exel, general sales manager, Dallas, and Ray Coffin, president of Associated Distributors, Inc., Des Moines, general distributors for bank night, arrive here this week end to spend several days or a week with R. W. McEwan, bank night distributor in Kansas and western Missouri.

Scott Gets Oklahoma

WARD E. SCOTT, midwestern district manager of the Oklahoma exchange to his group, which now includes Kansas City, St. Louis, Omaha and Des Moines. The arrangement of districts leaves Harry Ballance with Charlotte, Atlanta, Dallas, New Orleans and Memphis.

Lesser Offs Awards

SeL Lesser, producer of four of Biren Orent's westerns on the 1935-36 Fox schedule, is offering $4,000 in prizes for the best Western to make the best increase over last season's quartet. The winning entry will be awarded $1,500; second, $1,000; third, $750; fourth, $500.
Paramount Personalities

WALTER WANGER didn't come in from the coast after all. He is busy on three films at the Paramount studio.

DOVE VELVY, ad sales head, held a meeting with some of his force Saturday morning. Attending were ARTHUR CRAIG, his assistant, J. HAAS, western supervisor; WALDOR WATERS, eastern supervisor; MORRIS GLUCK, of the New York exchange; ED WALTERS of Chicago, and Q. B. BINGHAM in charge of Canadian ad sales. Selling problems and methods of handling new accessories were discussed.

MYRON SATTLER, New York exchange manager, was the first one in and out of the meeting.

JOE PENNER kidded some of the conferences with JOSEPH M. SCHENCK, who is due back soon from Europe.

Al Jolson left for the coast yesterday and took with him EDDIE DAVIS, gag writer, who has been helping on the actor's last five radio scripts.

B. B. REINOLD, Fox St. Louis branch pilot, has returned to his office after closing with F. & M. on new product.

SOL ROSENBLATT arrived from Washington over the weekend and is setting up temporary offices at the Waldorf Astoria.

JACK SCHWARTZ, Republic sales representative connected with the Chicago office, has arrived in New York on his way to Bermuda for a honeymoon trip.

H. R. KOSKINAN, American manager for Andre Debril, Inc., reports installation of four 35 mm. of his company's sound projectors on the Normandie.

SAM DEMPSEY's removal to the svelte laws of Westchester has been set back to early July.

CHARLES CASANAVE, of American Display Corp., is in Chicago attending the RKO convention.

BILL PINK shoves off for Hollywood again tomorrow.

EDGAR BERGEN, ventriloquist, starts work today in a Viparonee one-reefer.

... Milwaukee

FRED MIMLER, secretary of the Film Board of Trade, and CHARLES TRAMPE, president of the board, have gone to Hollywood. They are slated to return about July 1.

BEN KATZ, manager of the Warner, will be married to Miss Renee Silver, RACINE, Wisconsin.

IRVING STINE, until recently manager of the Bay in Green Bay, has returned to Milwaukee to assist L. F. GRAD, in the operation of the circuit. He has been succeeded in Green Bay by TOM RELLY, formerly manager of Warner's Grand rapids.

O. L. MEISTER's White House has gone dark for the summer for the first time in 20 years.

selling plans told

As Para. Meet Ends

(Continued from page 3)

sales to the national circuits and discussed at length pictures which will break down into 35, 30 and 25 per cent.

Yesterday J. J. UNGER and Charles M. REAGAN, divisional sales managers, conducted individual talks with balancing branch managers and outlined the sales policies to govern their operations.

A rough print of "The Crusades," which was hurriedly prepared in Hollywood for screening here, was shown at J. P. M. Saturday. Two and a half hours later the delegates left by bus for the Wing Foot Golf Club in Westchester, where an informal dinner was held.

Thelma Todd in Musical

HOLLYWOOD, June 16—Thelma Todd has been signed by Paramount for one of the featured parts in Bing Crosby's "Two for Tonight." Joan Bennett will probably play the leading lady. Frank Tuttle will direct and Douglas McLean will produce.

Hardy, Fields Share Credit

HOLLYWOOD, June 16—Sam Hardy will have joint credit with W. S. P. for the story of "The Man on the Flying Trapeze." Fields writes under the name of Charles Bogie. Clyde Bruckman has finished direction of the comedy which was tentatively titled "Everything Happens at Once."

"Blue Moon" for Strand

"Once in a Blue Moon" will have its local premiere at the Strand, Brooklyn, in two weeks.

Code Secretaries Finish

Florence Abramson, who wound up her duties Saturday as secretary of the local clearance and zoning board, is taking a vacation before she rejoins the New York Film Board of Trade.

IRVING STINE, until recently manager of the Bay in Green Bay, has returned to Milwaukee to assist L. F. GRAD, in the operation of the circuit. He has been succeeded in Green Bay by TOM RELLY, formerly manager of Warner's Grand rapids.

O. L. MEISTER's White House has gone dark for the summer for the first time in 20 years.

He will leave for the coast July 1 to make his second feature under his Paramount contract. PENNER revealed he has been conducting four sponsors for his new air program.

JESSICA DRAGONETTE, radio songbird under contract to Paramount, was the first to receive DIAMOND. She, DIAMOND and PENNER made a representative threesome.

DIAMOND said Saturday that the first of her two-reel cartoon ever to be made will be released by Paramount around Christmas. It's a "Pop-eye" subject called "Simpson, the Sailor." DIAMOND expressed satisfaction over the six "Popular Science" subjects, which will be released in Comicolor.

Uncertainties

Dampen Hopes For Code Rule

(C)ontinued from page 3

Court's strong ruling in the "sick chicken" case, there seems little likelihood that any determined effort will be made to revive the N.R.A. During the past one-half months, the Administration may approve voluntary agreements, but since those agreements are not without the provision of enforcement of the antitrust laws which covered the codes, officials in Washington are not very enthusiastic over the prospect. They cannot see industries rushing in with voluntary agreements which can cover effectively only concerns engaged in interstate commerce, with violations punishable only by cease-and-desist orders.

Thus, further, will be required to provide for collective bargaining, minimum wages, maximum hours for women and the like, if they are to deal with trade practices, and then may only prohibit much unfair methods of competition as are already outlawed by the antitrust statutes.

Must Bind Themselves

Thus, it will be necessary for members of industries desiring to eliminate unfair trade practices to bind themselves to the observance of labor conditions from which their competitors are not protected.

If agreement is reached, it will be exempt. This will be true even though non-signatory concerns may be prosecuted if they violate the trade practices agreed to by the signers, which in effect will be nothing more than a statement of the practices prohibited under the Federal Code, Clayton and other acts.

The National Industrial Recovery Act was one of the first of the important Roosevelt orders. The administration offered during the special session of Congress called in 1933. It was signed by President Roosevelt on June 16 of that year.

Within two months, negotiation of a code for the industry was initiated by then Deputy Administrator Sol A. Rosenblatt. After a number of meetings in New York and other cities, members of the industry were called to Washington Sept. 12 for public hearings, which lasted for three days. On Nov. 4, the code was sent to the White House and on Nov. 27 was approved by the President, becoming effective early the following month.

Like all other codes, it lapsed May 27 when the Supreme Court held that the powers delegated to the President were beyond the authority of Congress under the Federal Government acts without a right to attempt to control interstate business.

Charlotte Likes Code Results

CHARLOTTE, June 16—Some of the leading exhibitors in this territory are still not in favor of the code, but they have worked, are not ready to commit themselves to a substitute form in the meantime.

Charles W. Fiequet of Pinehurst says he hopes some method can be worked out for continuing code boards here.

Most exhibitors in this territory are observing code regulations thus far.
150,000,000 operating hours with ERPI SERVICE

No other organization can give you the benefit of such unparalleled and comprehensive experience in safeguarding exhibitor investment.

Western Electric Sound System
Northern Electric in Canada
Distributed by Electrical Research Products Inc.
250 West 57th Street, New York
“Lamps” Gets Good $12,700 On the Coast

Los Angeles, June 16.—“Oil for the Lamps of China” was the biggest draw of the week downtown. It took $12,700 over normal by $4,700, at the Hillstreet, but failed to make much of a showing at Warners’ Hollywood. The $2,500 gross there was under par by $1,200.

“Thunder in the East” made a good showing at the 4-Star, going up to $3,900, $1,400 over normal. The “Hour” took a par $3,200 at the Pantages. All other houses were under average.

Total first-run business was $77,200. Average was $87,700.

Estimated takings for the week ending June 16:

BLACK SHEEP (Fox) $12,000
NO MORE LADIES (M-G-M) $3,500:
Hillstreet $1,500 (F.N.)
NO MORE LADIES (M-G-M) $2,000
LOEW’S 4-STAR $3,500
THE GLASS KEY (Para) $1,400
PANTAGES $700
ALIBI IKE (Warner) $1,200
THE HEALER (Monogram) $700
Gross: $19,100

“Miserables” High As Denver 2nd Run

Denver, June 16.—“Les Miserables” came back as a second run at the Broadway and was again a big draw. It reached $2,500, over average by $1,000.

“Break of Hearts” was the only other downtown attraction in the money. It was $500 over the line on a take of $1,500 at the Orpheum. “Dinky” was pulled at the Aladdin at the end of five days with only $900 in the tills.

Total first-run business was $18,800. Average was $23,000.

Estimated takings for the week ending June 16:

DINKY (Warner) $1,300
ALADDIN (1-300) 25c-35c-50c-65c, 5 days.
LES MISERABLES (U. A.) $700
BROADWAY $1,000
PEOPLE WILL TALK (Para) $650
DENHAM (1-300) 25c-35c-50c, 7 days.
Gross: $1,000
UNDER THE PAMPAS MOON (Fox) $1,000
ORPHEUM $900
EIGHT BELLS (Col) $800
PARADISE $700
Gross: $3,500. (Average, $400)

Looking ’Em Over

“Born for Glory” (Gaumont British)

London, June 6.—Released here as “Brown on Resolution,” the big production value in “Born for Glory,” which is to be the film’s American title, is the realism of a series of scenes picturing naval engagements. The British Admiralty cooperated by the loan of ships and personnel and the result, so far as the sea scenes are concerned, is a most impressive, even terrifying, picture of the realities of modern war. The story will find no national sensitivities, the film, in fact, being excellent peace propaganda as well as a fine spectacle.

Way back in ’93, a London shopkeeper’s daughter is betrayed by a naval lieutenant. Turned away by her father, she marries a sailor and he passes through training ship and naval school to become, on the eve of war, an able-bodied seaman on the cruiser “Rutland” in the Pacific. In port, the crew fraternizes with sailors from the German ship Zeithen and the boy strikes up a friendship with one of them.

Soon after the outbreak of hostilities, the “Rutland” meets and is sunk by the more powerful and better armed Zeithen. The boy is among those saved. As a prisoner on the German boat he again meets his friend. He knows that the Zeithen, pursued by the British ship Leopold, must make hasty repairs if it is to escape. When it puts in at Resolution Island for that purpose, he manages to swim ashore with a rifle and cartridges and, by4

Week Ending June 5:

SUNSHINE OF LONDON (Radio) $5,000
TELEGRAPH Av. $3,000.

Estimated takings, exclusive of tax:

Women Days Ending June 6:

G-MEN (F. N.) $500
METROPOLITAN—(Radio) $2,500
OUR LITTLE GIRL (Fox) $1,200

Returning:

Gross: $500
Average, first day: $1,500
Eight Days Ending June 6:

IN CALIENTE (F. N.) $250

Estimated takings for the week ending:

IN CALIENTE (F. N.) $100
Average, last day: $75

Sheet music by Wizel.

Form Kentucky Firm

Frankfort, Ky., June 16.—The Twila Amusement Co., Twila, Ky., has been incorporated with a capital stock of $2,000 by Ted Creech, J. E. Winters and O. M. Howard.
MOTION PICTURE DAILY

Republic Holds Denver Regional

Denver—Republic's sales force in this area smiles for the camera. The meeting was held on Wednesday with E. A. Golden presiding. Photo by H. E. N.

Los Angeles, June 16—E. A. Golden, Republic Pictures' sales manager, will open the third of a series of western sales meetings here Monday with Republic men from this territory and San Francisco attending. The meeting was preceded by regional sessions at Seattle and Denver.

Variety Club Chatter

Kansas City

Kansas City, June 16.—A series of initiations of new members at Variety club headquarters on the Country Club Plaza included L. A. Johnson, United Motor Service; Jack Henry, Jack Henry's Haberdashers and Joe Macin, M-G-M booker. Variety Club has donated to the Kansas City Orphans Boys' Home suits for members of its sandlot baseball team. This gesture, which pleased the orphans no end, was arranged by Frank Hensler, M-G-M exchange manager. Hensler plans to have the boys appear in their baseball uniforms at some Monday Variety Club luncheon and take a bow.

The club is hitting on all cylinders in the new Country Club Plaza clubhouse. Attendance is up. Further away from film men's offices and theaters than the former downtown club rooms, greater parking facilities, more clubroom space, and pride of ownership have combined to revive interest to the original temperature.

George Baker, president, is receiving a lot of credit.

Programs get a better rating, king apparently going to some lengths to get talent.

Charles V. Stansell, associate editor of the Kansas City Star, was applauded at the last luncheon when he asserted that the form of government under which the country began 150 years ago undoubtedly is the best today. New Dealers to the contrary. Conditions change, men little, Stansell believes.

Stan Chambers, Uptown manager, picked hit for McCarthy as king. Guests included Walter Denney, G. B. Fields and J. H. Kelly, of the National Theatre Supply.

W. E. Martin, secretary of the Buffalo Variety Club, and Meyer Dennerlein, local business man, were guests.

Des Moines

Des Moines, June 16.—Variety Club is planning a statewide golf tournament for the latter part of July or the first of August. All theatre representatives will be invited to participate, with a membership in the club not being a requirement. The event will be the major social event of the summer for the club. M. McKracken is making preliminary arrangements.

Omaha

Omaha, June 16.—The new Variety club quarters on the fourth floor of the Paxton Hotel were officially greeted with a stag party on the night of June 14.

Formal opening of the club quarters will be a swanky affair, revolving around a dinner-dance which calls for an expenditure of $2,500 per plate. That will be Saturday night, June 22.

At the seventh luncheon meeting of the local chapter at the Paxton Hotel, James Hall was guest of honor. Hall is the first professional to have participated in Variety club's social affairs.

The new quarters on the fourth floor are rapidly assuming shape and will be done well in advance of the opening.

Philadelphia

Philadelphia, June 16.—Milton Rosenberg is the new chairman of the house committee, succeeding Jay Emanuel, resigned.

Chief Barker Earle Sweigert attended the Pittsburgh meeting, was granted a membership in the board, which pleased Tent No. 13 members.

The Sunday trade show screenings continued through June.

Several Tent No. 13 members attended the Tent No. 11 golf tournament, including Jay Emanuel, Harry Winter and James Clarke.

“Hearts” Hits $19,300, Big Detroit Take

Detroit, June 16.—“Break of Hearts” was the surprise of the week. With the help of five vaudeville acts, it piled up $19,300, over normal by $4,500.

At the same time “Goin’ to Town” held up to $12,200 in its second week at the United Artists, and “La Caliente” was good for $21,200 in Michigan. “Werewolf of London” and “Air Hawks” also were in the money with a $6,100 take at the Adams.

Total first run business was $67,500. Average is $6,000.

Estimated takings for the week ending June 7:

"WEREWOLF OF LONDON" (Univ.)
"AIR HAWKS" (Col.)
ADAMS—$1,200, 7 days. Gross: $6,600.
"BREAK OF HEARTS" (Radio)
"MARCH OF THE VAMPIRE" (M-G-M)
"POLIES BERGERE" (U. A.)
FISHER—(2,975), 16-4c, 7 days. Gross: $3,400. (Average: $485.
"IN CALIENTE" (F. N.)
"GREAT GOD GOLD" (Monogram)
"IN THE CITY" (Rogal)
STATE—(6,000), 10-4c, 7 days. Gross: $1,500. (Average: $300.
"GREAT COMEDIAN" (Param.)
UNITED ARTISTS—(2,050), 16-35c, 7 days. Gross: $1,200. (Average: $300.

“Public Hero” Best Bet Along Broadway

(Continued from page 1)

“Oil for the Lamps of China” was runner-up with a gross of $27,050 on the initial week at the Strand. "The Escape, Me Never" did a nice business, hitting in the neighborhood of $13,000. The Cormorant, which held up Neilssen, netted the house a profit of $25,500. Mae West's fifth week at the Paramount managed to squeeze through on the right side of the ledger with approximately $13,000. "Stranded" opens at the Strand on Wednesday.

Fox to Make 10 Abroad

London, June 16—Fox-20th Century will begin pictures in this season, Joseph M. Schenck said yesterday before leaving for New York. Contracts closed include one with Elisabeth Bergner for three pictures in two years and one with Paul Criner, who will direct the Bergner pictures and make three additional pictures in the next two years.

M-G-M Releases Cooper

Hollywood, June 16.—Jackie Cooper's contract is not being renewed by M-G-M. He has just finished his last role in "O'Shaughnessy's Boy" opposite G. B. Fields and Bar- tholomew as star timer to replace Cooper on the roster. Mickey Rooney is also under contract for some important roles.

Loew Decides On Giveaways; RKO Shies Off

(Continued from page 1)

Independent circuits such as Consolidated, Radcliffe, Springer & Coakley, Central, Rugoff & Becker, Rudolf Sanderson, Harry Brandt and David Weinstock have been using Lucky for several weeks. After Comerford's Capitol, Mauch Chuck, Pa.; John Harris' Beach View at Beach View, Pittsburgh, and Mike Manos' Elwood City, Pa., houses are also signed up for the game.

Several Warner and Skouras units in New Jersey have adopted the game. Seven Parco agents are now lining up theatres out of town. They are the Chubby Kaufman, Palace Beach, New Providence, N. J.; Team. Loueck's, Cleveland; Fied Young, Oglesby; Mike Schenck, Des Plaines; Mike Stansell, the days.

Chuffed

Some New York exhibitors are making the rounds for their stock of 11 new releases this week. Among them are Ziegfeld's, 43rd and 9th Ave., New York, which has a stock of 11 new pictures. Among them are Ziegfeld's, 43rd and 9th Ave., New York, which has a stock of 11 new pictures.
THE BIG FOUR CHARACTERISTICS

1. Correct color balance
2. Desired contrast
3. Fineness of grain
4. Safe degree of latitude and speed

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THE DU PONT TRADE MARK HAS NEVER BEEN PLACED ON AN INFERIOR PRODUCT
End Receiver Move on Pathé But Ask Trial

Accounting Sought from Company Officials

The motion for the appointment of a receiver for Pathé Exchange, Inc., filed in state supreme court here last week by Pat Casey, studio labor representative and a Pathé stockholder, was withdrawn yesterday by Casey's attorney, Martin E. King. The withdrawal was made in King's answer to the affidavit filed by Pathé in reply to the application for a receiver. King's answer states that the motion for the appointment of a receiver is being withdrawn because...

(Continued on page 6)

More Testimony on Radio Programs In

Further testimony concerning the amount of music suitable for radio programs which is not controlled by the American Society of Composers, Authors & Publishers was given yes- terday as the Government's anti-trust suit against Ascap went into its sec- ond week of trial before Federal Judge Henry W. Goddard in U. S. District Court here.

With William J. Benning, musical program director of Station WTMJ, Milwaukee, on the stand for the entire day, testimony was added to the record reflecting the difficulty of prepar- ing popular musical programs for broadcasting without resorting to Ascap's library. The trial resumes this morning.

Two Arbitrations on Schedule Here Today

Two voluntary arbitration cases are on tap at the New York Film Board of Trade this afternoon. A third complaint was scheduled, but was set- ted yesterday between Fox and the Rishi, Hoboken, N. J.

Both cases are for alleged breach of contract. They involve Fox against Matty Chrystamos, Mineola, Mineola, L. I., and T. A. against the Casino, Richmond Hill, L. I., operated by Fleischman and Hirsch, Louis Nizer, secretary of the board, will represent distributors.

Southern Theatres Go Into a New Pool

(Continued on page 8)

Predict Para. Claims Under 64 Millions

Court Hears Statement As Supervision Ends

The claims of all Paramount creditors filed against the company in its reorganization proceedings will not exceed $63,377,046 in allowable amounts, and may be "several million dollars less," Alfred E. Cook, counsel for the debtor company, told Fed- eral Judge Alfred C. Coxe yesterday at a hearing which resulted in the signing of orders which remove the company from further court super- vision.

The adjustment of allowable claims against the company to the maximum

(Continued on page 8)

Authority Sought For Para. Payment

The application of the trustee in bankruptcy for Public Enterprises, formerly a large Paramount theatre holding company, for authority to declare a final dividend to creditors and wind up the affairs of the company is approved in a report sent to the U. S. District Court here yester- day by Referee Oscar W. Ethorn. A hearing on the report will be held in court tomorrow.

The final report and accounting of (Continued on page 8)

Campi Pares Staff; Takes Small Office

In line with general liquidation, Campi yesterday moved its headquar- ters into smaller offices on the 23rd floor in the RKO Building. The staff has been pared to skeleton size. Records coming in from the 31 branches are temporarily being stored

(Continued on page 8)

More Colonels

Fred Meyers of Meyers Flats, N. Y., has been appointed an aide to a Kentucky general. He's also known as RKO headquarters. A. H. O'Neill, New York exchange manager for RKO Radio, has also received a certificate from Gov. Ruby LaFoon. He managed to get two days' clearance over Meyers.

Industry Is Requested to Submit Codes

By CLARENCE LINZ

WASHINGTON, June 17.—American industry was today invited to submit voluntary agreements under the legis- lation enacted last week, but was warned by Administrator James L. States, that refusal to sign the savings in orders which remove the company to the maximum.

The first problem to be faced by the new NRA is that of adjusting its organization and personnel to conform to the limited work which it now will perform, in the course of which the

(Continued on page 8)

Takes Hit by Martial Law in Omaha Strike

OMAHA, June 17.—Martial law in the local tram strike sent receipts to record lows yesterday and today. Yes- terday Gov. Roy Cochran ordered all car service halted until the strike, nine weeks old, is settled.

As a result of the governor's order, the city is left with only a meager taxi service.

R. R. Cummings, district manager for the A. H. Blank circuit, said that business was so bad at the Omaha and Omaha he would welcome a clos- ing order from the National Guard.

Otterson Lauds Paramount Men; Promises No Change

Praising those who participated in the Paramount reorganization work and declaring there would be no change in the studio setup, John E. Otterson, newly elected president of Paramount, for the first time met face to face with the company's sales forces at the final sales session at the Waldorf.

Introverted by Adolph Zukor, chairman of the board, who praised the

(Continued on page 8)

RKO to Stay, Meet Is Told By Aylesworth

No Merger, He Declares; Sees Bright Future

CHICAGO, June 17.—RKO will re- main its identity, any rumors to the contrary notwithstanding, declared Merlin H. Aylesworth, chairman of the board, at the opening of the three- day sales convention at the Drake.

"We will not only retain our identity, but we will rise to greater achieve- ments," he declared. The state- ment stirred the conventioners to a demonstration.

Aylesworth paid tribute to Mayor Edward J. Kelly as "the showman's friend."

"Kelly," he said, "stands for clean, yet exciting pictures, and with this

(Continued on page 6)

Silent on Talk by Saperstein—Feist

Mystery surrounds the meeting scheduled for yesterday between Felix F. Feist, general sales manager for M-G-M, and Aaron Saperstein and Sidney Samuelson on the Chicago situation.

Saperstein arrived in the morning and left early in the afternoon. Feist could not be reached and Samuelson had nothing to say.

Allied of New Jersey meets today at the Lincoln to discuss new product.

Arthur Leaves for St. Louis Hearings

Harry C. Arthur of F. & M., left yesterday for St. Louis to be on hand today when the first of a series of hearings begin before Federal Judge George Moore in connection with the anti-trust suit against Warners, RKO and Paramount.

Argument will be heard on de- fence motions on a demurrer filed on behalf of RKO and Ed Denin and a request for a bill of particulars.

House Extends Tax On Tickets 2 Years

WASHINGTON, June 17.—The House today passed the bill extending for two years admission and other exc- ise taxes which were to expire at the end of this month. The $500,000,000 measure was put through without amendment. The bill provides for continuation of admission taxes on their present basis.
Culkin Will Renew Industry Onslaught

WASHINGTON, June 17—Resuming his campaign against block booking and other practices in the industry, Representative Francis D. Culkin this week plans to launch on the House an attack directed chiefly at Will H. Hays.

The Pettengill bill, backed by the Parent and Teachers' Union, is more or less by the session, but that organization is understood to be drafting a number of amendments to strengthen the measure, and a new bill is expected to be offered soon.

Possibilities of action by the House on the bill to incorporate the American National Theatre and Academy are seen in the action of the Judiciary Committee in making a favorable report on the measure. A similar bill, introduced by Senator Wagner of New York, already has been passed by the Senate.

1ATSE Heads Hold St. Louis Session

Representatives of operators' and stage hands' locals of the I.A.T.S.E. are convening in St. Louis today for a general meeting of the week of the general executive board.

Among those attending the session are George D. E. Browne, president; Lou Krenzel, his assistant; Harlan Holmden, in charge of New York and Chicago opera locals.

1ATSE Meets in South

BIRMINGHAM, June 17—Several hundred delegates from the South, Southeastern states are here for the annual convention of the seventh district, I.A.T.S.E., today and tomorrow.

Among the highlights of the convention will be addresses by W. P. Raoul, of Atlanta, international representative; George Cushing, president of the New Jersey State Federation of Labor, and others.

One new officer will be elected, secretary to succeed W. E. Morris, of Mobile, whose term has expired.

Rob Theatre Manager

Four bands held up Adolph Mandel, manager of the Gramercy on the east side, and escaped with the weekend receipts of $180.

Golden Due on Coast

LOS ANGELES, June 17—Edward A. Golden is due from Seattle tomorrow to attend the two-day Pacific regional which opens June 21.

Gaynor Has Concession

Hollywood, June 17—Janet Gaynor, who has been ill with the flu, is on her feet and suffered when she ran into Henry Fonda while on location.

Lauste Is Seriously Ill

MONTCLAIR, N. J., June 17—Eugene Lauste, pioneer in the field of sound, is seriously ill of cancer of the stomach at the Montclair Community Hospital.

FRANK CRAVEN

"VAGABOND LADY"

WILLIAM MORRIS OFFICE

4
Another from Warner Bros. right over the old pan—and what a panic of a pan it is!

JOE E. BROWN in "ALIBI IKE"

A First National Picture with Olivia de Havilland, Ruth Donnelly. Directed by Ray Enright from Ring Lardner's famous story.
“The death knell of black and white films was sounded yesterday with the arrival in glorious raiment of ‘Becky Sharp’... Even without color it would be a superior picture; in the naturalistic hues with which the improved Technicolor has invested it, ‘Becky Sharp’ becomes more than a photoplay; it is an exciting adventure in a new medium, a finger pointing dramatically toward hitherto unrealized possibilities in motion picture art.”

—Thornton Delehanty, N. Y. Post

“Science and art have joined hands to endow the screen with a miraculous new element in ‘Becky Sharp’... It produces in the spectator all the excitement of standing upon a peak and glimpsing a strange, beautiful and unexpected new world.”

—Andre Sennwald, N. Y. Times

“A truly beautiful film. The color is exquisite... Miriam Hopkins is ravishingly lovely in Technicolor and gives a flawlessly convincing performance.”

—Bland Johaneson, N. Y. Mirror

“The success of ‘Becky Sharp’ demonstrates that color has a definite place in the scheme of pictures... It is endowed with a great deal of pictorial beauty... presents Thackeray’s famous gold digger as the center of a brilliant and witty screen play.”

—Kate Cameron, N. Y. Daily News
"This department contributes its vote to the assured success of 'Becky Sharp'... Further, it predicts that it will be henceforth as important to the cinema as 'The Jazz Singer'... It is brisk and lively, sensitive and serene, and what excitement there is exudes naturally from the story."

— Murray Boltinoff, N. Y. American

"The most important cinematic experiment since moving shadows first became articulate.... 'Becky Sharp' promises to be the most widely discussed film of the season."

— Howard Barnes, N. Y. Herald Tribune

"The production offers a happy harmony of color and action, with neither one distracting the attention from the other.... The brilliant novel has been skilfully transferred to the screen and very well cast."

— Rose Pelswick, N. Y. Evening Journal

"The general effect (of color) is fascinating.... It is soothing to the eye and it is sharply defined, but it does not jump up and slap you in the face.... Indeed, there are times when one is scarcely conscious of color at all."

— William Boehnel, N. Y. World-Telegram
Radio Dots and Dashes

CHICAGO, June 17—Ned Depinet and Jules Levy have been side by side at the rostrum for several successive conventions.

BOB HAWKINSON tells of hearing the “Caroca” played on a harmonica by an old man in Chicago, far up in the Andes mountains of Peru. The wonder to Bon is, how did the old man learn the tune when there are no music stores or theatres wired for sound in Chicago.

The staffwriter manager of RKO’s Panama Branch, Fred S. Gulbransen claims the commuting record from the Atlantic to the Pacific. He covered the span 30 times in eight months.

Boys missed Frank Buck and his animal show at the World’s Fair. Frank is out Singapore way bagging the big ones and the sales force here will be selling his screenwares in the early fall.

DON HANCOCK, snappy executive of the Van Beuren Corp., is in rare form with his yarns about the farmer’s daughter and the traveling salesman.

Boys who carry the fancy titles of treasurer’s representatives bawl in from all parts of the country, but the traveling was old stuff to them, as that’s what they do nothing else but. Here’s the lineup: J. DeWaal, E. F. Clarke, William McSke, R. O’Brien, R. Holmes, R. A. Young, J. J. Schinzer and Eldor Sedim.

Early arrivals were all good golfers, which makes it look bad for old man such as ‘Bucky Sharp,’ which we have just released, are definitely important and much of our discussion will concern this vastly interesting innovation,” Ned E. Depinet told the press.

End Receiver Move on Pathé But Ask Trial

(Continued from page 1)

cause of “revelations” of Pathé’s financial condition set forth in the company’s replying affidavit. King asks instead that charges against Pathé officers and directors, requiring varying sums, be tried immediately by giving the case preference on the trial calendar. Justice Edward Dore is expected to rule on this application within the next few days.

Maisell Forms New Firm

Lewis Maisell has organized Ultramares Films to produce a series of Portuguese language features. The first is temporarily titled “Despojos Do Mar” (“Spoils of the Sea”). David Strong of Criterion Films will handle distribution.

tract to RKO Radio Pictures, accompanied by Herbert Bayard Swope, board chairman of K-A-O, left New York by the 10 a.m. Sunday train for Chicago, where they will attend Tuesday’s sessions of the annual RKO Convention.

Berlin, will continue onto the coast, where he will resume work on the score for “Follow the Fleet,” a starring vehicle for Fred Astaire and Ginger Rogers. His first, “Top Hat,” has just been completed.

Lily Pons to Coast

Lily Pons, Metropolitan Opera star, left on the 20th Century train for Hollywood where she will make her film debut at Radio in a song-drama tentatively titled “Love Song,” with a score by Kern and Miss Pons will rest before reporting July 1 to begin work on the film, which is to be directed by Ernst Lubitsch.

The diva is expected to attend the RKO sales convention, now in session at the Drake, Chicago, between trains.

Radio Boys Burgess Yard

Hollywood, June 17—Radio has purchased screen rights to “Two O’Clock Courage,” mystery novel by Gelett Burgess. Kenneth Macgowen will supervise. No cast or director have been selected as yet.

Mercer, Malneck Assigned

Hollywood, June 17—Johnny Mercer and Matt Malneck have been assigned by Radio to do the songs for “To Beat the Band,” musical by George Marion, Jr.

Blumberg to Chicago

Nate J. Blumberg, general operator of the RKO circuit, left for the RKO Distributing sales convention in Chicago yesterday.

John O’Connor, executive film buyer for the RKO circuit, accompanied Blumberg.

Libel Suit Up Today

Los Angeles, June 17—The $180,000 (8,000 lira) suit brought by the Lehmbruck against the Union Labor Council and the Los Angeles Amusement Federation comes up for hearing Tuesday in Superior Court.
—and they’re all finished or in production!

FOX

proudly presents these

AUGUST • SEPTEMBER • OCTOBER • RELEASES

for the

1935-36 SEASON

The strongest line-up in FOX history... cast with the greatest names on the FOX roster... conceived with an unerring eye for showmanship values. Read the following pages carefully and convince yourself!

There’s a copy waiting for you at your FOX Exchange.

YOU HAVEN’T A SHOW WITHOUT FOX
Predict Para Claims Under 64 Millions

(Continued from page 1)
$83,377,000 level was an essential step in the consummation of the company's reorganization plan which provides that the plan shall not be effective in the event provable claims against the company exceed $83,377,000.

All of the remaining legal steps for the carrying out of the plan and the effecting of the change of the company's property from the trustees to the new Paramount board and officers were taken yesterday at a special meeting of the board in court. The actual transfer of the company's assets, however, will require the filing of the reorganization in mind, July 1 has been set as the exact date on which the New Paramount company will officially begin operations.

Authority Sought For Para. Payment

(Continued from page 1)
Irving Trust Co., as trustee in bankruptcy for Publix Enterprises, and Irving's petition that it be discharged as trustee was also approved by the referee Ehrhorn. If the report is approved by the Federal Court tomorrow, the distribution of dividends will be begun immediately and the affairs of Publix Enterprises will be completely wound up within three weeks, attorneys said. The assets of the company were acquired at foreclosure sale by Famous Theatres Corp., new Paramount theatre subsidiary, a year and a half ago.

Defendants Can't Collect Forgoe

Forgoe, president and director of defendants who are in default in actions brought by the trustees of Paramount to recover sums allegedly paid them in salaries and bonuses. Their total claims against Paramount are reasonable amounts will be unable to collect on any claims they may have against Paramount, and the action against them, now pending in state court here, have been adjudicated.

This was disclosed yesterday at a hearing before Federal Judge Alfred C. Cox, when Edward Prince of Hughes, Schuman & Wright, counsel for some of the defendants, and the trustees' actions, opposed this provision which is contained in a final order coming out of steps in the Paramount reorganization.

Among the defendants in the trustees' suits are Sidney R. Kent, Jesse L. Lasky and Samuel H. Goldwyn. Their total claims against Paramount are believed to be not less than several hundred thousand dollars, but less than $1,000,000. Alfred E. Cook, counsel for Paramount, described the provision as an "attaching" any sums which might be owed from Paramount.

Judge Cox signed the order with the stipulation that the defendants could have individual cases reviewed by the court later.

20 Firms to Submit Bills
Approximately 20 law firms which participated in the reorganization of new company head, Otterton stressed the fact that he would not have accepted the presidency if it had not been welcomed by Zukor, with whom he planned to work closely at all times in the future, he said.

Otterton then emphasized the fact that he did not contemplate any changes in the personnel of any department or the way Paramount was and paid tribute to the ability of the men who carried the company through the two and-a-half years of bankruptcy. In discussing the coast setup, Otterton said that as a result of a series of negotiations between eastern executives and Henry Herdrum and Ernst Lubitsch, general manager and managing director, respectively, of the state of the market, the company had to continue in their present posts and to work out the studio's program in concert with home office executives.

The new company head brought his address to a close by paying individual thanks to the resignation of George J. Schaefer, vice-president; V. Frank Freeman, head of the publicity division; and John Keough, chief legal counsel and secretary of the new company.

Before introducing Otterton, Zukor, asserted that the emergence of the former Erpi head was one of the best things that has happened for the company.

Zukor told the men that for years he has had a yearning to be active in coast production and Otterton's election to the presidency now gives him the opportunity.

He said that when S. R. Kent was general sales manager during his last years, he had coveted the presidency by Zukor and Kent turned it down.

Following Otterton's talk, Jessica de Mille will make her screen debut in "The Big Broadcast of 1935"; Joe Penner, who will star in "Cabin in the Sky;" Cecil B. DeMille, producer-director of "The Crusades," and Loretta Young were introduced.

The company is mulling over plans to roadshow the DeMille picture which was said to have cost more than $1,000,000 and took a year to make.

J. J. Unger leaves for the south today to begin a series of regional meetings with branch managers and exchange forces. Selling policies for individual territories will be laid out at these sessions.

The Minneapolis regional will be held June 19-20; Chicago, June 21-22; Kansas City, June 23-24; Denver, June 27-28; San Francisco, June 30 and July 1.

Southern Theatres Go Into a New Pool

(Continued from page 1)
Carolina in which a group of exhibitors were said to have pooled their interests for the purpose of operating economy was announced here by S. S. Stevenson of Henderson, N. C., general manager of Southern Theatres of Henderson, for Minneapolis where he will hold a meeting tomorrow and Thursday.

He said that he has been in Chicago and three other key centers. It is understood Paramount will increase the number of percentage pictures this season over last year.

The Minneapolis regional will be held June 19-20; Chicago, June 21-22; Kansas City, June 23-24; Denver, June 27-28; San Francisco, June 30 and July 1.

Industry Is Requested to Submit Codes

(Continued from page 1)
staff will be cut from more than 5,000.

The handling of the agreements will be under the new Division of Business Cooperation, to be headed by President George Goetz, formerly code administrative officer.

Taking over his new position today, the tall and affable executive, who has been with the company for over eleven years, will face the problem of the present session of Congress but would be held over until next January.

Kuykendall Is Pessimistic

COLUMBUS, Miss., June 17.—In an address before the Columbus Rotary club last night, the former director of the M.P.T.O.A., painted a picture of national conditions in the wake of the Supreme Court's decision on the NRA.

Kuykendall said he was more or less pessimistic about the situation, the public and the benefits of the NRA would be lost permanently by the adverse court decision. He discarded voluntary codes, declaring that it was his opinion that no code without compulsion could be effectively enforced.

He declared that uncertainty prevailed throughout the industry.

Campi Pares Staff; Takes Small Office

(Continued from page 1)
at the headquarters, but will be placed in a warehouse later. All five offices have not yet sent in their files. During the year and a half of operation, Campi held 47 regular sessions plus two special sessions. There were 76 meetings of appeal boards on which more than 1,000 different persons sat. More than 1,200 distributors and exhibitors sat on local boards throughout the country.

John C. Killian yesterday denied the Department of Justice was interested in the Texas records.

Olinto Accorissini Dead

WASHINGTON, June 17—Olinto Accorissini, 45, former manager of Warner's Trenton in Lynchburg, died Sunday afternoon from a cerebral tumor, at Mount Alto Hospital, where he had been under treatment for several months.

For many years Accorissini was associated with Charles Hayes's Academy and Isis in Lynchburg. When the case was brought, the Accorissini went over to Trent's Trenton, where he remained as manager under the Warner regime until last January, when he gave up a three months' leave of absence.

To Show 'Curiosity Shop'

Alliance Films, Ltd., will preview "The Old Curiosity Shop," the latest B. L. P. production, at the Chanin Auditorium, Wednesday, at 8:45 P.M.
**RKO Sets 14 Titles; List To Total 48**

Have 211 Shorts, with 12 “March of Time”

CHICAGO, June 18—Fourteen titles of the 48 features which RKO Radio proposes to make for the 1935-36 season were announced today at the second day’s session of the sales convention at the Drake by Ned E. Depinet, president of RKO Distributing Corp.

In addition, the company will have 211 short subjects, Depinet said. These will include 36 two-reel comedies, 12 issues of “March of Time,” 32 one-reelers produced by the Van Beuren Corp., 104 issues of Pathe News and lastly, 74 cartoons.

Five musicals are scheduled. Three

(Continued on page 18)

**Penn Open Sunday Passed in Senate**

HARRISBURG, June 18—Pennsylvania community amusements were today practically assured of Sunday showings after 2 P.M. when the State Senate adopted the local option bill on final passage, 30 to 23.

The bill went back to the House for approval of an amendment made

(Continued on page 18)

**N. Y. Aldermen Act On Sunday Measure**

A bill legalizing Sunday performances in legitimate theatres in the city was passed by the Board of Aldermen yesterday and now goes to Mayor LaGuardia for his signature.

The bill provides for one day off a week for all performers except those in film theatres.

Sunday performances still face obstacles here, however, with Actors Equity Assn. on record against them and with action indicated which would bar Equity members from participating in them.

“Sharp” at $85,000: Gets a Second Week

“Becky Sharp” will be held a second week at the Music Hall, it was decided late yesterday. The first week will end tonight with a gross in the neighborhood of $95,000.

The second week of “Let ’Em Have It” at the Rivoli garnered about $22,000.

**Selznick Will Quit M-G-M to Do 10 at U. A.**

HOLLYWOOD, June 18—David O. Selznick will leave M-G-M around Sept. 1 to produce at United Artists. He was announced here today. Selznick will produce 10 films for U. A. release over a period of two years, it was learned from A1 Lichtman before the new U. A. president left by plane for the east today.

It is understood that Selznick will produce under the Selznick Pictures banner. The type of product he will make will be along the lines of “Viva Villa” and “David Copperfield,” it is said. Selznick said no stars or directors or other talent had yet been engaged but that he hoped to announce acquisitions shortly.

Lichtman and James Mulver started out on completion of negotiations with Selznick.

**Pathe Loan Pledge Influenced Casey**

A disclosure that the appointment of a receiver for Pathe Exchange, Inc., could have resulted in a $2,000,000 loan which is secured by Pathe’s 49 per cent interest in Du Pont Film Mfg. Co.’s stock being declared due and payable, influenced Pat Casey to

(Continued on page 4)

**Ontario Amusements Unite in Tax Fight**

TORONTO, June 18—Exhibitors, sport organizations, hotels, amusement parks and fall fairs have united in the fight against the Ontario Government over the recent drastic amusement tax increases.

The Allied Sports and Amusement Ass’n. has been organized to combat

(Continued on page 4)

**McAdoo Seeks Senate Action On Copyrights**

Committee Report Aims At Vote This Session

By CLARENCE LINZ

WASHINGTON, June 18—Efforts to secure Senate approval of the State Department’s copyright bill will be made by Senator McAdoo of California before the end of the session.

The first step in that direction was taken yesterday with the reporting of the bill by the Senate Committee on Patents.

The legislation reported was a new draft of the bill prepared by Senator Duffy of Wisconsin, outstanding changes being the elimination of the clause permitting the imposition of license fees in lieu of damages, the

(Continued on page 3)

**Speeding of Ascap Trial Is Forecast**

A likelihood that the trial of the government’s anti-trust suit against the American Society of Composers, Authors & Publishers will be speeded up by agreement between counsel for both sides and may result in the calling of theatre and film men as government witnesses by Friday or early next week, was expressed by government counsel yesterday.

The trial is now in its second week before Federal Judge Henry W. Stimson.

(Continued on page 4)

**Jersey Allied Gets Plan of House Pool**

Members of Allied of New Jersey yesterday offered a rough plan for pooling theatres across the Hudson into one large circuit. No details were available, but it is said the plan will be fashioned after a similar idea now in operation in Michigan.

New York exhibitors have definitely turned down a plan to combine their houses.

Reports of the Atlantic convention various committees and product were other topics discussed.

(Continued on page 4)

**Expect IATSE Will Realign Local 306**

ST. LOUIS, June 18—Before the general executive board meetings of I. A. T. S. E. stage hands and operators wind up Friday, Harlan Holmden,

(Continued on page 4)

**Otterston May Go West with Zukor**

Adolph Zukor and Watterson Roths-acker may accompany John E. Otter- son, Paramount president, to the coast on the latter’s contemplated studio visit within the next two weeks, it was reported yesterday.

Zukor recently told Paramount’s national sales meeting here that his present office of chairman of the board gave him an opportunity to become active in coast production, which he

(Continued on page 4)

**Zanuck, Goetz Here To Talk on Product**

The number of pictures 24th Century will make for Fox will be determined at conferences to be held late this week at the Fox studio. R. Kent, head of Fox; Joseph M. Schenck and

(Continued on page 4)

**Hess Given Second Verdict for Libel**

After a two-day jury trial, presided over by Supreme Court Justice Lydon, Gabriel L. Hess yesterday was award- ed a $10,200 verdict against the Churchman and Dr. Guy Emery

(Continued on page 4)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 37 June 19, 1935 No. 143

MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANN
JAME E. CRON
Advertising Manager


Speeding of Ascap
Trial Is Forecast

(Continued from page 1)

Goddard in U. S. District Court here with only radio broadcast witnesses having been heard. The government is represented by counsel, but objections from ex-witnesses against Ascap on hand which will be introduced in evidence. In addition, a long list of exhibitors and film operators will be called by the government as witnesses against Ascap in readiness. Speeding up of the trial to permit the hearing of these witnesses on angles of the case with which the industry is most concerned may be accomplished by stipulation of counsel for both sides on evidence which will be admitted or barred without testimony.

William Benringer, musical program director of Station WTMJ, Milwaukee, was on the stand for the second consecutive day yesterday. It was cross-examined further by Nathan Burkan, Ascap counsel, on his testimony on the difficulty of getting radio programs with popular music without being licensed by Ascap.

Warner Outing Today

The Warner Club will go on its annual boating ride and picnic trip up the Hudson to Bear Mountain today. A turnout of 1,200 is expected.

Lease Rahway Theatre

David Bernard and Samuel Engleman have leased the Rahway, Rahway, N. J. Warners formerly operated.

Purely Personal

E. R. GOURDEAU, head of Inter-

Hollywood Reporter, is at the War-

E. V. DINNEMAN, ad chief for RKO

ANOTHER SOMERS ROCHE'S last story, "Hard to Get," has been acquired by

LEWIS MILESTONE gets into town today from the coast.

NEW HAVEN

OTTO BOLLE, Paramount's Detroit manager, dropped in on A. M. Kane the other day on his way from Boston.

JOHN HOWARD, the Bobby Jones of Indianapolis, shot a 77 at the Race Club this morning, and he will play again today. He later left for Lakeville.

JOHN MOORE of Paramount's Boston office, dropped in on A. M. Kane while attending his class reunion at Yale. He used to be a champion polo vaulter and tried to demonstrate the points of the stunt in Kane's apartment. A good time was had by all—except Kane.

Expect IATSE Will
Realign Local 306

(Continued from page 1)

third vice-president and steward of Local 306 in New York, is expected to propose some changes in the constitution of the New York unit. Sessions started yesterday.

Although there have been reports Local 306 would be put back on an autonomous basis, this is discounted here. The opinion of international officers is that the charter of the New York local will be lifted and a new one granted under a new name and number. There are said to be certain disruptions in the organization which officials want to clean up.

George Browne, president of the I. A. T. S. E., personally supervises Local 306. He plans to leave for Washington Friday night and next week be in New York.

With the arrest of 10 Local 306 pickets Monday night in West 42nd St., this brings the total of the union's sandwich to arrested, in the last two weeks to 100. The local is picketing the Times Square, adjacent to Hickory Restaurant, which is being picked from the outset because it is a well-known hotel.

Charles Carluccio has been sentenced to the workhouse for three months for obstructing the work of placing stench bombs in theatres.

Brandt Joins Law Firm

Joe Brandt has joined the law firm of Hartman, Sheridan, Tekulsky and Pecora as business counsel. He is a lawyer, but says his connection with the firm does not mean he will practice law. He will give advice on problems connected with the industry.

Brandt will leave for the coast on June 22 to study a proposal which the firm is handling for financial interests. He has been working steadily with Pathé, but refuses to discuss the nature of the proposal.

Set to Open 10,000
deletion of the provision for the relief of a defendant charged with infringement who could prove he had been duped by a third person, an increase from $5,000 to $20,000 in the maxi-

MOTION PICTURE DAILY

Wednesday, June 19, 1935

McArdle Seeks Senate Action On Copyrights

-On page 1-

See Changes Since 1909

"The committee is firmly of the opinion that to eliminate the statutory minimum of $50 for infringement as a means of encouraging literary works will defeat the purpose of the copyright law. This is the chief factor in the use of the law for bargaining, sometimes to coerce purposes, between producers and consumers of copyrighted works. Moreover, since 1909, when the present law was enacted, the methods of using this bargaining power have been developed with amazing rapidity. For the law to attempt to fix a specified minimum as a matter of policy is in the view of the group of this usage would seem wholly unreasonable."

"The increase in the maxim, the insufficient protection provided in view of the vast increase in recent years in the value of copyrightable material, as well as the increased injustices that have arisen from the present law that courts have acquired a dislike for handling such cases and have come to feel that the law is wrong. It is said that the enactment of this provision of the bill will minimize judicial intervention under which they can do justice and that they may be relied upon to utilize their full powers and abilities to such end."
THE ONLY THING ON EARTH THAT BEATS THE HEAT!

WOW! 30 OPENING ENGAGEMENTS OVER THE WEEK-END SENSATIONAL!

Business equals "Chained" which played last Fall! It takes a real attraction to bring the folks indoors right now. Just an old M-G-M custom to give you HITS when you need 'em. "Public Hero No. 1" doing swell and now "No More Ladies." Next season, this season, any season—M-G-M's the answer!
SEC Studies Workings of Para. Setup

(Continued from page 1)

Sir William Wiseman, a partner in Kuhn, Loeb & Co., Keough explained the beginnings of the company. Rothcock, a former producer, said that Paramount had been gradually expanded until at the time it went into receivership it had 501 subsidiary and affiliated companies. "The vast film structure, he said, is through Paramount's own theatres.

Wiseman was questioned regarding representation on the Paramount directorate of partners and relatives of partners of Kuhn, Loeb, as well as profits which bank organization made through the handling of Paramount issues.

The hearing today was confined to showing the erection of the vast film structure as a preliminary to inquiring into the reorganization operations.

Otterson May Go West with Zukor

(Continued from page 1)

had desired for some time. He is expected to spend most of the summer on the west coast. Rothrock, a former producer, will probably be assigned to the studio as a home office representative, although definite duties or a title have not yet been designated so far as could be learned.

Otterson is reported anxious to familiarize himself with the studio. If a producer is appointed, Kuhn, Loeb & Co., will probably be assigned to the studio as a home office representative, although definite duties or a title have not yet been designated so far as could be learned.

A claim in that amount to the reorganized Theaters Corporation, New England subsidiary, which agrees in turn to reduce the mortgage $27,500.

Pass 2 Subsidiary Claims

A claim of $59,224 filed against Paramount by Coast Theatres Corp., a wholly owned California subsidiary, was presented to a jury by Special Master John E. Joyce in a report submitted to the Federal district court yesterday. The claim represented the balance owed the subsidiary by Paramount prior to the latter's receivership.

Another report by Joyce recommended the allowance of a claim filed by John G. Paine at $29,300. The claim was filed against Paramount by Paine as agent for the owners of copyrighted music. Paine represented the Music Publishers' Protective Ass'n.

Two Foreign Men Leaving

Jasper Rapoport, Paramount manager in Cuba, who was here for the company's annual convention, sails for Havana tomorrow aboard the Peter S. E. Pierpoint, branch manager in Cristobal, Canal Zone, also a convention visitor, sails for England on the Laccotim tomorrow. The Pierpoint and his son, in continuation of a three-months' leave of absence.

Strike Spreads to Seven Mexico Spots

By JAMES LOCKHART

MEXICO CITY, June 18.—The strike of the Cinematographic Employees' Union has spread to seven neighboring towns. It is predicted that 30 less exhibitors yield to the union's demands that dismissed workers be reinstated. The strike will extend to practically every house here the government is trying to conciliate the dispute.

It is estimated the strike has already affected exhibitors more than $30,000.

Operators to Head Fox Theatre Units

Operating heads of the various National Theatres' subsidiaries will be made president of the circuits they supervise. Rick Ricketson, handling the Rocky Mountain district, will be president of the Frontier, Pathe, Kuhn, Loeb, and Warner. Sir L. Wood, in charge of the San Francisco district, will be president of the Pacific, Fox, Warner, and RKO.

Hess Given Second Verdict for Libel

Shipper, editor-in-chief, for libel. The jury assessed $11,000 as punitive damages and $200 as actual damages. Louis Nizer represented Hess, while Arthur B. King, of Bing, Buhler & Miller, defended the case for the defendants.

Admitted into the evidence was a judgment rendered a few weeks ago by another jury in favor of Hess against P. S. Harrison, author of 'Harrison's Reports'. The judge directed the jury to take the previous verdict into consideration.

King argued that the Churchman had innocently copied an article from Harrison's 'Reports'; that Hess had already won a $5,200 verdict for the same libel and that no verdict ought to be given him for an innocent error.


Zanuck, Goetz Here To Talk on Product

(Continued from page 1)

Darryl Zanuck. Reports have it the company will produce from 10 to 12.

Zanuck arrived from the coast yesterday with William Goetz, president and general manager of 20th Century. Harry Goetz, president of Republic, was in Kansas City yesterday en route from Hollywood to New York. He left for St. Louis by train in the hopes of getting a plane there.

Zanuck and Goetz plan to remain here 10 days before heading west again.

Fox Wins Contract Verdict in Mineola

Fox yesterday won a $245 decision against Mady Chrystamos of the Mineola, Mineola, L. I., for breach of a contract. The original complaint had not lifted all pictures contracted for. Louis Nizer was attorney for the defendant.

United Artists' breach of contract complaint against Pleischman & Hirsch of the Casino, Richmond Hill, was dismissed by the court. The Fox grievance was not filed in time to give both parties time to work out a settlement. The Fox grievance was not filed in time to give both parties time to work out a settlement.

Pathe Loan Pledge Influenced Casey

(Continued from page 1)

withdrew his application for the appointment of receiver, as requested by Martin E. King, Casey's attorney, said yesterday.

King stated that Pathe attorneys had advised State Supreme Court Justice Edward A. Dore that the Du Pont stock, regarded as one of Pathe's most valuable assets, was pledged as security for the $2,000,000 loan recently made from Bankers Trust Co. and a provision of the loan permits the bank to place the property as Pathe or Bankers Trust shall be able in the event of the appointment of a receiver for Pathe. In such an eventuality, King said, the Du Pont stock could be liquidated by the bank.

On Monday King withdrew his motion for the appointment of a receiver for Pathe in a preference on the trial calendar for suits against officers and directors of the company asking accountings.

When asked to comment on King's explanation of the withdrawal of his application for a receiver, a Pathe representative said, "Our statement that the Du Pont loan could result in the Bankers Trust loan being declared due and payable was not news to the plaintiff or King."

Penn. Open Sunday

Passed in Senate

(Continued from page 1)

by the Senate last week. Concurrence in House action was voted. Legislative leaders say there is little if any doubt that Governor Earle will sign the bill, which is now before him.

The Senate amendment eliminated the original House requirement that the proposal be voted upon in every municipal subdivision of the State at the general election next fall and substituted a plan whereby a referendum may be held when a petition requesting a vote is presented. The votes cast by the dominant party in a district is filed with the authorities.

When the bill came before the Senate the day before. Senator Joseph C. Trautman, district of Philadelphia offered another amendment which would have made counties, instead of cities, boroughs and townships, the units in which local option might be exercised. The amendment was defeated. The Senate then adopted the bill amended last week.

This is the final week of the legislative session.

Ontario Amusements Unite in Tax Fight

(Continued from page 1)

the regular session, practically all exemptions have been wiped out, the worst blow of all being the imposing of the levy on admissions 25 cents each house.

The objective of the association is to get low-priced tickets on the tax-free list once more.

The fight may continue until the fall, when the regular session opens. The Ontario Legislature is to be called to deal with government problems. Exhibitors around the province have reported a big falling off in business, because of the tax.
MILLION DOLLAR BABIES

THE PROUD PARENTS

WASH DAY

PLAYTIME

FEEDING TIME!

EXTRA DAILY SCHMOOS

LEO'S KIDS TERRIFIC!

Nation goes Nuts over Junior Lions!

Elected for 1935-36 Box-office winners!

ALL THEATRES DEMAND THEM!

Read the story on following pages—
IT COSTS A FORTUNE TO RAISE 'EM-

but Papa Leo is sparing no expense to make them the wonder kids of all show business!
MRS. LEO TELLS SOME "INSIDE STUFF"!

“I feed them plenty of STAR names which gives them FEATURE strength. They’re brought up at the big studios, M-G-M’s and Hal Roach’s, so they get the benefit of limitless RESOURCES. They’re developed by big time DIRECTORS and WRITERS. And I dress them up in the richest DE LUXE manner — 35% of them in that expensive three-color Technicolor. No wonder my kids are a sensation on the program. Sometimes they even steal the show!”
A WORD FROM YOUR PAL, HAL!

"Gentlemen, take this as a promise! I'm going to make the best comedies of my career in 1935-36."

(signed) Hal Roach

"Okay, Toots, we'll do our darnedest to help!"

(signed) Spanky McFarland and "Our Gang"
THE GIRLS!

Hal Roach has taken options on a bushel of Broadway farces for the laugh use of Thelma and Patsy for 1935-36. Imagine what these "feature-strength" stars will do in boiled down stage hits! Hal will make big grin whoopee with the screen's only team of feminine happy hooligans!

THE KIDS!

Omaha exhibitors nominated him to star in features after seeing him in "Beginner's Luck!" Critics call him "the male Shirley Temple!" We call him box-office! He's "Spanky"— sparkling star of Hal Roach's "Our Gang" kids! He's "hot!" He's the greatest "Our Gang" trouper Hal Roach has developed in 14 years. And that's saying plenty!

THE GUY!

Charley Chase poked out a comedy home run with "Okay Toots!" If you've screened it, you know! Chase can dance! Chase can sing! Chase can play more musical instruments than there are Dionne kids! Watch him go to town next season—in Broadway hit comedies. Hal Roach has a bundle of them for him!

"OUR GANG" FEATURING SPANKY McFARLAND

A SCREENFUL OF HAPPINESS IN '35-'36!

8 THELMA TODD - PATSY KELLY
(Two Reels Each)

8 CHARLEY CHASE
(Two Reels Each)

8 "OUR GANG" featuring SPANKY McFARLAND
(Two Reels Each)

BIGGER! BETTER! HAL ROACH COMEDIES!
“Mr. Exhibitor! Did you care for ‘Star Night At Cocoanut Grove’ with Mary Pickford, Bing Crosby, Gary Cooper and a host of big name box-office celebrities? Well, I’ve made arrangements to bring you Six more of these Star-Studded, tuneful, “exploitable” shorts. The big stars appearing in them will mean dollars when you put them in the lights!”
**CRIME DOESN'T PAY** SERIES STARTS NEW TREND IN PICTURES THAT SWEEPS INDUSTRY!

**Sensational short subject is FIRST with new idea!**

**M-G-M's "BURIED LOOT" started feature producers making dramas of Secret Service War Against Crime!**

**PROVES THAT M-G-M's "CRIME DOESN'T PAY" SHORTS HAVE FEATURE DRAW AT BOX-OFFICE!**

**GET READY FOR MORE OF THIS GREAT SERIES!**

**BY PUBLIC DEMAND!**

Produced at M-G-M Studios with Feature Names and Directors!

**Get set...** for "Alibi Joe," first of the new season's "Crime Doesn't Pay" series, directed by George B. Seitz!

**Get set...** for a roaring crime drama that zooms beyond "Buried Loot" in crackling thrills!

**Get set...** for more Page One publicity breaks and the united, cheering support of police, clergy and civic groups!

**Get set...** for all six of these timely, tabloid triumphs! Every one is a true crime story! Every one will hit "Crime Doesn't Pay" from a new angle! Every one can be sold like a feature! Remember "Buried Loot" and... get set!

JUST A FEW DROPS FROM SHOWER OF PRAISE!

"...as right, tight and compact a mellerette as an exhib would want to round out a program. To bring back single picture programs...it's one of the best shorts made." —Variety

"...will provoke more audience interest than most features..." —M. P. Daily

"...excellent idea...should be extremely profitable to public and theatre men." —Arthur Brisbane

"...packed with suspense!" —M. P. Herald

Above: Striking 1-sheet

6 CRIME DOESN'T PAY Tabloid Dramas 2 Reels Each

PROMOTION!

Watch For The "Alibi Joe" Pressbook — Crowded With Giant Campaigns That Clicked On "Buried Loot"! See The Posters! See The Ads! See The Tieups!
MR. & MRS. PUBLIC LIKE PETE SMITH!

12 PETE SMITH SPORTS PARADE
12 PETE SMITH MINIATURES
(One Reel Each)
HERE'S WHAT HAPPENED IN CARTOONS IN ONE YEAR!

Leo climbed the ladder, hit by hit, until now he's at the TOP!

HAPPY HARMONIES
Technicolor CARTOONS
IN FIRST PLACE!

Meet Hugh Harman and Rudolph Ising! Join M-G-M in a salute to their genius!

Today... while the nation rings with applause for their "Good Little Monkeys"... they're knee-deep in even greater plans for the Harmon-Ising Cartoons of tomorrow! They're using three tone Technicolor instead of two! They've doubled their studio space and almost tripled their staff! They're ready to make every Happy Harmonies subject an All-American event! To the left we reprint an editorial that says a mouthful. Read it again!

13 HAPPY HARMONIES CARTOONS in Three Color TECHNICOLOR
(One Reel Each)
A prediction. "JAPAN—IN CHERRY BLOSSOM TIME," first of the new season's Traveiltalks, will be a leading contender for the Academy Award of 1936.

TRAVEL DE LUXE

Colors...warm and alive! Music...haunting and beautiful! Voices...rich and golden! Romance...of alluring far places! No wonder each Fitzpatrick Traveiltalk is a veritable poem in pictures! No wonder that pictures like "Holland in Tulip Time" are played again and again. Mexico, Japan, Spain, Egypt, Canada, Austria—these are but a few of the glamorous locales of Fitzpatrick Traveiltalks to come! Each will be in color! Each will be thrilling! No wonder M-G-M jubilantly presents this new series, confident in its enormous box-office appeal.

10 FITZPATRICK TRAVEILTALKS in 3 color TECHNICOLOR
Every year the radio editors of America vote for the leading news commentator. Edwin C. Hill won by a landslide this year again! He sells tickets!

HILL RE-ELECTED!

M-G-M's PROUD OF ITS NEWSREEL!

Proud . . . because its business skyrocketed 33 per cent in the last twenty-four months!

Proud . . . because it is first with the news from a thousand frontiers!

Proud . . . because it dominates its field in powerful, national newspaper publicity.

Proud . . . because it has the magic voice of Edwin C. Hill!

Twice Weekly
One Reel Each

HILL IS UNRIVALLED.
Edwin C. Hill continues without a strong rival among the commentators.

1. Edwin C. Hill
2. Alexander Woollcott
3. Lowell Thomas
4. Boake Carter
5. John B. Kennedy

From N. Y. World-Telegram

Letting IN C.

The Globe Trotter

Proud.

PROUD

because its business skyrocketed 33 per cent in the last twenty-four months!

because it is first with the news from a thousand frontiers!

because it dominates its field in powerful, national newspaper publicity.

because it has the magic voice of Edwin C. Hill!

Twice Weekly
One Reel Each

HEARST
METROTONE
NEWS

featuring
EDWIN C. HILL
The Globe Trotter

Proud

OF ITS
NEWSREEL!
THE WORLD’S MOST POPULAR JUNIORS!

M-G-M SHORTS 1935-36
HAL ROACH COMEDIES
2 Reels Each
8—Todd-Kelly
8—“Our Gang”
8—Charley Chase
M-G-M JUNIOR FEATURES
2 Reels Each
6—“Crime Doesn’t Pay”
6—M-G-M Star Musical Revues in Technicolor
1-REEL RELEASES
12—Pete Smith Sports Parade
12—Pete Smith Miniatures
13—M-G-M Happy Harmonies Cartoons in Three Color Technicolor
10—Fitzpatrick Traveltalks — Three Color Technicolor
104 Issues—Hearst Metrotone News

FIRST . . . in star names!
FIRST . . . in shrewdly planned advertising values!
FIRST . . . because they are backed by the unparalleled resources of the M-G-M studios!
AND AGAIN—35% of 1935-36 Shorts Will Be in 3-Tone TECHNICOLOR.

The FIRST COMPANY is naturally FIRST in SHORTS!

May 29th, 1935
**"10th Ave.,"**

Duchin Lead Washington

WASHINGTON, June 18.—Outstanding in a week of minor low grosses, in spite of the presence of 100,000 Shriners, was "The Girl from 10th Ave.," at the Warner Theatre. Eddie Duchin and his orchestra were on the stage. The gross was $2,000 over par. The Metropolitan took $5,200 for "The Foolish Little Pig," the other house to go over average last week.

Other first-run swoops down, Loew's Fox hitting $19,400 for "Public Hero No. 1" and a stage show. Loew's Palace, with "Doubting Thomas," took $15,000, but nevertheless went into a second week. Loew's Columbia hit $3,200 with "It's a Small World!"

Total first-run business was $74,400. Average is $7,100.

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**"Werewolf" Leads Oklahoma's Takes**

OKLAHOMA CITY, June 18.—Universe led a big week here. "Werewolf of London" helped by a stage show, reached $2,200 at the Liberty in four days. Normal for seven days is $2,500. "Mr. Dynamite" at the Capitol garnered $2,400, over par $200. The seven-day, "The Flame Within" and "Cardinal Richelieu" were both weak. Total first-run business was $11,750. Average is $1,550.

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**"Oil" Leads Omaha With $5,250 Take**

OMAHA, June 18.—"Oil" for the Lamps of China" did well in spite of a trolley strike and the opening of the racing season. The totals at the Brandes was $5,250, over average by $1,750.

In spite of this heavy competition, "Doubting Thomas" and "Dinky" went over the line by $250 for a gross of $8,750.

Total first-run business was $18,200. Average is $16,500.

**Buffalo in Slump; "Caliente" Is First**

BUFFALO, June 18.—Below normal business prevailed again in a week of pleasant weather. In "California," the best comparative showing was at $7,400, while the odd double bill, "The Informer" and "Nin Wits," built up strongly and finished only $100 behind. Total first run take was $34,400. Normal is $42,800.

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**"Glass Key" Twin Cities' Best Grosser**

MINNEAPOLIS, June 18.—"The Glass Key" was by far the strongest attraction of the competition sides of the river. It topped normal by $1,000 on a gross of $5,000 at the State and was $1,000 over par $600 at the St. Paul Paramount.

"Thunder in the East" demonstrated considerable strength by taking $4,000, up by $1,000, at the World. "Break of Hearts" passed normal by $700 on a take of $4,700 at the St. Paul Orpheum.

Total first-run business in Minneapolis was $24,900. Average without the Alvin was $2,510. Total St. Paul business was $18,400. Average is $16,000.

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**"Oil" Is Only Seattle Draw: Takes $4,900**

SEATTLE, June 18.—Summer hitbox is beginning to aDecoder the Lamps of China" the only attraction doing anything remotely resembling good business at the gate.

"Werewolf of London" was another $4,900, over par by $900.

The only other spot to get on the profit side of the line was the Liberty with a dual bill consisting of the "Unwelcome Stranger" and "Men of the Hour," which garnered $420.

Total first-run business was $23,700. Average is $3,500.

Estimated takings for the week ending June 15:

- "Les Miserables" (U. A.)
- "Blue Mouse" (RKO)
- "In California" (F. N.)
- "Blue Mouse" (Oriental)
- "Dinky" (Warners)

**"Top People's Enemy""**

ST. PAUL, June 18.—"Top People's Enemy" (Radio) ORPHEUM—(2,900), 25c-40c-6c. Seven days, Stage, grand, Gross: $5,000. (Average, $700.)

**"People Will Talk"**

INDIANAPOLIS, June 18.—"People Will Talk" was the big noise in a generally dull week. It took $9,000, above normal by $2,000, at the Lyric, helped by Noble Sissle and a stage show. "Public Hero No. 1" was $500 over the line on a gross of $5,500. Total first-run business was $20,700. Average is $3,000.

Estimated takings for the week ending June 15:

- "Under the Pampas Moon" (Fox) ORPHEUM—(2,600), 25c-40c. Seven days, Stage, Gross: $7,000. (Average, $1,000.)
RKO Sets 14 Titles; List To Total 48

(Continued from page 1)

of these will be with Fred Astaire and Ginger Rogers. One, "Top Hat," is completed and scheduled for release in Field's third was a name.

A fourth musical on the list was given as "To Be the Band" and the fifth will be a new operetta, starring the Astaire-Rogers team in a new musical directed by William Seiter from a story by Kay Thompson. "It's a Flat Hat," will be produced.

Two features from the Major of Scotland, , starring Barrymore, will be produced along with Roberta, directed by George Cukor, and "Quality Street," J. M. Barrie story in which Maude Adams appeared. Also, "Bert Wheeler and Robert Woolsey" are down for two features to be produced by Lewis Lee. One, tentatively titled "The Rainmakers," will be directed by Fred C. Yang. Irene Dunne is scheduled for one or more, neither of which is named. Aya "Top Hat" is down for two, Gene Raymond for two, Richard Dix for two, Charles Boyer for one. Barbara Stanwyck will be starred in "The Rainmakers," a story of the life of Anna Oakley, famous marksman of frontier days, and William Powell in a story to appear in "Two O'Clock Courage," from Gelett Burgess' novel.

Comedy for Miss Rogers

In addition to the three co-starring musicals with Fred Astaire, Ginger Rogers will star in a straight comedy, "In the mooing Star," written by William Seiter from a Samuel Hopkins Adams story, with Pandro S. Berman supervising. A Rogers-solo starring film, it was stated.

Two of the outstanding pictures of the year, DeMille stated, will be "The Return of Peter Grimm," from David Belasco's stage hit, with Lionel Barrymore starring, and "Mr. Grant," a biographical drama based on the life of the Civil War leader.

"The Rainmakers" is scheduled to direct "The Plough and the Stars," Sean O'Casey's Irish drama. James Gleason is seen in two unnamed features.

The titles definitely announced follow:


"Follow the Fleet," also with Irving Berlin music, starring Fred Astaire and Ginger Rogers, to be released during mid-winter holiday season. To be directed by Mark Sandrich, with Pandro S. Berman and Spencer Tracy. "Love Song," tentative title, starring Lily Lewis, Metropolitan Opera star. To be directed by John Cromwell, with Pandro S. Berman producing. "The Rainmakers," with Gene Kelly and Woolsey co-starring vehicle, to be directed by Fred C. Yang, with Panco产品 finely co-starring vehicle, to be directed by John Ford; "Sylvia Scarlett," modern romantic drama based on Compton Mackenzie's novel and to be directed by George Cukor, and "Quality Street," J. M. Barrie story in which Maude Adams appeared. A Rogers-solo starring film, it was stated. Two of the outstanding pictures of the year, DeMille stated, will be "The Return of Peter Grimm," from David Belasco's stage hit, with Lionel Barrymore starring, and "Mr. Grant," a biographical drama based on the life of the Civil War leader. "The Rainmakers" is scheduled to direct "The Plough and the Stars," Sean O'Casey's Irish drama. James Gleason is seen in two unnamed features.

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Radio Dots and Dashes

**Early Bird**

**Chicago, June 18—**Boston播种er H. (Honey) Lyons, Atlanta branch manager, is saying "no" when the boys tell him of the new methods of growing hair. Forced to take the advice of an exhibitor client, Honey tried a treatment that cost him $250.

**Slick** Collins, Atlanta salesman, has a two-year-old son which the Atlantans say is boss of the family.

Edith Murphy is sticking by the Tigers, although they have cost him a couple of bats to date.

Jack Troy, the "Calgary Cowboy," has sold film and chased contracts in almost every hole and corner in the 6,000 miles which comprise the Canadian territory. Over a period of approximately 20 years, Troy has covered Canada, the Atlantic to the Pacific, via rail, steamship, afoot, horseback, canoe, dogsled, and airplane.

S. Barret McMeeke keeps that collegian look, yet the years come and go. Time doesn't march on the Mcphysiognomy.

Jack Connolly, general of all the Kentucky colonels, was a captain in the big scrap.

C. E. Pembon, Indianapolis salesman, is a butcher de luxe and has a bag of tricks in the Houdini classification.

Claude Wallace, Indianapolis, works the northern territory like many of us play golf, covers a lot of ground.

William (Larry) Gardner, Boston, has the smallest foot at the convention. Embarrassing moment is when the shoe store managers refer him to the boys department.


Harry Goldstein, Boston salesman, is champ squash player of the Bean town squad.

Branch Manager Avery of Omaha broke down just before convention time and traded in his old 16. Re ported to be an inside job.

Bill Foley, Omaha, was seen res pecting to Oscar Hanson's "gimme a match" request.

Manager Greenblatt of Cleveland breezed in early with his "Indians." Ward, Lefko, Goldsmith and Draw ing, with Goldsmith one of the RKO 100 per-centers, the magma cum laude of the sales force.

**DEBRIE PERFECTION**

NOW COMES TO 16MM. LABORATORY APPARATUS

The reputation of Andre Debr Jean for the finest in precision machinery is fully upheld in the new line of DEBRIE equipment. DEBRIE can supply any type of ma chine at a price if all film print ing, developing or reversal.

The New DEBRIE Items

The ultimate in contact and optical printing machinery for SOUND or SILENT. Perfect registration always.

16MM PRINTERS

REDUCTION PRINTER FOR PICTURE ONLY

For optical reduction of picture from 35mm. to 16mm. Two Hean, prints on 16mm. raw stock can be obtained from 25mm. negative in one operation.

COMBINED REDUCTION AND CONTACT PRINTER

For the following operations:

1. For picture REDUCTION from 35mm. to 16mm. Two Hean, prints on 35mm. raw stock can be obtained from 25mm. negative in one operation.

2. For CONTACT PRINTING of 35mm. film on 16mm. or 35mm. raw stock.

COMBINED REDUCTION PRINTER FOR PICTURE AND CONTACT PRINTER FOR SOUND IN ONE OPERATION

For the optical REDUCTION of the picture and CONTACT SOUND printing in one operation.

REDUCTION PRINTER FOR SOUND TRACK

For the optical reduction of the sound track from 35mm. to 16mm. with pre-set rheostat.

CONTACT PRINTER FOR PICTURE AND SOUND

For CONTACT PRINTING of PICTURE and SOUND on 16mm. in one operation. This machine also can be used for contact printing of 35mm. raw stock.

"D. S." Automatic Developing Machines for 16mm.

Negative-Positive or Reversal

Full automatic operation throughout. Reversal Machine incorporates flashing light for sound exposure. An outstanding feature is the unusual compactness. D. S. has a 7 x 9 x 3 in depth. Thermostatic control of solution and of drying air is provided. Film threads itself through the washing and drying units, automatically rewinding. Solution tanks removable and interchangeable. Maximum cleanliness is the result.—no further treatment of film needed.

PERFORATING AND SLITTING MACHINES

These are made for every requirement. See., for Prices.

ANDRE DEBRIE, Inc.

115 West 45th St., New York, N. Y.
“People.” “Chan” Lead in Portland

PORTLAND, June 18.—“People Will Talk” and “Charlie Chan in Egypt,” a dual bill at the Paramount, was the big draw of the morning. It secured $7,000, or $2,000 over average.

“OIL FOR THE LAMPS OF CHINA” (F. N.)

BROADWAY—(4,917), 25c-35c-40c, 7 days. Gross: $1,700.

“THE SCARLET PIMPERNEL” (U. A.)

SECOND RUN

BLUE HOUSE—(700), 25c-35c-40c, 7 days. Gross: $500. (Average, $71.40.)

“THE GLASS KEY” (Para.)

“TRANSIENT LADY” (Univ.)

MAINEAY—(1,700), 25c-35c-40c, 7 days. Gross: $600. (Average, $85.71.)

“THE INFORMER” (Radio)

“CHINA” (Radio)

ORPHEUM—(7,000), 25c-35c-40c, 7 days. Gross: $5,000. (Average, $714.29.)

“PEOPLE WILL TALK” (Para.)

PARAMOUNT—(5,200), 25c-35c-40c, 7 days. Gross: $3,000. (Average, $428.57.)

UNION THEATERS—(15,500), 25c-35c-40c, 7 days. Gross: $5,000. (Average, $666.67.)

Many at Republic’s Reception in Albany

ALBANY, June 18.—More than 50 exhibitors and exchange men attended a reception and buffet luncheon given yesterday by B. H. Mills, manager of the Republic exchange, in honor of the opening of his new establishment. All of the local exchange managers, except H. A.女, were present. They are out of town at their companies’ sales conventions.

Among those present were: A. Stone, manager of the Eagle and president of Allied of New York; Harry Helman, Paramount; Charles Schmackel, Warner Theatres; John Gardner, American and Colonial; Sid Dowre, Cumeo; Morris Silverman, Mount Pleasant and Eads; Schuyler; Allen Serrane, Empire, Port Henry; Frank Weiting, Park, Cobleskill; Henry F. Moore, William O. man, Playhouse, Hudson; Clarence Dop, Strand, Johnstown; Mrs. Clara Richardson, Strand, Schroon Lake; Bob Kane, Millerton, Millerton.

Riefkin Has Boston Party

BOSTON, June 18.—Herman Riefkin, Monogram franchise owner in New England, threw an open house party Tuesday at his exchange in celebration of the change of the organization’s name from the Hollywood Pictures Corp. to Republic Pictures Corp. A big crowd was there.

Set N. E. Allied Meet

BOSTON, June 18.—Independent Exhibitors of Massachusetts, Inc., the local branch of Allied, held final plans for the two-day meet of eastern Allied directors here June 24 and 25. Abram Myers and Sidney Samuelson are due to speak at the affair, which will be divided between the Hotel Touraine and the outback headquarters.

Stroberg in New Post

ALBANY, June 18.—Benjamin Stroberg, until recently code board secretary here, has been made assistant manager of the Eagle by A. Stone.

Moore on Trust Suit

St. Louis, June 18.—Federal Judge George Moore today late took under advisement motions for a demurrer and a bill of particulars filed on behalf of Ned E. Depinet, president of RKO Distributing Corp., and that corporation in the Government’s anti-trust case against Warners, Paramount and RKO and affiliated companies.

Counsel were given four days in which to file necessary briefs. On the question of a demurrer Judge Moore stated he would not decide that point until he has ruled on the motion argued today, but during the discussion indicated that he probably would not expect to try the case on its merits during either July or August.

Russell Hardy, special assistant attorney-general, in arguing for an early trial, stated that it is delayed too long.

Mr. C. of the Triple X’

(Hollywood, June 18.—Concerned with cattle stealing, a missing son, and a love story involving two members of the tribe. Fortunately for the dual bills and junior matinees.

Yancey Lane, returning to his father’s ranch after an absence of 20 years, finds the ranch foreman, Rollo Dix, is head of a gang of cattle rustlers. The father, Late McKee, not recognizing Lane, is about to ship the cattle to market in Dix’s care. Betty Jordan, his adopted daughter, and Dickie Vones, child actor, who plays her brother, instinctively distrust Dix and have confidence in Lane.

With their help, Lane rounds up the cattle rustlers, clears himself of a false charge of having robbed the mails, is reunited with McKee and eventually wins the girl and the rustlers.”

The production by Herman A. Wohl, and the direction by Edward Dmytryk are suitable. Photography in some of the outdoor shots is excellent, but the sound is not up to par.

No code seal. Running time, 54 minutes. “G.”

Looking ’Em Over

**“Struggle for Life” (Majestic)**

“Struggle for Life,” made for Foy Prod., Ltd., of Hollywood, by Major C. Court Treatt, an Englishman, is just what its title implies. With a keen eye for dramatic effect, the film pictures the battle for existence of the Habbania Arabs of the Soudan. The incidents recorded, though at times giving the impression of having been so arranged as to heighten the excitement, seem entirely authentic.

The film teems with action and contains a number of moments that ought to thrill those who go in for pictures of this nature. A jungle fire that forces the natives to flee for their lives provides the film with a powerful dramatic finale.

While the film’s chief concern is to tell of the Habbania Arabs’ search for food and water and their eternal vigilance against the peril of the jungles, it does not ignore romance completely. Running through it is a story of the ending of the film, this romantic note has been kept very much subdued, though it adds much to the fascination of the picture.

This is a highly interesting film boasting of some fine photography. No production code seal. Running time, 53 minutes. “G.”

**Cancel Brussels Concert**

BRUSSELS, June 18.—Grace Moore’s scheduled appearance before the King and Queen and diplomatic corps, scheduled for tomorrow, has been canceled. It was stated that Miss Moore had wired that she was tired.

**Mayer Chicago’s Guest**

CHICAGO, June 18.—Louis B. Mayer, eastbound from the coast, was the guest of Mayor Edward J. Kelly at Mayer’s Chicago Club today along with RKO Radio executives attending the company’s convention here.

More for Voluntary Code in Northwest

SEATTLE, June 18.—Probability that the voluntary code will be adopted shortly in the Pacific Northwest was foreseen here this week.

Leading exhibitors, both large and small, are reluctant to be quoted because of unfamiliarity with all the details of the proposed voluntary code. However, Hugh Rose, president of Allied Amusements, summed up the attitude of a majority of the exhibitors by saying:

"Most of the exhibitors of the territory are anxious to see the good features of the recent codes maintained. A movement is now on foot in Seattle and the rest of the state to produce a voluntary code that will clear up the confusing provisions of the present laws, and yield a code that will be permanent, that will have the approval of the state’s leading officials, that will not contain elements that will prejudice the industry as a whole."
RKO to Drive For Preferred Playing Time

Also to Ask Percentages On 4 in Small Towns

CHICAGO, June 19.—Driving for increased preferred playing time, the RKO sales policy for the new season will call for a guarantee against percentages on four top pictures in small towns. Terms will be based on the record of "Roberta" or "Little Women," depending upon which was bigger.

Important cities will be handled by Jules Levy and his staff, but model contracts for smaller towns specify three pictures for seven days each at 30 per cent; three at seven days each for 40 per cent; seven for seven days at 30 per cent; 10 for four days at 25 per cent; 15 for three or four days at 25 per cent, with an increasing split if the run lengths out.

The remaining 19 pictures on the list will be on a flat rental basis.

RKO Session Ends With Policy Talks

CHICAGO, June 19—RKO Distributing Corp.'s sales convention closed to-day with talks by studio, sales and foreign chief executives. Speakers were J. R. McDonough, president of RKO Radio Pictures; Ned E. Depinet, president, and Jules Levy, vice-president and general sales manager.

American Display in RKO Accessory Deal

CHICAGO, June 19.—Following a convention announcement of a cooperative arrangement whereby, under exclusive license, RKO exchanges will exhibit American Display Corp. special accessories available direct to the

No Portland Cuts

PORTLAND, June 19—Another record has been hung up by the Portland Censor Board. During April but one picture was referred to the board by the official viewers. The censors viewed 93 pictures of 424 reels and granted permits for all of them. There were no eliminations. They declared "pictures are certainly getting better."

Para. Committee Traded In Securities—Vanderlip

By CLARENCE LINZ

WASHINGTON, June 19.—Formation of a bondholders' protective committee, to get in touch with the members of which traded in Paramount securities at a profit during their service on the committee, was outlined today to the Securities and Exchange Commission by Frank A. Vanderlip, former president of the National City Bank.

Disclosure that there were no bondholders on the committee of which he was chairman was made by Vanderlip as the commission went into the second day of its investigation of the Paramount reorganization.

The former bank head related that he was first approached by a New York attorney who sought to form a (Continued on page 3)

Slight Chance For Code Seen By Kuykendall

Little chance of any workable or even moderately satisfactory code of voluntary type being developed for this industry is seen by Ed Kuykendall, M.P.T.O.A. president and former member of Code Authority, who arrived here yesterday after attending a southern exhibitors meeting.

Remarking that it was difficult to accept seriously the idea of a successful voluntary industry code, Kuykendall stated that it had not been easy (Continued on page 3)

Al Lichtman Gets In from the Coast

Al Lichtman arrived by plane yester-day, ending the coast jaunt that saw him elected president of United Artists, succeeding Joseph M. Schenck. Fatigued by the trip, Lichtman went immediately to his home for rest, but is scheduled to put in an appearance at his office today at which time he is (Continued on page 3)

No Objections Filed To report on Publix

No objections to the final report of the trustee of Publix Enterprises or his application for leave to pay a final dividend to creditors was voiced when the petitions were heard before Federal Judge Francis G. Caffey in U. S. District Court here yesterday. Judge Caffey is expected to sign orders within a week authorizing the winding up of the affairs of the former large Paramount theatre holding company which went into bankruptcy in January, 1933, and discharging Irving Trust Co. as trustee in bankruptcy.

Ascap Trial Is Put Over Until Nov. 4

ATTORNEYS to confer on Eliminating Details

By agreement of counsel for both sides, trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers was adjourned yesterday to Nov. 4.

The postponement was announced after attorneys in the case had gone into a huddle shortly after court convened yesterday. The decision was made, it was said, in order to give Andrew Bennett, special assistant to the Attorney General, in charge of the government's case, and Nathan Burkan, chief counsel for Ascap, an opportunity to go over the case in detail and arrive at stipulations which will speed up the trial once it is resumed.

It was felt, the attorneys explained, that the trial was becoming too cumbersome as a result of the (Continued on page 11)

Moore Film Delayed For Studio Re-makes

COLUMBIA is having difficulty with its second Grace Moore picture, "Love Me Forever."

Decision to re-edit, coupled with the report additional scenes are being photographed, has twice delayed world premiere of the picture at the Music Hall. Originally slated for June 4, the date already has been set back twice by the distributor. The latest (Continued on page 3)

Loew's Picks Three Giveaway Theatres

First three theatres where Loew's will adopt chance games giveaways will be the Boston Road, Victory and Elymere, all in the Bronx. (Continued on page 3)

N. O. Men Surprised

NEW ORLEANS, June 19.—Exhibitors have been surprised by an announcement that Harry Joseph Smyth, motion picture inspector, was to be removed and another woman substituted.

The surprise was that such a position existed in the city of New Orleans. No exhibitor had ever realized he.
MOTION PICTURE DAILY
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Vol. 25 No. 144

"L'Eredita M."—Musco.
"The Crusades"—St. Louis, June 19—Delegates to the Republican regional which opens at the Roosevelt Thursday with Ed-ward Golden, general sales manager presiding, expected to arrive here today.

Golden arrived last night. Here from San Francisco are:

Floyd St. John, California district manager; S. D. Wirthum, San Francisco sales manager; S. C. Marten-stein, S. J. Goldman, C. J. Crowley, salesmen, and F. E. sales controller.

Attending from Los Angeles are:

Howard Stubbinia, Los Angeles sales manager; R. J. Cadman, C. E. Clement, Norman Boxey and C. E. Buchan, salesmen.

Headded by Trem Carr, vice-president in charge of production, the follow- ing from the studios will attend:

Robert E. Welsh, executive producer; Herman Schlion, production manager; T. C. Duvall, executive in charge of the western unit; and Dor-othy Reid, story editor.

Registers Foreign Titles

Republic is the first in the industry to announce productions or other titles of films for the new season, it is reported by the Hays office. The company has submitted for registra- tion, an entry with the names of all of its forthcoming pictures.

Referee Will Hear Cleveland Dispute

CLEVELAND, June 19—The Court of Appeals has overruled a motion to ad- vance on the day of the final hearing in a complaint filed by the D. D. Craig of Cleveland and the Northern Ohio Bar association. It is expected the court will hear the case as soon as the referee files his report, the lawyer said at the end of the month. On the other hand, William Minshall and Ben Schwartz, defendant’s attorneys, predict the case will go over until fall.

"G-Men" Tops Herald Champions for May

"G-Men" heads the list of Motion Picture Herald’s Box Office Champions for May. Second place was taken by "National Velvet"; third, "Goin’ to Town"; fourth, "Les Miserables"; fifth, "Bride of Frankenstein", ran "White Heat."

First National, M-G-M, Paramount, U. A, Universal and Fox, in the order named, are the companies which produced the winners.

Study Cartoon Series

In addition to a third series of Cartoons based on fantastic, already scheduled for the 1935-36 season, Celebrity Prod. is planning a "E" addition of a new series by UB Iwerks.

Mayer, Strickling Arrive

Louis B. Mayer, accompanied by Howard Strickling, publicity head of the M-G-M studios, arrived yesterday from the coast for a week’s stay.

Republican Forces at L. A. Regional Meet

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Slight Chance For Code Seen
By Kuykendall

(Continued from page 1)

to give or obtain remedial action even under the N.R.A. code with its guidelines for administration of the new powers. He reported, however, that in exhibitor contacts and correspondence he had received a favorable response to the proposal to enforce trade regulations through riders attached to sales contracts that had been made in the past approximately 80 per cent sentinment in favor of that proposal.

That idea, though, Kuykendall said, "is not a new one. It has been used in the industry to regulate relations between exhibitor and distributor for years."

He added that no general organizational or industry move was contemplated to further the contract rider suggestion, as the very nature of the procedure made it a subject for individual, voluntary action on the part of exhibitor and distributor.

Kuykendall plans to leave for Memphis by plane on Saturday and will go from there to his home at Columbus, Miss for the opening of his second theatre, the Dixie, there on June 24.

A meeting of the executive committee of M.P.T.O.A. will be called by Kuykendall within the next few weeks at some central location to advance organizational activities.

ITOA Seeking Code Board Substitutes

(Continued from page 1)

discontinued when the Blue Eagle met its death at the hands of the U. S. Supreme Court.

Members of the organization feel that much good was accomplished by the local bodies and that, with the new power and grievances were concerned.

A letter will be written to the Hoy's office with the request.

It was reported to the members that Milton C. Weisman expects to have a plan ready within the next week for the pooling of local independent houses into one big circuit. Numerous exhibitors are against the combine idea and are interested in what is contained in the Weisman plan.

Close Buffalo Office

BUFFALO, June 19—June M. Hollo- ran has closed the code board office and has taken temporary deals space in the regional M.P.T.O. office. There is considerable talk on Film Row of reviving the present E. B. Ges Co. M.S. office, with Miss Holloran as secretary.

To Seek Rehearsal Pay

Actors' Equity Ass'n and Chorus Equity Ass'n, have decided to demand "expense money" for players during rehearsals starting in the fall. The scale would be $20 per week for rehearsals in the first probationary week for dramatic productions and 10 days for musical shows, and $15 for juniors with less than two years' experience and for chorus members.

bondsholders' committee with a view to becoming its counsel. Before making any decision, he said, he consulted the members of the committee, Loeb & Co., who extended an invitation which he accepted to become chairman of a committee they formed.

The members of the committee were picked by the banking house for the purpose of advising him, and he continued, admitting under questioning that he did not disapprove of any of the members nominated.

Although he had never held any Paramount securities and had no interest in the company, Vanderlip said he accepted the position as head of the committee because of his long interest in educational films and the idea that it was "something interesting to do."

Later, he stated, believing the head of such an important committee should have an interest in the company, he purchased some Paramount bonds and certificates. Some of these bonds were disposed of, apparently at a loss when he desired money for other purposes, but he failed to hold them long enough to show an appreciation of more than 40 points.

At the time the committee was formed, Vanderlip testified, the only member to have any Paramount holdings was Sir William Wiseman, partner in Kuhn, Loeb, who held four shares of Famous Players Canadian.

Inferring that he felt he was out of step with modern methods of financing, Vanderlip, under questioning, freely admitted that a protective committee should include actual bondholders.

He explained that he was not surprised at Kuhn, Loeb's action in forming a committee, but that all who disposed of bonds to investors had a "moral responsibility" toward those customers when the securities turned sour.

However, he added, if he were doing it over again he would insist that the committee include actual holders of the securities. Asked regarding the propriety of committee members dealing in the securities that were seeking to protect, Vanderlip condemned it where the trades were based on inside information.

Sir William Wiseman, who yesterday testified regarding the financing of Paramount prior to the roposition, in a Jan., 1933, explained that he had resigned from the committee when it became apparent that his participation was asked to plan for reorganization. He declared that Kuhn, Loeb's purchases of Paramount securities while he was a member of the committee were solely for investment, and that they sold their holdings when they learned they were to take part in the committee.

Both Kuhn, Loeb and Wiseman, as well as two other members of the committee, were shown by commission lawyers to have dealt in Paramount securities during their services.

President Suggests Change in Tax Rate

WASHINGTON, June 19—Imposition of a graduated income tax on the net profit of corporations, running from 10½ to 1¾ per cent, in lieu of the present flat tax of 13½ per cent, was asked of Congress today in a special message by President Roosevelt. Also included in the President's recommendations was the suggestion of interest on the corporate tax on very large personal incomes.

Substitution of a sliding scale for the present tax on corporations was suggested as offering relief to weaker concerns.

French Taxes Hit American Films

PARIS, June 19—Two bills designed to carry out tax reductions on theatres are aimed at American pictures. One provides that the cut shall be applicable only to theatres showing French pictures 75 per cent of the shows, and a similar amendment to the budget sponsored by Mr. Kuhn, Loeb is expected to be introduced in the Senate. A third bill is to deal with the use of legal films.

Approve Schaefer Claim

The proposed settlement of George J. Schaefer's claim against Par- amount, providing for the allowance of the claim at $55,000, was reported on favorably by Special Master Franklin. A hearing date is now to the U. S. District Court for final approval. The claim was originally filed for approximately $93,000, and was based on a personal service contract held by Schaefer.

Sheehan Will Take a Rest

From Confab

(Continued from page 1)

The first is "Way Down East"; the second, "Curly Top." With "The Farmer Takes a Wife" already completed, all three will be shipped to New York before Sheehan starts his vacation.

The present activity on both Fox lots totals six productions, including Sam Wood's "Steamboat Bill" and "Silk Hat Kid," Sheehan's "Way Down East" and "Curly Top" and Jesse L. Lasky's "Here's to Romance" and "The Gay Deception."

A new stage is now being constructed at the Westwood plant, ostensibly to contain the new film of increased activity. Indications are that no new buildings will be erected to house the new pictures, but if It departs in August, though officially his contract does not expire until Oc- tober. Nevertheless, his productions through the fall is possible, the time Sheehan is ready to move in.

Lasky's plans are still indefinite, with new film plans being brought to Paramount as a unit producer now that United Artists has its quota of pictures for next season by the acquisition of David O. Selznick.

Al Lichtman Gets In from the Coast

(Continued from page 1)

expected to issue a statement on the company's new season plans. Lichtman will remain here for the U. A. stockholders' meeting, scheduled for June 25, and will return to New York in time for the company's annual sales meeting in Los Angeles, July 8 to 11. Maurice Sil- verstone, chairman of U. A. in England, is due in New York. He also plans to attend the coast sales meeting.

Selznick, also a passenger on the Normandie, is expected to confer with Lichtman soon after his arrival on U. A. business matters handled by Schenck while in England.

Moore Film Delayed

For Studio Re-makes

(Continued from page 1)

promise is that the film will be ready in its revised form for a June 27 opening, although Music Hall officials are understood to be dubious about the possibility of time in properly advertise the attraction for its anticipated engagement. Delay means general release also has been set back since it is Columbia's intention to play the Moore film at the Music Hall ahead of all other engagements and to how far removed from New York.

Rites for J. L. Laughlin

BUFFALO, June 19—J. L. Laughlin, noted Buffalo showman who was buried Monday, Laughlin died Saturday after a long illness. He was manager of the Majestic and Lyric and had brought many famous stage figures to Buffalo.
RKO Session Ends
With Policy Talks

(Continued from page 1)
manager of RKO Distributing Corp.;
William Mallard, charge hand; and
Reisman, vice-president of RKO Ex-
port Corp.

Levy, who presided, was heard on
the meeting program on sales policy
and he was followed by Al
Mertz, short subject sales manager,
who analyzed the company's line-up.

Cresson S. Smith, assistant sales
manager, and E. L. McEvoy, eastern and
Canadian sales manager, were the first speakers of the af-
ternation on the single dis-
cussions of the foreign market by
Reisman, and the foreign delegation.

Also on the program were A. A.
Schubert, manager of the contract de-
partment, and G. E. Youngman of the
legal department.

Levy announced the winners of the
company's sales contests of the past
year, including the Jules Levy Annivi-
sary Drive.

The RKO confab wound up with a
banquet tonight at the Drake at which
Leon Bamberger was master of cere-
momies, disclosing hitherto unsuspected
talents as a song-and-dance man.

A surprise yesterday afternoon was a
special "March of Time" broad-
cast put on in New York and wired
here. Using the regular radio cast,
the program opened with a dramatiza-
tion of the Weyerhaeuser kidnapping
case.

The program began at 5:30 o'clock
Chicago time followed John Martin's
talk to the convention and the show-
ing of several of the "March of Time"
releases.

American Display in
RKO Accessory Deal

(Continued from page 1)
ehibitor from distribution points
throughout the country. General Man-
ager Charles L. Canavan of the lat-
ter organization explained to dele-
gates the aims and purposes of the
service. It is believed that the RKO
arrangement is the first of a series embracing all major distributors.

Concentrating today on the objec-
tive of enabling the exhibitor to sell
his programs more profitably to his
public, American Display offers an
array of 40 special advertising and
exploitation items available on every
picture produced. Manufactured in
quantity, this material, designed and
executed by a staff schooled in the ex-
hibitor's selling problem, becomes
available to exhibitors at approxi-
mately half the cost it would rep-
resent if prepared individually. Aug-
menting standard accessories offered
by distributing companies, the Ameri-
can Display service is calculated to
place the small theatre on an equal
footing with the major circuit house
in the character, quality and effective-
ness of its box-office approach to its
client's field.

Canavan pointed out that, far from
discovering exhibitor initiative and
individuality, the activity of American
Display is a constructive aid, alert to
successful individual campaigns
and equipped to forward them
quickly to headquarters for immediate
distribution to other exhibitors, will
give added value to original exploita-
tion effort.

They Talk It Over in Chicago

Left to right: Ned E. Depinet, president of RKO Distributing Corp.;
B. B. Kohane, president of RKO Studios, Inc.; J. R. McDonough, presi-
dent of RKO Radio Pictures, Inc., and John Ray Whitney, president of
Pioneer Pictures, Inc., producers of "Beechy Sharp.'

RKO Session Ends
With Policy Talks

Radio Dots and Dashes

Chicago, June 19—Jack Ellis,
John Dacey and Phil Horne, sales
triumvirate of New York branch,
started down town with a flashlight,
in case they didn't find the streets
lit up.

RALPH WILLIAMS, Oklahoma City branch manager, is one RKOite
who can beat the marble games.

CAREN BURTON, Oklahoma City sales-
man, is a member of the literati.

Salt Lake City, which has taken the
news footlight, sends up a sales force
headed by T. J. WALE.

H. W. LANDSTROM, Salt Lake City,
is said to be the ski champion of the
convention. Must be the Norwegian
in him.

SALES MAN MOREY ANDERSON, Mil-
waukee, has a long losing streak with
the postboards. And J. S. Aboose of
the beer town has a habit of taking
the boys into camp.

Philadelphia's human dynamo,
FRANK MCGNAME, quickly ordered a
radio set for his room. "Mac" is said
to be the originator of the idea of
putting Pathe News on the air. He
has also inaugurated in Philadelphia
a weekly feature radio review that
projects from the film the highlights
of the picture.

HARRY TYSON, "Philly," is an old-
time professional baseball player.
Still keeps in fine trim as a radio
set for his room. "Mac" is said
to be the originator of the idea of
putting Pathe News on the air. He
has also inaugurated in Philadelphia
a weekly feature radio review that
projects from the film the highlights
of the picture.

"Bulldog" is the moniker applied
to ELY EPSTEIN, Philadelphia, by friend
and foe alike. Yea, he never gives up

Branch Manager Guy Brown, New
Orleans, is a harmonizer from barber
shop to stage. He starts many a four-
some without going to the fairways.

"PODS" PFEIFFER, New Orleans, was
searching for a bookie to place his
customary wager of 50 cents. "PODS"
would go a quarter if the handicap
would sanction it, his buddies say.

STAN JACQUES, Cincinnati branch
chief, threatens to break off his diet
whilst with the Drake feeding the boys
to the king's taste. STAN came through
the past year OK with that girlish
figure.

SALES MAN RALPH KINSEL, Cincin-
nati, had hoped the convention would
be set for Indianapolis, where he could
get out on the roadway. RALPH is the
BARNEY OLDFIELD of Cinc's Film
ROW.

BOB WOLF, who fished off Florida
this spring, still telling 'em about the
big one that didn't get away.

MAX WESTBROE, crack New York
salesman, is reported to be carrying
a pocket comb.

BARNEY PETIKIN, branch manager;
HARRY ZEITELS and BILL CANELLI
were three mucketeers from New Ha-
ven. Like the Yale Bulldog, they can't
be held.

"Big Timber" from the Northwest!
McAver Corv, with many service strips
up, brought his big three salesmen, B.
KELLER and CLEVE ADAMS, and
Office Manager S. S. MADDEN.

Present and accounted for is word
from Branch Manager S. W. FITCH,
SIOUX FALLS, E. J. PRACE, FRED HORN
and C. N. SNYDER completed the dele-
tation.

Gang from St. Louis blew in with
summery clothes. From left to right,
are: LOU ELMAN, branch manager;
T. C. TOBIN, W. F. DEPENRE, N. LEVY
and R. G. TAYLOR.

HARRY DIXON, big chief at Buffalo,
had a colorful crew on tap—L. E.
MURPHY, C. BOASBERG, J. G. CHIN-
NELL, salesmen, and P. MAXWELL,
office manager.

The veteran branch chief, R. C.
PRICE, Charlotte, made it three "for
Dixie," with R. F. BRANON, R. S.
MITCHELL, salesmen and W. W.
LAKE, office manager.

In a cable from Frank Buck, who
is in the jungles of Malaya more than
half the world away, the RKOites
were assured that something new in
the way of thrills and excitement
awaits the fans in his new picture
which is nearly completed at this time.
Here is one Buck who makes no
passes.

Practically everyone at the con-
vention got a chance to see whether or
not he could "take it" when a special
reel of "Dumb Bell Letters," prepared
especially for the occasion was shown
at the morning projection. Each one
came in for a share of good natured
ribbing.

MARTY BARRETT couldn't get the
boys up early enough to take them
horseback riding, so he decided to take
golf lessons from the RKO profes-
sional, C. S. SMITH.

A conversation could always be
started with Don HANCOCK by men-
tioning the "Easy Aces" series. It's on
the air when Don gets in action.

PAGE BAKER, B. M. at Memphis,
has a going-to-town Dodge—trrimmed
here and there with red, chromium
plated wheels and a fog horn that
scares them.

SALES MAN N. J. COLEBOURB, Mem-
phis, gets the honors for the great
unpronounceable name.

Branch Manager A. N. SCHMITZ,
Milwaukee, was up for "seconds" on
the strawberry shortcake, Drake style.

"MERRY" DURANT, Montreal chief-
tain, carries an appended moniker
of "Old Silver."

JOE MYERS, the only newcomer to
the Canadian organization, travels the
territory between Winnipeg and the
Pacifie Slope, so jumps are jumps with
Joe.

Branch Manager "NICKY" Gold-
hammer, Minneapolis, is the home
town king of the slogan makers.
"Nicky" even has a slogan for a
slogan.

C. J. (FAYE) DRESSEL, Minneapolis,
is the chief mechanic of the office.
"Drew" is said to sport a new car
every month.

Radio Signs Three More

Hollywood, June 19.—New con-
tracts signed by Radio include Adele
Burnett, who is to work on the next
Richard Dix yarn, "Powder-
smoke Range"; Mrs. Pat Campbell,
who will appear in "Sylvia Scarlett"; and
Walton Forbes for "The Three
Mucketeers."
UNIVERSAL DAZZLES THE INDUSTRY WITH THE FIRST GEM OF ITS MOST BRILLIANT LINEUP!

Carl Laemmle presents

EDWARD ARNOLD in "DIAMOND JIM"

with

JEAN ARTHUR Binnie Barnes

Cesar Romero Eric Blore
Hugh O'Connell George Sidney
Otis Harlan Henry Kolker
Robert McWade Fred Kelsey

An EDMUND GRAINGER Production
Directed by EDWARD SUTHERLAND

RELEASED SEPTEMBER 2ND
More Universal Hits to make 1935—1936 your brightest year!

**TWO MARGARET SULLAVAN PRODUCTIONS**
Universal’s great star at her best and in her biggest stories.

**THE HUNCHBACK OF NOTRE DAME**
Victor Hugo’s immortal book. The screen classic of all time.

**THE GREAT IMPERSONATION**
*Edmund Lowe in* E. Phillips Oppenheim’s famous best-seller
Directed by Alan Crosland

**DRACULA’S DAUGHTER**

**BLUEBEARD**
Starring the Great KARLOFF
Story by Bayard Veiller, author of “Within the Law” and “The Trial of Mary Dugan”

**THREE KIDS AND A QUEEN**
*MAY ROBSON* in her greatest role
Story by Harry Poppe and Chester Beroza

**WHILE THE CROWD CHEERS**
Karl Tunberg’s sensational football story. Tuned for crowds, timed for the box office!

**SONG OF JOY**
Starring MARGARET SULLAVAN, sensational new singing star, in J. P. McEwen’s merry musical romance.

**HIS NIGHT OUT**
*With EDWARD EVERETT HORTON*
From Henry Irving’s famous comedy, “Skinny’s Dress Suit”

**CARRIE LOMBARD**
in Faith Baldwin’s marvelous Cosmopolitan Magazine story, “Spinster Dinner” (temporary title)

**FAST AND FURIOUS**
Starring JACK OAKIE
From the auto-racing romance by Paul Sidney... Directed by Edward Laemmle.

**HER EXCELLENCY, THE GOVERNOR**
Nina Wilcox Putnam’s powerful Liberty Magazine story. Directed by Stuart Walker.

**THE HANGOVER MURDERS**
MERRILY WE LIVE
An amazingly new kind of musical farce
By James Edward Grant,  
author of "Whipsaw"  

STORM OVER THE ANDES
Starring  
JACK HOLT and CESAR ROMERO  
in the first story of the South American  
war, by Eliot Gibbons and LaClade  
Christy. Directed by Christy Cabanne.  

DESTROYER
Starring JACK HOLT in Samuel Johnson's  
gripping story of a submarine pirate!  

PHANTOM OF THE OPERA
Gaston Leroux's classic wonder—  
produced as only Universal can!  

YELLOWSTONE
Drum as Nature lives it!  
From Houston Branch's unusual story.  
Actually filmed within the scenic wonder.  

TALL TIMBER
Starring JACK HOLT in a drama of the  
men and women who pit their lives  
against the last wilderness!  

THE INVISIBLE RAY
By Howard Higgin and Douglas Hobbes  
Thrilling! Imagination-staggering!  

STORMY
Cherry Wilson's breath-taking romance  
of wild horses and wilder men!  

KING SOLOMON  
OF BROADWAY
The guy who knew a thousand wives!  
By Albert J. Cohen and Robert T. Shannon  
Directed by Alan Crosland  
A Julian Bernheim Production

EAST OF JAVA
Starring CHARLES BICKFORD  
From Gouverneur Morris' most  
popular story, "Tiger Island."  
Directed by George Melford

THE FLYING SQUADRON
Fighting eagles who cannot be tamed —  
reaching a new high in aerial  
adventure, romance and daring!

AGENT 44
Their story was never told—the men-hunters  
who trail women to the ends of the earth!

RIVERBOAT GAMBLERS
with JACK HOLT . . . Based on Bret  
Harte's famous story. screenplay  
by Gouverneur Morris and  
Gerald Geraghty

GIANT PLANE
Human drama paced at 300 miles an hour.  
James Warner Bellah's sensational  
story of the world's biggest air liner  
Directed by Ernst L. Frank

ZASU PITTS and HUGH O'CONNELL  
in ALONE TOGETHER  
The box office's newest scream-mates!  
How they'll laugh! And that's the payoff!

That's not all! Because the whole Universal line-up is  
36 Features, 6 Buck Jones  
Features, 4 Serials,  
27 Two-reelers, 52 One- 
reelers and 104 Newsreels!
"What Universal promises, it will deliver!" said Carl Laemmle at the Convention, and he meant these CURRENT HITS, TOO!

MARGARET SULLAVAN
With FRANCIS LEDERER in
"NEXT TIME WE LOVE"
From Ursula Parrott's latest novel

IRENE DUNNE in EDNA FERBER'S
"SHOW BOAT"
Music by Jerome Kern Directed by James Whale

WILLIAM POWELL in
"MY MAN GODFREY"
{Temporary Title}
From the Liberty Magazine serial by Eric Hatch

HOWARD HAWKS' production of
"SUTTER'S GOLD"
From the epic novel by Blaise Cendrars
Screenplay by GENE FOWLER

IRENE DUNNE in JOHN M. STAHL'S
production of
"MAGNIFICENT OBSESSION"
by Lloyd C. Douglas, also author of "Green Light"
:

:

:

:

:

:

MOTION PICTURE

Thursday, June 20,

DAILY

1935

"Yale," Show

"Public Hero"

$18,000 High

On

could

In Cleveland
—

19—"Hold

June

'Em

stage show headed by

btillman

slump.

'Em Have

"Let

was up by
Total

This

$1,000.

run business was $119,-

first

Average

500.

pulled a good

It"

United Artists.

$18,000 at the

$125,600.

is

Kansas City, June 19. "Under the
Pampas Moon," backed by some heavy

ney.

pre-showing

promotion

Chambers

the

now United

Artists

run.

"The Girl from 10th Avenue"
jumped $1,100 over average to a $9,100
gross at Warners' Hippodrome and
"Werewolf" was over the Allen aver-

"Hold 'Em Yale" topped the
Week Ending June 13:
"OIL FOR THE LAMPS OF CHINA" man $4,000 average by $300 and "One
(F. N.)
Night of Love," playing a repeat at
CHICAGO— (4,000), 25c-50c-68c, 7 days. the Circle, topped the average first run

Du Faye &

Grace

Evans

Co.,

&

Cornell

Waters,

Ethel

Stage:

"HOLD 'EM YALE" (Para.)
ORIENTAL— (3,940) 25c-40c, 7

best comparative showing for a
that fell well below par. The
Fox picture grossed $4,400 against an
average of $3,500.
"Eight Bells" at the Tower went
$400 over a normal of $7,000. "Black
Fury" at the Newman was only fair

says, in 11 years.

at $6,500, and "In Caliente" made a
poor showing with $7,000 gross in 10

Olga Baclanova and Revue, Hal
Sherman, Mark Fisher, Dorothy Hild Girls
Stage:

25c-35c-50c,
Sisters,
Honey

Pickens

Stage:

Family,

Johnny Burke, Carl Shaw, Peggy Taylor.
(Average, $22,000)
"DOUBTING THOMAS" (Fox)

Gross:

$17,000.

ROOSEVELT—
2nd Loop

(1,591), 25c-35c-50c, 7 days,

Gross:

week.

(Average,

$9,000.

$11,000)

"LET 'EM HAVE IT"

UNITED ARTISTS— (1,700),
Gross:

days.

(U. A.)
30c-40c-50c, 7

(Average, $17,000)

$18,000.

"GOIN' TO TOWN" (Para.)
GARRICK— (900), 25c-35c-40c, 7 days,
Loop week. Gross:

"LES

APOLLO— (1,400),

25c-35c-50c, 7 days, 4th

(Average,

$6,000.

"PARTY WIRE"
Stage:

Frank

$8,000)

(Col.)
20c-25c-35c,

LAKE— (2,776),

STATE
days.

4th

(Average, $5,000)
MISERABLES" (U. A.)

Loop week. Gross:

7

Mary McCormic, Haffy and

Seaman,

Whitey

"G-Men"

&

Blake,

$13,000)

$11,500
Montreal Standout
Is

Montreal, June

19.

—"G-Men"

was

This feature at the
Palace accounted for $11,500 for its
first run in Canada.
High in the week's local standing
was "My Song for You" which topped
the

stand-out.

the

Princess

the

at

bill

which

was

also

above

for $7,000,
"The
par.

"Scoundrel" and "The Glass Key"
brought $8,000 to the Capitol, while
Loew's tapered off to $5,500 on "Mark
of the Vampire" and "Baby Face Harrington."
For once in a long time
there wasn't a legal holiday of any
kind for the week.
Total first run business was $35,000.

Average

is

$40,500.

Estimated takings for the week ending June 15

"THE SCOUNDREL" (Para.)
"THE GLASS KEY" (Para.)
CAPITOL— (2,547), 25c-35c-40c-50c-60c,
days.

Gross:

$8,000.

"JEALOUSY" (Col.)
IMPERIAL— (1,914), 20c-25c-34c,
Added
Gross:

"One

revival:
$3,000.

7

(Average, $9,500)

(Average,

Night

of

Love."

$3,500)

(M-G-M)
"BABY FACE HARRINGTON" (M-G-M)

LOEW'S —
Gross:

30c -34c -40c -50c -60c,

7

Gross:

PRINCESS
Gross:

days.

Gross:

(Average,

$9,100.

"UNDER THE PAMPAS MOON" (Fox)
RKO PALACE— (3,100), 30c-35c-42c, 8
days.

Gross:

(Average, $10,000)

$8,200.

Gross:

(M-G-M)

1"

LOEW'S STATE— (3,400),
days.

30c-35c-42c,

(Average,

$15,500.

7

$10,000)

'HOLD 'EM YALE" (Para.)
LOEW'S STILLMAN— (1,900), 25c-35c,
days. Gross: $4,300.

(Average,

CIRCLE — (1,925),
Gross:

$4,500.

7

$4,000)

"ONE NIGHT OF LOVE"

(Col.)

15c-25c-30c,

days.

7

(Average, $3,000)

Honors

in Lincoln

—

taking $2,600 at the Lincoln. That's
$400 up and plenty nice in the face
of a sudden spurt of hot weather which
drove everybody golfing or swimming.
The Stuart did well over the week-end
with "Richelieu," but simmered down
with $2,700, which is $400 down.
The Orpheum had a couple of dandies as dual bills go and the letup from
vaudeville days on the last halves was
not too noticeable. "Hoosier Schoolmaster" and "Headline Woman" led
off, followed by "Daring Young Man"
and "Strangers All." The gross was
$2,000, which is $300 over the straight
picture average.
Total first run business was $8,150.

Average

is

$7,850.

Estimated takings:

Week Ending June 12:
"RED BLOOD OF COURAGE" (Reliable)
"FOUR HOURS TO KILL" (Para.)
'ONE FRIGHTENED NIGHT" (Capitol)

(2,272).
30c-35c-50c-65c,
$7,000.
(Average, $6,000)

$850.

(Average.

7

7
days,
$850)

3

"HOOSIER SCHOOLMASTER" (Mono.)
"HEADLINE WOMAN" (Mascot)
"DARING YOUNG MAN" (Fox)
"STRANGERS ALL" (Radio)

ORPHEUM— (1,200),

Gross:

$2,000.

10c-15c-25c,

$2,600.

Gross:

$2,700.

days

(Average, $1,700)

Week Ending June 14:
"CARDINAL RICHELIEU" (U.
STUART— (2,000), 10c-25c-40c, 7
(Average,

$3,100)

"PUBLIC ENEMY
MIDLAND— (4,000),

"ALIBI IKE"

(Para.)

(F. N.)

FENWAY— (1,382), 30c-50c, 7 days. Gross:
(Average, $4,500)
$5,500.
"ESCAPE ME NEVER" (U. A.)
MEMORIAL— (2,907),

KEITH'S

7

Gross:

days.

25c-65c,

(Average, $12,000)

$14,000.

"PUBLIC HERO NO. 1" (M-G-M)
"THE AWAKENING OF JIM BURKE"
(Col.)

LOEW'S STATE— (3,537),

25c-55c, 7 days.

(Average, $12,000)
"IN CALIENTE" (F. N.)

Gross: $14,000.

METROPOLITAN —
Stage:

days.

man Hyde,
Elida

in

Sixty

7

including HerWorld Cruise,"
Sevitzky.
Gross:

Fabien
(Average. $22,000)

Ballet,

$21,000.

35c-65c,

(4,332),

Stars,
the

"Round

"THE SCOUNDREL"
"ALIBI IKE"

(Para.)
(F. N.)

PARAMOUNT— (1,793),

25c-50c,

7

days.

"STRANGERS ALL" (Radio)
"MR. DYNAMITE" (Univ.)
RKO BOSTON— (3,246), 25c-50c, 7

days.

Gross:

Gross:

$8,000.

(Average, $7,000)

$7,000.

(Average, $11,000)

NEWMAN— (1,800),
Gross:

—

19.
June
Loew's
Bijou will switch from first to second
run on June 23.
The change was
originally set for the opening of the
College, but recently both houses have
been first run. There is some speculation as to whether the Bijou will take

over

the 11 -day clearance
held by the College.

formerly

A.)

days

1"

(M-G-M)
days.

7

25c-40c,

(Average,

$6,500.

days.

7

$7,000)

Week Ending June 14:
"UNDER THE PAMPAS MOON"

UPTOWN— (2,000),

(Fox)

25c-40c, 7 days. Gross:

(Average, $3,500)

"IN CALIENTE"

MAINSTREET— (3,100),
$7,000.

(F. N.)
25c-40c, 10 days.

(Average, 10 days, $10,000)

"Thomas" Denver
Smash at $9,000
Denver,

June

—

19.

"Doubting

Thomas" packed

the Denver repeatedly, doing a business of $9,000, 50 per
cent above average. It was moved to
the Broadway for an extended run.
"The Glass Key," backed by "Platinum Blonde," all-girl stage show,
also did a nice business, nearly double
average. All other houses were below
average.
Total first run business was $21,900.
Average is $23,000.
Estimated takings for the week ending June 13

"THE DARING YOUNG MAN"
Gross:

days.

Haven,

NO.

15c-25c-40c,

(Average, $11,500)
"BLACK FURY" (F. N.)

ALADDIN

Loew's Bijou to Switch

Carson,

Gross: $11,000.

Average

$65,500.

Jack

(Average, $7,000)

$7,400.

Gross:

is

Payne

3

Tower Adorables, Tower Orchestra. Gross:

each spot.
Total first run business was $69,500.

—

$10

ALADDIN —
Gross:

days.

RAISE"

(Fox )
1

25c-35c-50c-60c.

(1,500).
$300.

3

(Fox)

(1,500),
25c-35c-50c-60c,
4
$900.
(Average for week,

$2,500)

"BREWSTER'S MILLIONS"

BROADWAY— (1,500),
Gross:

"I'LL

(U. A.)
3
days.

LOVE YOU ALWAYS"
"SWELL HEAD" (Col.)

BROADWAY— (1,500),
Gross:

25c-40c.

$200.

$500.

(Average

(Col.)

4

25c-40c,
for week,

"THE GLASS KEY" (Para.)
D EX HAM — (1.500). 25c-35c-50c, 7
Stage

show.

Gross:

days.

$1,500)

days.

(Average,

$7,000.

$4,000)

Boston, June

(Para.)
7

Rogers

Stage:

7

&
& Wynne,

Lane, Bernard

Bros.,

13:

(Col.)

days.
Henrie,

25c,

Jackie

$4,400.

Boston Races a Worry
13:

10c-20c-25c,

TOWER— (2,200),

days.

(Average, $1,700)

LINCOLN— (1,600),
Gross:

7

Me

No. 1" and "The Awakening of Jim
Burke." "The Scoundrel" and "Alibi
Ike" on a dual bill were strong in two
places, the Fenway and the Paramount, going $1,000 over average in

New

10c-15c,

19.

a dull week here by
getting $14,000, over normal by $2,000,
at Keith's Memorial.
The same figures also applied to a
dual bill consisting of "Public Hero

"THE SCOUNDREL"

Lincoln, June 19.
"The Glass
Key" was the heavy draw of the week,

$39,000.

is

Estimated takings

"EIGHT BELLS"

—"Escape

Estimated takings for the week ending June 14

"Glass Key" Takes

"GLASS KEY"

(2,600),
25c-35c-40c-5Cc-65c, 7
$11,500.
(Average, $11,000)

-

7

Week Ending June

"MY SONG FOR YOU" (G. B.)
"MY OLD DUTCH" (British)

days.

35c-42c,
$8,000)

Average

Week Ending June

(Average, $3,000)

Boston, June
"THE GIRL FROM 10TH AVE." (F.N.)
WARNERS' HIPPODROME— (3,800), 30c- Never" enlivened

(Average. $10,500)
"G-MEN" (F. N.)

PALACE—
days.

(3,115),
$5,500.

$3,700.

changes. Gross:

"MARK OF THE VAMPIRE"

days.

Gross:

COLONIAL— (750),

days.

7

job with "Public Enemy No. 1," pushing the gross up to within $500 of
average.
Total first run business was $36,300.

Gets $14,000

(Univ.)
7
days.

Verne

Roberts,

Buck, 4 McNallie Sisters, Gresham
Ballet. Gross: $12,000. (Average,

"WEREWOLF OF LONDON"
ALLEN— (3,300), 30c-35c-42c,

"PUBLIC HERO NO.

$4,500.

Lawrence Lehman
"The Informer" with
Baer-Braddock bout.
Loew's Midland did a pretty good

$43,000.

ing June 14
days.

7

,

is

Estimated takings for the week end-

(Average, $15,000)
"HOORAY FOR LOVE" (Radio)
$18,000.

PALACE— (2,509)

Total gross was $44,300. Average

days.
Manager
held over to open
exclusives of the

Tops Boston;

generally.
days.

,

Gross:

gross by $1,500.
Clear cool weather helped business

Stanley

week

Escape Me"

Graff,

Ballet. Gross:

(Average, $34,600)

by

Fox Uptown, made

the

Still-

$30,000.

at

here, was employed
by Selznick as Kansas City
branch manager shortly prior
to the company's bankruptcy.
He entered his claim for two
weeks' salary, totaling $270,
and hadn't heard about it, he

manager

age by $700 at $3,700.

Estimated takings

—

was awaiting him at the office of a New York attorTruog,

downtown

continued

a

for

Gross in K.C.

Corp*

Distributing

Sefcnick

Cleveland, June 19. "Public Hero
No. 1" was the biggest first run atYale," with a
Olga Baclanova, reached $18,000, over traction of the week. It grossed $15,the line by $3,000, at the Oriental, but 500 at Loew's State, which is $5,500
business in most spots went into a over average, and was moved to the
Chicago,

$4,400, Best

City, June 19.—You
have knocked W. E.
Truog over with one of
Sally Rand's feathers when
he read in Motion Picture
Daily that a salary check due
him since 1924 from the old

Kansas

Gets $15,500

Loop

the

Pampas" Gets

Truog Gets Surprise

race

betting

19.

has

—Pari-mutuel horse
started

in

"DOUBTING THOMAS"

DENVER —
Stage

show.

(Fox)

25c-35c-50c.

(2.500).

Gross:

$9,000.

7

days.

(Average,

$6,000)

"THE NITWITS"

Greater

ORPHEUM— (2.600).

Boston for the first time. It follows
the start of dog racing by five days.
It is proving heavy competition for

show.

theatres.

days.

Gross:

$2,000.

(Radio)

25c-35c-40c.

(Average,

Stage

$5,000)

"TIMES SQUARE LADY" (M-G-M)

PARAMOUNT — (2,000),
Gross:

$2,000.

25c-35c-40c.

(Average, $4,000)

7


**Variety Club**

**Pittsburgh**

PITTSBURGH, June 19.—While things are slow at the Variety Club during this period of vacations, conventions, new sales season, etc., plans are now in motion for the seventh annual basketball and the second annual golf tournament. J. O. Holley and Joe Blowitz are chairman of the picnic committee that is preparing the biggest picnic ever to be held at the club.

These are the only real activities during the summer months for the actual club members, but Steve Cox keeps the club busy with several meetings each week of his blind men (Congregants). John Glasser, recovering from a severe case of blood poisoning, it all started from a carbuncle.

Maloney, just elected member of the Rotary Club, John H. Harris represents theatres.

**Bernie Armstrong and Jerry May** of Virginia, who have gone for license for new broadcasting company in Pittsburgh.

**Jimmy Balmer** practices push ball with his wife. Aubrey, in his usual manner, is getting in shape for the picnic game.

J. T. McGeehey reports his baby now says "Hockadoredabistablas" as plainly as a grown up "proud father."

**Bill Beswanger** attends at least three ball games a week.

Continuous policy of stage shows hampering Dave Broudy at the Stanley where he is conductor. Holds him down to 30 dates a day. A new actor comes over to the Stanley that Dave doesn’t challenge—for the links.

S. M. Hanly reports the South Hills U. S. open golf champion member of Pittsburgh Variety Club.

**Mike Gallagher** every day at the open golf tournament.

**Washington**

WASHINGTON, June 19.—Because of the annual meeting of the M.F.T.O. of Virginia, the semi-monthly handicap scheduled for June 17 was canceled.

The to-be-have kings for a day, ARTHUR MAURER and JACOBA GLASSER, will be placed on the steward list later in the season.

**Joe Gins and Sid Lehman**, kings for a day, the former the squire on June 24, the first formal Variety Club event in a fortnight, have invited nearly 300 exhibitors of Kinemathscope and Washington to be their guests that evening.

Plans for the first annual Variety Club Show Boat Cruise on July 20 are going forward under the direction of Admiral Carter T. Barbon.

For the event, the following committees have been named:

- **Entertainment**—GUY WONDERS, NATE WERTHEIM, GENE FORD, PUBLICATIONS—FRANK LAFAUCE, LOU BROWN, RAY BELL

- **Ticket Sales**—CHARLES KRANZ, W. E. SMILCK, HARRY E. LOHMeyer, NAT GLASSER, LOU ROM, HARRY SUMMERVILLE

- **Concessions on Boat**—HARRY S. BROWN

- **Music**—C. FREEDERICK CLARK, PHIL LAMPMAN

- **Newspaper**—PETE, exploiter for M-G-M, has been elected a regular member of Tent No. 11.

**Ochs’ Condition Low**

The condition of Lee Ochs, who was operated upon at the York Hospital last week for appendicitis, was reported “very low” last night.

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**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**“Make a Million”**

(Paramount)

HOLLYWOOD, June 19.—Capitalizing on the current interest in various redistribution of wealth plans, this one has plenty of exploitation angles and good comedy to make it count on double bills in spite of no draw making qualities.

Charles Starrett is fired from his position as professor of economics through a complaint of Pauline Brooks, the daughter of a millionaire sponsor, because he teaches, “the wrong people have the money.” Starrett is told that he will be welcomed back when he gets his million. Falling in with a gang of art dealers, Starrett gets his million by public subscription, defeats scheming bankers and wins the girl after a series of improbable but very funny incidents.

James Burke is brilliant in a cast that includes George E. Stone, as a two-time reporter; Guy Usher, Norman Houston, Monte Carter, Jimmy Aubrey, George Cleveland and John Elliott.

The direction by Lewis D. Collins is smooth. Emmett Anthony’s story and Charles Logue’s screen play are particularly good in comedy. No production code seal. Running time, 67 minutes. “G.”

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**“Looking ’Em Over”**

**“Stranded”**

(Warner)

Crammed with rapid-fire action, romance and smiles, “Stranded” makes the most of the entertainment values offered by its story, and they are not incomparable. With the background provided by the new bridge being spanned across San Francisco Bay, overlooked by George Brent as a construction engineer, and with the activities of the Travelers’ Aid interspersed, the picture has a wide play of happenings to concern itself with.

Ray Francis, as a traveler’s aid worker in San Francisco, makes a career of helping the stranded and homeless, which she finds no easier to give up after falling in love with Brent, who asks her to do just that before becoming his wife. Their viewpoints on her work lead to an estrangement which is repaired only after Miss Francis has aided in winning back the loyalty of the bridge workers to Brent after labor agitators have imperiled Brent’s job and the success of the bridge construction.

The story is thin on credibility in some sequences, but what it sacrifices in the way of realities is more than made up for in punchy action, heart interest, and fast moving incident. Miss Francis fits smoothly into her role. Brent gives a facile performance and a good supporting cast rounds out a picture that offers plenty of exploitation opportunities. Frank Borzage’s direction is unerring with this material. Running time, 64 minutes. “G.”

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**“Men Without Names”**

(Paramount)

Coming as late as it does in the cycle, Paramount’s contribution to the “G-Men” series is not without merit. It has all the ingredients which make for an entertaining main dish on any film menu. Albert Lewis produced and Ralph Murphy directed. Fred MacMurray, Madge Evans and Leslie Fenton are the three topnotchers in the cast and their work is capital. Lending admirable support are Herbert Rawlinson, head of the Department of Justice; David Holt, Lynn Overman, Elizabeth Paterson, Grant Mitchell and Dean Jagger. Dale Van Every wrote the original.

Following a bank stickup in Brooklyn, Rawlinson assigns MacMurray to his first important task of running down the gang. A few $5 bills of the stolen serial numbers show up in Delafield, Kan., where MacMurray is sent. He stops at a boarding house where he gets his first clue and allows his first chance to formally meet the heroine, Miss Evans, who works for the local newspaper and has her doubts about him.

Mitchell, the town’s bank president, is brought into the mess by his brother, one of the gangsters involved. He is given the job of disposing of the “hot coin.” Keeping steady contact with the Kansas City office

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**Short Subjects**

**“Raging West”**

(Universal)

Buck Jones is the star in this serial, something that will give the kids plenty to shout about. The first three chapters, running about 20 minutes each, are packed with excitement even foot of the way. The story has to do with the efforts of a group of no-good fellows to get possession of a map belonging to Jones which contains the location of a piece of gold-bearing land. This serial has been beautifully photographed. Supporting Jones are Muriel Evans, about whom the hero is “that way,” Walter Miller, Frank McHarg and William Desmond, among others. Ray Taylor directed. Production Code Seals on the three initial installments are numbered 796, 797 and 798. “G.”

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**“Along Flirtation Walk”**

(Vitaphone)

Another in the appealing series of Leon Schlessinger animations. The color tones are attractive and musical effects deserving of applause. The story concerns the big egg laying contest of the season with the losing team coming up from yonder and carrying off the laurels.

It’s worth a spot on any program. Code Seal No. 0661. Running time, 7 mins. “G.”

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**“SkI Scrapers”**

(Educational-Fox)

Panoramic beauty sweeps through every frame of this Treasure Chest Prod. It shows a group of ski-ers in action in Norwegian mountains. Various effective angles have been caught by the photographers. Plus the interesting narrative by Edward Thorogerson, this short is unlimited in its appeal. Production Code Seal 0416. Running time, 8 mins. “G.”

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**“What’s the Idea?”**

(Vitaphone)

Lew Pollack, the composer, in a review of some of his recent hits, which by this time are pretty well dated. He plays a number of hit tunes as the performers sing and dance. Behind the motive for listening to the songs is the idea to sell them to a film producer. Mildly entertaining. Code Seal No. 0254. Running time, 10 mins. “G.”

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**“Town Hall Follies”**

(Universal)

Oswald is transported back to the gay nineties. We see him as an usher at a theatre who, forgetting that the villain on the stage is just playing rushes to the rescue of the heroine. The villain runs for it, while Oswald is too busy in trying to shoo off for other contenders for the Hull title. It’s fair.

Production Code Seal No. 0436. Running time, 17 mins. “G.”

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**“All for One”**

(Educational-Fox)

Sylvia Fruos sings two numbers in this short film. One is the Hula Song, written by a woman who falls for her at the first introduction and has a problem on his hands as a result. As usual with other contenders for the Hull title. It’s fair.

Production Code Seal No. 0436. Running time, 17 mins. “G.”
PHILADELPHIA, June 19.—Building from a slow start caused by rainy weekend, "Esquire" gross was increased to $18,000 at the Fox to lead the Philadelphia parade. It was held for a second week.

"Escaping Never" also enjoyed a build in the latter part of the week and was held for a second week at $9,000, which topped the house average by $2,000.

The rest of the town couldn't shake off the holddowns of hot and wet weather. Total first run business was $74,000. Average was $7,500.

Estimated takings for the week ending June 13:

"ESCAPE ME NEVER" (U. A.)
ALDINE—$2,850, 25c-35c-40c, 3 days. Gross: $10,900. (Average, $3,633.)
"THE FLAME WITHIN" (M-G-M)
ARCADE—$1,600, 25c-30c-40c, 8 days. Gross: $1,900. (Average, $240.75.)
"GIRL ON THE AVENUE" (Warner's)
ROYD—$2,200, 25c-35c-40c, 7 days. Gross: $10,900. (Average, $1,000.)
"ACE OF SACRAMENTO" (M-G-M)
EARLE—$2,100, 25c-35c-40c, 4 days. Stage: "Spikes of '90" with Count Hunt. Ross, gross: $12,000.
"DOUBTING THOMAS" (Fox)
FOX—$1,300, 25c-35c-40c, 6 days. Stage: "California College." Vera Van, Jans and Lyndon Revue. Gross: $5,000. (Average, $833.)
"LES MISERABLES" (U. A.)
KARLTON—$1,000, 25c-35c-40c, 6 days. Gross: $6,000. (Average, $1,000.)
"BREAK OF HITS" (Radio)
KARLTON—$1,000, 25c-35c-40c, 6 days. Gross: $6,000. (Average, $1,000.)
"PUBLIC HERO NO. 1" (M-G-M)
STANLEY—$2,100, 25c-35c-40c, 9 days. Gross: $10,000. (Average, $1,111.)
"THE CHAMP" (Paramount)
STANLEY—$1,000, 25c-35c-40c, 6 days. Gross: $5,750. (Average, $958.)

"TWO OF MISSISSIPPI Not At Allied Meet"
JACKSON, Miss., June 19.—A resolution protesting against publicity concerning the representation of Mississippian exhibitors at the recent Allied States national convention at Atlanta, believed to have been authored by Allied, was adopted by the L. T. O. of Miss., at the meeting here this week.

The resolution set forth that no member of the organization, the only exhibitor at the rate, attended the Allied session. The resolution was followed by another endorsing Ed Kaykendall, M.P.T.O.A. president, who is a resident of the state.

Get Change of Venue

WHITE PLAINS, N. Y., June 19.—Movietone News and Fox Film Corp. were granted a change of venue to New York City in Supreme Court here today in the $100,000 damage suit brought by the theatre owners by William Smith, head of the Internation Flight Corp., as an aftermath of the wrecking of a Sikorsky amphibian in an effort to transfer films of the assassination of King Alexander of Yugoslavia from the liner Washington at sea while the plane was in flight. The plaintiffs charge the loss of the plane ruined a contemplated flight to Moscow.

"Doubling" Is Philadelphia's High, $18,000

Ascap Trial Is Put Over Until Nov. 4

(Continued from page 2) manner in which much of the evidence has been introduced, and with little prospect of a change in tactics involved.

With stipulations agreed upon, counsel felt, many witnesses can be relieved of testifying and the testimony of others can be shortened.

Burkan asked for postponement of the trial until fall when the case was held to proceed in Fast Judge Henry W. Goddard 10 days ago, but when government counsel applied to Washington for consent to reschedule it was refused and the trial was begun.

An adjournment would have had to be taken July 1 in any event as Judge Goddard is scheduled for a new assignment on that day which will occupy him during the following three months.

Again "Anchors Aweigh"

Hollywood, June 19.—There is still another title change on Warners' "Anchors Aweigh," which has been called "Anchors Away," "Classmates" and "Dress Parade.

It seems that Columbia has the rights to "Dress Parade," so the film is again shooting as "Anchors Aweigh." One more change is expected.

"Men Without Names"

(Continued from page 10)

This Soviet film, produced by Moscow Kino-Combimat, probably comes closer to being popular entertainment for American audiences than most of the product that has recently found its way here from Russia. 

Dealing with airplanes and airmen, it touches on a theme familiar to American fliers. Those who thrill to the sound of a plane motor will most likely get a kick out of "Men on Wings.

What propaganda there is in this production is almost negligible. The film, a tribute to the air service of the new Russia, reveals life in a Soviet flying school. The story mixes drama with humor and packs some exciting action.

The film contains a romance of a sort in which the principals are E. K. Melnikova and I. I. Koval-Samborsky. The latter, an air squadron commander, is ground when his disregard for orders causes a crash in which he is injured. The rest of the film details his efforts to regain permission to fly, with the girl, a student at the school, aiding him. There are English subtitles. The roles are well-enacted. J. Reisman directed. No production code seal. Running time, 85 minutes. "G."
Doing nicely at the ROXY (N. Y.) thank you!

VAGABOND LADY

GET IT WHILE IT’S HOT!
NRA to Take Over Federal Trade Rulings

**Aim to Avert Danger of Unequal Advantages**

By BERTRAM F. LINZ

WASHINGTON, June 20.—Abandonment by the Federal Trade Commission of its trade practice subliminal policy has been decided upon in order that all voluntary agreements entered into by industry may be handled by the revised National Recovery Administration.

Decision to confine the handling of such agreements to the NRA was reached upon a showing that if the Trade Commission continued to handle them business organizations might (Continued on page 2)

Ten Campi Members To Discuss Outlook

Ten members of Campi will meet Monday to discuss the industry from the time the code ceased to the present. When Campi met the last time it was decided to call another session in three weeks, during which time the members would take cognizance of (Continued on page 2)

Roach to Make More Full Feature Films

Production of comedies of feature length will be a regular policy at the Hal Roach studios in the future, it was said yesterday by the producer before returning west after conferences with Nicholas M. Schenck, head of M-G-M. In the past Roach has (Continued on page 14)

That Man Again

Chicago, June 20.—Drake lobby reports insist that Lou Goldberg, RKO theatre division manager who handles the circuit's east side, the atres in New York City, plans to change the title of "Becky Sharp" to "Becky Shapiro" when it plays the Franklin and Apollo.

Goldenberg is the same chap who converted "Hold 'Em Yale" to "Sam, the Goniff" when it ran at the latter house. Jules Levy, however, is on his trail.

Openings Gain Over Closings In Many Spots

New Houses Numerous; Racing Causes Worry

Openings continue on to outrun closings in many sections in spite of the increasing competition of outdoor sports as summer advances. This is especially true in New England, and is also marked in some parts of the south.

There has been no letup in incorporations of new firms, Vancouver and northwestern points in the United States are getting new houses.

The principal dark spot on the theatre horizon at the moment seems to be an increase in horse and dog racing with pari-mutual betting.

Fox Name Is To Be Kept, Says Schenck

Fox - 20th Century definitely will be the name of the merged Fox and 20th Century companies, Joseph M. Schenck stated last night, scouting reports that the Fox name would be let out. He also denied that a new stock issue would be public subscription苗an was planned.

Schenck arrived on the Normandie accompanied by Maurice Silverstone, chairman of the U.A. board in England. The latter is vacationing and will spend several weeks here and will go to Hollywood for the convention next month.

W. E. Will Retire $35,000,000 Bonds

Directors of Western Electric voted yesterday to redeem on Oct. 1 at 97 and accrued interest the entire issue of $35,000,000 five per cent gold debenture bonds outstanding.

In the meantime the company will accept these bonds at this price with accrued interest to date of presentation. It was explained that the company finds itself with sufficient funds to retire the bonds and that no new financing was involved.

RKO Leaders Head East as Meet Ends

CHICAGO, June 20.—Individual sales conferences today followed the closing of the three-day RKO Radio sales convention here last night.

A big delegation is due east on the 20th Century this afternoon. In the group were: J. R. McDonough, president of RKO Radio Pictures; B. B. Kahane, president of RKO Studios, (Continued on page 11)

Kuhn, Loeb Para. Profit On Market Was $334,995

By CLARENCE LINZ

WASHINGTON, June 20.—Profits of $334,995 were made by Kuhn, Loeb & Co. through trading in Paramount securities during the period Sir William Wiseman, a partner in the banking firm, was serving as a member of the Kuhn. Loeb selected boardholders' protective committee headed by Frank A. Vanderlip, former head of the National City Bank, it was revealed today at the Securities and Exchange Commission hearing on the Paramount reorganization.

Under insistent questioning by Commission counsel as to the ethical aspects of trades by committee members in the securities of the company which they were trying to protect, Wiseman protested that it was not for the "high moral" attitude of Kuhn, Loeb the company could have made $1,000,000.

Digging into the trading operations of committee members after showing yesterday that Vanderlip had been (Continued on page 11)

Cohn-Goldwyn

Hollywood, June 20.—Harry Cohn, Columbia representative, has resigned from the Producers' Ass'n, thus joining the exclusive rank of members of the association which has been occupied solely by Samuel Goldwyn.

Hollywood has not yet brought itself seriously to the point of speculating on whether Cohn and Goldwyn will form a new association of their own--the idea of an association dominated by Cohn and Goldwyn being something that would bring a high bid for serial rights.

U. A. to Have 24 Features, Says Lichtman

May Get Four More, with 18 Disney Shorts

United Artists will have a minimum of 24 features and 18 Walt Disney subjects on its new season schedule, with a possibility of an additional four or more features from a producer with whom negotiations are now in progress, Al Lichtman, U. A. president, said yesterday.

U. A.'s new season schedule as it now shapes up calls for six pictures from Samuel Goldwyn; four to six from Alexander Korda; four from David O. Selznick; three from Reliance Pictures; two from Charles Chaplin; one or two from British and Dominion Pictures. (Continued on page 4)

Penn. Senate Passes 4% Ticket Tax Bill

HARRISBURG, Pa., June 20.—The Pennsylvania Senate today passed by a vote of 37 to 12 the Eberharter House bill placing a four per cent (Continued on page 14)
MOTION PICTURE DAILY
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MOTION PICTURE DAILY

Friday, June 21, 1935

NRA to Take Over Federal Trade Rulings

(Continued from page 1)

What was going on in the industry. The meet will be held in the RKO board room in the RKO Building.

J. Robert Rubin will be chairman. Attending will be Ed Kujkendall, Nathau Yamin, Harold S. Bardrow, Charles L. O'Reilly, W. C. Michel, Leslie E. Thompson, Austin C. McKee, Edward O. Boulanger, John Flinn and Tyree Dillard. Jr. Flinn will act as secretary and Dillard will act in a legal capacity.

Wis. Arbitration Moves Start

Milwaukee, June 20.—The I.E.P.A. has named a committee to contact the Fox and Warner circuits here for the purpose of working out some plan of local government in cooperation with the exchanges. It is hoped to be able to draft an arbitration board which would function to iron out problems of zoning and clearance and other grievances.

Reports are also current that the Film Board of Trade, which has been inactive during the operation of the code boards, will be revived. It is doubtful, however, whether anything definite along this line will be accomplished for another month or more.

Hornstein Elected Dealers' Chairman

Chicago, June 20.—Joh Hornstein of New York was elected chairman of the board of Independent Theatre Supply Dealers. Also, Benjamin Shearer of Chicago was elected president to replace J. E. Robin, who, under the new setup, becomes secretary.

Other directors are Arthur Mar- rone, George MacArthur and Joseph Graham, K. R. Douglas is vice-president and Clem Rizzo treasurer.

Famous Music Will Remain with Ascap

Famous Music Co., Paramount subsidiary, will make a new five-year agreement with the American Society of Composers, Authors & Publishers on the expiration of its present contract, Aug. 31, Lou Diamond, president of Famous, said yesterday.

The new five-year agreement may be signed within the next month or two, he said.

Ten Campi Members To Discuss Outlook

(Continued from page 1)

Plan Negro Star Films

International Road Shows, Inc., has made arrangements to produce four features starring outstanding negro talent. Ethel Waters, Bill Robinson, the Mill Brothers, Pansy, Eubie Blake, Calloway and Duke Ellington are being sought, according to H. W. Reiter, Financing is to be done through Sav- erio Cogliotta.

Acquire Falaise Film

DuWorld Pictures, Inc., has taken over distribution of the Technicolor feature produced on the island of Bali by the Marquis Henri de la Falaise de la Courdroy. It is called "Leogon, the Dance of the Virgins,"

Purely Personal

M. LITCTHAN, Harry Gold, Joe Moskowitz, Paul Burger, Paul Lazarus, Arthur Kelly, Harry D. Johnston, Hal Hall and others have welcome home luncheon for the new U. S. president at the M. P. Club yesterday. Others at the club, but not on the Limichan party, included Ben Judell, Don Jacocks, Sidney Justin, Charles Rosenzweig, Joe Hornstein, Jack Shapiro, Harry Brandt and Sam Krellberg.

ALBERTO MONROY of the Mundo Cinematografico and Euprose Cinematografica Mexicano is in Mexico this week and plans to spend three days looking over the independent market for pictures for his Miami exchange.

JOE E. BROWN, who left the coast for New York yesterday, will be on the East program over the NBC network June 30 in a scene from "Elmer the Great."

LEWIS MAISELL, general manager of Ultramas films, left yesterday for New Bedford to arrange for locations and get going on film he intends to produce.

QUEENIE SMITH has been signed by J. L. SACHS to appear in his London production, "All the King's Horses." The deal was handled by the William Morris Agency.

REG WILSON, special sales representa- tive for E. T. C. in this three feature language film he intends to produce.

SAUL KRAMAN of the home office staff has gone to Philadelphia and Washington.

JAKE WILK, Warner story editor, and JOHN FABRAN, who was an ad- visor to the production, have a "unanimous Adverse," arrive here today.

JOSEPH DONOVING, Broadway act- or, has been engaged by Warners for a role in "Doctor Socrates." He heads west Sunday or Monday.

E. R. GODBEAR leaves tomorrow by plane for the coast on a quick technical survey of the studios.

HOWARD STRICKLING, Howard Dietz and Si Seabler made an M-G-M call here on "21" yesterday.

HARRY PRICE, Canadian independ- ent exchange man, is in town for a few days.

ERNO FABER, Dock Eysell and Fred Kornick have been made mem- bers of the M. P. Club.

BEN JUHELL of Chicago and SAN- DICKER of Detroit are visiting here for several days.

TOM BRENNAN, Atlanta independent exchange operator, is in town. He's at the Edison.

FRANK MELFORD plans to head for the western studios shortly.

LOUIS PHILLIPS is due back from St. Louis Sunday.

DARRYL ZANUCK was on the vis-

itors' list at United Artists yesterday.

JOEL SWENSEN is dividing the vaca- tion between Maine and Canada.

IRVING BERLIN is back after attend- ing the RKO convention in Chicago.

... San Francisco

WILLIAM B. WAGON, who intro- duced several of the new pictures to San Fran- cisco, has been married to ESTELLE CAMPBELL.

Joe Leo has been in town from Los Angeles visiting with Harry Gou- nberg regarding a possible change of policy at the Fox which Gouen- berg mentioned last week:

HARRY EYBET, owner of a circuit in the Philippines, is here on his way to New York.

J. J. FRANKEL is due to arrive here this week from Honolulu to confer with William Citron over a new thea- tre. Harry is attending with Harry Gouen- berg regarding a possible change of policy at the Fox which Gouen- berg mentioned last week.

FRANK EYBET, owner of a circuit in the Philippines, is here on his way to New York.

[Continued on page 1]
Your favorite trade paper reviewers report:

IT'S THE MOST ENTERTAINING OF THE WHOLE CHAN SERIES!

Audiences will shiver with suspense . . . and shake with laughter . . . as Charlie Chan defies the weird curse that guards a ghostly Egyptian tomb . . . with Stepin Fetchit as his reluctant aide. It's an exploitation honey!

CHARLIE CHAN IN EGYPT

WARNER OLAND

"Pat" PATERSON • THOMAS BECK • RITA CANSINO

STEPIN FETCHIT

Produced by Edward T. Lowe. Directed by Louis King. Original screen play by Robert Ellis and Helen Logan. Based on the character "Charlie Chan" created by Earl Derr Biggers.

YOU HAVEN'T A SHOW WITHOUT FOX
Openings Gain Over Closings In Many Spots

(Continued from page 1)
closings in spite of heavy competition from last year’s last-minute, dance re-
dress, beaches and other seasonal attrac-
tions in this vacation spot. The Casino at Hampton Beach, N. H., has
been reorganizing, and the management of John J. Flynn of Lawrence, Mass.
The Barn, in Hampton, N. H., opened June 18.
The Park, operated by the Park Amusements Corp. and managed by Max Michaels, has darkened for the time being, probably until fall. The Broadway, in South Boston, is dark. The Opera House, in Ashland, Mass., has opened.

Dallas Sale Is Approved

DALLAS, June 20—Sale at auction of the MCLA, downtown first run, and re-
organization plans for the property, which has been in Federal receivership,
has been approved by Judge William H. Atwell in Federal court. Karl Hobbizelle, who has a lease on the property, will manage the theater and the office building.

The sale was made to a committee representing bondholders, who bid $191,000, which was the only bid. John Erhardt, special commissioner, said the property was worth more, but due to present conditions the price was the best the committee could get. He explained that Hobbizelle had bought up many of the bonds and leased the property because of his "nuisance value."

Ohio Houses Open, Close

CANTON, O., June 20—Two houses have closed, another will open next month and three have been opened in this territory.

The Opera House here and the Prince Youngstown are already dark and the Columbia at Alliance will be closed July 1.

The Shubert has opened the Falls at Cuyahoga Falls to take care of the bank night overflow from the Alhambra. A. M. Brown has opened a new house, seating several hundred at Buckeye Lake Park. A third house opened recently is the Park, at Canton Lake Park, operated by Harry Lewis.

Menards Take Another

LOS ANGELES, June 20—Jack Men-
ard and Mrs. Menard have taken over the Arroy from James Randall and will continue it as a first-run good house.

They also operate the Show-
shop and the Burbank at Burbank.

M. B. Cameron, former Dallas exhibitor, has acquired the subsequent run Metro from E. L. Thompson, who has returned to Portland, Ore.

Edward Manson has been named manager of the Rosemary at Ocean Park by F.W.C. The house has been dark for seven months.

Cinex Orpheum Is Closed

CINCELLE, India, June 20—The Cinex
Orpheum, 2,100-seat independent neighbor-
hood house located opposite the RKO Paramount, has announced that future plans are understood to be indefinite.
The house has been operated by M. Chester Martin, part owner, since reopening last fall, previously

Wall Street

Paramount Gains 1/4 on Big Board

High Low Close Change
Columbia v/t (ct) 63 63 62 1/2 -1/4
Consol. 35 35 34 3/4 +1/4
Conn., pfd (158%) 147 147 146 1/4 +1/4
Eastman Kodak 145 145 143 1/4 +1/4
Fox "A" 141 149 141 1/4 +1/2
Loew's 134 139 138 1/4 +1/2
Paramount 35 34 34 1/4 +1/4
Patrie "A" 9 9 9 1/4 -1/4
Universal, pfd 316 316 314 +1/4
Warner, pfd 215 212 212 -1/8

Technicolor Off on Carb Net

High Low Close Change
General Theatre 233 215 215 -1/4
Paramount 221 201 201 +1/4
Lowe's 161 161 161 +1/4
ww deb rights 104 104 104 +1/4
Paramount Eway 31 31 31 +1/4
Param. 49 49 49 +1/4
Prod. 95 95 95 1/4
Warner's 59 59 59 -1/4

(a) Plus stock extras. (K and v) Paid this year.

Fox Name Is to Be Kept, Says Schenck

(Continued from page 1)
new company, Schenck said this is not
true.

There are just three of us: S. R. Kent,
who is president, myself as chairman of
the board and Darryl F. Zanuck, who is vice-president. What
part William Goetz and Joe Mosko-
waitz will play in Fox -20th Century
has not yet been decided, he said.

Susan Hayward, the picture star, is to deal
with Elisabeth Bergner and Paul Cin-
ner, who will produce the films in London. He also added that the the-
ater here and the office building
of John J. Flynn of Lawrence, Mass.
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Paramount 35 34 34 1/4 +1/4
Patrie "A" 9 9 9 1/4 -1/4
Universal, pfd 316 316 314 +1/4
Warner, pfd 215 212 212 -1/8

Technicolor Off on Carb Net

High Low Close Change
General Theatre 233 215 215 -1/4
Paramount 221 201 201 +1/4
Lowe's 161 161 161 +1/4
ww deb rights 104 104 104 +1/4
Paramount Eway 31 31 31 +1/4
Param. 49 49 49 +1/4
Prod. 95 95 95 1/4
Warner's 59 59 59 -1/4

(a) Plus stock extras. (K and v) Paid this year.

Fox Name Is to Be Kept, Says Schenck

(Continued from page 1)
new company, Schenck said this is not
true.

There are just three of us: S. R. Kent,
who is president, myself as chairman of
the board and Darryl F. Zanuck, who is vice-president. What
part William Goetz and Joe Mosko-
waitz will play in Fox -20th Century
has not yet been decided, he said.

Susan Hayward, the picture star, is to deal
with Elisabeth Bergner and Paul Cin-
ner, who will produce the films in London. He also added that the the-
ater here and the office building
of John J. Flynn of Lawrence, Mass.
The Barn, in Hampton, N. H., opened June 18.
The Park, operated by the Park Amusements Corp. and managed by Max Michaels, has darkened for the time being, probably until fall. The Broadway, in South Boston, is dark. The Opera House, in Ashland, Mass., has opened.
SOMETIMES THEY STEAL THE SHOW. THEY ALWAYS MAKE IT A BETTER SHOW. THEY ARE THE MARGIN OF SAFETY IN YOUR PROGRAM BUILDING.

FOX - Educational Short Subjects

Value is the watchword of the day, no matter what product you are buying. This is as true of motion pictures as it is of clothes or automobiles. There is not a better value to be had in the film market than Fox-Educational Short Subjects. Dollar for dollar, they give your patrons as much entertainment, and you as much box-office value, as your money can buy. The product of the industry’s leading short subject specialists, Educational Pictures and Movietone News, Inc., these one and two-reel attractions take highest place in star name power, and from every other standard of value.
ALWAYS THE BIG NEWS OF THE YEAR IN SHORT SUBJECTS

Educational's TWO-REEL COMEDIES

You’d think they were features judging from the brilliant line-up of big stars. But you’ll get all these and many more marquee names in Educational’s two-reel comedies for 1935-1936.

Educational’s Comedies shattered all records for name values last year. And this is just a starter for the new season.

Presented by E.W. HAMMONS

Educational
12 STAR PERSONALITY COMEDIES

They'll be again the peak of all short subjects in star power. Such names as Joe Cook, Buster Keaton and Ernest Truex. Every Star Personality Comedy is a box-office attraction.

12 MUSICAL COMEDIES

The most lavish of short musical productions. And as full of fun as of melody. Remember "She’s My Lily", "The Girl From Paradise" and "Nifty Nurses."

8 CORONET COMEDIES

Tom Howard and George Shelton and other popular stars to be announced later in a series that never fails for good rollicking fun.

8 FROLICS OF YOUTH

Few comedies have been more universally popular than "Frolics of Youth", for light hearts of any age always respond to the foibles and frolics of adolescent youth.

ADDITIONAL SERIES OF TWO-REEL COMEDIES ON NEXT PAGE
THE INDUSTRY’S BIGGEST COMEDY VALUE
BIG NAMES-BIG LAUGHS-BIG BOX OFFICE PULL

6 TUXEDO COMEDIES
Reviving a long popular series of comedies with production class as well as big laughs. Buster West and Tom Patricola and a bevy of beautiful girls will introduce this new series.

6 YOUNG ROMANCE
There's love in their hearts and a song on their lips... and always vigorous life and laughter. All the world... and all your customers... must love a “Young Romance.” With Warren Hull and other popular singing stars.

Presented by E.W. Hammon
58 FOX - Educational
ONE-REEL PICTURES

Bring You Everything You Want in Single-Reel Entertainment...

26 PAUL TERRY TOONS

By Frank Moser and Paul Terry
Music by Philip A. Scheib
A good cartoon is the perfect entertainment for 100 per cent of your audience. Put Paul Terry-Toons at the top of your list in planning your one-reel bookings.

6 ADVENTURES of the NEWSREEL CAMERAMAN

Produced by Truman Talley
Edited by Lew Lehr
Foot by foot, they pack the most thrills and excitement you can put on your screen. Still steadily growing in popularity.

ADDITIONAL SERIES OF ONE-REEL SUBJECTS ON NEXT PAGE
There's a FOX Educational ONE-REEL PICTURE
For Every Program Need!

10 SONG AND COMEDY HITS

Popular stars of the stage, radio and screen in a unique series of mirth and melody. Pictures of pleasing novelty, merry laughter and beautiful music. (Educational Pictures)

6 Along the ROAD to ROMANCE on the MAGIC CARPET of Movietone

Produced by Truman Talley
Edited by Lew Lehr
Narrated by Ed Thorgersen

Each one a travel adventure that gives your program a touch of beauty you cannot beat.

10 GEMS from the TREASURE CHEST

The widest variety of novelty entertainment in the single-reel class. There's always a surprise, and a thrill, in a Treasure Chest production. (Educational Pictures)

Printed in U. S. A.
Kuhn, Loeb Paro. Profit On Market Was $334,995

(Continued from page 1)

Wiseman explained he had never previously held any firm. They would give the securities because "in spite of the apparent mad situation of the company," he had told the bidding bankers. "I said at every meeting bankers should advise clients not to sell. I estimated the company would be worth $80 to $90 after reorganization."

New York financial experts present expressed surprise when Harold A. Palm, president of the executive committee of the revamped Parma, testified that the group he represented held only about $9,000,000 worth of the company's indebtedness of some $55,000,000, privately stating that it had generally been believed the group represented a much larger interest.

Fortington asserted the various interests he represented had bought stock out and that there was no discussion of contract or remuneration for his efforts. For the Committee for the commission, however, flashed a memorandum prepared long before he got into the picture, which Fortington admitted he had written, which contained a list of number of charges against the company, including the following:

**Bad Management is Charged**

Telling the witness into the field of espionage, Fortington explained Wednesday, his acting as counsel to the company, had brought him excess salaries and bonuses were paid to a favored group of officials, and that the company charged a "farcical" stock in bonds that is excess salaries were the general practice. The president and one or two vice-presidents, he said, received salaries which had "no relation to what they should be. Improper distribution of several million dollars to common stockholders out paid for."..."...the redistribution of millions in the repurchase of stock. Assets wrongly hypothesized with bankers as collaterals, this being in remuneration with the production corpor...Large sums wasted in purchasing real estate, at unjustly high prices. Padding of payrolls with unnecessary employees and relatives. hypnotized and charged collusion between the management and bankers and alleged that they had designated "paid" committees and arranged with the courts for the bankruptcy. He explained that by "paid" committees referred to the Vanderlip bond and blockholders' committees, and declared he had been invited in 1932 to become a member of the protective committee for the Paramart Broadway Corp., with intimations that he would be paid.

Ludington Backs Six For Para. Release

Hollywood, June 20—Nicholas Ludington of First Division Prod., is feminine will be the choice of the production of six "Hop Along Cassidy" films for Paramount release. The first is now in work in the Prudential studies. Ludington flies to New York Friday afternoon.

Mayor Signs Sunday Bill

The bill authorizing Sunday legislative is held to be passed by the Board of Aldermen Tuesday, was signed yesterday by Mayor de Guardia.

that market, said Joost Smit, part owner of Rembrandt Film Corp., Carl Wallman, sales representative in Scandinavian countries, received a commission of 10 per cent, which had sold his possibilities 100 per cent.

**Selling Prizes Awarded**

Chicago, June 20—Winners of a week's salary in the RKO sales drive were employees of the following exchanges: Jacksonville, St. Louis, San Lake City, and Winnipeg; winners of a half-week, Minneapola and Toronto. Company's managers in other exchanges in the following branches: Indianapolis, $125; Oklahoma City, $75; Washington, $50. Accessory prizes went to Remembrance of the RKO Des Moines and Memphis. Bookers' awards from the Van Beuren Corp. Lincoln, $25; Dallas, $75; San Francisco, $50.

Nat Levy, Detroit manager, won the Van Beuren special shorts prize, and Herbert Greenberg, New York, came in second. Other special prizes were awarded by Pathe News.

**Kennedy to Far East**

Chicago, June 20.—Before departing for New York after the close of the RKO sales convention Phil Reisman, vice-president of RKO Export Corp., has announced the appointment of Frank Kennedy as assistant general manager of the RKO distributing Corp. home office staff, as company representative in China and Japan.

Kennedy will leave San Francisco June 28 on the President Wilson. He will arrive in Hong Kong June 29. General manager of the Paris sales office, and Michael Hasen was made sales representative for Central Europe.

**Radio Signs North, Gow**

Hollywood, June 20.—Radio has given term contracts to Edmund North and James Gow. The pair are currently working on the Lily Pons picture, tentatively called "Love Song." John Cromwell will direct the picture under the supervision of Pandro S. Berman.

**Three Added to Barton Cast**

Hollywood, June 20.—Margaret Callahan, William Harrigan and Maudie Delaney have been added in the cast of Radio's new James Barton picture, still untitled.

**Radio Buys Two Stories**

Hollywood, June 20.—Radio has a contract for a series with music called "Rellik". It is furnished by Bert Granite and Phil Epstein, has been acquired by Radio. Leigh James, who directed the Brown mystery, has also been bought.

Wallace Fox Becomes Director

Hollywood, June 20.—Radio has promoted Wallace Fox from unit manager to "Powdermonkey Range" will be his first.
For 1935-36
UNITED ARTISTS WILL RELEASE NOT LESS THAN
24 Important MOTION PICTURE FEATURES
THE STANDARD OF THE INDUSTRY
and Walt Disney Productions
ALL IN TECHNICOLOR

CONTRACTING WILL BEGIN JULY 15th IMMEDIATELY AFTER OUR SALES CONVENTION
See Possible Cut In Admission Tax

(Continued from page 1)

extension had been adopted in the expectation that enactment of new tax legislation along the lines recommended in the President's message yesterday would avoid the elimination of the so-called nuisance taxes.

If the plan works out, it is possible the exemption from admission tax may be returned to its pre-depression figure of $3.

Ticket Tax Revenue Up

WASHINGTON, June 20—Improvement in theatrical conditions is disclosed by figures made public today by the Bureau of Internal Revenue, placing admission tax collections in May at $1,243,676, as against $1,157,670 in April and $1,164,986 in May of last year.

Penn. Senate Passes 4% Ticket Tax Bill

(Continued from page 1)
tax on admissions to theatres and other places of amusement in the State. The House must concur in the amendments made in the Senate to the original measure before it can be sent to Gov. Earle for his signature. Concurrence is practically assured before final adjournment of the session tomorrow.

The proposed act is estimated to yield $5,500,000 in taxes in the next two years, and it sets a tax of 4 per cent on tickets. The measure was sponsored by Rep. George G. Ricker.

Full Production Code Seal

Producer Motion Picture Daily (New York, N.Y.), 14 June 1935, page 41, column 4. The Seal of Production Code is issued by the Motion Picture Producers and Distributors of America, Inc., to signify that a motion picture is in compliance with the Code. The Code was a self-enforced moral code that attempted to regulate the content of motion pictures to ensure that they were not harmful or offensive to the public.

Looking 'Em Over

"Sans Famille" (DivWorld)

In "Sans Famille" ("Without Family") intelligent treatment makes an old story seem almost fresh. Here again is the tale of the long-lost child who is乡村振兴 in the hope of finding the title of the shamed named child is told in by a French peasant family. Later he is saved from an orphanage by a wandering performer. When the latter dies the boy takes upon the wandering life alone until he meets his real mother.

The wail is played by Lyen in highly sensitive manner. His performance helps the film tremendously. He is surrounded by a fine cast including Vanni-Marcoux, Darville, Madeleine Guitty, Bérengère, and another younger named Serge Grave. The photography captures some beautiful scenes of the French countryside.

Andre Motex Eon directed this Pierre Braumander production. No production code seal. Running time, 90 minutes. G.

"Adventurous Knights" (Almac) Exhibitors will probably have adventurous nights and days if they play this picture. The kids will probably like it, but not so with adults, for this is the type film that will cause audiences to express their opinions auditorily.

If Director C. Edward Roberts was aiming at puerile audiences, then he hit his mark. The camera work of Robert Cline is fair, but there appears to have been inserted too many stock shots.

The yarn concerns an American-raised boy taken back to a Balkan country to ascend the throne. His early training and democratic ideas don't fit in well with his new surroundings. All the usual plots and counter-plots to keep him from being crowned are brought into play and these all help the hero, David Sharpe, to display his athletic prowess. All ends well, however, and Sharpe is crowned king and takes Gertrude Messinger, his true love, for his queen. Others in the cast are Mary Kornman and Mickey Daniels.

Production Code Seal No. 552. Running time, 56 minutes. G.

"Speed Devils" (J. H. Hofberg) Produced and directed by Joseph Henabery, this independent romantic adventure is designed for neighborhood trade where duds are the order of the day.

The story has Russell Hardee and Paul Kelly, two auto racers, vying for Margarette Churchill, a local news sleuth busy uncovering the designs of local politicians. Maimed in one of the big races, the two pals go into the auto repair business. Everything goes along swell until the politicians try to influence race winners. Hardee can't go for their plan.

Although she has been going around with Hardee, Miss Churchill tells hard for his partner. Kelly and the girl are framed by the politicians in an effort to split the partners. It works out as planned. Later when the plot is unravelled, Kelly is declared the winner for Miss Churchill's honors with Hardee a good loser.

Reviewed without production code seal, running time, 61 minutes. G.

Charter Two N. Y. Firms

ALBANY, June 20.—Seiden Sound Library, Inc., capital $10,000, has been chartered by Samuel Rosen, Murray Dichter, and Esther Perlman.

Park Slope Trans-Lux, Inc., has been incorporated to exhibit pictures in Brooklyn. President is Maxwell William A. Kolbert and Helen Schweitzer.

Kruppandell Spunk

KANSAS CITY, June 20—Ed Kruppandell, president of the M.P.T.O.A., will address the K.M.T.A. convention at the President Hotel here June 26 and 27.

Location of the meeting has been reset from the Variety Club headquarters to the President.

Form Cinci Film Club

CINCINNATI, June 20.—The Cincinnati Film Club has been organized here for the purpose of producing amateur pictures, with the hope that at least one each year will rate participation in the annual amateur contest in Hollywood. The company also expects to make a feature of sufficient merit to be shown in local theaters.

Dr. J. M. Steen is president.

Dissolve Paschal-Texas

DOVER, Del., June 20.—Paschal-Texas Theaters, Inc., of Dallas, has dissolved. A certificate of dissolution has been issued by the Secretary of State with the consent of all the stockholders.

Photography Offices Are Guilty of Fraud

Justice Edgar J. Lauer handed down a verdict of guilt in Supreme Court here yesterday against the Photo Color Corp., Photo Color Pictures, Inc., and four of their officers and directors, charged with violation of the laws prohibiting the fraudulent sale of securities.

The individuals convicted were John A. Bolles, Frank E. Nemee, Henry A. Tupper and Arthur Waddingham. They were accused of issuing false prospectuses, falsifying their books and misrepresenting securities offered for sale in the State. The defendants were permanently enjoined from dealing in securities in this State.

Carr States Mascot Will Lose Identity

Hollywood, June 20.—Following completion of Mascot's five-picture commitment to the firm, it was stated today by Terr Carr of Republic that its trade name in becoming part of Republic with Nat Levine as vice-president and producing under the Republic banner.

It was said tonight by Terr Carr of Republic at the winding up of his firm's regional office. Other independent productions also will lose their trade identities, Carr assured.

This statement somewhat conflicts with Levine's announcement on his arrival here, which read: "Our merger with Republic doesn't mean this organization, in any way will lose its individuality."

Levine could not be reached for comment last night.

Bank Night Actions Started in Midwest

KANSAS CITY, June 20—Emmett Thurman, general counsel of Allied Enterprises, Inc., Denver; Claude Pentland, editorial writer, and Ray Coffin of Allied Distributors, Inc., Des Moines, have started three copy night and windup infringement actions against exhibitors in the western Missouri and Kansas territory, according to S. P. Halpern, bank night distributor in the area.

"Can't Show "Shower"

ALBANY, June 20.—A license to exhibit "Shower" was refused by an Hungarian production, in New York State was denied today by the State Department of Education, which held the film "makes a mockery of religion, the administration of justice and the action of responsible society generally."

Oechs Reported Dying

Lee Oechs, local circuit operator, who was reported killed in a fire last week, was reported near death late last night at the York Hospital.

Karl Kitchen Critical

The condition of Karl Kitchen, the columnist and writer, was said to be critical last night at St. Luke's Hospital, where he is confined with an infection of the skin of the neck.
BOOKED SOLID BY
HOWARD S. CULLMAN.
FOR ROXY, N. Y.

16 STAR SPANGLED SPECIALS

WILL MAKE THE BOX-OFFICE THRIVE IN '35 AND DO TRICKS IN '36 . . .

THE 39 STEPS
THE CLAIRVOYANT
TRANSATLANTIC TUNNEL
THE KING OF THE DAMNED
THE MORALS OF MARCUS
RHODES, THE EMPIRE BUILDER
KIPLING'S SOLDIERS THREE
PASSING OF THE 3RD FLOOR BACK
MODERN MASQUERADE
SECRET AGENT
DR. NIKOLA
KING SOLOMON'S MINES
FIRST A GIRL
BORN FOR GLORY
ALIAS BULLDOG DRUMMOND
A GEORGE ARLISS SPECIAL

TOPS 'EM ALL

*By courtesy of Metro-Goldwyn-Mayer
IF IT'S A PARAMOUNT PICTURE IT'S

PARAMOUNT!

"ANYTHING GOES"
The No. 1 musical comedy of the year. 260 performances to date and still S.R.O. Cole Porter's score, with such songs as "You're The Top" and "I Get A Kick Out of You," is the sensation of the nation.

"SO RED THE ROSE"
The No. 1 best-selling novel of 1934. Over 100,000 copies sold to date. Over 1,000,000 readers. Publicized by newspapers, magazines, and word-of-mouth to additional millions.

"NATIONAL VELVET"
The No. 1 best-selling novel of 1935. The "Book of the Month" for May with advance sale of 50,000. Every company in the business tried to buy this great story of the famous Grand National Race.

"CARMEN"
The No. 1 opera. For many years the most popular operatic attraction on the boards, Bizet's flaming and tempestuous "Carmen" should make a musical entertainment of gigantic box-office proportions.

"VICTOR HERBERT"
The No. 1 operettas. Paramount, in possessing these great properties, owns romances that all the world wants to see—music that all the world loves.

"ROSE OF THE RANCHO"
The No. 1 David Belasco stage hit. So many requests have been made to turn this famous Belasco stage hit into a motion picture that Paramount now produces it as the first "big outdoor musical."
IN STORIES

"PETER IBBETSON"
The No. 1 classic. Read by millions as Du Maurier's novel. Seen by millions as the celebrated stage play. Heard by thousands more as Deems Taylor's magnificent opera... this is sure to be a big hit.

"THE LIGHT THAT FAILED"
Rudyard Kipling's No. 1 writing achievement in pathos. A novel of world-wide fame—a dramatic love story of universal heart appeal. A No. 1 property from which to make a No. 1 picture.

"THE CRUSADES"
The No. 1 historical romance... from Harold Lamb's famous books... the magnificent adventures of Richard, the Lion-Hearted... set against the spectacular background of the world's first great war.

"CASE VS. MRS. AMES"
The No. 1 magazine story of 1934. The 5,000,000 people who read this story in Collier's last year found it so exciting they could scarcely wait a week for the next installment.

"ZANE GREY NOVELS"
The No. 1 Western fiction of all time. These popular novels are the favorite stories of millions the world over. For years they have made the best "Westerns."

"HOPALONG CASSIDY"
The No. 2 Western fiction... Clarence Mulford's famous and exciting novels have sold in excess of 3,000,000 and have delighted more than 20,000,000 readers.
EXTRA SPEED

SUPER X "Pan" is much faster than regular Super Sensitive. Under normal conditions its extra speed gives definitely better shadow detail...general improvement in quality. And under adverse light it often means certain success instead of probable failure. Combining this great speed with startling fineness of grain, Eastman Super X marks a substantial advance in motion picture photography. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
Films Escape California's Legal Turmoil

Legislature Quits with Producers Satisfied

SACRAMENTO, June 23.—After months of agitation during which the industry threatened to move to Florida or elsewhere if proposed taxes were imposed, the legislative record shows nothing more disturbing than an income tax. Even this was compromised to a point where little protest was expected.

Since the adjournment of the Legislature a few days ago the record has been studied. About 200 measures were introduced that would have affected the industry. (Continued on page 4)

Five of Wisconsin Bills Go on Shelf

MADISON, Wis., June 23.—Five bills in the state legislature which have held the attention of Wisconsin exhibitors have been definitely postponed.

Among the measures is the Foley bill, which would subject outdoor advertising to a placement permit and an annual permit fee of $1 for each 25 square feet of area of the placement face; a bill relating to the licensing of electricians and the supervision and inspection of electrical work; a measure relating to the placing of signs. (Continued on page 4)

Two Theatres May Go On Loew's N. Y. Site

One, and possibly two, new theatres with a large restaurant are being considered for the site of the Criterion and Loew's New York Theatres. A two-story building with stores will front Broadway. Whether there will be two theatres seating 600 each or one seating 1,200 is now being studied.

Wood, Dolson & Co., real estate firm, is handling the proposition for the 515 Broadway Corp., representing the City Bank Farmers Trust Co.

Seattle Races Add To Theatre Worries

SEATTLE, June 23—A 12-week season of horseracing opening recently added further dismay to theatre management who worry about poor matinee business.

Races are being held every afternoon for 59 days, except Monday and Tuesday of each week with pari-mutuel betting. Last season's attendance averaged from 5,000 to 18,000 daily.

MOTION PICTURE DAILY

VOL. 37, NO. 147 NEW YORK, MONDAY, JUNE 24, 1935

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

Name UA Sales Head in July; Harry Gold Up

Production Tilts Upward on Coast

Hollywood, June 23—Production, which has been seesawing for the past few weeks, tilted skyward again last week, according to the weekly checkup which showed 44 features and two shorts before the cameras as compared with 37 features and eight shorts for the preceding week.

McFarlane is busiest among the majors, registering 10 features before the cameras, one in preparation and scheduled to shoot within two weeks. Thirteen of the 44 features registered last week were shot on the Paramount lot, thus maintaining the world’s largest production studio.

Five large pictures were registered last week, including Universal’s “Robber’s Roost,” a wild west adventure; Columbia’s “The Great Gatsby,” the big, $1,500,000, 90-reel, 63-minute, production that stars Paul Muni; and the third “Green Acres” feature, which is due in July.

“Way Down East,” the last of Warners’ pictures due this month, was registered last week. This picture went into production April 10, and is just a week behind schedule. The other three “Green Acres” features are due in July, while the rest of Warners’ 1935 features are due in August.

The “Buck Jones” series, produced by Famous Players-Lasky, is due this month, the first series to be released since stadium pictures were started. The first picture in the series will be released at the last of the month.

Key City Grosses Fall Off Slowly; Some Houses Close

Key city grosses continued to decline during May to a point near the low reached Christmas week. This decline, with the exception of the week ending April 25-26, has been steady since the last week in March.

The total for 22 key cities during the week ending May 30-June 1 was $1,152,200. Only once since last September has the total been lower than this. That was for the week ending April 25-26.

Reliance May Quit U. A. Release Deal

Reliance may withdraw from United Artists after its current contract expires. Harry Goetz, president, is in New York but is not talking over distribution plans after the trio for U. A. are made. He plans to leave for the coast in about a week.

Reason Enough

Maxine Silverman, U. A. chief in from London, explains:

“The only reason I came to the United States was to taste a good piece of herring.”

Campi's Texas Records Sent To Capital

Pressure Reported Used To Get Transfer

By BERTRAN F. LINZ

WASHINGTON, June 23—Campi records relating to certain film controversies in Texas are understood now to be in the possession of the Department of Justice as a result of a very strongly worded letter sent by the department a few days ago to John C. Flinn, Code Authority secretary, in New York.

While neither department officials nor film men are willing to talk about the situation, the understanding is that the department was in communication with Flinn some days ago with respect to the records, which members of Code Authority were reluctant to surrender. The letter which the department is said finally to have written is reported.

Campi Meets Today To Review Industry

Campi members today will convene at the RKo board rooms in the RKo Building to review the industry during the last three weeks and the code's continued operation. Each member will voice his own opinion.

John C. Flinn, secretary of Campi, will act in a similar capacity at the meeting and give an accounting of the funds on hand and a report on the closing of the RKo offices.

Fail to Agree Upon G.T.-Fox Hearing

KANSAS CITY, June 23—Lawyers involved in the General Theatres suit here against the Fox setup attempted to agree on June 24 as the date of hearing on the amended petition, but owing to absences it had to be postponed.

Agreement on a hearing some time within the next two or three weeks is expected, however, according to C. A. Randolph, who, with R. R. Brewster, represents General Theatres bondholders.

The three new bondholders—Ray D. Jones, Anna Kipper and Katherine D. Mosher—who are included in the amended petition, like the amount involved from $89,000 to $100,000.
LOCAL 306 BACK ON 5-DAY WEEK BASIS

(Continued from page 1)

card men are to be put back on a five- 
day week starting Monday.

The four-day week has been a bone 
of contention in the New York union 
since the order was put into effect, and 
with restoration of the extra working 
days was one of the main items of the 
settlement.

Local 306 has 1,800 members and be 
between 250 and 300 are out of work. 
Another meeting, taking care of the 
unemployed will be devised, is stated.

Although the meeting at the Statler 
was expected to last five days, the 
sessions have been extended three 
evening, and Monday, so that all 
accorded business can be cleared. 

Local 306 has 1,800 members and be 
between 250 and 300 are out of work. 
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evening, and Monday, so that all 
accorded business can be cleared. 

Local 306 has 1,800 members and be 
between 250 and 300 are out of work. 
Another meeting, taking care of the 
unemployed will be devised, is stated.

although the meeting at the Statler 
was expected to last five days, the 
sessions have been extended three 
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Local 306 has 1,800 members and be 
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Another meeting, taking care of the 
unemployed will be devised, is stated.
**Wisconsin Theatres Gain; Jobs Increase**

**Milwaukee, June 23**—There's good news for local exhibitors in the report of the Wisconsin Industrial Commission. The commission, in its last report of the year, gives the total number of employees in the lumber industry of the state as 2,537. This is an increase of 1,637 over the number of employees last year. The commission also states that the average wage for the year was $3.50 per day, an increase of 25 cents over the previous year.

**Out Hollywood Way**

**Hollywood, June 23**—Jean Arthur’s success from New York vacation... Francis Barten, M-G-M salesman, to the hospital for minor operation... Pat O’Brien and Mrs. O’Brien to return to Hollywood... Lake Louise on motor vacation... Isabel Stein, Jack HESS’s secretary, on a three-week vacation to Texas, working with an...—Ray Bower back home after an appendicitis operation... Through arrangement with Paramount, M.G.M. has... for San Francisco Opera opening Nov. 11... Vacation in meantime... Spanky McFarland moved over to “Here Comes the Band” set at M-G-M as soon as he finished in “O’Shaugnessy’s Boy”.

**Casting—Walter Connolly to Paramount for lead with Margaret Sullivan in “So Red the Rose”...**

**Jack Benny to do another for M-G-M, “In the Bag,”... Donald Meek, J. M. Kerrigan and Rolfe Lloyd in Samuel Goldwyn’s “Bar-**

**STERLING HALLOWAY set in M-G-M’s “We’re Not Dressing” with Y. J. Carroll, Naish, William B. Davidson and Joseph Sauers added to Warners’ “Special Agent”...**

**Directors—Busby Berkeley to direct in Paramount’s “Romance in a Glass House” for Warners... Robert Z. Leonard set to direct Joan Crawford’s next, tentatively titled “Elec-**

**WRITE—Anthony Veller, radio writer, to take 18-week vacation in Europe, sailing from New York July 13...**

**Story Buyer—Douglas D. Brown’s “Plan 16” acquired by Radio... Believe It,” a farce with music by Bert Granée and Phil Epstein, also acquired by Radio.**

**Take Waterbury House**

**Waterbury, June 23**—Hamilton Theatre Corp. has been formed here by Frederick O. Schmata of Hamden, Ethel M. Van Doren and Frederick J. Van Doren, the latter two of this city.
Films Escape California’s Legal Turmoil

(Continued from page 1)

ure to provide for two operators in a booth; a bill to permit daylight sav-
ing time in Wisconsin, and the Begg-
Groschmidt-Harper bill to legalize pari-mutuel betting at race tracks. Measures still pending include the
Row bill which would levy three per cent tax on gross receipts of all amusement shows.

Delay N. H. Sunday More

Conway, N. H., June 23.—Efforts to have the Sunday opening law changed so that theaters can open at 4 o’clock instead of 6 o’clock are beginning to look hopeless. The House has postponed action on a petition for the change.

Production Tilts Upward on Coast

(Continued from page 1)

six; Radio, five and two; Var-
ers, five, zero and nine; Columbia, three and two; Universal, two, one and one; Goldwyn, zero and zero; Roach, zero, zero and one, with the independents chalking up three, zero and zero.

Short subject production dropped off. M-G-M had one in work, none preparing and six in the cutting room. Radio had one, two and one; Roach, zero, three and three; Universal, zero, zero and one; Columbia, zero, zero and three. The independent studies were dark on short production.

Omaha Competition Keen

OMAHA, June 23.—Non-theatrical

competition is getting keen hereabouts. Waving has opened at the Al-Star-Ben-
track, and preparations are being made to handle from 15,000 to 20,000 persons at the alternate-day perform-
ances of a Passion Play at the Cantol, Grand Island, the week of June 16.

Purely Personal

SIR WILLIAM WISEMAN, Ed-
ward Everette Harron, and brother were passengers on the
Normandie which sailed Saturday for England and France.

J. G. Goudt has been signed to handle the
James J. Bradock’s forthcoming theatrical career. The William Mor-
ris office handled the deal.

HOWARD S. BENEDICT, new Radio
publicity head, likes Hollywood, but knows now he’ll miss the fall
at the theater in New York.

RUTGERS NELSON is breathing more comfortably now that the Radio com-
vention is behind him. There was no busier person in Chicago than “Rut.”

RICK RICKERTON and ELMER C.
Roper expect to leave for Denver and Kansas City, respectively, end of the week.

HARLAN HOLMBERG, in charge of
Local 306 under L.A.T.S.E. super-
vision, is due from St. Louis tomor-
row.

HELEN MACK and her husband,
Charles Irwin, the latter formerly a
trustee of Fox West Coast, left for Hollywood Saturday.

KAY FRANCIS, who returned on the
Normandie, leaves for the west coast
tomorrow preparatory to starting
work in “I Found Stella Parrish.”

CASSANDRA, the psychic, has been
booked for the Paramount, Plainfield,
N. J., starting June 27.

JACK KAPLAN, who operates the
Rivoli, Fallahurg, will open the new
theatre in Loch Sheldrake on July 1.

JULES LEVY will summer at Atlantic
Beach. It’s a penthouse hanging high
over the ocean.

JACOB GLUECKSMANN resumes the
cable briefs at the M. P. Club any
time.

AL ZYMARLICZ heads toward St.
Louis again in a day or so. He’s been
here vacationing.

BEN GORZT returns to the coast
Wednesday after the Cannon-Louis-
fight.

ARTHUR DENT says he plans to
spend a few more weeks in New York
before returning to London.

JACK C. BROWN arrives from the
cost today on his first eastern trip
in two years.

HARRY RICE has arrived in Colum-
pus to exploit the opening of “Sanders of the River” at the Ohio.

HOWARD STECKLING spent the
week-end away from the city.

... Denver

J. R. HEWETSON has returned from
several months in Florida. He owns the
Victory.

LON T. FINLEY of Distinctive Screen

Attractions, after spending 10 days in
Hollywood, will stop by at Salt Lake City on his way home.

J. J. MORGAN, manager of the Den-
ver branch of National Theatre Sup-
ply, has returned from a selling trip
through the mountains.

BESS THORPE is opening a 16-seat
house in Ouray, Col. The theatre is the
first in that town since sound.

Among out of town exhibitors seen recently on film row are: EDWARD W. RIPLEY, C.C. N., M-G-M MUR-
PHY, Raton, N. M.; ED SCHULTE, Cas-
per, Wyo.; NATHAN SALMON, Santa
Fe, N. M.; MRS. LEE MOTT, Riverton,
Wyo.; C. F. MAZNER, Holly, Colo.;
CARL MCCASIL, Rocky Ford, Col.
The acknowledged leader in 1934–35 will be PARAMOUNT in 1935–36 as the following pages show...
PARAMOUNT, every month during 1934-35 has delivered at least two outstanding box-office attractions per month... a record not equaled by any other company... PARAMOUNT was able to do this because PARAMOUNT, in every sense of the word was PARAMOUNT in players, stories and directors. PARAMOUNT will again lead in 1935-36... and the following pages bear witness to this fact.
PARAMOUNT IN PLAYERS

Paramount presents an unrivaled list of "name" players headed by The Big Five—Colbert, Cooper, Crosby, Dietrich and West—five box-office names unmatched in drawing power by any similar group in any other company...
HAROLD LLOYD

W.C. FIELDS

JOE PENNER

BOLAND & RUGGLES

FUNNIER, and recognized as such by the box offices of the world... than any other group of five comedians in any other company, are Harold Lloyd, W.C. Fields, Joe Penner, Mary Boland and Charlie Ruggles.
A RISING STAR is often the brightest. These will be particularly brilliant at the box-office in 1935-36...

Margaret Sullavan in "So Red the Rose", George Raft in "Every Night at Eight", Carole Lombard in "Hands Across the Table", and Fred MacMurray again with Claudette Colbert...

Margaret Sullavan—By arrangement with Universal
GENTLEMEN PREFER BLONDES
and there are none more attractive to gentlemen and box-Offices than Ann Harding, who will play in "Peter Ibbetson"... Joan Bennett in "Two for Tonight"... Alice Faye in "Every Night at Eight". Blonde, tall and handsome, Randolph Scott stars in "So Red the Rose".

Ann Harding—By arrangement with R.K.O.
SONG AND STORY... John Boles blends his fine voice with Gladys Swarthout's gorgeous contralto in "Rose of the Rancho". Lovely Loretta Young is co-starred with Henry Wilcoxon in that magnificent screen story and spectacle, Cecil B. DeMille's "The Crusades".

John Boles—By arrangement with Fox
Loretta Young—By arrangement with Twentieth Century
GOLDEN... Golden for the box office are the throats of Jan Kiepura, singing star of seven continents, and Mary Ellis, whose talent as an actress equals her gorgeous voice. Barbara Stanwyck will star in one picture... Cary Grant wins laurels in "The Last Outpost".
ACT FOUR... Four who should be named as the greatest performers on the screen today... Pauline Lord for "Mrs. Wiggs", Sir Guy for "Bengal Lancers", Claude Rains for "Crime Without Passion", Henry Wilcoxon for his Antony to Colbert's "Cleopatra."
SWEET AND HOT... Sweet Kitty Carlisle for lyric song... Lyda Roberti for rhythm that is hot... and hotter than ever for laugh-getting, Jack Oakie, George Burns and Gracie Allen.
<table>
<thead>
<tr>
<th>Name</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>West</td>
<td>2</td>
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<tr>
<td>Dietrich-Cooper</td>
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<td>Dietrich</td>
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<tr>
<td>Colbert-MacMurray</td>
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<td>Colbert</td>
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<tr>
<td>Cooper-Harding</td>
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<tr>
<td>Cooper</td>
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</tr>
<tr>
<td>Crosby</td>
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<tr>
<td>Crosby-J. Bennett</td>
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</tr>
<tr>
<td>Mary Boland</td>
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<tr>
<td>Crosby</td>
<td>2</td>
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<td>Harold Lloyd</td>
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<td>Lombard</td>
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<tr>
<td>Raft-Alice Faye</td>
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<tr>
<td>Fields</td>
<td>3</td>
</tr>
<tr>
<td>Penner-Oakie</td>
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<tr>
<td>Sullivan-Lord-Scott</td>
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<tr>
<td>Boles-Swarthout</td>
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<tr>
<td>Swarthout</td>
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<tr>
<td>Loretta Young</td>
<td>1</td>
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<tr>
<td>Henry Wilcoxon</td>
<td>1</td>
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<tr>
<td>Sidney-Marshall</td>
<td>1</td>
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<tr>
<td>Jan Kiepura</td>
<td>1</td>
</tr>
<tr>
<td>Barbara Stanwyck</td>
<td>1</td>
</tr>
<tr>
<td>Mary Ellis</td>
<td>2</td>
</tr>
</tbody>
</table>
Roster of Directors

Charles Barton
Clyde Bruckman
Frank Borzage
[Courtesy of Warner Bros.]
Hecht-MacArthur
Cecil B. DeMille
Marion Gering
Alexander Hall
Henry Hathaway
Arthur Jacobson
Mitchell Leisen
Leo McCarey
 Norman McLeod
Lewis Milestone
Ralph Murphy
Elliott Nugent
Elliott Nugent
Wesley Ruggles
Alfred Santell
Norman Taurg
Frank Tuttle
King Vidor
Rao U. Walsh
Alfred Werker
Harold Young
It is a well-known fact that Paramount possesses the largest library of motion picture properties of any company in the industry. Some of these great properties from which Paramount will produce pictures during the coming year are as follows:

"ANYTHING GOES"—The No. 1 musical comedy of the year. 260 performances to date and still S.R.O. Cole Porter's score, with such songs as "You're the Top" and "I Get A Kick Out of You", is the sensation of the nation.

"SO RED THE ROSE"—The No. 1 best-selling novel of 1934. Over 100,000 copies sold to date. Over 1,000,000 readers. Publicized by newspapers, magazines, and word-of-mouth to additional millions.

"NATIONAL VELVET"—The No. 1 best-selling novel of 1935. The "Book of the Month" for May with advance sale of 50,000. Every company in the business tried to buy this great story of the famous Grand National Race.

"CARMEN"—The No. 1 opera. For many years the most popular operatic attraction on the boards. Bizet's flaming and tempestuous "Carmen" should make a musical entertainment of gigantic box-office proportions.
VICTOR HERBERT OPERETTAS—The No. 1 operettas. Paramount, in possessing these great properties, owns romances that all the world wants to see—music that all the world loves.

“ROSE OF THE RANCHO”—The No. 1 David Belasco stage hit. So many requests have been made to turn this famous Belasco stage hit into a motion picture that Paramount now produces it as the first “big outdoor musical.”

“PETER IBBETSON”—The No. 1 classic. Read by millions as Du Maurier’s novel. Seen by millions as the celebrated stage play. Heard by thousands more as Deems Taylor’s magnificent opera. This is sure to be a big hit.

“THE LIGHT THAT FAILED”—Rudyard Kipling’s No. 1 writing achievement in pathos. A novel of world-wide fame—a dramatic love story of universal heart appeal. A No. 1 property from which to make a No. 1 picture.

“THE CRUSADES”—The No. 1 historical romance…from Harold Lamb’s famous books…the magnificent adventures of Richard, the Lion-Hearted…set against the spectacular background of the world’s first great war.

“CASE vs. MRS. AMES”—The No. 1 magazine story of 1934. The 5,000,000 people who read this story in Collier’s last year found it so exciting they could scarcely wait a week for the next installment.

ZANE GREY NOVELS—The No. 1 Western fiction of all time. These popular novels are the favorite stories of millions the world over. For years they have made the best “Westerns.”

“HOPALONG CASSIDY”—The No. 2 Western fiction. Clarence Mulford’s famous and exciting novels have sold in excess of 3,000,000 and have delighted more than 20,000,000 readers.
If it's a Paramount Picture it's the best show in town!
"Ladies" Gets Philadelphia Top, $14,000

PHILADELPHIA, June 23—"No More Ladies," "Doddling Dames," and "The Informer" were the only pictures to overcome the storm and hot-weather jinx last week.

"No More Ladies" grabbed a nice $14,000 at the Boyd and was held a second week. Playing a second week at the Boyd, the Boyd has taken the house figure to $6,700 and almost persuaded Warners to hold it over. Total first run business was $66,300. Average was $2,600.

Estimated takings for the week ending June 20:

- "ESCAPE ME NEVER" (O.A.)
  - ALDINE—(1,000), 45c-55c-65c, 7 days, 2nd week. Gross: $4,500; 8, $4,500.
- "GOING TO TOWN" (Param.)
  - ARCADIA—(1,000), 25c-40c-50c, 6 days. Gross: $1,000. Average: $1,000.
- "NO MORE LADIES" (M-G-M)
  - BOYD—(2,500), 40c-55c-65c, 6 days. Gross: $1,000. Average: $1,000.
- "NIT RELAT'S" (Radio)
  - EARE—(2,000), 35c-40c-50c, 6 days. Stage: Eddie Wainwright, Barry B. Hurst, Fire Wonder Girls, Domatella, Bottre and carriers, Arthur and Moira David. Gross: $1,000. Average: $1,000.
- "DOWNTOWN THOMAS" (Fox)
  - FOX—(3,000), 40c-55c-65c, 6 days, 2nd week. Stage: Mary Small, Willour Hale and Lorette Demain, Long Brothers and Lawler. Gross: $1,000. Average: $1,000.
- "MIRIAM W.'S" (Fox)
  - FOX—(3,000), 25c-35c-40c, 6 days. Average: $500.

Key City Grosses Falls Off Slowly; Some Houses Close

(Continued from June 1)

Key city first runs have dropped from 147 to 137 in recent weeks. Only seven of the 22 cities reporting failed to register a decline for the week ending May 30-June 1 under the previous week. These were Buffalo, Chicago, Minneapolis, Montreal, Portland, San Francisco and St. Paul.

Comparative grosses for the latest available periods:

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>May 30-June 1</th>
<th>Week Ending</th>
<th>May 23-24</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. Theatres</td>
<td>Gross</td>
<td>No. Theatres</td>
<td>Gross</td>
</tr>
<tr>
<td>Boston</td>
<td>5</td>
<td>$4,200</td>
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<tr>
<td>Chicago</td>
<td>8</td>
<td>$126,300</td>
<td>7</td>
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<tr>
<td>Cleveland</td>
<td>6</td>
<td>$47,400</td>
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<tr>
<td>Detroit</td>
<td>7</td>
<td>$25,800</td>
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<tr>
<td>Indianapolis</td>
<td>6</td>
<td>$36,000</td>
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<tr>
<td>Los Angeles</td>
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<td>Minneapolis</td>
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<td>Montreal</td>
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<td>Oklahoma City</td>
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<td>$18,000</td>
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<tr>
<td>Washington</td>
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<td>$69,400</td>
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Comparative grosses for the latest available periods:

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<tr>
<th>Week Ending</th>
<th>Sept. 21-28</th>
<th>Oct. 4-10</th>
<th>Oct. 11-17</th>
<th>Oct. 18-24</th>
<th>Oct. 25-31</th>
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<tr>
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<td>137</td>
<td>137</td>
<td>137</td>
<td>137</td>
<td>137</td>
</tr>
<tr>
<td>Gross</td>
<td>$1,152,200</td>
<td>$1,152,200</td>
<td>$1,152,200</td>
<td>$1,152,200</td>
<td>$1,152,200</td>
</tr>
</tbody>
</table>

Curley Hits College For War Film Stand

BOSTON, June 23—Charging the viewing of a film depicting war-like maneuvers had been banned by college authorities, Gov. James M. Curley has criticized college officials for an alleged pacificist attitude. Recently Calvin King, manager of the Walden, Willmington, Mass., which depends on student patronage, was threatened by Williams students with a boycott if he continued to show a "March of Time" issue containing Army Day scenes. King removed the scenes.

Bernardi Prod. Casting

Bernardi Productions, producers of dance sequences for pictures and revues, are casting for talent to send out of town. At present there are 12 Bernardi company working in New York and vicinity.

Fulton Joins Republic

ATLANTA, June 23—Artur C. Bromberg, Republic executive head in the southeast has named W. B. Fulton to handle sales in the Atlanta territory. He replaces E. A. Rambommet.

To Roadshow "Cruades"

Paramount has definitely decided to roadshow "The Crusades," latest Cecil B. DeMille production. No New York date or theatre has been set, but it is understood the picture will not be ready until after the summer.

To Attache Pothe News

ATLANTIC CITY, June 23.—At a dinner at the Ritz Saturday night, Pathe News was awarded the honor of being first to newsreel coverage last year for its clips on the Dionne quintuplets. Jack Connolly accepted for his company.

"Public Hero" Leads Detroit With $22,300

DETROIT, June 23—"Public Hero No. 1," the heavy-money-maker of the week here with most of the first runs suffering. It went $2,300 over par on a take of $22,300 at the Michigan, with five acts of vaudeville on the stage.

The only other attraction on the profit side of the line was "Under the Pampas Moon" at the Fox, which garnered $16,200.

Total first run business was $61,200. Average was $6,000.

Estimated takings for the week ending June 14:

- "EVERGREEN" (G.-B.)
  - "CHASING YESTERDAY" (Radio)
    - ADA—(2,000), 10c-40c-50c, 7 days; Gross: $4,300; Average: $600.
- "UNDER THE PAMPAS MOON" (Fox)
  - Fox—(1,000), 35c-55c, 7 days, Stage: 5 vaudeville; Gross: $22,300; Average: $3,114.
- "MEN" (F. N.)
  - "A NIGHT AT THE RITZ" (Walters)
    - FISHER—(1,100), 10c-40c, 7 days; Gross: $1,000; Average: $143.
- "PUBLIC HERO NO. 1" (M-G-M)
  - MICHIGAN—4,000, 10c-40c, 7 days, Stage: 8 vaudeville; Gross: $6,000; Average: $857.
- "PUBLIC HERO NO. 1" VARIOUS TOWN TO" (Param.)
  - STATE—(1,000), 10c-40c, 7 days, Gross: $5,000; Average: $714.
- "BLACK FURY" (F. N.)
  - UNITE—(1,000), 10c-40c, 7 days; Gross: $9,100; Average: $1,300.

"Key" and "Bells" Lead Providence

PROVIDENCE, June 23.—The Strand and the Majestic were the only houses to reach par for the week, the former catching $7,000, up by $500, with "Glass Key" and "Eight Bells," while the Majestic also hit the same figure with "Doubling Thomas" and "Black Sheep." Loew's managed to pull out $7,000 with the "Public Hero No. 1" and "The Thin Man." Fay's, which folded for the summer, was $1,000 under vaudeville and film, and was down, with "The Man Who Knew Too Much" and "Brewster's Millions." Total first run business was $33,800. Average is $4,500.

Estimated takings for the week ending June 20:

- "DOUBLES THOMAS" (Fox)
  - "BLACK SHEEP" (Fox)
    - MAJESTIC—(1,000), 10c-40c, 7 days; Gross: $7,000; Average: $1,000.
- "DOUBLES " (Chesterfield)
  - FAY'S—(1,000), 10c-40c, 7 days; Stage: "Dance Dreams" revue; Gross: $6,000; Average: $857.
- "PUBLIC HERO NO. 1" VARIOUS TOWN TO"
  - LOEW'S—(1,000), 10c-40c, 7 days; Gross: $6,000; Average: $857.
- "MAN WHO KNEW TOO MUCH" (G. B.)
  - BREWSTER'S MILLIONS" (G. B.)
    - RKO THEATRES—22-23; Gross: $6,000; Average: $1,000.
- "EIGHT BELLS" (Col.)
  - STRAND—(1,000), 10c-40c, 7 days; Gross: $7,000; Average: $1,000.
- "VILLAGE TALE" (Radio)
  - UNITE—(1,000), 10c-40c, 4 days; Gross: $990; Average: $1,000.

Joe Wolf a Father

ALBANY, June 23—Joe Wolf, local Paramount salesman, became the father of a nine-pound boy over the week-end.
“Ladies” Big In Denver on $8,000 Gross

DENVER, June 23—With holdouts for the first three days, “No More Ladies” was by far the best attraction of the week here. It ran up to $8,000, over normal by $2,000, and was moved to Broadway for an extended run.

“Doubting Thomas” at the Broadway followed it closely, the Denver took $2,000, which was $500 over a first week normal for the house. “The Virginian” grossed a par $4,000 at the Denham. “My Heart Is Calling” was weak at the Aladdin with $400 on three days. It went in after “Nell Gwyn” and has been pulled at the end of four days.

Total first run business was $22,600. Average was $3,100.

Estimated takings for the week ending June 20:

- NELL GWYN (U.A.)
  ALADDIN—(1,000), 24-25-30-30-60, 3 days. Gross: $300.
- MY HEART IS CALLING (G.B.)
  BROADWAY—(1,800), 25-25-30-60, 7 days. Average: $40.
- NO MORE LADIES (M-G-M)
  DENHAM—(1,500), 24-25-30-60, 3 days. Gross: $600.
- THE VIRGINIAN (Para.)
  DENHAM—(1,500), 25-25-60-60, 7 days. Average: $40.
- THE FLAME WITHIN (M-G-M)
  PARAMOUNT—(2,000), 25-30-60, 7 days. Gross: $600.
- MARK OF THE VAMPIRE (M-G-M)
  ORCHARD—(1,000), 25-30-60-60, 7 days. Gross: $1,000.
- THE THIRTY-NINE STEPS (Gaumont British)
  ORCHARD—(3,000), 25-25-30-30-60, 7 days. Gross: $500.
- THE AGE OF INDECENCY (M-G-M)
  LAFAYETTE—(3,000), 25-30-60, 7 days. Average: $40.
- ALIBI (F.K.)
  CENTURY—(1,000), 25. 7 days. Gross: $100.
- DINKY (Warners)
  CENTURY—(1,000), 25. 7 days. Gross: $100.

Total first run business was $38,500. Normal is $42,800.

Estimated takings for the week ending June 20:

- NO MORE LADIES (M-G-M)
  BUFFALO—(2,000), 25-30-60, 7 days. Stage: Gus Van, Melissa Mason, Elzad. Average: $400. Tris: Gross: $600 Aver.
- THE DARLING CHINATOWN SQUAD (Fox)
  DINKY (Warner)
  CENTURY—(1,000), 25. 7 days. Gross: $180. Average: $25.
- DING BARKER (F.K.)
  CENTURY—(1,000), 25. 7 days. Gross: $100.
- CHINATOWN SQUAD (Uni)
  DING BARKER (F.K.)
  CENTURY—(1,000), 25. 7 days. Average: $10.

Gumboins Drop House

Los Angeles, June 23—The Gumboins have turned over their Tower, subsequent run, to F. W. C.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

“Going Highbrow”

Hollywood, June 23—A pleasing comedy melodrama featuring Guy Kibbee and ZaSu Pitts as the society-struck Kansans who come into a fortune when their broker sells mining stock instead of buying some as notified by Kibbee.

The nouveau riche go abroad and buy some paintings which nets them publicity on their return to the states. Kibbee is not strong for the idea of breaking into the “400,” but his kithenish wife persuades him to change his mind.

Edward Everett Horton, a promoter, becomes the manager of the Kansas farmers. Kibbee arranges with June Martel, a former vaudeville and now a waitress, to pose as his daughter so that they can stage a party for her debut in society. She falls in love with Ross Alexander, Horton’s partner, but just as the match is nearing its climax the girl’s husband shows up after three years and almost crimps the affair. Horton is about to compromise Gordon Westcott into taking $10,000 for a divorce when he discovers the villain has another wife. That clinches the ‘400’ memory for the lovers. The performances generally are good.

Reviewed without production code seal. Running time, 66 minutes. “G.”

Looking ’Em Over

“The Thirty-Nine Steps”

Gaanont British

London, June 14—This has the speed, suspense and imagination in detail characteristic of a director with an American sense of box-office values and the humorous values, emphasized, nicely balance the melodrama.

It’s a spy story, opening with a mysterious girl seeking the protection, during a riot in a music hall, of a young Canadian. She tells him she is in danger of her life from a gang trying to get details of a new aeroplane engine, a secret of the British Government. Later, staggering wounded into his room, she dies before she can do more than show him a map of Scotland, with a small village marked.

Hamann makes for Scotland, but the police are after him for murder and board the train. He pretends to make love to Pamela, a girl travelling along, but she denounces him. He gets out of the moving train and swarms down a bridge and reaches the Highlands only to encounter Professor Jordan, the chief of the enemy gang. Follow a series of rapid escapes, police pursuits and finally Hamann’s capture after he is recognized by Pamela and handed over to “detectives” who are really members of the gang.

Realizing Pamela to be a danger, they handcuff her to Hamann. In a mountain mist the couple make a getaway and still manacled, spend the night together in a country hotel. This situation is handled with tact and a sense of fun. In the morning the girl, who has wriggled out of her handcuff, learns Hamann is not a murderer. Allies, they make a dash for London, where with the London Palladium as background, comes the exposure of the gang’s plans, which have been to arrange an explosion in the London underground, a small London station. It is only taken out of England without being committed to paper. Hamann tricks the performer into reciting it from the stage; the “professor,” from a box, shoots his accomplice but is captured.

The selling angles are Robert Donat’s debonair performance, the speed of the pursuit scenes, the attractiveness of Scottish backgrounds and the effective climax. Madeleine Carroll’s role is definitely secondary but she plays the comedy, especially, excellently. Comparatively small parts are played by such good players as Godfrey Tearle, Helen Haye, Frank Celler, Peggy Ashcroft and John Laurie.

Running time, 85 minutes. “G.”

Bennett to Act Again

Hollywood, June 23—Richard Bennett returns to the screen, after an absence of almost a year, in “This Woman I Love,” an English made picture which Paramount will release.

Cincinnati Keith Cuts

CINCINNATI, June 23—Keith’s has dropped five cents from the matinee price, which now is 30 cents.

“Amateur Night”

(Celebrity)

It’s a modernized version of the nursery rhyme, “Mary Had a Little Lamb,” done in color and in an entertaining and interesting manner. It should do well anywhere.

The old rhyme has been changed but little in the story here. The lamb followed the children as they go about—children start reciting, singing and dancing it joins in, much to the congratulations of the teacher. Its antics should produce many laughs.

Highly recommended. Production Code Seal No. 803. Running time, 7 mins. “G.”

“Mary’s Little Lamb”

(Celebrity)

Here is the Chinese Nightingale,” Har- mon-Icing color cartoon, tells the familiar tale of the Chinese emperor who turned his attention to the canary of a mechanical bird, breaking the heart of the nightingale who returned when the toy bird was broken to the wise monarch with its faithful song.

Technically, this short is superb, but it falls a little short of the former brilliant British offerings, due to the fact that most cartoons have greatest appeal when creatures of a certain code and being rather than drawings of human beings. It suffers only by comparison with other films of this unit, and deserves special billing.

Short Subjects

“Time Out” (Educational-Fox)

Rodman Tom Howard and George Shelton stuff and in all probability will get by with radio followers of the two. Most of the time is spent by Herbert and Shelton doing a deck full of gags which don’t seem to click. The two principals are on a cruise and both try to make Marie Alvarez, the captain’s wife, who has a habit of walking in her sleep at the sound of a bell. It’s no go. He’s ragged with age and as for the gags, the creepy cedar chest has been piffed again. Production Code Seal 0445. Running time, 19 mins. “G.”

“Amateur Night”

(Celebration)

It’s a modernized version of the nursery rhyme, “Mary Had a Little Lamb,” done in color and in an entertaining and interesting manner. It should do well anywhere.

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Highly recommended. Production Code Seal No. 803. Running time, 7 mins. “G.”

“The Chinese Nightingale”

(Harmon-Icing-M-G-M)

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Technically, this short is superb, but it falls a little short of the former brilliant British offerings, due to the fact that most cartoons have greatest appeal when creatures of a certain code and being rather than drawings of human beings. It suffers only by comparison with other films of this unit, and deserves special billing.
**MOTION PICTURE DAILY**

**British KRS Keeping Tabs Upon Booking**

By BRUCE ALLAN

LONDON, June 14—The Kinematographic Retailers’ Society here, in the case of any change in the booking arrangements of any theatre, make detailed enquiries to the producer to see if the new proprietor books for any other theatres. Full details of the exact nature of the investment made by a new theatre proprietor may also be demanded.

The step is seen as a further move in the society’s campaign against a firm “booking circuits,” in which so big a success was recently scored at the expense of Shaftesbury Avenue.

A scrutiny of all existing booking arrangements is a possible further step. “Booking management” rules, which were accepted before the G.B. row may now come under ban, it is thought.

Leeds exhibitors have instructed their representative on the General Purposes Committee of the C.E.A. to vote for the complete abolition of the clause in the Films Act imposing a 20 per cent exhibition quota. The number of British films registered under the act is such, it was declared, that theatres will have to show 20 per cent of British films “or, if they like, none at all.” It is believed they will blame quickie production by American companies for the exhibitors’ troubles and recommend to the General Council agitation for the imposition of a quality test.

The General Council will discuss the effects of the new carbon duties at its next meeting, at which it will have before it a suggestion that the exhibitors’ association cooperates with the producers in a campaign for revision. Recent legislation raised the original $3.10 per cent duties to a prohibitive figure, but there was an undertaking that British manufacturers would not increase prices.

In the meantime, the secretary of the C.E.A. has issued an official warning to members to not sign petition forms circulated by carbon importers, in which the phrase occurs: “We are still compelled to use an inferior carbon.” Legal action by British carbon makers against signatories is threatened.

**SETOA Meeting Planned**

ATLANTA, June 23.—Affiliated and independent theatre men of the southeast will hold a get-together August 12-13 at Jacksonville Beach, says H. V. Manning, of Etowah, Tenn., president of Southeastern Theatre Owners’ Assn.

The committee in charge is composed of R. B. Wilby, Atlanta, affiliated; W. C. York, Jacksonville, independent; Oscar Linn, Rome, affiliate. M. C. Moore, Jacksonville, independent, is general chairman of arrangements. Bill Gilliam, Brunswick, Ga., former president of S.E.T.O.A., is chairman of the publicity committee, and Mitchell Woll- son, Miami, an independent, is vice-chairman.

**Charter Three Concerns**

DOVER, June 23—Cascade Theatres Corp., Rainier Theatres Corp. and Mushroom Theatres Corp. have been formed here. Cascade listed a capital of $60,000, while Rainier and Multnomah each listed $1,000. The incorporators are Raymond J. All, Charles N. Caldwell, Jr., and David H. Jackman, all of New York.

**More Vaudeville in West**

LINCOLN, June 23—Vaudeville units, will be added to the regular picture routines for two months in Iowa and Minnesota theatres shortly, according to Wilbur Cushman, agency head in Albuquerque, N. M.

**Warners Sign Three**

HOLLYWOOD, June 23—Jack Oakie, Charles Starrett and June Helm have been signed by Warners. Each will make at least one film for the company for the new season.

**Building Hague Studio**

THE HAGUE, June 23—Loet C. Barns hypnot, Dutch producer, exhibitor and distributor, will build his own studio with facilities for his theatre holdings to emphasize 50 theatres in the Netherlands. Loet C. is a brother at Jack Barns.

**Variety Club Chatter**

**Cincinnati**

CINCINNATI, June 23—Joe Kolling, manager of local Theatres, has been elected worthy president of the Norwood Aerie of Eagles. The affair made the local dailies accompanied by page one front page coverage.

E. H. Hetchler, member of Albany Tent No. 9, was a visitor here recently. Others whose names appear on the local register are: C. D. Jackman, New York; J. C. Allen, Dallas; E. T. Wear, Chicago, and F. E. Wol- lem, Philadelphia.

**Kansas City**

KANSAS CITY, June 23—“Our papers, instead of wanting less, want more from Hollywood, even though some of it is acknowledged hokum,” commented Paul Miller, news editor of the Associated Press to 40 members of Variety Club.

“For that reason we have to maintain a large base at Los Angeles. Three men and one woman on styles devote their entire time to covering Hollywood. We have been able to ordinate persons in New York who cover films from that end. We now have to have a regular daily for- mation of Hollywood with a weekly review.”

**Minneapolis**

MINNEAPOLIS, June 23—All plans are set for the Variety Club golf tournament to be held at the Oak Ridge Country Club, Hopkins, Minn., June 28. All club members and others in the industry are to be welcomed.

Bob Workman is in charge of registra- tions. Other members of the commit- tee are Ben Friedman and Don Norris.

**Philadelphia**

PHILADELPHIA, June 23—Oscar Neumark has been elected assistant to the property man and manager of Tent No. 13. He resigned from L.E.A.P., to take the job.

While no definite plans have been made, it is probable that a golf tournament will be held in September, with a setting held in the form of a clambake and shore meet- ing at Toms River, N. J., courtesy of Hirschblond, Toms River mem- ber. Ben Blumberg will be the other king for the day.

**Rains Prove Help**

OKLAHOMA CITY, June 23—Jimmy Adams, operator of the Folly, is quite cheerful about the recent rains. He’s been a big help, he says.

“We saved money on the heating system. Only twice has the temperature gone to 90 and people had no place to go except the theatre,” he adds.

**Mexico Has 19 Film Producers on Lists**

By JAMES LOCKHART

MEXICO CITY, June 23—Mexico pro- duced 16 feature films during the past year, in addition to the 1, all in the Federal District. Only one of these has American backing. The company is partially backed by local film interests. It is the Cia. Impulsadora de Películas, S. A., the president of which is Paul H. Berlin, an automobile dealer.

These companies have two regularly equipped studios to serve them. Most of the film work is handled by Mexican interests are handled at the National M. F. Production Co. studios. A smaller studio is operated by George Stahl.

**Virginia Fees Up; Censor Cuts Down**

RICHMOND, June 23—State censor- ship revenues show a substantial gain this year as compared to last, says Reid, director. The total of films has increased, he says, and at the same time the number of deletions has dropped to fewer cut have been necessary.

Receipts are expected to exceed $15,000, in the past they have ranged from $10,000.

Within the past six months three films have been rejected in toto. One was a silent film and the others are shorts. There were 112 deletions in 57 films, about half the total for the previous year.

**Charter Indiana Allied**

INDIANAPOLIS, June 23.—Incorporation papers for Allied Theatre Owners of Indiana, Inc., have been filed by leaders of Associated Theatre Owners of Indiana.

The act does not mean that the local group is planning any affiliation with national Allied. Charles R. Metzger, attorney for the A.T.O.I., said that it explained the incorporation as merely a means of setting aside the name so that it cannot be used by any other group.

The incorporators are Roy R. Bahr, A. C. Zaring, Harry Markus, Frank Sanders and Metzger.

**Order Buycrus Spot Sold**

BUYCROS, O., June 23—The Com- mon Pleas Court has ordered sale of the partially completed building started nearly six years ago by the Moose Lodge as a picture house, and subse- quently taken over by John Hoover, Cincinnati contractor, to satisfy a judgment. This is the house which Schines are expected to take over as one of the five in the addition to the Ohio circuit.

**Ecover Green Men Shifted**

PORTLAND, June 23—Al Finkelstein has been named supervisory of Ever- green theatres here.

Al Rosenberg has taken over super- vision of the Woodlawn, in the Washington territory and will main- tain offices at Spokane.

Frank L. Newman, Sr., will con- tinue as in charge of the 18 theatres in the Seattle sector.

**Alliance House to Close**

ALLIEV, Ohio, June 23—The Colum- bia, a unit of Triangle Theatres, Inc., which has been playing stage shows and pictures, will be shuttered July 1. A delighted Sept. 1, according to Ray Wallace.
"WHOA!"... HELD OVER!

"NO MORE LADIES"
Engagements Extended!

Harrisburg
Wilmington
Rochester
Boston
New Orleans
Louisville
St. Louis

Kansas City
Dayton
Toledo
Houston
Reading
Cleveland
Columbus

Nice Going—
JOAN CRAWFORD
BOB MONTGOMERY

Charlie Ruggles
Franchot Tone
Edna May Oliver
Director: E. H. Griffith
and
Leo, the proud Papa!

Just the start! Hold time open, boys! It's the season's life-saver!
Opinions Vary In Frisco on Code Prospect

Some Oppose a Voluntary Pact as Valueless

SAN FRANCISCO, June 21.—Exhibitors here are split over the issue of establishing a voluntary code for the industry. While spokesmen for the major exhibitors favor establishment of a such a code, representatives of independents appear to be either on the fence or else in favor of abolishing all codes, voluntary or compulsory. Still others among the independents feel that a voluntary code is possible if some method is adopted which would prevent reversion to litigation. Courts suit frequently followed decisions under the NRA code.

Lyrical representative of this attitude is the following telegram sent by (Continued on page 3)

Schiller Will Push Loew Chicago Motes

CHICAGO, June 21.—Col. E. A. Schiller will arrive here from New York Monday to assume active control of Loew's theatre chain. He plans to spend several months here closing some of the pending deals for sites, and also supervising construction for the 1,600-seat theatre slated for Oak Park.

Robert Lynch of Philadelphia is continuing on the job and will work with Schiller in an effort to speed up the Loew program.

Adjourn Hearings in Action Against Fox

Hearings of testimony in the Chicago Title & Trust Co.'s suit to recover $1,000,000 from William Fox for alleged defaults in the guaranteed redemption of Rosy Theatre stock, which have been in progress for the past five weeks in closed sessions before Sol Stroock, attorney, referee for the state supreme court, were adjourned yesterday for the summer. A fall date for the resumption of the hearings will be set by Stroock within the next few days.

RKO Trustees Fight Rockefeller Claims

Allowance of Rockefeller Center's claim against RKO at approximately $87,000,000, as recommended in a report submitted recently by Special

(Continued on page 5)

Assert Europe Wants Half Action; Rest Talk, Music

By RED KANN

ABROAD the Eastbound 20th Century Limited, June 21—Fifty per cent action, 25 per cent dialogue and a like percentage of music make the 100 per cent picture for England and the Continent.

RKO executives and sales agents returning from the company's three-day sales convention at the Drake to-day agreed on the breakdown. They were interviewed individually. These men representing a substantial portion of Radio's return from overseas market had their initial reservations on the Windy City. They told J. R. McDonough, B. B. Kahane and Robert F. Sisk, who comprised a trio of (Continued on page 4)

Film Leaders Mourn Death Of Lee Ochs

The death of Lee A. Ochs early yesterday morning at the York Hospital is mourned by the industry. Many of his friends recounted Ochs' history in the business and deeply regretted his passing. He was 55 and is survived by his widow, Mrs. Nana Ochs; his mother, Mrs. Carrie Ochs; a son, Millard, and a daughter, Faith.

Ochs, who was born in Cincinnati in 1890, opened the first nickelodeon on 8th Ave. at the age of 25 and in later years operated the famous 42nd Street theatre with the circuit totaled 10. Six of the theatres in the West Bronx were turned over to Consolidated Amusements.

(Continued on page 2)

Karl Kitchen Dies After an Operation

Karl K. Kitchen, author and well known columnist, died early yesterday morning at St. Luke's Hospital where he had been operated upon early in the week for a neck infection. Pneumonia developed.

Funeral services will be held Monday at 3 o'clock at the Little Church Around the Corner.

One of the first columnists to write on New York night life, Kitchen became well known on the old Morning World. Later he conducted a similar column on the Evening Sun. He traveled extensively and wrote several books.

Kitchen was born in Cleveland March 2, 1885, and was graduated from Cornell University in 1906. He began his newspaper career shortly afterwards. His widow, formerly Miss Dorothy Follis of the Chicago Opera Co., survives.

(Continued on page 3)

Australia's Quota Stirs British Move

By BRUCE ALLAN

LONDON, June 12.—The Film Producers Group of the Federation of British Industries is taking emergency action regarding the New South Wales Quota Act, the full terms of which became available by the last mail.

In a circular letter to its members, Robert Harcl, president of France-Film, Inc., has drawn attention to the grave danger arising from the fact that, while Australian films rank as British for quota purposes in U. K., British films in Australia are classified on the same basis as American and other imported subjects, and need Australian made films as cover.

The danger in this situation for the British industry is that American producers might make cheap films in Australia. (Continued on page 3)

Grauman Talking of Becoming Producer

Sid Grauman plans to enter film production shortly. His idea is to produce from three to four a year. He says he has not discussed his film plans with any companies, but if he does produce it will be for a major company.

Grauman came east with Darryl Zanuck to meet Joseph M. Schenck, arriving from England. He intends to leave June 26 for the coast.

Goldreyer Reported After 11 Near Hub

Boston, June 21.—A deal is understood to be under way here for Charles A. Goldreyer to take over 11 theatres (Continued on page 2)
Don Dean, American band leader who was in the Argentine on a concert tour and also appeared in a Spanish film, "Hodos de La Radio," has flown back to New York from Buenos Aires. He is on his way to California.

Eddie Peskay was the tops for sartorial honors yesterday in that symphony in brown. He is raving mad about "The Farmer Takes a Wife," one of the four Fox films he saw while on the coast.

Monroe Greenleaf leaves by plane today for Hollywood to arrange for the U. A. convention at the Ambassador. He was the Washington correspondent of the Hollywood Reporter on the same plane.

Edward Everett Horton, with his mother and brother, are scheduled to sail on the Normandie today. Also going are Basil and Miriam Wiskerson of the Hollywood Reporter on the same plane.

Bill Robinson, dancer, who has just finished work in Radio's "Happy Love," came in yesterday on the 20th Century.

Arthur Lown on Monday will take a week's cruise in his yacht "Funtastic." He will sail the Hudson to Lake Champlain and back.

Clarence Brown, M-G-M director, will arrive in town this morning by plane.

May Robson visited the old actors' home in Englewood Thursday and renewed acquaintances.

Nils T. Granlund and his troupe of 52 sail today on the American Legion for Buenos Aires.

Irving Berlin left for the coast yesterday to finish the score on "Follow the Fleet" for Radio.

Joseph Brandt and Mrs. Brandt and their son, Jerrold, sailed today for San Francisco on the Santa Elena.

Austin C. Keough has returned from Washington where he attended SEC hearings on Paramount.

Darryl Zanuck and Sid Grauman strutting down the avenue.

Harry C. Arthur gets back from St. Louis on Monday.

Louis Phillips returned from St. Louis late Thursday night.

Bay State Pays Suspects

Boston, June 21.—Gov. Curley today signed the bill authorizing payment of $2,500 each to Louis Berrett, William Greenleaf as compensations for being wrongly accused and tried for the murder of an emigrant of the Paramount, Lynn. Irving Lockhart, William Mullen and Charles Faber, who confessed to the murder when the Berrett-Milwaukie case was about to go to the jury, which find conviction, were electrocuted for the crime recently.

Wall Street

Gains Mark Day on Big Board

High     Low     Close     Change

Columbia vtc (cl) 65 63 64 4/8
Cons. pfd (10's) 1516 1516 1516 4/4
Standard 1515 1514 1454 13
Leeds' 93 92 92 5
Low's 434 434 434 4
Pathe 313 28 28 4
RKO 212 212 212 4
Warner. pfd 27 23 23 6

Color print 25 1/4 on Curb

High     Low     Close     Change

General Theatre 25 25 25 1/4
Loew's 50 49 49 4
Vale dubs 104 104 104 1/8
Wilkinson 6/5 55 55 55 55 5
L. A. F. 80 79 79 5/4
Vales 26 79 79 79 79 2
Curb 27 26 26 10/16

Most Bond Issues Show Gain

High     Low     Close     Change

Columbia 104 104 104 4/4
Loew's 25 25 25 4
Rugiero 25 25 25 5

Film Leaders

Mourn Death

Of Lee Ochs

Under an operating deal and four others, the Uptown, Yorktown, Midtown and Costello to RKO under a term arrangement. The Costello, incidentally, was named after Maurice Costello of silent film fame.

Interested in producing, Ochs was one of the pioneer producers at Fort Lee. He also made "Road to London" in London. In addition to this he acted as business manager for Theda Bara and Bryant Washburn in their heyday. For two years he was president of M.P. Exhibitors League of School of Cologne. He is survived by two terms as head of National Exhibitors League of America. He fought exhibitors combines for years.

Builder of the Piccadilly, Ochs operated the Broadway house for a number of years and then sold it to War- ner. The house is now known as the Warner and marked the inception of the Warner circuit. He was one of the originators of the "Los Angeles" and retained his membership at the time of his death. He was also a 32d degree Mason and an Elks.

Ochs received the Paramount podium as a result of dieting and was feeling well until the time of the Daily Film golf tournament at the Hollywood Country Club. After a hearty breakfast, he started on the morning round and collapsed shortly after. He refused to go to the hospital. The following day, Ochs was ordered to York Hos- pital for an appendicitis operation. He progressed satisfactorily until Tuesday when he began to sink and his family was called to the bedside.

Palmer Stoker, Natalie Burland, Irving Chidoff, Sam E. Morris, William Jacobs, Laurence Bolognino, Tom Willey, William and Harry Low, Mrs. Harry Low, Emil Jensen, Arnold Van Leer, Ed Davido and several of his close friends.

Morton Meyersfeld Dead

San Francisco, June 21—Morton Meyersfeld, Jr., 80, and head of the old Orpheum Circuit for 23 years, is dead at his home here. He died in his sleep.

He was born in Beverungen, Westphalia, Germany, in 1883, and went to the United States in 1901. He was educated in French with his wife, Mrs. Nannie Friedman Meyersfeld, and a daughter, Mrs. Leon Roos of San Francisco.

Eureka Trial June 25

The U. S. Government suit against Eureka Prod. for forfeiture of "Ex- tase," European film about which there has been considerable controversy, has been put down for trial before Judge Knox in U. S. District Court here. Since the hearings this day, have been located by the Coast Guard and found to be shipwrecked and proceeded to San Pedro under their own power.

Italian Film to Open

"The Rich Uncle," an Italian motion picture handled by Metropolis Pictures Corp., opens next Friday at the Westminster.
Opinions Vary
In Frisco on
Code Prospect

(Abridged from page 1)

four San Francisco independents to
Jean C. Flinn, executive secretary of
CPI.

"We believe opportunity exists to set
up tribunals in exchange centers
to cooperate of distributors and
exhibitors, are clued
with sufficient authority and local au-
tonomy. The process of self-regulation
should continue to be advanced by
mechanism to avoid reverting to the
old methods of lawsuits and vicsious
practices."

The telegram was signed by Morgan
A. Walsh, Aaron Goldberg, H. V.
Harvey and George Nasser.

While A. M. Bowles, head of F. W.
C. in this region was unavailable
for a statement, it is known that this
group has retained code of wages and
hours.

Cliff Work, in charge of the RKO
interests and manager of the Golden
Gate, says: "We have received infor-
many of instructions from the office
to adhere to regulations governing
hours, wages and other working con-
tinued under the code, and but not in
favor of a voluntary code, but will be
rushed by course of instruc-
tions from our home office."

Herman Cohen, manager of the
United Artists Theatre, takes this po-

Must Control "Chiseler"

"I believe a voluntary code is possi-
ble if there is established some way to
to control the and that we would continue
practicable requires a lot of con-
eration. In the meantime we are main-
taining the conditions pertaining to
hours and minimum compensation as
provided by the NRA code."

Hal Neides, manager of the Or-
pheum, and in charge of F. M. in-
terests, comes out flatly for a voluntary
code. Says Neides:

"The code was highly laudable, as
ought to maintain fair trade prac-
tices. I believe we should maintain
substantially the code through a
system of self-regulation. When we
announced on our screen that we would
maintain NRA minimum wages and
hours and that we would continue to
subscribe to NRA principles, despite
the absence of code, the announcement
elicited tremendous response. We con-
vinced us that the general public is
buck of the principle of a voluntary
No code, no business."

Henry Goldberg, manager of the
Fox, said:

"Yes, I am in favor of a code volun-
tarily provided that such a code will truly
represent the interests of the indepen-
dent exhibitor as well as the big butter-and-
egg men of the industry."

James Nasser of Nasser Brothers
said it was in favor of code regulation of
the industry as a principle.

Sam Levin, who operates the Col-
iseum and other houses, cannot foresee at
this time whether a code, voluntary or compul-
sory, is at all practical. "I am
in favor of a code for the in-
dustry which is workable, fair and
quotable to every faction is imprac-
tical," Levin said. "It is not enough to give
a small element to ad-
here to a compulsory code, backed by
laws and backed by a court. It will be dif-
"If a code is
while, which requires a great deal of
and a courageous facing of
facts."

Several exhibitors interviewed by
Motion Picture Daily said that they had no
idea of a kind of a code, but requested that their names be with-
held from publication. Others who
took the opposite viewpoint also de-
clined to be quoted.

Expect Pathe Case
To Go Over to Fall

(Abridged from page 1)

Hollywood, June 21.—The Fox
Hollywood lot will be closed so far
as actual shooting is concerned from
the end of this week until July 8.

Finishing up this week are "The
Silk Hat Kid," with Lew Ayres and
Mac Clark; "Thunder in the Night,"
with Edmund Lowe and Karen Mor-
ley; and "Steamboat Bill," starring Will
Gibson and the Spanish picture
"Rose of France."

Starting July 8 will be "Ball of
Yarn," with Alice Faye, George
Haley, and the Jane Withers film,
"Meal Ticket. About July 15
"Beauty's Daughter" and "China
Chen in Shanghai" will start, and
somewhere near that date "Ramona"
will begin.

RKO Cancellation

TORONTO, June 21—N. J. Blumberg
and A. H. McCausland were here to
discuss with the management the
connection with RKO's Canadian thea-
tre activities. They came from the Radio
station in Chicago and were
briefed by A. E. Reoch who made the
trip directly from New York. The
party returns to New York Saturday.

Australia's
Quota Stirs
British Move

U. A. Votes to
Take Schenck,
Cinema Stock

(Continued from page 1)

for quota purposes in U. K.
'talkies.'" It was not certain that strong rep-
resentations will be made to the Brit-
ish Government to provide against
such a move.

Failing a revision of the Australian
Act, it is a probability that Australian
importers will be told by the thins act to be deprived of their "Brit-
ish qualification."

Sinclair Hill, a veteran director of
British pictures, who made many films
for the Stoll Film Co., and recently
taken on for a picture, has been
taken a week's recess for a personal
visit to his old home in England. He
will not be taken until fall. If the
motion for a preference is denied, it
may require another year before the
case is reached for trial.

Casey's application for a receiver
for Pathe was withdrawn early this
week. The court, apparently
ignored the withdrawal in making its
ruling yesterday that no cause for the
appointment of a receiver had been shown.

RKO Trustees Fight
Rockefeller Claims

(Continued from page 1)

Master Thomas D. Thacher, will be
contested by the RKO trustee, it was
learned yesterday.

The claim was based on construction
costs of the two Radio City theatres
which, according to the leases made
with RKO, were to be liquidated in the
event of a permanent receiver be-
ing appointed for RKO. Thacher's
claim is for nearly the amount of the
claim at $9,600,000, less two
months' rent paid on the theatres
by RKO and withdrawals by Rockefeller
Fund to provide for deficiencies in rents on
the theatres. Rockefeller Center retains
the houses even after the adjudication of the claim.

Decision to contest the allowance of
the sum in the amount of $1,200,000
be 
by Thacher was made recently
Irving Trust Co., trustee in reorgani-
ization for RKO, and argued briefs
be prepared by Donovan, Leisure,
Newton & Lumbarth, counsel for
the trustee. It is believed likely
case in the New York State court and
Thacher will also be contested by the
trustee.

RKO Shifts Theatre
Setup in Columbus

With acquisition of the Grand, Col-
lumbus, from Duseenski Bros., RKO
is shuffling its first and second run
houses in that city. The Grand is be-
ing modernized and will be ready for
opening Labor Day. Presently a sec-
ond run, the new policy under RKO
operation will be first run. The Ma-
Jestic, now a first run, will become
second run. Distribution of the Pathe
will be continued on its present policy of first
showings.

John O'Connor, buyer for RKO, and
Max Fellerman, booker, returned yes-
terday from Columbus after looking
over the local situation.
“Ladies” Big Boston Draw; Others Slump

Boston, June 21.—“No More Ladies” was the big noise of the week, it ran up to $18,000, above the line by $6,000, at Loew’s State in the face of a general slump.

The only other attraction to develop any strength was “The Glass Key,” which took $24,000 at the Metropolitan, in which its distributors show. This was $2,000 over average.

The girl Who Came Back” and “Doubting Thomas,” playing day and date at both the Fenway and the Paramount, were weak in both spots. Total first run business was $85,500. Average was $1,030.

Estimated takings for the week ending tonight:

“The girl Who Came Back” (Chessterfield) "DOUBTING THOMAS" (Fox) FENWAY — $1,320, 36-50c. 7 days. Gross: $2,950. Average: $414.

"HOORAY FOR LOVE” (Radio) KELLY "ELLIS " (20th) LOOMS STAGE — $1,320, 36-50c. 7 days. Gross: $2,700. (Average: $120.)

“NO MORE LADIES” (M-G-M) PARAMETRON — 4,320, 36-50c. 7 days. Gross: $18,000. (Average: $1,200.)

"THE YOUNG THOMAS” (M-G-M) METROPOLITAN — 4,320, 36-50c. 7 days. Gross: $2,000. (Average: $228.)

"DOUBTING THOMAS” (Chessterfield) "DOUBTING THOMAS" (Fox) PARAMOUNT — $1,790, 36-50c. 7 days. Gross: $2,400. (Average: $329.)

"THE PEOPLE’S ENEMY” (Radio) "THE HEALER” (Radio) KEMA — 3,320, 36-50c. 7 days. Gross: $7,000. (Average: $1,138.)

Reagan Opens Para. Session in Chicago

Chicago, June 21.—Charles Reagan, western office manager, held the first of a two-day regional meeting today of Paramount sales forces from the Detroit, Chicago, Milwaukee, St. Paul, Des Moines, Indianapolis, and Kansas City areas.

From here Reagan will go to Minneapolis, St. Paul, Des Moines, and Fort Worth, and will then return to Los Angeles.

He is making his first trip to the Midwest since assuming his duties in Chicago and declared the production department is now conscious of the scope of the international market.

Conditions in England, he stated, where theatre business had sloughed in April, had begun to regain its strength as the results of the European production were beginning to make seen.

The theatre spree which currently characterizes the English industry is due to a great extent in the increased demand running between £4,000,000 and £4,000,000. Interest was a plan he evolved to ascertain the reaction of the British exhibitors to the pictures released between £3,000,000 and £4,000,000, as well as to ascertain the effect which the pictures had on the British theatre operators.

A new interest he will have to watch in this British theatre operators is the progress which the British theatre operators are making in their own language was a natural reaction of Continental pictures, he expressed himself as seeing any gains in the early production as one which is giving way to the greater appeal of American stars and the technical excellence of American production.

European production is gaining, he added. Czechoslovakia will make 30 to 40 this year; Austria, Hungary, and Italy, 1,000 a year. France, which total in their native tongue, although the Lesim was not prepared to chalk up a large portion of our foreign pictures to Lesim, he marked down for a total identical with Czechoslovakia and credited French studios with an anticipated 2,000 to 3,000 for the year.

Similar to the divisional managerial system which prevails in the American selling scheme, Lesim has a staff of three.

Michael Havas handles Germany, Austria, Hungary, Czechoslovakia, Poland and Yugoslavia; Carl Wallman handles France; and Radio International in Scandinavia and the Border States.

Joseph Bondo, with headquarters in Rome, Italy, is the man in charge of Italy and the Balkans. Michael Gerardy is Lesim’s assistant in Paris.

Joost Smit, director of N.V. Radio International, is the distributor in Holland and the Dutch East Indies, stated there are 200 theatres in the territory and all of them are in operation. The Dutch East Indies have 400, practically all of them wired. Business in Holland is not too good, he added, giving as his theory that the low scale in theatre admissions. The average is one guilder which currently is 60 cents. American Smit believes an immediate increase of 25 per cent is necessary and a step which Dutch exhibitors can absorb without difficulty.

Plans 12 Dutch Features

Loet Barnstyn plans 12 features in the coming year, and he is seeking sources very short, new, he remarked. “I see no cartilage facing American product because of the production of the British and Hollywood product has the edge in point of facilities and production efficiency.”

American exhibitors may be interested in learning that the theatre business in both countries has been held to the 1932 level, and is held to be the same for 1935. The market for local and foreign films is not being limited, and such an organization as the British Film Institute, which is being held to 1935, is being held to the same level for the year.

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London Hails Move for N.Y. Code Service

C. B. L. Tennyson Cables Thanks to Will Hays

By BRUCE ALLAN

LONDON, June 24—Assurances from Will H. Hays that a New York office of the Production Code Administration will be opened as a convenience to British producers wishing to submit films for inspection have been received here with evidences of satisfaction.

Charles B. L. Tennyson, chairman of the film manufacturers' group of the British Federation of Industries, who was active in arranging the recent visit of Carl E. Milliken, representing the Hays office, and Martin Quigley, who

"Gwyn" Rivoli's Worst in a Year

Despite an extremely friendly greeting at the hands of the New York executive, the boss produced "Nell Gwyn," which rounds out its first and last week at the Rivoli tonight, will hit the lowest gross at that theatre in almost a year. The return is expected to run between $8,000 and $9,000 a

Otterson Plans Trip To Coast on Sunday

John E. Otterson leaves for the coast next Monday on his first visit to the Paramount studio as head of the company. Watterton R. Rothacker, who will be assigned to the studio as home office contact, may accompany him west, but present indications are that Adolph Zukor, who plans to take an active part in studio affairs in the future, will remain here for the time being.

Otterson's studio visit is aimed at obtaining first hand knowledge of studio problems and needs. Final details of the new contracts for Henry Herzhurz and Ernst Lubrich may be worked out during Otterson's stay in Hollywood.

Al Lichtman to Be Ampa's Honor Guest

At Al Lichtman, president elect of United Artists, will be the guest of honor at the Ampa luncheon Thursday at the M. P. Club.

Although the meeting is primarily

NVA Seeking Loan to Save Its Sanitarium at Saranac

The NVA sanitarium at Saranac Lake, long a haven for tuberculosis members of show business, faces extinction unless a deficit running, in estimate, from $90,000 to $140,000 is met.

An appeal directed to the presidents of the major film and theatre companies is expected to be issued shortly, probably on the basis of a loan to be paid off by the NVA over a period of years.

The recent NVA drive netted $60,000. Circuit and other theatres had pledged themselves to contribute to

Television Up at C.E.A. Convention

CARROFF, Wales June 24—Five hundred British theatre owners, members of the Cinematograph Exhibitors' Ass'n., were gathered here tonight for their annual meeting, which will discuss television, the position of the small exhibitor, rentals, quota films and censorship.

The sessions will run four days and include a meeting of the general council slated for Tuesday, at which the debates on the leading problems facing the convention will be aired. Papers are to be read by leading members of the English industry.

Product Deals Near For First Division

First Division is expected to close a number of product deals this week. Among the first deals to be set are

Enforcement Via Voluntary Code Viewed as a Handicap

KANSAS CITY, June 24—Enforcement, judging from comments of exhibitors here, is the hump over which the voluntary code bill now in Congress cannot get.

Lack of enforcement of the lately decreed code is seen locally as its weak point and is given as the reason they were not particularly sorry to see killed by exhibitors, most of whom approved the purpose and idea behind it.

Enforcement was the cochrome under the old Film Boards of Trade and later under the arbitration setup under which exhibitors here operated for

Art Is Art

KANSAS CITY, June 24—Joe E. Brown gave the local reporters an earful on his way east. He admitted sheepishly that he had played in "A Midsummer Night's Dream," "I guess the hard words have been spoken better," he said, "but never bigger or louder.

"We were a hot troupe of Shakespeareans—me from baseball. Cagney from the chorus. And Hugh Herbert from the old burlesque. We got together and decided we'd have to follow Herbert's classic traditions. I think Shakespeare would like the way we played it, and I'm sure the Minsky brothers would."

Study Planned of Code Legal Angles

Austin C. Keough, Harold S. Bared for Charles J. O'Reilly. Within 90 days, networkers and Tyree Dillard, Jr., were named yesterday by Camp as a subsequent circuit which bears his name and controls about 60 theatres in New York and Ohio, have individual ideas.

The first exhibitor is for the code lock, stock and barrel. He says he's always been a believer in the NRA and thinks a code is the best thing for business.

Reactions to a voluntary code for the industry are coming to light. Mort Singer, who operates 10 theatres in the west and midwest in association with RKO, and Meyer Schine, head of the circuit which bears his name and controls about 60 theatres in New York and Ohio, have individual ideas.

The first exhibitor is for the code lock, stock and barrel. He says he's always been a believer in the NRA and thinks a code is the best thing for business.

"I don't believe in belittling the theatre business and I'm against give-

Report Atlas Has Given Up Survey of RKO

Said to Have Abandoned Reorganization Plan

The Atlas Corp., large investment organization, is reliably reported to have terminated the first study of RKO which it has been making over the past few months with a view to developing a plan of reorganization for the company. The ending of the financial study is assumed to mean that Atlas will not propose an RKO reorganization plan, at least for the time being.

Atlas, which figured prominently in the reorganization of Paramount Pub-

Giveaways Spread Around Milwaukee

MILWAUKEE, June 24—Local exhibitors are taking a hefty swing at bank nights in an effort to bolster summer business and reports have it that by July 1 approximately 20 per cent of the houses here will be sporting some form of stimulant from two to four nights a week.

Both Fox and Saxe Amusement Management, Inc., will give screeno

Tichenor to Confer On Picketing Today

Frank Tichenor, publisher of Out-

look, who was appointed last week by Mayor LaGuardia to settle the local picketing situation, will meet today with representatives of Local 306, Al-

lied and Empire unions.

Local 306, which is continuing its picketing of 12 houses mainly in the Broadway sector, has reduced the number of men to two for each of the seven theatres.

Harland Holmden, in charge of Local 306 under I. A. T. S. E. supervision, is due from St. Louis today to attend the Tichenor session. He has been at-

tending the executive board meeting of I. A. T. S. E. affiliates.

Fox Met Claims Get Ruling to Aid Vote

Claims against Fox Metropolitan Playhouses were provisionally allowed at $7,735,000 by Federal Judge Julian

(Continued on page 3
BARRETT KIESLING and EDMUND GOULDING among the diners at a solo at "Z1" over the warm weekend. TRUMAN TALLEY and Mrs. T., Pauline STONE and Mrs. BUCKLEY and Mrs. B., among those who dropped in after the theater for a midnight.

JOHN E. KENNERBACK, general manager for Paramount in Australia, has flown to a coast town in New York, where he attended the company's sales meeting. He'll leave for home after a week in Hollywood.

HOWARD HUGHES has cancelled his return to the coast and will be here indefinitely. His racing plane is expected momentarily for test flights at Trenton and in the meantime Hughes is flying around in a rented seaplane.

Quip of the Day

Bill Udlin in again, this time with the yarn of the executive who wanted something done pronto or even better, yesterday. He dispatched his secretary to the cubicle where the office boys recline. There she noticed one of the o.b.'s peeping around at a typingsoon.

"Are you very busy now," she inquired.

"Yes," I am," replied the o.b., who is educating himself via the night school method at New York University.

"If so, are you doing what?"

"My homework."

"I'm sorry. Don't bother. I'll get someone else," replied the secretary.

EDDIE DOWLING will be back on Broadway for the fall season with two new plays. One is a melo-drama, "He Who Sups With The Devil," and the other a comedy, "Agatha Calling." Dowling will also go on the road himself with "Thumbs Up."

WILLIAM P. LIPSCOMB, playwright and author, has arrived from England and is interested in transferring "Annapolis Farewell" to the West Coast.

DICK POWELL and the Warner crew making shots at the Navy Academy for "Annapolis Farewell" have returned to the coast.

WALLACE BEBBY has been signed as guest star on the Lux air program for late next month. RALPH FARNUM gets the deal.

MORT SPRING and DAVE BLUM are writer-director-playwrights on his yacht, "Funfussie." The trio left yesterday for a cruise to Lake Champlain.

EDNARD KNOOP, member of the M-G-M writing staff, has flown into town from the coast for a short vacation.

MARVIN and MRS. SCHEINER and A. C. BLUMENTHAL were among those at the Westchester Bath Club Sunday night.

HERN ARMETT, Universal producer, will start a week's personal appearances at the Roxie Friday.

MORRIS KINZLER has trimmed 15 pounds from his weight in the last few weeks.

CLARENCE GOMPERTZ has resigned as manager of the Plaza, Bayonne, N. J. No successor has been appointed.

ARLINE JUDGE and her mother, MRS. JOHN A. JUDGE, are in town. They are at the Ritz Tower.

LOWELL CALVERT looked right smart and cool and all bedecked in linen the other day.

HARRY C. ARTHUR returned from St. Louis yesterday.

GRAD SEARS is thinking about a new Westchester home.

BOB GILHAM is a temporary window display man, MRS. G. is in Wisconsin.

BUD ROGERS starts his new duties at Republic on the first of the month.

SAM COGALIS didn't go to Europe after all. Too busy.

... Pittsburgh

Joe Feldman has finally found a house in the Mt. Lebanon district.

JOHN H. HARIS and MRS. HARRIS have adopted a five-week-old boy which they have named JOHN H. HARIS, Jr.

SVERRE FORREST is closing his booking office here the first of July because of poor health.

HARRY KALMINE, back from the Warner convention on the coast, is all excited about the picture lineup for next season.

The newlywed BERT STEARNS will attend the opening of "The Gables" in New York on the 24th.

Czechoslovaks Move For Loans of Props

WASHINGTON, June 24—Czechoslovakian producers have been requested by the U. S. Department of Commerce to cooperate with other branches of Czechoslovak industry by using high-class products wherever possible as film properties in the making of some pictures in order to advertise Czechoslovak merchandise, reports Commercial Attaché K. M. Rovny, Jr., to the U. S. Department of Commerce.

Under the proposed arrangement, the domestic producers would lend film companies furniture, glass fixtures, etc. To date the studios have refrained from purchasing Czechoslovak products in order to keep down production costs.

Paris Ponders Over Fate of Big Houses

BY PIERRE AUTRE

PARIS, June 24—There is much speculation among the trade here as to the reason behind the closing of the Empire Cinema-Music Hall and the Moulin Rouge, ace houses of the local Parisian exploitation. But much of the discussion is fostered by the knowledge that Pathe-Nathan is awaiting the right time.

The Empire Cinema-Music Hall, 3,000-seat house, where pictures and vaudeville were co-featured, has been under Pathe-Nathan for the past year, while the Moulin Rouge, 2,200 seats, turned to pictures in 1929 with the waning of Mistinguett's star and was taken over by the circuit a year later.

Every Third Film in Italy Must Be Local

WASHINGTON, June 24—All Italian theatres must now show at least one domestic for every three foreign pictures under a law passed by the Council of Ministers on May 4, according to a report to the U. S. Department of Commerce from C. Matthews, clerk of the council of Ministers, Rome. That ratio was applicable only to first and second runs in cities of more than 50,000.

Also changed are rental terms. Italian films may not be rented at a lower figure than those asked for foreign pictures, with the same same weight and importance. It is no longer permitted to conclude a contract in which both foreign and Italian films are included.

Jerseyites to Talk Pooling Again Today

New Jersey exhibitors interested in pooling their interests in one large independent circuit, will meet today at the Lincoln to discuss the plan. Allied of New Jersey has not met today, the next session being slated for next Tuesday at the Lincoln. The organization is not interested in the pool.

honeymoon in Hollywood during the United Artists sales meet.

Ed SEGAL, manager of the Ritz, is vacationing at Venice-on-the-Lake, Ohio.

Ted WILKOW, Pittsburgh boy who has been writing air guitar for Joe PENNER all season, will accompany the radio comedian to the coast when he leaves to make his second Paramount picture.
Report Atlas Has Given Up Survey of RKO

(Continued from page 1)

of light of secured and guaranteed indubitable, it is understood. The study left RKO's real estate holdings and other assets, including all its other phases of the company's activities, some knowledge of which would be indispensable to the formation of a reorganization plan.

Market activity in RKO securities which continued for several weeks during the survey and which was commonly attributed to Atlas investment activities, subsided recently. Moreover, the disclosure that Atlas had offered Pathé exchange only 17 cents on the dollar for the $1,696,000 of RKO notes held by the latter, and recently Peter W. Goetz, director of Pathé, has written to Atlas to raise $5,500,000 in two years for unemployment relief.

Additional studies of RKO's current position with a view to developing reorganization plans, which were in progress with RKO's assets, are being made by Atlas, are continuing, however. These include a survey by C. V. Johnson, a determining factor in Atlas, and Charles Hunt, and Chauncey & Brown, on behalf of bondholders, and another by the Seligman & Spedel banking firm, who both of whom have RKO investments.

It is reported, may re-enter the RKO scene at a later date, possibly as a large security holder in connection with any plan that may be proposed from any creditor source.

Fox Met Claims Get Ruling to Aid Vote

(Continued from page 1)

W. Mack yesterday in order to permit the claimants to vote on the Joseph M. Schenck-Fox reorganization plan for Fox Met on Thursday.

The claims were tentatively allowed in the amounts in which they were filed and will be contested by the Fox Met trustee before being finally allowed by the court. The largest single claim in this group is that of Fox Theatres for $5,776,577, which is expected to be reduced irreparably prior to its final allowance. Two-thirds of these general creditors' claims must approve the Schenck reorganization plan before it can be declared effective.

With Fox Theatres as a proponent of the plan this requirement is regarded as certain to be met.

There are approximately $12,500,000 of gold notes and debentures outstanding, on which it is expected the plan will also favor the plan. The Fox Met bondholders' committee, representing approximately 89 per cent of these, has declared itself in favor of the plan.

Hamilton Aids Opening

PORTLAND, June 24.—Neil Hamilton, official representative at the opening of Monument's "Keeper of the Bees" aided materially in swelling the take to over $2,000 more than "Girl of the Limberlost," former record holder for the house. Hamilton is booked into the house for one week only.

NVA Seeking Loan to Save Its Sanitarium at Saranac

Pennsylvania's 4% Ticket Tax Signed

HARRISBURG, June 24.—The four per cent tax on admissions to theatres and other places of amusement has been signed by Governor Earle. It is effective July 22. The measure, which was signed after the House concurred in the Senate's amendments to the bill, is expected to raise $5,500,000 in two years for unemployment relief.

Some maintain collections gathered directly from audiences would have been more effective. This is known to be true for a control. This was for a much greater period, however, for the percentage-of-the-receipts plan this year.

Product Deals Near For First Division

(Continued from page 1)

those with Chesterfield and Invincible. George Luckinbill and Manny Cohen are planning to increase budgets on the new Chesterfield and Invincible lineups. Likewise production efforts will be concentrated on few pictures.

A deal is in negotiation with B.I.P. and to be worked out between Mr. and Mrs. Arthur D. sails for London, probably this week-end. End is said to be agreed with M-G-M for the distribution of "Mimi" in this country. The major distributor may also take others. At least two other major companies are dickering for a number of B.I.P. films.

Theatres Win Tax Move

Two theatres have won reviews of their tax assessments through a ruling handed down by Justice Meier Steinbrink in Queens special term. One is the B. F. Keith Corp., property at 1562 Myrtle Ave., Ridgewood, which claims the spot is worth $450,000, but has been assessed at $656,000. The other is the Variety Theatres Corp., property at 929 Northern Boulevard, Flushing. It is assessed at $740,000. The owners claimed it is valued at $990,000.

London Hails Move for N.Y. Code Service

(Continued from page 1)

in honor of Lichtman, members of the victorious Ampa golf team will be awarded medals for their defeat of the M. P. Club team in the Film Daily golf tournament.

Several Broadway stars have also promised to attend and play.


Martin Quigley will be among those to speak.

Honor Schenck Today

U. A. executives are tendering Joseph M. Schenck a luncheon today at the Ritz-Carlton at which the latter will be presented a gold cigarette case by Al Lichtman, Joseph Moskowitz, Harry Buckley, Arthur W. Kelly, Paul Lazarus, William Philips, Harry Gold, Hal Horne, Dennis F. O'Brien, Morris Helperin, H. J. Muller, Paul Berger, Charles Stern and Monroe Greenfield.

Para. Regional Meet

KANSAS CITY, June 24.—Paramount exchange managers, sales managers and salesmen from Missouri, Kansas, Iowa and Nebraska met here today for discussion of the company's future product. The meeting will be carried over to tomorrow when several new pictures will be screened.

Kitchen Laid to Rest

Karl K. Kitchen, columnist and author of "Renaissance Man," St. Luke's Hospital on Friday in his 81st year, was buried yesterday afternoon in Forest Lawn Cemetery, Westchester, following funeral services in the "Little Church Around the Corner." Among the floral offerings at the altar were those of the American Film Producers and Chaplin. Waterson R. Rothacker was among the honorary pallbearers.

George J. Sank Buried

COLUMBUS, June 24.—Funeral services were held today for George Jay Sank, 74, veteran president of the National Minorrel Players' and Piano Ass'n. Sank built the Opera House at Piqua, O., several years ago. His widow survives.
MILWAUKEE, June 24.—Exhibitors are studying the proposed enactment of a municipal NRA ordinance. Mayor Robert Raskin, city attorney, has been directed by the judiciary and federal aid committees of the Common Council to draft an ordinance conforming to all NRA principles.

Raskin declared that such an ordinance could be framed to require all firms getting licenses from the city to observe minimum wage, maximum hour and other working standards for their employees.

Should cities adopt ordinance of this kind, and states follow up with their own recovery codes, then these combined with the Federal stop-gap NRA could virtually take the place of the original NRA voided by the U. S. Supreme Court, Raskin declared.

Council felt that such an ordinance on a municipal level would be a better procedure than a state-wide ordinance, which would be the result of the NRA bill recently passed by the Wisconsin Legislature.

Study Planned of Code Legal Angles

(Continued from page 1)

from the sub-committee is expected in two weeks when Campi will convene again.

Meeting yesterday were J. Robert Rubin, chairman; Barford, O'Reilly, A. W., Robert Macdonald, Walter Vincent, Knecht, William Jaffa, Felix A. Jenk- 
s, Leslie E. Thompson, Flinn and Ollard.

Meanwhile Code Authority is operating with a skeleton staff. Price.

Washhouse is expected to complete an audit on Campi's financial statements in time for the next session.

“Gwyn” Rivoli’s

Worst in a Year

(Continued from page 1)

figure approximately $5,000 under operating costs on any opening attraction. Display advertising plays a sizable role in the overhead.

“Are We Civilized?” which played the Rivoli the week ending June 19 last year ended at a reported $9,500 after which the house closed for a period of four weeks to subsequently reopen with “House of Rothschild.”

Opening week grosses at the Rivoli in the last year have varied from $45,152 for the first stanza of “Les Misérables,” which grossed $23,995 to $13,400 for “Brewster’s Millions,” also British, which closed the first seven days of its engagement on April 12.

Perhaps uniquely, the two opening week low grosses are held by one company, British and Dominions Pictures.

Carson Coming East

KANSAS CITY, June 24—Jack Carson, master of ceremonies at the Tower for some time, leaves after this week for a 10-week sojourn in the east, when he will return.

Nat Nazarro, Jr., will fill the gap.

Out Hollywood Way

HOLLYWOOD, June 24—A “Screen Stars” baseball game is scheduled for June 29 for the benefit of the Los Angeles Free Tuberculosis Sanitarium. Bishop T. J. Sullivan, who financed “One Black Cat” for the Rivoli, will also be present. The cast of “The Great Gatsby” and other Hollywood stars will also compete.

HARRY CAREY, former western star, signed by Samuel Goldwyn for “Bar- barry Coast,” Frant Pittcott off in a motor trailer for vacation at Lake Tahoe. Rosamond Pinchot here ready to start in Radio’s “The Three Musketeers.” John Ford going to Honolulu for his health soon. Arthur Ripley and Lee Marcus busy on two “Average Mail” comedies at Radio. Hennes Hoppe on a road trip off so she can work in “Glitter” for M-G-M.


Story Bys—Woman of Spain,” novel, by New York, by Elizabeth Finlestone, Katherine Helichm and Jeanne Greengold; “laughs & Smiles” for Beatrice Freeman, Helen Frieh and Anita Starkman; Edge- mere Theaters, Inc., Queens, Alvin Allsman, Nina Novello and Elias Pearl the scenes for “Let Me Live” for M-G-M.

“Rearing Girl” by George G. Moffit, acquired by Paramount.

Beverly Hills Fixes Fees

HOLLYWOOD, June 24—The Beverly Hills City Council has passed an ordinance imposing a license fee of $51 per year on theatrical and film agents. The fee may be paid annually, semi-annually, or quarterly and this ordinance waives a $10 police investigation fee previously decided upon. Many of these small businesses have their offices in Beverly Hills.

Radio Buys Two Songs

HOLLYWOOD, June 24—Radio has bought two songs. “Lips in the Dark,” by Will Jason and Val Burton, will be used in “Believe It, Loved.” “Isn’t Love the Sweetest Thing,” by Louis Arz and Jack Scholl, will be heard in the Wheeler and Woolsey comedy, “The Rainmakers.”

“Meal Ticket” Title Set

HOLLYWOOD, June 24—Fox has chosen the title “Meal Ticket” for the next Jane Withers picture scheduled to go into production on July 8. Marsellus and Hopson will direct and Ralf Haraldo will also be in the cast. The screen play is by Lamar Trotti and Jerry Herman.

Fire Damages Vt. House

ST. JOHNSBURY, Vt., June 24—Fire damaged the Gray Theatre here to the tune of some $15,000 with the front of the house suffering the most damage. Charles Gray, owner, has started plans to reconstruct the house back in operation soon.

Improve Pleasantville

PLEASANTVILLE, N. J., June 24—Joe Horstein is renovating the Rialto.

Grant Albany Charters

ALBANY, June 24—New incorporations of Albany are: Farwill Amuse- ment Co., New York, by Eliza- beth Finlestone, Katherine Helichm and Jeanne Greengold; “laughs & Smiles” for Beatrice Freeman, Helen Frieh and Anita Starkman; Edge- mere Theaters, Inc., Queens, Alvin Allsman, Nina Novello and Elias Pearl the scenes for “Let Me Live” for M-G-M.

Elicker to Wilkes-Barre

SUNBONN, June 24—Joseph Elicker, manager of the Strand here since September, has been transferred to the Manager’s office in Wilkes- Barre, Lloyd Hause, manager of the Capitol, Bloomsburg, for the past five years, succeeds Elicker in Scranton.

N. O. May Allow Pickets

NEW ORLEANS, June 24—Peaceful picketing will be allowed under the terms of the recent NRA order introduced in the Commission Council by Mayor Walsmey. In the past ar- rackets of pickets have been the rule.

G. B. Set in Pittsburgh

George W. Weeks, G.B. general sales agent, closed yesterday with the Harris circuit, Pittsburgh, for the G.B. new season lineup.

Giveaways Spread Around Milwaukee

Tuesday, June 25, 1935

play in various houses, while the Strand and Father’s only local house, is slated to open with bank nights on Tuesdays and Thursdays.

Incidentally the house has reverted to a single feature policy with changes on Saturdays and Wednesdays; admissions 15 cents to 6 P. M. and 25 cents after 6 P. M.

Fox’s Riviera, neighborhood house, has gone in for nickel matinees, playing twin features, serial, cartoon and newreel with a paddle pop or two for the kiddies. Reports have it, also, that the pictures shown at these mati- nées include major company product.

Faced with such a setup it is not known whether the Milwaukee county mem- bers of the I. E. P. A. will take any action on an anti-feature policy. If this feature policy continues the house patron turned in about 50,000 votes in the poll.

Portugal to Produce

WASHINGTON, June 24—Tobis Por- tuguesa and Films Luis Machado, two of Portugal’s leading producers, have been given a government grant for the purpose of making at least one Portuguese talkie this year. The sound features a year, according to a report to the U. S. Department of Commerce, from America’s Foreign Con- sul Daniel V. Anderson at Lisbon.

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Improve Pleasantville

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NEXT SEASON MORE THAN EVER

PRODUCTIONS ... NOT PREDICTIONS!

We approach the new season with the confidence born of success... The year now closing was RKO-Radio's most successful, and we wind up 1934-35 with the biggest attractions of the year!


Any one of them would highlight a whole year's program... but they're on the same year's list that brought forth "The Gay Divorcee," "The Little Minister," "Star of Midnight" "Roberta," and many other big-money shows!

"TOP HAT" starts the 1935-36 season... Let it be the measure of our plans for the new year!

Our organization is geared for success!... Each achievement adds to our strength!... Each triumph demands greater triumphs!

In a blaze of glory we end one year and brilliantly begin another, as soaring ambitions sweep us on to still greater accomplishments!
SUPREME BOX-OFFICE ATTRACTIONS!

"TOP HAT"... to burst open your season on Labor Day, with music by IRVING BERLIN!

And at New Year’s, the Holiday trade winds will blow you new riches in rhythm in

"FOLLOW THE FLEET," by the same IRVING BERLIN and the same breath-taking stars.

"TOP HAT" nearing completion.

And a million dollars worth of dreams in the bag for NUMBER THREE!... ready for you around Easter time!

Pandro S. Berman Productions
Directed by Mark Sandrich
High up on the list of pictures for 1935-36 are TWO TECHNICOLOR PRODUCTIONS to be made by John Hay Whitney's PIONEER PICTURES COMPANY which with "Becky Sharp" brought the Miracle of Living Color to the Screen. These important and ambitious pictures will be produced under the supervision of Merian C. Cooper.
"MARY OF SCOTLAND" - The glorious young queen who held love mightier than a throne. Maxwell Anderson's play. The Theatre Guild's greatest stage success becomes one of the most ambitious and spectacular dramas ever conceived. To be directed by John Ford. Screen play by Dudley Nichols.

"SYLVIA SCARLET" - George Cukor, who made "Little Women," and "David Copperfield," will direct this heart-wringing modern romance, from the novel by Compton McKenzie.

"QUALITY STREET" - Hepburn in the stirring human role made famous by Maude Adams. One of J. M. Barrie's best plays.

PANDRO S. BERMAN PRODUCTIONS
Notable among the events of the coming season will be the motion picture debut of Grand Opera's most glamorous diva—the beautiful, gifted LILY PONS... Around the magnetic youthful personality of this glorious girl has been written a great romantic drama... with music and songs by JEROME KERN, composer of "Roberta," and lyrics by Dorothy Fields... In the tentatively-titled "LOVE SONG" Miss Pons brings to the screen for the first time all the golden glory of a voice whose heart-calling thrills have moved men and nations to wildest applause....

A Pandro S. Berman Production directed by John Cromwell.
GINGER ROGERS, heartbreaker, will be starred in a story by the author of "It Happened One Night," SAMUEL HOPKINS ADAMS, who has given the same delightful flavor to this exciting comedy-drama of a movie star's personal appearance adventures... A Pandro S. Berman Production directed by William A. Seiter. Working title, "IN PERSON."

WILLIAM POWELL, the debonair...nonchalent hero...prime favorite of the hour, will be seen in "TWO O'CLOCK COURAGE," Gelett Burgess' new novel of a daring adventurer in evening clothes.
2 PRODUCTIONS

Stalwart Stories! . . . Strident Drama! . . . Heroic tales of courage and daring and high adventure! . . . Stirring melodramas made for those major millions of fans to whom action speaks louder than words!

2 MUSICALS

HEART-CRUSHING BEAUTIES AND GLADDING SONGS IN 2 STORIES OF GLORIOUS ROMANCE AND MELODY!

"TO BEAT THE BAND"
(tentative title)

...and one more glittering big name show, made in the manner of RKO!
Producer, Zion Myers
IRENE DUNNE who endeared herself to millions in "Roberta," returns in one or more productions to again give the world her glorious voice and exquisite charm.

CHARLES BOYER, who set the world's feminine hearts aflame with his magnificent performance as the perfect lover in "Break of Hearts," will appear in one production... Negotiations are now pending for a vehicle which will give full scope to the magnetic charm of the man who has become romantic dynamite on the screen.
ANN HARDING
IN TWO PRODUCTIONS

The charm and appeal that is Ann Harding will reach the screen this year in two pictures as richly human and deeply moving as "Vergie Winters."

GENE RAYMOND
IN ONE OR MORE PRODUCTIONS

Among the younger stars, none has risen more rapidly in popularity than GENE RAYMOND. . . . His success in several recent pictures . . . his sensational personal appearance tour in which he broke records in de luxe houses throughout the country . . . are perfect build-ups for his new season appearances in youthfully romantic roles.
WHEELER AND WOOLSEY
THE FAVORITE SONS OF THE PADDLED CELL...

IN 2 NOBLE EFFORTS...
"THE RAINMAKERS"
is one of them... haymaker to you!
Fred Guiol, Director  •  Lee Marcus, Producer

JAMES GLEASON
Creator of "the Great Inspector Piper" who never missed a clue nor caught a crook in

2 PICTURES... which continue the hilarious adventures and are made to the measure of America's leading "dis-an'-dat-'dem-an'-dose" detekative!
"ANNIE OAKLEY"

"THE RETURN OF PETE"

"MR. GRANT"

"THE PLOUGH AND T
BARBARA STANWYCK

as one of the most colorful characters that ever came out of the Great Frontier, ANNIE OAKLEY, crack shot and Circus Queen. The exciting life and loves of this "Shooting Star" will be relived by BARBARA STANWYCK in a picture that combines the lure and glamour of the Big Top with the thrill and adventure of the wild and woolly West.

Directed by George Stevens from the story by Joseph A. Field and Ewart Adenson. Produced by Cliff Reid.

starring

LIONEL BARRYMORE

with Helen Mack, Edward Ellis, Donald Meek in the greatest of all

DAVID BELASCO

stage successes . . . . Directed by George Nicholls, Jr. Produced by Kenneth Macgowan.

With biographical dramas proving to be the greatest of box-office attractions, our studio is preparing for production on a lavish scale one of the most vivid and heroic chapters in history, the stirring life and times of General U. S. Grant.

GREAT PROPERTIES MAKE GREAT PICTURES

★

RKO-Radio owns many great properties. Some are listed below. From this and many other sources the studios will select and make its pictures for 1935-36.

MANY OF SCOTLAND
Maxwell Anderson’s Play

MR. GRANT
By Arthur Goodrich

LOVE SONG
By Elmer Finn and David G. Wenzel

SYLVIA SCARLETT
By Compton McKenzie

QUALITY STREET
By James M. Barrie

DR. JOHNSON
By Francis Farago

RETURN OF PETER GRIMM
By David Belasco

TWO O’CLOCK COURAGE
By Gelett Burgess

ANNIE OAKLEY
By Joseph Fields and Ewart Adenson

TO BEAT THE BAND
By George Marion, Jr.

OLD MAN MURPHY
By Patrick Kerney

SINGAPORE MUTINY
By Norman Springer

HI GAUCHO
By Thomas Atkins

POWDER SMOKE RANGE
By William C. MacDonald

LONG HAUL
By Arthur Norman

ALIEN CORN
By Sidney Howard

BADGE OF COURAGE
By Stuart H. Lake

BALLOON BUSTER OF ARIZONA
By Norman S. Hall

BOY AND GIRL
By Vina Delmar and Eugene Delmar

DANCE OF DESIRE
By Donald Henderson Clarke

PRIVOLOUS SAL
By Norman Houston

GREEN MANSIONS
By William Henry Hudson

HERMIT OF TIMES SQUARE
By Alden Smith

IT HAPPENED IN HOLLYWOOD
By Ray Mayer and Tom Dugan

IN PERSON
By Samuel Hopkins Adams

KILL THAT STORY
By Wyman Houston

PORTRAIT OF A REBEL
By Neta Syrett

PRODIGAL DAUGHTER
By Grace Sothcote Leake

RED KNIGHT OF GERMANY
By Floyd Gibbons

RINGSTRASSE #3
By Aladar Laszlo

TOAST OF NEW YORK
By Louis Weisbrenner

THE TUDOR WENCH
By Elswyth Thane Beebe

WHITE HEAT
By Dowell and Edward McGowan

LOVE SONG
By Rupert Hughes

OTHER PASSPORT
By Harold McGaiah

FOLLOW THE FLEET
By Dwight Taylor and Alan Scott

Sean O’Casey’s stage success of international importance is planned to come to the screen as an ambitious JOHN FORD PRODUCTION . . . This impassioned drama of young hearts in rebellion carves its drama from the lives of men and women, fighting for the right to happiness . . . The screen play is being prepared by Dudley Nichols.
On the foregoing pages is sketched a vignette of 1935-36... of plans we know enough about today—to talk about today!

An imposing list of great stars and fine properties... yet it outlines but about half of the pictures we will make next season.

The rights for many notable books and plays are now in negotiation... many big box-office names not listed in this announcement will appear in RKO RADIO Pictures next season... Stars engaged for a particular fitness to a role.
New personalities will appear and be applauded by the world . . . RKO RADIO wants them in its pictures and is prepared to get them. Perhaps next season's biggest hits in plays and books are still unwritten . . . but when they sweep to overnight success we want them, and are prepared to buy them!

To lay plans well, to provide for opportunity, is our idea of alert showmanship . . . the kind of showmanship that writes its story in box-office lines!
RKO-Radio announces as an important part of its new season the release of the March of Time, starting with the fifth edition, ready August second. Hailed with increasing fervor by critics and public alike, the March of Time has won a definite place on the screen in less than five months.

Produced by the Editors of Time and Fortune, it has brought to the theatre the same adherence to the curt telling of all the facts that have made history in the publishing field. It does not pull its punches. News is presented as it happens, with all the why it happens. Set to the same dramatic, thrilling pace familiar to millions who listen to the March of Time on the air, it has proven a happy blending of excellent entertainment and brilliantly handled topical information.

RKO-Radio believes that to fully capitalize on this vast ready-made audience of loyal Time, Fortune and March of Time on-the-air fans, that the March of Time must be a fearless, factual journal of the screen. It believes that this new kind of pictorial journalism will win new heights with theatre goers all over the world.
These short features will present a wide variety of entertainment including musical reviews and bright comedy novelties, and will feature such personalities of stage, screen and radio as Gene Austin, Leon Errol, Ruth Etting, Walter Catlett.

Continuing the ups and downs of the darndest family that ever lived.

Hilarious, rough-and-tumble, custard pie, slapstick comedy. Honest hokum and pokem to make the folks come back for more.

A new series of adventures in the animated world of "the funnies"
PRODUCED BY BURT GILLETTE
“EASY Aces”... Radio's riotous dumb-crackers, the "Easy Aces" brought a brand new comedy idea to the screen... and audiences have been going places with them — and laughing all the way. 13 more next season... That's good news for theatres!

“SPORTS with BILL CORUM”... There's a human side to Sports as well as thrills... and no writer of today knows better how to get the throb and thrill out of Sports than Bill Corum, New York Evening Journal's Sports Editor whose column is widely syndicated. This series will be highlighted by his voice...and Bill talks Sports just as interestingly as he writes them.

“THE STRUGGLE TO LIVE” Series
From the microscopic to the mightiest of creatures, Nature's law is the survival of the fittest! The Woodard Brothers, who won the Academy Award on "The City of Wax" as the best novelty subject of 1934 will make these unusual, fascinating and dramatic subjects.

“THE WORLD ON PARADE”... Glorified with native songs and music this new series of travel films will seek out the odd places of the world to tell about. First will be "The Land of the Eagle" that strange land of Guatemala and Number Two "Mt. Athos in Greece" where, to be nearer Heaven, men built their temples.

ONE REEL FEATURES... and don’t forget the postman is still delivering “DUMBBELL LETTERS”
NOW IN ITS 25TH YEAR!

...and dominant for 25 years!

PATHE TOPICS

Seven (7) Editions about interesting things, people and events!
“Criez-le Sur les Toits”

(Paramount)

Roi Cooper Megreux’s play, “It Pays to Advertise,” which previously has served as material for Hollywood producers, now makes its appearance in French under the title “Criez-le Sur les Toits.” (“Shout It from the Rooftops”). French-speaking people will get considerable enjoyment out of the film, which has been turned out at Paramount’s Joinville plant in first-rate fashion. It is a highly spirited production with bright settings, clever acting and fine photography.

The picture in its French form has been given some musical trimmings that add to the entertainment value.

The film, in a way a satire on advertising, tells of the efforts of two young men to launch a soap business. One of the duo is the playboy son of a soap baron (Saint-Graniher) who has won the disfavor of his father. Soon, through high-pressure advertising and publicity methods, the name of their soap is on everybody’s lips. The one trouble is that they haven’t the money to manufacture it. When they finally land a big order, Saint-Graniher and his chief rival bid to buy out the firm. Saint-Graniher proves the higher bidder and takes his son back into the fold.

No production code seal. Running time, 82 minutes. “G.”

Uses Tractor Generator

LINCOLN, June 24—Among flood reports of unusual happenings here was the work of Fred Glass, farm manager in McCook, Neb., right in the heart of the worst damage done by the Republican River. The power plant was inundated and the town in darkness, but Glass saw the possibilities in the crowds coming in to view the flood. He hooked a tractor to his generator and ran his show to a packed house.

Theatre for Auditorium

KANSAS CITY, June 24—The new municipal auditorium under construction here will include a 4,000-seat theatre in addition to the main auditorium. The theatre will be equipped with a projection booth, but equipment may not be installed, according to the architects.

H. F. McElroy, city manager, has assured theatre men no part of the huge project will be used for enterprizes competitive to theatres.

They Believe in Previews

Kansas City—Motion Picture Daily’s Hollywood Previews are frequently enlarged and used for lobby and outside exploitation at the RKO Mainstreet. Here is the way the theatre displayed the review of “Star of Midnight.” The bloom was in the lobby a week in advance and placed out front during the run. Both Lawrence Lehman, the Mainstreet’s manager, and Louis Mayer, exploitation and publicity director, are firm believers in Motion Picture Daily’s Hollywood Previews as enterprizes of the entertainment value.
KANSAS CITY, June 24—The bright spot in what would otherwise have been a dull week was “No More Ladies,” Loew’s Midland offering, which realized $18,800 and was held. That’s $7,000 over average.

The Tower managed to do an average $7,000 over par, while the Baer-Braddock fight pictures and excellent reviews failed to hold "The Informer” up to average at the Midland.

The question of revivals was hardly answered conclusively by the Newman’s experience with “The Virginian.” The picture did pretty well with a $6,500, but it is probably still true that some of those who ask for Doubting Thomas will picture forget to remember, or have something else to do that week.

The Uptown could do little with “Daring Young Man,” in spite of Stanley Chambers’ valiant efforts. At only $2,400 for the week the Saturday night amateur talent jubilee helped. Total first run business was $20,400. Average is $3,600.

Estimated takings:
- **MINNEAPOLIS:**
  - Week Ending June 20: $13,500. (Average, $1,925.)
  - HIGH SCHOOL GIRL” (Bryan Foy) LIRGE (400), 25c-40c, 7 days, Gross: $3,500. (Average, $500.)

- **PITTSBURGH:**
  - Week Ending June 20:
    - "NO MORE LADIES” (M-G-M):
      - MIDLAND—(2,000), 25c-40c, 7 days, Stage show, Gross: $6,500. (Average, $925.)
      - ALIAS MARY DOW” (Univ.):
        - TOWER—(2,200), 25c-40c, 7 days, Stage show, $4,000. (Average, $575.)
      - "CROSS COUNTRY CRUISE” (Radio) PALA-ROME (2,400), 25c-40c, 7 days, Stage show, Gross: $5,000. (Average, $715.)
      - "BREWSTER’S MILLIONS” (U. A.) WORLD—(400), 25c-45c, 7 days, Gross: $3,500. (Average, $500.)

- **PHILADELPHIA:**
  - Week Ending June 20:
    - "DOUBTING THOMAS” (Fox) PAKE—(2,400), 25c-45c, 7 days, Stage show, Gross: $6,500. (Average, $925.)
    - "THE SCOUNDREL” (Univ.) RIVIERA—(2,000), 25c-40c, 7 days, Stage show, Gross: $4,000. (Average, $575.)
    - "THE INFORMER” (Radio) ORPHEUM—(2,000), 25c-40c, 7 days, Stage show, Gross: $6,000. (Average, $857.)
    - TOWER—(2,200), 25c-40c, 7 days, Stage show, Gross: $4,500. (Average, $643.)

- **SPOKANE:**
  - Week Ending June 21:
    - "DOUBTING THOMAS” (Fox) UPTOWN—(2,000), 25c-40c, 7 days, Stage show, Gross: $4,000. (Average, $575.)

"Ladies” Oklahoma Hit; Gets $6,500

OKLAHOMA CITY, June 24—“No More Ladies” was the big noise here last week with a take of $5,500, over par by $2,500 at the Coliseum. This is low in comparison with the usual Will Rogers’ business here. “Shadow of Doubt,” with a stage show at the Liberty, failed to make a big impression with a take of $1,800 in four days, and “Catherine the Great,” in for three days, left with a week $600.

Total first run business was $15,000. Average is $1,500.

Estimated takings for the week ending June 20:
- "DOUBTING THOMAS” (Fox) CRONKITE—(2,500), 25c-40c, 7 days, Stage show, Gross: $5,500. (Average, $786.)

**Shifts Ticket Color**

Kansas City, June 24—E. E. Webber, operator of the Mary Lue, has had to start changing the color of his tickets for dime nights, because people were bunching up at the turn to get by the ticket taker and using them on subsequent dime nights.

"Ladies” Hits $20,000 Big in Pittsburgh

PITTSBURGH, June 24—There was an encouraging spurt in business here last week and in one case, that of the Penn, the takings were greater than the average for the first time this year. At this house, “No More Ladies” took $20,000 and won a second week, the first time this has happened here.

At the Fulton the Baer-Braddock fight picture, rather than “The Werewolf,” joined the spurt for an excellent $6,000, while at the Warner, Elisabeth Berger was the big magnet and her escape “McNeely” turned in a fine $3,800. The Alvin hit rock bottom with “The Devil Is A Woman,” pulling it off after two days to less than $1,000 and bringing back “David Copperfield” for four days. The picture had already played a full trial of the subsequent rendition as "The Stanley Break of Hearts" couldn’t better a weak $5,500.

Total first run grosses were $37,800. Average is $3,200.

Estimated takings for the week ending June 20:
- "WEREWOLF OF LONDON” (Univ.):
  - BAER-BRADDOCK, FIGHT FILL—(2,000), 25c-40c, 7 days, Stage show, Gross: $5,000. (Average, $715.)
  - "MORE LADIES” (M-G-M) PENX—(3,000), 25c-45c, 6 days, Gross: $3,000. (Average, $500.)

"BRAKE OF HEARTS” (Radio):
- "ESCAPE ME NEVER” (U. A.) WARNER—(2,000), 25c-40c, 6 days, Gross: $3,500. (Average, $583.)

**Ohio Presbyterians Praise Film Upfit**

CINCINNATI, June 24—Improvement in the quality of films is cited in a resolution adopted at the recent annual assembly here of the Presbyterian church.

They recommend heartily the advances made by the motion picture industry in presenting a larger proportion of motion pictures which provide a worthy and true portrayal of life and the resolution said in part. The assembly asked publicity through the church’s channels for approved pictures and urged parents to influence their children to patronize them.

**Garrett to Norwood**

Norwalk, Mass., June 24—Stanley Garrett has been appointed manager of the Giles here. He was formerly assistant manager at the University at Cambridge, part of the circuit controlled by the George A. Giles estate.

**“Becky Sharp”**

Chicago Hit; Gets $26,000

CHICAGO, June 24—"Becky Sharp," balloonled the Palace to $26,000 in a week of generally improved grosses. This is $4,000 over normal and results of "Stolen Harmony," helped by a stage show headed by Sinclair’s "It Takes Two," are probably $5,000. "The Man Who Knew Too Much," with a six-act vaudeville bill, took a par $13,000 at the State last week.

Total first run business was $118,300. Average is $12,500.

Estimated takings for the week ending June 20:
- "IN CALIENTE” (Warners):
  - CHICAGO—(8,000), 25c-40c, 7 days, Stage: Ben Blue, Tito Guizar, Jack Starr, The Three Evans Ballet. Gross: $12,000. (Average, $1,714.)

"HARMONY” (Para):
  - ORIENTAL—(1,940), 25c-40c, 7 days, Stage: Sinclair Minstrels, Jack Pepper, Rex Rowland. Gross: $20,000. (Average, $2,857.)

"SHARP” (Palace):
  - (2,050), 25c-35c-40c, 7 days, Gross: $600. (Average, $86.)

"LAMPS OF CHINA” (F. N.):
  - ROOSEVELT—(2,190), 25c-35c-40c, 7 days, 2nd Loop west. Gross: $900. (Average, $128.)

"LET EM HAVE IT” (U. A.) UNITED ARTISTS—(4,000), 30c-40c-50c. 7 days, Gross: $19,000. (Average, $2,714.)

"WOMAN FROM 19TH AVE.” (Warners):
  - GABRIEL—(900), 25c-40c, 7 days, Gross: $900. (Average, $128.)

"OIL HIGH SCHOOL GIRL” (Fox):
  - APOLO—(4,200), 25c-40c, 7 days, Gross: $4,000. (Average, $571.)

"THE MAN WHO KNEW TOO MUCH” (State):
  - LAKE—(12,700), 25c-35c, 7 days, Stage: Radcliffe & Rogers, Bernard Herron, Free Reitnau, Roseann Lonius, Margan & Stone. Gross: $13,000. (Average, $1,857.)

"Oil” opened slow, gaining daily and finished with $9,000 on the week at the Warners’ Hippodrome, which is $1,000 below average.

Total for the week was $46,300. Average is $6,543.

Estimated takings for the week ending June 21:
- "THE DARING MAN” (Fox) ALLEN—(3,000), 30c-35c-40c, 5 days, 7th Loop. "Becky Sharp” is a very good book and I would recommend that it be read by everyone. Average is $7,000.

"OIL FOR THE LAMPS OF CHINA” WARNERS’ HIPPODROME—(3,000), 30c-35c-40c, 7 days, Gross: $900. (Average, $128.)

"THE AWAKENING OF JIM BURKE” (Col.):
  - CIRCLE—(1,925), 30c-35c-40c, 3 days, Gross: $3,000. (Average, $1,000.)
**Enforcement Via Voluntary Code Viewed as a Handicap**

(Continued from page 1)

always in any form, shape or manner. I have just returned from a cross-country tour by automobile. At all the places by which I passed, I had done great things, not only in the film business, but in other industries as well.

I am also opposed to dual bills. I don't think two big features should be shown on one program. However, where the case the two weekers and neither has any particular drawing power, then it is all right to do so.

Schine's views are negative. He holds there is no need for a code and that it is a waste of effort, time and money.

Schine pointed out that when the code boards were first set up, he had tried to have the discussion of all four boards—Albany, Buffalo, Cincinnati and Cleveland—without success. After hearing several cases, Schine said he was happy he was not sitting.

"The code is for fellows constantly in trouble. These exhibitors should be where the case the two weekers boards and neither has any particular drawing power, then it is all right to do so."

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**Mae West Is Washington's Top, $6,300**

WASHINGTON, June 24—"Goin' to Town" was the strongest attraction of the week. The gross was $7,200 on a $6,300 take at Loew's Columbia.

"Oil for the Lamps of China," with Mitzi Mayfair and Bobby Bixler heading a vaudeville bill, reached $2,000 at the Earl. This is $1,600 over the list price.

This was the first time in the history of the house that a picture with a first base was "Air Hawks" at the Metropolitan where the $3,500 take was $2,000.

Even with Henry Armetta heading a stage show "Under the Pampas Moon" couldn't get the Loew's Fox gross above $18,500, under normal by $2,400.

Total first run business $72,800. Average without the Gayety is $77,100.

Estimated takings, exclusive of tax:
- **Three Days Ending June 16**: $2,000. (Average, full week, $2,200)
- **Four Days Ending June 20**: $900. (Average, full week, $600)

**Week Ending June 20**

**OIL FOR THE LAMPS OF CHINA**

EARLE—(218), 27c-7c days. Stage: Mitzi Mayfair & Bobby Bixler, Raphael. Four Days: $500. (Average, full week, $250)

**HOOTY FOR LOVE** (Radio)

RKO KRISTIS—(850), 2c-5c, 25c days. Gross: $100. (Average, full week, $65)

**ENDING THE PAMPAS MOON** (Fox)

LOEW'S COLUMBUS—(1,260), 25c-5c, 7c days. Stage: Harry Armetta, Lester Allen & Nellie Breen, Jans & Lyonette Price, Peter Marione, Alcyr Art, Oreste Swenson, Bebe & Rubyhae Scharon. Gross: $800. (Average, full week, $180)

**DOOTING THOMAS** (Fox)

LOEW'S PALACE—(800), 25c-5c, 7c days. Gross: $100. (Average, full week, $100)

**HOOTY FOR LOVE** (Col.)

METROPOLITAN—(1,591), 25c-5c, 7c days. Gross: $800. (Average, full week, $180)

**Four Days Ending June 21**

**STREETS OF SORROW** (Film Arts Guild)

LITTLE JIM—(300), 5c-4c, 7c days. Gross: $100. (Average, full week, $50)

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LITTLE JIM—(300), 5c-4c, 7c days. Gross: $100. (Average, full week, $50)

**Week Ending June 22**

**DANCE HALL HOSTESS** (Mayfair)

GAYETY—(1,109), 3c, 7c days. Stage: Sex lecture by Dr. L. Bartley, with living models. Gross: $4,600.

**Bank Night for Newman**

KANSAS CITY, June 24—The Newman, which recently introduced screeno for Tuesday nights, will start bank night July 5. It will be used on Wednesday night each week.

Screeno will be retained.

This is the first downtown house in Kansas City to break with bank night, according to R. W. McEwan, Western Missouri and Kansas distributors for the plan.

**"Orlac" Now "Mad Love"**

Hollywood, June 24—"The Hands of Orlac," the McG-M-P production starring Peter Lorre, will be released as "Mad Love."

**"Oil" Seattle Leader: Held For 3rd Week**

SEATTLE, June 24—"Oil for the Lamps of China" was still strong in Seattle at the Market Theater getting $4,100, and it was held for a third stanza.

"Little Girl" reached an average of $7,000 at the Fifth Avenue, but other first runs were weak.

Total first run business was $28,500.

Estimated takings for the week ending June 18:

- **CAPITAN** (F. J.)
  - BLUE MOUSE—(950), 2c-40c-55c, 7 days. Gross: $1,200. (Average, full week, $170)
- **OUR LITTLE GIRL** (Fox)
  - FITZGERALD—(1,250), 2c-40c-55c, 7 days. Gross: $700. (Average, full week, $100)
- **MOSQUITO» ( Warners)
  - BORDERS BRIGANDS (Warners)
  - LIBERTY—(1,400), 2c-15c-25c, 7 days. Gross: $1,200. (Average, full week, $170)

**No More Ladies,** On Dual, Omaha Top

OMAHA, June 24—This town celebrated the twin ending of the street car strike and jubilant crowds returned to the theatres. "No More Ladies" and "A Notorious Gentleman" played to $7,800 in 10 days.

"Oil for the Lamps of China" played two weeks at the Omaha—Thurs- day and Friday—because tickets were $6,000 at the height. "The Girl from 10th Ave." and the Baer-Braddock fight were "Oil," and during the marriage law period, getting $3,800.

Total first run business was $18,900. Average per week $1,890.

Estimated takings:

**Week Ending June 19:**

- **OIL ( Warners) (BRANDEIS) (1,200), 2c-40c, 2 days. Gross: $800.**
- **THE GIRL FROM 10TH AVE. (F.N.) (BRANDEIS) (1,200), 2c-40c, 2 days. Gross: $800.**
- **NO MORE LADIES (M-G-M) (BRANDEIS) (1,200), 2c-40c, 2 days. Gross: $800.**
- **THE FLAME WITHIN (M-G-M) (BRANDEIS) (1,200), 2c-40c, 2 days. Gross: $800.**

**Mayer Returning West**

Louis B. Mayer, vice-president in charge of M-G-M production, will leave for June at the town of Vermont with Howard Strickling, who accompanied him earlier. Mayer has been conferring with Nicholas M. Schenck on production matters. He will stay there for two weeks to lay plans to return in August for a two-week vacation.

**Fox Goes to Minnesota**

POSTOKE, June 24—Gene S. Fox, publicity man at the Metropolitan, has driven to Minnesota for his annual two-week trip to the state where he was formerly a scholarly football star.
New Theatres Are Rising in Many Places

Things are beginning to look up in the theatre business if reports of new construction, remodelings and reopenings coming in from every section of the country are to be taken as a criterion. A number of recent announcements indicate that happier days are ahead for the exhibitor following.

Shifts in N. E. Gaining
BOSTON, June 24.—Changes in policy, openings and transfers, are gaining in volume in this territory.

For the first time in 19 years the Bowdoin Square has dropped vaudeville in favor of the RKO Boston. It is reported that the metropolitan development will have the only stage fare left. J. W. Schwartz will open a summer house at Woboro, N. H., soon. Ransdell Brothers are expected to open the Orpheum at Malden for the summer to compete with the Lyric.

Martin Weinstein has taken over the Savoy at Northfield, Va., from E. D. C. RKO Remodels Cineplex
CINCINNATI, June 24.—Improvements to the RKO Shubert will cost $97,000. A new auditorium will be designed by C. G. Nelson, RKO division engineer. The lower floor will be replaced with a new one, having a steaper incline. A new air-conditioning system will be installed, as will also a central steam-heating plant with automatic stokers to serve the Shubert, Capitol and Cox, all in the same block.

The interior will be redecorated, and a vertical neon sign erected above the marquee. Work will be completed for reopening Aug. 23.

The Shubert, originally devoted to legitimate attractions, was acquired by RKO under a long-term lease and reopened with stage shows and pictures last fall. It opened a week ago. The Cox, a sister house, now dark, was included in the lease.

Remodel for K. C. House
KANSAS CITY, June 24.—Stanley Schwartz, owner and operator of the Tivoli, which he sold last August to W. D. Fulton, has formed the Valley Theatre Co., a corporation, and is remodeling and building at 708 Minnesota Avenue, downtown Kansas City, Kan., for a second run house.

Approximately $20,000 is to be spent. The house is tentatively named the State. Of this amount, $12,000 will go for remodeling, the remainder for equipment. Opening is expected about July 25.

The corporation will acquire other houses later on.

Want to Open K. C. House
KANSAS CITY, June 24.—Missouri theatres under way with local representatives of the Butler Estate of St. Louis may lead to reopening of the 1,800-seat theatre. At one time it had the leading legitimate houses in the city and for a number of years under the Shubert brothers the Missouri was closed since 1928. It is understood about $15,000 will be spent on improvements to put the house in shape for low-priced subsequent runs.

Expands in Missouri
NEW ORLEANS, June 24.—C. R. Carey, owner of several theatres in Paris, Ark., has entered the Missouri territory, and has under construction two houses bearing the name of the New Theatre, one at Ackerman and the other at Corisca. He expects to open several others.

To Build at Vancouver
VANCOUVER, June 24—Hollywood Theatres will build a $25,000 suburban house on West Broadway. Work will commence immediately.

Meanwhile a third building, an old theatre at Vancouver, formerly the Orpheum, is nearing completion. Sound equipment is now being installed.

Rush Oklahoma Theatre
OKLAHOMA CITY, June 24.—The new Mishita, a $10,000 Palace house by Standard Theatres, Inc., will be finished about July 10, George Hen- ger, city manager, says. The Plaza has been under consideration for about eight weeks, it will operate on a subsequent run policy.

To Build at Waynesville
WAYNESVILLE, N. C., June 24.—James Massie, owner of the Haywood, will put up a theatre here. Construction started within 30 days, he says, will cost $40,000, and be ready for occupancy in the fall. It will seat 700.

Remodel in Milwaukee
MILWAUKEE, June 24.—A local neighborhood house managed by Casimir Goderski, has been closed for remodeling and will reopen about Aug 4. It will seat 350 and be razed except for three walls and the roof.

Daly Takes Lowell House
HARTFORD, June 24—Michael Daly, owner of the Daly here and the Rialto in Providence, R. I., has acquired the facilities of the Royal, Lowell, Mass., which he will remodel and open Labor Day.

Rebuild at Valley Falls
KANSAS CITY, June 24—George Foulston, who built the Royal in Kansas City, Kan., burned some time ago, plans to open the house he is now building there sometime early in September.

Remodel at Rockingham
ROWINGHAM, N. C., June 24—Work was begun on the remodeled of the Richmond. When completed the theatre will have a seating capacity of about 900.

Camedton to Get House
KANSAS CITY, June 24—Camedton, Mo., the town "manufactured" by the Union Electric Power Co. of St. Louis when it built Bagnell Dam—and put Linn Creek under water—

Wall Street

Slight Losses Mark Big Board
High Low Close Change

Columbia 9w (s) 5300 237 211 34 25
Consolidated 35 33 31 5 2
Krell 147 145 146 2 2
Bowdoin 109 108 109 1 1
Pathe 44 43 43 4 1
Paramount 46 44 44 3 1
Loew 103 102 103 1 1
RKO 90 88 89 2 2
Warners 243 243 243 0 0

Technicolor Off on Carb
High Low Close Net

Technicolor 228 214 214 14

Keith Bonds Up 4/1
High Low Close Net

General Theatres 6s 6% off 11 10 9 26
Krell 5 6 6 6
Loew 6 6 6 6
Paramount Bwy 850 800 790 110
Paramount F. 971 971 971 0
Paramount Publix 994 984 984 10
Warner Bros 66 66 66 0

(c) Plus stock extras. (K. and C. paid this year.

(Quotations as of close of June 24)

“Age” and Callaway Indianapolis Smash
INDIANAPOLIS, June 24—“Age of Indiscretion” with Cab Callaway and his band on the stage hopped the house last week and there last week with a take of $12,500 at Loew’s. This is $8,000 over par.

The only other spot to do any business as a result was the Apollo which was over the line by $2,000 on a $6,000 take for “Doubting Thomas.”

Average was $20,500. Estimated takings for the week ending June 22:

“Doubting Thomas” (Fox) APOLO—(1,100), 25c-40c, 7 days. Gross: $6,000.

“THE INFORMER” (Radio) RITCHIES’ (2,800), 25c-40c, 7 days. Gross: $5,300. Average: $500.

“DEVIL IS A WOMAN” (Para) VAUDOILLE—(3,300), 25c-40c, 6 days. Gross: $2,600. Average: $433.


Calli, Colombia, June 24—Carlos Gardel, Argentine actor, singer and tango dancer, who made a series of pictures in Spanish for the South American Pathe, announced today that under a new contract, was one of 10 persons killed today when the plane in which he was a passenger, crashed in Buenos Aires, Argentina, near Medellin. The performer was on his way from Bogota, the capital city of Colombia, to Cali, where he was to have filled a stage engagement tonight.

Another was killed, H. Schwartz, described as the Bogota representative of Universal.

Carlos Gardel, who was 46 years old, was killed June 7, since he had been brought to this country in 1932 by NRC, which featured him on a sustaining program. His last screen role was in the little-known film of 1935, “Paramount picture not yet released, Surviving Gardel, who was a member of his family, who resides in Toulouse.

At the Universal offices in New York, it was said last night that a Henry Swartz had on occasion represented the company in Bogota, but that it was not known whether he was an American.

Buckley in Portland
LOS ANGELES, June 24—Charles Buckley, Fox West Coast legal head, is in Portland to close a theatre deal. It is reported he is trying to close a deal for the Harwick chain, which is the largest in the northwest.

Brower on Way East
LOS ANGELES, June 24—M. H. Brower, local Warner exchange manager, has left by plane for New York for the purpose of arranging a Fox Western region deal for this territory.

Hays Is in Hollywood
Hollywood, June 24—Will Hays will arrive tonight in New York for a routine business trip.
NO CHANGEs IN LOews' Duties When They Leave Directorate

Nicholas M. Schenck informed Motion Picture Daily yesterday that decision of Arthur and David Loew to resign their directorships in the company bearing their family name will in no wise affect their active duties with Loew's, Inc. Arthur is in charge of foreign sales for M-G-M and David is an executive in the film booking department of the parent and theatre company.

David yesterday explained the step was determined upon in order to relieve him and his brother the responsibilities which go with directors' posts. He also covered the ground included in Schenck's statement that no change in point of active duty is contemplated. Arthur also is first vice-president of Loew's, Inc., and a director of M-G-M. David is a director, as well, in the latter corporation.

There was no indication of the attitude of the Loew board which will meet July 3 to act on the double resignations which will then be before it for action.

PREDICT That ASCAP Case Will Be Pushed in Autumn

The government suit against the American Society of Composers, Authors & Publishers will be prosecuted "vigorously" when trial is resumed in Federal district court here Nov. 4, it was stated by an official source yesterday in reply to reports that the Ascap prosecution would be abandoned by the government.

The Department of Justice and the Attorney General's office regard the government's case against Ascap as "a very strong one," it was said. "Powerful evidence" against Ascap is in the government's possession and the belief that it would be bad strategy to bring out this evidence just prior to an adjournment of the trial for the summer, induced the government to seek the adjournment last week rather than wait until July 1, it was said.

If the government disclosed what it regards as its most telling evidence at this time, it was pointed out, Ascap would have three months of the summer adjournment in which to prepare its defense and counter testimony.

The reports that the government

MIDWEST Ideas At Odds Over Code Outlook

Missouri and Kansas opinion is at odds over the question of a voluntary code. Fred Wehrenberg, head of the M.P.T.O. unit is for it and also for some modified form of arbitration.

Jay Meana and others in Kansas City say it would be impossible to enforce a voluntary setup. They agree, however that some form of arbitration is needed.

WEHRENBERG Favors Test ST. LOUIS, June 23.—The industry should have a voluntary code that is fair and reasonable to producer, dis.

TEXAS Circuit Heads, Indies Against Code

DALLAS, June 25.—Circuit heads and independents agree they don't want a code in this territory. It makes no difference to them whether it is voluntary or otherwise; they're against it.

R. J. O'Donnell says he doesn't see how a voluntary code could be made to work and Col. H. A. Cole, Allied head, says one would be impossible.

O'Donnell says his company will continue code standards on wages and hours, but that's as far as his interest goes.

"If the NRA code, backed by the
Speculation in large doses prevails over the resignation of Arthur Lake and Dave Locke, directors of the company which bears their family name. Arthur is cruising on the blue waters of Lake Champlain, Dave says the resignation is in order to relieve themselves of the responsibilities which couple with directors' jobs. Somewhat understandable straw in the wind: both are taking time out to drop films for Wall Street brokerage. Somewhat conflicting straw in the same breeze: Dave's close association with Nick Scheenck. Reminder of another day; That previous occasion, several years old now, when Arthur resigned from Loew's directorship and vice-presidency alike, only to be brought back into the fold by inside conferring. Possibility: That the Loew director may refuse to accept the defections when it meets on July 3.

To those theatre operators who wonder why Hollywood does some of the things it does, there is the tale to be told about "The Informer," a grand production effort, rich in dramatic bite, but admittedly tough to sell to the average American audience. The picture cost about $250,000 to make. Radio's foreign legion, now sprawled throughout almost a dozen New York hotels, is excited about it for its territories. So excited, in fact, that expectancies for world gross run as high as $750,000. This means emphasizes again the observation that pictures today are made with at least one eye on overseas possibilities, for this industry has even more need to understand how truly international its scope must be. Unless foreign revenue is safeguarded and increased, the rental level in the domestic market will rise to a peak which would make current prices anemic by comparison.

Week-end fun: The place was Nick Schenck's at Great Neck. The guests included Joe Schenck, Louis B. Mayer, Darryl F. Zanuck, A. C. Blumenthal, Sid Grauman and Ben Goetz.

To Grauman: "Sid, why don't you enter the agency business?"

Zanuck: "Sure, Sid. The first thing to do is go over to Metro and make Cable and Crawford dissatisfied. When you've done that, get in touch and I'll sign them for 20th Century."

Mayer: "That's swell. You're making some progress, Sid. You've only been in the agency business two minutes and already you've barred off the Metro lot."

Latest contribution to the cause of word quibbling comes from Hollywood and Nat Levine, "Our (Mascot) merger with Republic does not mean in any way that this organization will lose its individuality. We are convinced that together we will move forward to the front ranks of the industry. Mascot may not lose whatever individuality it may possess, but definitely does it lose its name when the current season washes out.

If there should be those among you who are curious about the paramount facts as they concern "Watty" Rothacker, here they are: Rothacker is friend, advisor and counsellor to John Edward Otterson who may be expected to take no steps, make no decisions on Paramount production without turning to the Chicagoan for his opinion.

A big one—story and deal around the corner. Not the elusive corner where prospeity supposedly is lurking, however, but much closer. It has to do with a change in ownership of a large concern. You're wrong. This has nothing to do with RKO.

Query: What's happened to Manny Cohen?

Bob Goldstein: "He's the forgotten Man-ny."

British Lion Talks Of Doubling Out

British Lion may double its new season production schedule if expansion plans for the company in which N. L. Nathanson and Lord Beresford figure are accomplished. Sam W. Smith, managing director of the company, who is here on a business visit, said yesterday. Under the plans, Nathanson might move to a definite part of the year in London.

The arrangements in prospect, however, would not be concluded until Smith's return to London in about 10 days or two weeks. The company is a stud farm operation, and if the expansion plans are carried out, the powerhouse is prepared to produce about 20 features a year, each some of which will be designed for the American market in particular, Smith said.

Revitalizing for British Lion distribution of Republic product in England are under way now between Smith and Norton Ritchie, Republic's London office director. Ritchie said yesterday that distribution proposals from other British companies were also under consideration.

British CEA Urges Slashes in Rentals

Cardiff, Wales, June 25.—The general council of the Cinematograph Exhibitors' Assn. at a conference here today approved a resolution for a general reduction in rentals with a top limit of 40 per cent on percentage pictures.

It also decided to instruct the rules committee to frame amendments to the association's regulations to permit action against members who do not abide by resolutions. This means expulsion.

Resolution, it was insisted, are going beyond exhibitors' ability to pay.

Conference to determine whether or not film exchanges here are subject to the Al Lichtman grand jury and be inaugurated in the near future with the city comptroller, it was decided recently at a meeting of the M. P. P. D. A. legal committee. If no agreement can be reached, the issue will be tested legally in state court, it was said.

Distributors contend that the exchanges can not be subjected to the city sales tax as film is leased to theatres and not sold.

Big Crowd Expected At Lichtman Lunch

A record crowd is expected to attend the Ampa luncheon Thursday at the M. P. Club in honor of Al Lichtman, soon to be elected head of U. A. The committee promises many surprises in the form of entertainment with many Broadway personalities and stars in attendance.


Toepfritz to Detail His New Lineup Soon

By BRUCE ALLAN

London, June 25—Ludovic Toepfritz will announce his new program within the next two weeks. It was stated here today, and will also reveal the identity of the new company through which he will distribute, both here and in the United States. Toepfritz's last production was handled abroad by G. B. Toepfritz has signed Maurice Chevalier for a role in "The Beloved Vagabond," which will be adapted from the W. H. Locke novel, with production scheduled to start in December.

Abe, Julius Stern Here on Way Abroad

Abe and Julius Stern, pioneer comedy producers and for years with Universal, are both in town preparatory to selling on the "Re de France" and the "Bride of the Navy" which they are handling for London where they are seriously contemplating entering feature production.

No Bowes Successor Yet

No successor to Major Edward Bowes as vice-president of M-G-M has been named since Bowes resigned several months ago.
Held Over in its first 20 BIG opening engagements!
Business equals "Chained" which played last Fall! Wow!
"NO MORE LADIES" is the season's merry life-saver!
Just an old M-G-M custom — HITS when you need 'em!
Nice work JOAN CRAWFORD — ROBERT MONTGOMERY
Some Cast! Charlie Ruggles, Franchot Tone, Edna May Oliver
"Public Hero No. 1" doing swell — and now "NO MORE LADIES"
This season — next season — any season. M-G-M's the answer!
Anticipate Market For Para's Issue

(Continued from page 3)

30 at $96 per unit of an additional 1/4 share of common and 1/5 share of new second preferred of $10 per share par value.

If security holders do not wish to exercise their subscription rights they may obtain a subscription warrant which will be valid for one year. The warrants will be sold at a market price to be determined by the board of directors. The subscription warrants will be valid until Aug. 30. These warrants may be sold if the anticipated market for them materializes.

Percy H. Johnston, chairman of the Chemical Bank & Trust Co., and a member of the Paramount board, had testified at a Federal court hearing on the Paramount reorganization plan last December that he believed there would be a market for the subscription warrants. The question of whether or not the warrants would have market value was decided during the hearings on the plan.

Italians Keep Fees; Relax Import Rules

Rome, June 25—The Italian government had decided to continue the 25,000 lire dubbing fee on all imported films, it was learned here recently, with the dubbing fee to be paid up to gain Italian official recognition. In addition to the dubbing fee, a censorship tax has been levied on all imported pictures. In the past this tax was included in the dubbing fee.

The rules governing the importation of films for exhibition for a period of six months for screening in government circles, it was also revealed, and after held discussions the Ministry of Education is to divide the year into quarters and to permit importing companies to bring in the same number of pictures per quarter as they did in the entire year of 1934.

Jerseymen Will Act On Pooling Tuesday

Definite action on the plan to pool New Jersey theatres into one large independent circuit will be taken at a special meeting next Tuesday. About 12 exhibitors from across the state are scheduled to meet yesterday with Leon Rosenblatt at the Lincoln to discuss the plan. Some were in favor and others asked for more time until they consulted Sidney Samuelson, president of Allied and the New Jersey unit.

New York independents are slated to confer today at the Astor on a similar plan. Milton C. Weisman is supposed to have presented a plan for the I.T.O., A.A. men interested.

However, the consensus of opinion in independent circuit quarters is that neither of the plans will go through.

Court Test Set on Detroit Bank Night

Detroit, June 25.—A court test on the legality of the Detroit bank nights looms here. Jacob Schrefer, one of the early leaders of the Colonial, has obtained an injunction in Circuit Court, restraining police and other officials. The matter has been tried in the jurisprudence from interfering with the games played in his theatre four nights a week. Hearing has been set for Friday before Judge Joseph Moy- nihan.

Purely Personal

M ORTON DOWNEY, BOBRAH MINNITZ, SYLVIA FROEB, NICK LUCAS, GERTRUDE NIESSE, AMY LYNN, WILLIAM WARING, RUTH WOOD, PAUL WHITEMAN, JESSE BLOCK, EVA SULY, JOE PENNER and JACK DEMPSEY have been invited to attend the opening of "In Calliente" tonight at the Strand.

Joseph M. Schenck is now possessor of a gold cigarette case on which is engraved names of leading silent actors. Executive, has taken place at a private luncheon at the Ritz yesterday. Schenck and Al Lichtman made speeches.

Bob Goldstein, the"saloonatic," is entertaining in the big manner these days. The family tribe has descended on New York from Los Angeles, the delegation including Bob's mother, two sisters and two brothers, Leonard and "Spud.".

Quip of the Day

Having made "Let 'Em Have It," Ben Goetz was to remark: "Reliance is figuring on a sequel called 'Make 'Em Like It.'"

MAX REINHARDT who recently completed the filming of "Dream of Carlos" for Warners, arrives in town Saturday-morning from the coast and sails the same day for Europe on the Ile de France.

CLARENCE BROWN, M-G-M director, is in town. He's going to see some Warner pictures and then take a swing through New England before starting "Ah, Wilderness."

NINA MAR MACKINNEY, co-starred with Paul Robeson in "Sanders of the River," will be interviewed by Bette DUDLEY over WOR tonight.

WILLIAM RAYNO and RUSSELL COHEN, the partners for Philadelphia today to attend the opening of the Quaker City branch.

FRANK MCCARTHY, JACK SLAIFER, ERV GESSEGEL and Jim MULVEY combined for luncheon at the Tavern yesterday.

MRS. LIONEL BARRYMORE is in from the coast. She's at the Warwick.

MORRIS QUITS UNIVERSAL

Hollywood, June 25.—Chester Morris' contract with Universal was dissolved by its mutual consent today and the actor was immediately signed to a longer term by M-G-M. He has completed three pictures for Universal and had three more to go.

ZUKOR EULOGIZES GARDEL

"The screen, stage and radio has lost a truly great and beloved artist with the untimely death of Carlos Gardel," Adolph Zukor, chairman of the board of Paramount, said yesterday. Gardel was killed in a plane crash in Colombia last Monday.

MACK GETS N. H. POST

W. A. V. Mack, former G. B. sales- man, has been put in charge of the New Haven exchange by George W. Weeks, general sales manager. He succeeds Harry Roble, resigned.

S. CRICK, in charge of Australia for Fox; CLARENCE HARE, Japan; CARL NILSON, Scandinavia; and F. N. PATIN, Germany, sail for home this week. The foreign contingent attended the Chicago convention and have been vacationing since.

GORDON DOUGLAS who directed the winners in the Loew-Mirror contest in "Baby Beginnings" left yesterday for the coast on the Century to assist with the production of Hal Roach's "Our Gang Follies of 1935."

HARRY CHARNAS, who admits he's not much at golf, licked Insurance Commissioner George H. Hechler over the week-end with complications for the future which may not be easy to dope out.

LOUIS B. MAYEN, BEN GOETZ, LEONARD GOLDSTEIN and HOWARD STRICKLING are among a party of theatricals who travel west today by special plane.

MARK KELLY, sports editor of the Los Angeles Examiner and widely known to the film colony in Hollywood, will be in Toronto for the Luchesar festivities last night.

JAMES C. PLARK, president of National Film Carriers, arrived from Philadelphia last night to attend the fights.

LEWIS SIEGEL, Fox director, left for the coast yesterday. He has been long engaged in work here on "Police Parade."

WILLIAM SCULLY is on a tour of M-G-M exchanges under his supervision.

SID GRAUMAN mopping a perspiring brow in the elevator at 729.

Baltimore: Jack Whipple, proprietor of the Avenue, is supervising the installation of a cooling system.

Contrary to the beliefs of promotion manager of the Baltimore News-Post-American, says over 4,000 girls have entered the beauty contest conducted by those newspapers and the New Theatre, of which Morris A. Mac- chanic is president to select two winners for a trip to Hollywood.

Loew's Not in New Spot

Reports Loew's was interested in the new theatre or theatres to be opened with the 200,000 libel suit against the Union Labor Council Ass'n on motion for non-suit brought by the defendant. The court ruled there was insufficient evidence.

Dent Gets "Speed Devils"

J. H. HOFFSTEG has closed a deal with D. B. Spade of Speed Devils, where by the latter will handle the release of "Speed Devils" in England.

Bellman Will Head Merged Exchanges

(Continued from page 1)

branch here on Monday under the new name of Republic, Bellman will be general manager of the combined operation.

The deal whereby Bellman's Philadelphia exchange was to be merged with Glenick's Quaker City office and Allied Studio Exchange, Ltd. Le- vine, head of Mascot, became a fac- tor in the repat setup. John Gold- man, who is understood to be presi- dent in the Hollywood Philadelphia unit, was set to join the Republic national system when it was finally decided to bring in Mr. Anthony Luchesar's Gold Medal exchange.

Levine is understood to have in- sisted on inclusion of Gold Medal. The Mascot head is also understood to have said that the only way he could liquidate outstanding indebtedness is if the Gold Medal was by bringing it into the deal.

Gold and his brother Ben, an attorney, have been making numerous trips in an effort to settle the Holly- wood dispute. Bellman's Albany, Buf- falo, St. Louis, and St. Louis exchanges were now included in the Republic setup for the time being.

Papers were signed yesterday on the Hollywood-Majestic deal. Na- than Burkan represented Gluckman and Louis Nizer acted for Bellman. Gluckman continues as supervisor of the Republic in the local area. Tony Luchese passed away some months ago, and his wife has been supervising the Gold Medal exchange since then.

Study of A. T. & T. To Consume Months

(Continued from page 1)

be engaged in a survey in the field, in the course of which they are ex- pected to gather information from all parts of the country on all phases of the company's activity, including the construction of long-distance lines.

Investigations of the magnitude of that now under way require many months. Following the physical gath- ering of data, the necessary committee to collate and analyze it, after which it is anticipated, the commission will begin the hearing of testimony.

Rites for R. W. Minkley

Detroit, June 25.—Funeral services for Rex W. Minkley, 52, for years employed by the George W. Tredwell interests, who died last Friday follow- ing an operation, were held Monday. Burial was at Fowlerville, Mich. Memorial services will be held in the state when it opened. Later he was trans- ferred to the Royal Oak, when that house was closed for the week. After that he managed the Madison and about two months ago was transferred to St. Joseph, where he was operated by his widow and a son and daughter.

Shift in "U" Force

Milwaukee, June 25.—George Levy, one of the vice presidents of the exchange manager here, is out in a surprise up- set. He is succeeded by Saul Resnick, the company's exchange manager in Cleveland.

Cleveland, June 25.—Dave Miller, who recently rejoined Universal, suc- ceeds Saul Resnick as exchange manager here.
EVERYBODY who is anybody will be there

Mr. Lichtman's official cabinet represented by Joe Moskowitz, Arthur Kelly, Harry Buckley and Harry Gold will be there.

Arthur Dent, of Alliance Films, Ltd. will make his last public appearance among us before sailing for Merrie England.


The inimitable "Jimmy" Loughborough of the Federal Housing Commission at Washington will explain commission possibilities as regards picture theatres.

Earle Hammons will be there... so will Martin Quigley, E. C. Grainger, C. C. Pettijohn, Felix Feist, Jack Cohn, W. Ray Johnston, Jimmy Grainger, George J. Schaefer, Neil F. Agnew, Arthur Lee, John Flinn, H. J. Yates, W. J. German, Herman Robbins, Sam Dembow and Harry Thomas.

Everybody who is anybody is sure to be there...

Monster Rally winds up Summer Meetings

AMPA

AL LICHTMAN
New President, United Artists

Guest of Honor

Jack Alicoate
will make Film Daily Golf Tournament awards

Bob Howard
famous colored singer will lead the entertainment

Motion Picture Club - Thursday, June 27, at 12:45 P.M.
Midwest Ideas At Odds Over Code Outlook

Wall Street

Auto Giveaway Now Big Denver Battle

DENVER, June 25—The battle of auto giveaways between theatre groups has broken out again in Denver. Harry Huffman has given away a three-day trip to Europe, starting as at the end of next week, but later every week. He uses his eight theatres with a police and lawyer hook-up. Before the code came in Huffman had his exhibitors in the auto giveaway 13 other houses, which gave one car a week. He used his dealers and the Newspaper had the field to himself for many months.

Various houses, controlled by four companies, have started a weekly Plymouth giveaway. They include a first run, the Denham; two Fox houses, where the Webber; two Publicx houses, the Federal and the Rex; and two owned by a local company, the Ogden and Hawatha.

Rockefeller Gift to Aid Film Collection

Through a gift from the Rockefeller Foundation, it is believed have been purchased a number of films recently ranging from early in the silent days.

The library will be in charge of John Abbot, Paul of the museum's librarian. Abbott plans to hold screenings of the old films as well as programs and special exhibitions as often as possible. He also plans to tour the country, screening old-timers like "The Birth of a Nation," "The Hatter's Hat" with Mary Pickford and Lionel Barrymore and "Blind Husbands" which Eric von Stroheim made in 1920.

Besides the Rockefeller Foundation, it is reported that John Hay Whitney, president of Pioneer, is interested in the new library.

Operator Picking Arouses Mayor's Ire

CINCINNATI, June 25.—In retaliation for the bill passed by the General Assembly raising the censorship fee from $1 to $3 for each 1,000-foot reel, no more newsreel shots will be made of eventing and advertisements according to a telegram from the Universal home office in New York received today by Ralph Lembeck, local cameraman for the company.

It is expected this action will raise a protest from Ohio exhibitors who will force abandonment of use of newsreel. Newsreel, which had been exempt from censorship, were recently reinstated by the General Assembly.

Bookers here predict the tax will reduce the number of prints for Ohio showings, thus retarding distribution.

Newman Is Back in L. A.

LOS ANGELES, June 25.—Steve Newman, I. A. T. S. E. representative for the Los Angeles district, returned here today from the organization's executive meeting in St. Louis.

Fox to End Spanish Production on Coast

HOLLYWOOD, June 25.—With completion of "The Rose of France," last of eight scheduled for this season, the Spanish language and code board, Cine-

Midwest Ideas At Odds Over Code Outlook

Wall Street

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MOTION PICTURE DAILY

RKO Told to Rate Apollo As First Run

(Continued from page 1)

RKO attorneys said yesterday that they were undecided on what course to take as a result of the decision, they indicated that they would first ask the arbitrators to "clarify" their findings and, if the result was unsatisfactory, they might go to the last resort, a suit in the highest court in an effort to obtain a "modification" of the award. They declared that the arbitrators, in dictating the house as an RKO or Keith theatre and to exploit, publicize and advertise it the same as any other RKO first run. The arbitrators also directed that the Apollo be operated as a second run following the Apollo or as a neighborhood first run. Another alternative given RKO by the arbitrators would permit it to operate the Apollo as a subsequent run on giving 30 days' notice to the lessor of such an intent. In this event the lessors would be permitted to terminate the lease three months after the month after receiving notice.

$25,000 of Total to Apollo

The damages are designated in the amounts of $25,000 to the Apollo and $20,000 to the Holcomb. The arbitrators were Robert McC. Marsh, George W. Retz and Maurice Deiches. They granted leave to open or modify the award on the ground of "a substantial change of circumstances during the term of the lease" on the two houses.

Max D. Steuer and Bernard Flashnick were counsel for M. & S. Cravath, de Gersdorff, Swaine & Wood represented RKO. The arbitration hearings opened last February and after numerous postponements were concluded early this month. The cost of the arbitration, which under the theatres' leases is to be shared equally by RKO and M. & S., is said to have exceeded $50,000. M. & S. contended that the lessees were breached by the operating policies maintained by RKO to the detriment of the earning powers of the theatres, and that financial damages resulted. It was contended at the hearings that RKO failed to play the same film at the Apollo and Holcomb on the same basis as in its other first runs because of an agreement entered into by Loew's and RKO last year under which it was stipulated to the latter Fox and Universal product, which solved a picture supply problem for RKO, that all of the RKO and Hollywood complete with Loew's De- lancy and Avenue B.

Roxy Suit on Sept. 9

Hearings before Sol Strick, referee, on the suit of the Chicago Title & Trust Co. to recover $1,000,000 from William P. for alleged defaults in redemption of Roxy Thea-

MOTION PICTURE DAILY's

HOLLYWOOD PREVIEW

"Hardrock Harrigan"

(Leiser-Fox)

Hollywood, June 25.—George O'Brien, teamed with Fred Kohler a la McLaglen-Lowe, scores in this departure from his usual outdoor roles. The pair is tough construction bosses on the Boulder Dam job, friends whose code of standing, staunch adherents of the hard rock code—if you lick your superior, you get his job. O'Brien outtricks O'Brien on the job. From the start a clash between O'Brien and Kohler is inevitable. On the date set for the match O'Brien is buried in a cavein and Kohler, at great personal risk, digs him out. Before the fists clash a doctor informs O'Brien about Kohler's heart ail-

Looking 'Em Over

"Her Song of Love"

(Reelart)

This British film, a Butcher production, has an attractive musical content to which the recording seemingly fails to do full justice. It is unfortunate that at times the sound is not of the best because the lyrical interludes in the film are perhaps the best thing about it. The film is a sad love tale of familiar timber with an old-fashioned air about it and acted with little imagination in several of its roles. The film makes a strong play for the sentimental with no great success.

Old-timers may be attracted by Vesta Victoria's singing of "Waiting for the Church," a tune that figures largely in her day. Younger persons should derive some satisfaction from the singing of Jean Adrienne and Derek Oldham, O'Doyly Carte Opera Co. tenor, who have the leading roles.

The story is inspired by Gounod's "Ave Maria," which is one of the concert mgs by Oldham. He and Miss Adrienne are betrothed as children in Italy. Grown up, they are both students at the same conservatory. The girl falls in love with a pal of Oldham's, Ronald Ward, son of the head of a British gramophone firm, who is engaged to an English girl. When Oldham realizes how much Miss Adrienne and Ward love each other he bows out. To smooth things out further for the lovers, Ward's fiancée consents to give him up.

Harry Hughes directed. No production code seal. Running time, 85 minutes.

Daff Says Building Gains in Australiak

Theatre building is on the increase throughout Australia, with most of it being undertaken by independent operators. Alfred Daff, Universal manager in Sydney, here on a visit to the home office, said yesterday that during the past two years independently operated theatres in the Melbourne area increased from five to 27. Approximately 10 of these represent new construction, he said. Daff reported that with Australia practically clear of the depression at this time, admissions had been main-

Predict Ascap Case Will Go On in Autumn

(Continued from page 1)

would abandon the suit during the summer were linked with word that Andrew W. Bennett, who has been in charge of the case for the government, was leaving government practice to join a private law firm. It is understood that Bennett had an offer of this kind, but has made no decision on it yet. How-

RKO Radio Reel Pets Aylesworth, Kahane

(Continued from page 1)

Zohbel, vice-presidents; Zohbel, treas-
er; William Mallard, secretary. W. H. Clark is assistant treasurer and J. Nolan assisting secretary. A board meeting was the first to be held following the annual meeting of stockholders last month at which the presence of Edward T. McDonald was discussed and current and new production matters and transacted routine business.

McDonald and Kahane, who came east following the company's annual sales meeting at Chicago last week, are scheduled to leave for Hollywood today.

Fay-RKO Providence Pool Is About Ready

Pooling arrangements between RKO and Ed Fay for the joint opera-
tion of five Providence theatres have been completed with the papers now in the hands of attorneys. The deal will become effective before Sept. 1. Involved in the pool are RKO's Al Vail and Fay's Majestic, Carlton and Fay's.

RKO Men to Confer Here

Cliff Work, RKO western division head, arrives from San Francisco on Tuesday to meet with home office executives on summer operating policies. Nat Holt, Cleveland and Columbus division head, gets in from Clevel and on Tuesday for similar confab.

Wednesday, June 26, 1935
See Possible British First National Plan

**Idea Comes Up at C. E. A. Convention in Wales**

CARDIFF, Wales, June 26.—The possibility of a British First National along lines pursued by that original company in America is supposed by the deliberations of the Cinematograph Exhibitors Ass'n. summer conference here today.

It developed following a paper titled "The Future of the Films Act," authored and delivered by Simon Rowson, in which he expressed what he envisioned as a steadily dwindling number of major American producers and declared that but for the Films Act and the British production industry.

Court to Approve U. A. Stock Sale

WILMINGTON, June 26.—Chancellor Josiah O. Dussin in Chancery Court here today indicated he would approve the sale by the Art Cinema Corp. of a block of 1,000 shares of United Artists Corp. capital stock it owned. The stock is to be sold to U. A. for $560,000.

An order authorizing the sale is (Continued on page 7)

Lichtman Leaves for U. A. Meet June 30

At Lichtman, who will be elected president of United Artists on July 1 when the stockholders meet on the coast, leaves by train for Hollywood Sunday to complete convention arrangements with Monroe Grenchal. Hal Horne will most likely accompany him.

About 150 branch managers, salesmen and office managers will attend the five-day meet which opens at the Ambassador on July 8. A special train will leave July 4 from New York with home office and eastern sales executives. Boston and New England sales forces will be picked up at Albany.

Feature Cartoons On Disney Program

LONDON, June 26.—Walt Disney has revealed here that he will produce a feature length cartoon every two

Group Named To Study New Industry Code

Voluntary Setup Aim of Former Campi Men

In an effort to retain the satisfactory features of the code, former Campi members and alternates have formed a voluntary industry committee to study the possibility of setting up an all-industry body to act as a clearing house for industry problems.

Code Authority members are of the unanimous opinion that certain features of the code should be maintained, but, having been stripped of their power by the recent U. S. Supreme Court decision, they cannot act with authority.

On the committee are J. Robert Rubin, temporary chairman; Austin C. Keough, Nathan Yamin, Ed Kuykendall.

(Continued on page 4)

ITOA Now Waiting For Weisman Plan

Members of the I.T.O.A. are still waiting to hear from Milton C. Weisman on a proposed plan he was to draft for pooling local independent houses into one large circuit.

The unit, which is operating on a summer schedule, did not meet yesterday. The next session will be held Wednesday.

Theatre Activities Gaining in Midwest

KANSAS CITY, June 26 — Renovations, openings and changes in management are dotting the theatre map in this territory.

Business men have taken over the Booster at Haven, Kan., and have

(Continued on page 4)

Sentiment in Cleveland Veers to Voluntary Code

CLEVELAND, June 26.—Responsible exhibitor opinion here leans toward some form of voluntary substitute for code operation. Several leaders are for an arbitration board with powers greater than the old Film Boards of Trade so that all problems up to and including contracts can be handled.

The fly in the ointment is their fear that the proposal will not be adopted unanimously, thereby nullifying enforcement.

"I am heartily in favor of a voluntary code," says M. B. Horwitz, "but I do not think it possible because we can't get 100 per cent of exhibitors to agree. I do not think it would be

(Continued on page 4)

Heat's Heat

Harry C. Arthur, commenting on St. Louis and Federal indictments, was reminded yesterday the weather has a habit of getting hot in that town.

"No matter how hot it may get in St. Louis, it can't get any hotter for me than it is now," he remarked.

New Tax Hits Only on High Profit Scales

By CLARENCE LINZ

WASHINGTON, June 26.—The effect of the new tax program upon industry and the individual companies are in the black and to what extent.

The new sliding scale of taxes on corporate income will become fully effective only as conditions improve, since the higher rates are imposed upon the higher net incomes.

As proposed to the Senate Finance Committee yesterday, corporations with net incomes of less than $2,000

(Continued on page 4)

Kent, Schenck and Zanuck Leave Soon

S. R. Kent, Joseph M. Schenck, Darryl Zanuck, William Goetz and George Cohen plan to leave for the coast either Tuesday or Wednesday. Attorneys for Fox and 20th Century are still working on the contract for merging of the two companies into Fox-20th Century. Cohen, who is with Loeb, Walker & Loeb, came on from the coast to represent 20th Century on the deal, while Bert Mayflick, local attorney, is representing Schenck.

(Continued on page 4)

Otterson Pact Scheduled for Signing Today

PARAMOUNT TO ACT; NEW AIDES COMING IN

John E. Otteron's contract as president of Paramount is scheduled to be ratified today at the regular meeting of the board of Paramount Pictures, Inc. The board is also reported slated to act on the election of R. E. Anderson, treasurer of Erpi, to the post of financial vice-president of Paramount. Anderson is expected to resign his Erpi connections in the event he is named to the new Paramount post.

Otteron is scheduled to leave here for the coast late Sunday night or Monday, stopping off in Chicago for a meeting on Monday with Paramount theatre operating partners. George Schaefer, vice president, and Frank Freeman, Paramount theatre head, (Continued on page 7)

Republic Expands List to 57 Films

Further expansion and new affiliations at Republic since the announce ment May 10 of its 1942-43 product result in an enlarged program of 57 features divided in six groups as against the original 42.

The new groups are 10 Republic Gold Medal Specials; 22 Republic Blue Ribbon Winners; five Fast Action Projects, eight John Wayne Action Dramas, eight Gene Autry Musical Westerns and four Nat

(Continued on page 10)

RKO to Appeal Over Arbitrators' Ruling

RKO will apply to the state supreme court next week for an order to vacate the arbitration award handed down Tuesday which directed the company to pay the former Meyer & Schneider circuit $45,000 damages and to operate the Apollo as a neighborhood first

(Continued on page 10)

Final Hearing Set Today for Fox Met

Final hearings on the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses are scheduled for today before Federal Judge Julian W. Mack. With sufficient creditor assents on hand for the ratification of the plan

(Continued on page 4)
Over 200 Ask Seats For Lichman Lunch

Over 200 reservations have been received for the luncheon in charge of the luncheon in honor of Al Lichman, president-elect of U. A., to be held today at the Lord Baltimore Hotel.


Liberty Outlet Changed

Republic exchanges selling upper and metropolitan White Street, New Jersey and Pennsylvania have closed a deal with Liberty Pictures to handle “Dizzy Dames,” “Born to Gamble,” “The Headhunters” and “Without Children,” Liberty’s four latest. Three additional exchanges in Pittsburgh, New Haven, Conn., and Kenvin will also handle these films with “Sweeps tage Annie” ending “Without Children,” The Hollywood exchanges formerly distributed the films.

Years at Warners

C. L. (“Bill”) Years at Warners home office publicity and advertising staff to handle special work on a “Midsummer Night’s Dream,” which the company plans to repeat.

Purely Personal


HARRY BURBAUM says he caved on a conversation James Braddock hold with Max Baer at the Joe Louis-Primo Carrera fight the other night. He talked something to do with the heavyweight champion’s next fight.

Lee Goldberg, First Division franchise holder in Cincinnati, Louisville and Indiana, is in town for a few days and plans to leave for his headquarters in Chicago later Saturday or Sunday. He reports Colonel Fred Levy is back on the job again.

CLARENCE BROWN left for Chicago by plane yesterday to confer with studio heads on “Ah, Wilderness.” He planned to look over some new England sites for background shots, but will make the tour on his return.

IRVING WINDSCH, exploiter of Warners’ metropolitan theatres, marries Bette Geller tonight at the late hour in Baltimore. The couple leave Saturday for a 10-day honeymoon in Bermuda.

George W. Weeks, G. B. general sales manager, left town yesterday for Buffalo and Detroit. Clinton M. White, the company’s assistant sales head, is visiting Washington and Baltimore.

DARBY ZANUCK and William Goetz situating down Broadway yesterday afternoon and not bothered by the heat. They were hatless and in good spirits.

BELLE BAKER gets in today from Hollywood. She’s been working in London for the past nine months.

PRINCESS NATALIE PAKAY is on the Europa today on her way to Hollywood to play in “Sylvia Scarlett.”

DAVE CHASEN has finished his work at the Radio studios and is driving back east, due in late this week.

MOE STREIMER, Harry Berg and Paul Benjamin huddled together at the M. P. Club for lunch yesterday.

MAURICE SILVERSTONE, chairman of United Artists Corp. of London, leaves for Hollywood today.

HARRY EGER and Jack Goldstein of Rex Premiums have returned from the coast by plane.

HELEN VINSION has been signed by G. B. for a role in “Transatlantic Tunnel.”

GEORGE SCHAEFFER returned yesterday from Exeter, Mass., where he attended the graduation of his son from Phillips Exeter Academy.

HENRY ARMETTA is in town from Hollywood. He’s at the Edison.

AL FRIEDLANDER is back from a flying trip to Boston.

SIDNEY SAMUELSON returned from Los Angeles yesterday.

JERRY SAPFON in town from Los Angeles.

London

Wardour Street is temporarily alry many of its well known personalities who are now in New York. There are a number of people involved with Warner-Fox, such as Frank Mooney, president, John Warners’ representative; and D. S. Goff, Warner’s representative.

Rene Clair and Robert Donat give enjoying press cocktails and more deails of their first production for London Films. Calling it “The Laying of the Glorious Ghost” and starting at Worthing Hall immediately.

John Maxwell back on the Ma-

MARUHA WILCHINSKI is visiting from New York, bringing word Roxy is turning eyes toward a theatre berth on this side of the Atlantic.

W. Va. Group Neutral On Pettengill Bill

WHITE SULPHUR SPRINGS, W. Va., June 27—Representatives of the W. Va. a couple of days in Richwood, the Pettengill anti-block booking was taken by the West Virginia Management’s plan at the opening of its annual meeting at the Green Brier here today.

A committee was named to watch the Government’s Acap actions. The organization will urge enactment of a preferred playing time bill similar to the one in effect in other states. The majority of the State’s theatres are represented at the meeting.


Lesser Plans Budget Of $2,225,000 for 10

HOLLYWOOD, June 26.—Sol Lesser will spend approximately $2,225,000 on a program of 10 films within the next year, he announced, which will be his most ambitious production schedule in his 19 years in the business. Four of the 10 will be George O’Brien vehicles for Fox release. Distribution on the others will be set when shooting is completed.

Lesser will add four writers to his staff within the next 10 days. A new building to take care of the expansion is a-coming at construction at Pacific. Lesser is negotiating for a feminine star for two or more pictures.

Radio Officials Go West

R. M. Donohue, president of RKO Radio Pictures, Inc.; R. B. Kalane, president of RKO Studio, Inc.; and Howard S. Benedict, head of the radio studio publicity department, flew to the coast yesterday.

Seek Registration

Of St. Louis Stock

By BERTRAM F. LINZ

WASHINGTON, June 26.—Application for registration of the St. Louis Stock Exchange has been filed with the Securities and Exchange Commission by the St. Louis Amusement Co., a subsidiary of Skouras Bros. Enterprises, which owns 3% of the stockholders of Warner Bros., owners of 42 per cent.

The company, according to the application, hopes to receive eight non-operating theatres and air-drones and operates 10 leased houses. It has as subsidiaries the Upjohn Theatre Co., of which it owns 7.1 per cent; Shaw Theatre Co., 50.4 per cent, and Westport Theatre Co., 11.1 per cent.

The only holders of 10 per cent or more of any class of securities are Warners, with 8,839 shares, or 41.6 per cent, of class A, and 15,000 shares, or 51.8 per cent, of class B, and Nelson Cusufli, trustee for Skouras, with 3,300 shares, or 48.8 per cent, of class A and 13,928 shares, or 47.1 per cent, of class B.

The only officers receiving salaries are: John Bean, president, $7,436; Leo J. Hill, vice-president, $7,436; and G. L. Wiegand, secretary-treasurer. Officers and directors of the company are elected by the company and name one share of class B stock each.

The balance sheet of the company at the fiscal year end Aug. 25 last, showed income of $1,036,413.25, net expenses of $949,048.63, depreciation and interest of $108,093.87 and a deficit of $20,729.25.

Fox-Clifton Cases Up for Arbitration

Two complaints against the Strand, Clifton, N. J., by Fox are scheduled for voluntary arbitration at the New York office of Reuben Pashman is operator of the house involved. One of the complaints has to do with an "N. G." check and an accounting subject.

There is a possibility the claims will be settled before hearing. According to Rawlings, Pashman was appointed his two arbitrators five days after receiving notice of the hearing. He has failed to do this and, according to the rules of the complainant has the right to delegate the third and fourth arbitrators in addition to the first two.

Lion Nizer will represent Fox if the case goes on.

Again Heads Relief Fund

HOLLYWOOD, June 26—Marion Davies, now president of the M. P. Relief Fund last night at the annual meeting of officers. Jack Warner replaces M. C. Levee as treasurer and ALEX PRESS, the post which went vacant last year, as secretary, left vacant by the death of Francis X. Bour.

Royal C. Corman, Mary Pickford, Will Hays and Samuel Goldwyn were elected vice-presidents. New trustees for three-year terms are Ralph Block, Leon Hersholt, William Goldstone, Mitchell Lewis, Sol Lesser, Louis B. Mayer, Leo McCoy, Robert Montgomery, Ewell Moore, Norman Scherer and Frank Woods.
Cheered at its New York premiere as 'an unusual film which won't be stranded in any theater', Warner Bros.' "STRANDED", starring KAY FRANCIS, easily achieves pre-eminence among the week's screen product. Frank Borzage's deft direction adds charm and color to fine performances by Miss Francis, George Brent, and an effective supporting cast including Patricia Ellis, Donald Woods, Robert Barrat. Released June 29th.
Group Named To Study New Industry Code

(Continued from page 1)

possible to enforce it unless there is some legal compulsion.
I have my doubts as to what affi-
tiated members will do about being in a code which would include clear-
ance and zoning.
There may be possible to establish an arbitration board provided such a
board is composed of an equal num-
ber of independent and affiliated ex-
hibitors and one and one half per-
cent of individual member.
Nothing would please me more, and I am sure fair minded ex-
hibitors will welcome arbitration as
one independent exhibitor, one dis-
tinct and one imperfect member,
differing from the old arbitration boards, in that the new setup would ar-
bitrate all matters pertaining to and
leading up to contracts.
Maurice Kaplan, operator of six sub-
sequent runs, disagreed with this
view. He said he might favor an arbitration board composed of paid
members from outside the industry,
Judge Joseph Ackerman, impartial member of the delinquent grievance
board, I believe would favor a volun-
tary code if unanimous agreement
could be obtained.
Meyer Fischer would like to see a voluntary code, but believes it
impossible. Exhibitors seem to pre-
ferr to fight each other, he said.

Missouri May Coin Slugs for Sale Tax

KANSAS CITY, June 26.—State
made aluminum slugs will probably be
used for the payment of fractional
liances on the new sales tax, the plan
was originally suggested by the K.M.T.A.; R. R. Biecha-
ler, and L. J. McCarthy, representing Fox
Midwest, Clarence J. Schultz of Com-
monwealth Amusement Co. and Jay
Means, I.T.O. head. The group was
headed by Fred Wehren-
berg, president of the M. T. O.
unit.

Regina Molseed Active

OMAHA, June 26—Regina Molseed,
until recently code board secretary,
has joined the staff of Scott-Ballantyne Sup Co. It is expected she
will resume with the Omaha Film
Board of Trade.

D. V. McQuade, head of the board,
says he expects to make an announce-
ment soon on the board's plans.

Collins Now Director

Hollywood, June 26.—Arthur G.
Collins, dialogue director at Warner's,
has had his old contract torn up by
the company and has been re-signed to
a seven-year contract as director.
The Wonder of the World

DISCOVERED JANUARY 16, 1934
BY JACOBUS JONKER

* NOT A MOTION PICTURE
Worth $750,000. Owned by Only One Man
DIAMOND JIM

{The Wonder of the World}

RELEASED SEPTEMBER 2, 1935
BY UNIVERSAL

* A BOX OFFICE GEM
Available to Exhibitors Everywhere!

Edward Arnold
Jean Arthur
Binnie Barnes
See Possible British First National Plan

(Continued from page 1)

try which it created would have been rejected by the Four American executives to meet in a back parlor in Wall St. and determine a "squeeze" policy. But the British anti-trust laws are not operative.

He characterized the law as the "exhibitors' defense act" and cautioned them to beware "how you play your defense." It was Rowson's viewpoint that the blind booking clauses are being scrupulously observed, but that the advance of the minimum negative cost is being thwarted by a remedial compulsory clause in the statute placing minimum negative costs of $2,500 on any picture at $15,000. It is impossible to contemplate the demise of the law which expires in 1938, for Rowson visualized its aim which was to establish British production and fill the gap created by the "squeezing," but including American, production and had prevented the growth of "fantastic" rentals based on monopoly, Rowson added.

He expressed it as his idea that 25 per cent of British films were low in quality because insufficient money was spent on them. He would not make it a remedy a compulsory clause in the statute placing minimum negative costs of $2,500 on any picture at $15,000.

He said it was now possible to transmit television via cable, thereby making it feasible to supply programs over a circuit of Royal Airnes through the one operation. It was his prediction also that London theatres will be maintaining their television items for two years and provincial theatres, within three or four, getting the service from local television stations.

On Thursday, the Right Hon. E. E. Shortt, K.C., president of the British Board of Film Censors, will discuss the future of copyrights through the one operation. It was his prediction also that London theatres will be maintaining their television items for two years and provincial theatres, within three or four, getting the service from local television stations.

Hanson was in New York yesterday confering with Yates on contracts for product. He left for Toronto last night to open today's session. Empire handles all of the product mentioned above.

KMTA Meet Favors MPTOA Affiliation

Kansas City, Mo., June 26—The KMTA voted to affiliate with the MPTOA at the first session of its meetings here today. A motion to leave the choice of an organization up to the exhibitors was made, however, that the group reconsider its choice tomorrow was voted. The two organizations are: the Kansas City Theatre Owners, represented by Frank C. Findley, Edmond; Frank Cassil of the Rialto, St. Joseph, and A. J. Simmons of the Plaza, Lamar, were named as a committee to write revised resolutions giving the proposed plan of the state auditor to collect fractional amounts on the court revenues by means of metal tokens.

A group liability insurance plan to cut the cost to exhibitors was presented by President John St. Hotter. The exhibitors were warned against operating without such coverage.

Representative Fenos H. McFarland of Kansas said a sales tax probably would be passed by the legislature of his state at a special session in January to raise funds to carry out the President's social security plan in the state.

FWC-Hamrick Pool Deal Is Completed

Los Angeles, June 26—Charles A. Buckley, Fox West Coast legal head, and Frank A. Hamrick, who now operate the completed final legal negotiations in the Hamrick pooling deal. FWC is the parent of a number of the theatres in Portland, Tacoma, and Seattle, four of which are temporarily not operating. The group will come under the jurisdiction of Everett Theatres, FWC subsidiary.

Research Survey Delayed

Hollywood, June 26—The Academy Research Council's survey of the acoustic and soundproofing characteristics of types of set and construction materials gets under way today with a meeting of the newly appointed sub-committee. It was to have started several days ago, but because of heavy rain in the studio forced its postponement. The new committee consists of the following correspondents: D. V. Barry, Radio; Oscar Brodine, U. & C. Art Fields, Columbia; Fred Gabourie, G. M. C.; Lewis Gribb, Warners; Archie L. Hall, Universal; Joseph Stofel, Fox, and Gordon S. Mitchell, manager of the Research Council.

Empire Films Holds Toronto Convention

TORONTO, June 26—Empire Films will hold a six-day convention at the Royal York starting tomorrow. Oscar Hanson, general sales head, will conduct the sessions. About 12 representatives from Vancouver, Calgary, Winnipeg, St. John and Montreal will add to the number of sales executives from New York.

Tomorrow will be Education Day. Jack Section, the king of educational, and Harvey Day will outline the company's product. On Friday, the second general manager of B. I. P. L., will take on his company's output. Saturday will be Rep Day. Jack Section, Roy Johnson, Norton Raybey and Edward Willcox will represent the company's home office, while Herman Gluckman of the New Empire will be in Toronto. The sessions of this year will also be present. Herbert J. Yates also is expected.

Sunday will be given over to social activities at the Monte Carlo. Montreal will hold three individual meetings will be held on the sale of policies.

A luncheon will be planned for Saturday. Sam Smith of British Lion will address the session. N. L. Naishamon, who is financially interested in British Lion, is in England.

Otterton Pact Scheduled for Signing Today

Otterton, June 26—The meeting of the British Film Distributors Association at the London Club today will mark the completion of the negotiations for signature of the Otterton Pact, it was announced by representatives of the distributors today. The meeting will consider not the conditions of the agreement, but the sales details of the year's productions. The final signature must await the ratification of the agreement by the British government. The agreement has the strong backing of the London Club today will mark the completion of the negotiations for signature of the Otterton Pact, it was announced by representatives of the distributors today. The meeting will consider not the conditions of the agreement, but the sales details of the year's productions. The final signature must await the ratification of the agreement by the British government. The agreement has the strong backing of the British government, and the distributors hope to have it signed by the end of the month.

The agreement provides that the distributors will pool their pictures in the United Kingdom. The pool will be controlled by a central body, and each member of the pool will have a fixed percentage of the profits. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers. The agreement is expected to benefit the distributors by providing a larger market for their films, and by enabling them to compete more effectively with foreign producers.
THE FIRST M-G-M BOMBSHELL OF 1935-36
‘CHINA SEAS’ CINCH HIT:
THRILLING ENTERTAINMENT

Gable, Harlow And
Garnett The Tops

“CHINA SEAS”
(MGM)

Associate Producer..........Albert Lewin
Direction .....................Crosbie Garstin
Novel ........................Jules Furthman, James
Kevin McGuinness.
Photography .................Ray June

Cast: Clark Gable, Jean Harlow, Wal-
lace Beery, Lewis Stone, Rosalind
Russell, Dudley Digges, C. Aubrey
Smith, Robert Benchley, William
Henry, Live deMaigret, Lilian Bond,
Edward Brophy, Soo Young, Carol
Ann Beery, Akim Tamiroff, Ivan
Lebedeff.

“China Seas” is one of the best
straight movies produced in many a
day. It has everything that any au-
dience could want and is chock full
of the stuff that shoved the picture
business to the top of all amusement
enterprises.

Any picture that offers the com-
bined talents of Clark Gable, Jean
Harlow and Wallace Beery is destined
for great box-office success, but place
these three in a story that has all the
thrills, chills and entertaining values
of “China Seas,” and you have an im-
portant picture and one that will
bring out the old fans and create a
lot of new ones.

Jules Furthman and James K. Mc-
Guinness have taken what was an
idea by Crosbie Garstin and shaped
it into a story with at least a half
dozzen plots, all taking place on a boat
sailing the China seas, mastered by
Clark Gable. On this boat are pas-
sengers from all walks of life, with
entirely different destinations, plus a
cargo of gold that is the bait for
Wallace Beery and his conniving pi-
rates. During the voyage you are
treated to a typhoon, a great drunk
by Robert Benchley, and Harlow’s
greatest characterization as a lady of
easy virtue in love with Gable.

The yarn is packed with suspense
and moves at lightning speed, with
the main characters backed by as fine
a cast as has ever been thrown to-
gether for any one picture, all under
the masterful direction of Tay Gar-
nett. There is never a dull moment
in the picture, nor is there a moment
for the audience to relax, for if it’s not
sitting on the edge of its seat thrilled
by the plot’s intrigue, it is laughing
at the antics of Benchley and others
or enraptured by the romance in-
dulged in by Harlow in her winning
battle for Gable.

Clark Gable plays the captain of the
ship with ease and assurance that will
win him many new admirers (as
though he needed any new fans). The
captain is a natural for Gable, a kindly
fellow who hides his warm heart with
gruffness. It is a grand piece of cast-
ing.

Jean Harlow takes another step for-
ward as a dramatic actress. It is un-
questionably the finest portrayal she
has ever given, one that offers a wide
emotional range.

Wallace Beery is swell as the un-
dercover leader of the pirates. His
work is minus any of his usual man-
erisms and he plays a straight men-
ace. Lewis Stone, too, has a greater
opportunity than has fallen to his lot
for some time. Rosalind Russell is
again impressive. She is going far.
Robert Benchley does the best drunk
the screen has ever seen.

Among the others of the perfect
cast, there are particularly outstand-
ing moments by William Henry, an up-
and coming juvenile, Dudley Digges,
C. Aubrey Smith, Akim Tamiroff, Lil-
ian Bond, Ivan Lebedeff and Edward
Brophy.

Production is ace high in every de-
partment, and the photography of Ray
June tops even his usual high stand-
ard. Several of his shots, the lighting
on the bridge for instance, should be
framed. The storm sequence is a
technical wonder. Herbert Stothart’s
musical score also deserves your atten-
tion.

“China Seas” is sure to ring a
merry tune on every cash register. It
has everything.

And watch for the
Preview of “ANNA
KARENINA.” Soon!
Court to Approve U. A. Stock Sale

(continued from page 1)

expected to be signed and filed in court by Monday. No stockholders or creditors of Art Cinema opposed the sale today.

Several days ago U. A. approved of the block, as well as of another block of 1,000 shares owned by Joseph M. Schenck. The same price is to be paid for his holdings.

Control of the corporation upon retirement of the 2,000 shares will rest with Max Fleischer, Louis Flechters, Charlie Chaplin and Samuel Goldwyn, each of whom owns 1,000 shares.

Art Cinema is a dissolved corporation, William Jase, Dennis F. O'Brien, general counsel, and William Phillips, treasurer of U. A., were appointed trustees last October by Chancery Court. The trustees sought permission to sell the stock in a petition filed here two weeks ago. The petition stated they had received an offer in behalf of U. A. from Nathan Burkan, for the sum of $250,000, Chaplin and Goldwyn. It provided, however, that the Elton Corp., controlled by F. M. Dole, has the right to purchase the stock at the same price if desired.

**RKO to Appeal Over Arbitrators' Ruling**

(continued from page 1)

run, or, if the dispute is not settled, the Academy of Music or Jefferson.

The arbitration award, it was said, is subject to the manufacturer by the court before it can be enforced. RKO is prepared to carry the case to the appellate division if the application to the lower court is unsuccessful, it was said. Contesting of the award will be made on the grounds that the arbitrators exceeded their powers, and that the committee of the court's executive, which was too severe and not in accordance with the evidence in the case, RKO's principal objection is directed at the damages awarded. Compliance with other parts of the arbitrators' decree would not be difficult if slight modifications could be obtained, it was said.

**Refuse Texas Injunction**

DALLAS, June 26.—U. S. District Court Judge William H. Atwell has refused an injunction sought by Fuller, a Palestine, Tex., exhibitor to prevent R. & R. Theatres and major distributors from carrying out an alleged contract to prevent him from getting product.

The court ruled no proof of conspiracy by the defendants which it admitted sympathy with Fuller.

**Fast on FWC Move**

LOS ANGELES, June 26.—Paul L. Metzer, Fox West Coast theatre manager, left here today by plane for Kansas City in conjunction with the transfer of the operation of a number of theatres of Fox Midland and Fox Rocky Mountain from Los Angeles to their respective operation headquarters. He will later go to New York.

**Blumstein Joins Fox**

Abe Blumstein, formerly with First Division in New York, has joined the local Fox sales force. Anthony Ricci, until recently with Hollywood exchange, has joined the same exchange to handle foreign films.

**Republic Expands List to 57 Films**

(continued from page 1)

Levine serials. The original lineup included two Gold Medal Specials, five Blue Ribbon Winners, eight in the Showmanship Group, eight in the Republic Entertainment Group, and 13 in the Wayne pictures as well as the Greater Western Series and the Levine serials. Waxing and the Gold Medal Specials compete with the Gold Bond Specials and the Entertainment Group, Showmanship Group and Blue Ribbon Winners. Eight new titles will be added together under the latter title. The Fast Action Group is also changed to the Autry musicals and the titles will probably be kept.

The full program, under the new setup, follows:

**Republic Gold Bond Specials**


**Autry Musical Westerns**

"Partners of the Sunset," "Where the Trail Ends," "Rainbow Valley," "Someday in the West," "Riding Luck," "The Man from the Big Horn," "Falls of the Range" and "Lost Valley.""Two More Regional Sets**

Republic will hold two more regional, one in New York and another in Philadelphia, early next month, Edward Charles is a credit to the showmanship today following his marriage to Helen Kalbeck-Thimmig, German actress, last night, immediately after he had been divorced by his former wife.

**MOTION PICTURE DAILY**

Hollywood Preview

"Broadway Gondolier"

(Continued from page 1)

Hollywood, June 26.—Dick Powell again demonstrates his magnetic talent and showmanship as a taxi driver-tenor scaling the walls of a radio studio aided by a broken-down opera star (Adolph Menjou) to achieve a singing sensation on a cheese.

As a stowaway Powell pursues Joan Blondell, secretary of Station Master Grant Mitchell. In Venice as a trilling gondolier Powell is discobted to be the son of a cheese. Returned to America amid fanfare and publicity, and halted as an italian gondolier, Powell is unmasked, over the air tells the audience the truth, and becomes a sensation, marrying Miss Blondell before the mike as Miss Fazenda glows, having put romance in cheese. The tenor sings the "Rouquet" theme song.

Gay and hilarious, tuneful and showy, the film propels its idea with crisp freshness, the lit of romance and laughter. While its plot details slacken the tempo in spots, this vivid, versatile production gives Powell plenty of chance to sing, love and clown. The production swings from Broad Street Venice lagoons and behind the mike of radio cheese.

William Gargan, George Barbier and Hobart Cavanaugh support well. Ted Fio-Rito and his band and stooges entertain, and the Four Mills Brothers in a number with Powell are show-stoppers. Miss Fazenda's comedy as a lovesick widow is priceless.

Lloyd Bacon again gives all values for audience reaction. The Warren and Dubin songs, particularly "I'm a Woman Hater," will be hummed. Sam Bischoff produced.

Powell's name in a smart comedy romance with novel backgrounds, should keep this hot and bankable at the box-office.

Production Code Seal No. 935. Running time, 95 minutes. "G."

"Lady Tubs"

(Universal)

Hollywood, June 26.—Rollicking farce, well played and directed, provides many laughs in this picture. Alice Brady, railroad camp cook, inherits a fortune from a English peer she befriended. Under the tutelage of Alan Mowbray she crashes the fashionable Long Island hunting set to match her niece, Anja Louise, with Douglas Montgomery. When nearly exposed as a phony Miss Brady finds her hosts are of humble origin themselves and even planning a crooked financial deal. At a hunt dinner she receives the brush for catching the fox and all the plot angles are untangled for laughs as the lovers are united.

The smart screen play by Barry Stowe from the Honor Croy novel and Alan Crossland's direction keeps things moving. Hedda Hopper, Lumsden Hare and June Clayworth put in support, although the brunt of the picture is carried by Miss Brady and Mowbray. The picture is Stanley Bergerman's curtain effort for the company and production is a credit to the studio. An average entertainment, it should please along with a serious subject.

Production Code Seal No. 974. Running time, 67 minutes. "G."

Peggy Libbey to Marry

OMAHA, June 26.—Peggy Libbey, employed in the Vitagraph office for several years, will leave the organization to marry Lionel Wason, advertising manager for Hart Lumber Co. Monogram... this fall.

U. S. Jury Bans "Ecstasy"

A U. S. District Court jury yesterday found the Czech-Slovakian film, "Ecstasy," to be obscene and unsuitable for exhibition. The verdict will be appealed to the U. S. Circuit Court here's Central States Theatres, July 6. The marriage will take place in Des Moines where the couple will reside.

**Flash Review**

In Caliente—Typical Warner musical, efficiently presented and thoroughly unexciting. Edward Everett Horton stands out in a comedy role played against a lavish and colorful production.

This film will be reviewed in full in a later issue of "MOTION PICTURE DAILY."

Seigel Closes Ramsey

Arthur Seigel has closed the Ramsey, Ramsey, N. J. He is remodeling the theatre planning to reopen it in the fall.

**Feature Cartoons On Disney Program**

(continued from page 1)

years ago that the first of these, "Snow White and the Seven Dwarfs," has been in production for some time. The cartoon will be adapted from the best selling fairy tale over 60 minutes when finished. It won't be ready for for sale for some time, however, since several months work is still to be done.

Motion Picture Daily revealed several months ago a story that Walt Disney had started production on a feature length cartoon adapted from a popular fairy tale.
English Move
For Drive on
Percentages

CEA Adopts Resolution
As Convention Ends

By J. M. JERAULD

It was one of those kind of crowds that the ex-War Warners counsel,
Al Lichtman admitted it after he had gulped a few
beers and partly mastered more emo-
tion than he cared to display in public
as he stood before an M. P. C. mi-
crophone yesterday.

It was something more than an
Ampa tribute to a successful execu-
tive; it was an industry turnout with
a half hundred or more late comers
crowded in the corridors outside the
dining room.

Charles C. Petijohn epitomized the
spirit of the gathering with blunt em-
phasis when he said: "Al Lichtman
would rather be ribbed than flattered."

Lichtman, a man who has been
safeguarded by a 95 per cent, but with 50 per cent as top

(Continued on page 10)

Tax Damage Gains
On Ontario Houses

TORONTO, June 27.—Apart from the
damage the Fire being done to sports
and other outdoor attractions, the
heavy amusement tax increases im-
posed by the Ontario Government are
playing havoc with theatres and com-
plaints are pouring in.

Mayor H. E. Wilton, proprietor of
(Continued on page 2)

Two-Year Ticket Tax
Extension Agreed On

WASHINGTON, June 27.—Continu-
ance of the present 40 per cent exemp-
tion from the admission tax for two
years was provided today when House
and Senate conferences agreed on that
period for the life of the resolution
continuing the nuisance levies. The
Senate had voted a one-year exten-
sion, to which the House refused to
agree.

The measure was immediately sent
to the White House for the Presi-
dent's signature.

By rushing the resolution through
Congress saved the Government reve-
 nues which would have been lost had
there been any delay, the taxes in-
volved being scheduled to expire
automatically on June 30.

Mexicans Hope for
Theatre Strike End

By JAMES LOCKHART

MEXICO CITY, June 27.—A hopeful
sign of an early settlement of the
walkout which early this month closed
(Continued on page 10)

Industry’s Leaders Turn
Out to Honor Al Lichtman

Boston Holds
Varied Views
On Regulation

Fox Met Plan
Given Court’s
Full Sanction

Judge Mack Denies Plan
For Week’s Delay

RKO Vaudeville Cut
To Two Weeks Here

KMTA Names Board
To Hear Grievances

Mid-June Takes Halt Slow
Declines of Recent Weeks

Tichenor Watching
Tactics of Picketers

Warners-RKO Pool in
Los Angeles Ended

Mid-June grosses in 22 key cities
showed a substantial improvement over
recent weeks. The total, $1,155,950,
went back to late May levels, thereby
halting a decline which has been steady
since early last month.

The number of theatres in opera-
tion, 134, remained the same as the
previous week when the total take
(Continued on page 8)

Lichtmanism

"The Motion Picture Club is the
greatest in the world,"
remarked Al Lichtman at his
Ampa luncheon yesterday.
"We’ve been here three years
without paying rent. I’m
going to make the house
committee the finance com-
mittee of United Artists."

Boston, June 27.—Opinions here
vary all the way from indorsement
of a voluntary code to flat opposition
to any kind of a code. Others declare
that if there is to be a code local
boards should be made up of equal
representations of exhibitors and dis-
tributors.

Martin J. Mullin, member of the
recent clearance and zoning board and
partner of M. & P. - Public Theatres,
is opposed to any kind of a code.
"The sooner the industry gets back
to running its own business, the bet-
(Continued on page 11)

KMTA Names Board
To Hear Grievances

KANSAS CITY, June 27.—The Kan-
sas-Missouri Theatre Ass’n, today ap-
proved the formation of a grievance
board of three members to clear all
(Continued on page 11)

Mid-June Takes Halt Slow
Declines of Recent Weeks

Tichenor Watching
Tactics of Picketers

Frank Tichenor, publisher of Out-
look, is getting a personal picture of
the operator union trouble along
Broadway and 42nd St. On Wednesday
night he spent two hours on 42nd
(Continued on page 8)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 57 June 28, 1935 No. 154

By RED KANN

INSIDERS' OUTLOOK

I N person, or by communication, with the personal touch much in the preponderance, the industry in New York, which is liberal, for headquarters, homeward bound yesterday for Al Lichtman. The Motion Picture Club was jammed probably as never before and with an overflow that reached into the corridors and clustered around the elevators to hear what a formidable cluster of marquee names had to say about the president-designate of United Artists.

In these days of banker penetration into the administrative end of the industry, the party for Al impressed as one of those "home town boy makes good" affairs. For Lichtman is part and parcel of this industry in which he has been an active figure, not always as important as now of course, but always to be reckoned with for the next five years. If congratulations are to be handed out, our inclination is to felicitate Mary Pickford, Doug Fairbanks, Charlie Chaplin and Sam Goldwyn on the petulance which determined them to follow Joe Schenck with Lichtman.

They've made no mistake. Lichtman has pronounced, personal and business popularity. For years, he has been getting prices for product, good and bad, which frequently cause exhibitors to wish they had him and just frequently to come back for more of the same treatment. His record on top price sales, computed over a period of seasons, is untouched by any other sales manager in the business. With Schenck allied to Fox, a United Artists without Lichtman, if that had been the producer-owners' decision, would have been a very sad company indeed. Pickford, Fairbanks, Chaplin and Goldwyn need Al far more than Lichtman needs them.

Of the many complimentary things said about him yesterday, one of the nicest came from Sidney R. Kent, who failed to attend only because of detail in connection with formal signing of the 20th Century deal. As an added, if not a new commentary, on the self-effacement which characterizes his, Kent's message was typical.

"Please extend my greetings to Al Lichtman and tell him how sorry I am that I cannot be there. I feel that I owe him a great deal. He was my original teacher and whatever I learned of distribution I got from him. If the pupil has been anything of a credit to the teacher, then I know that Al will be satisfied.

Pointing up an ironic circumstance, neatly and completely to advantage, Martin Buggely in the current issue of Motion Picture Herald:

"Several months ago rumors were broadcast in the trade relatively well founded about possible moves by owners of companies to giveahand to those of us who have spent years in building up the industry and to participate to some extent in the profits thus acquired.

"Last week in a Federal commission hearing in Washington, it developed that certain bankers and brokers formed a bondholders' protective committee, the members of which acquired ownership of bonds only after the formation of the committee and presumably, after they had acquired inside information on the real worth and the probable future market value of the bonds.

"There, then, is another item to be added to the already long list of instances of banks and brokers approaching the motion picture industry in a paternalistic manner and, immediately that the first chance presents itself, proceeding to display a brand of ethics that makes the attitude of their approach appear considerably counterfeit."

Issuing no formal statement but commenting on the reports, very closely held, that Erpi would be bringing some fugacious, E. S. Bloom, recently elected president of that company succeeding John E. Ottersen, denies—and categorically, mind you—that he has any sale and 2$ that any is contemplated. The report, wending its way into Times Square from the once busy canyons of Wall Street, insisted Western Electric would dispose of Erpi to independent and new management, perhaps a la Graybar Electric, once W. E. owned but now by its employees on a participatory basis. Reason for the move presumably gyrates around a well-laid plan of A. T. and T. and to get itself in shape for the Federal probe into its activities.

Why, really, did Arthur and Dave Loew resign their directorships in Loew? You can hear almost anything you like if you care to listen, but there is published now a very significant line from this selfsame space on Wednesday:

Davc says the reason tax gains....

Tax Damage Gains
On Ontario Houses

(Continued from page 1)

the Strand, Hamilton, reported that the theatre recently recorded a low record for a day's patronage in 16 years of operation.

Manager George Dunbar of the Kenilworth, Hamilton, said plans had been approved for reconditioning the theatre this summer at an estimated cost of $25,000 because of decreased business due to the new Hamilton theatre called off a $2,000 decorating job for the same reason and the added cost of the landlords over the loss of employment.

Mayor P. J. Nolan of Ottawa is responsible for the statement that one exodus within the Canadian capital announced that he was absorbing the new tax out of regular admission returns and then reduced the wages of his employees.

Exhibitors in the border cities of Niagara Falls and Windsor have found that regular patrons are crossing over to neighboring cities in the United States for their film fare in order to avoid the new tax which amounts to 25 per cent of low-priced admissions.

Rhoden Leaves Soon
For Midwest Session

Elmer C. Rhoden, operating head and president of Fox Exhibitors, Inc., will leave for Kansas City on July 3 to attend a meeting the following day with four district managers on operation.

Rhoden will sign a five-year contract next week with National Theatres. Under the terms of the pact he will be president of Fox Midwest and receive a salary and percentage. He has been in New York for the past month on product deals and contract negotiations.

Republic Regional
Here Opens July 6

The first local regional sales meeting of the Republic Pictures Corp. was held at Republic seven 6 at the Park Central Hotel, W. Ray Johnston and Edward Golden will deliver the principal addresses. Harry Levite, Philadelphia Republic manager, and his sales force, will attend.

Henry Picker and Dave Sohmer go again into their roles as General Manager and Herman Gluckman when their Majestic and Capitol Films Join Republic Pictures Corp. of Greater New York and New Jersey. Sohmer will manage the local exchange.

Easy Aces Are Signed

Van Beuren Corp. has signed a five-year exclusive contract with Goodman Ace and Jane Ace, the Easy Aces Series for the upcoming season. The Aces series will be made this year and 13 next year, with options calling for 13 a year after that.

ties in with a joint desire to relieve themselves of the responsibilities which couple with directors' jobs."

From this point on, the unraveling is yours. The answer lurks in those twenty-one words, but you'll have to look hard and dig deeply for it.
Surprise!

More happy news from FOX ... studio of pleasant surprises. A picture classified as "program" ... achieves greatness! Sweeping to the fore a new, important marquee personality. Take a tip from the trade reviewers ... boost, plug, advertise, shout, exploit, work for a smash opening. Your audiences will sell it for you!
Remember
THIS YEAR'S PROFITS
come from
THIS YEAR'S PRODUCT!
Variety Daily: "Swell audience appeal and promise of important box office through certain word-of-mouth. Jane Withers is sure-fire. Her name will be a household word. Fox has fine stellar material in this youngster!" Hollywood Reporter: "Sure-fire stuff guaranteed to please one and all. Jane Withers turns in an astounding performance. Give her the largest possible play!" Boxoffice: "Go the limit to get the customers in for the opening. Word-of-mouth will take care of the balance of the week."

The Exhibitor: "Will more than satisfy audiences. Certain to build through word-of-mouth. Little Miss Withers steals all the scenes."

Film Daily: "This is one swell comedy with Jane Withers enough to put one in stitches. Give it everything."

JANE WITHERS
O. P. HEGGIE
JACKIE SEARL
KATHARINE ALEXANDER

Produced by Sol M. Wurtzel
Directed by Lewis Seiler
Story and screen play by Arthur Kober

YOU HAVEN'T A SHOW WITHOUT
CLEAR YOUR SCHEDULE FOR

THE GREATEST EVENT IN MOTION PICTURES SINCE...welcomed by your local papers as real NEWS...cities in which it already has opened...the box-office overs in every locality...RADIO CITY MUSIC HALL...BOSTON big, with business on par with "Roberta" records...BALTIMORE expects to break "Roberta"

OPENING THIS WEEK IN LOS ANGELES...DETROIT...CLEVELAND...KANSAS CITY...ST. PAUL...NEW ORLEANS...SAN FRANCISCO...TROY...DAYTON...AND OTHER KEY SPOTS.

S. R. O. CIN...the town...CHI...ROCHESTER...ALBANY...BUF...unanimous!...MID-SUMMER!

"BECKY S"

PIONEER PICTURES presents MIRIAM HOPKINS as "BECKY SHARP". A ROUBEN MAM Hardwicke, Billie Burke, Alison Skipworth, Nigel Bruce, Alan Mowbray. Filmed in all the beauty of Robert Edmond Jones...Distributed by RKO-RADIO PICTURES, Incorporated. Produced by Kenneth M...
THE COMING OF SOUND will be just as it has been in the dozen key returns from which indicate held-yed to two record Summer weeks...WASHINGTON broke all opening record...SYRACUSE played to CINNATI reports the talk of CAGO does sensational second week tops Midwinter peak on opening...FALO...MINNEAPOLIS make it MID-WINTER BUSINESS IN HARP

"Breath-taking!...After you've seen it a mere black and white picture will leave you a bit unsatisfied."
—Carol Frink, Chicago Herald & Examiner

"Unreels in a blaze of glory...A delight to the eyes...Superbly acted, amusing and swift-moving."
—Doris Arden, Chicago Times

"A revelation in beauty, fidelity to life and clarity...Wonderful to behold...An absorbing drama perfectly executed."
—Reel Reel, Chicago American

"A sparkling, iridescent gem...in all the colors of the rainbow...You'll love the way the novel has been merged in the movie."
—May Timee, Chicago Tribune

"Has everything for an epic film...Dramatic story, exceptional cast, and the wondrous magic of Technicolor...Should make screen history."—A. C., Boston Traveler

"Amazing...the most beautiful and natural color film yet produced."
—Boston Globe

"A triumph...Never before on the screen has color been used to such sharp advantage...A big spectacle."
—Gordon Hillman, Boston Daily Record

"Marks an impressive advance...Black and white movies, for all their speed and fluency, seem a little tame."
—E. L. H., Boston Herald

"Has something more than its distinct technical interest to recommend it...An excellent cast, whose performances make a reviewer wish for more space to do them justice."—George Holland, Boston American

"Another long stride toward realism...Light and entertaining...Acted with vigor."
—Max Sien, Cincinnati Post

"Achieves the proportions of a spectacle...Must be seen because it is an innovation...Inaugurates a new era."
—Clayborne Measal, Cincinnati Enquirer

"The beauty and the novelty are so overwhelming that it is difficult to concentrate on the dramatic merits."
—William G. Steigler, Cincinnati Times Star

"An epochal achievement that was enthusiastically greeted by a capacity house—as it richly deserved to be."
—Nelson B. Bell, Washington Post

"Something spectacular in the entertainment line...Presages a new film fad."
—Mabelle Jennings, Washington Herald

"Amazing and fascinating...Proved that red lips and blue eyes are not only possible in celluloid, but welcome."
—Don Craig, Washington News

"Nothing has ever been placed upon the screen that will surpass in beauty and sweeping magnificence the Duchess of Richmond's ball, as the color artists created it for the improved cameras."
—Andrew R. Kelley, Washington Times

SAVOS OF NATIONAL ACCLAIM JOIN NEW YORK IN ITS JOYOUS WELCOME TO THE NEWLY PERFECTED TECHNICOLORED
**Mid-June Takes Halt Slow Declines of Recent Weeks**

(Continued from page 1)

The gain was not over, Indianapolis, Kansas City, Los Angeles, New York, Pittsburgh, 11 key spots—Boston, Chicago, Denver, Providence, Seattle and Washington.

How the two latest reports compare:

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Comparative grosses for the last available periods:

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**Fox Met Plan Given Court's Full Sanction**

(Continued from page 1)

movers" in the Fox Met reorganization, and he has not fulfilled his personal and repeated efforts to bring them before the committee for questioning. Levy said that if the court deferred its ruling, the reorganization plan on one week the John S. Sabath committee believed it could complete its investigation within that time and bring its findings before the court for consideration.

Judge Mack held that it was his privilege to consider the Sabath committee had been designated to investigate reorganizations in order to recommend legislation to Congress to enact the most of the recommendations that had already conducted an investigative reorganization plan to veto any member of the board. In the words of the Sabath committee, judgment is upon the court in denying further delay in the confirmation of the plan is based on the evidence, but the court has already determined that the plan will be sanctioned.

The court's action in denying further delay in the confirmation of the plan is based on the evidence, but the court has already determined that the plan will be sanctioned.

Judge Mack held that in the court's action in denying further delay in the confirmation of the plan is based on the evidence, but the court has already determined that the plan will be sanctioned.

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**Strand Set for Four**

Four Warner features are set for release on April 11. "Front Page Woman" follows the present film with "Broadway C.C.B." "The Irish in Us" and "Page Miss Glory" next in the order named.

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**Purely Personal**

RED QUIMBY will launch into rave reviews "Lady Bakers" without warning if you don't watch out. This is the two-reeler made by H.A.L. ROACH with winners of the amateur contest conducted in connection with the Daily Mirror.

PHIL REGAN and WINSLOW be gin their personal appearance tour to-day, opening in Buffalo. From there they go to Washington and Philadelphia. They are appearing in conjunction with "In Caliente," their latest film.

Joe COOPER, Paramount partner in the west, left yesterday for Kansas City and from there goes to Colorado Springs. On July 7, he will open his new $10,000 theatre in Colorado Springs. Cooper is due back in New York in two weeks.

MILT KUSSEL returned yesterday from Buffalo after attending the regional Paramount meeting. J. J. Uuss, who yesterday held the final eastern meeting at Boston and is due back today.

SAM SOITE of the Howard, Baltimore, left for home last night after attending the two Allied openings in Boston and spending a few days in town with friends.

CHARLES KORNER, New England division head for RKO, was in town yesterday conferring with home office executives on bookings.

ELIZABETH LONERGAN, American representative of Kinematograph Weekly of London, sailed Sunday on her usual holiday abroad.

TYRRE DILLARD, Jr., sails on the Conte Grande on July 3 for a five-week Mediterranean cruise.

HOWARD and MRS. CULLMAN get in today on the Majestic from their European honeymoon.

FRANK LAWTON and his wife, EVELYN LAVE, planned to the coast yesterday.
SKOURAS AND FOX WEST COAST BUY THE 16 SOLID

What a line-up I see at the dear old box office for GB's first, "THE CLAIRVOYANT." Old pal, your future's all serene...with GB's sweet sixteen.

TOPS 'EM ALL

CLAUDE RAINS
The CLAIRVOYANT
FAY WRAY

E.X. HIBITOR

SIXTEEN STAR SPANGLED SPECIALS
WILL MAKE YOUR BOX OFFICE THRIVE IN '35... AND DO TRICKS IN '36

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA: REGAL FILMS, LTD.
English Move to Get Cut in Percentages

(Continued from page 1)
when the gross exceeded a previously determined figure. The C. E. A. attitude is that, while some producers have consistently adhered to their promises, others have just as consistently ignored it. United Artists was specifically mentioned by Ormiston, who alleged which allegedly had walked out on its word.

To handle the general situation, there were several suggestions. One included a three months' looking embargo on those distributors who refused to stand by the agreement of four years ago.

The rental problem, which is looming more and more, included a recent British exhibition circles, was picked up from another angle by Thomas Ormiston, Jr., father of the publisher "Cinema Costs and Hire" at today's session. Pre-war theatres, he declared, had earned 15 per cent on their capital investments because rentals then ran only from 20 to 25 per cent of the receipts. He said the only change from that position of a small man was to persuade distributors to hold their prices to 20 per cent for the average programmer with an absolute top of 33 1/3 per cent on specials. Smaller theatres should be permitted to band together in booking combinations without the disapproval of the Kinotheatr Renters' Society of which all distributors are members, Ormiston held.

Present Exhibitions Statistics

Interesting statistics on the English exhibition business were divulged in "Little Man, What Now?" a paper read by H. V. Davis. Sixty-nine per cent of the 4,287 theatres are small houses with an average seating capacity of 600 while jointly their seats run to 51 per cent of the nation's total, he said. In 1,250 theatres, the average weekly gross is $250 or less. He too, charged the 1931 agreement with the K.R.S. on the percentage limitation governing deals with smaller theatres had not been respected by many distributors.

Ormiston, as a remedy, urged that C.E.A. pressure be brought to bear on distribution on their whole basis and that his own association's agreement on percentage terms covering the little man. He also made the point that specials should not be used to force bad pictures.

The British Board of Film Censors today is looked upon as the mother of censorship, and censors from all parts of the world without exception affirm the system in this country as the best they have ever seen. Mr. Ormiston declared the Right Hon. E. E. Shortt, K.C., president of the board.

Referring to the recent flood of undesirable films from America, he added he was convinced there was no sinister reason for them as he said some had imagined but that they merely represented a passing phase of life which Hollywood had recorded. He did, however, point out the increase of horror films and said licensing authorities were disturbed about their frequency.

He also criticized the new type of American films showing punitive Federal methods. "In a new variation, the whole family is as unwholesome as it commonly displayed as of yore. I trust we shall not have a recrudescence of these subjects. Their influence is unwholesome," he concluded.

Industry's Leaders Turn Out to Honor Al Lichtman

(Continued from page 1)

The old and the new shake hands. Joseph M. Schenck, former president of United Artists, shown at left, Al Lichtman, president-designate, right. The profile between them belongs to Martin Quigley, while on the left is a glimpse, just that, of Darryl F. Zanuck. Photographed at the Ampas luncheon for Lichtman at the M. F. Club yesterday.

The Camera Was Candid

(Continued from page 1)

an uncomfortable look returned to his face as Pettijohn went on: "Some men can get to the top on their own fighting efforts, but to stay there they need the affection and support of the rank and file of their fellow-workers"—and he turned toward the guest of honor—and I want to say to you, Al, that you have that as few men have.

The lineup on the dais was a roster of industry figures: Joseph M. Schenck, Ernest E. Hammonds, Darryl F. Zanuck, H. M. Goetz, Maury Silverstone, Martin Quigley, Jack L. Warner, Jack Cohn, Louis B. Mayer, Nate Spingold, Arthur Dent, E. C. Grainger, Petijohn, Abe Montague, Harry Thomas, Arthur Lee, Arthur Stelmas, Bill Goetz, Bill German, Phil Reisman, Bruce Galpham and James Longborough of the Federal Housing Administration. Others were scattered through the crowd.

The speeches might have lasted all day if somebody hadn't originated the idea of blowing a whistle when these called upon had a half minute to go on a three-minute limit. A gong cut them off seconds later. Some were furred for Bob Howard, color radio singer, or for Armita and Mary Osborne, singers.

Hammonds said Lichtman had told him short tours were the best part of a program, so he made his talk well inside the whistle limit. Zanuck got the whistle, but was inside the gong. Zanuck gave Lichtman credit for "great leadership and valuable assistance in making 20th Century a success," and told the new United Artists president with some feeling that he would miss him.

"I think I express what is in the hearts of everyone of us," said Quigley, "when I tell you, Al, that we have a high regard and affection for you, I know that you are a top line executive and that you will always be a top line executive."

Schenck's talk was a blend of quiet humor and deep seriousness. 'I've known Al Lichtman for 20 years," he said. "He has all the elements needed for success in this business. He's a good gambler; he likes the girls, and he knows how to get the money from exhibitors.

"While I was president of United Artists, I did my work and his, too. And now I know he will do the work of both of us without me as well as he did with me. There is a spot in this industry for United Artists, and he will see that the company fills it successfully."

Arthur Dent praised Lichtman as a man who had proved that British pictures could be sold profitably in this country along with American pictures. He was just getting into another phase of his talk when the whistle blew. He smiled and finished his sentence, and was just starting to say: "I want to tell you a story," when the gong sounded. Dent gave up. It was a technical knockout. Darn it all!

Alcott got up to introduce the next speaker. "I want to tell you a story," he began. The whistle and gong sounded simultaneously. He looked down and discovered his brother, Charles, had done it. "All right, you rummy," he flashed. Then he introduced Nizer who praised Lichtman for his good nature under stress, his philosophy and adherence to ideals, and his balanced judgment.

"You take the presidency of United Artists with the best wishes of all these united friends of yours," he said. Lichtman began by saying that when he came in the heavy attendance made him feel it might be a protest meeting because of the selection of the club's team in the last Film Daily golf tournament. His efforts to speak lightly was an obvious emotion. During his talk, the president then expressed his gratitude to Schenck for having "given me an opportunity when I needed it, when a lot of people in the industry were ready to count me out."

"My work with him (Schenck) has been a labor of love," he went on. Lichtman is noted on historic partings in the industry the parting of United Artists and 20th Century-Fox, for example. Schenck said he wanted to expand that scale that did not fit with the U.A. policy of selling a limited number of pictures and artists.

At the close of the speechmaking the assemblage stood for a half minute's applause.

It was announced that John E. Otterton would be the guest of honor at the first fall Ampas meeting on Sept. 15.
KMTA Names Board To Hear Grievances

(Continued from page 1) complaints filed by organization members. The action was taken at the suggestion of Frank Cassil of St. Joseph.

The grievance board will sift for facts any grievance case brought before it. The board will be brought to bear through the organization on those found to be responsible for situations allowing of unfair trade practices. At the suggestion of C. A. Schultz of Commonwealth Theatres all exhibitors will be given copies of the board’s findings in every case.

Exhibitors at the meeting were enthusiastic about the plan. One said it would increase the membership of the organization 100 per cent immediately. Another said it would do away with the “fog of suspicion and mutual distrust” between exhibitors and distributors.

John Stipe, the newly elected president of the organization at the meeting, R. R. Biechele was reelected secretary-treasurer, and E. B. Danielson was elected chairman of the Kansas unit. Thomas Edwards was selected chairman of the board and A. J. Simmons, chairman of the Kansas directors are Danielson, Homer Strowig, E. O. Briles, C. L. McVey and Biechele. Other Missouri directors are Cassil, Stipple, Edwards and Simmons.

On reconsideration of a move for the organization to enter into a national exhibitor organization, the meeting voted today an alliance with M. P. T. O. A. No heat of discussion. An advertising in films exhibitors present regardless of matter as of no moment even though discussed in local a district meetings for the K. M. T. A. is to be worked out by the directors to maintain interest in the organization and, in particular, to handle legislative matters.

Local News

W. Va. Body Holds Hyman

WHITE SULPHUR SPRINGS, W. Va., June 27—S. J. Hyman, Huntington, was reelected head of the West Virginia Theatre Managers’ Ass’n at the final session of its convention here today. James C. Shanklin, Charleston, succeeds William B. Hines as vice president. Hyman said today he would continue as secretary-treasurer. The annual banquet was held tonight following a showing of “Becky Sharp.”

Charges Denied by RCA

WILMINGTON, June 27—An answer denying charges made in the injunction suit was filed yesterday by the Ralph C. Story Storage Battery Co. to enjoin RCA from canceling its license agreement was filed in Chancery Court here today. RCA president for the first time in the litigation that the preliminary injunction should not be issued.

Columbia Meet July 1

Columbia opens its national sales convention at the Medina Club, Chicago, July 1. It will run a week.

RKO Vaudeville Cut

To Two Weeks Here

(Continued from page 1) summer as they have been during the winter months.

Coincident with the abandonment of vaudeville, the Coliseum will play single features the last half of the week and duals the first three days.

In this sequel to the story of the Fordham, has been transferred to the Albee, Brooklyn. This house recently dropped vaudeville.

Boston Holds Varied Views on Regulation

(Continued from page 1) more or less. The code gave our company no advantages, but plenty of disadvantages:

"If Code Authority is to be made up equally of buyers and sellers, yes," said Frank Lydon, also a former member of the clearance and zoning board. "We object to the voluntary code, I believe a voluntary code should be along the lines proposed by Andrew Audley, who would have the same place to go to straighten out difficulties." Lydon operates the Hamilton in Dorchester.

"We should have a voluntary code," declared William McLaughlin, operator of the Stoneham at Stoneham, "but there should be balanced power in the code board setups."

Don Martin, operator of the Park, was another who said he was opposed to any code.

Some of those questioned wanted some form of regulation guaranteeing cancellations, but had no interest in any other phase of industry control.

Court Demands Bond For Impounded Film

SAN FRANCISCO, June 27—Walters today won a suit in a copyright infringement suit in United States Circuit Court of Appeals ruled that a lower court could not impound a film unless the plaintiff posted a bond adequate to pay the defendant in case he should lose the case.

The decision was on an appeal brought by Warners in a suit by M. E. Echevarria, who charged that Warners used his story, "Mills Pilas," at the time the old silent picture, "Across the Pacific," starring Monte Blue.

DuWorld to Dispute Ban

The decision of the New York State Education Department banning the showing of "Spring Shower" will be appealed to the courts. World Pictures, distributors of the film in this country, the company stated yesterday, is a Hungarian film, produced by Paul Fejos and has been shown in several countries as "Marie."

Show French Sea Film

"Villes Flottantes" ("Floating Cities"), a French picture produced by J. C. Bernard, was shown last night on the Ile de France by John E. Tapernoux. The film shows the workings of a liner.
Eight alleged public enemies surrendered on June 23rd without a struggle in a surprise raid by government agents on an armed camp. Government men believe they have in the capture of this gang the solution to many kidnaps, murders and wholesale robberies.

Mr. Exhibitor...

PARAMOUNT'S "MEN WITHOUT NAMES"

with Fred MacMurray • Madge Evans • A Paramount Picture • Directed by Ralph Murphy

will get you, too! . . . It will get you plenty of dough and thrilling action at the box-office! . . . It will get your audiences with its gripping and romantic story of a Government Agent in a dangerous game with America's dangerous public enemies! . . . It will get you the thanks of your community for bringing to your screen the details of an inside story that never reached the headlines!

"MEN WITHOUT NAMES" is a hot money picture
Contract Let
For New Coast
Radio Station

Will Adjoin RKO Studio;
Aylesworth’s Idea

Plans for a broadcasting station in the center of production, promised by M. H. Aylesworth almost two years ago, began to crystallize yesterday with the awarding of a contract to Herbert D. Yates, president of Consolidated Film Industries, Inc., to build it on a lot adjacent to the Radio plant in Hollywood.

The move ties in directly with Aylesworth’s oft-expressed ideas about the potentialities of a working arrangement between the industry and radio. He has felt for some time that the industry would do well to shake off what appears to be its inherent

(Continued on page 2)

N. O. Not Interested
In Any Kind of Code

NEW ORLEANS, June 28—Exhibitors here are not interested in a code, voluntary or otherwise. In fact, the only suggestion from any source is that some kind of a board be set up with five members from Allied and five from the G.S.T.O.A., with an impartial chairman and no exchange representatives.

E. V. Richards of the Saenger interests declined to comment when asked his opinion of the code situation. Manny Jacobs, controlling

(Continued on page 3)

Fox Pushes Foreign
Films for the U. S.

Fox is releasing 50 foreign versions in the domestic market, 35 of which are Spanish talks, six Italian, four German and five French. Harry Reinhart is in charge of the selling.

A concentrated campaign is under way to pull all possible outlets for the foreign product with domestic salesmen in various parts of the country.

(Continued on page 3)

Funeral of Lauste
To Be Held Monday

Eugene Lauste, one of the earliest experimentalists in the photography of sound on film, who died of a stomach ailment at the Montclair Community Hospital, Montclair, N. J., on Thursday, will be cremated after services on Monday morning. The body will be

(Continued on page 2)

Here’s How to Film a Ban

Although Mike Jacobs, promoter of the Joe Louis-Primo Carnera fight officially banned film cameramen from making a record of the fracas, pictures were taken anyway and now are being shown on the Loop circuit. Here’s how it happened:

Sam Fried and Jack Dietz of Ronny Pictures Corp. placed a cameraman in one of the boxes at the Yankee Stadium and he photographed each of the six rounds without being noticed. After the pictures were developed Dietz showed the pictures to Promoter

(Continued on page 4)

New Edison Co.
Henry Monahan, general counsel to Thomas A. Edison, Inc., of West Orange, N. J., yesterday wired Motion Picture Daily as follows:

“We have no connection with Edison Film Corp. reported by you as incorporated in Delaware yesterday.”

Chicago Film Case
Is Continued Again

CHICAGO, June 28—Judge Wood-
ward has continued to July 8 the As-
tor Theatre case charging distribu-
tors with conspiracy to withhold film
service.

The court urged litigants to make
a settlement out of court. He said that
if this were not done he would issue
a temporary injunction July 8 re-
straining distributors from continuing
any restrictions against 10-cent ad-
misions. A settlement has been immin-
ent several times.

Rosenblatt Silent
On New Federal Job

SOL A. Rosenblatt yesterday would not comment on reports from Wash-
ington that he might become chief
counsel to the Federal Communica-

(Continued on page 2)

Selig Contemplates
Return to Producing

LOS ANGELES, June 28—William Selig, pioneer producer, who has been in retirement for a number of years, contemplates reentry into production.

He has six features lined up for fall production and is working on ar-
rangements for financing and release.

Subjects he has lined up, he says, in
terests him: “Eldorado,” by J. A. Belasco’s; and Edward Elsner’s stage play; “The Dragnet,” stage play by Willard Mack; “Irish Eyes,” play by Edward Rose; “Yosemite,” play by Charles A. Taylor; “Bachelors Must Marry,” play by Dorothy Doyle, and “Going Straight,” play by Edward Rose.

Massachusetts Cuts
Nine of 166 Films

BOSTON, June 28—Censor cuts have been made in only nine of 166 films submitted from May 20 to the middle of this month. These cuts were made by Commissioner Paul G. Kirk and his Department of Public Safety for Sunday showings.

In “Camille” one sentence—“I’d give my life for one hour of hap-
iness”—was taken out. In “Nell Gwyn” the word “trilogy” was elimi-
nated twice, and in “Escape Me Never” the words “She’s your mis-
tress,” were eliminated. One cut was made in “Goin’ to Town.” It was reference to a map.

Anderson to
Assume Para.
Post Monday

FRED B. FOSTER BECOMES
Treasurer of Erpi

R. E. Anderson, former treasurer of Erpi, who was elected financial vice-president of Paramount on Thursday, assumes his new post on Monday. Anderson resigned his Erpi connections immediately.

B. Foster, assistant treasurer of Erpi, was named treasurer succeeding An-
derson.

H. M. Wilcox, an Erpi vice-presi-
dent, who was borrowed by John E. Otterson, Paramount president, to take a complete financial sur-
vey of Paramount, left for the coast yesterday to begin the new assign-
ment. Wilcox was given a two
months’ leave of absence by Erpi, which will be extended if necessary.

Otterson, whose five-year contract
(Continued on page 2)
MOTION PICTURE DAILY

Purely Personal

Max Reinhardt and his bride, Helene Trimming; Dr. Marcel Abrait, official of the Eastman Co.; the Boswell Sixpence, Arthur Tracy, Loretta Young, and her mother, Mrs. Loretta Wither, and John Cohn, John Wilke and D.E. Griffiths of Warners, Max Milder, London representative of Warners, and John taller, French representative of Warners, and were at the Waldorf-Astoria on the Ile de France.

Herbert J. Yates was host at a farewell luncheon for RKO’s foreign legion at “21” yesterday. Ned E. Deput, president of RKO Distributing Corp.; Phil Reisman, vice-president of RKO Export Corp., were there as well as a large group which included E. D. (Doug) Leesman, Ralph Hanbury, Max Bosman, Joost Smitt and others.

Ward Scott, middle division manager for Fox, is in town confering with Elmer C. Rhoden, Fox Midwest representative, and William Kupper, western division manager for Fox, on a product deal.

Louis Phillips, general counsel for Paramount, will be a bachelor this summer. His wife, Helen K., sailed on the Paladins for a two-months’ cruise in foreign waters.

Lou Ostrow, coast producer, took to the air lanes for Hollywood yesterday. He’s been around New York for weeks fraternizing with Bob Goldstein and Joe Moirowitz.

Irving Wexler, publicity head of the Strand, was given a party last night at the Edison Maple Room in celebration of his recent marriage.

William Danziger is on sick leave from the M-G-M publicity department. He was recently in an auto crash and suffered head injuries. More than a few of our columnists have been on the scene for the lionizing of the Daily.

Rick Ricketson of Denver and Elmer C. Rhoden of the city have put off their return trips until next Wednesday.

Joe E. Brown was around the Warner home office yesterday and he and his staff ran re-touched the recent Carter-Nourse fight.

Al Lichtman and Hal Horne leave by plane for the coast tomorrow, changing their original plans to go by rail.

Charles Kornr, RKO New England district head, returned to Boston last night after home office conference at St. Petersburg, Fla.

Harold N. Eisen, manager of Loew’s, St. Louis, is visiting here and is to leave for home early next week.

Henry Armetta takes the air over Station WMCA Monday evening, when he will be featured on Sam Taylor’s screen revue program.

E. Goudeart has finally decided to take a plane for the coast today for a four-day technical survey of the studios.

M. H. (“Ded’s”) Aylesworth, major Leslie E. Thompson and Rex Clark split their lunching together yesterday.

Joe Penner leaves for Hollywood tomorrow to begin work on “Collegiate,” his next for Paramount.

Sigmund Spaeth sails today on the Rotterdam for a cruise to the North Cape and Russia.

John D. Clark, general sales manager of Fox, is due back from the coast next week.

Howard Burkhardt, manager of Loew’s, Providence, is in town for a few days.

Conchita Montenegro is at the Warwick from Hollywood for a vacation.

Willard McKay spent the noon recapitulate at his usual ham sandwich yesterday.

Larry Kent is expected to Hollywood.

... Omaha

C. A. Brown, manager of the Dundie, is on a six-weeks’ tour of the circuit. He is to be climaxed by a visit to the exposition at San Diego.

Charles Lieb, former assistant M-G-M booker, has replaced Robert Wennen, salesman, the latter going to Milwaukee.

Boston Keith Cuts Loss

A net loss of $149,392 was reported yesterday by Keith Memorial Theatre Corp., Boston, an RKO subsidiary, for the year 1934. The report compares with a loss of $209,225 for 1933.

Contract Let
For New Coast Radio Station

(Continued from page 1)

The plan for the Hollywood broadcast station was worked out by the NBC president several times. The contract let to Yates, therefore, marks a step toward a definite goal and a first definite step toward consummation of an idea which apparently Aylesworth has had in mind since he first announced his intention in Hollywood about two years ago.

The new studio will center in the one plant the activities of NBC. From it, radio stars engaged for pictures will do their broadcasting. From it, as well, film stars will conduct their programs. What Aylesworth yesterday repeated he hoped would be a definite coalition between radio and film. The construction job is scheduled to be completed Oct. 1.

Anderson to Start
Para. Job Monday

(Continued from page 1)

was ratified by the Paramount board at its regular meeting Thursday, May 30, and he will begin his work as program director on June 2 when he will meet on Monday with Paramount theatre operating partners from all parts of the country. The meeting will last for one day only and was described as having no other purpose than to provide an opportunity for the theatre partners to discuss their new operations with the new Paramount head.

In the Chicago session, in addition, to Otterson, will be George J. Schaefer, Y. Frank Freeman, M. A. Gowerbue and Leon Netter from the home office; John and Barney Balaban of B. & K.; Martin Mullins and Sam Fimansi of M. & P. Theatres, New England; Samuel and Nate Goldstein of New England; George Trendle and Willard Patterson of Detroit; Carl Hohltze, Al South of Des Moines, E. V. Richards of New Orleans, Hunter Perry and E. J. Sparks of Florida, and R. B. Wilby and H. F. Kinsey of Alabama.

Otterson will continue on to the coast for a stay of four to six weeks. The other home office executives will return to New York.

Sturges Joins G. B.

Detroit, June 28—Fred Sturges, for several years a shorts subject booker for Universal, has resigned to become city salesman for G. B. He has worked for Universal and has been transferred to the Fox exchange at Des Moines. Sturges’ successor has not been named.

Selznick Transfers Now

Hollywood, June 28—David O. Selznick has completed negotiations with M-G-M that will enable him to resign immediately and start work for United Artists. He will produce under the firm name of David O. Selznick Prod., Inc.
Republic Heads Go
To Toronto Session

Oscar Hanson, W. Ray Johnston, Edward Golden, Norton V. Ritchey, Sam W. Hoppe and Samuel Poucher left yesterday for Toronto to attend the Empire Films convention at the Royal York.

Today is Republic and Gaumont British Day. The Republican party will return today, and Arthur Dent of B. I. P. left Thursday for Toronto.

Attending the convention are: A. W. Perry, Toronto manager; Harold Buckley, Atlanta branch; M. A. Davis, Quebec manager; S. Jacobs, New Brunswick manager; J. E. Archer, head of the British Columbia branch; and I. H. Allen, manager of the Manhattan office.

After the meeting, all conventionaries will visit the "Circle M" ranch.

Republic Meet Here July 6

About 25 sales representatives from the Philadelphia and New York offices of Republic will attend the local regional to be held at the Park Central on July 6. Edward Golden, general sales manager, states.

W. Ray Johnston, president, will conduct the meeting and outline the pictures and sales policies for the 57 features. The company will not handle shorts this season.

Fox Pushes Foreign Films for the U. S.

(Continued from page 1)

try contacting exhibitors, schools, universities and colleges for playing time between engagements.

The Spanish talkers have been in demand in Dallas, Los Angeles, San Francisco, Chicago, Atlanta and New York, while the French, Italian and German versions have had a fair draw in New York. The Italian films are somewhat popular in New York and New Jersey. "Li'lom," which has Charles Boyer and Madeleine Carrel, has just completed a run at the Cameo and will open at the Acme sometime in July. This is the French-made picture with English subtitles. "Peach-Marie," the all-German talker with Jenny Jugo, has had a good showing.

Anthony Ricci, who was with Fox for a number of years as New Jersey salesman before he joined the local Hollywood exchange, is back with Fox at the local branch handling the foreign films in Greater New York. He has handled a closed number of deals for Italian and Spanish subjects.

In the fall, the company plans to add to the list of foreign sales staff at important key spots.

Singer Takes 2 in Iowa

Mort Singer Theatres Corp., which operates 10 theatres in the middle west and west, has taken over two Marshalltown, Ia., houses. They are the Family and Strand.

The new houses will be booked by RKO Film Booking Offices in New York along with the other Singer units.

Edward in a New House

KANSAS CITY, June 28—Tommy Edwards, who operated the Ozark at Eldon, Mo., and who is a member of the board of directors of the K.M.T.A., has moved into a new house.

MOTION PICTURE
DAILY

N. O. Not Interested
In Any Kind of Code

(Continued from page 1)

United Theatres, 18 neighborhood houses, was also silent.

Henry Lazarus was volatile, however. He said: "It was a godsend that the NRA code was found unconstitutional. This code, controlled by the big interests, was right up their alley. Without molestation from the government, they went right along, getting stronger and stronger. In my opinion the farther the independent theatre owner stays away from codes, the better off he will be. Experience is the best teacher. There is need in the Sherman anti-trust law."

Pass Ban on Labor Stays

Boston, June 28—The House to day passed by a three to one vote a bill prohibiting the granting of temporary or seasonal employment to Negroes and colored persons on labor troubles until after a finding on the facts has been made by a court.

The bill provides that labor organizations from responsibility for the acts of their agents unless it can be proved that the organization specifically authorized the act.

CLASSIFIED

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matically send Blue Book, $1.50. DAILY.

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10,000, SHORT, PRECISE BIOGRAPHIES of motion picture personalities— thousands of words to the page, a complete picture of the motion picture industry—four issues a year. 50 cents per year, prepaid. Order your copy now. $1.00. OUGIL PUBLISHING CO., 1790 Broadway, New York City.

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AGENTS WANTED

AGENTS IN EVERY CITY IN AMERICA, in charge of known groups handling necessary services to theatres. Experienced in film or premium salesmen preferred. Must have car and willing to work on commission basis only. State all requirements in letter. Box 136-A, MOTION PICTURE DAILY.

"Mad Love"
(M-G-M)

Hollywood, June 28.—Peter Lorre's first American role as a surgeon vacillating between irresistible impulses to harm and heal reveals him as potentially a big box-office hit. The rather heavy, horror plot, however, is based on a premise fantastic enough to fascinate but not convince.

Frances Drake, star of a theater specializing in horror plays, is the object of Lorre's psychopathic passion, although she is the bride of Colin Clive, concert pianist. Clive's hands are crushed in an accident. Miss Drake banishes her repulsion for Lorre and begs his aid. Lorre grafts the hands of a guillotined knife thrower on Clive. The hands retain the murderous impulse to fling knives as Lorre's power of suggestion traps Clive into the conviction of insanity.

The impact of the first part of the film is terrific due to the superb acting, direction, photography and eerie incident. May Beatty is out-

"Accent on Youth"

(PARAMOUNT)

Hollywood, June 28.—Sophistication keynotes this comedy-drama of love between a middle-aged playwright and his youthful secretary. Herbert Marshall, successful and debonair, suddenly discovers Sylvia Sidney loves him. Her love for him is the situation he needs for a play. Abandoning plans for the foreign jaunt with Astrid Allwyn, he produces the play and casts Miss Sidney in the lead. About to marry her when the show closes, he finds Philip Reed, juvenile in his play, also loves her. Stepping aside gracefully he encourages marriage between the pair. After a honeymoon highlighted by Reed's fondness for athletics, Miss Sidney decides life with him is too strenuous and returns to Marshall.

Claude Binyon's and Herbert Field's screen play develops the pictures as delightfully as Samuel Raphaelson's stage original of the same title.

Marshall gives charm to his character and arouses constant audience sympathy. Miss Sidney makes her part believable. Direction by Wesley Ruggles extracts the most from the situations and dialogue. Douglas McLean's production is first rate.

In support, Ernest Cassard as a butler and Holmes Herbert as an actor are particularly good.

The picture should please nicely as adult entertainment. Production Code Seal No. 861. Running time, 83 minutes. "A."

"The Man on the Flying Trapeze"

(PARAMOUNT)

Hollywood, June 28.—W. C. Fields, that grand comic, plays an applejack-swigging memory expert harassed by his wife and in-laws. Bunglers in the cellar discover the private stock. Fields joins them in a tipsy serenade and ends in the flying trapeze.

To get away from the office for the big wrestling match Fields announces his mother-in-law's purely fictitious death. The rest of the film details his struggle with the family, cops, flat tires and other grim comicalities conspiring to detach him from the match. No love story is evident.

Mary Brian, Kathleen Howard, Grady Sutton, Lucien Littlefield, Vera Lewis, Oscar Apfel, David Clyde, Tammany Young, Walter Brennan, Arthur Aylesworth and "Man Mountain" Dean support the story, by Charles Bogle (Fields himself) and Sam Hardy, has been directed by Clyde Bruckman as a William LeBaron production. The picture is not always a happy one in point of entertainment content except when Fields is on the screen.

Production Code Seal No. 945. Running time, 65 minutes. "G."

(Additional review on page 4)
"Ladies" Is Sensational

Detroit, June 28—"No More Ladies" was a sensation at the Michigan last week. It piled up $25,600 over its $23,000, with five acts of vaudeville.

In the face of this surprising business, the box office report for Love is realized $17,200, over the line by $2,200, at the Fox, but all other houses suffered. Total first run business was $61,700. Average is $81,000.

Estimates taken for the week ending June 21.

"BAY TOWN SQUAD" (Univ.)

"THE NITWITS" (Radio)

ADAMS—(1,700), 12c-60c, 7 days. Gross: $4,000. (Average, $571.)

"HOORAY FOR LOVE" (Radio)


STOLEN HARMONY" (Para.)

"HOLD EM YALE" (Para.)

(Second run)

FISHER—(2,075), 10c-40c, 7 days. Gross: $3,100. (Average, $443.)

"NO MORE LADIES" (M-G-M)

MICHIGAN—(3,100), 18c-50c, 7 days. Stage, 5 acts vaude. Gross: $21,500. (Average, $3,000.)

"THE DEVIL IS A WOMAN" (Para.)

"PEOPLE WILL TALK" (Para.)

STATE—(5,000), 10c-40c, 7 days. Gross: $4,200. (Average, $600.)

"OIL FOR THE LAMPS OF CHINA"

UNITED ARTISTS—(2,675), 15c-50c, 7 days. Gross: $7,300. (Average, $1,000.)

Wanger Will Finish Three in Two Weeks

Hollywood, June 28—Walter Wanger will have the last three pictures on his current schedule for Paramount release finished within two weeks.

Aubrey Scotto finished shooting "Smart Girl" on a 14-day schedule, and now is cutting preparatory to a preview early next week. The release date is set tentatively for July 26. Raoul Walsh is cutting "Every Night at Eight," which was released Aug. 8. "Shanghaï," featuring Loretta Young and Charles Boyer, is ready for release about July 19.

Wanger will be moving over the terms of his new schedule of six for Paramount release. If he signs with Paramount, he will work at General Service Studios, and will take Jack Daily of the Paramount advertising department with him to head his own press department.

It is understood that if Paramount does not meet his terms, Wanger will move to United Artists and produce for Mary Pickford.

Dave Prince Married

ATLANTA, June 28.—Dave Prince for more than a decade branch manager for Paramount, was married to Jocelyn B. Collier of Chattanooga, on Tuesday. The couple went to Charleston, S. C., to board ship for an unannounced foreign voyage. They will return in about two weeks.

Seattle to Get "Call"

Seattle, June 28.—United Artists' "Call of the Wild" will open at Hammerick's Music Box July 18.

MOTION PICTURE DAILY

Saturday, June 29, 1935

Crawford Film Hits $24,000

Frisko's Top

SAN FRANCISCO, June 28—"No More Ladies" ran second in the big week by getting $24,000 at the Warfield. This was over normal by $4,000 and was outstanding in an otherwise dull week.

Total first run business was $81,000. Average is $81,000.

Estimated takings:

June 18:

"MARK OF THE VAMPIRE" (M-G-M)

GOLDEN GATE—(6,000), 28c-40c, 7 days. Gross: $51,000. (Average, $7,300.)

Week Ending June 19:

"CHARLIE CHAN IN EGYPT" (Fox)

"MEN OF THE HOUR" (Col.)

FOXX—(4,000), 15c-40c, 7 days. Gross: $7,000. (Average, $1,000.)

"THE VIRGINIAN" (Para.)

"HEADLINE WOMAN" (Mascot)

OIL PALM—(3,000), 10c-40c, 7 days. Gross: $3,000. (Average, $428.)

"LADIES" (M-G-M)

WATERFIELD—(7,200), 25c-55c, 7 days.

Gross: $4,000. (Average, $571.)

"OIL FOR LAMPS OF CHINA" (Col.)

ST FRANCIS—(1,900), 15c-40c, 7 days. Gross: $2,200. (Average, $314.)

"NO MORE LADIES" (M-G-M)

PARADISE—(5,000), 18c-50c, 7 days.

Gross: $7,000. (Average, $1,400.)

"CLASS KEY" (Para.)

"BAN WEDDING" (Fox)

PARAMOUNT—(2,675), 10c-40c, 7 days. Gross: $2,400. (Average, $328.)

"PEOPLE WILL TALK" (Para.)

UNITED ARTISTS—(2,200), 15c-40c, 7 days.

Gross: $8,000. (Average, $1,000.)

"GLASS SHEEP" (M-G-M)

McKinney, L. A., has increased his program for the new season, which will include four George O'Brien films for Fox release; two Harold Bell Wright stories, "The Calling of Dan Matthews" and "Plantation," two with Bobby Breen and two others, one of which will be Rupert Hughes' "Celluloid.

Have Dinner for Dooley

PROVIDENCE, June 28—Members of the Friars Club of Boston threw a bang-up dinner at the Billikin here for Walter P. Dooley, well known sportsman, during which he was given his commission as a Kentucky Colonel. More than 500 guests attended, comprising theatre men and sportsmen of the Hub and this city.

Maurice N. Wolf, branch manager for the Friars Club, was master of ceremonies. Edward M. Fay and Sam Kaufman attracted an attractive floor show.

Penn. Bans "Maxim"

PHILADELPHIA, June 28.—The Pennsylvania Censor Board has barred "Youth Is A Maxim" for showing in Pennsylvania. The only comment of Chairman L. Howell Davis was a reference to the morals clause of the censor code.

Farnsworth Keeps Post

WASHINGTON, June 28—William F. Farnsworth, formerly defense administra-