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Ostrer States International Pictures Near
Sees Foreign Pictures With U. S. Appeal

BY MARK OSTRER
Chairman, Board of G.B. Picture Corp., Ltd.

It is my prediction that the complete internationalization of motion pictures will be accomplished in 1936. Just as we in England are making pictures for world-wide appeal, so is Hollywood turning out pictures with a definite universal appeal and this wise policy will continue to produce greater interchange of artistic and technical talent will be effected and there will be a notable increase in the number of foreign-produced films released in the United States.

FROM abroad will come productions of high box-office value, devoid of any drawbacks for American consumption. Picture-making in England will hit its stride. Our company, for one, will produce films especially suitable for America; pictures that any exhibitor anywhere will welcome.

I believe that 1936 will be a banner year for every branch of the industry.

Judge Bondy Signs RKO-RCA-M.H. Pact

Federal Judge William Bondy on Tuesday signed the petition extending to Feb. 20 the agreement under which RKO and RCA participate in profits of the Music Hall and the plans extending to Aug. 31 an agreement under which RKSO Service Corp., performs certain managerial services for the Radio City house. The agreements were scheduled to expire Dec. 31.

Under the first agreement, which was originally made Sept. 1, 1934, and is now extended for two months to complete an 18-month computation period, RKO and RCA jointly are to receive $750 per week from the initial operating profits of the Music Hall available on Feb. 29. An initial rent

Allied Looks Askance Upon Warner Move

WASHINGTON, Jan. 1—Allied views Warners' withdrawal from Ascap "with suspicion," says the latest bulletin from Abram F. Myers' office.

"The withdrawal was not from motives of philanthropy," the bulletin reads. "The chortles which greeted the abrupt breaks of Ascap may have been premature. For even if Ascap should reduce its charges by an amount proportionate to the depletion of its repertoire, due to the withdrawal of Warner affiliates, the exhibitor would still stand to lose in case those affiliates demand an increased royalty for the right publicly to perform their music."

"The music situation is complicated, but this does not justify the muddy thinking that is being indulged in re

(Continued on page 2)

Warners Say 143 Stations Signed

Up to Tuesday 143 independent radio stations throughout the country had accepted the new music license agreement offered by Warners and covering the first three months of the New Year, it was stated by Warners.

The independent stations accepting the revised contract will be licensed by Music Publishers' Holding Corp., a Warner subsidiary, to broadcast music published by Harms, Inc., M. Wir- mark & Sons, T. B. Harms Co., Re- mick Music Corp., and their subsidiar-
ies, all owned by Warners.

(Continued on page 13)

1935 Gain in Film Stocks
$162,862,375

Film issues of major companies gained $162,862,375 in market value in 1935 to a total of $363,832,500, as compared with $402,973,25 at the close of 1934.

The gradual return to more prosperous times and the added strength of principal companies through reorganization apparently reflected new confidence in film securities on the part of the investing public.

Eastman Kodak showed the most substantial increase, that issue jumping from $218,250,000 at the end of 34 to $385,750,000 at the end of 35, or a gain of $107,500,000. Next in

(Continued on page 8)

James V. Bryson Dies in London

LONDON, Jan. 1—James V. Bryson died here yesterday at University College Hospital of a fractured skull, suffered in an accident on Christmas Day. Bryson was dealing in European films, and had attempted studio deals here since his unsuccessful suit against Universal for alleged wrongful dismissal in 1933. He was 52.

Bryson first joined Laemmle in Minneapolis, playing an important part in developing Universal's American distribution system. Some years ago he was transferred to London, as managing director of Universal Pictures, Ltd. Following his dismissal from the company, he brought the action, which failed.

(Continued on page 9)

Exchanges Add Sales Tax to Rentals Here

Called Protective Move Pending Settlement

Local exchanges are beginning the collection of the two per cent sales tax on film rentals, effective as of yesterday. Exhibitors in New Jersey and upstate New York, as well as those within the city limits, received notice early in the week that the tax would be added to their film rentals.

Spokesmen for the exchanges said that the action was being taken as a protective measure and that the funds collected from exhibitors for the tax would be segregated and returned to the exhibitors who were successful in their efforts to have the tax on film rentals declared illegal. The exchange men pointed out that the city sales tax had been in effect since Dec., 1934, and that ef

(Continued on page 11)

"Informers" Top on N. Y. Critics' List

They're out—those best of the best selections of the New York critics. Now the New York critics got a minority vote for "Alice Adams." John Ford did the best directing job on "The Informer." And Alfred Hitchcock got a majority vote for

(Continued on page 11)

Merging Denied in Suit Against 306

Justice Bernard Shientag on Tuesday denied the application of eight I. T. O. A. members for leave to appeal the judgment rejecting their action seeking a total of $650,000 damages from Local 306 for business losses allegedly suffered as a result of the extensive picketing and other activities in the operators' union controversy of last spring and summer. The court ruled, however, that the plaintiffs could bring a consolidated action by

(Continued on page 2)
**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

Vol. 39 January 2, 1936 No. 1

MARTIN QUIGLEY
Editor-In-Chief and Publisher

MAURICE K. LYNCH
Editor

JAMES A. CRON
Assistant Editor

Thursday, January 2, 1936

**Allied Looks Askance Upon Warner Move**

(Continued from page 1)

garding it. The breaking up of ASCAP without an efficient substitute can not be a good thing and has never been advocated by Allied. In addition, the copyright law allows a separate and distinct royalty for the public performance of music, there must be a central agency through which exhibitors, broadcasters, etc., can be licensed. ASCAP served the purpose admirably but every researcher will do the grasping. The prospect of obtaining separate licenses from and paying separate fees to ASCAP as well as the new owners is appalling. Unless prompt action is taken by those in a position to act, chaos will soon prevail.

"A fair solution would be for the producers with the cooperation of Warner Brothers to take advantage of the situation and condition the various companies to work out an arrangement whereby the public performing rights for music used in motion pictures will be bar-gained for and obtained in such a way as to remove the time as the recording rights and royalties, so far as the exhibitors are concerned, be included in the film rental price. Whatever producers taking together in this fashion, could bring about a great reformation which would end, once and for all, the music racket. As a small, compact group they could be relied upon to bargain for fair rates in behalf of the entire industry."

Bill Amendment Necessary

"It is obvious that the Dufy Bill, which looked pretty good a year ago, will not accomplish much in the present situation. Merely repealing the power Warner has to put houses out of business has indicated that they will demand a charge for the performance of their music. The broadcasters are contending that the music of those houses deleted from their programs. The exhibitors, having to play the picture delivered under the contracts can exercise no such discrimination."

**Penn MPTO Intact Says Lewen Pizo**

PHILADELPHIA. Jan. 1.—There have been a merger in Philadelphia but the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware is still functioning. Lewen Pizo, the M.P.T.O. of Eastern Pennsylvania's secretary-treasurer, says, "I have been for existence for more than 15 years. June, 1934, a few disgruntled men have had their selfish personal reasons, left the organization to form a new- one. However, the present board of directors are not RELATED TO ASSN. In now, a few members, led and influenced by certain members of this organization, a number on Feb. 19 formed an organization known the Independent Motion Picture Theaters of Eastern Pennsylvania, Southern New Jersey and Delaware and in doing so joined hands with certain independent operators, which organization had no treaties and no difficulty holding members."

"The men are attempting speculation. We have the feeling of endeavoring to disrupt, break up and destroy the M.P.T.O. of E. Del. and in January, will be president, which I will press and I will continue to battle the destructive forces against our organization."

**“Obsession” Book Out**

Paul Gulick and Joe Will have turned out a striking press book. We have both in appearance and shape, the ers being in black and gold and measurements being 26 in. x 13. The drawings and seven pages of ad done are to an art value and we suggest the type of production.—J. M. J.
Because it is, as Variety Daily says, 'BETTE DAVIS' best achievement'... because in its first pre-release engagement it is being held over at the Rivoli, N. Y... because its supporting cast includes such noted stars as Franchot Tone, Alison Skipworth, Margaret Lindsay, and John Eldredge... because its story of 'the woman men always come back to' will cause tremendous comment and discussion, Warner Bros. "DANGEROUS" is a welcome New Year's present to the nation. Released January 4th.
NOT EVEN
Kept them away

READ WHAT THE WORLD'S FINEST THEATRE DID
WITH UNIVERSAL'S MAGNIFICENT PRODUCTION!

BY DICK....

WESTERN UNION

IN SPITE OF A RECORD BREAKING SNOWSTORM MAGNIFICENT
OBSESSION HAS FILLED THE MUSIC HALL CONTINUOUSLY FROM
OPENING PERFORMANCE WITH TWO THOUSAND STANDING INSIDE
AND OUTSIDE AT ONE THIRTY STOP OUR PATRONS ARE GIVING
THE PICTURE FINE PRAISE STOP THOUGHT YOU MIGHT LIKE TO
KNOW HENCE THIS TELEGRAM WITH CONGRATULATIONS=
W G VAN SCHMUS MANAGING DIRECTOR
RADIO CITY MUSIC HALL.
BLIZZARDS

Crowded out in the co-o-o-l-ld!
Shivering but determined patrons!

Warmer, but still waiting patiently!
More crowds! Nothing stopped them!

UNIVERSAL'S FIRST GIFT OF 1936 TO THE WORLD'S BOX OFFICES!

UNT OBSESSION
THE PICTURE WITH A HEART!
“SO WE TOOK THE 2 MILLION DOLLARS and PUT CANTOR in a PICTURE—THE LIKE OF WHICH YOU’VE NEVER SEEN BEFORE!”

It’s got everything that every Cantor Picture has given you and then some! It’s got a story that takes Eddie through the maddest adventures he’s ever experienced on the screen... chased by a regiment of beautiful girls... bewitched by torchy Ethel Merman... befuddled by Parkyakarkus... bewildered by all the goofy things that happen to him in a comedy that starts where all other leave off! **Most hilarious comedy of the year!**

Hear Eddie sing “Calabash Pipe” “The Lady Dances.” Thrill to Merman’s torchy renditions “You Have Me High, Then Me Low!” “Shake It Off!”

**STRIKE**

with **ETHEL MERMAN** • **SALLY EILERS** • Pat

Music and lyrics by **HAROLD ARLEN** and **LEW BROWN**
Here is the greatest Eddie Cantor story ever brought to the screen... adapted from Clarence Budington Kelland's hilarious Saturday Evening Post serial "Dreamland."
1935 Gain in Film Stock

$162,362,375

(Continued from page 1)

line on the plus side was Loew's, Inc., common, with a gain for 1935 over 187,500. Third was Warner
common, which gained 18,625,000. That company’s preferred showed an increased market valuation of $3,064,250.

Number of shares traded in on the Stock Exchange for the year was 9,169,000, comparing with 10,881,440 in 1934. In 1933 the total was 8,573,864; in 1932 sales bulled
9,367,202. In 1931 the tally ended at 28,462,000, in what was largely a selling
market which followed in the wake of the depression of two years earlier.

On the Curb Exchange 1935 sales were 919,600 shares, a very sizable increase over the total for 1934, which was 230,100. As a matter of fact, if the trading on the exchange was the most active since 1931, when the turnover was 1,986,925 shares. Nineteen thirty-three ended with curb volume of 60,980,360. In 1932 they were 367,905.

The bond market last year, too, was far more active than 1934. Sales to a value of $65,126,000 were made, comparing with $43,704,200 in 1934, with $11,172,000 in 1933, with $17,708,000 in 1932 and with $11,650,000 in 1931.

9,169,000 Shares Sold Across “Big Board” in 1935

Curb Exchange Sales Total 919,960

Bond Sales for Year Reach $65,126,000

Comparison of Valuations of Stock Issues, 1934-1935

A—Plus stock extras; B—Paid this year (dividends in arrears); C—Plus cash extras; D—Reported by Stock Exchange to be in receivership or bankruptcy under Section 71.
January

Feb. 1—Preliminary approval of plan for reorganization of Paramount given by board of directors.

Feb. 2—Two new booth cost plans for National Screen Guild announced by President Medford, making it possible for directors to establish their own booths, without losing their present facilities.

Feb. 3—Los Angeles zoning accepted by the Los Angeles County Board of Supervisors, opening the door to further expansion of the city.

Feb. 4—With Los Angeles zoning accepted by the Los Angeles County Board of Supervisors, the way is now open for further expansion of the city.

Feb. 5—Emancipation of slaves is decreed by the British government.

Feb. 6—British Herrelson and Erna Lubitz take over the franchise of Paramount Pictures.

Feb. 7—Austin C. Keogh names vice-president of Paramount's producing sub-

Feb. 8—Way seen for the disposal of a number of assets in Los Angeles.

Feb. 9—Warriors win coast flight on clear,

Feb. 10—Radio may introduce a new idea in pro-

Feb. 12—Control of Chicago operators' union by George Browne, president of IATSE.

Feb. 13—Warriors to keep entire circuit open.

Feb. 14—M.P.T.O. expected at annual con-

Feb. 16—First producer-distributor dispute to come before local Camps for settlement, upheld by commission.

Feb. 17—George C. Keough, Paul Burger and Joseph Brown.

Feb. 18—Gaumont British may distribute major productions of its initial English-Romanont, according to a report.

Feb. 19—"Great confidence" in future of rival film industry is expressed by organization of Chemical Bank & Trust Co. as a joint effort to boost the film industry.

Feb. 20—Race-up over protection imminent in Kansas City. Independent exhibitors demanding relief, acting, protesting against wire and mail which they charge is favored by the major studios.

Feb. 21—Representatives of the Screen Act, preparing legislation requiring filing of all patent and license agreements.

Feb. 22—1000 New York theaters may be required for filming of 14,522,000 in operation, or sale of 816 of previous stock.

Feb. 23—Los Angeles zoning plans halted on distributors refusal to accept ad-

Feb. 24—Income of Erle definitely indicated with introduction in Senate by Senator from New York (Montana) of resolution providing $75,000 for use by Federal Communications Commission in con-

Feb. 25—In Kansas City, the film industry is determined to take local protection against the major film companies.

Feb. 26—Financial interests in Paramount Pictures have their eye on the victory in weekend meetings at which complete and presumably final reports of the board of directors is resolved.

Feb. 27—Management of the company to be taken over by General Schaefer named.

Feb. 28—Copies of St. Louis Inducy Bridge to be replaced by another.

Feb. 29—Committee of labor leaders ap-


February

March

March 1—Revamping of Canteen to be asked of M.P.T.O. convention decided, P.W.C. petition delays reorganization for two weeks.

March 2—Morris Ernst opposes approval of M.P.T.O. plan.

March 4—Chill reported on J. M. Schenck's request for withdrawal of Schenck Patent.

March 6—William Fox has more chance to appeal for patent reharing.

March 7—Possible abandonment of M.P.T.O. now envisioned.

March 8—M.P.T.O. plan set up for general credit aid. Washington says N.R.A. codes will stay.

March 10—Los Angeles zoning plans halted on distributors refusal to accept ad-

March 12—Universal will not sell at least to Huey Long, father of Cong. General Joseph, says, and C. A. R. E. agrees to defend the suit.

March 13—Fox set offer is 75c on the dollar for bonds.

March 15—Universal will not sell at least to Huey Long, father of Cong. General Joseph, says, and C. A. R. E. agrees to defend the suit.

March 17—Fox will offer to sell the Schenck Plan. High rentals still al in Great Britain.

March 18—The government will offer to sell the Schenck Plan. High rentals still al in Great Britain.

March 19—The government will offer to sell the Schenck Plan. High rentals still al in Great Britain.

March 20—William Fox waxesing on his Tri-Ergon appeal. Major agrees to sell in Kansas City.

March 22—Los Angeles zoning plans halted on distributors refusal to accept ad-

March 25—Los Angeles zoning plans halted on distributors refusal to accept ad-

March 26—Los Angeles zoning plans halted on distributors refusal to accept ad-

March 28—Shornas expected to buy out Fox.

March 29—William Fox waxesing on his Tri-Ergon appeal. Major agrees to sell in Kansas City.

March 30—William Fox petition for re-


Events are listed in the order in which they appeared in MOTION PICTURE DAILY and not always in their chronological sequence.
June

July

August

September

October
Year Brought Shifts and Changes

Deb.

During the second agreement RKO Service Corp. received approximately $1,500 per month for its management services for the Music Hall. The fee is based on a percentage of the average weekly gross receipts of the house.

Sales Tax Added

To Rentals Here

The terms of the extension are 10 years more than those of the original agreement, which ended in 1934. No split-up of Music Hall receipts was made at the end of the extension. The extension of the Music Hall during 1935 which it was still being operated by RKO. Therefore, Rockefeller Center is entitled to a royalty on all rents and if funds then remain after operating costs a first $300,000 is divided on the basis of 60 percent to RKO and 40 percent to RCA, and a second $300,000 would be divided 50 percent to RKO and 50 percent to RCA.

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Charles Bickford
Raquel Torres
in
"Red Wagon"

Direction: Paul L. Stein

with
Greta Nissen
Don Alvarado
Anthony Bushell

All the glamour and excitement of the Big Top in a powerful drama of untamed passions!
Not So, Says Spitz

Hollywood, Jan. 2.—Leo Spitz, president of RKO, stated today there was "not a chance" of B. P. Schulberg and Emanuel Cohen, the company as unit producers, as reported reliably in New York.

He also hit at published reports that the latter remains with Radio in his current status as an associate producer.

Jersey Allied

To Protest on Sale Tax Levy

Protests against the collection of the two per cent city sales tax on film rentals from exhibitors will be made at a meeting of Allied of New Jersey at the Lincoln Hotel, where the subject is scheduled for discussion, Lee Newberry, president of the Allied unit, said yesterday.

Indications are that the organization will formulate its policy of opposition to payment of the tax at the time of the meeting. The sentiment of exhibitors whose theatres are located outside the New York city limits is that the levying of a city sales tax is unfair to them because they cannot obtain their film supply any place but at the New York exchanges, although (Continued on page 12)

K. C. Studies Shift

In Xmas Week Trend

Kansas City, Jan. 2.—Checking to learn a cause for low Christmas week grosses, both in first run and subsequent run houses, which were lower than even bad weather should have made them, the 16-year development of a trend toward increasing grosses the week preceding and decreasing grosses the week succeeding Christmas was discovered in Kansas City and its territory.

In spite of Christmas shopping business (Continued on page 12)

Skouras-Fox Action

Is Again Postponed

Trial of the Skouras Theatres breach of contract action against RKO 81st and Twentieth Century-Fox, which was scheduled for Jan. 13, was postponed yesterday to March 2 by agreement of both sides. Meanwhile, an examination before trial of the de-
HARRY MOSKOWITZ will sail from Buenos Aires Jan. 16 and is due here about the 30th. He has been away for months among new locations in various South American capitals.

JOHN NOLAN, borrowed from Twentieth-Century-Fox by Frank C. Walker, who is again running the Coronet circuit, probably will spend most of his time in Scanton, circuit headquarters.

GLADYS SWARTHOUT leaves Hollywood today and after concert and radio engagements in Chicago and Columbus on route is scheduled to arrive here next Wednesday.

ALICE WHITE is due in town shortly on her way to England to make a picture for G. B. M. Moreover, Marchetti closed the deal recently while in England.

JACK MERRERAU of G. B., who has been spending the holidays here, will return to England next Monday on the Aquitania.

MR. HEYMANN of the M-G-M publicity department and his wife leave for Havana and Nassau in a couple of days.

NATE MANHEIM's stay abroad is taking on the aspects of an extended affair. His family is on the way over to join him.

SYLVIA SINDEY is slated to appear on the Lux Radio Theatre program next Monday playing in "The Third Degree".

NATHAN LIEBESKIND, in charge for Warners in Brazil, reached New York yesterday on the Pan America.

JOHN D. CLARK leaves for Miami's shores tomorrow, there to be a house guest of M. B. SHARPKIN.

JOSEPH CAILLEA is coming east as soon as he finishes work in "Tough Guy" for M-G-M.

ANTONIO MORENO will be among the passengers on the Bremen when it calls tonight.

ERDE HALPERIN and the misuses are in town from Hollywood. At the Barbizon Plaza.

MILTON C. WISEMAN is due back from a lengthy Hollywood visit on Monday.

SAM SONN is having difficulty navigating these days. Trouble with his hip.

ERDE CANTOR and all of the daughters arrived from Hollywood yesterday.

ERROL FLYNN and LILY DAMITA (Mrs. Flynn) have left for the coast.

FLORENCE McKNENNY is in from the coast. At the Warwick.

SAM JAFFE, coast agent, is in town.

DAVID LOW leaves for Hollywood today to resume duties with the Hal Roach organization which he recently joined as a vice-president.

... Portland

J. J. PARKER and Ted GAMBLE of the J. J. Parker Theaters, went to New York to arrange for the opening at the Mayfair, Jan. 17, of "A Midsummer Night's Dream." Barker also wrote his new Alameda with a trade showing of "Captain Blood."

EKI GELLER also mine host at the reopening of his renovated Walnut Park.

Virginia MPTO Meet Is Set for January 14

RICHMOND, Jan. 2—The annual meeting of the M.P.T.O. of Virginia will be held at the John Marshall Hotel, Jan. 14, according to Elmer H. Bright, president.

Legislative problems will be discussed. A two-men-in-a-hoof bill is expected to appear in the Legislature which convenes Wednesday, and there also has been some talk of a ticket tax.

Services for Klebanov

Funeral services were held at the Pius X Memorial Chapel yesterday for Leo Klebanov, president of Knickerbocker Press, who died at his home in the Bronx New Year's Day from a heart attack.

Klebanov was well known in local film circles, his establishment serving as printer and pressroom for a number of film companies including United Artists. He was a charter member of the old Motion Picture Club and only recently had been decorated by the Government with a Distinguished Service Cross and Oak Leaf Cluster amid a shower of encomiums.

He was 40 years old and is survived by his wife, Lillian, and his three children, Norman, Israel and Adeline, as well as his mother, two brothers, Israel and Morris, and a sister, Mrs. Rose Horowitz.

Among those at the services were Harold Rodner, Joe Horstein, Herbert Rothkopf, Paul Benjamins, Herbert Berg and Ed McNamara. Approximately 600 attended.

Huber's Mother Dies

Hollywood, Jan. 2—Hugh Huber, one of the top agents, and his wife, Versailles, O., to attend his mother’s funeral.

Mrs. C. A. Hahn Buried

Chicago, Jan. 2—Funeral services were held yesterday for Mrs. C. A. Hahn, wife of C. A. Hahn, general manager of the MCA Hollywood agency, who died last week after a long illness.

Draper Injures Hip

Hollywood, Jan. 2—Paul Draper slipped during a scene of "Colleen" in which he was dancing with Ruby Keeler and sustained a hip injury. It is not serious, although production is being slightly delayed.

Blow Brockton Safe

Brockton, Jan. 2—The Colonial here, a link in the Inter-urban circuit, has reopened the scene of a stabbing. Cracksmen tied up the porters and used five charges of shock-thrower before the door of the theatre's safe. After they left, investigation revealed that all they got was $50, overlooking another $2,000 in a rear compartment.

Sklous-Fox Action Is Again Postponed

(Co in continued from page 1)

Frendants which was to have been begun several days ago has been postponed to Feb. 4.

In its action, which was brought in state supreme court here, Sklous alleged that the terms of its franchise with Minn. Film, Inc., had positively been expired and closed with date of three Sklous houses in the same neighborhood. The complaint alleged that the operators of the Minn. Film, Inc., had to the franchise held by Sklous the company's houses one week's protection in the neighborhood when the induced Fox to make the deal with the Minn. Sklous.

Efforts to settle the litigation out of court were begun some time ago and are still under way. Meanwhile, an injunction obtained by Sklous is in force.

Chesterfield Films To F. D. in Boston

Boston, Jan. 2—First Division today announced that it was going over Chesterfield product from the American Film Exchange, acting for Pathé, which won with the familiar factures are involved. Gene Gross, F. D. office manager, was making a call on the company's Boston offices at American. Harry Segal, F. D. New England manager, retains a financial interest in American, with which he was associated before coming to F. D. Officials of American say the action will not affect the operation of the exchange.

Charter of Boston Friars Is Voided

Boston, Jan. 2—The charter of the Boston Friars' Club, a social and athletic organization, has been declared void by Mr. Eugene F. Cook, Secretary of the Commonwealth.

The reasons for Cook's action included a notice from the Police Commission to the effect that the Friars had been convicted of illegal gambling on the premises. The club chambered its claim to the charter for the Statler without obtaining written permission from the Police Commissioner, according to Cook.

Re-Sign Anne Shirley

Hollywood, Jan. 2—Anne Shirley who has just completed the "Chatterbox" for Radio has been signed to a new contract.
"STAR-BRIGHT!" is the only way to describe the 20th Century-Fox 1936 product. Typical are the pictures announced on the next 7 pages... all released within the next 3 months. It's a story that will make your eyes pop!

*AND YOUR FUTURE BEGINS TODAY.*
The records now being made by "The Littlest Rebel" are the proof of a promise fulfilled. And as you play the pictures outlined on the following six pages, the promise they hold for your future will also be demonstrated in terms of outstanding grosses at your box office!
The King of Casts in the King of Shows
to start your New Year with a resounding smash!

- The show that's happier
  than a drama...more dramatic
  than a comedy...funnier than
  a girl show...peppier than a
  spectacle...more spectacular
  than a musical. A new and
different entertainment thrill
from 20th Century-Fox!

KING OF BURLESQUE

with

WARNER BAXTER
ALICE FAYE
JACK OAKIE

ARLINE JUDGE
MONA BARRIE
GREGORY RATOFF
DIXIE DUNBAR
FATS WALLER
NICK LONG, JR.
KENNY BAKER

Associate Producer: Kenneth Macgowan
Directed by Sidney Lanfield
From the story by Vine Delmar
A FOX PICTURE
Darryl F. Zanuck in Charge of Production

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

Always a jump ahead of the crowd... that's 20th Century-Fox
• The star of "What Price Glory" . . . the sensation of "David Copperfield" . . . the author of "Lady for a Day" . . . the director of "China Seas" . . . united in a rollicking and uproarious adventure drama as palpitating as a machine gun's staccato . . . human as a big brother's love!

Victor McLaglen
Freddie Bartholomew
in
"PROFESSIONAL SOLDIER"

with
Gloria Stuart
Constance Collier
Michael Whalen
C. Henry Gordon

a Darryl F. Zanuck
20th Century Production

Presented by Joseph M. Schenck
Associate Producer: Raymond Griffith

Directed by Tay Garnett. Screen play by Gene Fowler and Howard Ellis Smith. Based on a story by Damon Runyon

Trust 20th Century-Fox to pep up the industry!
INSPIRED SHOWMANSHIP BRINGS THESE TWO TOGETHER!

- George Raft...satin-suave, dangerous as dynamite. Rosalind Russell...breathlessly gowned, out-sparkling her brilliance in "China Seas" and "Rendezvous." A new star team double-charged with romantic appeal...in a crackling modern drama with a load of fun on the side.

George Raft • Rosalind Russell
in
"IT HAD TO HAPPEN"
with
Leo Carrillo
Arlene Judge
Alan Dinehart
Astrid Allwyn
a
Darryl F. Zanuck
20th CENTURY PRODUCTION
Presented by Joseph M. Schenck
Associate Producer: Raymond Griffith
Directed by Roy Del Ruth. Screen play by Howard Ellis Smith and Kathryn Scola. Based on the story "Canavan" by Rupert Hughes

20th Century-Fox...your box-office's best friend!
ADVENTURE THAT THRILLS...STARS THAT PULL!

- With a title that's a household word to hundreds of millions... this blazing drama of heroism and love is thrillingly enacted by a triple-starred cast!

Wallace Barbara
BEERY - STANWYCK
in
"A MESSAGE TO GARCIA"
with
JOHN BOLES
ALAN HALE
MONA BARRIE
HERBERT MUNDIN
Darryl F. Zanuck
20th CENTURY PRODUCTION
Presented by Joseph M. Schenck
Associate Producer: Raymond Griffith
Directed by George Marshall. Screen
play by W. P. Lipscomb and Gene Fowler.

"A natural for pictures!"... but 20th Century-Fox thought of it first!
Shirley Temple in Captain January

with

GUY KIBBEE
SLIM SUMMERVILLE
June Lang • Buddy Ebsen
Sara Haden • Jane Darwell

Associate Producer: B. G. deSylva
Directed by David Butler • Screen play by
Sam Hellman, Gladys Lehman and Harry
Tugend • Based on a story by Laura E. Richards
A Fox Picture

Darryl F. Zanuck in Charge of Production

The Keystone of Your Future

Bask in the ‘star’ light . . . with 20th Century-Fox releases!
The greatest youngsters in the world bring you the greatest box office attraction you ever saw!

The Dionne Quintuplets
Yvonne  Cecile  Annette  Emelie  Marie
Photographed under the personal supervision of
DR. ALLAN ROY DAFOE
in
THE COUNTRY DOCTOR
with
JEAN HERSHOLT • DOROTHY PETERSON
LEWIS STONE
Associate Producer: Nunnally Johnson
Directed by Henry King. Screen Play
by Charles Blake and Sonya Levien
A FOX PICTURE
Darryl F. Zanuck in Charge of Production

Don't envy 20th Century-Fox exhibitors... be one!
Wisconsin's Gains Start New Theatres

(Continued from page 1)

since May, when it was 907. Average weekly earnings of factory workers in Milwaukee in November came to $23.57, best for that month in July 1939, when the average earnings amounted to $23.87. In November, 1929, the figure was $28.40.

On a yearly basis the employment index for Milwaukee for the first 11 months of 1935 was 92.3, against 92.6 for all of 1934, 67.4 for 1933 and 90.0 for 1932. Pay rolls for 11 months of 1935 stood at 77.6, compared with 98.6 for the entire year 1934, 43.0 for 1933 and 70.0 for 1922. The weekly earnings average in 1935 was $22.60, against $20.03 in 1934, $17.30 in 1933 and $16.97 in 1932.

For Wisconsin at large the index or November was 88.2, a slight decline from the 89.1 of the month before, and 84.4 of April, both above the low of 7.3 reached in January, 1933.

Average per capita weekly earnings in the entire state in November were $21.80, compared against $21.79 in the month before and $22.01 two months previous.

Weekend sales in the Milwaukee retail area during 1935 were the largest since 1931. This increase in buying is reflected also by expansion in number of theatres and credit sales in stores during the last year. The credit bureau of the Milwaukee Ass'n of Commerce furnished 114,141 reports in 1935, compared with 104,596 reports for 1934, a gain of 9,545, or nine percent.

Bank clearings, considered a good barometer of business conditions, reached the highest level in four years. Merchants in Milwaukee during the year's total, according to Milwaukee Clearing House figures, with the last four business days of December estimated, was $831,905,002.

While, because of the diversified nature of Milwaukee's industry, recovery for the city has not been uniform, there is practically no line that has not extended to some extent the gains of 1934.

Harristown on Upgrade HARRISTOWN, Jan. 2.—Business is definitely on the upgrade here in the opinion of most of the city's leading theatre and department store men, C. F. Blums Hopkins, Harristown representative for Wilmer & Vincent's three houses, the Colonial, State and Victory, and Sam Gillman, Loew's Regent manager.

"Since conditions are improving in other parts of the city I am certain they will improve in our part of it," said Hopkins. "Money is much freer now, which means it is going to be spent more freely on more things. Another important reason why I anticipate better business is the fact that superior pictures are being released."

Gillman is even more optimistic. He predicts business will be the best it has been since 1929.

"People are spending more money," he states. "They spent so freely over Christmas that I am convinced they are going to have enough for entertainment. Department and other store sales were much greater than they were a year ago. And pictures are coming this season that are better than any ever produced before."

Tax Saving to Aid Players in England Tax Saving to Aid Players in England (Continued from page 1)

which has been estimated at approximately 25 per cent, are seen as opening the way to an increase in the number of American players willing to accept contracts. With Marchetti plans to negotiate a number of distribution deals here for English product, representing some of the best English producers. He will also arrange for the interchange of talent, and perhaps open an office in London. He foresees an extremely good year in England, with gains in attendance and production activity. He has already been in touch with young singing and dancing artists playing in the London stage production of "Anything Goes," and Lady Queensbury, an artist, whom he hopes to place with a coast studio. He is representing Herbert Wilcox, Prod. & Dir. of "The Lion and" M. Wooll of General Film, Percy Raphael of Helga Films, Max Schanck of Capitol, Gentry of "Change," Julius Hagen and Monty Banks.

Marchetti plans to leave for the coast on Saturday.

Warner Signs with 24 More Stations (Continued from page 1)

of accepting the contract. Assuming that the 69 in the "double-bill" list become licensed, a total of 216 independent stations will be served in this country. The Warner fold at the outset of its independent licensing program may be increased in advance of the legal deadline, Warners having given eastern stations until Jan. 3 and western stations until Feb. 3, to sign the company's revised music licensing agreement.

Para. Asks Quashing Of St. Louis Case Para. Asks Quashing Of St. Louis Case (Continued from page 1)

injunction based on the charge the company has refused to service the F. & M. houses here.

Louis Phillips and his assistant, Irving Cohen, left for St. Louis yesterday for preliminary conferences with Paramount's local attorneys, Samuel W. Fordyce and William R. Gentry. The equity case is slated to come to trial Monday.

Revelation May Try Making Films Here Revelation May Try Making Films Here (Continued from page 1)

Revelation Films, Ltd., of London, producer of industrial pictures for the British market, may produce advertising reels in this country, according to Stanley Neal, head of the company, who described his current visit here as being in that connection.

Neal said that Revelation would offer 27 industrial films next season. Six of these will be cartoons made here by Celebrity Prod. He said that the advertising reel was an accepted business factor in exhibition abroad and that royalties paid to exhibitors by his company last year approximated $750,000.

Salsenmen's Party a Wow Salsenmen's Party a Wow Everybody's happy among members of the Salsenmen, Inc. The New Year's party at the Pantages was a wonderful success. Two of the blue and white drapes used for the party were sold for $750 each.

Ciney Theatre Damaged CINCY, Jan. 2.—Damage of $100 was caused to the Dixie Theatre building, a subsequent run house in the downtown district, by a fire resulting from an overheated gas heater in the sign room on the third floor. The theatre was unoccupied at the time.

Holiday Takes Show a Jump, Circuits Say Holiday Takes Show a Jump, Circuits Say (Continued from page 1)

which cut into theatre business in Atlanta and other cities and towns in the southeast, but not alarmingly. New Orleans was deluged with a four-inch snowfall which doused grosses at the same time.

RKO, according to Nathaniel Jerome Flanger, general operating head of that circuit, did well during the holiday week with grosses running in advance of the same period in 1934. The pre-Christmas week, however, was not as substantial as the preceding year.

The Warner circuit reported an identical experience. While refusing to comment on the percentage of increase, it was pointed out that, on a nation-wide basis, it circuit was comfortably ahead of last year during the holiday week.

The U. S. Department of Commerce estimates that the film industry will spend $110,000,000 for advertising throughout the world during 1935, most of it in newspapers and magazines. Approximately $77,000,000 of this was spent in this country, the department estimates, $60,500,000 of which will be for newspaper and magazine space, $8,250,000 on billboards and the remainder on incidental media.

Paramount opened its new advertising office here today with a large display space in daily newspapers. The campaign involves the expenditure of $80,000 for newspaper advertising during the first three months of the year.

Art Directors Ask Award Rule Change Art Directors Ask Award Rule Change HOLLYWOOD, Jan. 2.—A committee, representing the art directors' section of the Academy, has submitted to the awards committee revisions of the rules for nominations up for the annual award.

Under the new setup, the committee recommended that each ballot must contain at least one nomination of a picture for which another art director is responsible. All ballots not containing this nomination shall be disqualified. Whether or not the art director submits one of his own pictures for consideration is optional.

It was also recommended that, in case of a tie vote in which more than one art director submits the same picture, these nominations shall be combined and counted as one vote.

Start First Production HOLLYWOOD, Jan. 2.—The initial production of the newly formed Pickwick-Lasky company went before the cameras here yesterday with "One Rainy Afternoon." Francis Lederer and Ida Lupino are starred.

To Raze Opera House BOSTON, Jan. 2.—The Grand Opera House on Washington St. is to be torn down. This 2,000-seat theatre, built in 1888, is one of the oldest in the city.

Baltimore Off to a Roaring Start; Talk of Bonanza Year Baltimore, Jan. 2.—The New Year got away to such a wallowing business in the downtown houses that managers can't restrain their enthusiasm. They're talking about a bonanza year.

After two and a half big weeks with "The Littlest Rebel" at the Northgate, they turned to "King of Burlesque" for the midnight show and packed 'em in. The grosses were so much better than the closing weeks of 1934 that he says better times are ahead.

J. Lawrence Schanberger at Keith's didn't wind up his New Year show until seven o'clock in the morning. He says that it was like the good old days.

(Continued from page 1)
Looking 'Em Over

"Sylvia Scarlett"

(Radio)

There are the ingredients: Katherine Hepburn as star; Brian Aherne, Cary Grant and Edmund Gwenn in the support; Pandro S. Berman, the white-haired boy among Radio's producing forces, and George Cukor, the man who directed "David Copperfield." There is also to consider a story in which this array of talent would find something to do. Yet, assuming the actors and the story are the strongest for the best script, the chances are, drawn from histrionics and from direction, would be pretty good. "Sylvia Scarlett," however, is hardly that. It is a diffused and rambling assortment of scenes which have some bearing on each other, but not much.

The problem becomes: can it be done the way the producer saw in "Early Life and Adventures of Sylvia Scarlett," by Compton Mackenzie, an opportunity for Miss Hepburn to play a boy most of the way that decision was reached to produce the novel. The story tells of her devotion to her father, Edmund Gwenn, a worthless, absconding Englishman who is forced to flee France and the star's decision to travel with him as a boy, in the belief the pair will attract less attention. They join Cary Grant, a cheap crook, and embark on a career of petty larceny until Miss Hepburn hits on the idea of organizing a theatrical company on a tour of the English countryside. There is nothing, meanwhile, to indicate, among any of the three had had experience or the talent to so perform.

Gwenn meetsennie Moore, a servant girl, and marries her. Cross-conflict develops as he thinks his young wife unfair and results in Gwenn's suicide. In the meantime Miss Hepburn runs across Brian Aherne, a stellar actor singularly uninspired here, and falls in love. The love counterpoint is provided by Natalie Faye, who eventually runs off with Grant, leaving the road open for the clinch between Miss Hepburn and Aherne.

The dialogue stresses the British accent. The comedy, including chases up and down stairs and drunk scenes, are in the same mood and are risible. There are sequences, separated by long stretches of celluloid, which are charming and sincere. They, however, happen along too infrequently to relieve the general dullness of the production as it now stands.

Production Code Seal No. 1,907. Running time, 96 minutes. "G."
ASK RADIO CITY MUSIC HALL ABOUT THE FIRST FOUR DAYS' CLEAN-UP ON UNIVERSAL'S "MAGNIFICENT OBSESSION"!

The Whole Trade is Talking About It!
Bette Davis...once again gives startling evidence of being one of the most talented actresses on the Warner lot, if not in all Hollywood...Genuine, moving drama...There are few words in which to describe the bitter intensity that Miss Davis puts into that part...A solo performance of first rank importance...eminently worth seeing."

—Morning Telegraph

It's Bette on the manhunt again—and this time she really turns on the power—throws the switch to the last notch, as the glamorous star of Broadway who became the evil star of men.

Keep Your Fingers Crossed, Girls!—That's Bette!

WARNING! INFLAMMABLE MIXTURE!

Look whom Bette's teamed with for the first time—

When these two start playing with fire you can bet your sound equipment you've got A BOLT OF DRAMA THAT WILL BLOW THE FUSES!

BETTE 
stops pulling her punches, shows 'em real 

A DRAMA TO WRITE HOME ABOUT

Her performances with Paul Muni in "Bordeaux" and "Brent in "Front Page Woman"—were only a 

DANGEROUS CAPER

The story of "The woman..."

No Wonder It's Held for a Second Time! 
WARNER BROS.' 3rd HOLD OVER
“Bette Davis superb...Keeps Rivoli audiences in suspense. Her work is par excellent...even better than in ‘Of Human Bondage’”.
—Eve. Post

“Bette Davis triumphs in ‘Dangerous’. Her outstanding performance...dominates the screen.”
—Daily News

“Bette Davis scores again...magnificent...tops her previous performance in ‘Of Human Bondage’. A dazzling role...she plays it supremely!”
—Daily Mirror

“A characterization...comparable to her superlative portrayal in ‘Of Human Bondage’.”—N.Y. American

Dav's Back in Town!

DAVIS

lets go with all she’s got, in

OUT *** WITH ASTERISKS!

...Howard in “Of Human Bondage”—George
that she really is with the heat turned on...in

ROUS

always come back to!

TONE

Week at the N. Y. Rivoli!

ON BROADWAY NOW!

When the hard-boiled critics of famous Variety Daily get hysterical and label this opera “a duel of souls and senses...played with a courage which gives her distinction,” they’re merely saying in ten-dollar words that

BETTE SMACKS ’EM WHERE IT HURTS!

With Margaret Lindsay
Alison Skipworth
John Eldredge • Dick Foran
Directed by Alfred E. Green
Year’s Close Discloses Big Theatre Gains

Nineteen thirty-five closed with more activity in the theatre construction and renovation field than during any 12-month period in the last five years. Construction, which has been on the increase for months, attained a new momentum with the Warner announcement that six new neighborhood houses are being built in Washington to take care of the increasing population there.

H. W. C., now National Theatres, has resumed expansion moves with a number of new alignments in the northwest, and in the southwest Interstate, Paramount affiliate, is expanding.

Formed United Amusement

Down, Del. Jan. 2—United Amusement Co. has been formed here by George W. Lilly, Elizabeth A. Lilly and Helen Sokol.

Close Rivoli at Bantam

BANTAM, Conn., Jan. 2—Herman Foster has closed the Rivoli for the winter after a short-lived attempt to keep the house going one night a week.

Rebuild Cleveland Grand

CLEVELAND, Jan. 2—Frank Gross is rebuilding the Grand Theatre. The alterations and new sight line will approximate 280 seats will be added.

Takes Over Denver Sun

DENVER, Jan. 2—Roy Weinberg, Denver restaurer man, has taken over the Sun, a 420-seat house here, and is operating it with giveaways.

Oppose Sunday Opening

ASSOCIATION, Ala., Jan. 2—Sunday movies have been voted down by 703 to 623, with more than half the city’s electors staying away from the polls.

Charter Ashevile Firm

Asheville, Jan. 2—Cardinal Amusement Co. of Asheville has been incorporated by C. R. Bamford, Charles G. Lee and H. Kenneth Lee af this city.

Build at Prentiss, Miss.

PRENTISS, Miss., Jan. 2—A modern theatre is being erected here by B. G. Griffin, merchant. He has announced plans for operation of the new house.

C. H. Kaimann to Build

ST. LOUIS, Jan. 2—Clarence H. Kaimann, operator of a circuit of neighborhood houses here, is ready to build a 700-seat house on Forsyth Ave. to cost about $75,000.

To Open at Bazin, Kan.

KANSAS CITY, Jan. 2—Ralph Ladner, who operates the Paramount at La Crosse, Wis., will open a theatre in Bazin, Kan., which never before has had a film house.

Saenger Buy Land

PENSACOLA, Fla., Jan. 2—The Saenger Corp. of New Orleans, operators of the Saenger and His here, has purchased the property on the northeast corner of Palafox and Garden Sts., now owned by N. L. Carter, secretary of the corporation, confirmed the sale but refused to comment on future plans for the property.

N. E. Changes Continue

BOSTON, Jan. 2—More theatre changes continue in New England. The Park at Woonsocket, R. I., has been opened by Mr. and Mr. Sharp, who operate the Central in Mansfield.

New Louis Angler and Joseph Walsh have purchased the recently re-opened Metropolitan in Providence. A new 400-seater, the Princess in Rockville, has been put into lights by F. Mann.

To Assist Southerland

1936 a success story for Southerland, years ago married to the late C. F. Southerland, C. F. S. is still a mainstay in the theatre field.

Start New Detroit House

DETROIT, Jan. 2—Ground has been broken for a new 1,500-seat theatre for United Detroit Theatres Corp., at Grand River Ave. and Arcade, S. Sloan & Co., is building the house from plans prepared by the firm’s resident architect. This house is understood to be the first of five which will be added to the United Detroit management within the next year.

Kerrville to Get Two

KERRVILLE, Tex., Jan. 2.—The Kerrville Amusement Co., owner of the Arcadia, will rebuild completely the Dixie, dark for the past six years.

Another theatre, adjoining the Dixie, will be opened by Sonny McCoo, who is moving here from San Antonio. It will be known as the Kilaio.

Seek New Hamden Site

NEW HAVEN, Jan. 2—Adolph Johnson and Al Robbins, present operators of the Strand, are negotiating for a site directly across the street for the construction of a new theatre, to be equipped for vaudeville.

To Remodel at Akron

AKRON, Jan. 2—The Allan, 15-year-old downtown house, is to be remodelled by the Cleveland & Akron Amusement Co., of Cleveland.

Shine will remodel the Athena at Athens, O., by installing a balcony with 400 seats.

Theatre Firm Formed

WASHINGTON, Conn., Jan. 2—The Washington Theatre Corp. has been formed here with Joseph F. Reed as president and Marie J. Reed as secretary and treasurer. Both reside in Washington Depot.

Form Miami Playhouse

MIAMI, Jan. 2—Miami Playhouse, Inc., with capital of 100 shares, par $5, has been formed here by various theatre owners to conduct amusements. Incorporators are: J. L. Southener, F. E. Drews and H. M. Hicks.

Form Southeastern, Inc.

JACKSONVILLE, Jan. 2—Southeastern, Inc., with authorized capital of 800,000 shares, has been formed. R. E. Gibbon, V. Gibbon and P. H. Crossman are the incorporators.

Plan Burlesque House

KANSAS CITY, Jan. 2—M. L. Hanover and George J. Katz of New York have leased the Empress, which has been dark several years, and will open it as a burlesque house.

Films Target Of Many Bills In Washington

(Continued from page 3)

Administrative Committee of Congress will have free time for the consideration of other matters—particularly the many pending Federal Labor and other useful aids in the coming campaign.

Control measures designed to carry on the pending Federal anti-trust reform bill, Senate 6507, which has been referred to the Senate judiciary committee, has been held up pending the session. These bills provide for the adoption of the 30-hour week by all industry, and the acquisition of Federal licenses by all corporations engaged in interstate business. Control measures designed to provide fair business will not be affected by this legislation, but a movement is on foot to remove from their control the 30-hour week measure and any labor provisions which may be incorporated in the licensing bill by provisions in the bills. All the use of the mails to those who do not conform.

Strong pressure will be brought to bear that the next Federal tax laws contain the consideration of one of the several bills pending which would prohibit Federal bookkeeping and discrimination in favor of distributor-owned houses. An energetic effort also will be made to secure action on bills provided for by the creation of a Federal motion picture commission which would, in effect, enjoy all the privileges of the time and territory specification or the peddling which has been applied to that phase.

No New Taxes Loom

Little is to be expected in the way of taxation. The Administration is anxious to keep taxes out of the picture until after the presidential campaign. If re-elected, President Roosevelt will probably expect a new heavy tax bill on in the 1937 session.

Of the considerable number of pictures which have been passed for release, those which have been referred to are expected to secure any consideration. Representative Newick of New York, too well known to the industry to need introduction, has a few bills which he will talk about, but, aside from the pending, will not be considered seriously. He is sponsoring, among his many other activities, an investigation of the “silent and sonant” picture industry and the establishment of a Department of Science, Art and Literature as part of the Federal establishment.

Bills pending in Congress affecting the industry are as follows: H.R. 142, Representative Celler of New York: To prohibit bookkeeping and discrimination in distribution. H.R. 143, Representative Celler: To repeal the film tax ban. H.R. 151, Representative Sirovich: To make it unlawful for jurors who have served in criminal trials to give public performances for profit in violation of the giving of information as to what transpired at such trial.

S. 2669, by Representative Culkin of New York: To create a Federal Motion Picture Commission, to protect the industry against unfair trade practices and monopolies, and to secure just settlement of complaints of unfair dealings, and to provide for the condemnation of writing and distribution. S. 3012, Senator Neely of West Virginia: To prohibit block booking and discrimination. H.R. 4523, Representative Sirovich: Providing for recording of patent pooling agreements with the Federal Trade Commission. H.R. 4737, Representative Culkin: Prohibiting block and blind booking and making the Clayton Act applicable to film license agreements and leases. H.R. 6472, Representative Pettengill of Indiana: To prohibit block and blind booking. H.R. 6507, Representative Quim of Pennsylvania: To remove the ban on fight films. H.R. 6536, Representative Quim: H.R. 8867, Representative Celler: Prohibiting block and blind booking and discrimination.

Wometco Managers Shift

MIAMI, Jan. 2—Wometco Theatres have made changes in personnel recently. Mr. Shoemaker, who has been in charge of the Mayfair, now is manager of the new Lincoln, Miami Beach, having succeeded Mr. White, of the Capitol, as assistant manager.

Mark Charrand, Jr., former manager of the Strand and the Admiral, at the Mayfair, and Earl Potter, formerly chief of staff for the theatres, is assisting to Charrand.

Ira McKinney, formerly assistant at the Capitol, was transferred to the Grove, as manager, succeeding Burton M. Charrand, formerly manager of the Rosetta, Little River.

Tixton Hammock, formerly assistant at the Mayfair, has been promoted to assistant manager of the Capital. Ray Toonmers, formerly assistant to Charrand at the Tower, has been made manager of that house, with Charles Salzer, formerly of the Mayfair, as assistant manager. Graham Turvillle is at the new Lincoln.

Shannon Is Promoted

PITTSBURGH, Jan. 2—Charles Shannon, the Quay Plaque for exploitation, has been promoted to the managership of the Belmar by Warners. He replaces William Crossman, who has been transferred to Tarentum, Pa.

Shannon started as a showman four years ago as assistant to Crossman and was subsequently an assistant at the Manor, South Hills and Hollywood theatres.

Retitle “Apple Sauce”

HOLLYWOOD, Jan. 2—Warner once more have changed the title of the picture which they are now filming with Ross Alexander and Anita Louise in top roles. Now it is “Brides Are Like That.”

Harding Film Retitled

HOLLYWOOD, Jan. 2.—The next Ann Harding picture will be released by Radio as “The Lady Consents,” instead of as “The Indestructible Mrs. Talbot.”
Together as the immortal lovers of Murger's "La Vie de Bohème."

Gay Bohemian Paris! The spectacular Artists' ball! Music by the world famous Puccini!
**“Mutiny” Goes Big in Frisco; Gets $9,000**

SAN FRANCISCO, Jan. 2—“Mutiny on the Bounty” was the only attraction in town to make much of a showing during the Christmas slump. It reached $9,000, up by $2,000, at the St. Francis.

**“Little Rebel” (20th-Fox)** was $1,500 to the good on a take of $2,250 at the Warfield. “Mr. Hobo” and “Man of Aran” just managed to get into the profit column at the Embassy on a take of $3,750, and the Fox reached par, $6,000, with a combination of “Good Lady,” “Veil,” and the Louis-Uzandum fight pictures for two days. Other houses were in bad a way.

Total first run business was $68,750. Average is $71,000.

Estimated takings:

- **“Mutiny on the Bounty” (20th-Fox)**
- **“MR. HOBOS” (G. B.)**
- **“NAN OF ARAN” (G. B.)**
- **“EMBRACE OF THE VINE” (Para.)**
- **“SEVEN KEYS ARE BALDAPACE” (Radio)**

- **“MARCH OF TIME” (Radio)**
- **“GOLDEN GATE” (20th-Fox)**
- **“CHARILO CHAN’S SECRET” (20th-Fox)**
- **“MADARI OF MEXICO” (M-G-M)**
- **“WHISPERS” (M-G-M)**

- **“THE UNFORGOTTEN” (M-G-M)**
- **“LOEWS’ ORPHAN” (Para.)**
- **“THE PERFECT GENTLEMAN” (M-G-M)**

- **“LOEWS’ STATE” (3,575), 25c-55c, 7 days. Gross: $3,575. Estimated:** $3,500.

- **“THE LITTLEST REBEL” (20th-Fox)**
- **“METROPOLITAN” (4,352), 30c-35c-42c, 6 days. Gross: $1,200. Estimated:** $1,000.

- **“JAVA” (M-G-M)**

**Weekly Decending 26:**

- **“LORD MARMALADE” (Para.)**
- **“LOUIS-UZUNDAM FIGHT” (2 days)**
- **“NECKLACE” (20th-Fox)**
- **“ST. FRANCIS” (1,675), 30c-45c-60c, 7 days. Gross: $1,500. Estimated:** $1,000.

- **“LITTLEST REBEL” (20th-Fox)**
- **“WARFIELD” (2,500), 25c-50c-75c, 5 days. Gross: $2,500. Estimated:** $2,000.

**Weekly Decending 27:**

- **“PEASANTS” (Amblin)**

**“Three Kids” Dual $8,500 in Buffalo**

BUFFALO, Jan. 2—The Lafayette’s dual, “Three Kids and a Queen” and “East of Java,” was the only first run house to stand up under a seven-day holiday slump. It grossed $8,500, topping par by $2,500 in a week of cold and snowy weather.

“In Person” was $300 to the good at the Great Lakes with a gross of $7,000.

Total first run business was $35,000. Average is $38,400. Estimated takings for the week ending Dec. 28:

- **“WHISPERS” (M-G-M)**
- **“BUFFALO” (1,000), 30c-60c, 7 days. Gross: $1,200. Estimated:** $1,000.

- **“THE PERFECT GENTLEMAN” (M-G-M)**
- **“HIPPOPOTOMUS” (2,500), 30c-60c, 7 days. Gross: $1,300. Estimated:** $1,200.

- **“IN PERSON” (Radio)**
- **“GREAT LAKES” (20th-Fox)**
- **“MOONLIGHT ON THE PRAIRIE” (20th-Fox)**

- **“CENTURY” (5,000), 25c, 7 days. Gross: $4,000. Estimated:** $3,500.

- **“THREE KIDS AND A QUEEN” (Univ.)**

**“Rebel” at $4,500 Indianapolis Lead**

INDIANAPOLIS, Jan. 2 — Christmas holidays hit local theatres with the result that only two houses did a normal business. “Littlest Rebel” at the Apollo did $4,500 and “Broadway Hostess” on the screen, with Henry Armetta on the stage, did $14,000 at the Lute.

Twin bills at the Circle and at Loew’s were down.

Total first run business was $22,000. Average is $26,000. Estimated takings for the week ending Dec. 28:

- **“LITTLEST REBEL” (20th-Fox)**
- **“APOLO” (1,100), 25c-45c, 6 days. Gross: $3,700. Estimated:** $3,500.

- **“SEVEN KEYS TO BALDAPACE” (Radio)**

- **“CIRCLE” (2,000), 25c-45c, 6 days. Gross: $3,000. Estimated:** $2,500.

- **“BLOOMING HOMES” (20th-Fox)**

**Weekly Decending 27:**

- **“THE LITTLEST REBEL” (20th-Fox)**
- **“YOUR UNCLE DUDLEY” (20th-Fox)**
- **“UPSTAIRS” (2,500), 25c-45c, 7 days. Gross: $3,700. Estimated:** $3,500.

**“Rebel” Atop Dual Hit in Kansas City**

KANSAS CITY, Jan. 2 — Christmas shopping before the holiday, and zero weather, may have contributed to this fund at Christmas time. Some years ago a non-profit fund, managed by Van Borsum, was destroyed by fire.

**Temple Film in Cleveland Hits $8,000**

CLEVELAND, Jan. 2 — “The Littlest Rebel” was the big hit of the week, going $3,000 over the $8,000 average at Loew’s State. The $13,500 was down $1,000 against heavy weather odds and the pre-Christmas shopping competition.

“Miss Pacific Fleet” at the RKO Palace, the only other seven-day picture of the week, made a fair showing for the $3,000 only and a take of $3,000.

“The Virginia Judge” at Loew’s Stillman stood up as well as could be expected in its season.

Total first run business was $37,000. Average is $42,000. Estimated takings for the week ending Dec. 28:

- **“ESCAPE FROM DEVIL’S ISLAND” (Col.)**
- **“RENDEZVOUS” (M-G-M)**
- **“THE VIRGINIA JUDGE” (Para.)**
- **“MISS PACIFIC FLEET” (W. B.)**
- **“REBEL” (20th-Fox)**

**“Two-Fisted” Top In Montreal Pickup**

MONCTON, Jan. 2 — Holiday receipts were down as made up for the pre-Christmas slump. Loew’s stepped up to $12,500 with a mixed bill topped by “Two-Fisted.” The film is the same mark on “Metropolitan” and “Your Uncle Dudley.”

“The Chocolate Drop,” first feature at the Capitol, drew $11,000, well above par. The Princess played a dual headed by “Remember Last Night” and “The Big House.”

Loew’s took $3,000 to get a fresh start on Christmas Day with a new attraction. Hockey matches formed the chief position for the week, the legitimate theatres being closed.

Total first run business was $44,000. Average is $41,500. Estimated takings for the week ending Dec. 28:

- **“REBEL” (20th-Fox)**
- **“MILLIONS IN THE AIR” (Para.)**
- **“ONE HUNDRED MILLIONS” (M-G-M)**
- **“THE VIRGINIA JUDGE” (Para.)**
- **“REBEL” (20th-Fox)**

**Kalter Gets B. & K. Leave**

CHICAGO, Jan. 12 — Roy Kalver of the Roosevelt has secured a leave of absence for a few weeks. Kalver, who will go to Decatur, Ind., to help his father, I. A. Kalver, operates his house there. He plans to be away at least six months.

Cal averger Magibbon Open

COLUMBUS, Jan. 2 — The RKO Magibbon, which closed as a first run house concurrently with opening of the new RKO Grand early in October, reopened Christmas Day as a second run stand, playing a split week picture.
Out today

“Hollywood Reaching For Actual Control Of Film Business”

By

TERRY RAMSAYE

In

MOTION PICTURE HERALD
"...leaves the audience quivering under its emotional sledge-hammer blows... you can be sure that 'Tale of Two Cities' will cause a vast rearranging of the year's Ten Best list!"

—Sennwald, Times

"One of the finest pictures of this or any year! Colman is undeniably at his best. It is in every respect a superb production!"

—Pilswick, Journal

"Magnificent and thrilling. Should be required-seeing in every film-fan's curriculum. It is entertainment at its mightiest! Don’t miss it!"

—Johaneson, Mirror

Once seen, the picture will be long remembered. Neither scene nor players may be forgotten... Colman's best contribution to filmdom!"

—Crewe, American

"Strikes a new high in impassioned drama..."

—Delehanty, Post

"'Copperfield' and 'Tale of Two Cities' are among the tops in pictures. A deeply moving, thoroughly absorbing picture, acted by an inspired cast!"

—Cameron, News

"A TALE OF TWO CITIES"
Another Metro-Goldwyn-Mayer Hit!

CAPITOL
BROADWAY at 51st STREET
Major Edward Bowen, Mgr. Dir.
BIG HOLIDAY SHOW!
DOORS OPEN 9:45 A.M.
Continuous Late Performances Until 1:00 A.M. NEW YEAR'S EVE

LOOK AT HIM! Another M-G-M Hit!
Batcheller's Hope Is for Indie Support
Sees Independent Films' Quality Improving

BY GEORGE R. BATCHELLER
President, Chesterfield

The New Year has in store for us only as much as we put into the New Year. There is no factor in the industry deserving of more encouragement and support than independent production and distribution. We, who have been striving for proper recognition in the independent field, are most gratified with the reception that we are receiving from exhibitors throughout the entire world. There is no question that pictures released by independents are constantly improving in quality and that independent producers are constantly striving to create pictures with the box-office as their objective.

"Two Cities" Hits $71,000, Capitol

"A Tale of Two Cities" garnered a fine take at the Capitol last week, $71,000, indicating a minimum of three weeks for the picture. Plans for re-releasing vaudeville with "Riffraff" have been dropped for the time being. The Roxy on nine days with "If You Could Only Cook" and Paul Ash on the stage ended with $26,000. The Music Hall, with "The Littlest Rebel," got $60,000 in the last four weeks.

Editor Says Spain Likes Film Cleanup

WASHINGTON, Jan. 3—Improvement in films reaching Spain since the Legion of Decency drive has pleased the public in that country, according to a letter received by William F. Montavon, director of the legal department of the National Catholic Welfare Council, from Jose Torres de Rodas, editor of Filmar. Filmar is the official film paper of Spain.

RKO Claims Cut Nearly 22 Million

Additional Reductions by Court Expected

Creditors' claims which were filed against RKO in the company's reorganization proceedings have been reduced by approximately $21,750,000, it was disclosed in a computation completed yesterday.

The total claims against the company amounted to $35,104,721. Thus, this amount has been reduced now to less than $34,000,000 and additional reductions in large amounts are expected as the reorganization process continues. The largest reductions made up to date resulted from the amending of claims filed. Reductions of this kind totaled $15,702,125. Claims amounting to $4,641,386 were withheld and the total of 17 claims totaling $3,212,263 were recently reduced, which was a reduction of approximately $600,000 on that amount. Other reductions have been made through payments toward the retirement of the RKO six per cent (Continued on page 4)

Census Amusement
Canvass Is Begun

WASHINGTON, Jan. 3—Canvassers of the U.S. Census Bureau yesterday began their task of surveying theatres and other places of amusement throughout the country for the 1935 census of business, initial reports on which are expected to be made available sometime next summer.

Mindful of the inadequacies of a similar census taken two years ago, officials of the bureau are making every effort to assure complete coverage of the amusement industries. The survey will show the number of theatres in each state by type of operation (Continued on page 2)

Final Voting Nears for Quigley Awards

As soon as judges for December have completed their voting in a day or two, arrangements are to be made for the selection of the two 1935 winners for the Quigley Awards. The two awards are to be given to the exploitation contests conducted by the Managers' Round Table Club of Motion Pictures Herald.

As was done last year a representative committee taken from the lists of the 1935 judges will decide upon the two theatre men who are most deserving (Continued on page 4)

9TSE Pact

Hollywood, Jan. 3—Optimism reigned among film creators today following the successful negotiation by George Browne of the IA·SE five-year agreement. Bert Offord of wardrobe men's group claimed close to 100% representation in all companies with only M-G-M still to be heard from before the Saturday midnight deadline.

Mr. Browne will meet with cinematographers on Sunday.

Omaha Views Outlook with Cheerful Air

Second installment of a field survey on the outlook for 1936.

OMAHA, Jan. 3—New Year promises here vary from extreme conservatism to frank assertions that new records are in prospect. They all have one thing in common, however—a belief that the picture business has been apparent for three years or more.

Omaha is a trade center for three states. It is a metropolis for a far-flung territory. Roger Babson has already made the assertion that it has been only a little behind the rest of the country in rate of recovery.

The city is the center of 10 rail lines, it is the world's greatest butter peddlers, and a large center. Big things in 1936 were predicted generally by business leaders when interviewed by the local press. Some statistics made public at that time indicated that the 1935 improvement in new car sales had been 116.

(Continued on page 2)

Strike in Mexico Seen Ending Soon

By JAMES LOCKHART

MEXICO CITY, Jan. 3—A settlement of the strike of employees against eight major American distributors, which has lasted since last September, is expected shortly by the Federal Labor Department, following the resumption of conversations between employers and employees.

Some department officials have indicated that the strike may be settled next week, which would mean the immediate release of the major company films, withheld from this market since the strike began.

No Tax Stand Of President Held Keynote

Expect Congress to Bar Thorny Problems

By BERtram F. LINZ

WASHINGTON, Jan. 3—President Roosevelt's statement to Congress tonight that he does not consider new taxes "necessary or desirable" at this time is held by observers to be a keynote for this session.

With a Presidential campaign in prospect and his party in control of both branches, it is believed that as many controversial subjects as possible will be avoided.

The President's decision to deliver his address in the evening, when, incidentally, more people were at home to listen to it over the radio, set a peace-time precedent. The only previous night delivery that can be recalled was President Wilson's call for war with Germany in 1917.

Legislation dealing with the film industry is not expected to be brought up for several weeks, until after Congress has settled down and more (Continued on page 4)

Lawyers, Film Men Meet at St. Louis

St. Louis, Jan. 3—Counsel for the Government, Warners and Paramount have arrived from Washington and New York for preliminary hearings for the equity hearing on Monday before Federal Judge Joseph West Molyneaux. RKO attorneys are due from New York Sunday night.

Russell Hardy, Walter Rice and William R. Benham, representing the Government, arrived from the Capitol yesterday. The same day Robert W. Perkins and L. Levinson of the Warner legal staff came on from Los Angeles.

(Continued on page 2)

See Wage Increase Demand in Chicago

CHICAGO, Jan. 3—Prospects of a demand for a 20 per cent wage increase in the future was indicated by some of the exhibitors who are holding the meeting at the Hotel Congress with the union leaders and exhibitors will be held early next week.
Saunders, A. M., editor; and Publisher
JAMES M. LEE
Advertising Manager

MOTION PICTURE DAILY
January 4, 1936
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New Midwest Buying Group Picks a Name
OMAHA, Jan. 3.—Plans for the buying combine in this territory have progressed to the point where representatives of the new group—NIDEA—Nebraska, Iowa and Dakota Exhibitors’ Association—have been named.

A contract form is to be drawn up for the presentation to the exhibitors, but its details are being withheld until the executive board gets its police.

Charles F. Williams, who also is president of the M. P. T. O. unit, is business manager of the new organization, which was established under the name of NIDEA, to mean that NIDEA has any connection with the M. P. T. O. His selection, he says, is due to the fact that he happens to be located in the trade center of the territory.

H. S. Tammen, Yankton, S. D., exhibitor, is chairman of the executive board, which also includes Dale Golhe, Cherokee, Ia.; Jennie Wickman, Tekakahm, N.; R. F. Keilberg, Sheldon, Ia.; H. F. Kennedy, Broken Bow, Neb.; Mone Thompson, St. Paul, Minn.; and O. C. Johnson, Falls City, Neb.

At present there are 22 members in the organization. All new members are being asked to specify 10 per cent towards the total membership.

"Two Cities" Garners $71,000 at Capitol
(Continued from page 1)

The opening day gross for "Two Cities" was $50,000 and the first week of "Ah Wilderness" brought jubilant smiles to the management with $32,000. "The Bride Comes Home" and "Goddess of Liberty" were strong with the orchestra at the Paramount tallied $50,000 for the first week. "Fog and Steel" was outdrawing the Rialto which took in around $12,000, while the Palace with "I Dream Too Much" and "A Woman of Leisure" each realized around $24,000.

The first week of "Captain Blood" at the Strand ended with approximately $40,000 and the initial seven days of "Dangerous" at the Rivoli tallied around $26,000.

All Broadway houses jumped admissions for New Year’s Eve.

Roslyn House Loses In Equipment Case
A judgment for $4,537 was rendered yesterday in the N. Y. Supreme Court in favor of General Talking Pictures Corp. against Emil T. Rinia, Roslyn Theatre owner, and Roslyn, L. I., Friday, for rental of equipment.

It is contended forth that the theatre was destroyed by fire on March 18, 1931. The plaintiff contends that Rinia was wrong in dis abusing the company’s apparatus which had been offered to install the same apparatus in another theatre so that Rinia could continue the contract. The court ruled that the contract, since the apparatus remained intact and said there was no provision in the contract as to possible destruction of the theatre by fire, Rinia was held to the terms of the agreement.

Census Amusement
Canvass Is Begun
(Continued from page 1)

In no time the class will be of interest to everyone. The census, like the first, is purely experimental but if it proves feasible it is probable that further effort will be made to secure legislation for the making of such surveys at stated periods.

Lawyers, Film Men Meet at St. Louis
(Continued from page 1)

New York, Louis Phillips and Irving Cohen of Film Row were among those present. William Mallard, chief counsel for RKO Radio Pictures, and Gordon E. Youngman are due from New York by plane late Sunday evening. Pressure of business is keeping Mallard and Youngman away from Moviola, who has been vacationing in Miami, returned to his headquarters late today.

A. C. Thomas, general counsel of Warner Bros., flew in from South America. He is the first out-of-town wit-ness subpoenaed by the Government in the trial of John E. Sears, which is en route from New York to St. Louis. After a series of stops on the way, Cresson Smith, RKO western and southern division sales manager, arrives Sunday. At the request of the court, Judge Levy also is expected to leave New York tomorrow, Harry James, Jack Case and D. C. Partington are slated to arrive Sun-day afternoon from New York, while Charles May is due from the coast the same day.

Neil F. Annen is expected to plane in from the east Sunday night. Major Ira F. Lambert, general counsel for KAO, is expected to attend the last few days of the hearings.
UNPARALLELED photographic quality... speed... fine grain... Eastman Super X has them all. It is the complete modern negative film. Agreeing that it leaves nothing to be desired, cameramen and producers are using it in the bulk of today’s feature productions.

Eastman Kodak Company, Rochester, N. Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)
No Tax Stand Of President Held Keynote

"Rose of the Rancho" (Paramount)

"Rose of the Rancho" is unique—it is the first Western with a Metropolitan Opera star and the first one to have throwing outlaws of the Gold Rush days stop their raiding long enough to sing in chorus formations, with the beer spigots opened wide to the music, the glasses raised with flours and the gunnen embroidered beer mugs on the wall with their six-shooters.

Miss Swarthout calls her vigilantes with songs and they answer in nassed choruses. John Boles strides up to the bar of a frontier saloon whistling and the faro and roulette players join in melodiously. Even Charlie Howard joins in the song and invites him to join his gang of night-riders. This may explain why cowboys wear high heels and fancy handlechefs—just a charming old Spanish custom.

Between raids there is a fiesta, during which Miss Swarthout sings and dances and just before the final big raid on Don Pascual Castro’s ranch there is another party with music. It’s full of music.

The story is based on David Belasco’s play and is set in the days after the Mexican War when the Spanish landholders were the victims of American adventurers, who were stealing their lands because the Good Spaniards refused to register them. Bickford is the king of the American adventurers, Miss Swarthout is Rosita Castro, daughter of Don Pascual Castro (H. B. Warner) in the day time and Don Carlos, leader of the vigilantes, at night. Boles is a G-Man of the 1852 vintage. He tells the bandits and wins the girl in a final duel.

Willie Howard, as a Jewish-Mexican bandit and Herb Williams as the first insurance agent on the coast, furnish all of the laughs.

Don Alvarado, Harry Woods, Grace Bradley, Charlotte Granville, Minor Watson, Pedro de Cordoba, Russell Powell and others are in the cast. It is a strong assemblage of talent—strong enough, in fact, to top what was one of the best pictures we’ve ever seen.

The photography is excellent, the direction by Marion Gering is better than in most westerns, and the cutter did a good job in preventing the action from interfering with the music.

Production Code Seal No. 1,463. Running time, 82 minutes. "G."
Philadeiphia Agrees 1936 Outlook Good

Coast Guilds In Drive for Closed Shop

Defense Move Argued First At St. Louis

Goldwyn Plans Eight Costing $10,000,000

On the Bench

MOTION PICTURE DAILY

NEW YORK, MONDAY, JANUARY 6, 1936

TEN CENTS

Vol. 39, No. 4

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

Philadelphia Agrees 1936 Outlook Good

Steady Pickup, Gain in Employment Cited

Third instalment of a survey on the outlook in the field for 1936.

PHILADELPHIA, Jan. 5—Encouraged by the revival of attendance in 1935 and the success of show spots, exhibitors here are almost unanimous in predicting that 1936 will be the brightest year since 1930.

"New year forecasts," one exhibitor put it, "are usually 90 per cent wishfulfilment and plain optimism, but this year we have more than a tiny promise to go on. The year just ended showed a steady pickup and the start of holiday trade in the department stores, which averaged 10 to 20 per cent better than 1934, plus the most extravagant New Year's Eve celebration in the theaters and night clubs that Philadelphia has seen since pre-prohibition days, are sure indications that there is more money to be spent by the amusement loving portion of the public."

A. R. Boyd and Frank W. Buhler

(Continued on page 4)

Introduces Alien Bill in Congress

WASHINGTON, Jan. 5—The only measure directly affecting the industry introduced into Congress at the opening session was a resolution, submitted by Representative Dickstein of New York, to regulate the entry of alien musicians and actors.

The resolution requires that all such persons, unless of conspicuous ability or engaged for positions of superior talent, before embarking, obtain permission.

(Continued on page 6)

Hutchinson Cheerful On the 1936 Outlook

Walter J. Hutchinson, recently appointed general foreign manager of Twentieth Century-Fox, reflects optimism for the new year. He sees this in store:

"The general business recovery which started in 1934 should continue throughout the world in 1936; in this general world recovery the motion picture business should get its share.

"Pictures of truly international appeal will reap the greatest benefit.

America, of course, has the international pictures and the machinery for turning them out."

957,000,000,000 Total British Attendance

LONDON, Jan. 5—Attendance at the 4,305 theaters in Great Britain during 1935 reached 957,000,000, an average of 18,500,000 per week, the total admission expenditure for the year reaching £46,950,000 (approximately $200,000,000), according to the report of an industry survey given by Simon Rossow before the Royal Statistical Society here.

Nearly £7,000,000 went to the Government as entertainment tax. The average number of seats per theatre is 900, according to the report. In London there is one seat for every 14 of population. Rossow declared the danger of overspecialization is serious.

Schafer About Set New Connection

George J. Schafer, who recently resigned as vice-president in charge of sales at Paramount, is expected to announce his new affiliation during the week.

Schafer, it is understood, has not been subpoenaed for the St. Louis emin prop action which started today before Federal Judge Joseph W. Molyneux.

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


No Change Planned For Camera Awards

HOLLYWOOD, Jan. 5.—There will be no change in the rules for nomination for the cinematography award this year, according to John Arnold, chairman of the photographic section of the Academy Technicians’ Branch.

The rules provide that each cameraman in the industry and each committee consisting of laboratory and camera department heads will choose the three productions to be nominated for the award. In choosing the nominees, the committee will probably project the top 25 or 30 productions, without regard to complete concentration on photographic values, as was done last year.

Nomination ballots will be distributed within the next week.

Monday, January 6, 1936

Showmen Optimistic At Kansas City Meet

KANSAS CITY, Jan. 5.—Improved business and optimistic prospects was the theme of the five-day convention of the Heart of America Showmen’s Association at the Coates Hotel here.

The circus and carnival men elected John J. Castle, Shreveport, La., president; Richard E. Lang, East St. Louis, Ill., first vice-president; George Howk, Kansas City, second vice-president; David J. Allen, Kansas City, third vice-president; Harry Altshuler, Kansas City, treasurer, and G. C. McInnis, secretary.

Charles Rea, an auxiliary of the club elected Mrs. Juanna Strassburg, Kansas City, president; Mrs. Gertrude V. Miller, Kansas, Mrs. Mary Franck, St. Louis, and Mrs. Viola Fairley, Houston, vice-presidents; Mrs. Ett Smith, secretary, and Mrs. Helen B. Smith, treasurer.

Chapters from other cities represented at the convention were: Los Angeles, California, Chicago, Illinois, Mrs. John R. Castle, and St. Louis, Mrs. Catherine Oliver.

Retain Theatre in K. C. Gets $15,000

KANSAS CITY, Jan. 5.—The Works Progress Administration of the federal government has purchased the theatre for $15,000 for the relief of unemployed actors, actresses, and stage hands in the city (Kansas City, Mo., and environs).

Under William E. Stone, assistant WPA director, approximately 31 persons connected with the theatre lost their employment began Jan. 3 to receive salaries ranging from $58 to $74 a month for rehearsal and tenting plays at such public institutions as the County Poor Farm, charity hospitals and public gatherings. The employment will last about six months, and will benefit actors, stagehands, an electrician, carpenter, property man and wardrobe mistress.

RKO Men End Confab

Traveling representatives of the RKO Distributing Corp. home office and the Eastern district office of the company met in New York to discuss a variety of the topics here on Saturday. Attend- ing the sessions were A. A. Schubert, department manager; J. P. Shelly, in charge of branch operations; M. G. Poller, in charge of the Eastern division, and the following traveling representatives: William McShea, Elmer Sedin, Ned Clarke, Emmett Cushman, Ray O’Brien, J. J. Schmitz, and R. E. Helms.

Cites Tax Increase

ROCHESTER, Jan. 5.—Frank W. Lovejoy, president of Eastman Kodak, warned that the proposed tax increase on film companies in 1936 will amount to more than $600,000 over 1935, and “for business reasons our prices will steadily increase even under existing laws.”

He pointed out that, unless the increase is more than offset, “we have to be borne by employees and stockholders eventually.”

Warners Buy in Florida

MIAMI BEACH, Jan. 5.—It has been reported here that Harry and Albert Warner have purchased ocean front property for the development of electric residences. It is understood approximately $200,000 was paid for 400 feet of beach frontage.

Split Ruling Made On Reliance-Schin

BUFFALO, Jan. 5.—Federal judge John Knight has handed down a split decision in a move to amend the bill of complaint in a case involving the Schin interests against Schneebaum, Inc., Gloversville, and most of the larger distributors in the country who are being sued for $300,000 damages, allegedly received from a conspiracy in restraint of trade and in violation of the anti-trust law.

In his decision, Judge Knight grants the plea of the defendants, who argue their case early in December, that the original bill of complaint and a previous amended bill be stricken out. The decision attacks the defendants of violators of the NPA code, since the suit was started before that body expired, and also alleges that defendants tried to deprive Reliance of property by conspiring with lessees.

In the latter case, Judge Knight of course, found that two of the original in suit has been produced to sustain any charge. He rejected a plea to strike out the relief deal that Reliance has with a conspiracy to violate anti-trust laws, but set no future date for hearing on that.


Kusel Closes First Local Circuit Deal

The first of three local independent circuit deals announced by Mil Kusel, New York state district manager of Paramount, with the signing of C. A. H. Buerkle of the Miramar-Schwarz Century circuit. After one week of negotiation a deal was closed, and the organization was dated Jan. 3.

The pact provides for 100 per cent output and includes theatres pooled with Century in Huntington Station Friday and in other circuits.

Discussions with George Skouras are expected to wind up today or tomorrow. Kusel had no negotiation with Joseph Seiberl of the Prudential circuit, but it is expected that the third group will close shortly after the Skouras deal.

This is the first time Paramount has closed an important independent circuit deal so late in the season.

Poole Denies Deal

H. W. Poole, in a letter to Motion Picture Daily, emphatically denies that he has turned over his theatres in the San Francisco area and adds that the depression of San Francisco as reported on Nov. 9, has not operated the Liberty, Pink Tree, Cholospin, Orpheus and Pelican in the Oregon city.

Set Short Release

Celebrated Pictures’ third issue of the New York University Book Reports series will be ready for release Feb. 1, under the title, “Secret Operation 28 1/2.”
Thank heaven it didn’t quite leave ‘Film Daily’ speechless!

A BIG PICTURE LOADED WITH SUSPENSE, ACTION AND EMOTION, WITH CAGNEY AT HIS BEST, WILL CLICK AT ANY BOX OFFICE.

Every once in a while a picture comes along that just grips and holds you; “Ceiling Zero” does that. It is one of those big pictures that lingers with you, one that you make it a point to see. When good pictures are considered, this one deserves plenty of consideration. From the motion picture palaces down to the shooting galleries it’s box-office. Loaded with suspense, intense drama, sentiment, comedy, and a story that really carries a punch, it can’t miss. Even though Cagney plays one of the wise guy types, his role is toned down to a more regular state. Instead there is a more serious feeling, and instead of the appeal being limited to the action houses and dates, this one can play anywhere. “Ceiling Zero” reminds one of some of the big war pictures except that the foe is weather obstacles. Cagney and O’Brien play the leading roles with a sincerity that makes for reality. Stuart Erwin carries most of the comedy. Frank Wead wrote the stage success of the same title and he also did the screenplay. The picture speaks for his work. Howard Hawks deserves the highest of praise for producing and directing a piece of work that grips one as this picture does.

Another big Cosmopolitan Production coming January 25th, starring JAMES Cagney PAT O’Brian

With June Travis • Stuart Erwin Barton MacLane • Henry Wadsworth Martha Tibbetts • Isabel Jewell Directed by HOWARD HAWKS A First National Picture

MULTIPLY THIS BY FIFTEEN and you’ll have a rough estimate of the amazing volume of preview cheers handed to this show! Further details soon.
LISTEN TO THE

"ONE OF THE MOST IMPORTANT PICTURE OF THE YEAR"!

... Motion Picture Daily

"OPENED WITH CROWDS STANDING IN LINE... STRIKES HOME TO THE HEARTS OF PEOPLE"

... Eileen Creelman, N. Y. Sun

"A WOMAN'S PICTURE AND A WOMAN'S PICTURE IS A BOX OFFICE PICTURE ... WILL RATE HIGH IN FIRST TEN PICTURES OF THE YEAR"

... A. C. Hayman, Lafayette Theatre, Buffalo

UNIVERSAL'S MAGNIFICENT
GRAND CHORUS!

"MAGNIFICENT OBSESSION' SURE-FIRE BOX OFFICE PICTURE"!

...Hollywood Reporter

"SURE TO DELIGHT FEMININE PICTURE FANS... A SATISFYING EMOTIONAL EXPERIENCE... A FIRST RATE MOVIE"!

...Bland Johaneson, N. Y. Mirror

"ONE OF GRANDEST PICTURES I HAVE EVER SEEN... ANTICIPATE MARVELOUS BOX OFFICE"!

...John Hamrick, Hamrick Theatres, Seattle

OBSESSION
Defense Move Argued First At St. Louis

(Continued from page 1)

Sears, Ned E. Deprin, George J. Schaefer and the various companies with which they are identified, of indictment.


The first trial on indictment charges took six and a half weeks during which many witnesses spent considerable time in the court room without being called.

Thomas on Hand

In the criminal trial, the period covered from Jan. 18 to Jan. 31, the indictment was handed down. The equity case extends this time to the present date. This therefore, gives the Government additional lati- tude for introduction of new evidence and exhibits.

Although the three respondent com- panies have not increased their legal staffs to any extent, the Government has had Andrew Walter, who is now considered a lawyer, and Walter men who opposed Frederick H. Wood on the Jacob Schechter-NRA poultry case, and William Wiener, the staff man to assist Hardy. District Attorney Harry C. Blanchard, Harold Schilz and John S. Cлагger, have been working with Hardy. Abel Cary Thomas, general counsel for Warners, arrived the other day from South America to assist Ex- Senator James Reed, Wood, Robert W. Perkins, Jeffries and I. Levinson. RKO and Paramount have not added to their legal talent.

Harry Arthur, chief witness for the Government in the criminal proceedings, will be the first witness to be called by Hardy. Whether Dysart will follow as in the previous case had not been determined today.

Most of the out-of-town witnesses arrived this afternoon and evening.

Ohio Cuts Only 27 Of 660 Reels Seen

COLUMBUS, Jan. 5.-The Ohio cen- sor board reviewed a total of 660 reels in December, ordering elimina- tion of 27. For the week ending Dec. 29, there were no deletions in 136 reels.

There were 30 deletions on 20 dele- tions ordered in 437 reels reviewed during November.

Renee's Motion Picture Daily

MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

"Anything Goes" (Paramount)

Hollywood, Jan. 5.—Hit tunes, plenty of gags and Bing Crosby's drawing power make this a potential box-office winner. It is good musical comedy with a transatlantic shipboard background. The film finds Crosby dead-reckoning for his date. However, judicious cutting would speed up the action in spots.

Adapted from the well known musical comedy by Howard Lindsay and Russel Crouse, with lyrics by Cole Porter, the thread of story is the usual hokum on which are strung the plentiful laughs and vocal ensembles. Crosby, as a young hard luck trials is continuing his work for Robert McWade, his employer, who is taking the same trip. A light triangle plot is injected by Ethel Merman, who winds up by trying to fix things with Miss Lupino for Crosby. Aboard telegraph and minus money, when his passage, Crosby falls in with Charles Ruggles, public enemy No. 13, who is posing as discreet clerkman. Crosby sings his way out of one mess into another, with Ruggles and Arthur Treacher providing laughs aplenty. Mixed identities are involved in the windup with Crosby winning the girl in a Paramount news truck for the quality fadeout.

Lewis Milestone directed skillfully with tongue-in-check humor balanced by expert timing. The direction is the picture's high spot. Miss Merman's personality is infectious. The photography of Karl Struss is top-notch. This one should please all customers.

Production Code Seal, No. 1754. Running time, 97 minutes. "G."

St. Louis Price War Is Denied by Arthur

St. Louis, Jan. 5.—Rumblings of a price war as a result of his moving to a higher charge hour is the charge of the Ambassador, Missouri and New Grand Central from 6 P.M. to 7:30 P.M. are denied by Harry C. Arthur, who arrived today from New York to attend the equity hearings in Federal Court.

Arthur contends that last fall inde- pendent exhibitors agreed to hike ad- missions if the three theatres would charge lower prices. The agreement was never kept, Arthur states, and hence he has returned to the old schedule of admissions.

Talks Are Held to End Mexican Strike

By JAMES LOCKAH

MEXICO CITY, Jan. 5.—The local branches of the eight major American distributors here have been consulting their home offices by telephone and concerning propositions submitted in the first of a series of conferences with employees, who have been on strike since September. A new series of conferences, looking to end the long strike, are scheduled for Tuesday.

957,000,000 Total British Attendance

(Continued from page 1)

unless the "balance can be secured by any effective drive" it will be decided to drop. Close to 1,500 films were registered during the year. Of the 667 features, 29 were released in Britain. More than 200,000 copies were sold, Rowson reported, were in excess of the minimum required for the quota. The average number of screenings per British film was 7,420, and for foreign films 6,900. The London area has 401 theatres, he reported.

Hardy Refuses to Agree to a Delay

(Continued from page 1)

October and November, Bruce boy- ley, an associate of Wood, arrived in today from the cast, including Wood, Samuel W. Fordyce, Paramount a- tor here, is conversing at his hotel with pneumonia. The defense desire for a week's postponement will be opposed by Hardy on the ground that he has not received competent counsel, and that the case is too in- portant to be delayed, since every day means financial loss to the defendant. The first question to be disposed of, is the point of res judicata, raised by the defense. Hardy said Saturday he will present court decisions to in- timate his contention that the result of the criminal case last November in no bearing on this case.

After 24-Hour Call

Neil F. Agnew, vice-president i- charge of Paramount sales, has been granted permission by Hardy to re- main in New York for 24 hours' call because of the pending hearing for John E. Otterson and Austin (Keogh were unwavailing. It is under stand that on the hearing he asked to be excused until want which brought about the refusal. The Grand Central Theater, protective committee of the Ambas- dor, Missouri and New Grand Cen- tral today revealed that the commit- tee has decided to ask the court to intervene on behalf of the Government. It is understood that a similar connection and if such a move were granted it is likely a prominent lawerer will be retained. It is said there are 6,000 bondholders financially interested in the outcome of the case. In the event the Government is denied a temporary injunction, it is held the F. & M. group will drop the three theatres. Additional rentals will come unless a new operator takes over the properties.

Introduces Allen Bill in Congress

(Continued from page 1)

mission to enter from the Secretary of Labor. It also provides for refusal of entry if the judge determines that the total number of citizens of any country who may enter during any fiscal year shall not exceed the number of citizens of the United States permitted to enter the foreign country in a like period. Hearings probably will be held before any effort is made to bring the resolution up in the House, but it is expected the legislation has been prepared by the immigration committee, to which it was referred.

Seattle Paramount Cuts

SEATTLE, Jan. 5.—Admissions at the Paramount, Hanrick-Evergreen first run, have been reduced. Effect- ive this week, all seats are at 20 cents, up from 25 cents and the first run, from 1 until 5 o'clock and 10 cents thereafter. The former scale was 25 cents. The cut will continue on its dual feature until the next run, policy, according to Manager Do- Gedd.
CRITICS' FILM PRIZE GOES TO 'INFORMER'

New York Group Unanimously Votes It Best Movie of Year
—Ford First as Director.

The recently organized New York Film Critics, representing a grand total of the leading metropolitan daily newspapers, announced yesterday their selection of the Picture of the Year—"The Informer," directed by John Ford and produced by RKO Radio Pictures. The unanimous choice on the first ballot for the best picture of the year, "The Informer," made by RKO and directed by John Ford, will receive the critics' gold medal, the New York Film Critics, an organization of cinema reviewers representing virtually every daily newspaper in the city, announced yesterday their picture awards for 1935. Their selections are:

Picture of the Year—"The Informer," directed by John Ford and produced by RKO Radio Pictures.

"The Informer," made by RKO and directed by John Ford, was also selected as the year's best by NATIONAL BOARD OF REVIEW and LIBERTY MAGAZINE.
Philadelphia Agrees 1936 Outlook Good

(Continued from page 1)
of the Fox joined in expressing cheerful hopes for the new year, basing their encouragement on the growth in business during the latter half of 1935. "Unquestionably more people are working now than they were a year ago and they are spending more money for amusement.

They both issued the warning, however, that audiences are becoming more discriminating and that 1936 would mark a new high in their selectivity.

Another exhibitor followed along the "discrimination" theory by issuing the warning that the public did not take the picture if it didn't carry a double-feature bill.

Independent exhibitors are torn in several directions regarding the new year; some are making a conscious effort to weld together a 100 per cent independent organization. Elements of the I.E.P.A. and the M.P.T.O. joined in December in the Independent Motion Picture Theatre Owners, but the big property houses, apparently, are not attempting to weld together a 100 per cent independent organization. Several local exhibitors are being taken over by their president, Lewin Pizer, and the old organization will continue in existence.

"Call me the 'Fugitive'..." said the charming local film man, "and you can quote me as predicting about six inde organizings during 1936..."

Sunday Shows a Factor

Nineteen thirty-six will be the test of the Sunday business, in the opinion of many exhibitors. That the downtown first runs will get the cream of the Sunday business, as shown in the outside territories which defeated the measure, is the general admission. Exhibitors in the neighborhood centers are less sanguine and if deals with opposition can be made, some of the smaller downtowns may go back to the six-day week.

The prosperity trumpets are blowing, however, and the consensus of opinion is that the movie house marks in 1936 will show an increase in bank deposits over 1934 as a sure indication of economic progress, while the Philadelphia Stock Exchange, with its six-day week, has revealed that Dec., 1935, brought a total sale of 439,137 shares as compared to the Dec., 1934, turnover of 270,956 shares.

Silverstein to Supervise Hollywood, Jan. 5—David Silverstein, former assistant manager of the Mankiewicz Film Corp., has been named to succeed Nat Levine and will supervise "The Harvester" for Republic. Mrs. Wallace, former secretary of Montgomery and later writer at Republic, also has been promoted to the supervisory ranks. She will be in charge of "The House of a Thousand Candles."

Three Films, Show Best Lincoln Draw

LINCOLN, Jan. 5—International Follies, headlining Jackie Heller, and the Hilton Sisters revue, with three films, "Your Uncle Dudley," "Coronado" and "Virginia" during the week at the Orpheum made it the top money house, with $3,500, which is $1,500 over the average pace. For the straight pictures, Shirley Temple and Ann Sothern were two of the holidays and garnered $3,500, $700 over normal at the Stuart.

Variety consistently down, was again $300 under with only $1,000 on "Calling of Dan Matthews." Lily Toos at the Lincoln in "I Dream Too Much" was a moderate success at $300 more than the average figure on a $2,400 take.

First run business was $1,700. Average is $9,850.

Estimated takings:

Week Ending Dec. 31:

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>FANG AND CROC (Radio)</th>
<th>EAST OF JAVA (Univ.)</th>
<th>COLUMBUS</th>
<th>COLUMBIA</th>
<th>FLY TOO MUCH (Radio)</th>
<th>LINCOLN</th>
<th>THE LAST TANGO (Radio)</th>
<th>UNCLE DUDLEY (Radio)</th>
<th>VIRGINIAN (Para.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross</td>
<td>$1,200</td>
<td>$850</td>
<td>$1,500</td>
<td>$1,000</td>
<td>$1,200</td>
<td>$1,000</td>
<td>$1,200</td>
<td>$1,000</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

"Fleet" Is $2,500 Oklahoma Groesser

OKLAHOMA CITY, Jan. 5—"Miss Pacific Fleet" was the only attraction seen to be at the local top this week, during the Christmas shopping and show substantial profit. It took $2,500 at the Capitol, one of the best weeks of the season. "S. Red the Rose" and "Annie Oakley" failed to get to first base, and "Three Kids and a Queen," at the Capitol, did fair business for four days following, by a combination of "Seven Keys to Baldpate" and a stage show, failed to stir up much excitement.

Total first run business was $1,200. Average is $14,000.

Estimated takings for the week ending Dec. 28:

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>RADIO ROSE (Para.)</th>
<th>CRITIC (Radio)</th>
<th>OAKLEY (Radio)</th>
<th>MIDWEST (Radio)</th>
<th>MIDWEST (Radio)</th>
<th>CAPITOL (W.B.)</th>
<th>3 KIDS AND A QUEEN (Univ.)</th>
<th>SEVEN KEYS TO BALDPATE (Radio)</th>
<th>SISTER OF EVELYN (Radio)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross</td>
<td>$1,200</td>
<td>$850</td>
<td>$1,500</td>
<td>$1,000</td>
<td>$1,200</td>
<td>$1,000</td>
<td>$1,200</td>
<td>$1,000</td>
<td>$1,200</td>
</tr>
</tbody>
</table>

"Mary Burns" $20,800 Top, Los Angeles

LOS ANGELES, Jan. 5—"Mary Burns, Fugitive," turned in the best showing of the week here, helped by the stage show at the Paramount. First run gross was $20,800 against normal by $2,800.

"Little Rebel" helped make the week a good one. At the Chinese it went to $13,000, up by $500, and at the Loew's State it went to $1,000 on a take of $1,500.

"Sylvia Scarlett" turned in a splendid $6,400, over the line by $3,200, at the Paramount, but fell below $2,350 on a take of $5,650 at the Hillstreet. Total first run business was $88,950. Average is $86,150.

Estimated takings for the week ending Jan. 1:

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>LITTLE REBEL (20th-Fox)</th>
<th>MR. DORO (G, B.)</th>
<th>THE NEW GULLIVER (Univ.)</th>
<th>STABILIZE (Radio)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross</td>
<td>$2,500</td>
<td>$1,200</td>
<td>$1,000</td>
<td>$850</td>
</tr>
</tbody>
</table>

Gleaves Succeeds Kay DALLAS, Jan. 5—Harry H. Gleaves, assistant ad sales manager of the local Paramount exchange, has succeeded "Bub" Ray, resigned. Kay had been ad sales manager.

Wall Street

Stocks Show Few Gains

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>HIGH</th>
<th>LOW</th>
<th>CHANGE</th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbia</td>
<td>$410</td>
<td>$340</td>
<td>$70</td>
<td>$100</td>
</tr>
<tr>
<td>Consolidated Film</td>
<td>$550</td>
<td>$530</td>
<td>$20</td>
<td></td>
</tr>
<tr>
<td>Loew's Inc.</td>
<td>$545</td>
<td>$535</td>
<td>$10</td>
<td></td>
</tr>
<tr>
<td>Paramount</td>
<td>$515</td>
<td>$495</td>
<td>$20</td>
<td></td>
</tr>
<tr>
<td>Paramount 1st</td>
<td>$825</td>
<td>$815</td>
<td>$10</td>
<td></td>
</tr>
<tr>
<td>Paramount 2nd</td>
<td>$125</td>
<td>$125</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Paramount 3rd</td>
<td>$825</td>
<td>$815</td>
<td>$10</td>
<td></td>
</tr>
<tr>
<td>RKO</td>
<td>$560</td>
<td>$540</td>
<td>$20</td>
<td></td>
</tr>
<tr>
<td>Warner Bros.</td>
<td>$525</td>
<td>$505</td>
<td>$20</td>
<td></td>
</tr>
</tbody>
</table>

Slight Carb Activity

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>HIGH</th>
<th>LOW</th>
<th>CHANGE</th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sensity Safety</td>
<td>$30</td>
<td>$30</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Technicolor</td>
<td>$15</td>
<td>$15</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Trans Loan</td>
<td>$50</td>
<td>$50</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>

Bonds Show Gains

<table>
<thead>
<tr>
<th>THEATRE</th>
<th>HIGH</th>
<th>LOW</th>
<th>CHANGE</th>
<th>Net</th>
</tr>
</thead>
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<tr>
<td>General Theatre</td>
<td>$235</td>
<td>$235</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>General Theatre</td>
<td>$210</td>
<td>$210</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Paramount Pictures</td>
<td>$30</td>
<td>$30</td>
<td>$0</td>
<td>$0</td>
</tr>
</tbody>
</table>
Weisman Says 130 Theatres Are Lined Up
omitted for Circuit Here, He Declares

Approximately 130 theatres in the metropolis area are definitely committed for the projected new independent circuit which is sponsored by ex-producers affiliated with the T.O.A., according to J. Weisman, attorney for the exhibitor organization and one of the organizers of the plan, said yesterday. Weisman estimated that it would be "three or four more weeks" to get plans for the formation of the circuit, but stated that it was "definitely" going forward and will become "fact." He said that he had been necessary to alter the original financial commitments previously made for the circuit and the development of new plans of (Continued on page 10)

Weisske Resigns as Paramount Trustee

Eugene W. Weisske yesterday re-auction as one of the two remaining officers of the Paramount Corp., his resignation being accepted by Judge Fred C. Cox in U. S. District Court here after Cox directed that Charles A. Hilles, the remaining trustee, "shall deemed to assume charge of retaining contracts, commitments and dispositions entered into by Charles D. (Continued on page 10)

Otterson to Coast For Product Talks

John E. Otterson, Paramount president, is en route to Hollywood where he is scheduled to arrive on Thursday for production conferences at the studio and confabs with Floyd B. Williams, Paramount's director and president of the Capital Corp., who has been on the coast for the past week scouting production at both the (Continued on page 10)

Appeals Permitted On Paramount Fees

Leave to appeal from Federal Judge Fred C. Cox's order reducing or allowing the applications for fees as granted by the U. S. Circuit Court of Appeals yesterday to eight participants in the reorganization of Paramount Pictures. The applications (Continued on page 10)

New Denver Lows

Denver, Jan. 6.—Admissions are reaching new lows here. The Rivoli, a dime grind with a straight schedule, is offering 15 tickets for $1 and a few doors away with each dime bag of pop shows a ticket to the Gem, also a dime house, is included.

Law Changes Behind Drive On Theatres

Byrnes MacDonald, director of the Juvenile Aide Bureau of the Police Department, told TERTOPIEREST Daily yesterday that the serving of summonses on 115 employees of 59 film houses in the city for admitting children under 16 unaccompanied by adults was designed primarily to bring about a change in the existing law.

"The best way I know to effect a change in an unpopular law is by strictly enforcing it," MacDonald said. The bureau director declared that he had no objection whatever to pictures for children, but on the contrary, thought them a splendid means of keeping the children off the streets. However, he said, "the children must be protected." MacDonald said that he had no intention of specifying what type of pictures are suitable for children. "I do not feel myself qualified to act as a censor of pictures," he said.

He expressed himself as "heartily in favor" of the bill, sponsored by Mayor LaGuardia, which would permit unaccompanied children under 16 to attend film houses under proper supervision.

RKO-Center Pact Is Again Postponed

Attorneys for RKO and Rockefeller Center yesterday petitioned Federal Judge William Bondy for another postponement of the hearing of RKO's exceptions to Special Master Thomas D. Thacher's report recommending the Rockefeller Center claim against RKO for allowance of $8,207,000. The attorneys asked that the hearing, which was scheduled for today after several earlier postponements, be put off to a date to be set by the court between Jan. 29 and Jan. 31.

The hearing is being deferred by (Continued on page 10)

Treasury Seeks 25% Increase For Theatres

Estimates Returns for Year at $19,500,000

WASHINGTON, Jan. 6.—Attendance at theatres and other places of amusement during the fiscal year beginning July 1 is expected by the Government to be more than 25 per cent greater than in 1936. During the year which ended July 1 last, it was disclosed today by the annual budget submitted to Congress by President Roosevelt.

During the fiscal year covered by the budget, it was shown, the Treasury estimated the collection of $19,500,000 in admission taxes, as compared with anticipated collections for the current fiscal year of approximately $17,000,000, and actual receipts during the year which ended last June of $15,379,307.

Submitting the budget, the President (Continued on page 3)

Decision Reserved Upon Fox's Appeal

The U. S. Circuit Court of Appeals yesterday reserved decision on a motion by the Capital Co. to dismiss the appeal of William Fox for leave to appeal from an order of Federal Judge William Bondy holding him in contempt of court for failure to appear on a subpoena served on him by Capital. Decision was also reserved on an alternative motion by Capital which would require Fox to post a $250,000 bond in the event he was granted leave to appeal from Judge Bondy's citation.

Judge Bondy, in his earlier decision, ruled that Fox could purge himself (Continued on page 3)

Giveaways Nearing New England Tests

Boston, Jan. 6.—Giveaways are approaching a crucial test in three New England spots. Charles Hamilton, manager of the Hamilton in Dorchester, and Roy Hefner, distributor of Bank Night, faced the court today on charges of violating the lottery laws.

George S. Ryan, well known lawyer, is representing the defendants. Disposition of this case in the higher courts will probably settle the fate of giveaways in Massachusetts.

In the meantime the truce declared by Mayor Frederick Mansfield pending (Continued on page 3)

Mae West's $339,166 Tops Salary Report

WASHINGTON, Jan. 6.—Mae West earned $339,166 with Paramount during 1934, according to a factual report of salaries submitted to Congress by the Treasury Department, as required by the law which repealed the "pink slip" income tax publicity law. The report was sent to the House Ways and Means Committee without recommendation.

Other film salaries or incomes were: Charles Chaplin, $134,000; Mary Pick- (Continued on page 3)
Tremont, Bronx, Is Fitted for Lottery

A $250 fine was imposed on the Tremont yesterday. The theater was convicted in special sessions of a violation of the lottery laws in the operation of a cash giveaway featured as "Dough Nite." Barnard Zinnumbaumer, operator of the Bronx lottery, was arrested on the lottery charge last Aug. 16. Melvin Albert of Weissman, Quinn and Spett, attorneys for the Tremont, said they would appeal the appellate division.

The Winthrop, Brooklyn, which had beenolated earlier in the operation of the lottery laws, has an appeal set for hearing in the appellate division next Monday.

Loew's Adds Sereeno
New Haven, Jan. 6.—A Sereeno Loew New England theatre, the Bijou, has been added to the Sereeno circuit, according to the Loew managers. The other Loew house using the give-way is the Palace, Meriden.

Winners Are Named in RKO Sales Drive

Winners have been chosen for the sales and billings contests conducted for the 11 weeks ending yesterday by the RKO Distri-Bureau. The winners were named by Jules Levy, vice-president and general manager.

The leaders in the billings contest were: Dallas exchange, managed by Robert A. Grass, New York; Los Angeles, managed by Arthur C. S. Smith, Chicago; New York, managed by Henry G. Linville, Chicago; and Chicago, managed by E. H. Melrose, New York.

Highest average for sales possibilities went to Philadelphia, managed by A. W. McNamara, New York; Boston, 3rd, New York; New York, 4th, New York; and Chicago, 5th.

Sid Jacobs Takes On Warner District Job

Pittsburgh, Jan. 6.—With Marshall Taylor out on an indefinite furlough, Sid Jacobs, who has been at the Harris-Memorial in McKeesport for a year, has been named acting district manager for Warners in the West Virginia territory. Harry Kalmine, the circuit's head here, made the appointment.

As a result, Lew Fordan comes on from Tarentum to succeed Jacobs at the McKeesport house and William Powell transfers from Ephrata to Homewood to Fordan's post. For the Belmar job, Charles Shannon, twice president of the Quigley Plaque for exploitation, has been named, being promoted from the assistant managership of the South Hills.

Funeral Rites Held For Dr. Hugo Lieber

Funeral services were held yesterday for Dr. Hugo Lieber, president of the Sonotone Corp., who died Friday after an illness of two months, at the home of his brother and Mrs. Lieber, 30 Austin St., Jamaica. Dr. Lieber came here in 1891 and started a chemical firm. A close associate of the late Dr. George Washington, who led him to establish a trade paper, "Light," in 1901. He founded a scientific research laboratory for the Radium Institute. During the war he spent two years in his native Germany aiding the start-up of the German industry and became interested in hearing aids for the deaf which led to his inventing the sonotone, his most important invention, which was made public in 1932, two years after he had founded the Sonotone Corp.

Dr. Lieber is survived by his widow and a sister, Mathilda.

Funeral Services For Zohbel Today

Los Angeles, Jan. 6.—Funeral services will be held for Zohbel, RKO studio manager, who died Saturday following an appendectomy at the Queen of Angels Hospital a few miles from Pierce Brothers' Chapel. The body will arrive in New York Sunday for burial. He was 45. Zohbel left the United States Leather Co. in 1927 to become treasurer of RKO. Eighteen months ago he was appointed to the control of the general manager of the studio. He is survived by his widow, Adele; two brothers, Henry and Ben, and three sons, managers of the RKO 81st Street, New York; and his parents, Mr. and Mrs. William Zohbel, who live in Woodhaven, N. Y.

Joseph Leighton Passes
New Haven, Jan. 6.—Joseph Leighton, 64, died yesterday at the New Haven Hospital after a siege of pneumonia. Burial was at Portland, Me. Leighton was a New York writer and a member of the Mutual Advertising Exchange. At one time Leighton was local manager for Robertson-Cole, then for Vitagraph.

Hal Hoyt Dead
Springfield, O., Jan. 6.—Hal Hoyt, 54, pioneer exhibitor whose death is due after a year's illness caused by a fall at Batavia, N. Y., where he formerly managed a theatre.

Academy Group Meets

Hollywood, Jan. 6.—The Academy subcommittee on release print quality will meet today to discuss results of recent tests and propose standard density tablets now being made.

Again Delay on Sound

Hollywood, Jan. 6.—A. P. Hill of Erpi is not yet ready for commission reception from his recent illness, necessitating another postponement of classes in the fundamentals of sound, which will be sponsored by the Research Council of the Academy. Hill is to conduct the classes.

Paramount Sold Out

The Paramount has been completely sold out at $10 per seat by the committee of society leaders which took over the house for the opening of the revue "Rio Rita." The leaders in the movement are Mrs. Vincent Astor and Mrs. Marshall Field. A $48,000 fire insurance policy on the house and the regular scale of the house will go to the Musicians' Emergency Fund.

MOTION PICTURE DAILY

Registered U. S. Patent Office

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MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE J. BERNSTEIN
Editor

JAMES A. CRON
MANAGING EDITOR


BERRY CALLS SESSION

Of Industry Group

WASHINGTON, Jan. 6.—George L. Berry, President Roosevelt's coordinator for industrial cooperation, today urged the representatives of industry and labor who will constitute his "industrial councils" to provide a substitute for the NRA. Big business was conspicuously absent from the meeting, considerable surprise being occasioned by the attendance of Felix Jenkins of New York, counsel for Twentieth Century-Fox.

The major subjects of discussion were the minimum working week, minimum wage and child labor. With respect to the work week, all hopes of a 30-hour limit were dashed by the AAA decision and the discussions, of labor particularly, turned toward a compromise at 38 or 40 hours. Little was accomplished at today's meeting of the 177 representatives of committees to further studies and submit their reports at another conference to be called by Berry at some future date.

Cut in Film

Is Urged for

South America

The American distribution companies' practice of releasing their entire output simultaneously in South America is seen by Ben del Villar, managing director of Paramount Films, S. A., who also heads the lead Argentine exhibitor, as inviting the competition of other foreign producers in that market.

Speaking primarily of his own territory—Chile—yet holding it to be characteristic of all South American countries, del Villar said that foreign product, especially German, British and French, has been receiving an incredible playtime in South American theatres during the past two years. He attributes this to the film fans' and distributors' care in selecting perhaps 20 per cent of a production schedule as suited for South American market. By contrast, he said, the American distributor who loads everything he has on hand with no regard for its suitability for South America.

Demand Good Music

South Americans, he said, demand pictures with good music, a minimum of dialogue or sub-titles, plenty of action and international story value. If pictures sent to South America are Hollywood made without the usual recipe the American producer would have no competition there, del Villar said. It is his opinion that sup- posed impos'd titles in any picture destined for South American release should not number more than 200. He observed, however, that Hollywood frequently submits pictures with as many as 1,800 sub-titles.

He was informed at this point by Albert Deane, publicist for Paramount International, that the firm's "Desire" would compare with these. Del Villar operates the 1,700-seat Real in Santiago, said to be one of the most modern theatres in South America, and recently opened a newly built Santiago, a 2,000-seater, same day. He proposes in co-operation with Mr. Farvel to replace his Real there. He is left on a month's visit to the Paramount home offices, his first New York trip in four years.

MITCHELL MAY, Jr.
COMPANY

INC.

SPECIALISTS IN

FILM AND THEATRE

INSURANCE

755 W. 8th Street Los Angeles, Cal.

750 W. 35th Street New York, N. Y.
Treasury Sees 25% Increase For Theatres

(Continued from page 1)

(Continued from page 1)

Government Calls
36 Film Witnesses

(Continued from page 1)

The whole situation, however, was considerably clarified by a Supreme Court decision holding the Agricultural Adjustment Act invalid. Nearly $2 billion has been collected as processing taxes under the act clared unconstitutional.

Large Appropriation for AAA

For the second time the AAA has been made a part of the Federal Treasury, the president providing, as was done for an appropriation of slightly less than a half-billion dollars, and depended upon anticipated receipts of $247 million, to aid in processing taxes for the support of the act.

The decision rendered today by the supreme Court was held in some quarters to be so imposing as to be practically the impossible enactment of substituting legislation and the bill could not be calculated including a thorough study of the union.

of the usual appropriation of $8,000 use by the Navy Department for purchase and rental of films is provided in the budget.

RKO Dines Writers

RKO Export, in conjunction with a preview showing of "Sylvia Scarlett" at the Music Hall projection booth yesterday, on Saturday evening, held a party in the Village for press representatives from most of the countries of Europe, Asia, and South America. Phil Bell, who received an autographed testimonial on the famous series for this reason, has not been titled.

Pioneer Signs John Ford

Hollywood, Jan. 6.—John Ford today signed with Pioneer to direct a series of color pictures. These problems will total four. The pact allows Ford to do outside pictures. His first assignment will be the second in the series for this year.
Arliss as a patcher-upper of romances is at his best... and his best means box-office plus.

Arliss has played them all... Rothschilds, Prime Ministers, Rajahs, Millionaires, Cardinals... here's his most down to earth and most up-to-the minute role.
COAST TO COAST

ARLISS
as a lovable vagabond
HOBO

DIRECTED BY MILTON ROSMER

AND "TRANSATLANTIC TUNNEL"
THE WHOLE CITY IS AT HIS

Catch him at all costs! He's the LUMINOUS MAN with the "INVISIBLE RAY"

starring KARLOFF

and BELA LUGOSI with

FRANCES DRAKE, FRANK LAWTON
Walter Kingsford, Beulah Bondi, Violet Kemble Cooper, Nydia Westman
Story by Howard Higgin and Douglas Hodges Screenplay by John Colton
AN EDMUND GRAINGER PRODUCTION Directed by Lambert Hillyer

A UNIVERSAL PICTURE
PRESENTED BY CARL LAEMMLE

NOT A HORROR PICTURE!
BUT A REVELATION IN THRILLS AND TERRIFIC SUSPENSE!
Judge Hears Defense Plea For Dismissal

(Continued from page 1)

The dismissal of the injunction application on the ground that an acquittal in a criminal proceeding barred the possibility of a new trial, was not permitted to stand and the ward was allowed to remain. The recent criminal case, he asserted, the Government had a "higher burden" of proving "beyond a reasonable doubt" that the defendants had been guilty. In this action, he continued, the issues were different and promised that the case could be disposed of quickly and as a whole. The Government, he continued, had been limited in their limited criminal suits, but now had extended the period of alleged conspiracy on the part of the defendants an additional 12 months or until after the beginning of the 35th, when the indictments had been handed down by the Federal grand jury sitting under the same judge.

Wood Absent

Frederick H. Wood, one of the pivotal figures in the defense lineup during the misdemeanor trial, was absent from court Wednesday. He was in Greece in New York and is expected here later in the week. Taking a look stand for Warners, Reed early in the most motion, asked the court to un-

The court, evidencing a desire to get the proceedings under way, determined to hear several motions earlier mentioned by Reed. One was the right to amend the original petition as it concerned the product deal between RKO and Warners in conformity with developments since the indictments had been handed down. The deal was held out of RKO's part providing for the sale of its product on a month-to-month basis.

Seeks to Shift Onus

The second step was the move for a plea in bar which ran the course of the entire day and was marked by spirited arguments. The attorneys for the defense and the efforts on the part of the Government to dis prove the defendants' claims was the defense sought to establish.

The third step comprised an effort on Reed's part to shift the onus of con- struing the product deal clause and RKO to Fanchon and Marco and associates who, he charged, had organized the scheme for producing and completely controlling the first run theatre situation in St. Louis. He said they devoted five of the six first runs, the one outside theatre being

On the Lighter Side

By BILL ORNSTREICH
St. Louis, Jan. 6—Lawyers, briefs and legal tomes turned out an eme

sting preliminary hearing on a tem-

porary injunction in the Federal equity action today. Judge Joseph West Molineaux, a pleasant, white-haired jurist, spent the better part of an hour representing the power and dignity of the Federal Government, dressed in a black silk robe and sitting in his official robing room, in sharp contrast to Judge George H. Moore, who heard the criminal case in full.

The courtroom attendance is rather heavy. The legal battery for War-

ders is headed by ex-Senator James A. Reed, with Robert W. Perkins of the company's own staff, as con-

stant assistant, advised by J. Lewis

Hill, Cresson's assistant. For Paramount are Austen C. Kough, an attentive listener; Louis Phillips, pinch hitter for Frederick H. Wood, ill in New York, but expected Thursday or Friday; Pauline M. Stansfield; Vivien

Iwch. Phillips' assistant. George S. Leslie and his assistants, RE

ty, former New York, head RKO's battery, which is being charted by Jacob M. Lasty, St. Louis, and Ralston E. Cresson's assistant. For Warners, by again is Government prosecutor, assisted by Walter Richard, John Her-

berg, Harry E. Settler and William Benham and John S. Claggett. Aside from Rice and Herberg, Harris' crew is virtually the same as that which unsuccessfully pressed the criminal indictments against Henry Warner, Bradwell Sears, Herman Stahl, George Schaeffer, Nye De-

nefit and their companies.

In the courtroom as an extremely interested spectator again is Sears' mother, while noted in the row near-

est the suit, with ears cocked, was Judge John J. Trimble, then serving in the general council of Warners.

It is understood the local exchange managers have been subpoenaed in the case. If they were not, they showed up anyway to watch the pro-

ceedings, which was sharply toned down by Reed, whose arguments were sharply disapproving by Reed's assertion in the civil action on the same charges was far less intense than the Government.

Reed, contended, the conspiracy so involved was what he termed a "front corporation" and was not the real defendant that could not be extended to embrace general allegations.

In the case of the United States vs. Swift, Stone vs. United States,Murphy vs. United States, Beach vs. United States, Seaboard vs. United States, all of which eventually reached the Supreme Court for final determination, Reed contended, the defendants were acquitted by the jury and the evidence was not sufficient even to show that the Government had established a prima facie case of conspiracy. Thus, Reed contended, the case was dismissed by the Government for want of sufficient evidence.

Leisure, yesterday, read a letter from Joument warning the Government to be very careful in the prosecution and to be sure that he was not "an innocent person." On the other hand, Reed contended, the case was not only a question of the Government's power, but of the rights of the individual defendant, which had been contended by Reed. The Government, he said, had not been able to show that the defendant had been wrongfully convicted.

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Out Today!
BOX OFFICE CHECK-UP
of 1935

- An annual record and analysis of the Box Office Champions from August 1934 to November 1935, defining values, personalities and factors that have gone into the making of the leading Box Office successes of the past year.

Also included are the results of the Motion Picture Herald’s annual poll of the nation’s exhibitors, determining the biggest money-making stars of 1934-35.

BOX OFFICE CHECK-UP
QUIGLEY PUBLICATIONS • 1790 BROADWAY, NEW YORK
Leake Resigns as Paramount Trustee

(Continued from page 1)

Hillies and Eugene V. Leake* as trustees of Paramount. Charles E. Richardson, the third of the trustees, all of whom were appointed by the Federal court in 1933, resigned about a year ago and is now a member of the Paramount board.

Provision was made in the Paramount reorganization plan for the continuance in office of the trustees to wind up final affairs of Paramount. The old company, and to retain the causes of action embraced in suits instituted by the trustees in 1934 against former officers and directors of Paramount. Remaining details of the reorganization no longer require the attention of two trustees, it was said in explanation of Leake's resignation.

Leake, an attorney, was formerly head of Film Securities Corp., the company established by a Federal court decree to take over and dispose of the one-time Fox Film Corp.'s controlling stock interest in Loew's, Inc. He is now a member of the law firm of Beekman, Bogue, Leake, Stephens & Medalie. Leake was connected with the Paramount bank creditors in the company's reorganization.

Ottersson to Coast for Product Talks

(Continued from page 1)

Paramount and RKO studios, in which the Atlas-Lehman companies have large interests.

Odlum, according to local reports, has also been in conference with Leo Stitz, RKO president, it was expected he would visit Ottersson in about two weeks. The latter is expected to stop over at St. Louis on route west to be present at the opening of the Palais Theatre, attending the equity trial there, for which he was subpoenaed.

Ottersson, Paramount director and partner in Lehman Bros., who has been on the coast with Odlum for the past week, left there by plane for New York yesterday. It is reported that while in Los Angeles he conferred with Odlum and Sales on reorganization plans for RKO and other matters preliminary to the planned exercise of the Atlas-Lehman option on the remaining half of RCA's holdings in RKO. Odlum spent the weekend at Palm Springs concluding final arrangements for the session of T. W. A. by Atlas-Lehman.

RKO-Center Compact Is Again Postponed

(Continued from page 1)

agreement of both parties concerned with the settlement of the charge of the court, that there is the settlement of the large claim. The settlement committee, as agreed to, probably would be in charge of any plan of reorganization for RKO. One of the main points of satisfying the claim, it is held in responsible quarters, would be the making of new leases on either the Music Hall or Center or both by RKO.

Appeals Permitted on Paramount Fees

(Continued from page 1)

for lease to appeal will be allowed. Those who were granted the right to appeal to the higher court yesterday are Kahn, Loeb & Co., with whose application for $114,267 was disallowed by Judge Goody; Cravath, de Gersdorff, Swaine & Wood, whose application for $70,000 fee was disallowed; the Paramount stockholders’ committee, whose application for a $70,000 fee was disallowed; Adolph Feldblum, whose application for $5,000 was disallowed; Jacob J. Lesser, whose application for $3,752 was disallowed, and A. J. Schanfarber, A. M. Frumbeck and Samuel Zim., jointly, whose application for $82,868 was disallowed. Apparently, the pictures which he has granted leave to Root, Clark, Buckner & Ballantine and Cook, Nathan Leaman to appeal from Judge Cook’s order reducing the application of $50,000 and $135,500, respectively. The appeals will all be held on the high court calendar for hearing when reached.

Capital Is Raised By 2 Warner Units

DOVER, Del., Jan. 6.—Warner Bros. First National Pictures of Brazil, Inc., has changed its name to Warner-Brazil First National South Films, Inc., New York, and has increased capital from $150,000 to $200,000.

Warner Bros. First National Pictures of Japan has increased its capital from $5,000 to $100,000.

The Corporation Trust Co. represented both corporations.

Trendle Names Managers

DETROIT, Jan. 6.—George W. Trendle, president of the Regent, recently appointed as manager of the Detroit Theatre, has been elected chairman of the board. Vincent Sullivan is his assistant. Both have been on the staff at the Fisher under Manager Carl Kruger.

V. V. Ward has been made manager of the Rosedale, the other Klatz house now under the Detroit Theatre banner.

K. C. Payrolls Gain

KANSAS CITY, Jan. 6.—Payrolls for National theatres were up over $1,000,000 the past months over the same month last year, according to the Chamber of Commerce. This is 20.6 per cent over November, 1932, in amount and nine and eight-tenths per cent in number of workers, according to the report.

Mae Clarke Signed

Hollywood, Jan. 6.—Mae Clarke, who has spent the last four months in the cast of "The Return of Jimmy Valentine," Republic, which went into production Friday under the direction of Lewis D. Collins.

Ray Moon Going South

DETROIT, Jan. 6.—Ray Moon, general manager of Co-Operative Theatre of Michigan, will leave the latter part of January for a month at Palm Beach.

Weisman SAYS 130 Theatres Are Lined Up

(Continued from page 1)

this nature will occupy the next few weeks. Originally it was proposed that theatre owners participating would receive a percentage of the theater according to the average earnings of the theaters given over periods of time and would subscribe the allocated amounts for initial working capital.

Weisman returned yesterday from Hollywood where he was a guest of Joseph M. Schenck for several weeks. It had been reported in his absence that he had gone to the coast to confer with Schenck, who is head of Metropolitan Theatres, the new Fox Met company, on various significant phases which will be included in the local circuit situation by the formation of another circuit comparable to Metropolitan, Loew's and K-A-O. Weisman, however, denied yesterday that his coast trip had anything to do with the projected Independent Circuit.

Weisman also denied reports that Harry Brundt would retire as president of the I.T.O.A. to make way for some such conspicuous public figure as James J. Walker or George Z. Medalie.

"I talked with Brundt today," Weisman said, "and you may quote me as saying he is not leaving the I.T.O.A."

Operators Fail to Get K. C. Agreement

KANSAS CITY, Jan. 6.—Conferences between the I. A. T. S. E. and subsequent run exhibitors here over contracts and wages have resulted in no agreement.

Harold Holmien, third vice-president, who is in charge of local officers until differences between employers and the union are cleared up, left Kansas City Jan. 4 for Cleveland, Washington and Miami. At Miami the union board will hold its annual winter convention Jan. 7-15.

Conferences may be resumed late in January or early February.

Cleveland Club Elects

CLEVELAND, Jan. 6.—I. J. Schmitz, Fox branch manager, was elected president of the local Variety Club here today. He succeeds Nat Holt. Other officers included Nat Wolt, first vice-president; Dave Miller, second vice-president; J. S. Jossey, treasurer, and F. H. Boyd, secretary. New directors are Harry E. Long, Jack Shulman and Nat Holt.

Republic Casts Warwick

HOLLYWOOD, Jan. 6.—Robert Warwick has been cast in the role of "Walter Larraine" in the cast of "The Return of Jimmy Valentine," Republic, which went into production Friday under the direction of Lewis D. Collins.

Ray Moon Going South
"Hot Paprika"
(Columbia)
That old plot element, the one about man having an allotted time to live, in this case twisted about to suit only Clyde's talents. Clyde has a bad case of hiccups. The doctor says he has three months to live. Clyde cuts up around his office and leaves a world behind him. He is finally seen in the land of Paprika where his greets him in a revolution and by accident. The offering definitely follows a formula vein and will be hard put to provoke amusement. Production Code Seal, No. 1,067. Running time, 18 mins. **G**

"Patch Mah Britches"
(Columbia)
Some fine Technicolor work is the only redeeming feature of this version. Somewhat inconsistently the plot has an inane plot of girls being friends and companions of the comic strip and a desire to get a divorce from a comic-book character. He is disturbed by their manners and attempts to show them up. He gets a job and is thrown to the dogs repeatedly for his pains. Somewhat exaggerated, the characters go through their paces. The comic-invention and innovation this effort has little merit. Production Code Seal, No. 1,758. Running time, 10 mins. **G**

"Voice of Experience No. 6"
(Columbia)
A case history, this issue deals with a million of a girl whose father goes to the trial as a witness. He is engaged in the case of her engagement. Her fiancée is the prosecuting attorney. She is in a sort and appeals to the Voice for aid and advice. He urges that she see her future husband and explain the trouble to him. Doing so, she helps lessen his troubles. Her future husband's potential has been raised, the case is now taken up by his fiancée's family. Production Code Seal, No. 2,750. Running time, 30 mins. **G**

"Voice of Experience No. 7"
(Columbia)
A young girl is gossiped about as an unwed mother. When she comes back from the hospital where her child was born, her mother and her mother are engaged by the neighbors in the case of her engagement. Her fiancée is the prosecuting attorney. She is in a sort and appeals to the Voice for aid and advice. He urges that she see her future husband and explain the trouble to him. Doing so, she helps lessen his troubles. Her future husband's potential has been raised, the case is now taken up by his fiancée's family. Production Code Seal, No. 2,703. Running time, 10 mins. **G**

"Kannibal Kapers"
(Columbia)
Rozzi Kat starts off in the middle of the ocean and is her husband's camel to a palm tree on a tropical island. He tries to entertain the kannibals, but they are regular entertainers. They throw him all over be place and with little novelty he is back in the sea again. An ordinary courtroom offering. Production Code Seal, No. 1,756. Running time, 7 mins. **G**

"Oregon Trail"
(Republic)
Hollywood, Jan. 6.—An outdoor action-adventure picture, tinged with a light romance and told against pioneer history background, this takes as average entertainment. Its particular appeal is to western fans and youngsters. Following the established formula, bringing in the standard thrill-action-drama-romantic-comedy and suspense values common to this type of picture, the show is well acted and directed.

In the story John Wayne, a cavalry officer, joins a wagon train. The Indians set about provoking the Pawnee to attack. True to the formation, the Pawnee is on the wagon train. Their depredations, which the Pawnees believe are the U.S. Army's inspired activities, almost precipitate war. In the finale, Wayne, against great odds and with much heroism personally accounts for the Pawnee, saves the wagon train against the threat of a raid, rescues Ann Rutherford and blazes a new, safer Oregon trail.

The picture makes good use of exceptional location shots. Wayne's performance should win new admirers. As the heroine, Ann Rutherford is little to do other than show the human interest. Villainy is convincingly portrayed by Hendricks and Rutherford. Comedy contrast is abundant in the talents of Yakima Canutt, Frank Rice and Fern Emmett. The scoring of the theme song adds to the punch of the dramatic and romantic sequence. The story is by Lindsley Parsons and Robert Emmett, who collaborated on the screen play with Jack Natteford. Scott Pembroke directed.

Previewed without production code seal. Running time, 60 mins. **G**

"Exclusive Story"
(M-G-M)
Hollywood, Jan. 6.—There is plenty of excitement in this tale of a reporter's campaign to wipe out a ring of racket operators. Enough is done to satisfy all comers and lots of their admirers.

Stuart Erwin plays a funny, believable character who goes into a rage when his paper makes him a brutal story about a racketeer on the ranch of Franchise Tone, payboy attorney. Maud Evans, daughter of J. Farrell MacDonald, a small grocer who is terrorized by a number of racketeers, appeals to Erwin for help and shames Tone into accepting a special prosecutor's job to wipe out the racketeers. Investigation carries Tone by plane over a burning ship, in the sea in a parachute and ends with rapid action with Tone and Miss Evans going into the marriage racket together.

Does brilliant work as a small time racketeer who is forced by the "big boys into murder and each of his scenes remain in the memory as the highlights of the film. Erwin is splendid in a cleverly written part and so is Margaret Irving as his understanding wife. Tone is engaging in a smaller part than usual. Excellent support is composer and chorus leaders, Louise Henry, Wade Boteler, Charles Trowbridge, William Henry, Raymond Hatton and J. Carroll Naish. Michael Fessier did the screen play from a story by Martin Mooney. George B. Seitz directed and Lucien Hubbard produced. Previewed without production code seal. Running time, 70 mins. **G**

Leichter Speeding Up
Hollywood, Jan. 6.—Mitchell Leichter is speeding up production for Beaumont Pictures. The third Black production is scheduled to start a few days, and casting is being done for "Breed of the Border," which will start Jan. 15. Conway Tearle's fourth picture for the company will start Feb. 5.

Adopts Bank Night
St. Louis, Jan. 6.—Fanchon & Marco's Fox, largest local first run, is the latest to use Bank Night. Practically all local subagents and suburban houses are using some form of change game.

Hays Plans Trip West
Will H. Hays plans to leave for the coast Friday to be gone about a month. The trip is primarily to attend the annual meeting of the Producers Ass'n., scheduled for early in February. His plans for departure are tentative now and may be altered by a day or two.

Asher Denies Quitting
Boston, Jan. 6.—"The American Film Exchange has no intention of going out of business. Any statements or rumors to the contrary are definitely wrong," declares Harry Asher, president, today.

His statement was the result of rumors circulating through the territory.

"Two Cities"
Denver Smash
With $12,000

DENVER, Jan. 6.—"A Tale of Two Cities" was a sensation at the Orpheum, running up to $12,000, which is $7,000 over normal.

"The Littlest Rebel" was also in the big money division with tremendous mailine business. It ran $5,000 over par for a gross of $9,000 at the Denver. It was moved to the Broadway-Granada, where it was $1,000 up at $5,000 in the Denham.

The weather was colder, with some snow, but this made no difference.

Total first run business was $12,700. Average is $19,500. Estimated takings for the week ending Dec. 31.

"STARS OVER BROADWAY" (W.B.)
ALADDIN—(5,000), 25c-35c-50c, 7 days. Gross: $1,250. (Average, $193). (Cast: Ruby Keeler, et al.)

"PADDY O'DAY" (20th-Fox)
BROADWAY—(1,450), 2s-3s-5s, 7 days. Gross: $1,250. (Average, $193). (Cast: Robert Lincoln, et al.)

DENHAM—(1,000), 2s-3s-5s, 7 days. Gross: $1,200. (Average, $193). (Cast: Lon McCallister, et al.)

"THE LITTLEST REBEL" (20th-Fox)
DEBONAIR—(400), 25c-35c-50c, 7 days. Gross: $95. (Average, $13.64). (Cast: Deanna Durbin, et al.)

"A TALE OF TWO CITIES" (M-G-M)
ORPHEUM—(5,000), 2s-3s-5s, 7 days. Gross: $1,000. (Average, $143). (Cast: John Gilbert, et al.)

"PRIZE KID" (W.B.)
PARAMOUNT—(2,000), 25c-35c-50c, 7 days. Gross: $750. (Average, $107).

Wall Street
All Issues Off on Board

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(Quotations as close of Jan. 6)
**Double Bills Help Seattle 1st Run Takes**

**SEATTLE, Jan. 6.—**The new double feature policy at all downtown first runs, with the help of the holiday trade, steamed up business generally. Tom’s Theatre, with “Three Musketeers” (Radio) and “Blue Mouse” (F.N.), $3,400; Paramount, with “Rebel” (20th-Fox) and “Millions in the Air” (Para), $3,150; and Show Thems No Mercy” at the Orpheum were $1,100 up on a take of $700. On the Paramount, a week ago, “Charlie Chan’s Secret” were $1,150 on the profit side of the line with $650 at the Paramount.

Total first run business was $39,600.

Average is $3,350. Estimated takings for the week ending Jan. 2: $12,000.

*THREE MUSKETEERS* (Radio) (Par) (3,400) $1,350.
*BLUE MOUSE* (F.N.) (3,500) $1,200.
*REBEL* (20th-Fox) (3,150) $1,250.
*MILLIONS IN THE AIR* (Para) (3,500) $1,250.
*SHOW THEM NO MERCY* (Orpheum) (2,000) $1,100.

**“Three Cities” Gets $5,000, Charlotte**

Charlotte, Jan. 6.—“A Tale of Two Cities” topped the local boxoffice with a gross of $5,000, exactly $2,000 above average. Other attractions did well, with fair business at the Warner, $2,000; Lyric, $1,500; Coliseum, $1,250; and the Bradley, with a total of $2,500. Total first run business was $14,500. Average is $1,100.

Estimated takings for the week ending Dec. 28:

- **OF IRON** (F.N.) (2,500) $900.
- **MISS PACIFIC FLEET** (W.B.) (2,000) $850.
- **BROADWAY** (1,400) $900.
- **RAINMEN** (Radio) (2,000) $800.
- **PERFECTION** (2,100) $850.
- **REBEL** (3,500) $1,150.
- **CHARITY’S SECRET** (20th-Fox) $1,050.

**“Rebel” at $8,000 Portland 2d Week**

Portland, Jan. 6.—“Littlest Rebel” in its second week at the Paramount secured another $8,000, which topped the average of $7,500. A Tale of Two Cities’ continued a strong business at United Artists, following the initial three days, totaling $7,500, and over par by $2,000.

“A Tale of Two Cities” proved popular in its first week at the Broadway with a take of $7,500, over normal by $2,500.

Total first run business was $34,200.

Estimated average for the week ending Dec. 28: $8,000.

**“Rebel” on a Dual Hit $8,000, Milwaukee**

Milwaukee, Jan. 6.—“The Littlest Rebel” on a dual with “Charlie Chan’s Secret” at Fox was good for the week with an $8,000 take. This was just par.

Loew’s State also had a strong week with “A Tale of Two Cities,” which was big at $14,500. The house is $17,500.

“So Red the Rose,” at the Strand, was $2,000 over, garnering $8,500. “Maid of Iron,” and a stage revue, coupled with $1,10 top for the New Year midnight show, gave Fay’s stage business a $1,000 over the good, but the RKO Albee found “Sylvia Scarlett” an indifferent drawing card, catching only $6,000, down $1,000. Total first run business was $45,500.

Average is $3,950. Estimated takings for the week ending Jan. 2: $12,000.

*THE LITTLEST REBEL* (20th-Fox) (5,000) $3,000.
*Sylvia Scarlett* (Radio) $3,000.
*A TALE OF TWO CITIES* (M-G-M) $2,500.
*LOYE’S STATE* (3,000) $500.
*THE LITTLEST ROSE* (Para) $1,500.
*THE JOURNEY’S END* (Para) $1,500.
 gums. $1,500. Average ($800). (F. W.)

**“Two Cities” Good In Omaha, $7,500**

Omaha, Jan. 6.—Bitter weather and a scarlet fever epidemic held down grosses, but in spite of this handicap “A Tale of Two Cities” tops a dualing week with “Little America,” ran up by $7,500. This is over par by $2,500.

“The Littlest Rebel” and “Your Uncle Dudley” were good for $10,200 at the Orpheum, up by $2,000.

Total first run business was $21,700.

Average is $17,000. Estimated takings for the week ending Dec. 31:

- **Sylvia Scarlett** (Radio) $900.
- **ESCAPE TO THE ARC** (Col.) $800.
- **KEEP THEM IN THE GAME** (Col.) $600.
- **AMBASSADOR** (2,500) $1,000.
- **BROADWAY** (1,400) $900.
- **GOLDEN SONGS** (Col.) $800.
- **THE LITTLEST REBEL** (20th-Fox) $800.
- **YOUR UNCLE DUDLEY** (Col.) $900.
- **MURPHY** (2,000) $1,200.
- **REBEL** (20th-Fox) $1,200.

**Augusta Bonuses Paid**

Augusta, Ga., Jan. 6.—“Christmas salaries” totaling $3,000 were presented to 50 employes of Augusta Amusement, Film Theatre, and operating company of the Imperial, Modjeska, Rialto and Dreamland Theatres. The bonus was based on the record of each employe in his length of service and efficiency.

**Lincoln Goes to Liberty**

Seattle, Jan. 6.—Walter Fenney has been made manager at Jensen-Vincent South’s new manager of the Roxy in Tacoma when that house was under J. V. owner- shop, for 10 or 12 months. Fenney is a film director on the West Coast, and has been with the Roxy for the past five years.

**New Incorporations**

Albany, N.Y., Jan. 6.—New incorporations have been formed.

Russian Theatre in America, Inc., by Paul Abbott, David Abramowitz and Harold Abbott.

Continental Reel Service, Inc., by Sidney Kramer, Arnon Dunney and Herman M. Kakack.

Dover, Jan. 6,—Beesmer Theatres, Inc., has been formed here by L. H. Herman and Walter Lenz.

Columbus, S. C., Jan. 6.—Strain & Sparks Theatre Co. of Pickens, S. C., has been charted here. Jan. 6.—Strain, H. T. Strain and W. H. Sparks.

**Show Film by Minister**

Dayton, Jan. 6.—“The Tale of Two Rivers,” a film taken by Rev. H. Lee, pastor of the First Unitarian Church, Dayton, Ohio, will be shown in Dayton next week here. The picture depicts the Tennessee Valley Authority project, and the work of Federal engineers in the Arkansas River valley.

Rev. Lee has been invited to the White House Jan. 12 to show the picture to President Roosevelt.
Move to Curb
Highest Court Held Possible

President Affirms His
Stand in Message

By CLARENCE LINZ
WASHINGTON, Jan. 7—Curtailing of the U. S. Supreme Court as the first
step in a move to reestablish Federal control of industry and agriculture
was seen possible today in a statement
from the White House that President Roosevelt expects Congress
to carry out the recommendation
made in his annual message that it "protect its prerogatives" and
rescind the laws it enacted until final adjudication.

Other comment on yesterday's
AAA decision was refused.

The President's recommendation is understood to contemplate the withdrawal of the right now accorded
(Continued on page 7)

West Studies Effect
Of Ruling on AAA

OMAHA, Jan. 7—Invalidation of the AAA by the Supreme Court was
a sensation in film circles in this
territory. Theatres men joined with farmers in lamenting the upheaval because of the general conviction throughout the West that the AAA has raised farm prices and has been responsible for much of the pickup.

Dependence will be what substitute will be provided, if any, before the present term of Congress expires.

Corn and hog checks to farmers have been factors in the spending in this territory.

Cinemas in the Tri-State and 41 Central States Theatres controlled by A. H. Blank all draw patronage from the corn, wheat and cow belt.

Fox units, Frankelstein & Rubin and other circuits are studying the outlook.

Receipts will be watched closely in the immediate future, especially in the small towns, and Congressional moves will be the objects of scrutiny.

Argument in Sound
Action Set Jan. 17

A motion by A. T. & T. Erpi and Western Electric for a bill of particular
in the damage action filed by more than 100 theatre and sound equipment
plaintiffs, which was scheduled for hearing in U. S. District Court here
yesterday, was postponed to Jan. 17.

The damage actions were brought
(Continued on page 3)

Jersey Allied Talks Suit
To Halt New York Sales Tax

The possibility that Allied of New
Jersey will institute an action for
an injunction to restrain New York ex-
changes from adding the two per cent sales tax to film rentals of out-of-town
theatres was indicated yesterday fol-
lowing a meeting of the organization
at its Lincoln Hotel headquarters.

The passing on of the sales tax by
local exchanges to their theatre ac-
counts as of Jan. 1, last, was the prin-
cipal subject of discussion at the meet-
ing.

A committee consisting of Lee
Newberry, president of Allied of New
Jersey; Louis Gold and Norman Sam-
uelson, attorney for the organization, was appointed to investigate the situ-
ation and report back next Tuesday at the Lincoln. The attitude of the
organization's members, whose the-
atre authorities are located outside the state, is that the New York tax, applied to their rentals is unjust, as they cannot obtain their film supply elsewhere and would be placed in the posi-
tion of passing on to their New
Jersey patrons a tax designed for the
relief of New York City residents.

Meanwhile, a new hearing on ob-
jectives of the local exchanges to
the application of the tax to film rentals
derived from theatres outside New
York has been postponed to Jan. 20.

The hearing was originally scheduled
for Friday before a board representing
the city finance department, but the postponement was made neces-
(Continued on page 7)

Production in
Hungary Leaps As Takes Drop

By ENDRE HEVESI
BUDAPEST, Dec. 28.—Nineteen
thirty-five has been a record year for
Hungarian films. Sixteen in the Hun-
garian language and four in German
were completed in the Humlia and
Magyar Filmirorda Studios, an increase of 100 per cent over the two previous years.

From a business standpoint, how-
ever, they broke no records. Two of
the most successful features shown
during the year were made during the
end of 1934. "Meseauto" ("Dream Car") was a record-breaker both for the
studio and exhibitors. The
other, which did fairly well, was
"Igiu Diako" ("Students of Iglu").

Among the 16 Hungarian films
completed from January to Dec.
and released, none was outstanding
(Continued on page 3)

Union Cinemas to
Build New Circuit

BY BRUCE ALLAN
LONDON, Jan. 7—Fred Bernhard
of Union Cinemas has signed with
Arthur Segal for the erection of a cir-
cuit of large houses, with 40 sites
already acquired. Union has issued
a list of 50 houses taken, some with
more than 2,000 seats. Reed The-
atre, Ltd., has been absorbed, with
A. H. Reed as an executive, as well
as the Manucinelli circuit. It is said
(Continued on page 3)

Court Denies
Dismissal of
Equity Case

RECESS St. Louis Action
Until Tomorrow

By RED KANN
ST. LOUIS, Jan. 7—Federal Judge
Joseph H. Runge has refused the motion
denied the plea of Warners, Para-
mount and RKO for dismissal of the equity proceeding which charged the
theory of res judicata in law maintains that the issues and the parties tried on a charge of

The court also refused to permit
Warner's to amend their answer to include in this action consideration of an
alleged local monopoly by Funchon & Marco and associates.

The result death at length through ex-
Senator James A. Reed that the exist-
ence of such a monopoly had brought about the leasing of the Orpheum and
Shubert-Rialto as an outlet for its
(Continued on page 3)

"Obsession" Hits
$101,050 at Hall

"Magnificent Obsession" has joined the select group of films that have grossed more than $100,000 in seven
days at the Music Hall. It reached
$101,050 Monday night and is sched-
uled to stay 10 days, the run closing
tomorrow night.

The other six pictures that have
gone into six figures in the past year have been: "Love is a Luxury," $110,000;
"Cardinal Richelieu," $103,000;
"Love Me Forever," $100,019; "Top
Hat," $91,060; "Little Rebel" (11
days), $146,000.

Rialto, Trans-Lux
Houses Are Pooled

The new Rialto and the two
Trans-Lux theatres, one on Broadway
and the other on Madison Ave., have
been pooled and are now being oper-
ated jointly by Arthur Mayer.

The deal provides for a split in the
profits and no change in the current
policy of features at the Rialto and
shorts and newreels at the
Trans-Lux houses.
Purely Personal

STANLEY LUPINO, father of Ida Lupino, sails tonight for England on the Aquitania. Alice White, Mrs. Arthur W. Kelly, John R. Magee, G.B. official, and Fay Marl are among the passangers.

ANN HARDING and Herbert Marshall are to broadcast scenes from Radio's "The Lady Cousin" over the WABC-CBS hookup Friday night at 10 o'clock.

JOHN J. MURDOCK, former Keith-Albee official, now residing at Beverly Hills, Cal, is in town to see the new shows and look after personal business affairs.

Quip of the Day

A producer called Joe Richkin at the latter's house just prior to his departure west.

"Joe Richkin, isn't he?" came the answer.

"Yes," was the reply.

The next day the producer finally reached Richkin.

"Why didn't you call me back?" he complained.

IrvING NETCHER and Mrs. Netcher (Rozika Dolly) have checked out of the Ritz Tower and are on their way to the coast.

EDWARD G. ROBINSON reached town yesterday accompanied by Mrs. Robinson and their two children. He is en route to London.

Hazel Flynn has borrowed that gondola from the recent Stratagam flight and it is on display in the Rockefeller Center sunken plaza.

ADRIENNE AMEX and her sister, Jane Merrick, have taken an apartment at the Lombardy for a few months.

A. P. WAXMAN's contract with G.B. was renewed by Mark Ostrer before he left for England.

NYRA WEINSTEIN, LIGENTE SAGAN and Howard C. Hopper and Mrs. Hopper are at the Warwick.

BEN Y. CAMERON, RKO's Brazilian representative, will leave Saturday for Rio de Janeiro.

DOUGAR OAKNARDS arrived yester- day on the Aquitania. He is at the Waldorf.

VINCENT LOPES and his band have started a one-leader at the Vitaphone studios.

THOMAS BURSTIS' "The Master I Singers" has been published by Columbia.

BUD ROZES, eastern sales manager for Republic, is confined to his home with a cold.

Joes NOLAN is here from the RKO studios for a brief visit.

WILLARD MCKAY has returned from a holiday trip to Florida.

HARRY M. GOETZ, president of Reliance Pictures, leaves for the East at the present time to continue the small, production chief, on "The Last of the Mohicans."

GLADYS SWARTZTOUT arrives today from the coast and radio and opera engagements. She has completed "Give Us This Night" for Paramount.

GUS S. EYSSELL, Radio City Music Hall, will have his son, Jacob, on the last train for New York.

CHARLES KOREN, New England division manager for RKO theatres, is here for home office conferences.

Pittsburgh

CHARLIE RICH went to Washin- gton for the holidays with his family and will remain here an additional week or two. He is in town to have a week's visit with his family.

A Mr. and Mrs. Hiram Wincher of DANE WARD were featured in the London production of "Anything Goes," has gone to New York for the opening at the Majestic Theatre.

Joe FELDMAN's five-year-old Wally threatens to become another Pader- ewski.

Diplomats Turn Out To See Buchan Film

OTTAWA, Jan. 7.—The diplomatic corps of the Canadian capital turned out in all its brilliance for a command perfor- mance of "39 Steps" at the Imperial Theatre which was attended by Lord and Lady Tweedsmuir, and offi- cial staff from Rideau Hall, the vice- regal residence. Prior to becoming Lord Tweedsmuir, the governor-gen- eral was John Buchan, author of the pictured story.

An audience present were Norman Amore, U. S. Minister to Canada; Sir Francis Flood, British High Com- missioner to the United States, and the ministers from France, Japan, and Italy with their aids.

Samuel Goldstein Back

SAMUEL GOLDBEIN, treasurer of Guaranteed Pictures, Inc., just back from a three months' trip in Europe, reports that he opened two new offices. One is in London with M. Swift, and the other in Paris with Mascot, in charge, and the other is in Paris, with Frank Bates, former Monogram agent, as manager.

Business is gaining in England, says Goldstein, with merit pictures replacing "quota quickies." On the contin- ent, he says, dubbing laws, exchange regulations and other factors are re- ceding progress.

Goldstein says his company intends to open offices soon in the United States and rest of the world.

AMA Program Is Set

The Ampro luncheon tomorrow will be an all entertainment affair with variety provided by Michael, The Boy Wonder of the accordion; Bob Howard of WHN, who will show how the "Music Goes" Round and Round; Edith Drake, who will sing, and Charles Lamont, Shirley Temple's di- rector. Gordon White will preside and the place as usual will be Jack Dempsey's.

Society Gather at Premiere of "Rose"

Paramount's "Rose of the Rancho" was given an elaborate premiere at the Paramount last night, the entire house packed to capacity with admission.

The difference between that price and a regular admission went to the Musicians' Emergency Fund. Among those in attendance was a beauty who attended the opening were:

Mr. and Mrs. Vincent Astor, Mrs. Or- gan, Mr. and Mrs. Charles Archambault, and Mrs. C. B. Baker, Mr. and Mrs. David K. E. Bruce, Mr. and Mrs. Carroll Cal- pinal, Mr. and Mrs. J. P. Comeau, Mr. and Mrs. Robert Livingston Clarkson, Paul E. Cossart, Mr. and Mrs. John Cutting, Mr. and Mrs. Artemes Gottes, Mr. and Mrs. Harvey D. Griffin, Mr. and Mrs. Oden H. Hammond, Mr. and Mrs. Wil- liam Gauthier Loren, Pierce Lockhart, Mr. and Mrs. Charles E. McCann, Mr. and Mrs. William S. Paisley, Mr. Moorefield Patten Jr., Mr. and Mrs. John Pratt, Mr. and Mrs. Robert Strawbridge, Jr., Mr. and Mrs. Fred Tamblyn, Mr. and Mrs. Richard Whittington, Mr. and Mrs. John D. Wil- liamson, Mr. and Mrs. James Win- therton, Mr. and Mrs. Anthony Dreyfuss Cassatt, Mr. and Mrs. Norman Dreyfuss, Mr. and Mrs. Temple Dreyfus, Jeremiah Millbank, Elsa Maxwell, Will H.任何和 Mary Howland, Mrs. Wol- kerhov, Mrs. Herman Ordickes, Countess Olden, Mrs. Charles Olden, Mrs. Mansfield, Misses Shirley and Natalie O'Neil, Mrs. William Paul, Mrs. Cam- nelley S. Bilsa, Mr. and Mrs. Howard G. Cushing, Mr. and Mrs. Frederic Lewishaw.

Final Review Denied In Deery Bank Case

BOSTON, Jan. 7.—John A. Deery, head of the Salem Realty Co., was serve a year and a day in Plymouth County Jail, according to the U. S. Supreme Court's result of the refusal of the U. S. Supreme Court to review the conviction of Judge Judge of the 13th District, president of the closed Federal National Bank of Boston.

Deery was charged with aiding and abetting Maloney in the misappropriation of $130,000 of the bank's funds. The- re trials were principally involved. Deery has already served a term in connection with the defunct Salem Trust Co., of which he was president, but a stay in jail pending an appeal makes the full sentence worse than the plea agreement.

Columbia Registers Stock with the SEC

WASHINGTON, Jan. 7.—Columbia Pictures today filed a registration statement with the SEC, covering 67,808 shares of 10 par common, of which 43,000 shares are reserved for issuance in the exercise of outstanding purchase warrants for voting trust certificates for the common.

The additional 22,003 shares being registered are for issuance in the event of an increase in the number of voting trusts in connection with the issuance of voting trust certificates for the stock.

Contented Patent Invalid

Sonotone's action in Federal court for a declaratory judgment that an ear- phone patent obtained in 1927 by Sonotone Corporation is invalid on the basis of prior art. In the Superior PICTURE DAILY of Dec. 31 the headline incorrectly stated that it was a patent infringement suit.

Berg Leaves U. A., To Join Blackstone

Herbert Berg, for several years in charge of trade paper publication for United Artists, has resigned from that company to become associated with the United Artists, where he will place him in charge of trade publicty and advertising. He will concentrate his activities with the Walter Wanger Prod. and other Blackstone

Arnold Van Leer Resigns

Arnold Van Leer, member of the publicity staff of Columbia, resigned yesterday, effective immediately, and has become associated with Hal Horne's Blackstone Co., as a gondola, former advertising and publicity head of RKO, who has been engaged in special trailer work for Columbia in Hollywood, is en route there.

Beltanhsoc Services

HOUVA, La., Jan. 7.—Funeral serv- ces were held here yesterday for Arthur J. Beltbrench, manager for the last 31 years of the Houva. Beltbrench was once president of the ITO of Louisiana. He was 61 years of age. Surviving him is a wife, Wiltz, in Phoenix, Ariz.
On the Lighter Side

By BILL ORNSTEIN
St. Louis, Jan. 7—J. Levinson, Warner attorney, is sporting a tan over the course of his brother attorneys. He acquired it in a six-weeks trip to the coast.

RUSSELL HARDY is greatly concerned over the condition of Mrs. Hardy, who has just been operated on in Washington.

LETO HILL, supervisor for the St. Louis Amusement Co., appeared in court this morning for the first time in spite of a cold.

Harry C. Arthur failed to appear today. However, Mike Marco and Jack Parkington, Irving Lesser and Milton Arthur were on deck.

Arel Cary Thomas suspended a vacation in Panama to attend the trial and came in by air. He found the scenery very interesting, he says.

As Ex-Senator James A. Reed argued for Warners this morning Sam B. Jeffries, local counsel for the company, dozed peacefully.

Sam Dembow emerged today a symphony in brown—ditto for Hill.

Mrs. Harry Arthur and Mrs. Mike Marco are here.

Ned E. DePinet and Seyvors Skouras have not arrived. Planes are down.

Attendance dropped today. About 25 appeared, mostly lawyers.

Local exchange managers this time are carrying on business, the Government excusing them each morning when it appears their presence is not required.

Union Cinemas to Build New Circuit

(Continued from page 1)

$3,000,000 are involved, in addition to $5,000,000 in deals already announced. It is claimed 200 theatres are in the group.

Cicada has built the Astoria here, several neighborhood houses, and the Paramount. Reed Theatres share the task. Shubert Theatres and book vanguard through the latter. It is understood the new Segal-Union Theatres will feature stage shows.

Argument in Sound Action Set Jan. 17

(Continued from page 1)

more than a year ago under the antitrust laws by numerous local theatres, many of them affiliated with the T-C-O-A and allege that Erpl's licensing and contract arrangements resulted in their making excessive payments for sound equipment and servicing which they seek to recover. Several independent sound equipment manufacturers are also party plaintiffs in the actions.

M. P. Club to Algonquin

Arrangements were closed yesterday with Algonquin for the new Cinemah. The organization committee will hold its first meeting shortly after the new club boards tomorrow.

Columbia Signs Two

Hollywood, Jan. 7—Charles Richford and Florence Rice will have leading roles in "United States Smith," Columbia, which goes into work shortly under the direction of D. Ross Lederman.

All Cincy Men Agree Outlook More Cheerful

(Continued from page 1)

ty of product and more the diversified methods in selling it to the public are demanding. The last fact is rendering the attendance upturn, increased operations, or return to normal production by various industries, especially features content heavy goods classification, a still broader spread of employment through Federal projects, and bigger payrolls with sizable salary boosts, have been responsible for the greater flow of money into box-offices.

Prospects Bright for '36

"We have made mistakes in the past," said the spokesman of a prominent theatre group, "but we will profit by them—to-future rather than the sentiment of all concerned when we say we look to 1936 full of hope and optimism. The public, generally, is now inclined to spend more for luxuries, rather than confined itself to necessities. People are more picture-minded, they are picture-hungry, but they are discriminating. Therefore, good pictures will get the play, and attention to the work will be proportion to the quality of entertainment offered. The industry is on a higher plane that has been, and the thinning is becoming brighter every day."

Gains in the diversified manufacturing picture and the entertainment in this territory have been increasing steadily for several months. Freight car loading and new automobile registrations are approaching a new high.

Possibly the best index of improved conditions is found in the statement of local dance bands and department stores compiled by the Cincinnati Clearing House. This shows a total of $2,466,319 for the first 5 6/7 weeks of 1935, an increase of $342,592 over 1934, an increase of $342,592 over 1933, an increase of $342,592 over 1933. The 1933 figure was $1,814,000, giving 1933 a gain of $552,319,282 over two years ago. As of December in this year reached the highest level for any comparative month in recent years.

Columbus Is Optimistic

COLUMBUS, Jan. 6—Optimism and confidence for the current year are expressed without exception by leading factors in the industry here, all of whom feel that 1936 will be one of the best the picture business has had in a long time.

They point to better pictures, with the appeal of quality rather than diminishing. This, together with better business conditions in general, they say, will result in the pendulum in the right direction.

"The turning point is at hand," declared one leading exhibitor. "We are 'out of the woods.' A new era for the industry has arrived."
Short Subjects

“Grand Slam Opera” (Educational)

A ribald and slapstick burlesque of amateur programs with Buster Keaton controlling some of his best comedy, this one has entertainment in every frame. Keaton is given a good riddance send-off by his family on his way to this York to participate in a program. At first he is thwarted, but finally he gets his chance. He juggles over the radio with system as he leads to a stunt with a broom but he gets the gong. The orchestra starts and he accidently hits the conductor with the broom and they give shot for shot in tune with “The Anvil Chorus” which is the best sequence.

Moving down telegraph Keaton near home. He pauses on a highway for a lift and an Indian squaw passes with a paper on her back. He tries to thumb a ride. It is done with the usual Keaton pantomime. However, he wins the prize and speeding back to town he gets the award and takes his girl to dinner and a show. Nothing is missing in this one and it will most certainly go over. Production Code Seal, No. 1829. Running time, 185 mins. “G.”

“The Fire Alarm” (Vitaphone)

In this cartoon, Beans is a fireman and his nephews, Ham and Ex, are left in his care. The pair get into all sorts of amusing situations around the firehouse, one gets out the hose from a truck and entangles it, the other presses a rewind lever which rolls it up together with his brother. They end up by driving off with a hook and ladder tarrying up the town, moving around the poles and finally get back in the station again and are on the receiving end of a space-saving fireman’s fare.

Production Code Seal, No. 1,684. Running time, 8 mins. “G.”

“Sorority Blues” (Educational)

Set in a girl’s school, this ordinary comedy routine by N. Kelly is in bad with the dean because she has not done her exams. Consequently she cannot play on the tennis team. The play’s not divviled. In order to do her best needs to be inspired by music and song which are supplied by her classmates.

The Randall Sisters sing, the Foster Twins also sing and there is dancing by Venetian Ruth Brent and more singing by Jennette McCully. An ordinary musical offering. Production Code Seal, No. 0729. Running time, 11 mins. “G.”

“Seeing Nellie Home” (Educational)

Played in a homy, rustic setting with some odd fashioned clothing singing by the students in scenes where the effort should be average short entertainment. There is a slight story vein involving Captain McCoy of the party where baskets are auctioned off to the highest bidder Miss Della is in demand, apparently must take her home. Centered around the usual male competition and subsequent twists to the plot. The singing is good. Production Code Seal, No. 0727. Running time, 11 mins. “G.”

Looking ‘Em Over

“Petrified Forest” (Warner)

Hollywood, Jan. 7.—With a smooth blending of the elements of romance and melodrama this picture has power, prestige and strong entertainment value. The action takes place entirely within the confines of a gas station in the Arizona desert and at times reaches points of pronounced suspense. The unusual locale in which the picture is set forms a happy background on which is displayed the psychological portraits of the characters.

Leslie Howard, an itinerant writer; Bette Davis, waitress, and Humphrey Bogart, notorious gangster, carry the brunt of the story. Howard and Miss Davis are kindred artistic souls thrown together in the desert. When Bogart and his gang descend on the gas station Howard determines to give his life in order that Bette may collect his insurance and achieve the artistic success which he has missed. While being held as prisoners by Bogart, the pair, together with Genevieve Tobin, Dick Foran, Charley Grapewin, Paul Harvey and others frankly discuss their interregnum thoughts.

When the posses finally close in on the group Bogart and Howard carry out a pre-arranged pact, the bandit killing Howard.

Skillfully directed by Archie Mayo, the production captures in full the spirit of the original Sherwood play. Charles Kenyon and Delmer Daves did the script, lost nothing in the transition to the screen. Production by Henry Blanke is class throughout.

Performances by the supporting cast are uniformly good, with Eddie Aucuff, Adrian Morris, Joseph Sawyer and Porter Hall outstanding.

Production Code Seal No. 1,751. Running time, 76 minutes. “A.”

Present Demurrers
In Lincoln Action

Lincoln, Neb., Jan. 7.—Demurrers have been filed in Federal court here by major distributor and circuit defendants in the damage suit for $1,700,000 started some time ago by the State and Independent Theatres. The former is headed by G. L. Hooper of Topeka and George Monroe of Beatrice, Neb., and it owns 50 per cent of the stock of Independent. The other hall is owned by Cal Bard.

The demurrers contend that the plaintiffs’ petition is not sufficient even for action on the point, and declare they had half the houses here at one time but could get only 10 per cent of the product and were ruined as a result.

The defendants are: Robert Livingston, J. H. Cooper and six distributors—United Artists, Twentieth Century-Fox, M-G-M, RKO, Universal and Warners.

Waller to Demonstrate

Twentieth Century-Fox is going to try to settle that “swinging” music controversy in the ballroom of the Hotel Warwick by giving a demonstration.

It is announced that “Fats” Waller has introduced his new technique in “The King of Burlesque,” so the newspaper critics and some music authorities who are invited to hear Waller do his stuff.

E. V. Richards the Same

New Orleans, Jan. 7.—The condition of E. V. Richards of the Saenger Amusement Co. remains about the same as last week. Richards was stricken in his office in the Tazdon Theatre building and later taken to the Baptist Hospital, then to his home.

Wall Street

Fractional Gain Revive Trading

<table>
<thead>
<tr>
<th>Stock</th>
<th>Change</th>
<th>Net</th>
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<tbody>
<tr>
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<tr>
<td>Smoketown</td>
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<tr>
<td>Technicolor</td>
<td>+6s</td>
<td>+6s</td>
</tr>
</tbody>
</table>

Canadian Men Shifted

Toronto, Jan. 7.—With the transfer of T. R. Tufman from Ottawa to Winnipeg to become Mid-West general manager of RKO theatres, Famous Players Canadian Corp., has appointed Howard Knevels to manage the RKO-Capitol at Ottawa. Knevels has been manager of the Toronto Imperial, Montreal Capitol and the Regent at Ottawa.

Ken Smith, once head usher of the Capitol at Ottawa, has been appointed manager of the Ottawa; Gilbert Sunderland, recently head usher at the Capitol, has been made assistant manager at the Regent. The appointments were made by Clarence Robson, eastern division manager.

FitzPatrick Sails

James A. FitzPatrick, Travel Talk producer for M-G-M, has sailed on the Franconia on a trip that will cover 40,000 miles and take him over most of the world. FitzPatrick declared his apparatus will record the highly distinctive sound effects of Africa and the Far East in a manner never attempted before.

With him is Benjamin D. Sharp, production manager, and a complete staff.

S2 Top for “Pavelse”

Warners’ “Story of Louis Pasteur,” scheduled to open at the Hollywood early next month, will play on a two-a-day basis at a $2 top.
Chevalier Disney

Hollywood, Jan. 7.—It will be Chevalier Walt Disney any day now. Olsny has been received that the decoration has been awarded by the French Government and the ribbon is being pinned on his chest at a special ceremony in the Disney Studios by J. J. Viña, French consul.

Warners Give Stand
On Ascap's Claims

(Continued from page 1)

Rumanian films, will have the continuing licensing right to Warner music, and also because the authors and composers who have since then continued their membership in Ascap.

In their reply to the networks Warners, through Herman Starr, vice-president, denies that the حل is any reason whatever, to have the right to license you to perform the work published or copyrighted by our companies. Under our respective agreements with the society, we had the right not only to withdraw from membership but also to withdraw our compositions from the society's repertory, and we did so in 1933. Ourrefusal to withdraw our withdrawal of its membership and also the withdrawal of our works from the society's repertory.

In reply to requests of both networks for a list of the music to which it claims copyright ownership, Warners, through Mr. Starr, has replied, referring the broadcasting organizations to the Copyright Office at Washington.

Modern Art Museum
Puts on Old Films

The Museum of Modern Art Film Library held a preview showing of a collection of "primitives" illustrating the growth of narrative, for the press only. The program of art and the period covering 1894-1911 consisted of "The Execution of Mary, Queen of Scots," "Wash Day Troubles," "George Méliès' "A Trip to the Moon," "The Great Train Robbery," "Faust" and "Queen Elizabeth" feat. Helen Stannard and her original stage cast.

Allen Beach arranged a program of musical numbers, which was played in true old fashioned nickelodeon style by a pianist who played in the silent days.

Wittman Takes Two
Cities in "U" Shift

Sig Wittman, Universal eastern division sales executive, is in Cincin-

nati to take over that and the Clevel-

land office as part of his territory. Wittman is relinquishing the Buffalo office, which will be joined with Al-

bany in the New England division, under A. J. Herman.

Wittman's district includes New York, Philadelphia, Pittsburgh, Wash-

ington, Cleveland and Cincinnati. He will visit Cleveland before returning to the home office on Monday.

Refuses Standard Pact

London, Jan. 7.—It is understood here the London branch of the C.E.A. has approved a local theatre contract drawn by the council in conjunction with the K.R.S. Other branches are considering the matter.

Renew Baxter Contract

Hollywood, Jan. 7.—Warner Baxter's contract has been renewed by Twentieth Century-Fox, although it has several months to run. He is now working in "The Prisoner of Shark Island."
:

—

:

:

:

:

MOTION PICTURE

DAILY

8

"Coronado,"

Indianapolis,

On

Dual,

Dec. 31:

larity of books.

"The average reader reads
for entertainment, and with
a television box in the home,
he will be able to get his enTeletertainment cheaper.
vision, in fact, might eventually displace the theatre."

Rebel' Is $14,500

"AH, WILDERNESS" (M-G-M)
UNITED ARTISTS— (1,200), 15c-25c-35cGross:

days.

Cincinnati, Jan.

nuou ivj.o.j
"MAN OF ARAN" (G.B.)
EMBASSY— (1,400), 15c-25c-35c, 7
Gross:

days,

(Average, $3,600)
(Radio)

$3,600.

"SYLVIA SCARLETT"

GOLDEN GATE— (2,850),

25c-35c-40c,

7

(Aver-

Gross: $15,000.

days. Stage, band.
age, $14,500)

7.

—"The

Littlest

Rebel" led last week's parade, captur-

ivin..

2nd week.

Cincinnati Leader

(Average,

$7,500.

he-

"Radio and talking pictures
already have displaced books
in many homes, and television
—near the threshold now
will further injure the popu-

—

ing a dual bill with "Confidential" at
the Fox. This was $3,350 above par.
"The Great Impersonation" on a
dual with "If You Could Only Cook,"
pulled an excellent $10,500 at the
Orpheum. "Mutiny on the Bounty"
held up to $8,000 in its second week
at the St. Francis. This was $1,000 to
the good.
Total first run business was $88,550. Average is $80,400.
Estimated takings

7

poem may

in 200 years, 100
years, or in much less time,
due to the radio, pictures and
television," Booth Tarkington
says.

prise of the

Week Ending

7.

— "The

come extinct

Jan. 7. The surweek here was a take of
$9,350 run up by "Coronado," head-

San Francisco,

Rebel" At $7,000
Leads in Louisville

Totter

Jan.

novel and the

Is

Frisco's Hit

40c-55c,

Poem

Novel,

Wednesday, January

"MISS PACIFIC FLEET" (W.B.)

RKO

Palace, where
ing $14,500 at the
$10,000 is average. It continues at the

RKO

Capitol.

"Captain Blood" went $400 over
the seven-day mark with a $6,900 take
"Mr.
on a 10-day run at Keith's.
Hobo" got $6,700 compared with a

—

Louisville, Jan. 7. "The Littlest
Rebel" at the Rialto hit $7,000. This
figure easily led the town, although
Loew's State ran a good second with
"A Tale of Two Cities," which also
proved to be an ace attraction. The

was

take

$6,500.

par.
lies

stage attraction, "Folboosted the take at the

$4,500,

support to the gross,
was $1,500 over nor-

excellent
de Paree"
National, with
ing but mild

"Dizzy Dames" lend-

which

mal.
Principal opposition was the weather, which was the most severe this
part of the country has experienced
in years.
Total first run business was $26,000.
Average is $18,500.
Estimated takings

Week Ending Dec. 31:
"A TALE OF TWO CITIES" (M-G-M)
LOEW'S STATE— (3,000), 15c-25c-40c, 7
Gross:

days.

(Average, $4,500)

$6,500.

"THE LITTLEST REBEL" (ZOth-Fox)
RIALTO— (3,000), 15c-25c-40c, 7 days.

("Average, $3,500)
Gross: $7,000.
FOUND STELLA PARISH" (F.N.)
BRIDE COMES HOME" (Para.)
PARAMOUNT — (2,740), 25c-35c-40c, 7 $6,500 normal at the RKO Lyric, and "THE
STRAND—
15c-25c-40c,
7
days.
(1,500),
(Average,
$11,500)
Gross: $13,500.
days.
(Average, $2,500)
"IF YOU COULD ONLY COOK" (Col.) "Red Wagon" at the independent Gross: $1,900.
(Radio)
"ANNIE
OAKLEY"
"GREAT IMPERSONATION" (Univ.)
Strand took in $1,600, up $100. These
BROWN— (1,400), 15c-25c-40c, 7 days.
ORPHEUM— (2,440), 15c-35c-40c, 7 days. houses played midnight shows New Gross:
(Average, $2,000)
$1,800.
"I

(Average, $6,800)

Gross: $10,500.

Week Ending
"CORONADO"

RKO

Jan. 2:
(Para.)

"CONFIDENTIAL"

(Mascot)

FOX— (5,000), 10c-25c-35c, 7 days. Gross:
(Average, $6,000)
$9,350.
"MUTINY ON THE BOUNTY" (M-G-M)
ST.
days,

FRANCIS —

7
15c-30c-40c,
(1,470),
(Average.
$8,000.

Gross:

2nd week.

$7,000)

"LITTLEST REBEL"

WARFIELD—
days,
$20,000.

(ZOth-Fox)

25c-35c-40c-50c,

(2,680),

2nd
week.
Stage,
(Average, $21,000)

Week Ending
$1,100.

midnight

(Vienna)
Gross:

days.

New

7.

—"Collegiate"

other "A Tale of Two Cities" couldn't
get going at the Poli and was $500
down on a gross of $6,500.
Total first run business was $21,500.
Average is $19,300.

"NEVADA"

Gross:

$7,000.

(Para.)
(Para.)
35c-50c,

days.

(Average, $4,800)

"TALE OF TWO CITIES" (M-G-M)
POLI— (3,040), 35c-50c, 7 days. Gross:
$6,500.

(Average, $7,000)

"MR. HOBO" (G.B.)
"DANGEROUS" (W.B.)
ROGER SHERMAN— (2,200), 35c-50c,
days.

Gross:

"MR. HOBO"

RKO LYRIC— (1,400),
midnight

Gross:

$4,700.

(Aver-

$12,000.

show.

(G.B.)

25c-40c, 7 days, plus

Gross:

$6,700.

(Average,

$6,500)

"CAPTAIN BLOOD"
KEITH'S— (1,500), 30c-40c,
midnight show.

Gross:

(F.N.)
days, plus
(Average, 7

10

$6,900.

days, $6,500)

Week Ending Jan. 2:
"THE PERFECT GENTLEMAN"
(M-G-M)
RKO SHUBERT— (2,150), 35c-55c, 7 days.
Stage: "Hollywood Cabaret Revue". Gross:
$12,000.
(Average, $12,000)
"SO
ROSE" (Radio)
CAPITOL— (2,000), 35c-42c, 7 days,
2nd week. Gross: $4,000. (Average, $6,500)
"IF I
MILLION" (Para.)

RED THE

RKO

HAD A
RKO GRAND— (1,200),

Gross:

$2,600.

"THE

25c-40c,

days.

(Average, $4,700)

7

(Liberty)

15c-25c-40c,

days.

7

"Folies de Paree," Janice Janis,
Telaak, Bill Brown, Sally Payne,
Mayfield & Virginia, Helen Doyle, Eddie
Gross: $4,500.
Pritchard, Parisian Models.
(Average, $3,000)

(Republic)
15c-25c, 4 days.

(Average, $1,250)
"THE PAYOFF" (F.N.)

$1,200.

$1,000.

(Average,

15c-25c,
$1,200)

days.

7.—When

City Council tabled temporarily
an ordinance to require licensing by
the

the city of all projectionists and employment of two men in each booth at
all times.

7.

Jan.

and a half days, against $10,600

a seven-day average.
Total first run business was $92,the

600,

biggest

week

several

in

months. Average is $76,700.
Estimated takings, exclusive of tax

Week Ending Dec.
"THE NEW GULLIVER"
BELASCO— (1,140), 25c-65c,

:

31:
7

(Amkino)
days (in-

cluding New Year's eve midnight show).
Gross: $3,800.
(Average, $3,000)
MILLION" (20th-Fox)

"THANKS A

LOEW'S COLUMBIA— (1,264),

days (return engagement).
(Average, first run, $3,600)

25c-40c,

Gross:

7

$5,300.

"THE LITTLEST REBEL" (20th-Fox)
LOEW'S PALACE — (2,370), 35c-77c, 7
Gross:

days.

(Average,

$16,000.

RKO-KEITH'S— (1,836),
Gross:

$10,000.

$15,900)

(Average,

7

25c-55c, 6«4 days.
full

week,

$10,600.)

Week Ending Jan. 2:
"CAPTAIN BLOOD" (F. N.)
EARLE — (2,218), 25c-77c, 7 days. Stage:
"Hit Parade of 1936," with Nina Olivette
and company of 40. Gross: $23,000. (Average,

$18,400)

—

7.
"The
Jan.
Littlest Rebel" lifted the Midwest out
of the pre-Christmas doldrums with a
rush. The $6,200 take passed normal

City,

by $2,200.
"A Tale of Two Cities" was also
It ran the Cria big money-maker.
terion up to $6,000, over the line by
The Capitol garnered $2,300
$1,000.
on "Dangerous," and the Liberty
reached $2,200 in four days with a
combination of "Whispering Smith
Speaks" on the screen and "Manhattan Nights," a revue, on the stage.
Total first run business was $18,-

Average

is

$14,000.

Estimated takings for the week end-

TWO

CITIES" (M-G-M)

CRITERION— (1,700),

days.

Gross:

10c-20c-36c-55c,

7

(Average, $5,000)
(ZOth-Fox)

$6,000.

$6,200.

10c-26c-36c-56c,

(Average,

Gross:

$2,300.

1

LIBERTY— (1,500),
$2,200.

Jan. 7.
survey of
theatres preparatory to
consideration of application for renewal of licenses has been completed

by Building Inspector Fidance, who
submitted a report to the mayor. The
inspection is made annually under the
city law to ascertain the condition of
the theatres as to safety, exits, seats,
projection
booths,
obstructions
in

passageways

for

and

combustible

ma-

terials.

Selznick Signs Garrett
Hollywood, Jan.

7.

— Oliver

H.

P.

by David O. Selznick to do a script
as a starring vehicle for either Merle
Oberon or Tilly Losch, each with a
one-picture Selznick International con-

7

Must Pay Tax
Sacramento,

10c-20c-26c-41c,

4

"Manhattan Nights" revue.
(Average

for

week,

$3,000)

"DANCE BAND" (First Div.)
LIBERTY— Cl,500), 10c-20c-26c-36c,
Vaude.
Gross:
week, $3,000)

days.

—A

Wilmington,

Wilmington

(Average, $2,000)

(20th-Fox)

Stage:

(Average, $20,900)

Make Wilmington Survey

"WHISPERING SMITH SPEAKS"
days.
Gross:

days.

tract.

$4,000)

"DANGEROUS" (W. B.)
CAPITOL— (1,200), 10c-20c-26c-36c-41c,
days.

7

Garrett, fiction writer, has been signed

ing Jan. 4

Gross:

25c-66c,

"Hollywood Secrets," with Jackie
and Betty Grable; other acts,

Gross: $29,500.

"THE LITTLEST REBEL"

theatre

six
for

Coogan

City Hit, $6,200
Oklahoma

MIDWEST— (1,500),
Pa., Jan.

—

New Year's
Biggest money,
$29,500, went to Loew's Fox for "Ah,
Wilderness" and a stage show headed
by Jackie Coogan and Betty Grable.
This was $9,000 over average.
"Captain Blood," with a unit show
on the stage, topped average by $4,600 for a take of $23,000.
A return engagement of "Thanks
a Million" at Loew's Columbia took
"The
$5,300, to top par by $1,700.
New Gulliver" at the Belasco was up
by $800 for a gross of $3,800. The
picture was held a second week.
"The Littlest Rebel" barely topped
average at Loew's Palace, taking $16,000, or $100 over. "Sylvia Scarlett,"
at RKO-Keith's, grossed $10,000 on
Washington,

Stage:

"Rebel" Oklahoma

days.

owners protested that the proposal was
to force employment of additional men,

Top, $29,500

LOEW'S FOX— (3,434),

"A TALE OF
3

Capital

"AH, WILDERNESS" (M-G-M)

600.

FRONTIER"

RKO FAMILY— (1,000),
Gross:

7

(Average, $2,750)

NEW

Sharon,
7

NATIONAL— (2,400),

15c-25c-40c,

(Average, $2,500)

DREAM TOO MUCH" (Radio)
RKO ALBEE— (3,300), 35c-42c, 7 days,

Delay Sharon Licensing

"COLLEGIATE"

PARAMOUNT— (2,400),

plus

(Col.)
days.
7

(Average, $2,800)

$3,400.

"I

Gross:

(Radio)

Gross:

"DIZZY DAMES"

Billy

(Average,

RKO FAMILY— (1,000),

1

$3,300.

days.

Stage:

$1,500)

Estimated takings for the week end-

"THREE MUSKETEERS"
"TOO TOUGH TO KILL"
COLLEGE — (1,499), 25c-35c,

MARY ANDERSON— (1,000),
7

Show

"NEVADA" (Para.)
METROPOLITAN — (1,591), 25c-40c,
Gross: $5,000.
days.
(Average, $4,300)
"SYLVIA SCARLETT" (Radio)

Week Ending Jan, 2:
"CAPTAIN BLOOD" (F. N.)

RKO

was over normal by $2,200.
"The Three Musketeers," heading
a dual at the College, managed to get
$500 over the line on a take of $3,300
at the College. For some reason or

Gross:

$1,600.

Gross:

days.

7

15c-25c,
("Average, $1,400)

$900.

plus midnight show. Gross: $14,500. (Average, $10,000) Moved to
Capitol.

Jan.
and "Nevada," a dual at the Paramount, was about the only draw of
any proportions here last week in spite
of the New Year pickup following the
Christmas slump.
The $7,000 take

ing Jan.

15c-25c,

Gross:

31:

Div.)
7 days,

"THE LITTLEST REBEL" (20th-Fox)
RKO PALACE— (2,700), 35c-42c, 7 days,

New Haven

Haven,

show.

plus midnight show.
age, $12,000)

"Collegiate" Gets

$7,000,

Week Ending Dec.
"RED WAGON" (First

STRAND— (1,300),

7

(20th-Fox)

ALAMO— (900),

RKO

Gross:

band.

"DANCING DUCHESS"
25c-35c,
(Average, $1,000)

plus "Hollywood Cabaret Revue" on
Shubert, where
the stage at the
average is $12,000.
Total first run business was $62,500. Average is $60,200.
Estimated takings

5

Jan. 3:

CLAY— (400),

"THE RAINMAKERS" (Radio)
"THUNDER IN THE NIGHT"

Year's Eve. "I Dream Too Much"
Albroke par, $12,000, at the
bee, as did "The Perfect Gentlemen,"

"Wilderness,"

skyrocketed grosses.

"Captain Blood" at the Mary Anderson ran $900 over normal for a
take of $3,400.
"The Bride Comes
Home" at the Strand and "Annie
Oakley" at the Brown were both under

An

1936

8,

$1,900.

3

(Average

—

Jan. 7.
Any film
leaves the state must pay
the state tax on the 1935 income, filing the return not later than Feb. 15,
the franchise tax commissioner said
here today.

player

who


WATCH THE 1936

MOVIE BALL
and MIDNIGHT SUPPER
of the
INDEPENDENT THEATRE OWNERS' ASSOCIATION

will be held at the
HOTEL ASTOR

SATURDAY 11th JANUARY
EVE. 1936

TICKETS $10.00 Doors Open 10:30 P. M.

For Reservations Phone
I. T. O. A. CHickering 4-3022
"Hitch Hike Lady"

HITS A NEW BOX-OFFICE HIGH IN DOWN-TO-EARTH ENTERTAINMENT

THE TRADE SAYS IT HAS:

FAST MOVING COMEDY — Motion Picture
CAST OF MARKED MERIT — Hollywood Reporter
SURPRISING SITUATIONS — Variety
FAST ACTION — SPLENDID ROMANCE — Showmen’s Trade Review
FAST TEMPO — ALL AUDIENCE FEATURE — Motion Picture Herald

Directed by Aubrey Scotto, Supervised by Victor Zobel, Original Story by Wallace MacDonald, Screenplay by Gordon Rigby and Lester Cole

JANUARY IS REPUBLIC MONTH

RCA HIGH FIDELITY RECORDING
Circuits Continue Giveaways
In Bronx, Despite a Warning

Circuit operators yesterday said they planned no action, for the present at least, looking toward the elimination of cash giveaways in their Bronx theatres as a result of conferences held on Tuesday with Disirat Attorney Samuel J. Polak of the Polak Wexon. Polak was reported to have warned circuit representatives that arrests would follow the continuation of cash awards on the basis of lucky numbers, regardless of the name under which the theatre game was played.

Loew's, RKO, Skouras and the I. T. O. A. were said to have been warned by Polak. Officials of each denied any knowledge of plans of their companies to discontinue the games at this time. Loew's, as usual, staged its weekly cash giveaway last night, as the circuit does every Wednesday night.

Sanctions Are Helping Italy On Production

By VITTORIO MALPATUSSI
ROME, Dec. 31.—Imposition of League of Nations sanctions against Italy has proven a big stimulus to Italian films. Since September, the start of the 1935-36 season, these films have taken out-grossing imported films here in Rome, and this is true of cities in other parts of the country.

Government efforts are directed at fostering home production, as French and English films are barred here at present and about four-fifths of the market is open to American films. Some of these have been "Casta Diva," "Scare al Sole," "Aria del Continente" and "Passaporto Romano.

Best of the recent American films has been "The Merry Widow," which grossed $34,113 at the Barbierini. Next.

(Continued on page 6)

TOA Will Deposit Funds on Sales Tax

Members of the L. T. O. A. will deposit with local exchanges sums sufficient to cover the two per cent sales tax which is being added to film rentals from Jan. 1 on, it was decided yesterday following a meeting of the organization at which the sales tax was the principal subject of discussion.

The meeting voted to abide by the advice of its counsel, Milton C. Weisman, in the matter. Weisman, after conferring with Louis Nizer, head of the local Film Board, recommended that the two per cent tax now being added to the rentals should be deposited with the exchanges as billed until such time as the legality of the levy is determined. The exhibitors were assured that their deposits would be refunded if the exchanges are successful in their efforts to show that the tax should not be applied to film rentals.

(Continued on page 8)

End Argument In Wiseman's Fight on Suit

End of Para. Trustees' Suit Hangs on Ruling

Arguments were concluded yesterday in the U. S. Circuit Court of Appeals on the appeal brought by William Wiseman, partner in Kuhn, Loeb & Co. and a former Paramount director, protesting the right of the Paramount public trustee to examine him in connection with two recovery suits brought against former officers and directors of Paramount by the company's bankruptcy administration. The court reserved decision on the action.

Prosecution of the two suits against former Paramount officials hinges on the outcome of Wiseman's action.

Arguments were heard to stimulate interest in the home product.

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Best of the recent American films has been "The Merry Widow," which grossed $34,113 at the Barbierini. Next.

(Continued on page 8)

Indianapolis Jury Hits Bank Night

INDIANAPOLIS, Jan. 8—Bank Night is described as a lottery in a report of the Marion County Grand Jury, and the passage of laws is recommended to prevent its further operation.

The drawings reached the inquest after a riot at the Rivoli during which it was charged that the drawing box had been stuffed.

The jurors described Bank Night as an unfair method of merchandising calculated to lure people to the theatre for the purpose of giving them a chance on a cash prize in exchange for their presence in the theatre.

(Continued on page 8)

Motor Plants Hum; Detroit Outlook Rosy

DETOIT, Jan. 8—With the automobile industry humming— which always means prosperity to Detroit and Michigan—and with business in general including exhibition, far ahead of 1935, theatre and exchange men here are highly optimistic over the prospects for 1936.

Asked for his opinion of the prospects for this year, George W. Trel- dle, president of United Detroit Thea- tres Corp., operating the Public first- run theatres here, as well as a large number of subsequent run houses, said in the following statement:

"The destiny of all branches of the picture industry for 1936 can be told, or read, only from week to week. It is a great serial story, available only one chapter at a time.

The producers are its authors. The prosperity we enjoy, or miss, in 1936, depends on the entertainment.

(Continued on page 6)

More Film Salaries Go Before Congress

WASHINGTON, Jan. 8—Further reports by the Treasury Department to Congress on salaries paid to corporation employees receiving more than $15,000 per year include a number of film figures.

Among them are:

Executive officers:

- E. S. Bloom, president Western Electric, $69,159; Marion Donaas (Rexon Davies), president Cosmopolitan Corp., $104,000; E. W. Hammons, president Educational, $63,749; Charles D. Hillyer, trustee Paramount Public, $32,433; Frank W. Lovejoy, president Eastman Kodak, $91,903; Joseph M. Schenck, president.

(Continued on page 8)

Skouras to Be First Witness At St. Louis

Opening Talks to Start Today's Session

By RED KANN
ST. LOUIS, Jan. 8—Spyros Skouras, operating six theatres through his Theatre Co., and at one time a vital factor in the local exhibition field, will be the Government's first major witness in the equity proceedings involving Warner, Paramount and RKO which resume Thursday morning. This, it is understood, is the Government's current plan, although admittedly a change in the prosecution's program is likely.

There is no definite assurance, however, that he will be reached at tomorrow's session. Thursday may be devoted to a full session of opening statements by both the prosecution and the defense.

Russell H. Hard, chief Government counsel, is scheduled to be first in the presentation and most likely will be followed by Frederick H. Wood of Cravath, de Gersdorff, Swaine and Wood, prominent New York law firm, and special counsel for Warners.

(Continued on page 8)

Production Slows:

33 Features Going

Hollywood, Jan. 8—Studios went into an expected post-holiday slump with production skidding several notches below the figures recorded the preceding week. Only 13 pictures are to be started within the next two weeks, the survey taking in all major and independent companies. There were 33 feature pictures and three shorts shooting as compared to 41 features and no shorts the week preceding.

M-G-M moved to the head of the list with six features in the offing.

Columbia had three features shooting.

(Continued on page 8)

Head of Boys' Club Backs Change in Law

William Edwin Hall, president of Boys' Club of America, has approved Mayor LaGuardia's suggested change in the law forbidding children under 16 to attend theatres unless accompanied by adults. In a letter to Byrnes MacDonald, director of the Juvenile Aid Bureau of the Police Department, Hall declared he felt the
**“Copperfield” Leads Voting for 10 Best**

“David Copperfield” heads the list of 10 best films released during the year ending Oct. 31 in the annual poll of Film Daily. A total of 491 votes were cast by the American Federation of Radio and Television Executives, who nominated 106, compared with 173 the previous year.

- **David Copperfield** (M-G-M), "Lives of a Bengal Lancer" (Para.), "Maresta" (M-G-M), "Les Misérables" (U.A.), "Ruggles of Red Gap" (Para.), "Top Hat" (Radio), "Hotel Alhambra 1923" (M-G-M), "Robert" (Radio), "Anna Karenina" (M-G-M).

An honor roll included 49 features, headed by "Alice Adams" (Radio). Last year this list had 42 pictures. The voting was so scattered that only one feature, "David Copperfield," received more than 300 votes. "Anna Karenina," the last of the 10 best, received 129, and the rest of the selections ran from 115 for "Alice Adams" down to 10 for "The Whole Town’s Talking."

**Pommer to Produce 14 Films for Korda**

Erich Pommer, here for conferences at United Artists, says he will produce 14 features during 1936-37 in his new association with Alexander Korda in England (Radio). "Nagasaki," released through U.A. as Erich Pommer Prod., and 11 will be on the England-Korda O Columbia stock. Pommer is first as an independent producer will be "Elizabeth of England," going into work in March. The second is "King Without Armor," by James Hilton, starring Robert Donat and Merle Oberon.

Pommer will also act as associate producer for Korda in making several other films. Korda has signed Harry Dacre, King Vidor and William K. Howard to direct, Pommer will confine with them on the coast. Korda has engaged the best producing company, which plans six each year, in Hungarian, English and German. Nicholas Horthy, Jr., is associated with him in the enterprise.

**306 Installs Officers**

The entire slate of recently elected officers of Local 306, headed by Joseph Basson, president, was formally installed in office yesterday at a regular meeting of the local in Odd Fellow’s Hall, Brooklyn. James C. Quinn, secretary of the Central States and Labor Board, acted as installation officer.

**Pathie Board Meets**

The board of directors of Pathie Film Corp. held its regular meeting yesterday. Only routine business was transacted, according to Willis Brigg, secretary.

**Academy’s First to Open in New Bedford**

Academy Picture’s first production "I Confess," which it is giving its world premiere at the Empire, New Bedford, Mass., where it has been booked for one week beginning Jan. 19, has been sighted as a possible for first runs at the Suffolk, Holyoke Mass., and by Ed Fay for Providence.

Edward Halperin, producer of the picture, is here from Los Angeles to inspect the city. He says the city was selected because of its background as a whaling center, which furnishes the theme of "I Confess" and the Sea), and because the principal characters, Thomas Ashley, bears the name of the present mayor of New Bedford, Halperin said.

**G.T.E. Extends Deposit**

The reorganization committee of General Theatres Equipment U.L. has six percent convertible debentures due April 1, 1940, has extended the time for deposit for Feb. 1, this year.
Backed by Warner Bros.' nationwide Clue Club promotion, and introducing to the screen lovely Kay Linaker, the release of this week of 'THE MURDER OF DR. HARRIGAN' means thrills aplenty for the movie-going public. An adaptation of Mignon G. Eberhardt's story 'From This Dark Stairway', its weird tale of murder with a surgeon's scalpel affords Ricardo Cortez, Mary Astor, John Eldredge and Director Frank MacDonald ample opportunities to turn in their usual superlative performances. A First National Picture. Released January 11th.
'Fang and Claw'
Teens With Thrills

"FANG AND CLAW," a Radio Picture
produced by Frank Buck; filmed by
Nicholas Cavallero and Harry Z.
Squire; musical score by Winston
Sharples; presented at the Rialto The-
atre.

Frank Buck doesn't wander
the wilderness to play charades
—his pictures teem with exciting
life and action—and none more
than that now sending quivers
along the spines of Rialto audi-
ences. Buck went to camera-
capture thrilling and once again
he brings 'em back alive.

Slithering pythons lash and
thresh in deadly fury, struggling
with cold hatred to encircle hap-
less victims in their terrible
clutches: fierce, snarling
cats, with death in every fang
and claw, charge with gaping
jaws into the very face of the
camera with human prey one
scant leap ahead; those jungle
jesters, the monkeys and the
bears, supply the comic touch in
an atmosphere of ever-threat-
ening tragedy; unblinking
dutes yawn under the sweating
sun to come to sudden perilous
tors; indeed, the whole big pa-
rade of the jungle tears across
the screen, only the Rialto's
safety robbing each scene of ter-
ror. Every sequence is topped by
the one that follows; suspense
and drama build with each suc-
cceeding scene, and the inter-
ludes between shots of heart-
stopping adventure are filled
with welcome respites of laugh-
ter at the antics of the simper-
sing simians and blustering
bruins. The film fulfills its
every promise.

Much footage must have been
photographed from which to
cull such reels of concentrated
thrill, and the task of editing is
so capably accomplished that it
must be mentioned. The photo-
grapny itself is always excellent,
and the direction is at term
may be said to be admirable.
Mr. Buck's camera work is one of
the picture's highlights.

"Exciting entertainment
... suspense and excel-
ent story-telling quality
sustained from the first
moment to the last."—N. Y. Herald-Tribune

"An exciting chapter in the art of animal trapping ... an absorbing venture in Nature photography."—N. Y. Post

"Worth seeing."—N. Y. Daily News
WDS LIKE THIS!

GRAND OPENING
FRANK BUCK BACK ALIVE
WITH A TON OF THRILLS
FANG & CLAW

THE BIG HOLDOVER ATTRACTION FOR BROADWAY'S BRAND
NEW RIALTO THEATRE . . . Matinees as big as nights . . . and
nights big enough to give the house an opening mark to shoot
at for months to come! . . . A real drag-'em-in-show now playing
to big business in key spots all over the country!

CLAW

Produced by the
VAN BEUREN
CORPORATION

RKO RADIO
PICTURE
Motor Plants Hum; Detroit Outlook Rosy

Out Hollywood Way


Joel McCrea and Lew Ayres to spend vacation in Mojave Desert looking for gold. . . . Jack Hoxie heads to star Marie Cheison in one film... Deal closed with Alexander Korda, . . . Al Jolson now being called Mayor of Encino because he bought a home there... Eugene Forde invoking "The Black Gang," Twentieth Century-Fox, for Lewis Seller, who is ill.

Buddy Ericsson, assistant director at Twentieth Century-Fox, in hospital with fractured skull after automobile smash. . . .


Directors—John M. Stahl gets look-see part in First Picture not set. . . . Lloyd Bacon will direct "Sons O' Guns," starring Joe E. Brown, Warners... . . . Norine Zaxos, who has just finished "Strike Me Pink" for Samuel Goldwyn, back at Paramount to direct W. C. Fields in "Toppy." +

Writers—Howard Lindsay, playwright, due here soon to do adaptation of "Miss Julie," next Astaire-Rogers film... John Twist and Cyril Hume adapting "The Wives' Chair" for Radio... . . . Arthur Sheekman and Nat Perkin options taken by Twentieth Century-Fox.

Story Buy—David Diamond's original, "Exile Express," acquired by Universal... Robert Tarker and John Bught adapting it.

Musicians—Gerard Carbonara and Victor Young, composers, join Paramount music staff. . . . Raphael, known as "King of the Concertina," signed by Paramount to work on and in "Concertina." +

Seven Features Are Banned in Detroit

Detroit, Jan. 8.—Seven features with known leads and last feet of stock were cut from domestic features and 1,500 from foreign features, according to the annual censor report just submitted. Of the seven features banned two were of foreign origin.

The censors are Acting Deputy Police Superintendent Fred W. Frahm, Sergeant Joseph Kollar and Detective Charles Snyder.

A total of 621 features running to 4,905,600 feet was viewed. Films rejected dealt with sex problems. One was barred on the ground that it was Communist propaganda.

Foreign films censored were Polish, French, Belgian, Swedish, Russian, Italian, German, Hungarian, Armenian and Egyptian.

Hart, Caldwell Win Awards in December

Quigley Award winners for December were announced by the managers' Round Table Club of Motion Picture Herald are Ed Hart, Oxford Theatre, Plainfield, and Wally Caldwell, loew's, Valentine, Toledo.

Hart, a plaque winner in 1934, gets the silver award for his campaign on "Murder on the Bounty," and Caldwell takes the bronze award for his "A Night at the Opera" campaign.

The Quigley awards are to be continued in 1936, the third year of the competition.

A committee to select the Grand banner winners for 1935 is now being chosen.

Plan Phila. House

Philadelphia, Jan. 8.—William Goldman and Warners have jointly formed Terminal Theatres Corp. to take over the 20 terminals in the new 69th St. Terminal here.

Both were previously reported building there, but apparently have compromized on joint ownership. Construction will start in a few weeks.

End Argument in Wiseman's Fight on Suit

Issuance of stock which was later re-deemed at a guaranteed price, at a time when the market price of the stock was considerably lower than the guaranteed price, was the gist of the argument in a suit brought by one filed by the trustees to recover from officers and directors alleged manipulation of stock in a so-called Paramount stockholders' stock purchase plan. It is alleged that through their participation in this plan, they were able to wrongfully by acquiring Paramount stock at less than market price and disposed of it later in the market.

Court Order Cited

Wiseman, as a defendant in the actions, contested the right of the trustees to enforce enforcement of the suits on the grounds that the Paramount bankruptcy was concluded with the reorganization of the company in June and the trustees' authority, including the authority to prosecute the suits, expired in June. The law firm cited an order signed by Federal Judge Cox on June 17 which specifically directed the trustees to continue the prosecution of the suits. As a result, the Federal District court some time ago upheld the trustees' rights to proceed with the examination of Wiseman and the prosecution of the suits.

Wiseman then took an appeal to the Court of Appeals, the court which overturned the higher court, the June 17 order would be nullified and the trustees would be granted authority to bring their two recovery actions to trial.

Head of Boys' Club Backs Law Change

Mayor desired support in his effort to "get a workable statute on the books." He said the present law is unenforceable, and asked the Mayor's move to place the responsibility for supervision on the theatres themselves. In the right direction.

Twenty-three of the 115 employees summoned to court in the barren drive for enforcement of the law, were arraigned yesterday in Brooklyn Magistrate's Court and paroled for hearing next week.

“Spring Night” Barred

Bosco, Jan. 8—“Spring Night,” which cleared last fall without no elimination on the Nov. 4 list of approved films put out by the Department of Public Instruction, ship division, has been ordered removed after the list of approved films by Commissioner E. J. Kirk.

No reason was given in the notice which exhibitors received today.
figures
don’t lie—
More National Screen Trailers in more movie theatres all over the country than ever before!
Skouras to Be First Witness At St. Louis

(Continued from page 1)

is here for the resumed hearings. The Warner presentation is expected to be followed by Louis Phillips, counsel representing Paramount here, who is doubleing in brass due to the illness of Samuel W. Fordyce, as- sociated counsel for Columbia and Pathé.

Sanctions Are Helping Italy On Production

(Continued from page 1)

beat have been "No Greater Glory" and "After Office Hours," with other U. S. films trailing well behind.

Control of Italian production has rested with the Direzione Generale Cinematografica, supervised by Luigi Freddi.

Hopes for American producers or directors to work with Italian producers, the first American company to take advantage of this are "Van, which will distribute "Al- debaran," produced by Giulio Manenti, with Alessandro Blasetti as director.

A part of the profits of world distribution will go to the Italian producer.

A new governmental agency has been created for distribution of Italian films. It is called Ente Nazionale Industrie Cinematografiche — E.N.I.C., and will be controlled by the Institute of Culture — I.C.I. In fact, the President of E.N.I.C. is Marquis Paulicelli de Calilho Barone, who is also president of the Italian Union of Film Managers.

More Film Salaries Go Before Congress

(Continued from page 1)

United Artists, $104,000; Adolph Zukor, $2,152.

Paramount — P. S. Karpen, $12,992; William S. Le Baron, $14,711; Louis D. Lighton, $8,000; B. P. Keough, $14,525; E. Lloyd Sheldon, $7,861.

Directors — James Flood, $39,041; John Ford, $26,000; Henry King, $39,041; John Berkey, $21,141; Max Reinhardt, $17,500; Wesley Ruggles, $13,510; Norman Taurog, $11,785; Frank Tashlin, $7,341; John von Sternberg, $50,000.

Actors and actresses — Constance Bennett, $176,188; Mary Boland, $89,583; Burns and Allen, $88,791; Kitty Carlyle, $52,803; Claudette Colbert, $88,500; Gary Cooper, $139,667; Miriam Hopkins, $71,145; Adolphe Menjou, $67,000; Jack Oakie, $82,666; Joe Penner, $75,000; Zasu Pitts, $60,416; George Raft, $61,064; Sylvia Sidney, $110,583.

Writers — Vincent Lawrence, $70,201; J. P. McEvoy, $90,083; Dorothy Parker, $16,000.

On the Lighter Side

By Bill Ornstein

ST. LOUIS, Jan. 8.—With St. Louis only 25 minutes away, Sam DeMention took the plane and brought me from St. Louis in the plane that brought them out from New York and remarked:

"I wish I had such a smooth trip. It's wonderful, isn't it?"

In that instant, the machine hit an air pocket and bounced and tossed until the landing field bove into sight.

Chesson Smith read two detective novels on the road from New York and has two more to go.

Austine Keough, Lou Phillips, Eddie Albert, Sam DeMention and Chesson Smith captured the spirit of St. Louis in the Crystal Room of the Gotham, one at one minute; M-G-M at 11 p.m., Monday morning, that's when the bars open in this town after the Sabbath lull.

Jim Reed is maintaining a high batting average and a direct line to the spitoon by his side in the conference room. Harry Warner's hat isn't there this time, as in the criminal case, Warner isn't here.

The new courtroom, by the way, is quite impressive. It is oak-paneled with modernistic lighting and trimmings.

The theory of rez ajindtana were aired at length. Laymen, here either as spectators or witnesses, have found the going difficult. The technicalities and the interpretations placed upon this by the Supreme Court language have even found the lawyers themselves disagreeing.

The film fraternity, well versed in percentage deals and overages, hasn't had much of a chance.

Bruce Balderston, Austine Keough and Gordon Youngman, RKO attorney, returned to New York. Starr is expected here tomorrow. Sears is in Chicago, but is due here shortly.

Production Slow; 32 Features Going

(Continued from page 1)

ing, three in preparation and four editing. Fox had five, three and three; Universal, six, six and 12; Paramount, five, one and 10; Radio, four, two and four; Roach, zero, one and zero; Universal, four, one and one; Warners, four, one and 10; independents, one, one and one.

Short subject activity, which registered a blank the previous week, showed an uplift. Columbia had none this year, and the pre-preparation work was being done in the cutting room. M-G-M had one, four and three; Radio, zero, zero and one; Universal, zero, two and three; Universal, zero, one and one; Indies, zero, one and zero.

Endorse Pettengill Bill

Detroit, Jan. 8.—The Pettengill bill, which would abolish compulsory block booking, has been endorsed by the Detroit Council of Catholic Organizations.

Judge Molyneaux sits very quietly in his high-backed leather chair, gently swinging from side to side from time to time. He speaks in low tones. All ears bend attentively in his direction when he has something to say. Those words are of immense importance.

The local branch managers scammed in a hurry when the first hour of the first day made it easy to see no witnesses would be reached.

Alperson and Demention are sharing quarters on the 15th floor. Ewart's bathroom is in cerise and purple.

Bob Perkins is constantly by Ritz's side, whispering this and that to him, showing over this brief and that to him. Slightly bent by age now—the ex-senator is 74—Ritz continues a fine figure of a man with his tall frame and his shock of snow-white hair.

Ritz took a crack at the New Deal and the other day, Walter Rice had circled his neck with a belt. He was made at 9 o'clock and kicked out by a ruling of the Supreme Court at 10 o'clock.

Wall Street

Marked Gains Spot Big Board

High Low Close Change

Columbia — $434 430 435 +5

Consolidated, pfd. — $184 184 183 +5

Eastman Kodak — $31 31 31 0

Loew's, inc. — $324 323 324 +1

Lumby's — $105 105 105 0

Paramount — $105 105 105 0

Paramount 2 pfd. — $126 126 126 0

Pathé Film — 78 78 78 0

RKO — $124 124 124 0

12th Century Fox — 235 234 234 1

Union Oil — $9 9 9 0

Universal — 345 344 344 0

Warner Bros. — $85 85 85 0

Technology Continues Rise

High Low Close Change

Sentry Control — 89/16 10/16 9/16 +5

Soviet — 13 12 12 —1

Symptoms — 69 68 68 0

Trans-Lux — 379 379 379 0

RKO Bonds Jump 8 1/4 Points

High Low Close Change

General Theatre — 224 224 224 0

Krell's — 80 80 80 0

M-G-M — 40 40 40 0

Keith — 925 925 925 0

Metro Goldwyn Mayer — 945 945 945 0

Metro's 45 45 45 0

Paramount P — 945 945 945 0

Paramount Pfd. — 945 945 945 0

Warner Bros. — 87 88 88 0

Warner Bros. 6% — 87 87 87 0

Warner Bros. 6% — 87 87 87 0

Answers — 87 88 88 0

(Quotations at close of Jan. 8)
Looking 'Em Over

“The Mayflower” (Educational)

In this cartoon there is some good invention which will put it over. The plot concerns a load of Pilgrims some of whom escape and are popularly supposed. With modern twists, it lands the Pilgrims on a prepared Plymouth Rock and one character gets a hilarious greeting by Indians with neckties and hot-dogs to sell while another is hunting and getting involved with a gang of fierce redskins. He escapes, however, a good one in the cartoon line. Production Code Seal No. 0797. Running time, 9 mins. “G.”

“Dumb-Bell Letters No. 21” (Van Beuren-Radio)

If the others in this series have provoked laughs from audiences, this should do likewise. As usual, it is made up of some of the best of Miss Lowell’s collection of items from the morning post. Perhaps the best of the lot is one in which a woman writes to the Voice of Experience. She has two children and wants a third, but she has been told she is childless. She is born in Chinese. Production Code Seal No. 0338. Running time 7 mins. “G.”

“Winter Magic” (Twentieth Century-Fox)

With winter as its theme, this short in the Magic Concept series takes the audience on a tour of places where winter cloaks the country to the camera’s advantage. There is at times some excellent photography and the mood is well handled. Metropolitan and rustic scenes are compared and the traditional sports are shown. Production Code Seal No. 0797. Running time, 85 mins. “G.”

“Screen Snapshots No. 5” (Columbia)

This issue, in the familiar manner, looks in on screen stars at their exercise and diversions. Warren William works his farm, Gene Raymond plays tennis, Elissa Landi rides, Mary Brian tap dances and Eddie Canor juggles three balls. The piece closes with views of a typical Hollywood premiere. This series has fallen into a rut and more novelty from a production standpoint is needed. Production Code Seal No. 1,833. Running time, 10 mins. “G.”

“Filming the Feminine Headliners” (Twentieth Century-Fox)

Fine editing on the part of Lew Lehr of old material makes this a Rock and one character gets a hilarious greeting by Indians with neckties and hot-dogs to sell while another is hunting and getting involved with a gang of fierce redskins. He escapes, however, a good one in the cartoon line. Production Code Seal No. 0780. Running time, 9 mins. “G.”

“The Private Life of Louis XIV” (General Foreign Sales)

With story and direction by Carl Froelich, this German importation pictures, against a spectacular royal court background, something of the intrigue and pomp surrounding the activity of the King of France in the 17th Century, and the unfortunate plight of a young German Princess, married to Louis’s brother in a political move which goes wrong.

The film has been well executed and the performances are good. Numerous sub-titles in English make for easy understanding of the story by those unfamiliar with the German language of the picture. Renate Muller, Dorothea Wieck, Michael Bohm, and Hans Sruwe play the princess, a favorite of the king, and his brother, respectively. Miss Muller and Miss Wieck are probably known in this country, and the film should have definite appeal in those communities where there are German people.

There is, of course, the obvious underlying intact, in this German production in conjunction with the activity of the French king and his war minister in the light of unsavory vagrants of the then separate German states. As a dramatic film, however, it offers a measure of entertainment.

The German princess, after bearing as long as she can the unwelcome attention of Louis, and the lack of respect of her husband, is borne home in Heidelberg, where her husband, suddenly aware of the love his wife has for him, persuade her to return to the court, she realizing that she can best help her native people by remaining near the king, and with her husband’s help.

Reviewed without production code seal. Running time, 85 minutes. “G.”

“Rebel” St. Louis Leader at $16,000

Indianapolis Top

Indianapolis, Jan. 8—“Miss Pacific Fleet” lead the first run parade here after a shift in opening dates to get the best returns from Christmas and New Year’s. The take at the Lyric was $9,000, over the line by $2,000.

All houses were strong, except one, the Apollo, which was holding “The Little Rebel” for a second week, and fell off to $3,500.

“A Tale of Two Cities” and “I Don’t Care” were both good, and “The Bride Comes Home” took a par $7,000 at the Indiana. A heavy snowstorm hurt business somewhat.

Total first run business was $29,500. Average is $26,500.

Estimated takings:

**Week Ending Dec. 31:**

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<td>“THE BRIDE COMES HOME” (Pars.)</td>
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<tr>
<td>“A TALE OF TWO CITIES” (M-G-M)</td>
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<td>“MISS PACIFIC FLEET” (W.B.)</td>
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**Week Ending Jan. 3:**

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<tr>
<td>“MISS PACIFIC FLEET” (W.B.)</td>
<td>Apollo</td>
<td>2-6c</td>
<td>$5,000</td>
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</table>

Lee Replaces D’Arrast

Hollywood, Jan. 8—Rowland V. Lee has been signed by Pickford-Lasky to replace Harry D’Arrast as director of the Rainy Day Productions. D’Arrast remains with Pickford-Lasky to direct another film, though starting and starting date have not been set.

No New to Warners

Bouquet, Jan. 8—Nat Cohen has resigned from the advertising department of M. & P. theatres to do special exploitation work for Warners.

Variety Club

Albany, Jan. 8—A movie ball is scheduled for the early part of February.

In New York, Dan Daeffer of Fabian Theatres has been named a member, William Barney of the Grand, Watervliet, also has been admitted.

About 200 guests attended a dance given by Fox employees at the club rooms. Vaudeville acts from local theatres furnished the entertainment.

Cincinnati

CINCINNATI, Jan. 8—At the last general meeting of the annual Variety Club, the following talent was furnished by WLW. Those participating were: Grace Raines, local director and pianist; Cauncey Parsons; Paul Sullivan, De Vore Sisters and The Continentials. About 200 members and guests were present.

For General unserer, Al C. Wingfield and Mrs. Wingfield of Washington.

Al Sugarmann has gone to Dillsboro, Ind., for a rest.

Pittsburgh

PITTSBURGH, Jan. 8—This has been the last week of the January run of the annual Variety Club milk fund drive. More than $18,000 was subscribed and 3,000 kiddies in all Pittsburgh institutions may have one-half pint of milk per day for the entire year.

Barker and Tevis, newly elected chief Barker and newly elected man, took charge beginning Jan. 1.

The KQV broadcasts from the club at Monday meetings in Pittsburgh, and is interesting the public.

Barker G. Tyson of the Harris-Advin back house again after flying visit with the family in New York.

Barker McGreevy of the Harris Office prepared a show for Woodstock, Florida, to see Mrs. McGreevy and the namesake.

Barker is preparing for the trip to Omaha, Des Moines and Dallas for the induction of these three new tests. He is anxious for Dallas and that city and all these 285 lbs, and he says every pound gets cold at one time and that’s a lot of cold.

The inmates of Western Penitentiary presented John H. Harris and the Variety Club a radio in appreciation of the club’s Christmast show. They also collected $50 for the milk fund.

Washington

WASHINGTON, Jan. 8— Formal installation of the newly elected officers of Tent No. 11 will take place Jan. 10. At the same time the membership of the Variety Club and the membership of the City of Washington will be accorded retiring Chief Barker Rudolph Berger and other officers.

In coming Chief Barker J. Louis Rorie of Baltimore has outlined ambitious plans for the tent for the coming year. Details of which will be divulged at the January meeting.

The Variety Club of Washington conducted its first New Year’s Egg Nogging on Dec. 31, with open house for barker and their friends.
“Two Cities”
$16,800 Top,
Kansas City

KANSAS CITY, Jan. 8—“A Tale of Two Cities” at Loew’s Midland was out front here with $16,800, $5,300 on the profit side.

“The Littlest Rebel” and “Your Uncle Dudley” were strong at the Uptown. In four and a half days of a second week the take was $4,700. Normal for the period is $2,500.

“The Bride Comes Home” took $6,500 in four and a half days of a second week at the Newman.

Total first run business was $41,300. Average is $33,700.

Estimated takings:

**Week Ending Dec. 31:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A Tale of Two Cities</strong> (M-G-M)</td>
<td>7</td>
<td>$16,800</td>
<td>$2,400</td>
</tr>
<tr>
<td><strong>Your Uncle Dudley</strong> (20th-Fox)</td>
<td>4</td>
<td>$5,300</td>
<td>$1,325</td>
</tr>
<tr>
<td><strong>The Bride Comes Home</strong> (Pars)</td>
<td>2</td>
<td>$6,500</td>
<td>$3,250</td>
</tr>
<tr>
<td><strong>I Dream Too Much</strong> (Radio)</td>
<td>7</td>
<td>$6,500</td>
<td>$928</td>
</tr>
</tbody>
</table>

**Week Ending Jan. 2:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Remember Last Night</strong> (Univ.)</td>
<td>2</td>
<td>$6,200</td>
<td>$3,100</td>
</tr>
<tr>
<td><strong>TOWER</strong></td>
<td>6</td>
<td>$2,900</td>
<td>$483</td>
</tr>
<tr>
<td><strong>DANCERS</strong></td>
<td>7</td>
<td>$1,070</td>
<td>$153</td>
</tr>
</tbody>
</table>

**Yellow Dogs Elect**

DENVER, Jan. 8—The local kernel of Yellow Dogs has elected the following officers: Joe Decker, chief mongrel; J. J. Morgan, keeper of the fleas; and Eugene E. Reed, keeper of the bones. The local kernel has incorporated.

At the annual jamboree held at the Old Town Hall, 60 were initiated. Harry Golub, Orpheum manager, won the top prize, a tin star, for doing the best job of initiating. A stage show was put on.

AUGUSTA PLANNING HEAVIER PRODUCTION

WASHINGTON, Jan. 8.—Immediate expansion in production in Australia is planned as a result of passage of the Film Quota Act in New South Wales, according to a report to the U. S. Department of Commerce from its trade commissioner in Sydney.

National Studios, located about six miles from Sydney, have commenced preliminary work on two features. Cinesound Prod., Ltd., the most important producing company in the Commonwealth, is planning to produce 14 pictures in the coming year. The first has already begun.

According to the schedule, Cinesound will make three other productions for world release, two special for American distribution, four outdoor films of Australian life and four romances. In addition, 52 issues of Cinesound Review are to be made.

To make room for this expansion, Cinesound intends enlarging its studio at Rush-Church Bay and, in its first run, the New Year’s Eve show is not included.

“Captain Blood” opened New Year’s Eve. Two performances of “Hippodrome” to terrific business and grossed $13,000 in the first three days of its run which continues through New Year’s Week. This includes three New Year’s Eve shows.

The Hippodrome weekly average is $8,000.

“The Littlest Rebel,” in 4 days of its second week at Warner’s Hippodrome, chalked up $6,500, making the take of the weekend over $19,000 or $11,000 over average.

“Mr. Hobo” went $1,750 over the $3,000 average at the Allen, closing the run with a $4,750 gross. "So Red The Rose" held to the $4,000 average of Loew’s Stillsman. These figures do not include New Year’s Eve shows.

Total first run business was $61,250. Average is $4,200.

Estimated takings for the week ending Jan. 3:

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MR. HOBO</strong> (G.B.)</td>
<td>7</td>
<td>$1,750</td>
</tr>
<tr>
<td><strong>ALLEN</strong></td>
<td>7</td>
<td>$4,000</td>
</tr>
<tr>
<td><strong>SO RED THE ROSE</strong> (Para)</td>
<td>7</td>
<td>$4,000</td>
</tr>
<tr>
<td><strong>LEAVE IT ALONE</strong> (M-G-M)</td>
<td>7</td>
<td>$4,000</td>
</tr>
<tr>
<td><strong>ROSE OF THE RANCHO</strong> (Pars)</td>
<td>7</td>
<td>$4,000</td>
</tr>
</tbody>
</table>

**Cities” Hits

$17,000 High
In Cleveland

CLEVELAND, Jan. 8.—The biggest holiday business in four years is reported by all local first runs, with Warners’ “A Night at the Opera” taking the biggest. The Capitol showed the $17,000 of Warners, while the Hippodrome was $13,000. A Night at the Opera, the last running, had a gross of $12,000, out of the total run, and showed a second week’s profit of $4,700.

“Frisco Kid” Out Front in Chicago Boom

CHICAGO, Jan. 8.—It was a big week all along the line with every first run away over par except one. “Frisco Kid” piled up $38,500, passing par by $6,500, at the Chicago. Paul Lukas and Milton Berle were on in “Hotel Universe.”

“A Midsummer Night’s Dream” took a strong $7,700 at the Apollo. “Sylvia Scarlett” was $4,000 over par. This will bring the total of $22,000 to the Palace, and “The Man Who Broke the Bank at Monte Carlo” reached $9,700, up by $2,400, at the Garrick. “Rose of the Rancho” took a good $13,000 at the Roosevelt. The only attraction this week that made more than $10,000 was “Dorothy.”

“Dorothy” was the high mark for “Splendor,” which had a par $17,000 at the United Artists.

Total first run business was $14,500. Average is $18,000.

Estimated takings:

**Week Ending Dec. 31:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A Midsummer Night’s Dream</strong></td>
<td>7</td>
<td>$7,700</td>
</tr>
<tr>
<td><strong>SPLENDOR</strong> (U.A.)</td>
<td>7</td>
<td>$17,000</td>
</tr>
</tbody>
</table>

**Week Ending Jan. 1:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SYLVIA SCARLETT</strong> (Radio)</td>
<td>7</td>
<td>$4,000</td>
</tr>
<tr>
<td><strong>A NIGHT AT THE OPERA</strong> (W.B.)</td>
<td>7</td>
<td>$17,000</td>
</tr>
<tr>
<td><strong>ROSE OF THE RANCHO</strong> (Pars)</td>
<td>7</td>
<td>$13,000</td>
</tr>
</tbody>
</table>

**Week Ending Jan. 2:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Frisco Kid</strong> (W.B.)</td>
<td>7</td>
<td>$4,000</td>
</tr>
<tr>
<td><strong>CHICAGO</strong></td>
<td>7</td>
<td>$14,000</td>
</tr>
<tr>
<td><strong>ONE WAY TICKET</strong> (Col.)</td>
<td>7</td>
<td>$13,000</td>
</tr>
</tbody>
</table>

**Week Ending Jan. 3:**

<table>
<thead>
<tr>
<th>Motion Picture</th>
<th>Days</th>
<th>Grosses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MUSIC IS MAGIC</strong> (20th-Fox)</td>
<td>7</td>
<td>$13,000</td>
</tr>
<tr>
<td><strong>BOY SCOUTS</strong></td>
<td>7</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

**Sign N. H. Operator Deal

NEW HAVEN, Jan. 8.—After months of negotiation, George Craven, division manager of M. & P., has agreed that practically all difficulties which have arisen with the operators’ union that has been in existence for the past two or three years have been smoothed out and an agreement reached.

Form Three Companies

ALBANY, Jan. 8.—Three new theatre companies formed here are: Times-Union Theatre Corp., New York City; Max Greenfield, Minnie Mazuer and Robert Meerman, Rockville Centre Theatre Corp. and Montdale Theatre Corp., also of New York City.

To Make Scout Serial

HOLLYWOOD, Jan. 8.—Louis Weiss, production head of Weiss Bros., Inc., says he intends to produce a 15-episode Boy Scout serial this season, which would make 15-episode serial on this season’s list.

“FLORIDA HOUSE BURNT”

SAN FRANCISCO, Jan. 8.—Members of the T.O. have agreed not to use Screenox.

**GALA OPENING LUNCHEON**

THURSDAY, JANUARY 9
AT JACK DEMPSEY’S
“Captain” Big Hub Grosser; Gets $20,500

Boston, Jan. 8.—“Captain Blood” piled up profits in two spots, the Fenway and the Paramount. At the former it was nearly 100 per cent over normal on Gross $19,000, and the latter the $2,500 take was $5,500 to the good. The feature was held over in both houses. Ordinarily these spots run duds.

Grosses generally were like the good old pre-shakes. Ah, With $2,500—“If You Could Only Cook,” dazed at Loew’s Orpheum and Loew’s State, took $14,000 for the former and $13,000 at the latter. “Colle-giate,” with a stage show, ran the Metropolitan up to a heavy $20,000.

Total first-run business was $84,500. Average is $85,500. Estimated takings for the week ending Jan. 3:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross (3 days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fenway</td>
<td>$8,000</td>
</tr>
<tr>
<td>Sylvia Theatre</td>
<td>$8,000</td>
</tr>
<tr>
<td>Keith, M. (Enc.)</td>
<td>$12,000</td>
</tr>
<tr>
<td>“AH, WILDERNESS” (M-G-M)</td>
<td>$12,000</td>
</tr>
<tr>
<td>Loew’s Orpheum (Col)</td>
<td>$12,000</td>
</tr>
<tr>
<td>“AH, WILDERNESS” (M-G-M)</td>
<td>$12,000</td>
</tr>
<tr>
<td>Loew’s State (Col)</td>
<td>$12,000</td>
</tr>
<tr>
<td>RKO Boston (Col)</td>
<td>$12,000</td>
</tr>
<tr>
<td>“DEVIL’S ISLAND” (Col)</td>
<td>$12,000</td>
</tr>
</tbody>
</table>

—Rebel” Is $19,600 Leader in Detroit

Detroit, Jan. 8.—“The Littlest Rebel” was a sensation at the Fox. The $19,600 take ran over par by $4,600.

“Collegiate” at the Michigan also was in the money with a gross of $23,400, up by $3,400. “Sylvia Scarlett” was good for $11,000 at the RKO Downtown, but elsewhere grosses were nothing but excited about. Total first-run business was $71,900. Average is $65,000.

Estimated takings for the week ending Jan. 2:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross (3 days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>$3,500</td>
</tr>
<tr>
<td>PANG AND CLAW (Radio)</td>
<td>$3,500</td>
</tr>
<tr>
<td>“LITTLEST REBEL” (20th-Fox)</td>
<td>$3,500</td>
</tr>
<tr>
<td>FOX (M-G-M)</td>
<td>$3,500</td>
</tr>
<tr>
<td>LOEW’S State (Col)</td>
<td>$4,500</td>
</tr>
<tr>
<td>COLLEGIATE (Para)</td>
<td>$5,500</td>
</tr>
<tr>
<td>Michigan (4,000)</td>
<td>$6,500</td>
</tr>
<tr>
<td>Coronado (Para)</td>
<td>$7,000</td>
</tr>
<tr>
<td>tale of two cities (M-G-M)</td>
<td>$7,000</td>
</tr>
<tr>
<td>United Artists (Para)</td>
<td>$8,000</td>
</tr>
<tr>
<td>Sylvia Scarlett (Radio)</td>
<td>$8,000</td>
</tr>
<tr>
<td>RKO Downtown (2,900)</td>
<td>$8,000</td>
</tr>
</tbody>
</table>

—Makes Page One

Harford, Jan. 8.—Jack A. Simons, Poli manager, veteran “Page One” man, started the new year right with eight inches on page one of The News June 1. Last year a front page quote in The Times, gave him the first break of the year. This year a front page story, a story on the booking of Chaplin’s “Modern Times,” was on the streets 10 minutes after 12.

“Rebel” a $13,000 Smash in Montreal

Montreal, Jan. 8.—There is nothing that French-Canadians like better than an occasion for celebrating New Year’s, and Montreal theatres shared in the benefit. The leader was the Palace with a take of $13,000 on “The Littlest Rebel” that Loew’s practically as strong as it $12,500, with a combination bill topped by “Three Men on the Roof.”

The Capitol registered $10,500 with “Collegiate” and “Scrooge.” The second run at this latter house was “If You Could Only Cook” on New Year’s Day and made $5,500 for the first four days. These statistics do not include holiday takings, where special attractions were presented.

The competition to theatres this week were the night clubs which did a roaring trade. Three Thomey hockey games also competed with the cinema. Total first-run business was $47,000. Average is $41,500.

Estimated takings for the week ending Jan. 2:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross (3 days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLLEGIATE (Para)</td>
<td>$3,500</td>
</tr>
<tr>
<td>Scrooge (Para)</td>
<td>$4,500</td>
</tr>
<tr>
<td>Capitol (1,250)</td>
<td>$6,000</td>
</tr>
<tr>
<td>Spagni (2,250)</td>
<td>$6,000</td>
</tr>
<tr>
<td>Riviera (3,500)</td>
<td>$6,000</td>
</tr>
<tr>
<td>“IT’S IN THE AIR” (M-G-M)</td>
<td>$7,000</td>
</tr>
<tr>
<td>Towsley (1,000)</td>
<td>$7,000</td>
</tr>
<tr>
<td>New England (Radio)</td>
<td>$8,000</td>
</tr>
<tr>
<td>SHIP CAFE (Para)</td>
<td>$8,000</td>
</tr>
<tr>
<td>Loew’s State (Col)</td>
<td>$8,000</td>
</tr>
<tr>
<td>“IF YOU COULD ONLY COOK” (Col)</td>
<td>$8,000</td>
</tr>
</tbody>
</table>

—Bruce Merman Producer

Hollywood, Jan. 8.—Bruce Merman will be the producer of two series of shorts to be released by Edwin Carewe through churches and other organizations. Each weekly series will be a set one subject. A second subject 20 weeks later will be released and titled “See America First.” Carewe has a Federal permit to photograph the national parks for these series.

—Takes Auction Night

Boston, Jan. 8.—David Manley, former manager of the Thompson Square in Somervile, has taken over distribution of Auction Night in New England. The first trade in their Theatre in Portland was the first spot to try the scheme. M. & P. Theaters Corp. has put it in a number of houses.

Minneapolis’ “Cities” Tops Pittsburgh’s Holiday Spurt

Minneapolis, Jan. 8.—With moderating weather and holiday spirit, business picked up here, and the Minnesota, with a combination of “The Bride Comes to Stay,” with Allen, took $12,000. This was up by $2,000.

Other Minneapolis houses failed to demonstrate anything better than par, but St. Paul had a fine $6,500 gross on “A Night at the Opera” at the Paramount and $1,000 up on a take of $5,000 on “I Dream Too Much” at the Orpheum.

Total first run business in Minneapolis was $28,000. Average is $24,500. Total first run business in St. Paul was $18,200. Average is $16,000.

Estimated takings:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross (3 days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minneapolis</td>
<td>$23,400</td>
</tr>
<tr>
<td>St. Paul</td>
<td>$13,000</td>
</tr>
<tr>
<td>Pittsburgh</td>
<td>$20,500</td>
</tr>
</tbody>
</table>

—Minneapolis’ “Cities” Tops Pittsburgh’s Holiday Spurt

Pittsburgh, Jan. 8.—Grosses all over town went soaring for New Year’s week, with the midnight shows selling out everywhere and the holiday being lots the best here in several seasons.

Way out in front were the Penn, Senator and Palace. The Penn had “A Tale of Two Cities” and piled up $17,000, while the Fulton, reopening after a shutdown of two weeks, scored $7,500 with “The Littlest Rebel.” The picture was held for a second week and may remain third. At the Stanley, a stage show including Fifi Dorsey, Ed Lowry and Stepin Fetchit was given as much credit as “Shipwreck” for the excellent $25,000.

While other houses weren’t so fortunate, they managed to show a fair profit. On four days with “Navy Wife” and Ray Perkins’ amatures, the Alvin claimed $7,000 while the Davis got $1,200 with “Frisco Waterfront” and the Warner around $5,500 with “Mary Burns, Fugitive” and “Stars Over Broadway.”

Total first run grosses were $68,520. Average is $48,500. Estimated takings for the week ending Jan. 2:

<table>
<thead>
<tr>
<th>Theatre</th>
<th>Gross (3 days)</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Navy Wife” (20th-Fox)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“Frisco Waterfront” (M-G-M)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“THE LITTLEST REBEL” (Radio)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“NAVY WIFE” (20th-Fox)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“TALL OF TWO CITIES” (M-G-M)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“THE LITTLEST REBEL” (20th-Fox)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“MARVEL” (M-G-M)</td>
<td>$7,000</td>
</tr>
<tr>
<td>“MARY BURNS, FUGITIVE” (Para)</td>
<td>$7,000</td>
</tr>
</tbody>
</table>

—By Order of Supreme Court: New York County

Receivers’ Sale

People of the State of New York, Plaintiff

vs.

Polish Corporation, Photofish, Inc., et al

Arthur Albert, Auctioneer

Will Sell at Public Auction on Tuesday, January 14, 1936, at 11 A.M. at South Astor Street

Irvington-on-Hudson, New York

The Completely Equipped and Modern Plant For Producing Motion Pictures in Color Of The Photocolor Pictures, Inc.

Inspection Daily Until Day of Sale

Description of Lot May Be Had Upon Request

Joseph Shalluck, Receiver, 14 Broadway, N. Y. C.

Glass: Ditto—By Automobile: Carefully Inspected, Purple and Blue A.M.

Photocolor Pictures, Inc.

By ORDER OF SUPREME COURT: NEW YORK COUNTY

Receivers’ Sale

People of the State of New York, Plaintiff

vs.

Polish Corporation, Photofish, Inc., et al

Arthur Albert, Auctioneer

Will Sell at Public Auction on Tuesday, January 14, 1936, at 11 A.M. at South Astor Street

Irvington-on-Hudson, New York

The Completely Equipped and Modern Plant For Producing Motion Pictures in Color Of The Photocolor Pictures, Inc.

Inspection Daily Until Day of Sale

Description of Lot May Be Had Upon Request

Joseph Shalluck, Receiver, 14 Broadway, N. Y. C.

Glass: Ditto—By Automobile: Carefully Inspected, Purple and Blue A.M.
laboratory work praised in trade paper review! that's news!


"Camera work excellent all the way with a fine print obtained, something that isn't always easy."

Pathe Made That 'Fine Print'

29 years of experience, backed by recognized craftsmanship and integrity, make fine printing easy for Pathe Laboratory

EXECUTIVE OFFICES
RKO BUILDING • RADIO CITY • NEW YORK
Fox Theatres

Claims Cut to $2,949,103

10 Disallowed Entirely, Report Discloses

Of 50 claims against Fox Theatres Corp. aggregating $24,285,033 on which hearings have been held to determine whether to allow their entire and the remainder were reduced to $2,949,103, it was disclosed in a report filed with the Federal court here yesterday by Milton C. Weisman, Fox Theatres receiver.

In addition to the claims already heard, there are 14 claims aggregating $9,379,474 which have yet to be heard and reported on. Claims which accounted for the principal reductions were those of Fuman Guardian Trust Co. for $10,663,346, which was reduced to $1,111,461; St. Louis Union Trust Co. for $7,819,283, reduced to $764,858; Ridgewood Operating Co., Inc., for $550,000, reduced to $11,568; Franklin Operating Co., Inc., for $816,660, reduced to $25,999, and Philadelphia Co., for Guaranteeing Mortgages, for $389,436, reduced to $30,134. These five claimants have been the only ones in the group of 50 to file exceptions with the court in connection with the reductions made on their claims.

Other large reductions in the claims

(Continued on page 12)

Northwest Has Hope for Gain Close to '29

SEATTLE, Jan. 9.—The best business since 1929! That is the prediction for the industry in Seattle and the Pacific northwest for 1936, based on present indices and surveys of the prospects for the immediate future. Show business will improve primarily because general conditions are improving in this territory, according to leaders in the theater field. However, exhibitors are predicting gains in greater proportion, perhaps, than general business increases.

Hamrick-Evergreen, operating in the larger northwest centers and smaller inland cities, has already begun to feel the effects of better grosses. John Hamrick and Frank L. Newman, Sr., both predict a good year. Product wise, however, they hope to get some good Westerns.

The session today divided into three parts. The entire morning was turned

(Continued on page 7)
Ampa Resumes with Many Entertainers

Ampa members, restored after the holocaust of illness and death, kicked off the weekly lunches yesterday at Jack Dempsey’s with an all-entertainment program, and the house has tried to lure members on the employed list forgot they had jobs and failed to walk out. A pair of comic routines, radio music, and a smorgasbord show, and came back for encore after the regular program had been finished. One, Bill Bailey, was a dancer, and the other a Duinker sang and played the piano.

Arthur Kaye, impersonator and comedy crooner for Tarrytowns, did a number of impersonations, Edith Drake sang, and Marian Burns did some dance steps.

Among the celebrities introduced were: Charles Lamont was introduced as Shirley Temple’s first director; Max Steiner and William Bradley; William Bakefell;2 Tuesday, 3 January 1936
Advertisements

Party for Rene Clair

Rene Clair, French director, will be guest of honor at the Waldorf-Astoria this afternoon, at which he will play host at a part of his first motion pictures in English, for which he was a script writer. The film was “The Go West” at the Rivoli. D. S. H. Brickell, Roger B. Stevens and J. C. Donnelly of the British Consulate; Charles de Fontenelle, French consul-general, Eddie Cantor and Douglas Fairbanks, will attend.

Critics Hear Walker

Events of the New York daily and trade press and representatives of a number of musical magazines, attended to hear the Warwick yesterday afternoon as demonstrated by “Fats” Walker.

It seems that “Swing” music is quite the rage in Europe and is making headway here, so Twentieth Century-Fox has been featuring in “King of Burlesque.”

About 100 guests were in attendance of Walker’s playing and singing.

Gossage Takes Pelham

The Pelham Picture House, Pelham, has been taken over by Harry Gossage, also operates the Highland in the town of the same name. Larry Goldberg formerly ran the Pelham house.
How to Pack 'em in -

GIVE 'EM ROMANCE with "Rose of the Rancho"

PUT ON A BIG SHOW with "Anything Goes"
GIVE 'EM DOUBLE THEIR MONEY'S WORTH with "Trail of the Lonesome Pine"

CHARM THEIR EARS with "Give Us This Night"

THRILL 'EM with "Thirteen Hours by Air"

—and to prove we're talking facts...read the next page...
Already Packing 'em in

**“COLLEGIATE”**
Crowds jam Paramount Theatre, Salt Lake City, Utah, to beat last year's Christmas week by 40% ... Customers crowd Palace Theatre, Dallas, Texas, to beat last year's New Year's week by 35% ... Thousands pack Capitol Theatre, Worcester, Mass., beating last year's Christmas week by 138% ... Customers pack Michigan Theatre, Detroit, Mich., beating last year's New Year's week by 40% ... Patrons pack Metropolitan Theatre, Houston, Texas, to beat last year's New Year's week by 106% ... Thousands flock to Paramount Theatre, Los Angeles, California, making the best business in eight months.

**“THE BRIDE COMES HOME”**
Crowds jam Paramount Theatre, Salt Lake City, Utah, beating last year’s New Year’s week by 52% ... Customers pack Fox Theatre, Atlanta, Georgia, to beat last year’s New Year’s week by 85% ... Patrons flock to Metropolitan Theatre, Houston, Texas, beating last year’s Christmas week by 34% ... Thousands crowd Majestic Theatre, San Antonio, Texas, to beat last year’s Christmas week by 28% ... Crowds jam Minnesota Theatre, Minneapolis, Minn., to biggest business since house re-opened ... Patrons pack Paramount Theatre, New York, N.Y., to best business in a year.

In other words, we're talking facts when we say:

*It Pays to Play a Paramount Picture!*
Friday, January 10, 1936

Hardy Opens Case for U.S. At St. Louis

(Continued from page 1)

over to Russell Hardy for the Government and the afternoon to ex-Senator James R. M. Cannon, and Louis Phillips for Paramount.

Hardy took two hours to re-hash allegations contained in his opening the criminal proceedings. Those who sat through the first case found it generally identical with his earlier presenta- tion with an occasional deviation to names. Thus it was that, in firing conspiracy charges at Warners, he made specific mention of Herman Starr, Gradwell L. Sears and Abe Cary Thoma, all originally indicted, and dropped a hint about Thoma, who had not stood trial because of illness, but no reference to Harry M. Warner, fourth indicted Warner officer, who cleared the misdemeanor charge with his associate executives.

"Attack by Wealth"

Keynoting his presentation was the statement by Hardy at one point that, had he been alert about his company, he would not have run a relatively puny business," later describing Warners, Paramount and RKO as "large corporate enterprises," adding that he had been "ignorant" of holdings he endeavored to demonstrate his point. The statistics he marshalled in- cluded the fact that the average number of features produced in the last four years totaled 340; that during 1931-32 Warners and Warners had produced 60 or 62 per cent, Paramount 65 or 75 per cent and RKO 50 or 51.5 per cent, making a total for all three companies of 90 per cent of the entire number available. Allow- ing for Metro and United Artists at Loew's here, Hardy's apportioned conclusion was that Warners, with only two theatres, had available virtually 5 per cent of the first run product, while Panchon & Marco with its five houses had to be content with approximately 25 per cent. He belied as another purpose of the presentation, Phillips hit back at Hardy's charges by computing the total number of screens at between 600 and 700, produced by 20 or more companies of which eight were majors. Of this annual output he asserted the three defendant companies produced between 140 and 150.

Reed Speaks 90 Minutes

Reid spoke for 90 minutes, emphasizing highlights as he saw them with pointed finger. In considerable detail he outlined Warners' experience in the local theatre field and took the posi- tion that the company's entry into the first run field by leaseholds on the Or- phanum and Shubert-Rialto were necessi- tated by the alleged monopoly created by the company. He contended Warners had to deal with this group or remain out of the city and asserted it had been the decision not to sell the theatre that was the continued "enmity" of Harry Hapar over a long period of years. He referred as another purpose of the present action an effort to compel Paramount and RKO to can- cel their film deals with Warners in this city, thereby compelling a sale with F. & M., or "abandon the city." This and many other points were not new, having already been covered in the first case.

Last remnants of Phillips' opening, as in the case of both Hardy and Reed, had been gone over in the in- dictment proceedings by William R. Gentry, special local counsel for Paramount. It was Phillips' first appearance in court in about a year and the general consensus of opinion among film men present was that he did a thoroughly representative job.

Says Para. Within Rights

He argued Paramount was entirely within its rights in having canceled waiver bond with Skouras Theatre Corp., on the ground the last- er company had failed to pay its last installment thereon, subsequently selling its pictures to the landlords of the Ambassador, Missouri and New Grand Central Theatres, persons with such rights as these, properties. The Government allegation is that this franchise was so arranged that therefore it could not have a party to any alleged conspiracy. He charged Paramount had been elected on perjured testi- mony of Harry C. Arthur, Arthur, Marco Wolff and Jack Partington for the second time not to attend the session until a few minutes before court adjourned. Herman Starr ar- rived from New York today and ap- peared before Phillips, as did Gradwell L. Sears, who came in from Chicago, Spyros Skouras, who will be the first important Government witness to indicate his strategy, reached here from New York but repaired to the Park Plaza, not the St. Regis, and the other arrival was Gordon E. Youngman, New York staff lawyer for RKO. George H. Ludin, vice-president for RKO, returned to New York today.

The opening statement for RKO is yet to be heard. This is to be the first order of business on Friday. A referral will come arguments by counsel for the Ambassador and Missouri, who is seeking to quash subpoenas calling for records sought by the Warner's. Reed solicited a similar postponement for similar reasons. Federal Judge Joseph West Moynihan denied it, stating quickly he was for the elimination of all "trivial" delays as possible. Jacob M. Lathly, special RKO counsel, sought a recess next Wednesday, when another case in which he is involved will require his presence. This also was denied.

New York film men found some solace in this, but not much. There is considerable resentment making the rounds over the enforced stay here while arguments over legal points delay the testimony of witnesses. The general opinion is that Government counsel must have known of the im- probability of calling witnesses for the first four or five days.

In the meantime, the ranks show every evidence of swelling in number. Harry M. Warner will testify again, according to Reed, George J. Schaefer and Neil F. Agnew likewise will re- turn; not under subpoena but as Paramount witnesses. Starr flew back to New York to- night, when he found he was needed to testify at once. Frederick W. Wood was confined to his bed and is not expected in court tomorrow.

IPO Plans Action Against Fox Zoning

KANSAS CITY, Jan. 9.—After re- reflecting all officers here today, the National and Allied Exhibitors is taking steps to break up what it termed the "unfair zoning and clearance" of a local Fox theatre. President Rolady will confer with attorneys within the next few days to ascertain whether course which the litigation will take but he believes that the court- bought protection over other inde- pendents are to relinquish immedi-ately the right to issue orders they had been ordered to do this.

Variety Officials Selected by Harris

PITTSBURGH, Jan. 9.—Four national representatives of Variety Club have been appointed by John H. Harris, managing editor. They are: H.W. Goldenstein, for Pittsburgh, Columbus and Cincinnati; Jack Flynn, for Cleveland, Detroit, Milwaukee and Minneapolis; Joseph Goldstein, for Washington, D. C., and Philadel- phia; J. E. Fontaine, for Min-neapolis, Minneapolis and Indianapolis; R. C. LiBeau, for St. Louis, Kansas City, Des Moines and Omaha.

Louisiana Women to Probe Bank Nights

NEW ORLEANS, Jan. 9.—Bank Night in neighborhood houses is to be in- vestigated by a committee of the Louisiana Council of Motion Pictures. One of the things that started the probe was the fact that a six-year-old child recently won $105 at a show.

Minnesota at $31,326

Through error it was stated that the gross at the Minnesota, Minne- apolis, for the week ending Jan. 3 was $12,000. It should have been $31,326. The screen attraction was "The Bride Comes Home" and the release was headed by Burns and Allen.

Seek Adjustment of Matinee Time Fight

St. Louis, Jan. 9.—Fred Wehren- berg, president of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois, today sought a conference with Harry Arthur of F. & M. to solve the problem re- sulting from the extension of the mati- nes and the closing of the RKO and Fox from 6 to 7:30 P. M. Some exhibition contracts provide that shows may begin as late as 9:30 and certain second and subsequent runs are considering refusing to play films where the matinee time has not been observed by the first run.

Arthur was invited to an exhibitor conference on the matter yesterday, at- tended by distributor representatives, but could not attend. Arthur shifted the time when outlying houses failed to eliminate exhibition practices to which he objected, claiming his original return to the 6 P. M. time was contingent on the elimination of the practices. In the mean time, however, he did not give the exhibitors sufficient time to adjust the matter.

Spoor Set to Make 3-Dimension Films

CITRAGO, Jan. 9.—George E. Spoor, declared here today that he would begin the production of three-dimen- sion films within 30 days. It is said that his company is being performed in a New York studio, which will be the center of the venture. Later, accord- ing to Spoor, full length operas will be produced with the original casts.

Wanger Adds to Space

Hollywood, Jan. 9.—Walter Wanger has taken over another building on the General Service lot to house a new produc- tion tent reserved for "Big Brown Eyes." William Siefer has "The Moon's Our Home" in production. Al Santell is producing "The Rain" and Victor Ludwig is preparing " Brazen." Aubrey Scott is starting "Palm Springs," which will be shot for a year's run, and is waiting for an assignment, and Anton Lit- vak will direct "Sahara."

Franchot Sonotone Head

C. P. Franchot, vice-president and general counsel of Sonotone Corp., was appointed president yesterday to fill the vacancy caused by the recent death of Dr. Hugo Lieber. The company's annual meeting of stockholders is scheduled for next month.

Bill Pine East

ST. LOUIS, Jan. 9.—Bill Pine, Para- mount studio publicity head, left here by air for New York tonight after making a trip to Washington and is coming east to discuss plans for new product, including "Desire," with Marlene Dietrich.

Sign Elizabeth Russell

Hollywood, Jan. 9.—Paramount has signed Elizabeth Russell, sister of the late Mary Pickford. Miss Russell is currently appearing on the New York stage, but will re- port to the studio Feb. 3.

To Have Stage Shows

BRIDGEPORT, Jan. 9.—Loew's Majes- tic will inaugurate stage shows Jan. 17.
"C'EST BEAU, MISTER
"C'EST MAGNIFIQUE

Right Again, Jimmie! "Magnificent" Is the word for These Trade Reviews on Warner Bros.

"All connected with this picture can take bows . . . Perfect entertainment, all the way through."

"Loaded with suspense . . . from the picture palaces to the shooting gallery."

"A film to delight the hearts of showmen. Strong appeal both on the drawing cards and in the box office."

"Sure-fire . . . thrill-packed . . . Excellent filmfare . . . should make a home run."

"Has everything! Cagney and O'Brien at their best in real parts."

"Greatest air film since 'Hell's Angels'. Cagney, O'Brien top ever."

FROM THE THRILLER THAT MADE BROADWAY CEILING Z

JAMES CAGNEY and O'BRIEN

Starring

Another big show ready and waiting to follow the sensational runs of "Captain Blood," the holdover hit from WARNER BROS.
Some 'Truckin'!

Serializations now running daily in key papers from coast to coast are just one item in the big-space publicity and ad build-up that will precede the Jan. 25th release of this COSMOPOLITAN PRODUCTION

A First National Picture
THE BOX OFFICE GOES 'ROUN

WHOA HO LISTEN TO

VARIETY

Fancy B'way B.O.
'Obsession,'
10 Days, $135,000;
Radio City Music Hall /$4.45

VARIETY

Auto City Vibrates
Beaucoup B. O.,
'Obsession' 29G

Behind good exploitation with
strong local angle on author of
book, 'Magnificent Obsession,' is
pulling in a terrific $29,000 this
stanza at Fox.
MUSIC

AND

AROUND

THE

GROSSES

SING!

VARIETY

"OBSESSION" IN
BUFFALO A
WOW $16,000

"Magnificent Obsession" at the Lafayette has developed into a heavy sock. All records for the house are going by the board, the nearest approach being "Sin Takes a Holiday" five years ago at 35c top. Starting with New Year's Eve show the picture had been doing consistent turnaway business.

Lafayette (Ind.) (3,400: 25)—"Magnificent Obsession" (U). Far and away the outstanding attraction of the town and the best the house has had in years; near riot at probably over $16,000. Last week.

VARIETY

ST. L. CHEERFUL,
"OBSESH" $14,000,

Estimates for this Week
Fox (F&M) (5,038; 25-35-55)—"Magnificent Obsession" (U). Can't miss $14,000 for a very good week. Last week: $12,000.

Step out with UNIVERSAL
Fox Theatres Claims Cut to $2,949,103

(Continued from page 1)

include one for $430,941 filed by A. C. Blumenthal and counsel, which was dismissed entirely; a claim of the Columbia Pictures Corp., N. Y., for $2,675,000, which was allowed at $891,925; one for $304,902 by Criterion Advertising Co., allowed at $12,535; one by J. A. Lacy for $250,000, dismissed entirely; one by the State of New York for $111,827, allowed at $607, and one by Fox West Coast Service Corp. for $39,353, dismissed entirely.

The larger of the 14 claims against Fox Theatres remaining to be heard include one by Burroughs and Baas for $2,304,184; Chicago Title & Trust Co., $1,191,380; Halsey, Stuart & Co., Inc., $1,000,000; Lexington Ave. & 9th St. Corp., $1,250,000; Roxy Theatre Noteholders Protective Committee, $1,138,100, and Trust Co. of Georgia, $1,032,563.

Receiver's Report Itemized

The receiver's report lists cash on hand of $78,427, as of Dec. 31, last. This includes a cash balance of $454, 410 on hand at the time of the re- ceiver's last report, June 30, 1935, and a payment of $150,000 received in November from the Metropolitan Theatre Circuit, Inc., in settlement of Fox Theatres' claim against Fox Metropoli- tan Playhouses Corp., which Fox Theatres relinquished its option to acquire 50 per cent of the stock of Metropolitan Playhouses, upon re-organized Fox Met company. The stock was taken up by United Artists Thea- tre Circuit and K-A-O.

Cash receipts for the six months period covered by the report amounted to $190,082 and disbursements were $35,274. The report states that oper- erations under the receiver include the Academy of Music, New York; Elizabeth, Elizabeth N. J.; Broadway and 165th St., New York; the Iasis, Denver, and Nelson, Spring- field, Mass.

---

Steiner with Selznick

Hollywood, Jan. 9.—David O. Selznick has arranged with Radio for the services of Max Steiner to arrange the musical score for Selznick International's film, "Little Lord Fauntleroy."

John Gilbert Dies

Of Heart Failure

(Continued from page 1)

roles in a career going back nearly 30 years. It is in the film "Ike- gance" for Ince in 1917. He played in "Heart of the Hills" for First Na- tional; "Sin and Punishment and of Monte Cristo" for Fox in 1922. From there he went to M-G-M, where he appeared in a long series of films, mostly as a leading man.

Among the outstanding pictures were: "He Who Gets Slapped," "The Merry Widow" and "The Big Parade," in 1925; and later in "His Glorious Night," "The Hollywood Mystery;" "The Great Gatsby" and "The Big Parade" in sound, "Fast Workers" and "Queen Christina," in 1934. Last year he appeared in "The Captain Hates the Sea" for Columbia. In recent months he has been inactive. He had been married to Leatrice Joy, Iva Claire and Virginia Bruce, each marriage ending in divorce.

R. G. Canti Dead

London, Jan. 9.—Dr. Donald George Canti, a pioneer in making films for scientific research, notably on medicine and the development of film, died Wednesday in London at the age of 82. He was one of the first to apply the film technique to microscopy for scientific research and examine cells in laboratories. He himself made the machines for this work, and showed his films before the Royal Society here and similar organizations in other countries. In 1929 and 1930 one of his films was shown before the society's audiences in the United States.

William Rudolph Passes

William Rudolph, 60, once publicity agent for Clara Kimball Young and numerous other stars of the silent and early sound days, died Tuesday in his room in the Hotel Edison Wednesday night.

Laibs Appeal Tax

To Supreme Court

Washington, Jan. 9.—Laibs Club in New York City has taken its appeal to the Supreme Court for a review of a decision of the Court of Claims, which last November held against the club in the assessment of a tax of $101,212. The brief, submitted by Harvey R. Rabbitt, local attorney, contends the Laibs is not a social, athletic or sporting organization within the meaning of the Internal Revenue laws, and that it is an activity room or clearing house. It is, says the brief, "equivalent to an employment agency, a place where the members of the club and managers and sell their plays and brokerage employment."

Brandt Closing Deal

On Italian Pictures

Arrangements by which Joe Brandt has acquired a stock in and distribution rights of all Italian pictures and future productions for distribution here will be completed within the next few days. The stock in question and many arrangements were made during Brandt's recent trip to Italy. Said to return to Hol- lowood Wednesday, said that he would arrange financing for one picture to be made by E. B. Derr and Charles Sullivan if an acceptable story could be acquired.

Reisman Predicts

International Films

num of dialogue and a maximum of 42 minutes of music. Such pictures are generally superimposing and dubbing, musical pictures, operatic and popular, are for the masses. As such pictures have proven equally successful locally, a greater percent- age of suitable world product should continue to come out of Hollywood this year than at any time in the past.

Conditions generally throughout foreign countries continue to show a definite upturn. If this progress con- tinue, and we have every reason to believe that it will, this year should see a much larger product come to Europe or Asia to upset present gains, more money will be available for entertainment. This in turn will result in increased theatre patronage but only for product in harmony with the ideology and tastes of our foreign audiences.

There will be competition from im- proved foreign product and from pic- tures produced to meet existing quota requirements in particular countries. We shall probably suffer from obtrusive legislation in other quar- ters, but the world public has been educated to demand the artistic and technical per- formance of an obviously manu- factured picture, and American pictures will, for this reason, continue to dominate the world market in 1936. Provided our producers continue to stress the international angle in their forthcoming product.

Houses Will Drop

Games II Lottery

(Continued from page 1)

furthermore, only one summum will be assigned against the operators of each type of giveaway so that a speedy test of the legality of all cash games now in use may be had. Any game then found to be in violation of the law will be abolished by the member thea- tres in the Bronx, it was said.

The case is based on the premise that the Tramont recently is pending for the operation of Dough Nite and this game will not necessarily be banned by I. T. O. A. houses until the appeal is decided. Foley met with representatives of I. T. O. A. and municipal metropolitan circuits on Tues- day and warned against continuation of the cash giveaways in Bronx thea- tres.

F. & M. Shows Gain

In Chicago Houses

CHICAGO, Jan. 9.—Fanchon & M. Brandt will be headline at three local theatres here the week of Feb. 14. Al Pearce and his gang will be at the Palace, Olsen and Johnson at the Rivoli and the Indiana, and Betty Grable in their "Hollywood Se- crets" show at the Oriental. The girls will also return to Runyon. F. & M. talent is also featured in many of the B. & K. situations and will short- ly supply all talent for that circuit, according to L. H. Schultz of the F. & M. office here.

Northwest Has

Hope for Gain

Close to '29

(Continued from page 1)

two weeks and more for certain films are common, and will become more general during the coming season, Johnson predicts.

Another satisfactory picture is pre- sented by John Danz and Roy Cooper, general managers of the Green River, Inc. These houses, under the name of Sterling Chain Theatres, Inc., operate on a second run basis in the downtown area and also in the neighborhoods districts of Seattle. Their 1935 busi- ness was the best in the company's history, they report, and they predict that 1936 will surpass the year just ended by at least 15 per cent. Here is a report from John Danz on the current situation and what they are feeling the effects of better conditions, ac- cording to exchange managers. These are facts in trend and sentiment among exhibitors as a result of im- proved general conditions.

Wide Business Progress

Here are a few facts pertaining to the territory, particularly Seattle and the state of Washing- ton, which indicate a steady improvement in 1936:

Washington farmers in 1935 in- creased their total revenues by more than $7,000,000.

Salmon packers ended the year with substantial price increases that will continue into 1936.

Seattle real estate values made a sharp rebound from former low levels and real estate bonds are now making recoveries.

The lumber industry is entering 1936 with a rush of orders, with shingle manufacturers expecting the biggest volume since the post-war building boom.

Some of goods moving over Seattle docks in 1935 was greater by $50,000 tons than the previous year, a similar increase is expected in 1936.

Bank earnings showed substantial recoveries in 1935, and leading bankers here are expecting the biggest volume of transactions in two years, the Federal Reserve data for 1935 over the comparable quarter of 1935 will exceed that of any other section of the nation.

With all of these facts in mind, with many films better than ever before, it is felt locally that the hopes and ex- pectations for 1936 are based on a foundation of fact.

"U" Picks New Title

Hollywood, Jan. 9.—Universal has cast the title of the new Sally Eilers-James Dunn film, "Tomorrow Is a Better Day," to "Don't Get People's Feet Wet.

Gulf Bays Charterd

St. Petersburg, Fla., Jan. 9.—Gulf Bays Amusement Corp., who have been formed by E. M. Peters, E. C. Peters and E. R. McNeeley.
Even When You're Playing One of the Year's 10 BEST...

The BEST SHORT SUBJECTS
Make It a Better Show

Here are ten of your best bets in short subjects starting the best year!
HAIL THE NEW COAST-TO-CENTURY!

20th Century-Fox gives the trade a new wonder-show. Returns from early showings prove its super-charged box office power. Grab it... date it... push it... and break your records, too!

PHILADELPHIA (Fox Theatre) Broke every house record for the last five years!

BUFFALO (Century Theatre) By far the biggest of any Fox picture this season!

COLUMBUS (Loew's Broad) Topped everything but record-holding "Steamboat Round the Bend".

LOUISVILLE (Strand Theatre) Beat everything but Will Rogers' biggest.

KANSAS CITY (Uptown Theatre) Tremendous business almost equalled "Steamboat Round the Bend" record.

MILWAUKEE (Wisconsin Theatre) Beat everything in months.

LOS ANGELES (Chinese and Loew's State) Positively sensational day-and-date showing tops everything in sight!

No wonder "TIME" names it: "One of the year's best musicals!"

SONGS:
AST BOX OFFICE KING!

KING OF RLESQUE

Starring

WARNER BAXTER
(Even greater than in "42nd Street")

ALICE FAYE • JACK OAKIE

MONA BARRIE • ARLINE JUDGE

GREGORY RATOFF • DIXIE DUNBAR

HERBERT MUNDIN • FATS WALLER

NICK LONG, JR. • KENNY BAKER

Associate Producer: Kenneth Macgowan. Directed by Sidney Lanfield

Screen play by Gene Markey and Harry Tugend. From a story by Vina Delmar. Dances and ensembles created and staged by Sammy Lee

A FOX PICTURE Darryl F. Zanuck in Charge of Production
**Motion Picture Daily**

**Friday, January 10, 1936**

**Short Subjects**

"Someplace in Dreamland"  
*(Paramount)*  

There are some new departures in handling color in this cartoon. Using the ordinary method of photographing drawings, this effort goes on to the construction and handling of sets, which, richly colored and imaginatively presented, lend a novel note. The main story involves a girl enduring the hardships of poverty until they are asleep. Slumber takes them to a land of child's delight where there are all the sweets and entertainment they could desire. They awake back in their poor home, but kind tenements have greatly improved it. This is a delightful short that will please children and grownups. 

**Wall Street**

**Big Board Gains Continue**

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**Bond in Upgrade**

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**ITO Benefit Planned**

**KANSAS CITY**  
Jan. 9—W. D. Fulton has been made chairman of a committee of the I. O. of a group to plan a midnight show at all independent theaters for the purpose of replenishing the treasury. Other members are James Rigney and Edward S. Young.

**Birmingham Shows Stop**  
*Birmingham, Jan. 9.*—Birmingham's midwinter season has come to an abrupt stop. "Life Begins at 8:40" and "The Student Prince" have stopped. It is understood that the conclusion of Kaufman and Cornell and Eva LaGallienne will not come here. Only one show has been profitable.

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**Des Moines**

Des Moines, Jan. 9—Induction of the new Variety Club here has been set for Jan. 27, according to W. E. Benford, chair.  
John H. Harris, national chair man of the club, will preside.  
The tent now has about 80 members and is located in enlarged quarters in the Hotel Savery.

**Detroit**

Detroit, Jan. 9.—Seven new members have been elected to Variety Club. They are Ben and Lou Cohen, Everett E. Lutzberg, Jack W. Rigney, Charles C. Perry, Joseph B. Krul and Herman C. Merrett.

**Ohio License Forms Encounter Setback**

Columbus, Jan. 9.—Despite the lack ofフランス連鎖デパート メンbership in the licenses which became effective Dec. 20, requires the licensing of all places of amusement where the three per cent impost is assessable, the Ohio Tax Commission will not have the licenses ready before the end of January.  
Three forms of license will be issued. The itinerary forms will be for traveling shows; the temporary forms for single entertainments; and the single series not extending longer than 10 days, and the permanent forms for regularly established theaters, dance halls, amusement parks, golf courses and swimming pools.

**Ontario Ticket Tax Reaches $1,743,420**

Toronto, Jan. 9.—The Ontario government has continued its efforts to raise funds for the amusement tax, launched last June, despite several concessions subsequently granted which extinguished a raised prospect.  
A year-end report showed that for the nine months ending Dec. 31, the collections were $1,743,420 as compared with only $355,460 for the same nine months of 1934.

The fiscal year does not terminate until March 31 and the budget estimate on the amusement levy for the whole 12 months was $957,000, thus the "expectancy" has been almost doubled with three more months to go.

The fiscal year of 1934-5 saw an amusement tax take of $750,000.

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**“Rose Marie”**

M-G-M, Beverly Hills, Jan. 9.—Hunt Stromberg’s production and W. S. Van Dyke’s direction have turned this popular operetta into a picture of smash hit calibre. The story is ideally suited for the talents of Nelson Eddy and Jeanette MacDonald and unfolds on the screen as a gripping romance with the musical interludes spotlighted for their maximum entertainment advantage. Though the screen play differs from the stage version, the musical numbers and the balletic adaptations, have used the wider scope of the medium to concentrate on the main theme and paint their characterizations with swift, sure strokes.

The plot concerns the efforts of Miss MacDonald, an operatic diva, to reach the side of her brother, James Stewart, who is a fugitive from justice hunted by Eddy, a Northwest mountie. Summoned at the close of a “Romeo and Juliet” performance, she leaves for the woods guided by George Regas. Deserted by Regas, she is saved from drowning by Eddy, who knows her identity and errand. Eddy, placing duty above self, and saving his own brother, and the restTemplateers, have used the wider scope of the medium to concentrate on the main theme and paint their characterizations with swift, sure strokes.

**Wall Street**

**New York**

Nassau Downs, Mass. Jan. 9.—Arthur Quinn has been named manager of the Regent here which has become subsequent run to the Wollaston, Forrest Film Co. In 1935, Arthur Quinn was formerly assistant manager at the Strand in Dorchester.
Two Thousand rucks.....

Nationally posted with “Spy” advertising will help you exploit...

See the picture at your local theatre...

in over 150 Cities

The thrilling story of Italian spy intrigue and spectacular aeroplane warfare!

Get details of the “Movie Action” fictionization, cover and truck tie-up from your local FIRST DIVISION exchange.

BOOK this exciting picture NOW and take advantage of this coast-to-coast exploitation tie-up!

Ad for Spy 77, featuring Areta Nissen in a spy thriller with action scenes and thrilling intrigue.
WHAT THE PICTURE
DID FOR ME

Barometers of

The box-office pulse of the motion picture industry is consistently and accurately reflected in these two straight-from-the-exhibitor features of Motion Picture Herald.

They provide the final gauge of talent value in authentic, concise form as reported by those who sell motion pictures direct to the public.

"What The Picture Did For Me" is a picture reporting service conducted by exhibitors and for exhibitors.

First National


OIL FOR THE LAMPS OF CHINA: Josephine Hutchinson, Pat O'Brien, Jean Muir—This is a spy story. Everyone pleased even though it is a little long. It certainly boosted Pat in this village, but we do think anything could boost Josephine Hutchinson. Played October 30-31.—Talisman Theatre, Orange, Miss. Small town patronage.

GB Pictures

ALIAS BULLDOG, DRUMMOND: Jack Pickford—WOW! What a nightmare. We have some customers who will come back.—Regent, Strand Theatre, Kansas, Kansas. Run age.

Invincible


Metro-Goldwyn

AFTER OFFICE HOURS: Charles Brackett—Anyone who don't like them. Lots of everything, sure does his stuff and Connie Rankin, Plaza Theatre, Tbil General patronage.

ANNA KARENINA: Greystones—There is no one who don't like it. A lot of people, sure does his stuff and Connie Rankin, Plaza Theatre, Tbil General patronage.

ANNA KARENINA: Freddie Bartholomew—We have shown this in the customers come to see us. Not over acting. Right for public. Played Hotel Roosevelt, Masp. S. General patronage.

BARRETT'S OF WISCONSIN: Fredric March—A picture, we are all happy. If it don't it is a lot of good. We have received many favors Plaza Theatre, Tbil General patronage.

BONNIE SCOTT: Edward G. Robinson—A certain following that is expected. He longs for a type. A. B. bin, City, Ind.

BROADWAY: Myrna Loy—Musical of the most. Iowa.

CALM: You too—You, too. We are men in early Saturday. Played Seville, Lamb

CHINA: Anna Mayes—We are men in early Saturday. Played Seville, Lamb

MOTION PICTURE
- A Quigley Publication
the Industry

Only those representing theatres that are 100% independent may participate.

"Theatre Receipts" is a tabulation of grosses of individual pictures in key cities, representing 8,000 bookings in 157 key theatres.

Each is a definite guide to the nationwide trade value of the finished product. Hence both are followed by every branch of the industry—exhibition, distribution and production alike—by showmen, by actor and director as well.
Again this year's check-up at the Box-Office finds Leo at the front—by a wide margin. This magazine lists all the industry's Box-Office Champions from 1930 up to June of 1935. Out of a total of 79 Box-Office Champs listed, M-G-M has 21 and the nearest competitor has 13. That doesn't even cover the second half of 1935 which included such hits as "China Seas", "Broadway Melody of 1936", "Mutiny on the Bounty", "A Tale of Two Cities", "A Night at the Opera", "Ah Wilderness", "Whipsaw", "Riffraff," and others.

"AND 1936 COMES IN LIKE A LION!"

For instance: ROSE MARIE with Jeanette MacDonald, Nelson Eddy; SMALL TOWN GIRL with Janet Gaynor; TARZAN ESCAPES with Johnny Weissmuller; THE GREAT ZIEGFELD with William Powell, Myrna Loy, Luise Rainer; WIFE VS. SECRETARY with Clark Gable, Jean Harlow, Myrna Loy; ROBIN HOOD OF ELDORADO with Warner Baxter; GORGEOUS HUSSY with Joan Crawford; ROMEO AND JULIET with Norma Shearer, Leslie Howard; THE GOOD EARTH with Paul Muni, Luise Rainer and more!
Circuit Moves Are Marked in West, Midwest

Expansion and Personnel Changes Numerous

Circuit expansion moves in the midst and west, numerous shifts in personnel and reopening and reconstruction of theatres have gained momentum with the opening of the New York.

In Chicago Essaness has made a number of changes in the past few weeks. Sam Harman from the American to the Byrd, Elmer Immerson has gone from the Byrd to the Davis and Harry Neill has been made manager of the Crawford. Kermit Githens is acting manager of the American and Harry Viren is the new assistant at the Sheridan.

Supervisors for Essaness now in

(Continued on page 2)

H. L. Clarke Heard

By Sabath Probers

Harley L. Clarke, former head of Fox Film Corp., has questioned yesterday by counsel for the Clarke Congressional Committee for the investigation of a $100,000 reorganization in connection with the recent reorganization of General Theatres Equipment Co. The examination of Clarke will be resumed Monday in a continuation of the closed hearings which have been conducted by the committee for the past month.

Murray W. Gasson, counsel for the committee, said that no arrangements had been made yet for the resumption of open hearings due to the attendance of members of the committee at sessions of Congress.

Jack L. Warner Is Married to Ann Page

Jack L. Warner, vice-president in charge of production for Warners, was married to Ann Page of Los Angeles yesterday at 5 P. M. at Armonk, in Westchester County. A few guests attended the ceremony. It is understood the couple will spend a honeymoon in Palm Beach, and then will go to the Warner home at Beverly Hills.

Rev. Dr. Leonard Schwartz officiated. Regina Crewe was matron of honor and her husband, Herbert Knight Crulshank, was best man. The couple attended a reception at the Crulshank home.

Mystery Trip of Arthur, Wolff, Partington Stirs Speculation

St. Louis, Jan. 10.—A mysterious trip to New York and return of Hamilton Wolff, Arthur and Partington is speculated among some of those attending the equity proceedings here against Warners, Paramount and RKO. It has been reported a sudden telephone call hurried them east by air Monday. They were only a few hours after they arrived under subpoena as witnesses for the Government. Arthur and Wolff returned on Thursday as the resumed session on that day was drawing to a close. Partington may have come with them, but if so it was in evidence around the Federal Court building.

During recesses today two additional interesting incidents took place in the corridor. One was a short but intense conversation between Arthur and Spyros Skouras, followed shortly thereafter by another engrossing talk between Arthur and William T. Powers, attorney for Skouras.

While Russell Hardy is keeping other film men cooling their heels and restless wait to call the witness box, Arthur, Partington and Wolff either had no trouble or sufficient reason for getting temporary releases from the Government attorney.

Variety Dinner To Draw Notables

Philadelphia, Jan. 10.—The first annual banquet of the Philadelphia Trenton C. Arthur, Jack, Thursday, from advance notices, shows promise of being an outstanding function. The Bellevue-Stratford will be the gathering place of over 1,000 Variety Club members and an imposing array of guests of honor from this and nearby states, the world of sports, journalism and the theatre.

Outstanding figures who will attend the dinner are:

“Bride” at $40,000 In Para. Holdover

“Bride” at $40,000, 000 in its second week at the Capitol. "Dangerous," also a holdover, at the Rivoli, was good for $14,500.

"First a Girl" and a stage show at the Roxy garnered $31,000, "Captain Blood" was strong in its second week at the Strand with a take of $29,200.

Standard to Decide On Deal Next Week

A decision as to whether or not Standard Capital Co. and associates will purchase control of Universal will be made probably by the end of next week, J. Cheever Cowdin, head of Standard, said yesterday.

Cowdin said that the study of Universal's financial position and working capital requirements, hearing upon an exercise of the option, is still incomplete. Standard has been at work on the Universal problem for several months.

Fox May Use Cash in Retiring Debentures

Twentieth Century-Fox Film Corp., may retire its $1,966,000 of convertible six per cent debentures due April 1 with cash on hand, rather than with new financing, it was reported yesterday. In addition, it was said that discussions have been held on the possibility of reducing $1,756,000 of Fox Realty Corp. of California sinking fund 6s and $748,000 of Fox Film Realty Corp. sinking fund 6s, both due in 1942, with new issues at a lower rate of interest.

Private Services For Gilbert Today

Hollywood, Jan. 10.—Private funeral services for John Gilbert, who died yesterday of heart failure, will be held tomorrow in a Beverly Hills chapel, with only relatives and close friends attending by invitation. Rev. Neal Dodd of the Church of the Angels will officiate. Constriction of a heart artery was given as the immediate cause of death by his physician, Dr. Leo Madison.

Dysart Takes Stand First At St. Louis

Hardy Gains Exclusion Of Witnesses

By RED KANN

St. Louis, Jan. 10.—After three days of arguments over preliminary motions and the opening statements of various counsel, the Government late this afternoon got going on its equity proceedings against Warners, Paramount and RKO, when Thomas N. Dysart, president of the Chamber of Commerce, took the stand as the first witness. The defendant companies are contending a conspiracy in a restraint of trade.

As the day started Russell Hardy, Government attorney, moved for the exclusion of witnesses during the taking of testimony on the ground that some of the leading Government witnesses in the criminal trial had been accused of lack of veracity and perjury. In view of this he argued against witnesses at large remaining in the courtroom while others were either testifying or under cross-examination.

Ex-Senator James A. Reed for Warners, and George S. Leasure for RKO immediately objected. They seemed they had the convenience of the witness.

Government to Call Zukor to St. Louis

St. Louis, Jan. 10.—The Government today issued a subpoena for Adolph Zukor which was served at the U. S. Marshall's office in Manhattan.

Stewart McDonald of Warnings' home office arrived here last night from the east and will spend a few days attending the equity proceedings. At Friedlander stopped over here today on a tour of exchanges and will leave by plane tonight for Pittsburg. He will return to New York Monday.

Hutchinson Departs For Stay in Europe

W. J. Hutchinson, recently appointed foreign manager for Twentieth Century-Fox, left yesterday for England to be gone about two months. While in England he will arrange for the installation of his successor in charge of the company's activities in England. He also will make a tour of the European branches of the company. He was accompanied by Ralph Knapp.
Clair, Party Guest, To Be Here 10 Days

Rene Clair was guest of honor at a reception given yesterday by United Artists, of which he is president. He came over from England for the opening of "The Ghost Goes West" at the Rivoli last night. The reception drew about 100 newspaper, fan magazine and trade paper writers. Claire was a descendant of the British statesman, Charles de Stael, and is a French consul-general: Ed-
die Cantor, Douglas Fairbanks, Ed-
ward G. Robinson, Romola Nijinsky, 
Tilly Losch, Ethel Merman, Eric 
Linden and Parkyakarkus.

Clair said yesterday that he would remain in New York about 10 days to obtain the American reaction to his first picture in English.

Claire plans to make an agreement to contract with Alexander Korda for a series of pictures, declared that his next film venture would be a story centered on life in early London. He will start this at the new Korda studio in Den-
ham in May.

Michael Saks Is Dead

Michael Saks, 56, for more than 20 years a leading figure in the Yiddish theatre field, died Thursday of pneu-
monia in the Beth Israel Hospital.

During his career he managed such stars as Molly Picon, Boris Thom-
ashkevich, Aaron Lebedeff and Leon 
Blank.

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N. Y. Moves on Sale
Tax Upset Ohio ITO

(Continued from page 1)

Rubinoff will hold open house tomorrow at 730 Forest Ave., the home of the late Lawrence Rosen.

David Sarnoff sails for Bermuda today, on the Royal Yacht "Morning Star," which is Mrs. J. G. Elst-
stone.

Harry M. Goetz is on route to Switzerland. He will go to small Anschluss with "The Last of the Mohicans.

Richard de Rochemont, March of Time European head has arrived here for a stay of several weeks.

Dave Palfreyman joins the local contingent heading for the Variety Club dinner at Philadelphia tomorrow.

Irving Berlin left for the coast yesterday to preside over his latest musical, "Follow the Fleet."

Emie Gilmore, former Loew publicist, is now with the Associated Press.

Joe Gans, Universal salesman, will leave soon for Pittsburgh to join Col-
umbia.

Sarah Levinson, secretary to Arthur de Titta of Fox Movietone, has gone to Florida for a month.

Ray Bell of Loew's publicity staff is the father of a girl—a Christmas present.

Kitty Carlisle arrives here to-
month for a brief vacation.

Paul Robeson, and Sol A. Rosen-
blatt, sail today on the Ile de France.

Douglas Fairbanks leaves for the coast tomorrow.

Final Title Change

Hollywood, Jan. 10.—The final title change in Hollywood, which has been changed to "I Loved a Soldier." The new Mae West film, made as "Klondike Lou," has been renamed "Klondike Annie.

Paramount Changes Titles

Hollywood, Jan. 10.—Marlene Dietrich's next for Paramount, at present in work as "Invitation to Happiness," has been changed to "I Loved a Soldier." The new Mae West film, made as "Klondike Lou," has been renamed "Klondike Annie.

Fox Midwest Men Meet

KANSAS CITY, Jan. 10.—Thirty-one men of L. J. McCarthy's Kansas City district of Fox Midwest met here this week to confer on plans for the newspapers' activities for the ensuing quarter. The me-

RKO Signs Olsen

Hollywood, Jan. 10.—Moroni Olsen, stage player, has been signed to a long term contract by Radio. He is the

Kathryn Carver-Married

Kathryn Carver was married to Paul Vincent Hall early yesterday at St. John's Church. The couple returned to New York.
Dysart Takes Stand First
At St. Louis

(Continued from page 1)

ences in mind. Judge Joseph West Molyneaux, for the practice of two terms, has been sought and obtained the identical privilege for Austin C. Keough, who is expected to return some time next week.

Exempt Trade Press

Freedom of the trade press was temporarily jeopardized. Having made no distinction between the two, three trade paper men found themselves embraced in the court's ruling on Hardy's suit. One of them, Ornstein of Motion Picture Daily, was not David F. Barrett of St. Louis, and the third so correclty represented that the deci

U. A. Dickering for European Pictures

LONDON, Jan. 3.—Continuing the policy so successfully followed in the British trade, U. A. Artists is on the point of completing contracts with producers in the chief Continental countries which will give them native films to distribute in all these markets.

In Paris Murray Silverstone has made a deal with Bernard Nathan and another with news interests backed by the Havas news agency. Similar contracts will give a product in Spain, Czechoslovakia, Italy and Belgium. These subjects will be for na-

Browne, Nick to Miami

Hollywood, Jan. 10.—George Browne and John P. Nick, I. A. T. S. E. executives, leave here for Miami tomorrow to attend the I. A. meet. Browne and Nick are the first of two men joining the I. A. continues pessimistic, although cameramen are reported anxious to join. Browne's stand in closing the doors to them is reported due to the group's opposition to the I. A. favoring the union's fight for studio jurisdiction.

An Anniversary

St. Louis, Jan. 10.—Saturday will mark the first anniversary of the handing down of the screen of rebirth which subsequently led into the trial of Warners, Paramount and several of their executives, including Harry M. Warner, Abel Cary Thomas, Fred Avery, George J. Schaefer. Ac-

Birmingham Looks For 15-20% Gains

BIRMINGHAM, Jan. 10.—The best estimates of local exhibitors is that business will be up 15-20 per cent better in 1936 than for last year. They base this partly on the comeback of the outdoor show, and increasing the demand for steel and iron which the Birmingham distric producers. Having been harried by many court decisions, Birmingham is now due for a season of prosperity, it is agreed.

Admissions which dropped to a low level last year are expected to improve, according to N. H. Waters of the N. H. Waters Enterprises. He says that prices in Alabama and Mississippi have increased 25 per cent and that this naturally has helped. However, he pointed out that exhibitors are having to pay more for films. He said an unusually cold weather has business for the past month.

Frank Brett, operating four theatres, wondered whether producers would be able to turn out pictures as fast as in 1935 and he said this would affect business. His house got the breaks on some of the top

Bay State Deposits Up

BOSTON, Jan. 10.—An increase of over $98,000,000 in deposits of 484 state banks in Massachusetts, including credit unions, has been re-

Schlesinger Expands

Hollywood, Jan. 10.—Leon Schles-

Tannen for "Two Flags"

Hollywood, Jan. 10.—Twentieth Century-Fox has signed Julius Tannen to a long term contract. His first assignment will be in "Under Two Flags." E. W. Brubom, from the New York stage has also been added to that picture.
Odum Loses Appeal Against Questioning

The appellate division yesterday affirmed an order of the Supreme Court of New York in a suit brought by William F. Walsh, an attorney and stockholder in Atlantic Corp., against B. Odum and other officers and directors of the Atlas Corp. to submit to oral examination in advance of trial of a stockholder's suit which attacked the right of the company to participate in the underwriting of Paramount Pictures.

The suit was brought by William F. Walsh, an attorney and stockholder in Atlas. Walsh charged that the underwriting was "speculative" and not in line with the investment purposes for which Atlas was formed. The appellate division agreed that the examination of the Atlas officials was not conducted in the next few days unless the defendants exercised their right to take a further appeal on the Supreme Court's order to the Court of Appeals.

Seeks Injunction Against Bank Night

Evanston, Ill., Jan. 10—An application for an injunction against Bank Night in New England was filed in District Court here today by C. G. Film Co., headed by Gruber and Harry Bloomberg. This is the latest move in the infringement suit brought by Affiliates Film Corp. and others against Parkay and Cash Night.

Hearing is set for Monday, when, according to Bloomberg, the defendant in the suit is to be asked to prohibit the operation of Cash Night and transfer the profits to Bank Night. The Court will attempt to prevent the sale from production warnings that Cash Night is an infringement and its users liable to prosecution.

Trans-Lux Not Party To Suit, States SEC

Washington, Jan. 10.—A suit filed in N. Y. Federal Court against Torr & Co. and various individuals over transactions in Trans-Lux Daylight Screen Corp. stock by the Securities and Exchange Commission does not include Trans-Lux as a defendant in the statement by the commission indicates.

The commission was prompted to issue a statement as a result of numerous inquiries from stockholders.

"The commission wishes to emphasize the fact that neither the Trans-Lux Daylight Screen Corp. nor its management is a defendant in this suit," the statement concludes.

Studios, Technical Men Act on Awards

Hollywood, Jan. 10.—Studio heads, technical department heads and equipment manufacturing companies have been requested to submit names for the scientific or technical award by the Academy.

Nominations must be a device, method, discovery or invention of outstanding value which has been actually employed in production during the year.

Carl Drerer is chairman of the board of judges.

Jones Buys Vanderbilt

Martin Jones has purchased the Vanderbilt, 146 West 48th St., at a price said to be in excess of $300,000. Jones is producer of "Muratoo," now running at the Vanderbilt.

Looking 'em Over

"The Invisible Ray" (Universal)

Boris Karloff and Bela Lugosi in this picture delve into the mysteries of advanced science. Karloff's discovery of an invisible ray, which permits him to look far back into time, and find the source of the duality of the invisible ray, is the motivating theme of the film.

When the element takes its toll of his mentality, and he mercilessly pursues those who, he believes, wronged him, the film takes on its active phase. Blended is romance, action, murder, but without mystery for the audience, and the eventual sacrifice of his son by a mother, for the good of others, against a background which moves from an elaborate, ultra-scientific laboratory, to the wilds of Africa, then to Paris. On the whole the film is good entertainment, interest-holding and salable, and largely without the "horror" theme which has featured many of the films of Karlloff and Lugosi.

Frances Drake plays Karlloff's wife; Frank Lawton, a young explorer with whom she falls in love, and Walter Kingsford, Beulah Bondi, Violet Kemble Cooper and Nydia Westman are in chief supporting roles. Lambert Hillyer directed from a story by Howard Higin and Douglas Hodges and the screen play by John Colton.

Karloff invites Lugosi, scientist, to see his ray. It shows the location in Africa of the new element. Karlloff, leaving the expedition, finds the element, is poisoned by it, his touch causing death. Lugosi prepares an antidote for him which Karlloff must use constantly. When his wife leaves with Lawton and Lugosi uses the element in healing Karlloff, now mentally affected, plans revenge. He arranges his own death, then kills three of the six he calls his enemies and then Lugosi. He is about to kill his wife when his mother appears, smashes his needed antidote, and causes his death.

Production Code Seal No. 1,746. Running time, 75 minutes. "G."
Testimony of Dysart Ended At St. Louis

First Witness Stresses Reorganizing Plans

By RED KANN

Sr. Louis, Jan. 12.—The Government on Saturday completed the direct examination of Thomas N. Dysart, its first witness, and cross-examination by ex-Senator James A. Reed, co-counsel for Warners, began, in a two-hour session lacking in interest and devoid of new angles.

After one hour and 15 minutes, Russell Hardy, Government attorney, turned the witness over to the defense. The cross-examination was handled by Reed from his chair with the consent of Judge Joseph West Molineaux. (Continued on page 3)

Laughton Winner in Actors' Guild Vote

HOLLYWOOD, Jan. 12—The Screen Actors' Guild has selected Charles Laughton for the best performance of 1935. The voting was conducted by its members. Laughton received the honor for his role in "Mutiny on the Bounty." In a vote involving 18 players in 14 pictures. Kay Francis received first honorable mention for her part in Warners' "I Married a Fairy." Flora Quillan got second mention for "Mutiny on the Bounty."

The Screen Writers' Guild voted "Mutiny on the Bounty" the best screen play of December. Talbot Jennings, Jules Furthman and Carey Wilson did the adaptation. "So Red the Rose" received first honorable mention with the honors going to Laurence Stallings, Maxwell Anderson and Edward Justus Mayer. Joel Sayre and John Twist received second mention for "Annie Oakley."

Sennwald, "Times" Film Critic, Dies

Andre David Sennwald, 28, film critic of the New York Times, died early Sunday of illuminating gas poisoning, shortly before the sparkling-ignited gas wrecked his penthouse apartment at 670 West End Ave. Sennwald was educated at N. Y. U. and Columbia, joining the Times shortly after graduation in 1930. The funeral will be held at 11 A.M. tomorrow from Campbell's Funeral Church. Burial will be in Ferncliff Cemetery, Westchester. He is survived by his widow, his parents and three brothers.

Year's Start Tips Grosses
To New High of $1,918,729

New Year's week was a tonic—in spots a sensational tonic that more than doubled the previous week's grosses—among all the key spots reporting to Motion Picture Daily, except St. Paul. Bad weather there explained the lethargy.

The total take for the 30 cities was $1,918,729. For the Christmas week it was $1,228,199.

The New Year total is by far the highest for the current season which began in September. It tops the previous high mark of $1,766,910, set up the first week in December, by $151,819.

Some of the increases over Christmas week were remarkable. In New York the New Year's take was $423,000. For the previous week it was $186,200. Boston, Chicago, Denver, Lincoln, Philadelphia and Pittsburg, where no new Sunday opening law was a help, showed striking gains. (Comparative Tabulation on page 7)

Kentuckians
Study Gains; Expect More

LOUISVILLE, Jan. 12—The consensus of opinion among theatre and exchange men in the Louisville and Kentucky territory is that 1936 will bring a definite rise in grosses. The public interest has quickened with increased payrolls and consequently has more money to spend for amusements, they say.

Farmers are getting higher prices for tobacco and thousands in and around Louisville are employed in tobacco processing and cigarette manufacturing by local factories. During 1935, the report of the Louisville Industrial Foundation shows that 18 new manufactures were established, while 61 older plants improved and expanded their facilities.

Plans for voluntary advancement by the industry of any method of self-regulation are regarded in responsible exhibitor and distributor quarters as being definitely stimulated at this time and for revival on either the establishment of legal precedents, the passage of enabling Federal legislation, recurrence of a trade emerg- ency or self-regulation by distributors, in the opinion of these authorities.

Industry apathy on the subject is the face of a number of efforts made since the demise of the NRA to advance a plan of self-regulation has become self-evident enough in recent months to lead erstwhile champions of the move to question, even, whether a regulatory code is needed by the industry, or convince the pending plan proposed by M.P.T.O.A. for local self-regulation through exhibitor and distributor representatives delegate sufficient authority to settle disputes within their own territories and thus make no complaint from distributors and only indiff erent enforcement from exhibitors, if it is pointed out.

Numbers of industry leaders who (Continued on page 3)

Missouri Sales Tax
Returns Show Gains

KANSAS CITY, Jan. 12—Fifty-six thousand Missouri retailers—including theatres—which is 3,873 more than in October, paid $915,300 under the one per cent sales tax during November, compared with $866,440 the preceding month. A third of it goes to the school fund, the remainder to general revenue. Sales tax returns are expected to exceed $1,000,000 for December.

The legislature appropriated $2,500,000 at the last session for old age pensions, part to come from the sales tax. A limit of $30 a month was placed on the amount going to pensioners. Recommendations in the state auditor's office range from $7 to $22 a month.

Fitchel Is Forming
An Independent Unit

Plans for the formation of a new producing-distributing organization utilizing major company facilities will be discussed by New York film attorney for the organizing group, who leaves for Hollywood today to confer with leading independent producers on the project.

English and American capital has been secured to finance the production (Continued on page 3)

Open Houses
May Go Over 15,000 Mark

Big Increase Expected in Film Board Report

Indications that the total number of theatres in operation in the U. S. at the end of 1935 will be greater than the 15,000 mark are contained in the annual reports of the Film Boards of Trade which are now being compiled by the M.P.P.D.A., but will not be compiled much before the end of the week.

The nearly complete reports now on hand definitely reveal that the total of 14,552 theatres which were open on Jan. 1, 1936 will be increased by more than 400 theatres which have been opened during the year.

The great total represents a year ago, both open and closed, was 18,263. This number is not expected to reflect as great a change as that in the number of open theatres alone, as the increase in the latter was due largely to the remodeling and reopening of old theatres rather than increased construction. Seating capacity of the open theatres may pass the 10,000,000 mark, according to present indications of the incomplete Film Board reports.

Virtual extinction of silent theatres is also expected to be revealed in the report, as the number of theatres open in the U. S. a year ago and this number will show a further decrease during 1935, it is anticipated.

Christmas Grosses
Set London Record

By BRUCE ALLAN

LONDON, Jan. 4—Aided by favorable weather and a lineup of good attractions, theatres in the West End of London had one of the most successful Christmas seasons in history.

The Empire, Leicester Square, M-G-M show window, broke all its records on Boxing Day (Dec. 26) (Continued on page 3)

Harry Carr Passes; Heart Attack Fatal

LOS ANGELES, Jan. 12—Harry Carr, who conducted a column in the Los Angeles Times, and was at one time a writer and supervisor of stories for D. W. Griffith, Cecil B. DeMille, Mack Sennett and Jesse Lasky, is dead here of a heart ailment. He was 58. He was the author of numerous books. He is survived by his widow, two children and three grandchildren.
MOTION PICTURE DAILY

VOL. 39
JANUARY 13, 1936
NO. 30

PUBLISHING DETAILS
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Advertising Manager
JAMES A. CRON

January 13, 1936

Check Matinee Time Change in St. Louis

ST. LOUIS, Jany. 12—Following a conference with Harry C. Arthur, operator of the Ambassador, Missouri and Fox here, a committee representing the M. P. T. O. of Southern Illinois agreed to check up on independent theatres alleged to be moving up their matinee time in accordance with an agreement reached here in St. Louis.

The committee consists of Fred Web- renberg and the Mandell brothers. Fol- lowing the survey the committee con- ferred with Arthur in an effort to induce his return to the 6 o'clock matinee. The agreement was to shift now in effect. At the moment Arthur is firm for the later hour change.

The Missouri and Fox have inaugurated Bank Night and the Ambassador begins the giveaway to- morrow.

Bank Night Termined

RACINE, Wis., Jan. 12—Indications that attempts to ban Bank Night at several local houses here will be un- successful is seen in an agreement by the district attorney's office which de- clared that the plan is legal where all the banks have the same opera- tions in the cash award, irrespective of whether they purchase a ticket to the theatre.

Both the Rialto and Capitol here are featuring Bank Night weekly, while at least four other houses, including the Uptown, Wilson and Mainstreet, are offering giveaways in the form of the gilt wares. The theatre will offer film prizes for sale, free prize book, candy and toys for the kiddies attending Sunday matinées.

Grants Examination

In Master Art Suit

Justice Bernard L. Shientag in N. Y. Supreme Court in New York this morning set January 16 as the dates for examination before trial of Herman Robbins of National Screen Service and Charles W. Cake- well of American Display Co. on petition of Master Art Products, as part of Master Art's suit for an injunction and alleging violation of an agreement that American Display would not engage in the lobby dis- play business for five years.

The complaint says that National Screen has financed American Display in that business, the latter being in competition with Master Art. The court at the same time denied a de- nial request for examination of the books of Master Art.

To Hear New Sound

A new type of sound recording, de- veloped by J. A. Miller of the Amer- ican Mechanograph Co., will be demonstrated Wednesday at the next meeting of the Atlantic Coast section of the American Society of Electrical Engineers. In the Eastman Kodak offices, Madison Ave, for dinner and then go to the room at the Hotel Electrical Engineers' Grand Central Palace for the meet- ing.

Vance King on Awards

HOLLYWOOD, Jan. 12—Vance King will handle publicity on the Academy awards this year, as he did last year. The results will be mailed out over the weekend.

Purely Personal

MARTIN MOONEY, who has to do a 30-day term in the Tombs for failure to disclose his source of income regarding the1.25% stock in his city, will arrive today from the coast. While incarcerated he will do a prison story for Warner.

HY DAAR, newly appointed adver- tising and publicity director for Co- lumbia, arrived from the coast Saturday to take up his new post immediately.

WELDON HEBUREN opens at the Lyceum tomorrow night in "I Want a Policeman." He has been signed by M-G-M.

H. L. ROBERTS, JR., has been ap- pointed head of the creative department of Audio Pro.

... Atlanta

HENRY B. GLOVER, Republic sales- man, has been transferred to Mem- phis.

HARRY C. SIMPSON, salesman for National Screen, has a swollen jaw;

... Denver

TOMMY MILTON, Victory manager, is vacationing in Ohio and adjoining states.

BUK KELLY, former manager of the Park, is now running a filling station.

... London

JAMES B. SLOAN, from British Na- tional, is the new manager at the B.O.-N. Pinewood studio at Ivor.

... London

CLARENCE ELDER is now director of

Kentuckians

MOTION PICTURE

DAILY

Apr. 3, 1936

Study Gains;
Expect More

(Continued from page 1)

... Los Angeles

MARTIN MOONEY, who has to do a 30-day term in the Tombs for failure to disclose his source of income regarding the1.25% stock in his city, will arrive today from the coast. While incarcerated he will do a prison story for Warner.

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Study Gains;
Expect More

(Continued from page 1)

scheduled here for 1936, it was an- nounced by G. W. Huey, the Louis- ville Courier-Journal. Plans have been under way for several months to make the second annual Derby for all 1936 and of national in- terest. Heretofore, Louisville's large- est moment has been the Kentucky Derby with visitors coming to the town with "John Hallock, Gentlemen," its first story.
Testimony of Dysart Ended
At St. Louis

(Continued from page 1)
dealt with various meetings held in connection with Warner proposals of reorganization for the Ambassador, Missouri and New Grand theaters. Mr. Dysart's line of questioning concentrated on the establishment of the assertion that on Sept. 18, 1933, Warners had an agreement with the bondholders' committee for a reorganization plan for the three theaters, except for three points.

One of the three unsettled points was the length of time during which the new bonds would be non-cumulative. Warners, Dysart testified, wanted a three-year term and the bondholders favored a shorter period. The second unsettled point was the method of voting trust. The witness said Warners wanted four of seven and the bondholders wanted three, but were concerned the price Warners were to pay for 60 per cent of the stock in the new corporation which was to be organized, Dysart continued.

Dysart to Florida

Reed endeavored to bring out the agreement with the bondholders' committee, when reduced to writing and submitted to the Warner home office in New York, was at variance with the agreement as presented to him, and that on Sept. 18, this brought to a close Dysart's testimony for the day. He was released from his services, but will return next Saturday. At that time Paramount counsel will cross-examine him on one or two points. RKO is not interested in his testimony for Dysart has not even mentioned the company in either direct or cross-examination.

Hardy's objections to the introduction of testimony pertaining to thea- ters in the New York area were denied by the court, thereby indicating a possible wider scope in which defense counsel might build its case against Reed. The argument was made that Reed, who was Dysart's successor, succeeded in getting Dysart to answer a question relating to the operation of the St. Louis Theatre, one of the five houses controlled locally by F. M. & M., but not a party to this action.

Overrules Objection

The Government's objection to Reed's introduction of testimony relating to the New York district was overruled by Judge Harry Kaplan against the St. Louis Amusement Co., controlled by Warner interests. Judge Kaplan also held that the New York area was within the jurisdiction of the court.

The Warner contention in the current action is that because of these two suits no early bid for reorganization of the Ambassador, Missouri, and New Grand Central was possible. The contention further is that Kaplan, by means of the receiving order, took away the equity and control Warners had in the 20 neighborhood theaters which compose the St. Louis Amusement Co. It is for this protection that Warners have since refused to have any business dealings with Kaplan or any of his associates.

By comparing the Allen L. Snyder bid with various Warner propositions for the three houses Dysart explained why the bondholders' committee, of which he is chairman, accepted the latter.

J. W. Lefferts, counsel for Warners, also had an agreement with the bondholders' committee for a reorganization plan for the three theaters, except for three points. The agreement with the bondholders' committee for a reorganization plan for the three theaters, except for three points.

On the Lighter Side

By BILL ORNSTHIN

St. Louis, Jan. 12.—Mrs. James A. Reed pays regular visits to the court when her husband, the former Missouri and New Grand Co. special counsel for Warners, argues at length. By EUGENE ALLEN

Irving Lesser thought it strange that "The Music Goes Round and Round" hadn't reached this city.

+ SAM DEMPSEY, CRESS SMITH and Eugene Alpar are rapidly going belly up from it. Sam even had Joe, the pianist in the The Merry-Go-Round cocktail bar longhand the lyrics for him.

+ Some of the gang are seriously considering hiring Rossini, the magician in the Park Plaza's show, to teach them tricks. Time is hanging heavily on their hands. It's up to Russell Hardy to dispose of them, but the Government prosecutor is not in a disposing mood.

+ JACOB M. LASHERY, RKO counsel, is suffering from a cold. Dirty Mike, city manager for Warner Theatres, is getting over his.

+ BILL PINE got a lead of court procedure in between planes. The courtroom couldn't dodge his very blue shirt and red tie.

+ Bill flew in from Hollywood, was grounded at Winslow, Ariz., and again at Kansas City. His tally shows there was no time at all saved.

+ SAMUEL W. FORBYCE, one of Paramount's Variety Club bookers, is hovering painfully and wretchedly from his pneumonia siege, but will not take part in the hearings for another week.

Christmas Grosses

Set London Record

(Continued from page 1)

with "Mutiny on the Bounty," "The Ghost Goes West" was another outstanding success, at Leicester Square. The week's other releases, "In the Mood," "The General" and "The Million Dollar Quicker Than a Million," Tivoli; "The Melody Lingers On," London Pavilion; "Curly Top," Marble Arch Pavilion; "David Copperfield," Stoll P. T. 1.; "Anna Karenina," Astoria; "The Guv'nor," New Gallery; "Music Hath Charms," Legal, and "Our Little Girl," De monition; were among the Christmas week features. * * *

With the signing of Nora Swinburne for the part of Joanna in "The Beloved Vagabond," Tooleitz Prod. assumed the leads for this Maurice Chevalier production. Already cast are Margaret Lockwood (Blanquette), and Desmond Tester (Asi cot). Kurt Bernhard, director, has started shooting at the A.T.P. Studios, Ealing.

K. C. Club Ball Set

KANSAS CITY, Jan. 12.—The annual Variety Club Charity Ball is set for Feb. 17 at the Pa-Mor. General chairman is Arthur Cole. George Ball, Variety Club president, is chairman of the entertainment committee; Frank Hensler of M-G-M, chairman of the ticket committee, and Paul Bayman, Box-Office, publicity.

Plan Dance Next Month

CLEVELAND, Jan. 12.—J. Schmertz, newly elected president of the Variety Club, is planning a "March of Time Dance" in February to celebrate the installation of the new officials.

"Time" Preview Is Set

The editors of "The March of Time" will hold a preview showing of their first release of the new year, tomorrow afternoon at the Hotel Madison.

No Hope Seen
For New Move
On Regulation

(Continued from page 1)

therefore have viewed a trade practice code as desirable, admittedly are beginning to lose interest either because of the absence of a spontaneous industry development, or because the means for obtaining one are not immediately apparent. Even the M.P.T.O.A., which has been most active in championing efforts to devise a trade practice code is finding its hopes for immediate action dimmed and, according to present plans probably will hold no annual convention this year because of a lack of "urgent industry problems requiring discussion."

Even a meeting of the organization's directors or executive members is said to be problematical at this time.

Much of the continuing effort to obtain a trade practice code is now concentrated on obtaining a code regulation of the industry by legislation, some of which would be incapable of accomplishment, the pending trade regulation plan is not devised in the near future.

Distributor Cooperation Needed

Unrestricted distributor cooperation is held to be the most needed factor in a plan of self-regulation and there appears to be little chance of this being obtained unless the pressure is placed on distributors by the Government or definite legal precedent develops which would define the extent to which distributors could participate in the development and enforcement of a trade practice code.

Many industry leaders believe that the current drive towards self-regulation is definitely has dulled the demand for a plan of self-regulation and unless one or another of the above-mentioned factors develop, another business emergency is regarded as being capable of reviving it.

Fitleson Is Forming
An Independent Unit

(Continued from page 1)
of six to 12 features annually, budgeted at from $200,000 to $250,000, Fitleson said. Efforts will be made to obtain production from the independent producers now associated with major studios who can make one or two pictures a year outside of their regular contract schedules. This selected list of producers, whom John Fitleson will confer with on his coast visit will own 50 per cent of the new company. Distribution would be through a major company on a percentage basis.

Fitleson said that he was unable to disclose the names of the principal owners of the principals in the new company, which is in the process of being organized.

Rename Chatterton Film

Hollywood, Jan. 12.—Columbia is changing the title of the Ruth Chatterton film, "No More Yesterdays," to "Lady of Secrets."

Monday, January 13, 1936
“Face” with Vaude Smash
Boston Draw

BOSTON, Jan. 12—The RKO Boston, back on a vaudeville basis, did capacity business all week, and added to the delight of a driving rain was a set from Thursday. The take went up to $33,000 with “Another Face” on the screen and a billy goat on the stage; with Jane Froman. This is $18,000 over normal.

“Another Face of Two Cities” pulled $16,500, up by $3,500, at Loew’s Orpheum, and turned in the same figure, over par by $4,500, in Chicago. The latter, with “The Bride Comes Home” and a stage show headed by Phil Spitalny’s unit, was over normal by $10,000 on a gross of $32,000.

Total first run business was $111,500. Estimated takings for the week ending Jan 10:

- CAPTAIN BLOOD (F. N.) FENWAY—$24,50, 7 days. Gross: $6,800. (Average, $970)
- THE BRIDE COMES HOME (Radio) KEITH’S MEMORIAL—$20, 7 days. Gross: $164,000. (Average, $23,428)
- THE 7TH VICTIM (Radio) LOEW’S STATE—$2, 7 days. Gross: $16,500. (Average, $2,357)
- THE BRIDE COMES HOME (Para.) NETTLETON—$(2, 35 days. Gross: $10,000. (Average, $3,333)
- THE 7TH VICTIM (M-G-M) NEWPORT NEWS—$2, 7 days. Gross: $12,800. (Average, $1,828)

The Bowery Boys

The Bowery Boys continued to do a brisk business on 7th St. Hays, Munson and Stillman are the Bowery Boys this week.

High Low Close Change
KAO Sports 3 Pts. on Board

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Circumventing the Smog

Offices Are Installed

HOLLYWOOD, Jan. 12—Officers of the Trouper’s Club for 1936 have been installed at the club rooms. Herbert Munson is president, Beatrice Ward vice-president, Adabelle Driver secretary; Louise DeVane, treasurer, and Edward Kimball, chaplain. L. E. Behymer is grand truesor.

Budgets Are Discussed

HOLLYWOOD, Jan. 12—Budgets were discussed at a meeting of the executive board of the Producers Ass’n., consisting of the heads of all major studios. No action will be taken on the setting of budgets until the arrival here of Will H. Hays, between Jan. 20 and 25.

Charlotte Agrees

The verdict for the best territory is unanimous—it’s going to be better than 1935, and 1935 was decided improvement over recent years. C. A. Schultz, chairman, J. H. Holloway of National Theatre Supply says 1935 was “most satisfactory.” His company covers a territory with about 360 theatres in the two Carolinas. Operators coming in to buy supplies are in “fine humor,” he says, and are talking of profits ahead. He regards the equipment business as a barometer of conditions. Twentieth Century-Fox executives agree that the business will be “much better” in 1936. They admit they were surprised by the gains of 1935, but are confident they will continue.

Affiliated Producers, Inc., agrees that the outlook is excellent. North Carolina Theatres, Inc., is so cheerful over the prospects that expansion moves have been started. The two latest acquisitions are the Carolina and Granada at Lexington, and Herbert Kinsey, head of the circuit, says its older units are in a healthy condition.

Republican men are enthusiastic.

They say all their contacts in the territory confirm their opinion that distributors and exhibitors hereabout are in for a good year.

“Obsession” Big Draw

ST. LOUIS, Jan. 12—The Fox here had one of its best weeks in months, grossing $15,000 during the week ending Thursday, playing “Magnificent Obsession.” The film is now in its second week.

Skowras, Rhodes to SAIL

ST. LOUIS, Jan. 12—Siropy Skowras and Elmer C. Rhodes are booked to sail from San Francisco for Honolulu on Jan. 17.

“Burlesque” $23,000 Hitt Philadelphia

PHILADELPHIA, Jan. 12—The biggest New Year’s Eve celebration since pre-prohibition days tilted grosses last night to $23,000 on the spadine in attendance after the holidays.

The best figure in town was “King of the Coast” at Farrah Flick. It was held a second week. “Riffraff,” with $10,000 at the Stanton, also closed big and was hit.

“A Tale of Two Cities” continued strong through New Year’s Eve and New Year’s Day, but fell short of getting a three-week run. For its last nine days, it turned in $23,000, better than average business.

Captain Donald showed a profit of two weeks, and got $19,000 at the Stanton for the period.

Total first run business was $103, 400, for a total of $91,960.

Estimated takings for the week ending Jan. 9:

- THEATRE TOO MUCH (Radio) ALDINE—$2,550, 7 days. Gross: $3,000. (Average, $429)
- RKO—$2,000. (Average, $286)
- BEHIND THE SCENES (Radio) ARCADIA—$(2, 600, 7 days. Gross: $1,400. (Average, $200)
- THEATRE OF TWO CITIES (M-G-M) ACE—$2,000. (Average, $286)
- NIGHT OF A THOUSAND VICTIMS (Radio) SEVEN O'CLOCK—$2,000. (Average, $286)
- RADIO MIKE—$2,500. (Average, $357)

Estimates for the Following Week

- KING OF BURLESQUE (20th-FOX) RKO—$2,000. (Average, $286)
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- KING OF BURLESQUE (20th-FOX) RKO—$2,000. (Average, $286)

McLucas Again Head Of Omaha Film Board

OMAHA, Jan. 12—D. V. McLucas, branch manager for United Artists, has been reelected president of the Omaha Film Board, and Clarence K. Olson, branch manager for Warners, has been named vice-president for that company.

The board has voted to call for bids from contractors for rebuilding exchange vaults to take care of the new $100,000 expansion. The matter has been turned over to Regina Molseed, secretary, to complete.

Chicago Men Take Up Long Reel Problems

CHICAGO, Jan. 12—Distributors are today completing the installation of 2,000-foot reels. City ordinances and union requirements are causing difficulties. The unions grant larger bands on the sprocket and rear shutters on machines. At present a city ordinance prohibits more than 1,000-foot reels.

Distributors say these difficulties can be satisfactorily ironed out. Additional meetings are scheduled.
STRIKE ME **PINK**, if I don’t think that this is the biggest advertising campaign ever put behind any picture!

*Samanuel Goldwyn*

**STARTS THE NEW YEAR WITH SMASHING SHOWMANSHP AS 1,000 LINE ROTOGRAVURE ADS HERALD HIS $2,000,000 FROLIC OF FUN AND BEAUTY**
YOU'VE NEVER SEEN EDDIE CANTOR IN A PICTURE LIKE THIS BEFORE!

The tailor-made story of a timid tailor who became a titan among men after taking a correspondence course on how to be brave!...Climb on the roller-coaster, folks, for the fastest ride through funland you've ever enjoyed. Watch a horde of beautiful girls close in on Eddie... sway to the rhythm of the season's liveliest tunes... thrill to the moanin' low of torchy Ethel Merman... Parkyakarkus in the nearest seat for 2 hours of delirious fun!

SAMUEL GOLDWYN presents
Eddie Cantor
STRIKE ME PINK

with ETHEL MERMAN • SALLY EILERS
PARKYAKARKUS and the GORGEOUS GOLDWYN GIRLS

Music and lyrics by Harold Arlen and Lew Brown. Dance ensembles by Robert Alton. Directed by NORMAN TAUROG.

Hear Eddie sing "Calabash Pipe" and "The Lady Dances." Thrill to Ethel Merman's torchy rendition of "First You Have Me High, Then You Have Me Low!" "Shake It Off With Rhythm."
**“Blood” Does $35,000 in 2 Coast Houses**

Los Angeles, Jan. 12 — “Captain Blood” did huge business in the two Warner houses, getting $17,900 at the Hollywood, over par by $3,500, and $17,200 at the Grand. The latter gross was $5,100 up.

Grosses were generally good. I Dream too Much was the second highest earner. The line by $3,900, at the Pantages. “King of Burlesque” took a par $12,500 at the Chinese and reached $13,000 at the Paramount.

Total first run business was $96,599. Average is $86,150.

Estimated takings for the week ending Jan. 8:

**“KING OF BURLESQUE” (20th-Fox)**

CHINESE—(2,000), 3 days. Gross: $12,500. (Average, $6,250)

**“NEW CULLIVER” (20th-Fox)**

GRAND INTERNATIONAL—(2,750), 8c-4c, 7 days, 2nd week. Gross: $5,100. (Average, $750)

**“I DREAM TOO MUCH” (Radio)**

HILLSTREET—(2,700), 25c-40c, 7 days.

Gross: $5,400. (Average, $771)

**“KING OF BURLESQUE” (20th-Fox)**

PANTAGES—(20,000), 8c-4c, 7 days.

Gross: $13,000. (Average, $1,857)

**“I DREAM TOO MUCH” (Radio)**

PANTAGES—(20,000), 8c-4c, 7 days.

Gross: $5,500. (Average, $786)

**“CAPTAIN BLOOD” (F. N.)**

WARNER-ALPHEX—(Hollywood)—(3,400), 3c-4c, 7 days. Gross: $7,100. (Average, $1,014)

**“CAPTAIN BLOOD” (F. N.)**

WARNER-ALPHEX—(Downtown)—(4,000), 3c-4c, 7 days. Gross: $7,100. (Average, $1,014)

**“Collegiate” Big Hit in Providence**

PROVIDENCE, Jan. 12.—“Collegiate” was successful for a bonus week at the Strand where the gross was $12,000, exceeding par by $5,500.

The Strand is showing “I Dream Too Much,” a smart attraction, taking $11,500, which better the average take by $4,500. The Majestic was $5,000 over average with “Captain Blood” receiving $10,000. Both the Strand and the RKO Albee run their bills for eight days, opening early to catch the holiday crowd. Shirley Temple, whose “Littlest Rebel” moved down from the Marcus to the Albee, had a par week at $7,000 and “Riffraff” at Loew’s State was close to its $12,000 par, catching $11,500.

Total first run business was $52,200. Average is $9,350.

Estimated takings for the week ending Jan. 9:

**“RIFFRAFF” (M-G-M)**

LOEW’S—(19,000), 8c-4c, 7 days.

Gross: $13,700. (Average, $1,957)

**“I DREAM TOO MUCH” (Radio)**

ALPHEX—(20,000), 8c-4c, 7 days.

Gross: $5,250. (Average, $750)

**“CAPTAIN BLOOD” (F. N.)**

ALPHEX—(20,000), 8c-4c, 7 days.

Gross: $5,500. (Average, $786)

**“CAPTAIN BLOOD” (F. N.)**

ALPHEX—(20,000), 8c-4c, 7 days. Gross: $4,500. (Average, $643)

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**Year’s Start Tips Grosses To New High of $1,918,729**

Comparative grosses for the last available periods:

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Lipscomb on “Lloyds”

Hollywood, Jan. 12.—Darryl F. Zanuck has assigned W. P. Lipscomb to write the screen play of “Lloyds of London.” The script will be written from the novel, “The Bell Ringer,” by Curtis Kenyon. The story deals with British shipping during the time of Lord Nelson.

**“Drag-Net” for Tarzan**

Hollywood, Jan. 12.—“The Drag-Net” with Willard Mack play, has been acquired by the Burroughs-Tarzan unit. It will be filmed as the first feature release on a program scheduled to include 18 features and two serials for the independent market.

**Lee to Train Dancers**

Hollywood, Jan. 12.—Sammy Lee, a former champion, has been named as the head of the M-G-M dancing school. He succeeds Dave Gould. The school will be enlarged, and all players who take part in musicals will be sent for instruction.

**Reisenfeld Is Signed**

Hollywood, Jan. 12.—Dr. Hugo Reisenfeld has been signed by Sol Lesser to supervise the musical score in the Bobby Breen film, “The Show Goes On.” He will also compose two original songs for the picture.

Ben Carre will do the art direction.

**Gross Quits Mayorsity**

Cleveland, Jan. 12.—Louis C. Gross of Johnson, Gross and Solomon, film carriers, who was elected mayor of North Olmsted in the fall elections, yesterday following his previous stride in the race, will be superseded by Mr. Louis A. Thomas, the council refused to ratify his appointments for office.

**Huban to Dorchester**

DORCHESTER, Mass., Jan. 12.—Martin Huban has been appointed assistant manager at the M. & P. Strand here. Frank McShane manages the house. Huban was formerly manager of the Regiment in Norfolk Downs.

**“Rebel” Gets Minneapolis’ Top, $11,000**

Minneapolis, Jan. 12.—The littlest film of the first showing in a quiet week on both sides of the river by giving $1,000 over normal for a total of $11,000 at the Minnesota.

The only other attraction to get over par here was “La Maternelle” at the World which took $5,500. In St. Paul “Show Them No Mercy” went to $2,000 at the Riviera, with no other first run getting any where. The weather was cold.

Total first run business in Minneapolis was $26,500. Average is $24,400. Total business in St. Paul was $16,000. Average is $16,000.

Estimated takings:

**Minneapolis:**

**Week Ending Jan. 5:**

“LA MATERNELLE” (M-G-M) WORLD—(-400), 25c-4c, 7 days. Gross: $5,500.

**Week Ending Jan. 9:**

“MISS PACIFIC FLEET” (W. B.) LYRIC—(1,238), 25c-4c, 7 days. Gross: $5,000 (Average, $714)

**Week Ending Jan. 10:**

“The Littlest Rebel” (20th-Fox) MINNESOTA—(-400), 25c-4c, 7 days.

Gross: $1,500. (Average, $214)

“I DREAM TOO MUCH” (Radio)

ORPHEUM—(200), 25c-4c, 7 days.

Gross: $5,000. (Average, $714)

“WHISPERS” (M-G-M)

STATE—(-320), 25c-4c, 7 days.

Gross: $3,500. (Average, $442)

**St. Paul:**

**Week Ending Jan. 10:**

“THANKS A MILLION” (20th-Fox) PARAMOUNT—(-1,700), 25c-4c, 7 days.

Gross: $1,000. (Average, $588)

“The Man Who Broke the Bank at Monte Carlo” (20th-Fox) RIVIERA—(-320), 25c-4c, 7 days.

Gross: $3,000. (Average, $438)

“SHOW THEM NO MERCY” (20th-Fox) TOWER—(-1,000), 3c-4c, 7 days.

Gross: $3,500. (Average, $500)

**Minneapolis—(Col.)**

ORPHEUM—(-200), 25c-4c, 4 days.

Gross: $2,000. (Average for week, $500)

**“OMNIMAX” (Radio)**

WORLD—(-400), 25c-4c, 5 days.

Gross: $1,500. (Average, $300)

Talk Cleveland Vaults

Cleveland, Jan. 12.—The Cleveland Film Board of Trade held its first meeting of the year to discuss changes necessary in the exchange vaults to take care of the new 2000-foot films which supersede the present 1000-foot film on April Ist. Frank D. Drew, M-G-M branch manager is president of the board.

**M-G-M Re-Signs Three**

Hollywood, Jan. 12.—M-G-M has given new term contracts to Robert Greig, Ann Loring and Eric Linden. Terms for the three, whose Bridges have been signed for a special number in “The Great Ziegfeld.”

**Wayfield Drops Shows**

San Francisco, Jan. 12.—The Wayfield will abandon stage shows Jan. 16. The theatre has been doing a big business during the past few weeks with strong pictures.
THE BOOKING

BY PHONE ☏ BY RADIOGR

BY SPECIAL DELIVERY 🚴 AN

CLAMORING FOR UNIVERSAL'S

"MAGNIFICENT OBSESSION"!...MAR

IN URUSA PARROTT'S BEST

"NEXT TIME"

NEW YORK CITY, MUSIC HALL, Jan. 30 • CHICAGO, PALA
BALTIMORE, KEITH'S, Feb. 6 • RICHMOND, CAPITOL
ST. LOUIS, FOX, Feb. 7 • KANSAS CITY, TOWER, Feb.
ATLANTA, PARAMOUNT, Feb. 7 • WICHITA, MILLER
RUSH IS ON!

AM BY TELEGRAM

D IN PERSON THEY ARE

BOX-OFFICE SUCCESSOR TO

GARET SULLAVAN

-SELLING STORY AND NOVEL

WE LOVE"

CE, Jan. 30 • WASHINGTON, KEITH'S, Jan. 30 • BUFFALO, LAFAYETTE, Feb. 6
, Feb. 6 • PROVIDENCE, ALBEE, Feb. 6 • BOSTON, MEMORIAL, Feb. 7
7 • SAN FRANCISCO, ORPHEUM, Feb. 7 • SALT LAKE, ORPHEUM, Feb. 7
, March 1 • LOS ANGELES, PANTAGES AND HILL STREET, Feb. 5-12
Delmar, Jan. 12.—In spite of a cold wave grosses skyrocketed, and a combination, "Another Face" on the Orpheum screen, with "French Folies," a revue, on the stage was a sensation. The $12,000 gross was $7,000 over par.

"Captain Blood" nearly doubled normal at the Denver at $9,000, and "The Bride Comes Home" was 100 per cent up with $8,000 at the Denver. "Mr. Hobo" did well at $3,500 in the Aladdin.

Total first run business was $37,000. Average was $19,500.

Estimated takings for the week ending Jan. 7:

"MR. HOBOS" (G.B.)
ALADDIN—(3,400), 30c-35c-40c $7,000.
Gross: $2,100. Average, $621.

"THE LITTLE REBEL" (20th-Fox)
BROADWAY—(1,500), 75c-80c-90c $7,500.
Gross: $2,250. Average, $1,500.

"THE BRIDE COMES HOME" (Paramount) 75c-80c-90c $7,000.
Gross: $2,000. Average, $700.

"ANOTHER FACE" (Radio) ORPHEUM—(2,500), 30c-35c-40c $6,000.

"IF YOU COULD ONLY COOK" (Col.) PARAMOUNT—(2,000), 25c-30c-35c $6,500.
Gross: $1,625. Average, $812.

"Bride," "Dudley"
$8,500, Portland

Portland, Jan. 12.—"The Bride Comes Home" and "Your Uncle Dudley" in their initial week at the Orpheum grossed a healthy take of $8,500, over the usual $3,500.

"Tale of Two Cities" continued on into a second week at the United Artists with a draw of $7,000, over normal $2,000.

"A Night at the Opera" was held over for a second week on the Broadway to average business.

The joint bill of Miss Pacific Fleet and "Charlie Chan's Secret" grossed $7,500, over average by a full $2,000.

Total first run business was $34,000. Average is $24,700.

Estimated takings for the week ending Jan. 4:

"A NIGHT AT THE OPERA" (M-G-M)
BROADWAY—(1,925), 30c-35c-40c $7,000.

"TOO HAT" (R.) (M-G-M)
RECKLESS (M-G-M)
2nd Run
BLUE MOUSE—(1,600), 30c-35c-40c $6,000.
Gross: $2,800. Average: $1,400.

"SHOW THEM NO MERCY" (20th-Fox)
MAYFAIR—(2,400), 30c-35c-40c $7,000.
2nd week. Gross: $2,800. Average: $1,400.

"THE BRIDE COMES HOME" (20th-Fox)
"YOUR UNCLE DUDLEY" (Radio)
ORPHEUM—(2,100), 30c-35c-40c $6,000.

"LITTLEST REBEL" (W.B.)
CHARLIE CHAN'S SECRET (M-G-M)
PARAMOUNT—(1,600), 30c-35c-40c $8,500.
Gross: $3,450. Average: $300.

"TALE OF TWO CITIES" (M-G-M)
UNITED ARTISTS—(950), 30c-35c-40c $7,000.
Gross: $2,800. Average: $300.

Out Hollywood Way
Hollywood, Jan. 12.—Francis Drake recovering from the fit... Paramout extends Henry Arthur's contract... He is working in "13 Days," a new Infirmary, a circus... The circus is... David Niven gave Merle Oberon an infra-red burlar alarm system for her home... Eleanor Stewart's first under her new M-G-M contract is "Small Town Girl"... Casting... Gay Grant and Lynn Overman in "Florida Special," Paramount... Heather Angel has lead role in "Politics"... Jane Ray, Mary Martin and... Walter Wanger borrows... signed for the "Return of Jimmy Valentine,"... "Silverblad... Walter Wanger's... Jim Duggan, Claire McDowell, and Frank Craven in M-G-M's "Small Town Girl"... Comress Live de Marqaret and... in "Raidy Afternoon." Pickford... Charles Butterworth from M-G-M... "Moon's Our Home,"... William Davison, Andrew Richards, Mary Treen, Shubert and Florence Fair in "Murder... by an Aristocrat," Warners... "Way Out West,"... "Breakers,"... James Dixon, and... in "Skull,"... Claude Binyon working on script of "Hand to Handle," Paramount... Title Change... Harry Sherman's... "Call of the Prairie" as final title... "Hollywood-Cassidy" pictures... Formerly known as... Cast of Two Rivers.

Add to "Bohemian Girl"
Hollywood, Jan. 12.—Hal Roach has placed "The Bohemian Girl" back on the cameras for a new sequence. Felix Knight, Mitchell Lewis and Zeffie Tillbury have been added to the cast for the new sequence. Laurel & Hardy are starred.

Donald Cook to Republic
Hollywood, Jan. 12.—Republic has signed Donald Cook for a long term contract. The actor will make four pictures. His first assignment has not been announced.

Plans Niantic House
Niantic, Conn., Jan. 12.—George LeWitt, operator of the Strand, Plainville, will build a new $600-seat theatre here.

Riffraft on With "Stars" Seattle High
Seattle, Jan. 12.—A combination of "Riffraft," "Star Over Broadway," led the New Year's pickup downtown with $8,100 at the Orpheum. This heavy business averaged $600.

"The Bride Comes Home" and "His Night Out" were good for $7,800, up by $1,400. Two holdovers were still in the profit column. "Columnist" and "Show Them No Mercy," in the second week of an extended run on the Orpheum reached $4,200 at the Blue Mouse, and "The Little Rebel" and "Millions in the Air," in the Master Boy, after an extended run from the Fifth Avenue, took $4,250.

Total first run business was $37,150. Average is $3,350.

Estimated takings for the week ending Jan. 12:

"COLUMBIAN" (Para.)
"SHOW THEM NO MERCY" (Fox) BROADWAY—(2,500), 50c-55c-60c $7,500.
Gross: $2,250. Average: $900.

"IF THE BIRD COSE HOME" (Paramount)庫
FIFTH AVENUE—(3,000), 50c-55c-60c $7,500.

"THE LITTLE LITTLEST" (20th-Fox) BROADWAY—(2,500), 50c-55c-60c $7,500.
Gross: $2,250. Average: $900.

"MUSIC BOX" (Col.) $1,000.
GROSS: $4,250. Average: $4,250.

"STARS OVER BROADWAY" (W.B.) ORPHEUM—(1,500), 50c-55c-60c $7,500.
Gross: $2,250. Average: $1,500.

"HANGOVER MURDERS" (Univ.) PARAMOUNT—(1,300), 30c-35c-40c $6,500.
Gross: $2,100. Average: $1,615.

"11,000 A. M." (Repertory) BROADWAY—(2,000) KIT KAT CLUB REvue $1,500.
Average: $750.

"Rebel" at $8,000
Wow in Charlotte
Charlottesville, Jan. 12.—Despite the worst work of the "Little Rebel" ran 100 per cent over normal for a take of $8,000 at the Carolina.

"Captain Blood" also was an outstanding hit with a gross of $7,000, up by $3,000, at the Broadway.

"Stars Over Broadway" ran $6,000, its own with a $1,500 take at the Imperial for three days.

Total first run business was $17,500. Average is $11,000.

Estimated takings for the week ending Jan. 12:

"CROSSOVER" (F. N.) BROADWAY—(1,200), 30c-35c-40c $7,500.
Gross: $2,850. Average: $2,375.

"THE LITTLEST REBEL" (20th-Fox) BROADWAY—(1,500), 50c-55c-60c $7,500.
Gross: $2,250. Average: $1,500.

"IMPERIAL—(2,000), 30c-35c-40c $6,000.
Gross: $2,400. Average: $1,200.

"SHOW THEM NO MERCY" (Col.) IMPERIAL—(1,900), 50c-55c-60c $7,500.
Gross: $2,500. Average: $1,315.

Cut Seating Capacity
Providence, Jan. 12.—Rennovations on the Columbia have reduced the seating capacity from 300 to 280. A Amontini is now operating the house three days a week instead of seven.
Testimony of Dysart Ended At St. Louis

First Witness Stresses Reorganizing Plans

By RED KANN

St. Louis, Jan. 12.—The Government on Saturday completed the direct examination of Thomas N. Dysart, its first witness, and cross-examination by the Senate. A. Reed, co-counsel for Warners, began, in a two-hour session lacking in interest and devoid of new angles. After one hour and 15 minutes, Russell Hardy, Government attorney, turned the witness over to the defense. The cross-examination, conducted by Reed from his chair with the consent of Judge Joseph West Molyneau.

(continued on page 3)

Laughton Winner in Actors' Guild Vote

HOLLYWOOD, Jan. 12.—The Screen Actors' Guild has selected Charles Laughton for the best performance of December, according to a poll conducted by its members. Laughton received the honor for his role in "Mutiny on the Bounty." The vote included 18 players in 14 pictures.

Kay Francis received first honorable mention for "Her First Adventure," and Carole Lombard for "Let's Be Bad." Eddie Quillan got second mention for "Mutiny on the Bounty." The Screen Writers' Guild voted "Mutiny on the Bounty" the best screen play of December. Talbot Jennings, Jules Furthman and Corey Wilson did the adaptation. "So Red the Rose" received first honorable mention with the honors going to Lawrence Weingartner, Maxwell Anderson and Edward Justus Mayer. Joel Sayre and John Twist received second mention for "Annie Oakley."

Kansas City Paper Drops Giveaway Ads

KANSAS CITY, Jan. 12.—On order of postal authorities, the Kansas City Star-Times, which carries the bulk of local theatre advertising and all the subsequent run advertising, has discontinued all references to cash giveaway schemes.

For some weeks Fox Midwest had been carrying an indirect reference to their Bank Night pool—"Extra Added AttractionTonight"—and since Christmas 14 independents have been calling attention to their Sweetstakes pool with "Associated Special Attraction 8:40."

Year's Start Tips Grosses

To New High of $1,918,729

New Year's week was a tonic—in spots—a sensational tonic that more than doubled the previous week's grosses—among all the 30 key spots reporting to Motion Picture Daily, except St. Paul. Bad weather there explained the letdown.

The total for the 30 cities was $1,918,729. For the Christmas week it was $1,228,199.

The New Year total is by far the highest for the current season which began in September. It tops the previous high mark of $1,366,190, set up the first week in December, by $515,819.

Some of the increases over Christmas week were remarkable. In New York the New Year's take was $423,000. For the previous week it was $180,000. In Boston, Chicago, Denver, Lincoln, Milwaukee, Kansas City, Cleveland, St. Louis, St. Paul, and Buffalo the increases were from 50 to 80 per cent. In Los Angeles, for the previous week, the increase was $20,000.

[Comparative Tabulation on page 7]

Kentuckians

Study Gains: Expect More

LOUISVILLE, Jan. 12.—The consensus of opinion among theatre and exchange men in the Louisville and Kentucky territory is that 1936 will bring a definite rise in grosses. The public interest has quickened with increased payrolls and consequently there is more money to spend for amusements, they agree.

Farmers are getting higher prices for tobacco and thousands in and around Louisville are employed in the tobacco product and tobacco manufacture by local factories. During 1935, the report of the Louisville Industrial Foundation shows that 18 new manufactories were established, while 61 older plants improved and expanded facilities.

American Cinematograph Society: 1936

A 1936 calendar was presented to President James A. Reed, by the American Cinematograph Society, and presented to Senator Reed with the congratulations of the members. The presentation was made by Senator J. H. Fristoe.

No Hope Seen

For New Move On Regulation

Plans for voluntary advancement by the industry of any method of self-regulation are regarded as responsible by exhibitor and distributor quarters as being definitely stalemated at this time and dependent for revival on either the establishment of legal precedents, the passing of enabling Federal legislation, the extension of a trade emergency, or cooperation by distributors, in the opinion of these authorities.

Industry apathy on the subject is in the face of necessity of efforts made since the demise of the NRA to advance a plan of self-regulation has become self-evident enough in recent months to lead erstwhile champions of the move to question, even, whether a regulatory code is needed by the industry. Even the definite plan proposed by M.P.T.O.A. for local self-regulation through exhibitor and distributor representatives, deploring the absence of sufficient authority to settle disputes within their own territories has met with no response from distributors and only indifferent cooperation from exhibitors, it is pointed out.

Numbers of industry leaders who (Continued on page 3)

Missouri Sales Tax

Returns Show Gains

KANSAS CITY, Jan. 12.—Fifty-five thousand Missouri retailers—including theatres—which is 3,873 more than in October, paid $915,900 under the one per cent sales tax during November, compared with $860,440 the preceding month. A third of it goes to the school fund, the remainder to general revenue. Sales tax returns are expected to exceed $1,000,000 for December.

The legislation appropriated $2,500,000 at the last session for old age pensions, part to come from the sales tax. A limit of $30 a month was placed on the amount going to pensioners. Recommendations in the state auditor's office range from $7 to $12 a month.

Open Houses

May Go Over 15,000 Mark

Indications that the total number of theatres in operation in the U. S. at the end of 1935 might pass the 15,000 mark are contained in the annual reports of the Film Boards of Trade which are being compiled by the M.P.P.D.A., but will not be completed much before the end of the week.

The nearly complete reports now on hand definitely reveal that the total of 14,532 theatres which were opened on Jan. 1, 1935, will be increased by more than 400 theatres which have been opened during the year.

The total of theatres a year ago, both open and closed, was 18,263. This number is not expected to reflect as great a change as that in the number of open theatres alone, as the increase in the latter was due largely to the remodeling and reopening of old theatres rather than to new construction. Seating capacity of the open theatres may pass the 10,000,000 mark, according to present indications of the incomplete Film Board reports.

Virtual extinction of the silent theatre is also revealed in the report. There were only 51 silent theatres open in the U. S. a year ago and this number will show a further decrease during 1935, it is anticipated.

Christmas Grosses

Set London Record

By BRUCE ALLAN

LONDON, Jan. 14.—Aided by favorable weather and a lineup of good attractions, theatres in the West End of London had one of its most successful Christmas seasons in history.

The Empire, Leicester Square, M.G.M. showwindow, broke all its records on Boxing Day (Dec. 26).

(Continued on page 3)

Fiteelson Is Forming

An Independent Unit

Plans for the formation of a new producing-distributing organization utilizing major company facilities will be advanced by William Fiteelson, New York film attorney for the organizing group, who leaves for Hollywood to-day to confer with leading independent producers on the project.

English and American capital has been secured to finance the production.

(Continued on page 3)

Harry Carr Passes;

Heart Attack Fatal

LOS ANGELES, Jan. 12—Harry Carr, who conducted a column in the Los Angeles Times, and was at one time a writer and supervisor of stories for D. W. Griffith, Cecil B. DeMille, Mack Sennett and Jesse Lasky, is dead here of a heart ailment. He was 58. He was the author of numerous books. He is survived by his widow, two children and three grandchildren.
Purely Personal

MARTIN MOONEY, who has to do a 30-day term in the Tombs for failure to disclose his source of information regarding racketeering in this district today from the coast. While incarcerated he will do a prison story for Warners.

By DAAB, newly appointed advertising and publicity director for Columbia, arrived from the coast Saturday to take over his new post immediately.

WELDON HEBYWIN opens at the Lyceum tomorrow night in “I Want a Policeman.” He has been signed by M-G-M.

H. L. ROBERTS, Jr., has been appointed head of the creative, department of Audio Prod.

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Kentuckians

Study Gains;

Expect More

(Continued from page 1)

scheduled here for 1936, it was announced by G. W. Hine, of the Louisville Daily Express Publicity League. Plans have been under way several months to make the second annual Derby Festival Week of national interest. However, the largest moment has been the Kentucky Derby with visitors coming to the city, with real and potential tourists. Their stay was short, in most instances visitors arriving by train, automobile and airplane only a few hours before the big race and departing for home immediately after the winner was made known. Derby Festival Week is being designed to offer the visitor a full week of entertainment with each day crowded by spectacular entertainment from the throng of visitors and are lending their co-operation to make Derby Festival Week a success.

Distillers Approach Peak

Kentucky’s distilling industry has already reached nearly equal to its peak of pre-prohibition days with 44 firms operating 48 distilling plants with a total production of 7,059,000 gallons. It is likely that industry plan a continuance of expansion and surplus during 1936, although some plans are being held in abeyance pending the passage of the tax bill. Whole of this year a new liquor control law as a result of the repeal of the Prohibition amendment in the November election. Actual employment in distilling plants alone is placed at 5,000 for Kentucky, not including allied industries.

Equipment Dealers Optimistic

New theatre construction in Louisville and Kentucky has been practically at a standstill and 1936 probably will show little change in this situation. While all downtown theatres are operating with but one exception any plans from legitimate enterprises have been announced. General improvement has been made in sound and projection equipment and dealers are reporting “John 50 per cent increase in volume of business over 1934. They confidently predict that 1936 will also bring a substantial increase over 1935 and are expanding their quarters and staffs to take care of the increased trade.

From conversations with various theatre managers, it is gathered that 1936 is looked upon as a “boom year” for the exhibitors. They state as their opinion that money is being put into circulation and that since theaters are going to get their share, the exhibitor, in turn, will get his.

All exhibitors report a definite improvement in the quality of the programs now coming out.

For B.P. at Elstree. He was art director. He takes over duties recently relinquished by P. C. Starche- ton.

MAX GLASS, from Berlin and Paris is establishing a British production company, as its first story.
Testimony of Dysart Ended At St. Louis

By BILL ORNSTEIN

St. Louis, Jan. 12.—Mrs. James A. Reed pays regular visits to the court when her husband, the former senator from Missouri and special counsel for Warners, argues at length.

+ EDE ALPERSON finds the activity here killing. He was busy today. Had two telegrams to answer.

IRVING LESSER thought it strange that "The Music Goes Round and Round" hadn't reached this city.

SAM DEMBOW, CRESS SMITH and ALPERSON are rapidly going faltering from him. Sam even had his argument in the Round cocktail bar longhand the lyrics for him.

Some of the gang are seriously considering hiring ROSTIKA, the magician in the Park Plaza's floor show, to

The Wednesday night meeting on the Lighter Side

Dysart to Florida

Reed endeavored to bring out that the agreement with the bondholders' committee, first reached in testimony and submitted to the Warner home office in New York, was at variance with the terms of the agreement on the point. He was present for a release. He argued that the time was the for six years. He wanted a three-year term and the bondholders favored a interaction. The second concern of control of the districting business was indicated. The congressmen wanted four of seven and the bondholders likewise. The third concern center on the interest rate. The pay for 60 per cent of the stock in the new corporation which was to be organized, Dysart continued.

Overrules Objection

The Government's objection to Reed's introduction of testimony relative to receipts of the receipts by the former senator from Missouri and special counsel for Warners, was overwhelmingly overruled. The court thereby indicating a possible wider scope in which defense counsel might build his argument. This became evident when Reed, over Hardy's demurrer, succeeded in getting Dysart to answer a question relating to the operation of the St. Louis Theatre, one of the five houses controlled locally by F. M., but not a party to this action.

christmas crossed

Set London Record

(Continued from page 1)

Skouras to New York

St. Louis, Jan. 12.—Skouras Skouras flew to New York on Saturday afternoon to clean up personal business. He will return here tomorrow, and after testifying will go to the coast with Richard Riester and Elmer C. Rhoden for a vacation.

Houses to Close in Nice

Nice, France, Jan. 12.—Exhibitors here have voted a lockout in protest against taxation. All houses will be closed until reductions are made. About 20 houses are involved, the exhibitors claiming they are taxed about 20 per cent instead of the two per cent charged other businesses.

March, Baxter Co-Starred

Hollywood, Jan. 12.—Twentieth Century-Fox is star Fredric March in "Wooden Crosses," a story by William Faulkner and Joel Sayre. Howard Hawks will direct. Production starts within three weeks.

Building Record Set

BEVERLY, Tex., Jan. 12.—A record was made in Beverly when the Rialto opened recently, exactly one week from the day work was started on the playhouse. Hall Industries, which had a number of theatres in southwest Texas, operates.

No Hope Seen For New Move On Regulation

(Continued from page 1)

heretofore have viewed a trade practice today as a possible move, beginning to lose interest either because of the absence of a spontaneous industry demand for such a code or because the means for enforcing one are not immediately apparent. Even the M.P.T.O.A., which has been most concerned about the possibility of enacting a code, is beginning to find the hope for immediate action dimmed, according to present plans, probably will hold no annual convention this year because of a lack of urgent industry problems requiring discussion. Even a move might the organization's directors or executive committee is said to be problematical at this time.

Much of the continuing effort to obtain a trade practice code is now confined to those who work on a possible regulation of the industry by legislation, some of which would be inimical to the industry, furthered if a self-regulation plan is not devised in the near future.

Distributor Cooperation Needed

Unrestricted distributor cooperation is held to be the most needed factor in the advancement of any move for self-regulation at the moment. There will be little chance of this being obtained unless enabling legislation is enacted and that was the demand for legal precedent develops which would define the extent to which distributors could participate in the development and enforcement of a trade practice code.

Many industry leaders believe that the current conspiracy trial at St. Louis, regardless of its outcome, will be a guide in this respect. Meanwhile, widespread improvements in earnings have definitely accelerated the plan of self-regulation and unless one or another of the above-mentioned factors develops, only a further burst of emergency is regarded as being capable of reviving it.

Fitelson Is Forming An Independent Unit

(Continued from page 1)

of six to 12 features annually, budgeted at from $200,000 to $250,000, Fitelson said. Efforts will be made to obtain producers now associated with major studios who make one or two pictures a year outside of their regular contracts. This selected list of producers will form the nucleus of the company. The company will confer with on his coast will own 50 per cent of the new company. Distribution would be through a major company on a percentage basis. Fitelson said that he was unable to disclose at this time the identity of the company, which is now in the process of being organized.
**MOTION PICTURE DAILY**

**Hollywood Preview**

### The Lady Consent

(Hollywood, Jan. 12—This is dramatic romance with smart dialogue and intriguing situations, a story of a woman's sacrifice that true love might triumph. It is convincingly portrayed with Ann Harding appearing to better advantage than she has been for some time. Herbert Marshall and Margaret Lindsay contribute telling performances. Edward Ellis has a fine part.

In the story Miss Harding consents to a divorce when she realizes that Marshall is infatuated with Miss Lindsay. The parting is a tragedy to humorously cynical Ellis, Marshall's father. As it becomes apparent that Miss Lindsay has married only for social position and luxury, Marshall and Miss Harding find life an empty thing. Miss Harding spurns Walter Abel's marriage plea.

Miss Harding and Marshall meet at the death bed of Ellis and realize their love is the most important thing in their lives. This starts a seerndrum roll, which for all the world is like the gossip of Ilka Chase and Miss Harding wins back her man.

The story, by P. J. Wolfson and Anthony Veiller, is sophisticated, but at the same time appealing, and the screenplay by Wolfson has smart exposition. Miss Harding balances romance and comedy, with nicely spaced drama that has more than ordinary appeal to women. The settings are sumptuous and are emblazoned by J. Roy Hunt's photography. Production Code Seal, No. 1896. Running time, 73 minutes. "G."
STRIKE ME PINK, if I don't think that this is the biggest advertising campaign ever put behind any picture!

Samuel Goldwyn

STARTS THE NEW YEAR WITH SMASHING SHOWMANSHIP AS 1,000 LINE ROTOGRAVURE ADS HERALD HIS $2,000,000 FROLIC OF FUN AND BEAUTY
YOU'VE NEVER SEEN EDDIE CANTOR IN A PICTURE LIKE THIS BEFORE!

The tailor-made story of a timid tailor who became a titan among men after taking a correspondence course on how to be brave!...Climb on the roller-coaster, folks for the fastest ride through funland you've ever enjoyed. Watch a horde of beautiful girls close in on Eddie... sway to the rhythm of the season's liveliest tunes... thrill to the moanin' low of torchy Ethel Merman... Parkyakarkus in the nearest seat for 2 hours of delirious fun!

SAMUEL GOLDWYN presents

Cantor

STRIKE ME PINK

with ETHEL MERMAN • SALLY EILERS
PARKYAKARKUS and the GORGEOUS GOLDWYN GIRLS

Directed by NORMAN TAUBER

Hear Eddie sing "Calabash Pipe" and "The Lady Dances." Thrill to Ethel Merman's torchy rendition of "First You Have Me High, Then You Have Me Low!" "Shake It Off With Rhythm."
**Year's Start Tips Grosses To New High of $1,918,729**

Comparative grosses for the last available periods:

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**Week Ending Jan. 23 vs. Dec. 26-27**

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**Rebel** Gets Minnesota's Top, $11,000

**“Blood” Does $35,000 in 2 Coast Houses**

**“Collegiate” Big Hit in Providence**

**鬥士**

**Lipscomb on “Lloyds”**

**Reisenfeld Is Signed**

**Gross Quits Mayoralty**

**References**

**Huban to Dorchester**

**Talk Cleveland Vaults**

**M-G-M Re-Signs Three**

**Warfield Drops Shows**

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**Student Assistant**
THE BOOKING

BY PHONE ☎️  BY RADIOGRAPH

BY SPECIAL DELIVERY 🚴 AN

CLAMORING FOR UNIVERSAL'S

"MAGNIFICENT OBSESSION"!...MAR

IN URSULA PARROTT'S BEST

"NEXT TIME"

NEW YORK CITY, MUSIC HALL, Jan. 30 • CHICAGO, PALA
Baltimore, Keith's, Feb. 6 • Richmond, Capitol
St. Louis, Fox, Feb. 7 • Kansas City, Tower, Feb
Atlanta, Paramount, Feb. 7 • Wichita, Miller

Let's go!
RUSH IS ON!

AM BY TELEGRAM

IN PERSON THEY ARE

BOX-OFFICE SUCCESSOR TO GARET SULLAVAN

SELLING STORY AND NOVEL

WE LOVE

ICE, Jan. 30 • WASHINGTON, KEITH'S, Jan. 30 • BUFFALO, LAFAYETTE, Feb. 6, Feb. 6 • PROVIDENCE, ALBEE, Feb. 6 • BOSTON, MEMORIAL, Feb. 7 • SAN FRANCISCO, ORPHEUM, Feb. 7 • SALT LAKE, ORPHEUM, Feb. 7 • LOS ANGELES, PANTAGES AND HILL STREET, Feb. 5-12
“Out Hollywood Way”

HOLLYWOOD, Jan. 12.—FRANCES DEAK recovered from the flu... Paramount extends Henry Arthur’s contract... He is working in “13 Virtues.”... Marked response from the circus chartered by Twentieth Century-Fox for “Charlie Chan at the Circus,”由 Jean Battenworth charged with the coordination in “Valley Forge” on the New York stage, here to start Warner contract... Charles Boyer burned out by small explosion while working in “Invitation to Happiness.” Paramount... Twentieth Century-Fox will make four, prints on “The Country Doctor...” Charles Bickford has bought two scripts which he will produce himself... REV. JOHN O’DONnell of Culver City signed by M-G-M as technical advisor for “Romero and Juliet.”... DAVID NIVEN gave Muriel OBrien an infra-red barger alarm system for his new home cameras for hotel scenes... ELEONOR STEWART’s first under her new M-G-M contract is “Small Town Girl.”

Casting—CARY GRANT and LYNN OVERMAN in “Florida Special.”... PARADISE... HEATHER Angel has lead in Plan 16.”... Radio... BERYL JANE, RAY MAYER, TOM MARTIN and BUD WAIN in “Farther in the Clouds.”... Radio... WALTER WANGER borrows signed for “The Return of Jimmy Valentine.”... Republic... STELLA HUNtings in Welcome to WANGER’S "Palm Springs.”... JIM DUGGAN, CLYDE McCOLL and FRANK CRANE in M-G-M’s “Small Town Girl.”... Correspondent LIL DE MAIGRET and ERIE RHODES in “One Rainy Afternoon.”... PICKFORD... RAY WALTER WANGER borrows signed for “The Return of Jimmy Valentine.”... Republic... STELLA HUNtings in Welcome to WANGER’S "Palm Springs.”

JIM DUGGAN, CLYDE McCOLL and FRANK CRANE in M-G-M’s “Small Town Girl.”

“Rebel” an $8,000
Wow in Charlotte

CHARLOTTE, Jan. 12.—Despite the worst weather in front of the “Littlest Rebel” ran 100 per cent normal for a take of $8,000 at the Carolina.

“Captain Blood” also was an out standing hit with a gross of $7,000 up, by $33,500... "Show Them No Mercy” held its own with a $1,500 take at the Imperial for three days. The first run business was $17,500. Average is $11,000... Estimated takings for the week ending Jan 12.

SCREENO FOR LOEW Lyric

BROOKLYN, Jan. 12.—The Lyric is the latest Loew house in this area to open.... The Barnum here and the Pickwick at Greenwich have abandoned Bank Night in favor of Movie Sweepstakes.

Poland Forms Supply Co.

KANSAS CITY, Jan. 12.—James POTTER, manager of the film department here for the past 22 years, and John C. LYNCH have formed the Independent Theatre Supply Co.

Universal Signs LaCava

HOLLYWOOD, Jan. 12.—Universal has signed Gregory LaCava to direct “My Man Godfrey,” which will star William Powell. Production is scheduled to start in March.

"Riffraft" on With “Stars”

SEATTLE, Jan. 12.—A combination of “Riffraft” and “Small Over Broadway” led the New Year pickup downtown with $8,100 at the Orpheum. The district averages $2,100 intern. “The Bride Comes Home” and “His Night Out” were good for $7,800, up by $1,700, at the Fifth Avenue. Two holds will be analyzed in the profit chart, going with the column, “Colleague” and "Show Them No Mercy,” in the second week of an extended run from the Orpheum, reached $4,200 at the Blue Mouse, and “The Littlest Rebel” and “Millions in the Air,” at the Music Box in an extended run from the Fifth Avenue, took $4,250.

Total first run business was $37,150. Average is $33,500. Estimated takings for the week ending Jan 12.

“Riffraft” by COLLEGE (Para.)

“SHOW THEM NO MERCY” (Fox)

“MILLIONS IN THE AIR” (Para.)

“STAR OVER BROADWAY” (W.B.)

“SHOW THEM NO MERCY” (Fox)

“Riffraft” by COLLEGE (Para.)

“THE BRIDE COMES HOME” (Para.)

“THE LITTLEST REBEL” (20th-Fox)

“NIGHT OUT” (United)

“SHOW THEM NO MERCY” (Fox)

“NIGHT OR PIANO” (United)

“THE LITTLEST REBEL” (20th-Fox)

“NIGHT OUT” (United)

“SHOW THEM NO MERCY” (Fox)

“NIGHT OR PIANO” (United)

“THE LITTLEST REBEL” (20th-Fox)

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“NIGHT OR PIANO” (United)
Warners Gain Victories in St. Louis Case

**Action Is Speeded; U. S. May Rest Saturday**

BY RED KANN

St. Louis, Jan. 13.—The first day of the second week of the equity proceedings brought by the Government on a conspiracy charge against Warner, Paramount and RKO marked up several victories for Warners.

Contrasting sharply with the lumber gait of the opening week's session, today's developments took on a welcome speed. The change in tempo is indicated in the anticipation of the Government that it will now rest its case by Saturday, as against three weeks forecast by several of the defense counsel at the conclusion of the prosecution's opening statement last Thursday.

The first important ruling handed down by Judge Joseph West Molyneaux for Warners was the exclusion of the testimony of J. M. Ulmer, Cleveland lawyer and Government witness, who had been placed on the stand to relate what had transpired in the office of Herman Starr, Warners executive, on Aug. 14, 1935. (Continued on page 4)

**Patterson Here for Post with Warners**

Willard C. Patterson has arrived from New York with the plan of taking over his new post as an assistant to Joseph W. Bernhard, head of Warner theatre operations, at the head of the month. Patterson will work out of the home office, concentrating on Warner circuit operations. His post will be similar to that of Stuart McDonald, Mort Blumenstein and Clay Bond, who are also assistants to Bernhard.

**Marke Again Before Sabath Probe Group**

Harley L. Clarke, former head of the Film Corp., yesterday submitted testimony in connection with the organization of General Theatre Equipment Corp., before the Sabath investigation committee for the investigation of real estate bond reorganizations. Clarke will appear before the committee again at a closed session to present additional information and records, it was stated by (Continued on page 8)

**Fog Lifts and Variety Men Decide It Was a Big Party**

PHILADELPHIA, Jan. 13.—Some of the Variety Club members had a hard time today. The fog was so dense that they could hardly see the road to that annual dinner meeting of the club. As a result, many of the members were late and some had to be directed to the hotel where the dinner was held.

The dinner was held at the Hotel Pennsylvania, and was a resounding success. The guests included many of the leading personalities in the motion picture industry, and the evening was marked by a hearty spirit of fellowship and good humor.

**Roxy Dies in His Sleep of Heart Failure**

Washington, Jan. 13.—It was a day of mourning in the entertainment world today as the death of Richard M. Frager, known as "Roxy," was announced. Frager, who was 53 years old, passed away in his sleep at the Hotel Gotham, where he had been residing for the past three years.

Frager was a well-known film exhibitor and a respected figure in the entertainment industry. He owned and operated a number of theatres in the United States and was a pioneer in the field of film distribution.

**Postpones Decision On 17 RKO Claims**

Federal Judge William Bonyo, who presided at the hearing yesterday on an application by Irving Trust Co., as trustee in reorganization for RKO, for leave to file 17 creditors' claims against RKO at stipulated amounts totaling $2,618,496, has decided to file the claims as originally filed, totaling $3,212,283.

Among the larger claims in this group proposed for allowance is that of the late S. L. (Roxy) Rothafel for alleged breach of RKO personal service contract. Roxy's claim was filed at $231,500, plus the value of 10,000 shares of RKO Class A stock, and is for its proposed allowance at $379,217.

Other large claims in the group include one filed by the Security First National Bank of Los Angeles, for $1,915,800 plus interest, which is proposed for allowance at $1,857,425, and one by the Harrison Theatre & Realty Corp., filed at $440,000 and proposed for allowance at $420,000, and one by the U. S. Bank of Denver, filed at $81,271.

**Roxy Passes**

One of the world's foremost showmen, who died suddenly yesterday, was Richard M. Frager, known as "Roxy," to the world, who brought the spectacular "Roxy" to the public. He was 53 years old.

Hope Williams, his secretary, found him when she entered his room at 9 A.M. for the day's work. Dr. Seymour Wanderman, his physician, who was called, said he had warned Rothafel a year ago, following a heart attack, that continued work might prove fatal. He quoted the showman as saying then: "I would rather die with boots on and work until I drop. Death is just a big show in itself." Mrs. Rothafel was in an adjoining room when the death was discovered.

Samuel Spring, Roxy's attorney, said that Rothafel had "grand plans ahead," with the idea of returning to the Roxy Theatre or going to another. His health had not been good for the past three years.

The high point of the career of (Continued on page 6)

**Rogers Says Option Deal Is Continuing**

Hollywood, Jan. 13.—The Universal-Standard Capital deal is still on, according to Charles R. Rogers, who arrived here today by plane. He said his return here was "to settle with Carl Laemmle various details involving the taking up of the option, and to arrange for the transfer of ownership." Rogers also said: "The necessary investigations of the worldwide affairs of Universal is proceeding rapidly and will be completed by the late S. L. (Roxy) Rothafel, for alleged breach of RKO personal service contract. Roxy's claim was filed at $231,500, plus the value of 10,000 shares of RKO Class A stock, and is for its proposed allowance at $379,217.

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**No Shakeup in Col. Ad Dept., Says Daab**

There are no widespread changes or any "shakeup" in the personnel of the Columbia advertising and publicity department, in prospect, H. Daab, newly appointed director of the department, said yesterday on assuming his new post. Only one or two vacancies created by recent resignations are to be filled, but no appointments to these have been made yet, Daab said.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 29
January 14, 1936
No. 11

MARTIN QUIGLEY
Editor-in-Chief and Publisher
MAURICE KANN
James A. Cron
Advertising Manager


1929 Broadway, New York.

F. Distribution Is Nearly Complete

A. L. CHTMAN and Felix Feest now making an extended tour of M-G-M exchanges, are due on the coast the first week in February. They will visit a company at the studio, and will start back east from there to arrive in New York by the end of February.

A. H. McCausland, representative of Irving Trust Co., as trustee of RKO, and O. C. Domingo, Jr., of counsel to the trustee, left Sunday for the RKO studio for a one week business visit.

Bruce Cabot has arrived here for a brief stay.

Milton Brelek left yesterday for Florida.

**Baltimore**

Al Thomas has returned here to handle a number of independent productions in this territory.

**New Haven**

Jack Byrnest, metro exchange manager is among six local men to be quoted on the 1936 "Y" circular. As former national hardball chieft, Jack says: "The game keeps me young and on my toes."

**Cambridge**

Mekas is reported to have acquired an option on a site in Torrington for a theatre.

**Fishman**

Ben Simon has left on an 18-day trip to Miami.

Lloyd's Father Wins In Income Tax Case

Washington, Jan. 13.—Efforts of the Federal Government to secure the divorce of the late Charles E. Lloyd and Darsie Lloyd, father of Harold Lloyd, were defeated today by a decision of a federal judge. Lloyd was the receiver of the transfer by the elder Lloyd to his son of 2,499 shares of stock in the Harold Lloyd Corp., in 1930 was for a consideration of $100,000 a year throughout the remainder of the latter’s life. The Commission had this to be an annuity, but the board held it was a sale and that the Government will have to content itself with the consideration of the Lloyd Fox, annually as he receives payment.

The stock cost the elder Lloyd $125,507. When the transfer was held unwise, and the Commission held he would derive a profit of $813,824 from the transfer.

Dentes F. & M. Booking

The Artists’ Booking Office, still in the Book-Cadillac Theatre, which books stage shows for all Paramount theatres, yesterday is- sued its annual report in Motion Picture Daily for Jan. 10, to the effect that the B. & K. house in Chicago were considering the exchange of shows with the theatre. At no time, it was stated, have there been any negotiations with other booking offices regarding a change of the present setup.

Theatre Plan Not Filed

St. Louis, Jan. 13.—Although it has been expected that the bondholders' committee of the Fox would file plans of reorganization with the Federal court by this time, the committee of this week, which Halsey, Stuart & Co. of New York have not sent the plan to the outstanding bondholders. Harold A. Arthur, who operates the Ambassador Missouri and New Grand Central also has the Fox.

**Union Miners**

Justice from Stearns in N. Y. Su- premecourt denied a motion made on behalf of Simon Goodman to dis- miss the complaint of Photo Co. The complaint asks for the reforming of an agreement entered into on June 17, 1935, and for an order to restrain Goodman from bringing any further suits on salaried persons which he has already instituted.

"Ghost" Pulls Heavily

"The Ghost Goes West" got off such a fast start at the theatre here that United Artists is predicting a $450,000 week for it. On Friday, Saturday and Sunday, it did $37,840, and...the tax, $21,000, which was running up on the heels of the record set by "Les Margerites."

Spitz Due Here Today

Leo Spitz, RKO president, is due at his office here today at 9:30 to receive the new RKO production head, Spitz took the coast by plane Sunday

**Ask Exhibitors Aid Sales Levy Protest**

Representatives of local exhibitor organizations will be asked by local exchanges to join them in presenting arguments to the Finance department against the levy of the city sales tax on film rentals, when the hearing on the district is held, yesterday, Jan. 26, in Superior Court.

The I. T. O. A., Allied of New Jersey and the T.O.C.C. will be asked to join in the protest.

Local exchanges have been adding the two per cent tax to film rentals since Jan. 1, and widespread protests from exhibitors resulted. The exchanges have been urging the exhibitors to cooperate with them in opposing the tax on the basis of the city's convictions. If, following the hearing, the city rules that its efforts to apply the tax to film rentals will be upheld, appeals will be taken by the local industry to the state courts.

**Uphold Union Victory**

Jackson, Miss., Jan. 13.—The Screen Actors’ Guild has upheld a chancery court decision refusing to dissolve an injunction requiring the Mississippi Theatrical Union to cease operations of the Hattiesburg local.

Book Halperin Film

"Conquer the Sea," film on whaling produced by the Halperin Bros., goes into the Loew's on Jan. 24. Loew's has booked the picture for all its metropolitan theatres.

Lloyd's Father Wins In Income Tax Case

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Here are GARY COOPER, JEAN ARTHUR and FRANK CAPRA after shooting the first scene for Capra's first picture since winning the Academy award with "It Happened One Night." Based on Clarence Budington Kelland's American Magazine serial, "Opera Hat," it promises to be one of the big...
ST. LOUIS, Jan. 13.—SYVROS SKOURAS and Bill Powers have gone rioty during their trip here. Instead of sitting in at the usual Corner, the duo are staying at the Missouri Athletic Club.

During his five-hour stay Thursday, HERMAN STARR shielded clear of reporters. The scribes now have to make an agreement with the Warnerites.

EUGENE FORD of Cravath, deGersdorff, Swanw & Wood is hoping for a quick disposition of the present proceedings. He has a Miami vacation awaiting him. Ditto for Judge HOWEY of Donovan, Leisure, Newton & Lombard.

HARRY C. ARTHUR, who was attentively listening to arguments by the last witness in 40 to 45, while the quashing records sought by Warners from the Eden Theatre Co., the St. Louis Midtown Theatre Co. and the St. Louis Missouri Theatre Co. was served with a subpoena by Warners to continue his appearance around the courtroom.

AL FREIDELANDER, who dropped into the court Friday, was accompanied by ANDY DIETZ of Superior Pictures, local franchise holder for First Division. It seems this is the only time DIETZ shows up in the court.

COL. BILL MALLARD, chief counsel for RKO-Radio (Continued), referred the RKO table in the court room. He's expected later, as is MAJOR I. E. LAMBERT, who plans to sit in during the last few days of the hearing.

Another missing figure in the court room is GRAB STARR, mother, who managed to occupy daily a front row seat during the criminal proceedings.

SYVROS SKOURAS and HARRY C. ARTHUR engaged in a spirited conversation Saturday morning just outside the courtroom. The conversation was permitted inside to listen to the proceedings because of the decision of Judge MOLYNEAUX to exclude witnesses.

BILL POWERS accompanied SYVROS SKOURAS to New York over the weekend. He was hoping SYVROS would take him along and that's the way it happened.

HARRY KOPLAR, whose name has been mentioned often during the first few days of the hearings, is being kept informed of the proceedings by his attorney who is a regular visitor to court.

If ERLE ALPERSON takes the stand before Wednesday night, he will leave here for Milwaukee to confer with his local counsel. He has to hang around until after that, he will head for New York instead.

JUDGE MOLYNEAUX, when asked for the reason for the scarcity of his pictures, modestly replied:

"I'm kept so busy I don't get a chance to visit a photographer and smile."

When informed that MOTION PICTURE DAILY had run his facsimile, he was amazed.

GRAD STEARS staged a special preview for the New York boys Saturday night at the Shubert Rialto. It was one of the best, if not the best, a night as thick as the coal smoke and reminiscent of the evening "A Midsummer Night's Dream" opened at the same house.

What do you think he screened?

"Ceiling Zero."

After planning in from New York with JOSEPH BERKSHIRE, JOE HAZEN and certain others, the group was up at 5 A.M. Saturday morning chiming with some of the important factors about.

LOU PHILLIPS and IRVING COHEN just can't wait for the MOTION PICTURE DAILY to get in every day.

EMMET WILKINSON, attorney for HARRY C. ARTHUR, with headquarters in Washington, was with Hughes, Schuman & Dwight before going in to business for himself.

JOSEPH BERNHARD has left here for Chicago, Cleveland and New York. Ned DEPINE arrived late Sunday night and appeared in court as a spectator this morning. SYVROS SKOURAS delayed his return from New York one day. He will arrive here tomorrow.

Judge_declared

Some of the proceedings have been delayed because of the defense attorneys' failure to produce witnesses. The court has ordered that the proceedings be continued at a later date.

The case has been adjourned until further notice.

* * * * *

Stand to relate conversations the defense attorneys have had with key witnesses. The attorneys hope to find facts that will help in their endeavor to dispute the charge of conspiracy.

The trial is being held in a courtroom set up to look like the offices of Fanchon & Marco. The defendants are being tried by the St. Louis Theatre, which has been turned into a court. The trial is being held in the theater with a jury of 20 and 35. The war did not terminate, he continued, until January 13. The trial M. T. T. took over the operation of the Fox.

Touche Pricing War

He added he believed the reference allegedly made by Starr at the Blackstone referenced to that, that "Warners have been mistreated, the bondholders (of the Ambassador, Missouri and New Grand Corporations) had found unsaleable in their tender and everyone had been taken care of in St. Louis but Warners; someone had an idea they could be squeezed, and it was necessary to stay with them only to run at 10 cents, touched upon the fact that it was a matter of preserving the situation in St. Louis. "Warners did not carry for a nasty fight to get the theaters," he said.

Objection by Reed persuaded the court to remark, "I would leave those words until another time."

Some thought, took Harold, as to the court charged with the examining" in the prosecution. The court said he would advise counsel when the argument is ended and that he proposed according every man here the privilege of explaining the situation in St. Louis. "I do not think a case on the facts," the judge declared.

11 Witnesses Heard

Eleven witnesses in all took the stand today, Turley resuming Tuesday, the court having resumed Monday. The first witness examined here today was the Missouri law partner who would parallel the testimony of and examination was waived. After five trips from Cleveland, he never got the chance to tell what he knew after all. Aside from the number of releases of each distributor in the last four years, a stipulation was reached that testimony of all exchange managers here is the same. The line set by Hill. Since this had done with peremptory questions on interstate commerce, these men were not on the witness stand.

In the case of JOSEPH GURNIS, "I'm a little bit of a fact," he said. He was asked if he was stepping down in quick order. The order was in Joseph Gurnis, Mr. Gurnis, and William C. Fox, Mr. C. Fox. They may be reached Tuesday. At least this was the anticipation as the session was adjourned.

The testimony generally pursues...
new ARLISS
new ROLE
new RECORDS

Dough from "HOBO" enriching exhibitors everywhere!

COMING • RADIO CITY MUSIC HALL

GEORGE ARLISS
AS A LOVABLE VAGABOND
MISTER HOBO
DIRECTED BY MILTON ROSMER

SUCCESSOR TO "39 STEPS," "TRANSATLANTIC TUNNEL" AND "FIRST A GIRL"
Roxy Dies in His Sleep of Heart Failure

(Continued from page 1)

the famous showman, who might be termed the world's greatest, was the development of the two theatres in the Roxie Center, the culmination of a series of steps upward in bringing the spectacular and the elaborate to the presentations woven about the films in theatre programs. Two years ago he left the Radio City theatres. His one theatre venture since then, the Warner Main-

laun in Philadelphia, ended in failure.

At the time of his death, he was awaiting action on his claim filed in connection with the reorganization of RCA. He claimed $251,500, plus 10,000 shares of Class A stock. He contended he had a contract with the corporation dating from Feb. 6, 1924, which permitted him to keep it. The RKO trustees have recommended the claim he allowed in the amount of $179,271.

Native of Minnesota

Rothafel was born in Stillwater, Minn., July 9, 1882, to Gustave and Cecilia Rothafel, and came to New York when he was 12. He worked as a cashier in a department store in Minneapolis before going to China during the Boxer rebellion. In 1907 he left the service and became a journeyman agent. He got a job in a tavern in Forest City, Pa., and there met the girl who was to become his wife. She had seen his first motion

picture, and, with 250 chairs borrowed from the local undertaker, and an unused dance floor upstairs as his auditorium, he presented his first show.

His small success there led him to exhibit in Milwaukee, Janesville and other Midwest centers. In 1913 he came to New York and became the manager of the Rialto and Seventh Avenue. A year later the Strand, largest film house in the city at that time, opened. In 1917, with Rothafel as managing director. Then followed similar posts at the Rialto, the Rivoli and the Capitol. At the Capitol he organized the famous "Roxy's Gang," a radio feature of outstanding popularity for several years. He became a national figure, known everywhere as Roxy, a nickname the Marines had given him.

Sought by Rockefeller

From the Capitol he turned his attention to the Roxy Theatre, which he called the "Cathedral of the Motion

Picture." William Fox aided in the financing of the house. In 1931, his services were obtained by the Rockefeller interests for their gigantic amusement venture.

In November, 1932, the two Radio City theatres were completed. But complete success did not follow, and programs were realigned. Pictures were moved into the Music Hall and its prices cut. His health gave out, and rumors of his resignation were denied. He went away, returned in February, 1933. But there were differences with the executive management of the huge enterprise, and early in 1934, he retired. Rep-

sons were given on both sides, and they differed. He still had plans for the future, one of them a new radio feature, to be called, "Roxy Comes a-Calling." He is survived by Mrs. Rothafel, a daughter, Mrs. George Bjurin, of New York, and a son, Arthur, in the advertising business in San Francisco. The funeral services will be held tomorrow at 11 A.M. at the Central Synagogue, 85th St. and Lexington Ave. Rabbi Louis Wax will officiate. Burial will be in the Linden Hill Cemetery, L. I. The body was taken yesterday to the Stephen Mer-

ritt Chapel at 104 W. 73rd St.

Rites Held for N. T. Moody

(Continued from page 4)

The line of the battle was, aside from that portion of Turley's which shed a new light on the association of Harry Koplar with F. & M. State-

ments designed to prove the truth of that association included the witness' testimony that Koplar had represented F. & M. on the zoning board under the code. Turley said he knew this because he was a member of the board. He also stated he understood Koplar had acted in a managerial capacity for F. & M. at the time.

Judge Molyneaux today signed the subpoenas duces tecum commanding the production of F. & M. records sought by RKO.

Ned E. Depinet, who arrived from New York late Sunday night, appeared as a spectator today and was exempted from the order barring witnesses from the courtroom on request of Lashby.

Scott in for Conference

St. Louis, Jan. 13.—Ward Scott, Twentieth Century-Fox district manager, was here Friday and Saturday conferring with Ben B. Reingold, local branch president, and was present as the two days in court on the Government's civil action against Warner, Paramount and RKO.

Harris P. Wolfberg, M-G-M district manager, was here Monday and Tuesday, as was Ralph C. Lifte, Paramount district executive. Neither of these men came near the courthouse, despite the fact their local men were present most of the time in the Federal court.

Roxy Death a Shock

St. Louis, Jan. 13.—The death of S. K. Roxy, the showman who made the world famous in show business as the producer of the world's greatest, was a shock to New York film men here for the equity proceedings. Ned E. Depinet, Sam Dembow, Jr., Eddie Alpern and Cresson Smith voiced regret and lauded Roxy's accomplishments in raising exhibition to a higher level.

Buckley in from Coast

Charles Buckley, attorney for Fox West Coast, is in New York on business. He is conferring with Fox home office officials in the absence of Spyros Stouros and E. L. Alpern who are now in St. Louis waiting to be called as Government witnesses in connection with the equity case under way there.

Lesser in and Out

Irving Lesser, managing director of the Roxy, returned from St. Louis over the weekend and is expected to fly to the Mound City tomorrow.

Grad Sears Returns

Gradwell L. Sears is back from St. Louis. He is in New York on the stand as a witness on the company's behalf when the equity proceedings under way in that city get further along.
The National Projector Carbon Handbook is a practical treatise on the carbon arc as applied to projection. It is prepared for the purpose of giving the projectionist the information needed to secure efficient operation, freedom from trouble, and maximum intensity and quality of screen illumination from projection lamp equipment. The third edition of this popular Handbook is a revision and enlargement of previous editions. Chapters have been added on the new Suprex and A.C. High Intensity Arcs. The basic principles of the carbon arc are discussed in detail and instructions are given for correct arc operation in every type of projection lamp.
10% Increase
In Grosses
Seen in K. C.

(Continued from page 1)

John and National. But "they would look a whole lot better if exhibitors cut out completely the 15 cent soothing tonics, hair tonics, good nights, sweetstrokes, scrumptious, banco, beano, and—get back in line, now business. Exhibitors would then have a chance to make a few dollars." If such a campaign is made by the exhibitors or twice in the past several months independents have made an effort toward a 100 per cent cleanup, Rolsky said, but the drive spent on the Fox circuit in going has lacked such efforts.

With their own Sweetstrokes pool now operating successfully, the independents, Rolsky believes, will be unwilling for some time even to consider a cleanup.

Fewer 10-Cent Houses

No chance for an increase in admission prices in Kansas City is seen by him for at least six months. He notes fewer houses showing for 10 cent than in the last four months because distributors will sell fewer pictures for 10 cent showing. This has increased the number of 15 cent and higher houses, too, some 20 and 25 cent houses cut prices to meet the increased 15 cent spot competition. This has cut costs in the independent houses that do not possess the independent setup of the theatres formerly charging a higher admission.

Pictures are much better than they have been and if exhibitors devoted the effort, money and thought to making them as straight merchandising of pictures they would be in a better position to profit and win public support.

"Unless the President does something worse than he has and unless he is restricted, business for theatres in this territory should be better in 1936," believe Jay Means, operator of the Oak Park and Woodland Park theatres. "General business is a little better and will continue better even if Roosevelt is reelected, but tickets will eat up profits so fast, improved conditions will not actually benefit exhibitors. Locally, exhibition profits will be affected by the course of development taken by cash and merchandise giveaway.

Believes Films Better

"Pictures are better; for the past several months a whole lot better but information from the coast indicates the making of a lot of cheap pictures the past few weeks." Means continued. "That won't help the suburban theatre. Our patrons flock to see a good picture. They resolutely stay away from poor pictures, even if there are two of them."

"We have had good pictures at period intervals the last few years, but business did not improve," another observer points out. "It is the coincidental improvement of pictures and general business that brought the business. We believe next year will see better grosses in this section. As a matter of fact, the inability of exhibitors to do more business with better pictures led them to begin the use of give-aways, which is the real evil in exhibitors today."

"Such promotions won't be discarded," this theaterman believes, "until United, public, which does not care about everything in the movie business, including admissions, double bills, stag shows, etc., gets tired of it soon."

"The string of recent good pictures has created new moviegoers and brought back old ones. A number of the theatres in line to see a big picture here recently didn't know that theatres were collecting a sales tax," he said, "so generally improved business conditions." Rolsky feels that the improved fact that all downtown houses are open except the Gaiety, which is being made into a cabaret, for the next three years. The Empress and Orpheum have just been reopened and the number of houses open in the territory is unprecedented.

Ses Improvements

A good conservative increase in business is expected by Clarence Schultz, head of Commonwealth Amusement Corp. The company operates more than 20 theatres in Kansas, Missouri and Iowa. Schultz believes improvement will not be anything sensational, but he expects that the average grosses will that parallel betterment in general conditions,

"If there can be six months will be 10 per cent better than they were in the same period of 1935 as the result of generally improved business conditions alone," said Gus Dingeman, office manager for Warners. "Eastern theatre business is better and Kansas City is a fair, and the business is better in the East, both going in and coming out of a depressed period. If pictures are better than 1934 then in a few years, should increase more than 10 per cent; in fact, by about as much as production improves over last year." Dingeman sees no chance here for admission price increases for some months.

Akon Talks Booking
Combines, Clearance

Akon, Jan. 13.—A booking combine and a clearance schedule based on admissions is being discussed by the T.I.O.A. here. Action was hastened by reports four new houses were to be built here soon.

Robert Menches, president, who is also manager of the Liberty, has conferred with officers of Michigan Alliance and with P. J. Wood of the T.I.O.A. of Ohio.

The clearances proposed are: Theatre Majestic, $7,500; twenty 28 days after first runs downtown; 20 days; 42 days, 15 cents, 62 days.

Clarke Again Before
Sabeth Probe Group

(Continued from page 1)

Murray Garssohn, attorney for the committee, who said that the date for the subsequent appearance has not been set yet.

The committee currently is also engaged in final phases of its study of the 42-day Cinema Demonstration. No public hearings on film company reorganizations are likely to be held until members of the committee can absent themselves from sessions of Congress, it was said.

"Collegiate" and "Boy" Omaha High

OMaha, Jan. 13.—"Collegiate" and "Bad Boy," a dual at the Omaha, with a midnight performance of "Collegiate" on New Year's Eve, made the best showing of the week here by getting $2,500. It is $250 move up.

"The Brde Comes Home" and "I Live for Love" reached $6,750, up by $3,000. "The Brde Comes Home" Much" managed to get $500 over par on a take of $5,500 at the Brandeis. A midnight show was given on New Year's Eve.

Total first run business was $27,300. Average is $2,500. Earned are:

"I DREAM TOO MUCH" (Radio) BRANDIES—(1,200) 35c, 45c, 50c; 75 days; plus midnight show. Gross: $1,850. Average: $250.

"COLLEGATE" (Para.) "BAD BOY" (25th-Fox)

OMAHA—(1,200) 20c, 30c; 7 days (midnight performance) "Collegiate" Dec. 31, at $5c. Gross: $8,500. Average: $1,250.

Week Ending Jan. 2:

"MISS PACIFIC FLEET" (Warners)


Week Ending Jan. 9:

"THE BRIDE COMES HOME" (Para.) "MISS PACIFIC FLEET" (Warners) ORPHEUM—$900, 35c, 45c, 72 days. Gross: $7,500. Average: $1,070.

Warners Close Theatre

Pittsburgh, Jan. 13.—After a two month try, Warners have again closed the Davis here. The house previously held 1,200 dark face for over a year and Warners opened it in November, but the competition was too great from the Warner a block away.

Wall Street

Eastman Gains on Board

(Continued from page 1)

Variety Men Say It Was
a Big Party

(Continued from page 1)

Bellevue-Stratford ballroom—was decorated like a circus tent with saw dust representing an elephant's body and the center for performers, and the waiters danoed in white.

The high point of the evening was when Mayor Thomas E. Norman was presented a check for $1,000 for use in therapeutic treatments for children suffering from the aftereffects of infantile paralysis. He assured the hearers the beneficiaries would become useful citizens as a result.

The show started as soon as the eating was over. On the bands and act followed each other continuously. All the night clubs in town and some of the theatres furnished talent. Nils T. Ruud had a revue.

Off to a Flying Start

Jesse got off to a flying start by saying he would never read telegrams from those who had failed to appear. Then he called on Mayor S. Davis Clarke, and told him that everyone the Democrats had made no mistake in picking their candidate for the city. He promised a clean campaign fight the day after the convention and much liberty.

That pleased Jesse, who said that while he had previously voted for the man he had found men locking up door after 9 o'clock.

Hale Kalodner explains that Governor Earle was absent by cause he had been jarred in a plan landing at Pittsburgh. Ted Schlachts took a word.

A Formal Introduction

Town Councilman Charles E. Pett jar. of Harrison, N. Y., spoke briefly. More introductions follow—Harry H. Thomas, Jimmy Wilie of the Philadelphia National League team, Jim Fox of the Boston R. Sox, and Al Schacht, also of the R. Sox. Secretary Heritage Evans Jr, defeated candidate for mayo promised to cooperate with the new Mayor.

Jesse gave a very formal introduction to Louis Neeter, and Lou Nier emerged with a cluster of film shadows behind the speakers' table. James P. Clarke presented a check of silver to the retiring chief barber, Earl Sweigert.

New York, Pittsburgh, Baltimore and Washington were represented by large groups of students to New York all the drawing room in sleepers were crowded and the tv coaches on the rear of the train held dozens of persons in evening cloth standing.
TEN CENTS

1,031 Houses Now Open in New York Area

Film Board Reports Gain of 34 During Year

Open theatres in the New York territory now total 1,031 with a seating capacity of 1,216,773, according to the annual directory of the Film Board of Trade issued yesterday. This is an increase of 34 in the number of open houses and of 14,220 in the number of seats.

The total number of theatres in the territory is 1,140 with a seating capacity of 1,206,524. London and sixteen of the state, seating 952,140, are in New York and 324, seating 435,926, are in New Jersey.

Afliliated theatres in New York city total 110, with a seating capacity of 40,721. This is a decrease of 12 in the number of affiliated houses and a decrease of 26,640 in seating capacity. Afliliated theatres in New Jersey now total 60 with seats for 122,315. This, too, is a decrease in affiliation.

Pizor Calls MPTO; Showdown Expected

PHILADELPHIA, Jan. 14.—Levon Pizor, president of the M. P. T. O., has called a meeting for Jan. 24 for election of officers.

The meeting is expected to develop into a show of strength with newly formed Independent M. P. T. O. Pizor has emphatically maintained that the parent body will continue, in spite of the fact that a number of city members have gone into the new group.

Exhibitors are speculating on whether

(Continued on page 2)

Levine Buys Carr's Interest in Republic

Hollywood, Jan. 14.—Nat Levine has purchased Trem Carr's 50 per cent interest in Republic Picture Corp. and Republic Prod., the distributing company. It is authoritatively understood that Herbert J. Yates holds the other half interest.

Levine has said the company is behind in production now but by the end of January will have completed 11 films ready for release.

He said word from Yates indicates the Republic board of directors is highly flattered by the recent regime. W. Ray Johnston will continue as president of Republic Prod., Levine said.

(Continued on page 8)

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(Continued on page 8)

French Films Increase, But Grosses Down

PARIS, Jan. 5.—More films were released on the French market in 1934 than in any year since talking pictures began, the total of 500 being the highest since 1920. However, depression took its toll and grosses did not reach the expected total.

There were 130 French talking films released, of which 110 were made here and 20 in foreign countries, as French versions: 250 foreign pictures were dubbed in French, of which 200 were American and 250 foreign-language films, 150 of them American. Of the 500 originals, however, about 150 were also dubbed, and thus cannot be included in the total figure. Depression made itself felt

(Continued on page 8)

New Unit Takes 14 Bay State Theatres

BOSTON, Jan. 14.—Culminating an arrangement originally reported by the Motion Picture Daily, Nathan and Samuel Goldstein have taken back 14 theatres in the North and Paramount under the firm name of Western Massachusetts Theatres, Inc. The houses have been under M. & P. Theatres Corp. jurisdiction during recent months. Nathan Goldstein was divisional manager under this setup.

The deal has been in the wind for more than two years, but terms were not agreed upon. Goldstein says the Paramount in Springfield was one of the major boons of contention.

The Paramount, Arcade and Broadway, Springfield; the Strand, Westfield; Plaza and Clinton, Northampton; Rivoli, Chicopee; the Victory and Strand, Holyoke; the Strand and Palace, Pittsfield; Paramount, North Adams, and Garden, Greenfield, are the theatres involved.

(Continued on page 12)

Benefits Seen in Contract Changes

Prospective changes in the present minimum basic agreement between the Dramatists' Guild and theatre managers will include changes of benefit to both, Louis Sills, special secretary of the Authors' League of America, indicated yesterday in his return from the coast.

The idea that the change will be beneficial to the founder this time, Miss Sills said, pointed out that the matter is still in the hands of the contract committee and, when completed by the committee, must be submitted to the

(Continued on page 12)

Loew's 12-Week Net Shows Drop in Year

Loew's, Inc., yesterday reported net profit of $1,381,396, after depreciation and taxes, for the 12 weeks ended Nov. 21, 1933, as a decrease of $189,912 from the net of $2,000,308 for the corresponding 12 weeks in 1934. The net profit for the 1935 period is equal to $13.23 more on the preferred stock and $1.08 on the common, which compares with $1.34 and $1.23 for the previous period.

Profit before deducting depreciation and taxes, but after subsidiaries' preferred dividends, was $2,075,994 for the 1935 period, compared with $3,167,901 in 1934. Charges and taxes amounted to $1,164,598 in 1935, compared with $1,166,958 in 1934.

(Continued on page 8)

Court Rules Out Newspaper Article

St. Louis, Jan. 14.—Efforts by Walter Rice, Government attorney, to introduce as evidence a typewritten copy of a newspaper article appearing in the St. Louis Post-Dispatch, March 4, 1934, reporting leasing of the Shibe-Rialto by Warners proved unavailing today. Judge Joseph West Mynieux, in ruling out, held that before admitting the article there must be presented evidence showing that he contents had been authorized by Warners.

The circumstance developed upon direct examination of Joseph H. (Continued on page 8)

Para. Trustees Win Appeal in Montreal

TORONTO, Jan. 14.—Justice Mc-

Mane has handed down a judgment, allowing the appeal of Charles D. Eilles, Eugene W. Leake and Charles Richardson, listed as trustees of Paramount Public Co., from an order for the issue of a concurrent gift of service to them in New York city in an action brought against famous Players Canadian Corp. and the appellants by H. W. Pielan of Toronto.

Pielan, the plaintiff in the action, aims that, through the alleged misappropriation of famous players Canadian Corp., he was induced to enter into contracts with certain securities in ex-

(Continued on page 8)

Spitz Returns Here for Work On RKO Setup

Plans for the reorganization of RKO are expected to be furthered during the current stay here of Leo Spitz, RKO president, who returned from the coast yesterday to confer with reorganization principals on the progress being made in developing a reorganization plan.

According to present intimations, the plan still is in its early formative stages and will require several months more to complete. Spitz said that he had received no recent report on the progress being made on the plan and that one of the principal objectives of his trip here was to obtain information on the current status of matters pertaining to the reorganization. It is anticipated that

(Continued on page 15)

Showman Is Day's Chief St. Louis Witness

BY RED KANN

St. Louis, Jan. 14.—Syros Skouras today disclosed he had played a hitherto unrevealed role in attempts to dissolve Harry Koplar, the one-time owner of 25 per cent of the St. Louis Amusement Co., from filling the two receivership suits against him. Skouras, Skouras Brothers Enterprises and a number of Warner executives which subsequently defeated Warners not dealing with him or his associates and led to their decision to acquire their own first run outlets in this city.

Skouras was the day's chief witness. Fuddled and excited when he first took the stand, his confidence

(Continued on page 4)

14. anticipated the their be decrease which the matters decrease concurrent 14. led still their presentation acquire evidence meeting this (Continued on page 25)
1,031 Houses Now Open in New York Area

(Continued from page 1)

ated houses—73 to exact with a decrease of 9,802 seats.

Estimates from New York have increased from 359 to 412, with an increase of 62,566 seats. In New York unoccupied houses decreased from 99 to 38 with a decrease of 381 seats.

Independent theatres in New York have increased from 114 seats last year there were 115 with a decrease of 26,339. The new total is 351,345. Independent houses in Manhattan three; Bronx, one; 151 to 160 with an increase of seats of 81,209. The total is now 122,781.

Silent Theatres Increase

The total of sound theatres for the territory is 1,112, an increase of 15, 100 theatres for the same reason. The total is one more last year. Last year there were 109. Given them in Manhattan there are only 19. One hundred sound houses were dark last year. This year there are only 81.

Following a biography follows: Manhattan, 284 theatres; Brooklyn, 15; Bronx, 10; Brooklyn, 3; Long Island, six; New Jersey, 17. Theatres are in Manhattan, 15; Brooklyn, 20; Bronx, three; Long Island, six; New Jersey, three; Leo Brecher Theatrical Enterprises Inc.; Manhattan; nine; Century Circuit Inc.—Brooklyn 10; Long Island; 15; Cinema Circuit Inc.—Brooklyn, three; New York, one; Cocals Circuit—Brooklyn, one; Bronx, one; New York, state, four; Consolidated Theatres Inc.—New York, four; Manhattan, four; Bronx, four; Elite Circuit Inc.—New York, three; Brooklyn, three; Eighteen Theatres Co., Inc.—Brooklyn, four; Fourth Avenue Amusement Circuit—Brooklyn, six; Leon Greenfield—Brooklyn, four.

Circuit Details Listed

Harris Theatrical Enterprises—Manhattan, seven 421 to 451—Harry K. Hecht Circuit—New Jersey, four; Hildinger Circuit—New Jersey, one; Intervarsity of New York Circuit, Inc.—Brooklyn, 13; Long Island, one; Isle Theatrical Circuit—State Island, two; New York, two; New Jersey, two; Jay Anderson Circuit—New York, six; Manhattan, six; Kaufman Circuit—New York, three; Kenner Theatrical Enterprises, Inc.—Manhattan, three; Long Island, one; New Jersey, one; Gladys Kilgour Circuit—Long Island, three; Ben J. Krom Theatres—Manhattan, one; Brooklyn, one; New York, state; Manhattan, four; Stanley W. Lawton Circuit—Manhattan, one; Bronx, eight; Anthony Livioli Circuit—Brooklyn, three.

New Circuit—Manhattan, 22; Brooklyn, 19, 11; Long Island, eight; New York, state, four; New Jersey, 17; Theatrical Enterprises Co.—New York, state, seven; Newbury Circuit—New York, eight; New Jersey, eight; Playwrights and Playhouses Operating Co.—Long Island, 31; RK0 Film Booking Corp.—Man-

State Security Laws Get Board Approval

WASHINGTON, Jan. 14.—Unemploy-
ment compensation laws of the Dis-
trict of Columbia, Alabama, Califor-
nia, New Hampshire, Oregon and Wis-
consin were today given the ap-
proval of the Social Security Board.

The effect of this action will be to en-
able exhibitors and producers in the states who are required to pay a Federal payroll tax under the unemployment provisions of the Social Security Act to offset against that tax up to 90 cent of the amount of their contributions to the unemployment compensation funds of the respective states.

The board has now given its approval to similar laws enacted by Massachusetts, New York and Wash-
ington and will shortly receive copies of similar laws passed in North Carolina.

Under the Social Security Act em-
ployers are given a credit against their Federal tax of 90 percent of their contribution to the unemployment compensation fund of the state in which they do business.

Music Writers Signed

HOLLYWOOD, Jan. 14.—Arizona and Indiana by the Southern Pacific Co. and the Republic Theatrical Enterprises, Inc., have signed for William A. Berkeley, co-authors, with "Red" Hodson, of "Music Goes Round and Around," and the other members of the Ome Club Band, "Slat's," and Conrad Lenone, Artie Ens and George Yorke. They will appear in "Music Goes Round and Around," but will be re-
titled "Music Goes Round and Around."

Spectah at Ama Meet

The opening meetngtomorrow will be en-
tertained by Dr. Sigmund Spaeth, of the Orfe Ensemble, singing Mexican s-
ongs; and Walter Petye, a Free-Allen-ambitious act who does im-
pressions of the celebrities. Jack Dempsey's as usual.
AUDIOSCOPIKS MAKE LEAP YEAR AUDIENCES LEAP! (BOX-OFFICES, TOO!)

Produced by J. F. Leventhal and J. A. Norling.

BRIDGEPORT: "Men howl and women leap from their seats! Tremendous!" wires Majestic Theater.

WASHINGTON: "Stopped the show! Cheered like a great feature!" flashes the Fox Theater.

DALLAS: "Boosted our box-office 15%! A real attraction!" raves Majestic, Dallas.

ST. LOUIS: "'Ah Wilderness' audiences crazy about this subject. Holding it over with 'Tale of Two Cities'!"—State Theater.

TOLEDO: "A knockout! Critics call it year's best novelty!"—Valentine Theater.

M-G-M's Audioscopiks

Biggest Novelty Since Talkies!

A THIRD DIMENSION SOUND FILM SENSATION!

EXPLANATORY REMARKS BY PETE SMITH
Threw to Halt
Koplar Suits
Skouras Says
(Continued from page 1)
gradually returned as the paying in
to a $12,000 share of Warner stock, cur-
et on the market at $12 a share at the
time. This company, he explained, held 76 per cent of the
stock of the St. Louis Amusement Co., which operates a string of about 20
neighborhood houses. This 76 per cent interest included Koplar's one-
fourth interest, for which Skouras said Koplar has received 2,500 shares of
Warner stock. Skouras Brothers En-
terprises, he added, also owned 50
per cent of Skouras Super Theaters Co., which at the time was the
Ambassador, Missouri and New Grand
Central. Paramount owned the re-
mainder 50 per cent in this latter company. In addition Skouras Broth-
eres Enterprises held a half interest
in three theatres in Indianapolis and one in Kansas City, and also a mort-
gage of the Ambassador, Missouri
and New Grand Central here.
Were Best of Friends
Skouras testified that when the
Warner purchase of Skouras Broth-
ers Enterprises was made he had
begged Abel Cary Thomas of
Warners to include Koplar's inter-
est in the new company. He said he had advised Thomas then
that Koplar, "by nature was a trouble-
maker" and that he would never be happy with him out. At the same
time, he said he had also
advised Koplar that it would be to his best interest to sell his stock
or satisfy himself. Koplar had always been in business for himself
and would not be happy identified with a big company, he said, and he
were the "best of friends" and no ill
feeling prevailed between them.
Skouras testified. Two and a half years after the sale, the
witness continued, Koplar filed the
receivership suits charging misconduct
on the part of all defendants which
included, aside from St. Louis Amuse-
ment and Skouras Brothers Enter-
tprises, Harry M. Warner, Thomas
and other officers as well as the War-
er corporation itself. Skouras also
was made a defendant.
Appealed to Koplar
The witness declared he had ap-
ppealed to Koplar not to bring the
actions when theatre business was bad
and the depression was flourishing. "He threatened to sue me and he gave me an argument. I felt very bad when Koplar threw these companies into
receivership," Warners thought that he had been duped and was then
otherwise he not to bring the two of
them together but got nowhere," Skou-
ras said.

Russell Hardy, Government attor-
yee, objected to the introduction of this evidence, without presenting the
papers filed in the actions. However,
Wood was on his feet with the docu-
ments themselves, offering to enter
them on the record. Hardy, again
objected, but Wood countered with
excerpts from the finding of the master.

St. Louis, Jan. 14.—Chick Evans,
manager of Loew's put in his first
argument in an attempt to prevent
him from staying for both the morning and after-
noon sessions. His presence, he said, was not to do so, but to point
out the fact that Bill Finney, Loew's district manager from
with headquarters at Columbus, is in
Miami on a three-week vacation.

Ned E. Defenit, after a morning in
the spectator's section, returned to
his table on the second day and has occupied that spot since.

The Government sought to estab-
lish the point exchanges were mere
outsports of New York and their in-
to royalty. Clarence Hill, Colum-
bia manager, who was questioned at
length, making it unnecessary for his brother-exchange manager,
Warner, to testify and make details about the company's releases in the
last four years, objected.

"I don't want to get out selling," he said. "And you would be if you
were in the witness box, wouldn't you?", flashed FREDERICK H. WOOD.

A pretty picture of precision was
provided by Spyros Skouras, grand
son of Col. T. M. Skouras the other day in the house
courtroom. Each was innocently chasing
away and keeping time with the other.

A. A. TISOX, auditor of the Roney
Piazza, Miami, will be back here again.

He was in the witness box during the
previous trial.

Under cross-examination by ex-Sen-
a tor James A. Reed for Warners this
witness stated the price war between
Warner and Warners and the
touchdown Monday, had injured
second run business both in point of
admissions and exploitation.

Following Turley came Skouras.
"State your career briefly," asked
Fredo. "Privy?" replied Skouras, and
then was underway. He cited his
beginnings as an exhibitor in St. Louis
22 years ago and sketched the growth
of the Skouras interests here until he
and his brothers sold out to Warners
15 years later. He told of how he
then became manager of the Warner
theatre department in New York,
where he ran 400 theatres during his

Resigning in 1931, and with his for-
time swept away by the depression, he
had left off on Monday. In what ap-
ppeared to be a perfunctory although
detailed explanation, he dwelt on
the first run situation here in 1934,
explaining policy, prices and patronage.

Game for Arthur
St. Louis, Jan. 14.—Clearance
of witnesses from the courtroom, as ordered by Judge
Hardy, provided the opportunity for a discussion of how they
would spend their time.

"When you select the games, why not give Harry C. Arthur 'monopoly '?" was one suggestion.
whole-owned Fox Metropolitan, ap-
proached him, Skouras stated. "Auction to return to business on his own, the
witness testified, he went to Para-

One year after this deal was made
he, said, he was approached by Fox
Metropolitan, and his asking price was $112,000. This
was a five-year con-
tract and today is executive vice-presi-
dent of the corporations. No shares of National Theatre
Co., holding company for 357 Fox house-
through the country. National Theatre
Tsouras is owned by the three
Skourases and the remainder by Met-
ropolitan, the company which grew out of the original Fox
Metropolitan Playhouses.

Got Fox Contract
One year after this deal was made, the
witness told, he was approached by Fox
Metropolitan, and his asking price was.

This was an oral agreement, Skouras
added when asked by Hardy. War-
ner's offer was to return to business on his
own, but he, who had been a director of
the Warner obligation over a period of years,
testified, but the head of the War-
er organization refused to take any
money from him and declared he
would be satisfied with whatever the
reorganization of the theatre properties
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was. This was an oral agreement, Skouras
added, when asked by Hardy. War-
ner's offer was to return to business on his
own, but he, who had been a director of
the Warner obligation over a period of years,
UNIVERSAL PROMISED! UNIVERAL DELIVERED!

Motion Picture Daily

"Obsession" Big Draw

St. Louis, Jan. 12.—The Fox here had one of its best weeks in months, grossing $15,000 during the week ending Thursday, playing "Magnificent Obsession." The film is now in its second week.

Hollywood Reporter

BUSINESS locally, in the first run houses running the big pictures, is great—Great with "Magnificent Obsession"—"Magnificent Obsession" is getting a heavy play at the Pantages and Hillstreet.

Universal's

MAGNIFICENT OBSESSION

BIGGER GROSSES than "IMITATION OF LIFE"!
BIGGER GROSSES even than "DIAMOND JIM"!
"Cantor’s ‘Strike Me Pink’ is a cinch for a box-office cleanup! Riot of fun plus lavish production, Eddie Cantor returns again under Goldwyn aegis, riding a whopping tempest of mirth. Kept preview audience just rolling and there are all the ingredients for vigorous money-maker that will click at every box office!" —Hollywood Reporter

"Cantor’s top picture! Sure to roll up great grosses! Sock with laughs! With flock of belly laughs and sock finish picture should have no trouble hitting high grosses everywhere. Samuel Goldwyn has given picture a class mounting and has spared nothing to make it entertainment." —Daily Variety

"Cantor film uproarious! Culminates with finish that will convulse audiences. Every situation richly embellished with fun. Altogether, picture should be a hit." —Edwin Schallert, Los Angeles Times

"Samuel Goldwyn has given Eddie Cantor the best comedy vehicle of his career. Hilariously funny, full of great production values, beautiful girls, fine songs and everything else that goes to make up an outstanding offering for audiences everywhere. One of the best laugh films to come out of Hollywood in long time." —Ralph Minton, Associated Press

"‘Strike Me Pink’ is a ten strike for Samuel Goldwyn and Eddie Cantor. A carnival of hilarious gags, clever comedy and eye filling pulchritude. Samuel Goldwyn has delivered a nifty production that should register a high mark on the box-office barometer." —Warren Stokes, Box Office

"Best Cantor Picture since ‘Whooppee!’ in most magnificent Goldwyn tradition. You won’t be able to hear the kids scream with laughter, you’ll be screaming too loud with laughter yourself." —Jerry Hoffman, Universal Service and Los Angeles Examiner

"STRIKE ME PINK"

Directed by
NORMAN TAUROG

Eddie Cantor
with ETHEL MERM

PARKYAKARKUS, WILLIAM FRAWI:
Music and lyrics by HAROLD ARLEN and
"Laugh? You'll roll in your seats! Eddie Cantor was never funnier and there's an eyeful of gorgeous girls for every reel. It exceeds even the highest Samuel Goldwyn standards!"
—Ted Mages, Hollywood Magazine

"Eddie Cantor's latest film 'Strike Me Pink' is one of funniest that comedian has made in some time. It's packed with laughs, gorgeous Goldwyn Girls and situations so human and dramatic that it can't fail to entertain everyone who sees it!"
—Mollie Merrick, National Syndicate

"Samuel Goldwyn continues to command my admiration as a producer of musical pictures. In Eddie Cantor's new film 'Strike Me Pink' the song and dance craftsmen are at their best."
—Jim Crow, Hollywood Citizen-News

"As good as anything Cantor has contributed to motion pictures. Aided by radio partner, Parkyakarkus, Cantor pulls many riotous laughs out of the bag. Some of the funniest sequences I have ever seen. The audience rolled and howled. Take my tip—put Eddie Cantor in 'Strike Me Pink' on your 'must see' list."
—Jimmy Fidler, NBC Radio Commentator and McNaught Syndicate

"Eddie Cantor's 'Strike Me Pink' is far and away the funniest picture the comedian has ever made."
—Harrison Carroll, King Features Syndicate

"This is one of the best of the Eddie Cantor-Samuel Goldwyn pictures in many a moon. It has grand comedy, action, dances and Cantor's songs are excellent."
—Ralph Wilk Film Daily

"Cantor's comedy is more hilarious than in any of his offerings since 'Kid from Spain'."
—Eric Engenbright, Western Editor, Screenplay

"Smash entertainment! The production is on a lavish scale and should click in all situations."
—Motion Picture Daily
MOTION PICTURE DAILY
Wednesday, January 15, 1936

 Tried to Halt Koplar Suits, Skouras Says
(Continued from page 4)
be there were the "worst days of my life," testified the witness.
The rest of what was purported to be in the letdown hotel followed
along the lines of Turley's testimony on Monday. It dealt with alleged
things including the holdup on the St.
St. Louis situation. Presum-
ably, it was also at this meeting that Skouras expressed the Warden's
that F. M. and not be (Skouras)
S had been successful in acquiring the three theatres.
The meeting was admittedly conducted in certain of its phases. Skouras
readily testified today that he thought
Tr was "back in 1920.
Skouras "Got Sure"
"I got more when he said I was
peaced. My conduct was not that of a
gentleman and I used viler language
than any man has a right to," said
Skouras. Starr, too, waxed excited,
according to Skouras, and made the
statement the latter had taken care of
himself. It cost him $500.
Skouras was then expected to be
extension of the three theatres' bond
but that nothing had been done on
behalf of Warners. The session broke
up when January came. Warner, Warner
- theatre zone manager in Chicago, walked
in, added Skouras. Gradwell J. Sears
has been avoiding comment on the
sidelines virtually all through the meeting, the witness said.
An interesting comment was made on the
field came to light when Skouras
painted the first run situation from its
inception and declared he had
launched the Jan. 1929 with the
West End Lyric. From this point he traced
his development as a theatre operator,
to where fatally. It cost him
a
Skouras was the thirteenth to take
the stand. Subpoenaed in the
criminal trial, the Government failed to
call him. Since this action started he
returned to New York then doubled
back again to clean up details prior to
his anticipated departure for Honolulu
on Friday.

Grand Is Last Witness
Joseph H. Grand was the concluding
witness of the day, but will resume
on Wednesday. Grand is a local law-
yet he was a member of the first mort-

gage bondholders' committee of the
three first runs in dispute. He prac-
tically doubled back on the testimony
be made in the criminal case with
the exception of the attempted introduc-
tion of an article in the St. Louis
Globe-Democrat, through which he
said he had learned the Warners had
let the test run to the committee.
In his testimony he added that he,
more chiefly concerned two meetings
of the bondholders' committee with
Warners on reorganization of the
Ambassador, Missouri and New Grand
Central.
David Levinson of Chicago, general
counsel to the committee, was excused
from the ruling excluding witnesses from the court.
When the Government rests its case, which may be Saturday, the defense
immediately will move for dismissal.

Flies by Night
St. Louis, Jan. 14.—From
time to time, documents in
the case have made reference
to "fly-by-nights" in
proposals and plans deal-
ing with the reorganization
of the Ambassador, Missouri
and New Grand Central thea-
tres.
When counsel was figuring
out whether Thomas N. Dy-
sart, chairman of the bond-
holders' committee, might be
released for a week's vaca-
tion in Florida, someone
inquired that the trip
be by air. This had to do with
his required return here at
the end of the week.
Dysart said, "Yes,"
"Fly by night?" asked one of
the counsel.

Only 12 Shooting
With 53 Being Cut

Hollywood, Jan. 14.—With activity
to continue to studio cutting rooms,
company work slipped in the last three months. Film editors
were rushing 53 pictures to meet
release dates. Camera crews turning out
only 30 features and four short sub-
jects, a new low for the midwinter
season. Only 12 pictures are slated
for release at the rate of two a week in the two
weeks. The week previous there
were 33 features and three shorts in work.
The camera crews shared the lead, each having five features in
work. M-G-M also had one short
suitable for television.
Columbia had three features shoot-
ing, three in preparation, and five in
the cutting room. Fox, three; M-G-M
and RKO, two; United Artists two;
Universal, four, zero and one; Warners, five, zero and nine;
Indepen-
dents, two, three and zero.
In the short subject division Colum-
bia had none shooting; three in prep-
arring for release; and two in
the cutting room. Columbia, RKO
one, five and three; Radio, one, zero
and one; Roach, one, three and
independents, one, one and zero.

Kansas City Paper Drops Giveaway Ads
Kansas City, Jan. 14.—On
order of President Robert
D. Skouras of the Star-Times,
which carries the bulk
of local theatre advertising and all
independent advertising, has
 discontinuing all references to
cash giveaway schemes.
For some weeks Fox Midwest
has been carrying an indirect reference
to their Bank Night pool—"Extra
Added Attraction Tonite," and since
a few weeks ago has been calling
attention to their Sweepstakes
pool with "Associated Special Attrac-
tion 8-400." Now it is stated
there will be no further
of the sweepstakes.

Pizor Calls MPTO; Showdown Expected
(Continued from page 3)
or those members who lean toward
the new group will attempt to force
the entire body into the merged
organization. It is believed that
with the upstate membership and pro-
xecutive held by Pizor the identity of
the original M. P. T. O. will be
maintained.

D. C. Allied Meet Set
Washington, Jan. 14.—The
postponed annual meeting of Allied Thea-
tre Owners of the District of Colum-
bia, scheduled for last Thursday, will be held Jan. 16.
It is expected that the present off-
cers will be reelected, with Acting
Manager William R. Hoyle, being
named to that office in his own right
for production within the next
weeks.

Para. Trustees Win Appeal in Montreal
(Continued from page 3)

change for stock in Paramount
Public.
In his judgment Judge McCa-
igue of the Ontario Supreme Court
in his statement of claim shows no cause of
action against the defendant trustees
at all. There appears to be nothing
in the statement of claim to
the trustee defendants or Paramount
Public Corp. with the alleged mis-
representation of Famous Players
Canadian Corp.

French Films Increase, But Grosses Down
(Continued from page 1)
especially in the factory districts,
where theaters relied almost entirely
on factory employees.
In general, the French film industry, with only about 3,500 wired houses, can
expect only upon about eight per cent of the
population attending the films weekly.
Imports, particularly developmental
in French industry in 1935 was the
successful parallel of exhibitors in con-
trolling excessive taxation. State
taxes were reduced about 15 per cent, but
the pouper tax is still in force and
represents a problem. Exhibitors now
pay about 20 to 25 per cent of the
gross receipts in taxes, compared to
20 to 30 per cent they were taxed before.
Late last year the industry
escaped the danger of the Govern-
ment decree which would have made
the industry virtually a state organi-
ation. The danger, however, is not
completely over, and it is necessary for
industry organizations to main-
tain a solid front in opposition.
Efforts were made during the year
to produce films technically the equal
of American product. In general
French film must be kept within a cost
of $800,000 to return its cost to the
producer. The chief fault found with
French product is in the matter of
stories and screen plays.

French Shorts Rare
Short subjects are comparatively
rare in the French market, since 90
per cent of the theaters have adopted
the double feature program. French
produces very few shorts. The short
subject field is largely represented by
terrestrial films which are largely
too artistic for the general
Frenchman. The big handicap to
American distribution in France is
the eminence of dubbing in France
for general release, since the
provincial patrons accept only films
in their own language which have
been comparatively few American
films which have been successful in
dubbed version in France during
been well received, however. American
dubbed films are used as the second feature on double bill pro-
grams.

Films with considerable action
short stories and those of best
quality are for the most part the only
ones which are successful in double
features. These are considered to have been a good year
for American companies, except in
those areas in which French films
have been released. As a whole
conditions here are difficult for
American companies.
New York's first big night of 1936

EAST SIDE
WEST SIDE...
THE WHOLE TOWN GOES FOR HER!

over please
New York's high society, Mrs. Vincent Astor and the pick of Park Avenue, flock to the New York Paramount...at $10 a whack—to see the opening of "Rose of the Rancho" and give their support to that worthy charity, the Musicians' Emergency Unemployment Relief Fund...and do they cheer Swarthout? They go wild about her!

Thousands and thousands of picture fans mob the first regular showing of the picture...and do they like Swarthout? The answer is simply this: the first day's business is the highest since the opening of that record-breaking box office smash..."The Lives of a Bengal Lancer."

Ed Sullivan, Daily News Columnist, writes:
Dear G. S.: Caught your picture, "Rose of the Rancho", last night at the Paramount. You're gorgeous, Honey. E. S.

William Boehnel, World-Telegram:
Miss Swarthout is lovely to look at and thrilling to hear.

Kate Cameron, Daily News:
Miss Swarthout has the attributes that presage a great film career—she has beauty, grace, ardour, a melodious speaking and a beautifully trained singing voice.
Gladys Swarthout

"ROSE OF THE RANCHO"

with

JOHN BOLES and GLADYS SWARTHOUT

Charles Bickford • Willie Howard • Herb Williams • Grace Bradley • H. B. Warner

A Paramount Picture • Directed by Marion Gering
Short Subjects

The March of Time, No. 10

Release No. 10 of The March of Time maintains the record of the series for effectively contesting the self-sufficiency of the double feature program. Here, as in earlier issues, is screen entertainment to compete with bargain programs and contest its own exclusion from the place on the bill that established them.

These behind-the-scenes views of news events, dramatized in the March of Time series, will be welcomed by the colonization of the U. S. of barren Pacific islands destined for establishment as way-stations for trans-Pacific passenger plagues, and the re- action of England, Australia and Japan to this “invasion” of the maritime territory.

“Moinsieur de Paris,” France’s hereditary executioner, and his mobilized guillotine, features the second topic. The man of mystery, feared and hated throughout France, is viewed here at his gruesome work—executioner of all French criminals condemned to death.

The invasion of eastern Tennessee by the TVA is the final subject. Home conditions are also proceeded with, program of the engineering work and its consequences in relation to private utilities operations are portrayed.

Running time, 18 mins. “G.”

Hughes Sets Air Record

Howard Hughes shattered all trans-continental air speed records when he landed at Newark Airport yesterday just nine hours, 25 minutes and 10 seconds after he took off from Union Air Terminal, Burbank, Cal.

Wall Street

Short Losses Dominate Board

Columbia, pd. 31 30 31
Consolidated, pd. 31 31
First National, pd. 30 29 30
Epstein-Koch, pd. 30 30 31
Loew’s, pd. 30 29 30
Paramount, pd. 31 30 30
Paramount, pd. 31 30 30
Paramount, pd. 31 30 30
Paramount, pd. 31 30 30
Pathé, pd. 31 31
RKO, pd. 44 43 44
RKO, pd. 44 43 44
Selig, pd. 31 30 30
Universal, pd. 31 30 30
Warner Bros., pd. 31 30 30
Warner Bros., pd. 31 30 30

Curb Issues Show Gains

Sentry Safety 14 9 25 30 40 1/4
Sonorite 24 17 25 16 15
Technicolor 21 21 23 23 23 23
Trans-Lux 4 35 35 35 35 35

Most Bonds Slightly Off

General Theatre 65c 60c 60c 60c 60c 60c
General Theatre 65c 60c 60c 60c 60c 60c
Keystone 65c 60c 60c 60c 60c 60c
Kings 65c 60c 60c 60c 60c 60c
Paramount 53 48 48 48 48 48
Paramount 53 48 48 48 48 48
Paramount 53 48 48 48 48 48
Paramount 53 48 48 48 48 48
Warner Bros. 69 92 92 92 92 92
Warner Bros. 69 92 92 92 92 92

(Quotations as of close of Jan. 14)

MOTION PICTURE DAILY

Wednesday, January 15, 1936

Benefits Seen in Contract Changes

(Continued from page 1)

MOTION PICTURE DAILY's
Hollywood Preview

“The Lone Wolf Returns” (Columbia)

Hollywood, Jan. 14.—A well-blended concoction of comedy, romance, crook intrigue and light drama, this is enjoyable entertainment. While not pretentious, it proceeds in being amusing. The story is well conceived, acted and directed.

With Thurston Hall’s police filling the expected serio-comic function, Melvyn Douglas, gentleman-crook, and Arthur Hohl, common thief, strive to outwit each other for Gail Patrick’s jewels. Douglas decides he would rather have a girl than the jewels romance.

The story, with many intelligent complications, builds to where he outmaneuvers Hohl, but lands in the hands of the police. Miss Patrick, finally is convinced that Douglas’ regeneration will be more successfully accomplished under her guidance than with the boy, after her gems are recovered.

Punch is added to the straight story value by the effective comedy contributions of Ray Walburn, Gene Morgan and Tala Birell. Based on a story by Louis Joseph Vance, with the screen play by John Krenggold, the comedy atmosphere gives the picture real appeal for those who like to see a good deal lapped in oddly contrived situations.

The deft direction by Ray William Neill spots the laughs and tension in the right places.

Production Code Seal No. 11499.

Running time, 65 minutes. “G.”

March of Time Has Anniversary Party

March of Time observed its first anniversary yesterday, to mark the end of its first series of the second year at the Hotel Madison. Members of the editorial board, Roy E. Larsen, John Martin and Louis de Rochemont, acted as hosts, with Ralph Rolen, vice-president in charge of advertising.

Attending the preview of the anniversary release were: Lucile Bliss, Louis B. Mayer, and G. Berman, Mr. and Mrs. Max Gold, Miss Luci Bethman, Miss Freda Clark, Miss Minnie Fite, Morris Markay, Kelsey Allen, John C. Mooser, Calvin Brown, Mrs. William Brown Meloney, John C. Wigger, Richard Watts, J. Mrs. Virginia Reid, Ernestine Taggard, Rutgers Neilson and Iris Barry.

Extend GTE Time

The time for making deposits under the plan of reorganization for General Theatres Equipment has been extended to Feb. 1, according to the reorganization committee headed by Arthur W. Lossby. More than 73 per cent of all eligible classes again have added their approval.

The company has agreed to participate in the plan, which has been approved in the Chaucery Court of Delaware, the committee states.

Mintz Sets Radio Deal

Robert Mintz, president of Stage & Screen Prod., has closed a deal with a production schedule of his 15-episode serial, “Custer’s Last Stand,” in India. This brings the total of foreign distribution deals to 15.

Weil Trysts Unique Book

Joe Weil of Universal has turned over the exclusive exploitation of this book with covers of something resembling purple suace and protruding pages in 10 colors for use of exhibitors on "Magician Obsession."

Bye Walla Walla House

Portland, Jan. 14.—Frederick M. Miner, president of Walla Walla Aircraft, has purchased the Keylor Grand at Walla Walla, Wash., and has added it to their circuit, which now totals 12 houses in central Washington.

Wilco Leaves Erpi In Personnel Shift

H. H. Wilcox, vice-president Erpi, who has been on a leave absence serving in an advisory capacity in Paramount, has resigned effective Jan. 22. The new vice-president, di- rector, has resigned from Erpi as well as from the directorate and vice-presi- dent of Western Electric, to be succeeded for A.T.& T. D. S. Pr. has become general auditor. E. Guild, has been named assistant comptroller, and H. Arlinghaus has been appointed as distribution manager.

Fier Back on the Coas

Hollywood, Jan. 14.—Jack F. western sales manager for Republic, whom he conferred with W. Ray Johnston, Fier will make his headquarters at Chicago, Ill., where he will be in conference with W. Ray Johnston, and then return to Seattle, Portland, Butte, Denver, 5 Lakes City, San Francisco, Los An- geles, Dallas, Oklahoma City Little Rock.
U. S. Seeks to Prove Starr Made Threats

Retaliation for Europe’s Quotas Gets Federal Study

Power Break Darkens Over 200 Theatres

Rolls Royce

Standard Study of “U” Delays Action

Simple Rites for Roxy; Many Attend

Minors’ Admission

Aim of Albany Bill

Rough Stuff

Paper Gives Passes

City Sues Warners On Music Broadcast

WOR to Charge for Two-Hour Programs

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

The Leading Daily Newspaper of the Motion Picture Industry
Kentucky's 3% Sale Tax Bill Is Passed

FRANKFORD, Ky., Jan. 15.—The three per cent retail sales tax bill was given a final reading in the Senate late today and was signed by Gov. Asa B. Chandler tonight.

Sbeck Watch and Ward Probe

Boston, Jan. 15.—A legislative investigation of the firm of New England Watch & Ward Society, which has been unofficial censor of almost every book in New England for many years, is sought in a bill introduced by Senator William P. McCarthy. The measure calls for an investigation of the W & W for expenses and the appointment of a special commission to make the probe.

Maine Billboards Taxed

PORTLAND, Me., Jan. 15.—A new billboard law, passed by the last State Legislature, has come into effect. Theaters and distributors, as well as other advertisers, have to pay $1 for the use of billboards in the state.

Rob Terre Haute House

TERRE HAUTE, Ind., Jan. 15.—About $2,000 was taken from the safe in the Indiana Cow Cow Monte House, considerable damage was done to the office and in the lobby, through which the inner vault was taken.

Postpone Studio Sale

The receiver's sale of Photocolor Studios at Irvington-on-the-Hudson has been postponed to Jan. 23.

MOTION PICTURE DAILY

To Affirm Sentence Of Deery, Mulloney

BOSTON, Jan. 15.—John A. Deery, circuit court head and former president of the talking picture firm, and G. N. Mulloney, former president of the closed Federal National Bank here, will be called to the U. S. district court Monday to reafirm the sentences of one year and one day after having been found guilty some months back of misappropriation of $13,000 of bank funds, according to U. S. District Attorney Francis Ford.

Theatre loans were mainly concerned in the matter. An appeal to the U. S. Supreme Court was turned down last week, but the two are still attempting to avoid serving sentence.

Academy Sends Out Ballots for Awards

HOLLYWOOD, Jan. 15.—Nomination ballots for the eighth annual awards of merit by the Academy have been mailed.

Frank Capra has picked March 5 as the date and the Los Angeles Biltmore to hold the event. An award dinner will be held by Hiram Morgan.

San Francisco

MICAELA MUGATO, secretary-manager of the California Theatre Ass'n, is in Sacramento watching the legislators at work. Several bills affecting exhibitors are up.

GEORGE MANN, associate of MORGAN WALSH, is preparing for a round-the-world trip. He will be accompanied by MRS. MANN.

MAX MORRIS of Western Poster Co. left Los Angeles last week to look over the poster situation. MRS. MORRIS accompanied.

WILLIAM FLYNN, who operates the Avalon in Vallejo, was here. It was his first venture out after a fall at Christmas time.

REDO LYNCH, who operates the Avenue and Roosevelt here, is sporting a new Buick. It's a coupe.

ARTHUR B. PRICE, proprietor of the Aurora, and Mrs. PRICE, celebrated their 25th wedding anniversary with a party at their home.

Merle Oberon III

Hollywood, Jan. 15.—Merle Oberon was confined to her home in Santa Monica today with influenza. Miriam Hopkins and Joe MCcree, other members of the cast of "These Three," United Artists, have also been stricken in the past few days.

Kent, McCarthy West

S. R. Kent and Charles E. McCarthy will leave for the coast tomorrow where they will be at the Twentieth Century-Fox studios for about two weeks for conferences on new product plans.

Asks Fair Commission

ALBANY, Jan. 15.—Governor Lewis man in a message to the Legislature today recommended the creation of a special state commission to cooperate with New York's World Fair in 1939.

Hays Leaves for Coast

Will H. Hays left for the coast yesterday, to be gone about a month. He will attend the annual meeting of the Producers Association, Feb. 2
With Frank McHugh at his funniest as the goofy coach of a goofy crew, with Patricia Ellis at her prettiest as the cuddlesome college cutie, and with Warren Hull at his musical best as a rhythmic romeo, 'FRESHMAN LOVE', Warner Bros.' new campus comedy, arrives this week featuring the maddest, merriest crew race ever rowed. Director William McGann was at the helm with Joe Cawthorn and George E. Stone contributing yeomen's service. Released Jan. 18th.
U.S. Seeks to Prove Starr Made Threats

(Continued from page 1)

who resumed where he left off Tues-

day; David Levinson, Chicago attor-
ney, and general counsel for the first
noting the threat, urged the two

Chasnoff, counsel for the general bor-

nemakers, and Frederick H. Kreisma-

n, insurance agent formerly

of St. Louis and a member of the

first mortgage bondholders’ group.

Walter Rice was the champion for

the Government all through the day.

His opponents were Senator J. A.
Reed and Frederick H. Wood, special

counsel for Warners. Parau-

n and RKO lawyers played roles in

minor keys, raising general ob-

ections to the presentation of any

evidence on the ground their companies had

no way figured in the two meetings under

fire.

Grand Quizzed by Reed

While the bulk of the alleged facts
divulged by the quartet followed close-

ly along the lines they were to follow in

the misdemeanor trial the one exception

was Grand, who was examined at length

by Rice on an attack of the

Snyder plan as against the finally-

accepted Snyder plan and rigorously
cross-examined by Reed.

The whole picture of the cross-queried

by the defense in the criminal case.

However, with his return to the

witness stand, the current civil action

Warner counsel interrogated him at

length on discussions about reorganiza-
tion which transpired at the April

6 meetings on the ground, as

explained by Reed, the defense had

no other recourse since the Govern-

ment filed suit to continue to

air the merits of the various sub-

mitted proposals.

On the last day questioning, went into
great detail to explain why it was the

committee had determined for Allen

L. Snyder as against Warners. He

cited in support of their decision for

the three houses by the Snyder bid

as against no guarantee submitted by

Warners. The latter offer had included
five percent on half of the new

bonds which were to be issued

while the committee’s plan called for

the same interest bracket on all the

bonds. He emphasized the theatre

rental provision in the Snyder plan

was the most favorable aspect in con-

trast to the Warner bid.

Threats Alleged

Reed's contention was that other than

the five cent management fee

under which Warners proposed operat-
ing the theatres, they would have

received no return until the

bonds had been paid off. He further

pointed out the only guarantee to the

committee was to the bid for

$105,000, which he described as

small in view of the size of the pro-

position whereas Warners had been will-

ing to pledge payment of interest on

half of the new bond issue.

In the closing argument of Allen H. Hyatt’s

account of what transpired at the two conferences

Grand alleged Starr had made threats.
The witness said Starr had said Warn-

ners not only had their own product

but would have Paramount and RKO

as well. The witness also said Starr
did not want to operate one of the three

theatres without Warner’s

participation. He volunteered Harold B. Morse and

Kreismann, both members of the com-

mittee and present at the time, had

rejected Starr’s supposed remarks.

Grant added that Morse, then a sub-

committee, had been interested in

a stage hand, had been more in-

terested in reading a plan of reorganiza-
tion of his own.

Reed Objects to “Arguing”

Reed constantly blamed Grand for

repudiating his proposal to defend the

bidders’ committee. “I don’t want
to argue with you and I don’t want

you to argue with me,” said the War-

ner counsel. “I want to get a

yes” or “no” answer from the

witness, “I hope I am not argu-

ing with you.”

Indicating that John S. Leahy, at-

torney for John T. Blair and Edward

Kendall, counsel for the Fox Theatre
here, probably had been cooperating
actively with the new Department of
Justice on the local situation, Reed

replied to Grand’s statement that L. B.

Reed, local head of the Justice

Department, called a meeting at

which he “suggested that he was

ready to have any affidavit reporting both confer-

ences be sent to Leahy’s office.

Grand further declared he had been asked on

April 5 at a meeting of

the directors that any affidavit

of any affidavits were to be

sent to Leahy’s office. Grand

added that Morse, then a sub-

committee, had been interested in

a stage hand, had been more in-

terested in reading a plan of reorganiza-
tion of his own.

Levinson Testifies

Levinson’s recollection of the two

meetings developed next. Essentially

it covered the same ground. He did

testify that when he had been

acquainted with the terms of the

Snyder bid he had declared he would

put the deal. He interposed an

affirmative answer to the

statement, “I don’t want to argue

with you and I don’t want you to

argue with me,” he added, “I

wish to get a yes or no answer

from the witness. I hope I am not

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tion of his own.
"THE BELOVED VAGABOND"
Freely Adapted from the Novel by W. J. LOCKE

MAURICE CHEVALIER

MARGARET LOCKWOOD

NORA SWINBURNE

DESMOND TESTER

"Paragot"

"Blanquette"

"Joanna"

"Asticot"

Produced by: LUDOVICO TOEPLITZ

Directed by: KURT BERNHARDT

NOW SHOOTING AT A. T. P. STUDIOS, LONDON
Critics go Wild about "THE GHOST GOES WEST"

EAST, WEST, NORTH, SOUTH, no matter from what direction they converged on the theatre. They all agreed unanimously that "The Ghost Goes West" is smash entertainment!

"Thoroughly enjoyable entertainment from beginning to end... filled with the sort of fun keeps the audience chuckling throughout glittering satiric touches raise the production to a brilliant level." —Kate Cameron, N. Y. Daily

"One of the season's funniest pictures, told with high good humor, almost with and its cast has the air of enjoying it all as much as the audience. A grand ghost story, rollicking tale of a most delightful phantom. What this country needs is a few more Ghost ghosts. It could even do with a few Rene Clair."

—Eileen Creelman, N. Y.

"Satire of the grandest sort. Gay, charming, romantic, amusing and entertaining. Rene Clair, the brilliant young French director, has bus a most delectably fluffy omelet, with Robert Donat, one of the most engaging actors on screen, providing exactly the right season for it."

—William Boehnel, N. Y. World-Telegram

"Captivating comedy... tender in its romance... charming in mood. No more winsome ghost ever has stalked across the screen and Robert Donat plays him magnificently. The production is lavish. The dialogue is witty. The situation delightful." —Bland Johanneson, N. Y. Daily News

Robert Donat

sensational star of

"The Count of Monte Cristo"

THE GHOST GOES WEST

with JEAN PARKER

EUGENE PALLETTE

DIRECTED by RENE CLAIR acclaimed by many critics as the screen's most skillful director

Screenplay by ROBERT E. SHERWOOD

An ALEXANDER KORDA production

the man who gave you "Henry VIII"

A London Film

Released thro
"Gay and charming and imaginatively amusing ... striking, delightful and original."
—Richard Watts, Jr., N. Y. Herald-Tribune.

"The first important film of the new year, and a joyous one. Gay, urbane and brilliantly funny ... a gracefully long, loud laugh ... it has a sly wit and adroitness of manner that make it delightful. It is the cream of an ebullient jest."
—N. Y. Times.

A thousand delights await you at the Rivoli ... as bright a satire as the screen has seen ... as jolly a ghost story as ever haunted Broadway with its hilarity ... rules Rivoli screen with laugh spirits ... Robert Donat finds permanent American stardom ... Rene Clair's direction is exquisite in its sheer genius."
—Regina Crewe, N. Y. American.

"A gay and thoroughly amusing comedy ... delightful entertainment ... riotous ... hilarious ... you'll find the picture a grand film."

"Excellent. One of the most consistently delightful comedies of this or any other season. Exhilarating fun and a deserved triumph."
—Thornton Delehanty, N. Y. Post.
“Ricks,” Schooler, Milwaukee Leaders

MILWAUKEE, Jan. 15.—New Year’s business was gratifying with “Cappy Ricks Returns” and the return of Dave Schooler at O’Kane’s, which grossed $3,900 above average. Schooler packed them in at Fox’s Wisconsin here eight years ago, and is back for the first time.

“King of Burlesque” and “Mary Burns, Fugitive” did $7,500 on a dual bill at Fox’s Wisconsin, while “Hands Across the Table” and the Showboat Dixiana Players at the circuit’s Palace grossed $4,000.

The Alhambra, which reopened Dec. 25, closed Jan. 7 after it had reverted to a regular policy of 75c and 25c for first run films. It was reported the management was unable to secure films for opening at the time.

The weather was cloudy with snow, and Total first run business was $28,300, Average is $23,000.

Estimated takings:

**Week Ending Jan. 7:**

1. *I DREAM TOO MUCH!* (Republic)
   - PALACE—$5,250. (Average, $4,000)
   - VASUDELL—$5,250. (Average, $5,000)
   - RIVERSIDE—$5,250. (Average, $3,500)

2. *MARY BURNS, FUGITIVE!* (Para)
   - PALACE—$6,250. (Average, $4,000)
   - WISCONSIN—$6,250. (Average, $5,000)
   - RIVERSIDE—$6,250. (Average, $3,500)

3. *THE SCARLET LADY!* (Liberty)
   - ALHAMBRA—$1,900. (Average, $3,000)
   - VASUDELL—$1,900. (Average, $3,000)
   - RIVERSIDE—$1,900. (Average, $3,000)

**Week Ending Jan. 8:**

1. *KING OF BURLESQUE!* (20th-Fox)
   - PALACE—$6,250. (Average, $4,000)
   - WISCONSIN—$6,250. (Average, $5,000)
   - RIVERSIDE—$6,250. (Average, $3,500)

2. *HANDS ACROSS THE TABLE!* (Para)
   - PALACE—$6,250. (Average, $4,000)
   - VASUDELL—$6,250. (Average, $5,000)
   - RIVERSIDE—$6,250. (Average, $3,500)

3. *CAPPI RICKS RETURNS* (Republic)
   - PALACE—$5,250. (Average, $5,000)
   - WISCONSIN—$5,250. (Average, $5,000)
   - RIVERSIDE—$5,250. (Average, $5,000)

4. *THE LADY IN THE BATH!* (Republic)
   - PALACE—$4,500. (Average, $4,000)
   - WISCONSIN—$4,500. (Average, $4,000)
   - RIVERSIDE—$4,500. (Average, $4,000)

“Bride” Is $6,900 Hit, Oklahoma City

OKLAHOMA CITY, Jan. 15.—“The Bride Comes Home” was a smash hit at the Criterion. It grossed $9,500 in eight days, bringing its week’s total to $16,900.

“Riffraff” was over $300 an average, on a take of $4,300 at the Midwest.

“Showboat” is doing strong business at the Capitol with a take of $2,800. The Liberty had a poor week with $2,000, but all four are showing for four days, taking $2,100. The December remaining three days “Coronado” was weak at $3,500.

Total first run business $16,400.

Average is $1,400.

Estimated takings for the week ending Jan. 15:

1. *THE BRIDE COMES HOME!* (Para)
   - PALACE—$3,500.
   - WISCONSIN—$3,500.
   - RIVERSIDE—$3,500.

2. *RIFFRAFF!* (M-G-M)
   - PALACE—$2,500.
   - WISCONSIN—$2,500.
   - RIVERSIDE—$2,500.

3. *SHOWBOAT!* (M-G-M)
   - PALACE—$2,500.
   - WISCONSIN—$2,500.
   - RIVERSIDE—$2,500.

4. *MAN OF IRON!* (F.N.)
   - PALACE—$2,500.
   - WISCONSIN—$2,500.
   - RIVERSIDE—$2,500.

5. *LIBERTY!* (1,000)
   - PALACE—$2,500.
   - WISCONSIN—$2,500.
   - RIVERSIDE—$2,500.

Average $2,500.

Theatres in Dark

As Power Breaks

(Continued from page 1)

the theatre section, remained at home for the night.

Many neighborhood houses were closed due to emergency issues, and emergency tickets after patrons had waited in vain for the interrupted shows went unsold. Low voltage power, which was available in some neighborhoods, but showed were stopped regardless, as the current in many cases was weak. An additional power cut may have function properly and also cause flickering and intermittent failing of lights.

Loew’s, Ka-A-O, Consolidated, Lev., Myers and Springer & Cocalis circuits, all large operators in the area, announced effective power cuts.

In all, more than 80 theatres in the Bronx, and approximately the same number in Brooklyn and in suburbs north of the city, were closed for periods varying from 5 minutes to several hours.

Simple Rites for Roxy; Many Attend

(Continued from page 2)

Artists and National Bank, located at Co. Rabbi Jonah B. Wise officiated at the services and the Jewish chare for the dead was rendered by J. W. Wise, a former Roxy employe.


“Roxy produced real beauty an dignity in the realm of human amusement,” Rabbi Wise said in the course of his oration.

Roxy, who was 53 years old, died Monday morning of coronary thrombosis at his residence in the Hotel Gotham. He is survived by the widow, a daughter, Mrs. Georgi Biju of New York, and a son, Arthur, of San Francisco.
UNPARALLELED photographic quality...
speed...fine grain...Eastman Super X has them all. It is the complete modern negative film. Agreeing that it leaves nothing to be desired, cameramen and producers are using it in the bulk of today's feature productions.

Eastman Kodak Company, Rochester, N. Y.
(J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
Cooper Founds Fund With Theatre Stock

Lincoln, Jan. 15.—Theatre holdings of J. H. Cooper have been turned over by him to the Cooper Foundation, to aid underprivileged children. Cooper is 50-50 owner with Polibin in the Lincoln Theatre Corp., Cooper Enterprises of Colorado, and Regal and Criterion Theatres Corp. in Oklahoma, and it is now the property of the foundation.

By taking half of his net income from the theatres he hopes to build fund of $1,000,000, and hopes to start the foundation and keep it going on the other half. Cooper is said to have turned over $100,000 in money and bonds to the fund already.

Charles Stuart, J. E. Miller, J. C. Scarratt, Max Beghio, Sam Waugh and E. N. Van Horne are on the foundation's board of trustees. Prominent out of towners are S. R. Kent, president of Twentieth Century-Fox and A. C. Keough, Paramount counsel.

Dave Brown Shifted
Pittsburgh, Jan. 15.—Dave Brown, shorty booker for Warner here, has been transferred to the circuit's St. Louis headquarters. His post has been taken by Tony Stern, who came to the booking office from the managerial staff in 1934, and Jack Bernhard has come on to fill Stern's post.

Charter Tru Pictures
Albany, Jan. 15. — Tru Pictures Co., Inc. has been formed here by F. P. Smith, 619 First Ave. Ray Spector, Nathan Schwartz, G. A. Aronstam and George Engel.

Looking 'em Over

Cooper Credit Determined

Lincoln, Jan. 15.—Membership of J. H. Cooper in the motion picture industry is being determined by the general counsel of the Cooper Foundation, to be set up by the late actor. Cooper, 50-50 owner with Polibin in the Lincoln Theatre Corp., Cooper Enterprises of Colorado, and Regal and Criterion Theatres Corp. in Oklahoma, is the property of the foundation.

A young swimming champion, Eric, an engineer out of a job, becomes swimming instructor at Lakeside, the resort. He meets Miss Simon, playing Puck, pretty and attentive, and the daughter of a wealthy family, Danielle. He falls in love with Danielle, and she with him, but he dares not speak since she is the daughter of wealth and he is penniless. He is very fond of Puck, and enjoys her companionship, but is not in love with her. Danielle's father is opposed to him, and Puck's father forbids him Puck's island home.

He is taken ill, after Danielle has been forced by her father to leave the resort with him, and delirious, he reveals to Puck that his love is for Danielle. In the end Puck brings Danielle back to him.

Largely devoid of action, the film nevertheless tells an interesting story of young romance and its trials and happiness.

Reviewed without production code seal. Running time, 90 minutes. "G."

Another "Sophie Lang"

Hollywood, Jan. 15. — Paramount will make a sequel to "The Notorious Sophie Lang." It will be "The Return of Sophie Lang," from a script by Patterson McNutt. A. M. Botsford will be the producer. Gertrude Michael will again play the title role.

Dance Directors Changed

Hollywood, Jan. 15. — Bobby Connelly has replaced Busby Berkeley as director of the dance numbers for "The Singing Kid," Warners.

Two Cities" Hits $22,000 in Cinco

Cincinnati, Jan. 15. — Plans signs promise a good run for the RKO Albee in the new year. "A Tale of Two Cities" went into high places on a nine-day run at the RKO Albee, grossing $22,000, up 112 per cent on a seven-day average of $12,000. It moved to the RKO Capitol.

"The Bride Comes Home" came in with $14,500 for eight days at the RKO Palace. The average was $1,400.

Largely total run business was $82,000. Average was $60,200.

Estimated takings:

Week Ending Jan. 8.

"MORALS OF MARCUS" (G. B.)

SUNDAY—CINCY, 15c-25c. 4 days.

GRAND—CINCY, 15c-25c. 4 days.

GRACE—CINCY, 15c-25c. 4 days.

Average, $1,000.

"THE MIGHTY BARNUM" (U. A.)

SUNDAY—35c-50c. 4 days.

GRAND—35c-50c. 4 days.

GRACE—35c-50c. 4 days.

Average, $1,500.

Week Ending Jan. 9.

"A TALE OF TWO CITIES" (M-G-M)

RKO ALBEE—15c-25c. 4 days.

GRAND—15c-25c. 4 days.

GRACE—15c-25c. 4 days.

Average, $1,000.

"THE BRIDE COMES HOME" (Para.)

RKO PALACE—25c-35c. 4 days.

GRAND—25c-35c. 4 days.

GRACE—25c-35c. 4 days.

"ANOTHER FACE" (Radio)

RKO SHUBERT—23c-35c. 3 days.

GRAND—23c-35c. 3 days.

GRACE—23c-35c. 3 days.

Average, $1,000.

"WHISPERS" (M-G-M)

RKO GRAND—35c-50c. 4 days.

RKO GRACE—35c-50c. 4 days.

Average, $1,000.

"MOONLIGHT ON THE PRAIRIE" (W. B.)

RKO FAMILY—15c-25c. 4 days.

GRAND—15c-25c. 4 days.

GRACE—15c-25c. 4 days.

"DANGEROUS" (W. B.)

KEITHS—15c-25c. 4 days.

GRAND—15c-25c. 4 days.

GRACE—15c-25c. 4 days.

Average, $1,000.

Larger credit determination of the story easy for those unfamiliar with French. The other members of the cast are competent but will be unknown to American audiences.

A young swimming champion, Eric, an engineer out of a job, becomes swimming instructor at Lakeside, the resort. He meets Miss Simon, playing Puck, pretty and attentive, and the daughter of a wealthy family, Danielle. He falls in love with Danielle, and she with him, but he dares not speak since she is the daughter of wealth and he is penniless. He is very fond of Puck, and enjoys her companionship, but is not in love with her. Danielle's father is opposed to him, and Puck's father forbids him Puck's island home.

He is taken ill, after Danielle has been forced by her father to leave the resort with him, and delirious, he reveals to Puck that his love is for Danielle. In the end Puck brings Danielle back to him.

Largely devoid of action, the film nevertheless tells an interesting story of young romance and its trials and happiness.

Reviewed without production code seal. Running time, 90 minutes. "G."

Ohio Station to Move
Cincinnati, Jan. 15. — WSAI, one of the local units of the Crosby Radio Corporation, has been granted authority by the Federal Radio Commission to move its plant from Mason, O., to Cincinnati. A new, 5,000-watt transmitter plant will be erected at once.

Wall Street

Few Gains, Others Slightly Off

Sentry Safety 76 76 76

Ward & Magee 64 65 64

Westinghouse 96 96 96

Thos. P. Morgan 88 88 88

Tran-Lin 211 211 211

Few Bond Gains

General Telephone 24 23 23

General Tire 32 32 32

Gillette 23 23 23

Low's 5s 5s 5s

Morgans 96 96 96

RKO 6s 6s 6s

Warner Bros. 6s 6s 6s

(Quotations at close of Jan. 15)
Out today

"ROXY"

An Appreciative Account Of His Life and Works

By

TERRY RAMSAYE

MOTION PICTURE HERALD
"Mutiny on the Bounty"
"Tale of Two Cities"
"A Night at the Opera"
"Ah Wilderness"


But votes are something else again. Right now we mean business. Cash in on the new timely Martin Mooney

"EXCLUSIVE STORY"

(Franchot Tone is coming along to stardom)
Setbacks Hit Government At St. Louis

Judge Denies Admission Of 5 Conversations

By RED KANN

St. Louis, Jan. 16.—The Government today suffered a series of setbacks in attempting to prove its conspiracy charge against Warners, Paramount and RKO, when Judge Joseph West Molyneux refused to admit in evidence conversations allegedly bearing on the St. Louis situation and presumably those of important industry executives in the presence of Jack Partington Jr. and S. M. F.

The Government sought to have entered upon the record details of what was said to have transpired on the different occasions which Partington Jr. and the Government's sole witness today, declared he had attended either (Continued on page 4)

Refuses to Allow Arthur-Kann Talk

By BILL ORNSTEIN

St. Louis, Jan. 16.—Efforts by the Government to introduce to the court on March 6 a conversation allegedly held between Harry C. Arthur and Red Mory, editor of Motion Picture Daily in a New York restaurant on March 6, 1934, failed today.

Jack Partington, president of F. & L, and only Government witness to testify in the civil suit conspiracy case against Warners, Paramount and RKO before Judge Joseph West Molyneux had just completed an outline of his career in the industry when the witness declined. “What happened a March 6?” asked Russell Hardy, Government attorney. Partington then (Continued on page 4)

Detroit First Runs Raise Their Scales

DETROIT, Jan. 16.—Four Detroit first runs have raised admissions. The sales include the Fox, Michigan, United Artists and RKO Downtown. The new scales are as follows: Monday to Friday, 30 cents; Saturday, 40 cents, 2 P.M. to 6:30 P.M., and 35 cents until closing. This is an advance of five cents over the present afternoon prices and 10 cents over the night prices. Saturdays and

(Continued on page 2)

Amplas Dinner Set March 14; Musical Program Is Put On

Amplas’s annual Naked Truth dinner will be held March 14, Gordon White told the members present yesterday at the weekly meeting. The Astor will be the place as usual.

It turned out to be quite a meeting. So many guests appeared that Jack Dempsey’s chefs were caught by surprise. When the lamb chops gave out the diners waited while the chefs argued whether they should substitute vegetable plates or sliced steak. It was a tie vote. Some got the vegetables, some got the steak after the entertainment had started. The Ortiz Ensemble had competition from knife and fork welders who couldn’t keep up with the rhythm.

Hy Daab was there. He proved to be the first Titan who would not sit on the daid. When White introduced him he bobbed up in a dark corner and merely took a bow. Others (Continued on page 9)

Alert, Intelligent and Faithful Service to the Industry in All Branches
E. B. CHURCHILL, president of Donahue & Co., will leave today or to-morrow for the coast center. Mary Pickford in connection with a series of broadcasts for the ice industry, which she will make from her home, Pickfair.

HENRY DUFFY, coast stage producer who recently became an associate producer for Twentieth Century-Fox, will sail today on the Majestic. He intends to overplay the London. He will be away about four weeks.

JANE COOPER, who is to be seen in "Collegiate" and "For whom is at present in George White's "Scandals," will return to Los Angeles on completion of the show's run here.

K. FRANCIS is due from the coast Sunday morning. Following a vacation she will return to "Lovely Lady."

AL CHERISTIE is back from a year-end trip to Hollywood ready to resume work at the Astoria studio.

DAVE GARTH's novel, "Cabin Crusier," has been acquired by Paramount. A. M. Horowitz will produce.

WALLACE BERLY has arrived from the coast and is at the Waldorf-Astoria.

HARRY MOSKOWITZ was due to leave Buenos Aires yesterday on his way here.

ETHEL MERMAN leaves tomorrow for a brief holiday in Miami.

200 Houses Is Aim Of Odeon Expansion By BRUCE ALLEN LONDON, Jan. 16.—Odeon Theatres, Ltd., headed by Oscar Deutsch, in which United Artists Theatre Circuit, Inc., bought an interest some time ago, plans an expansion which will bring the total houses of the circuit to 200 and overplay the London in a short time. The capital value is said to be $3,000,000.

It is understood that the plan of the enlarged circuit is to release pictures simultaneously with London through the circuit, in the present arrangement which brings product to the smaller centers approximately six months after London openings.

KENTUCKY TAX REPEALED

Due to an error in a wire it was stated in Motion Picture Daily that a three per cent sales tax law has been passed in Kentucky and signed by Governor B. Chandler. As a matter of fact it was repealed the present three per cent to which was passed and signed by the Governor.

WEISFELD TAKES OVER

Max Weisfeld has assumed his new duties as supervisor of short subject sales for Columbia, coming on from the coast after his appointment by Abe Montague, general sales manager. He succeeds J. W. McFarland

Dual Clause Ruled Out By Appeal Court

(Continued from page 1)

Paramount, M-G-M and United Artists.

Varner Brothers Pictures, Inc., First National Pictures, Inc. and Paramount Publicx Corp., were also named in the original suit filed May 31 by Harry Weisfeld, an independent exhibitor, but the court decree does not apply to them because they were not served with the suit in the suit the defendants are outside the jurisdiction of the court here. The decision, written by Judge Judge J. Warren Davis and J. Whitaker Thompson, states these three corporations "were in fact not proper parties and consequently have been omitted from it."

Charges Sherman Law Violation

Judge Buffington said the evidence submitted to Judge Welsh was conclusive that the defendants were in conspiracy to violate the Sherman law but that there is a question as to the sufficiency of evidence to support the charge of violation of the Clayton Act, as well. But inasmuch as the evidence bears out the charge of Sherman Act in fact, he held the suit was sustained. Judge Buffington's opinion states, on the conspiracy to restrain trade issue, "the defendants were connected with each other and interested in the largest interests of the industry. They distribute more than half the annual product in films which the artist who command the largest audiences are displayed. While they compete among themselves they have a common interest, which is to keep minority or independent producers who lack the resources to manufacture exhibits on their scale. The independent theaters require their productions in order to continue in business. But to improve business conditions they be- longing to it at any sacrifice. The independents are granted an opportunity to compete, and are not prevented from exhibiting double features, as in the case of the plaintiffs, by their contracts with major companies, or producers. They purchase less film from independent producers."

Judge Discusses Duals

"With such a situation existing in the industry one might be logically coincident with the idea that it is more than mere coincidence that the defendants, who represent the large majority of major producers, are in unanimity in opposing the double feature clauses in contracts. This fact the unanimity of purpose is not carried out for- mally in the same degree and language does not destroy the inference."

Judge Buffington also stated, "Any feature of this nature would reduce the production of full-length motion pictures, . . . If they (the defendants) exhibit features of one of the studios, they must agree not to display at the same time a feature of another producer. This naturally pre-

vents exhibitors from purchasing films from producers in competition with the defendants and destroys the opportunity of independent producers to produce and sell more films."

The defendants discharged all im- plication of violating the law or driving in any business, all the actions of the defendants in the interests of the industry and the public welfare."

Answering this contention, Judge Buffington stated, "The condition of the industry leads to the conclusion that the inclusion of provisions in the contracts between the defendants and independent exhibitors seriously affects exhibitors and smaller companies. This tends to reduce production and stifle competition."

Detroit First Runs Raise Their Scales

(Continued from page 1)

Sundays the scale will be 40 cents from opening until $ 5 P. M. and $ 6 cents thereafter. The rise was five cents in the afternoon and maintains the present evening prices for the year.

Key houses and subsequent runs have not announced any raises yet, but it is expected that they will do so shortly. Subsequent raises have been talking of getting together on a general rise and, now that the first runs have upped theirs, it will probably be able to get together on proposition.

The new scale of prices, which affect the States and Adams, first-run houses playing double features, was said

Fight on Sale Levy To Be Heard Monday

(Continued from page 1)

from theatres outside the city limits whenever served by local exchanges. Monday's hearing will be on an argument of the policies which had not been indicated at the time of the first hearing.

A decision from the city is expected within a few days following Monday's hearing, at which time the local exhibitor organizations, the I. O. A. C. and others, will decide on the action each will take in relation to the tax. Local operators have been told to appeal an adverse decision to the appellate division.

Mexico Peace Talks Ended by Producers

By JAMES LOCKHART

Mexico Cty., Jan. 16.—Settlers of the strike against major distributors now seem farther away than ever. Conversations intended to bring about an agreement have been called off.

Spokesmen for the Cinematographic Workers Union said distributors called off the parleys without giving a reason, but it was learned the talks were suspended for the time being while they consider fruits of agreements.

Leuen Pizor to Build

PHILADELPHIA, Jan. 16.—Leuen Pizor is demolishing his Rialto at Phoenixville. He plans to erect new, modern house on the site.
Crammed with appeal... a magnet that will draw them new in entertain-
ment... heavy that will crisscross the money... the
brand will fulfill every
money spells
entertainment require-
ment! "This thriller spells invisible day
Universal's newest winner
Daily Variety
"Something new in entertain-
ment!" Hollywood Reporter
Setbacks Hit Government
At St. Louis

(Continued from page 1)

with Harry C. Arthur or Marco Wolff
March 17 to Nov. 21, 1934, was the span of the period. The initial session was claimed to have been held with Sidney R. Kent, president of Fox Film Corp., in New York on March 17. Efforts to impart what Kent was supposed to have said were ruled out by the court on the ground that the Fox official could not have represented any of the defendants in this action.

Number two allegedly held two days later, at High Point, Kohn, their high in the executive roster of Paramount. Whatever he might have said was not permitted to be introduced because the court maintained no authority for Kohn to act as had been established.

Agnew, Dembow Named

Third was Neil F. Agnew, then general sales manager of Paramount and the place and time identical. The court held in this instance that the Government had not maintained a relationship by which Agnew could have bound his company.

Sam Dembow's name was linked in the minute sheet. The court got far enough to describe Dembow as a Paramount theatre executive and said he had appeared to be interested because the code had not represented no proof of Dembow's authority to act in the St. Louis matter.

Hardy here asked for special permission to introduce the text of the purported conversations with these various witnesses. He agreed to let the witness take the stand later. The court denied the application for admissibility, advising Hardy to want the foundation for authority laid first.

The fifth conversation was supposed to have taken place between Joseph Bernhard, general manager of Warner Brothers Circuit Management Corporation, during the Saturday train east bound from Chicago to New York on Nov. 21. The defense moved to keep this out of the record with the contention that the conversation had been discussed the narration of a past event not in the scope of his authority.

Court Holds for Defense

Hardy here entered upon considerable argument to allow Bernhard's alleged remarks in the testimony by trying to establish the latter's authority in the conversation. The introduction of part again was held, after the court had ruled earlier as it did earlier in the week, the contention being an agent could not bind his principle, where a letter foreign to that for which the agent was the authority at the time entered in discussion. The court held for the defense.

Before doing so, however, Judge Molyneaux inquired what Hardy's purpose was in seeking to have the alleged train conversation admitted in evidence. The Government attorney was quick to explain that not only had Partington of his relucdance in acquiring theatres in St. Louis, but that he had been overruled by Harry M. Warner; that Bernhard had further told the witness that he (Bernhard) was a good soldier and obeyed orders. An important ruling was handed down from the bench at this juncture. The court pointed out it was not believed Bernhard was a conspirator and that what he may have said to Partington was not in furtherance of a conspiracy and merely a statement of fact which someone had said to him.

Stresses Two Points

On direct examination, the story Partington told today practically dovetailed with his testimony in the criminal trial. Additions, however, were on two topics. These had applied to the court to instruct Hardy not to cross-examine the witness while the defense had him and was sustained. Alternately probing from his seat, and on his feet the Warner counsel went off with a spirited cross-examination today. His eyes would flash. His fingers would dangle almost under the witness's nose while the case went to the court would be dramatic and eloquent. He would crooch in his chair. His voice would range with anger and perhaps indignation. The witness, however, would remain calm and direct questions were met with an "I don't recollect but it could have happened," reply.

Wood worked with the transcript of Partington's criminal trial testimony before him. Constantly did he remind the witness of what he had said on the stand in the previous case. Just as frequently did Hardy rally to his witness's support. And significant was Judge Molyneaux's comment in overruling the Government that the "independence of Wood's persistence perhaps was to impeach the witness."

The Warner attorney charged that Hardy had coached Partington not to tell his witness's support. And significant was Judge Molyneaux's comment in overruling the Government that the "independence of Wood's persistence perhaps was to impeach the witness."

The final witness called, Field, had the declarations of various persons to Warner officials in 1931. These were the actions which Syros Skouras on Tuesday testified he had tried to ward off by appealing to Keaping. It was because of this "excuses litigation" that he was engaged in an attempt to "blackmail them," and so have refused to do any business with him or associated with him. Partington denied his memory had been "jogged" by Government counsel.

Wood Draws Admission

Wood drew the admission that Kohl had been identified with F. & M. in his correspondence with Allen L. Snyder, the former Warner Ambassador, Missouri and New Grand Central. The Warner attorney had also secured from Partington an admission that Kohl was still associated with the company.

The witness said he "regretted that was Kohl's name mentioned at the March 6 meeting at Warners."
THE MOST EXTRAORDINARY RECORD EVER MADE BY A PICTURE!

At 5 p.m. Wednesday, January 15th, a power plant catastrophe plunged New York City into a darkness and a paralysis of subway traffic that lasted until late at night, as a climax to an all-day downpour of rain. Nevertheless, "King of Burlesque," 20th Century-Fox musical, opening that day at the Center Theatre, set a new high record for the house.

The Light That Failed could not stop "King of Burlesque"!

20TH CENTURY FOX
THE KEystone OF YOUR FUTURE
"CAN'T MISS LANDING IN THE IMPORTANT MONEY LISTS!"

—which reminds us . . . "Don't envy 20th Century-Fox exhibitors. Be one!"

Victor McLaglen
Freddie Bartholomew
PROFESSIONAL SOLDIER

with

GLORIA STUART
CONSTANCE COLLIER
MICHAEL WHALEN
C. HENRY GORDON

DARRYL F. ZANUCK
20th CENTURY PRODUCTION

Presented by Joseph M. Schenck
Associate Producer: Raymond Griffith
Directed by Tay Garnett

Screen play by Gene Fowler and Howard Ellis Smith. Song: "Joan of Arkansas," by John W. Green and Edward Heyman
Based on a story by Damon Runyon
Payroll Gains Stir Optimism Around Canton

(Continued from page 1)

ton's nine theatres are operating, all presenting films with the sole excep-
tion of which modernization is reported in the smaller towns and there are no dark houses for the first time in sev-
eral years. Several theatres have been enlarged, many have added improve-
ments and the most recent in sound equipment, while others have replaced obsolete appointments and seating. At the present time there are several new theatres under construction throughout eastern Ohio with openings scheduled shortly.

In the Akron district where the rubber industry has been humming for the past three months, there has been considerable new construction, manage-
ment changes and extensive improvements. Administration offices in this city are slightly above those charged here, and in the Youngstown area where the only theatre that has been enlarged is the Palace, ad-
ditions are slightly above those here with practically all houses in operation. Steel production has been more active in recent months than at any time since the boom days of 1929, reports indicated.

Free sound film shows, popular in eight eastern Ohio amusement parks, which proved a constant worry to ex-
hibitors, has almost been completely dervanished in patronage in downtown theat-
res, have in each instance been aban-
doned in favor of free vaudeville and circus acts.

In this particular territory Bank Nights and other forms of trade stimu-
lants have been much appreciated, due to con-
centrated efforts of the exhibitors to keep away from such promotions.

Boost Scales in N. O.

New Orleans, Jan. 16—The St.
Charles is now operating under a new scale of prices being charged 25
cents, taking effect at noon of each day. Improved business conditions are given as a reason.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Brides Are Like That"
(Warner)

Hollywood, Jan. 16—This is a light domestic comedy taken from Barry Comoros' stage success, "Appearance." It is played with intelligence and zest and affords pleasing average entertainment.

Ross Alexander, a likable idler, living on the bounty of Joseph Cav-
thorn, a thrifty uncle, wins Anita Louise from her suitor, Richard Furell, against the wishes of her parents, Gene and Kathleen Lock-
hart, for whom he is employed. Alexander is bound by creditors, but succeeds in reconciling the two families and finally comes through with an invention that assures a happy future for all.

As teams, Alexander and Miss Louise, and the Lockharts, use the situations furnished by the plot to establish themselves in the front rank as comedy performers. Joseph Cawthorn turns in another tongue-twisting characterization which is good for many laughs while Purcell as the rejected suitor and Kay Hughes as the momentary rival of Miss Louise furnish good contrasts.

Director William McGann has followed closely the technique of the stage production and has timed his scenes expertly. Ben Markson's adaptation is clever, with fresh dialogue well spotted. Bryan Foy supervised production. The picture is good, wholesome family entertain-
ment and should score well with general audiences.

Production Code Seal No. 1,810. Running time, 69 minutes. "G."

"Miss 'Em Up"
(Radio)

Hollywood, Jan. 16—Unfortunately for this otherwise acceptable production, the musing up process was followed by the script writers with the result that the audience is frequently left wondering what the story is all about. The valiant efforts of a really good cast cannot tri-
umph over the incoherence of the script, which sets out to be a mystery thriller, but succeeds in being only a mystery.

Preston Foster plays the part of Tip O'Neill, rough and tumble smarty detective specializing in the solving of mysterious shootings and kidnap threats. Alan Mowbray does his usual smooth work as a millionaire with a house full of guns and rather silly relatives. Ralph Morgan goes through the film looking suspicious and doing embroidery. Molly Lamont, Margaret Callahan and Florine McKinnon look worried very competently. Big Boy Williams and Maxie Rosenblum, as a couple of dumb chucks, are good for a number of laughs. Noel Madison is ex-
tremely good and the smaller parts are handled nicely by John Carroll, Robert Middlemass, Maxine Jennings, Harold Huber, Clarence Muse, Paul Porcasi, Ward Bond and John Adair.

Erwin Gelsey did the script from the novel by James Edward Grant. Director Charles Vidor strove to hide all clues to the mystery from the audience, and succeeded—even to the very end. Pandro Berman pro-
duced. Best angle for the exhibitor is to capitalize on the rapidly grow-
ing popularity of Preston Foster.

Production Code Seal No. 1,800. Running time, 70 minutes. "G."

Looking 'Em Over

"Grain"
(Akinho)

Produced by Mosfilm, Moscow company, this latest importation from Russia is an adaptation of a novel by Ivan Shuhov, and once again attempts to glorify the Russian worker of the new order. It tells of the victory of a group of peasants organizing their first collective farms, over the unscrupulous efforts of the kulaks, or land owners, to preserve their waning power over the peasant.

The film is plentifully sprinkled with English translations of the Russian dialogue, making for ready understanding of the story, but it is foolish that the picture has any real entertainment value for the aver-
age American audience. It is one of those films which is apt to have an appreciative audience only among those who have a distinct sympathy for the Russia of today.

There is a romance, rather subordinated to the central theme of (Continued on page 9)

Short Subjects

"I Don't Remember"
(Columbia)

Harry Langdon suffers from lapseing memory in this comedy and needs to be hit on his head to remember what it is all about. The usual Langdon comicalities prevail and some amusing situations develop. Langdon as an artist is exasperating to his wife, Gen-
ie (Milton Kruze), when she is at her wit's end. Mary Carr gives out the head-banging se-
cret to the audience that all is well.

Vernon Dent persuades Langdon to part with money intended for a furni-
ture campaign, and takes a cheap ticket. Miss Mitchell leaves Langdon, who goes after Dent to get revenge. After Dent has dodged Langdon's bullets he tells him they have won. A scramble for the ticket follows and Langdon chases it out to the very end, as they get the best fare. Production Code Seal, No. 1,761. Running time, 18 mins. "G."

"Voice of Experience No. 8"
(Columbia)

This latest issue is quite the most tear jerking of the series. In one reel it reveals the plight of a boy whose father worked for his dead mother has him stealing a tombstone for her grave. He is found out and faces ar-
rest, when he is fostered to make good and he is given a week in which to pay. Appealing to the Voice he is helped out and warned not to let his affection for him get the better of his judgment.

A change of policy in his foster par-
ents has him a happy boy again. For the radio admirers. It is lugub-
rious fare. Production Code Seal, No. 1,800. Running time, 105 mins. "G."

"Melody in May"
(Radio)

Ruth Etting, escaping from the an-
other call, finds herself in a beauty contest, loses off to a small town where she is unknown. At a boarding house she becomes the darling of a young man who is teased to distraction by his associ-
ates. On the night of a school dance his girl stands him up and Miss Etting accompanies him. Seeing how he is so unpopular among his friends she makes her identity known and her young friend becomes something of a social lion. It all ends on a hypocritical note. Miss Etting's singing makes amends for the adolescent histori-
nes. Ordinary musical offering. Produc-
tion Code Seal, No. 1,752. Running time, 19 mins. "G."

"Camera Cranks"
(Radio)

Joey Ray, Kitty McHugh and Ed-
ward Keane act out some primitive comedies in this series. The sup-
posed humor is done in a studio where Ray is to take a screen test. One is pleased to find the rhythm of his inc-
tricate translation number 52 and the gag is a very good one. Miss McHugh does a good pull on a storm effects switch and the piece ends with all the characters sit-
ing on a dog with no effects and no one raises a fur-

Looking 'Em Over (Continued on page 9)
“Hostesses” on Dual
$15,000, Montreal

Montreal, Jan. 16.—“Broadway
Hostesses” and “The Rainmakers,” a
duel at Loew’s, with “La Vie Paree
on the stage proved a winning com-
petition last week. The $15,000 take
was $4,500 over the normal mark.
If You Could Only Cook” and “Escape
From Devil’s Island” passed par by $1,500 on a take of $8,500 at the
Princess.

All shows were good because the
French Canadians were completing the
holidays by observation of St. Hubert, or Little Christmas, on Jan. 6.
Total first run business was $48,500.
Average is $41,500.

Estimated takings for the week
Jan. 11:
“THE BRIDE COMES HOME” (Para.)
CAPITOL.—(2.64), 2x3-3x4-4x-5x6, 7
Days. Gross: $4,500. (Average, $636.)

“TOUT POUR L’AMOUR” (French)
“FORCED LANDINGS” (Para.)
IMPERIAL.—(1.94), 2x3-5x-6x, 7
Days. Gross: $4,000. (Average, $563.)

“BROADWAY HOSTESS” (F. N.)
“The Rainmakers” (Radio)
LOEW’S.—(1.13), 2x3-4x-5x6-6x7, 7
days. Stage: “La Vie Paree,” stage unit.
Gross: $15,000. (Average, $2,143.)

“MARY BURNS FUGITIVE” (Para.)
“COPPER” (Universal)
PALACE.—(6.00), 2x3-4x-5x6-6x, 7
days. Gross: $15,000 (Average, $2,143.)

“If You Could Only Cook” (Col.)
“ESCAPE FROM DEVIL’S ISLAND” (Col.)
PRINCESS.—(2.27), 2x3-4x-5x6-6x, 8
days. Gross: $3,500. (Average, $438.)

Fox Cooper Dissolved
Dover, Del., Jan. 16.—The Fox
Cooper Theatre Co., a Delaware
company, has been dissolved. A cer-
ificate of dissolution was issued by
the Secretary of State, Walter
Dent Smith.

Wall Street

Universal Leads With 4 Pts.

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Curb Issues Up Fractionally

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General Theatre Bonds Rise

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Looking ‘Em Over

(Continued from page 8)

workers’ triumph, woven into the story, and complication enters as the
kulaks, through bribery of certain of the poorer peasants, attempt to
tu in the grain crop which the collectivists had planted. Eventually,
of course, the kulaks are revealed in their true light, are routed from the
village, and the peasants revel in their successful harvest.

Review was without production code seal. Running time, 85 min.

G.”

“Ceiling Zero,” tomorrow morning’s opener at the Strand, was previewed
by wire from Hollywood on Dec. 21.

“Exclusive Story,” opening this morning at the Capitol, was previewed
by wire from Hollywood by wire on Jan. 7.

“Strike Me Pink,” which opened at the Radio City Music Hall
morning, was reviewed by wire from Hollywood on Jan. 11.

“Charlie Chan’s Secret,” reviewed by wire from Hollywood on Oct. 15, was
reviewed at the Roxy last night.

“King of Barletta,” now current at the Center, was reviewed by wire from

“Overrules Demurrer
In Lincoln Actions

LINCOLN, Jan. 16—Judge Munger
in Federal court here yesterday over-
decided the demurrers of the defend-
ants, Lincoln Theatre Corp., J. H.
Cooper and R. L. Livingston, in the
$1,797,000 suit of Independent and
State Theatres, Inc. The defense al-
lleged the plaintiffs failed to state facts
sufficient for a cause of action. Other
defendants are several major distri-
butors. The plaintiffs allege they were
refused product.

“In Person” Gets
$3,700 at Lincoln

LINCOLN, Neb., Jan. 16.—“In
Person” was the big money-maker of
the week here with a gross of $3,700,
up by $500, at the Lincoln. It ran eight
days.

“If You Could Only Cook” was
also a strong draw. It went 100 per cent
over par on a take of $2,400 in eight
days at the Varsity.

“With the help of both stage shows
and three pictures, most notable of
the latter being ‘Mary Burns, Fugite-
vive,” which stood four days alone,
the Orpheum gathered in $3,700, $1,600
over the par of $2,100 on a week.
Total first run business was $14,950.
Estimated takings:

Week Ending Jan. 7:

“CHARLIE CHAN’S SECRET” (25th-Fox)
“FRISCO WATERFRONT” (Republic)
“TALL OF TWO CITIES” (M-G-M)

Week Ending Jan. 8:

“BROADWAY HOSTESS” (Para.)
“ESCAPE FROM DEVIL’S ISLAND” (Col.)
PRINCESS.—(2.27), 2x3-4x-5x6-6x, 8
days. Gross: $3,500. (Average, $438.)

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For Your Daily Reference

RICHARDSON’S
BLUEBOOK
of PROJECTION

714 pages that detail and describe every piece of sound and projection apparatus and give all instructions for operation and maintenance.

Included is a complete trouble-shooting department as a first aid against breakdowns and also a quick-finding index system that makes the new Bluebook a ready reference for all projection problems.

Price $5.25 Postpaid

QUIGLEY BOOKSHOP
1790 BROADWAY NEW YORK
“Kentucky” Is Repeat Smash In Washington

WASHINGTON, Jan. 16.—With the New Year pickup the city’s B houses skyrocketed to record and near-record heights, as the box office engagement of “In Old Kentucky” at Loew’s Columbia which shattered the record established by “Naganty Marietta.” The $8,000 gross was $4,400 over average.

At the Metropolitan, Warner B. house, where nearly 1,000 people returned engagement of “In Old Kentucky” at Loew’s Columbia which shattered the record established by “Naganty Marietta.” The $8,000 gross was $4,400 over average.

At the stage-screen field, the Earle, with “Collegiate” on the screen and Street, was holding a $25,000, topping average by $4,400.

The New Gulliver” at the Belasco and the Metropolitan, both Palace, both on their second weeks, took, respectively, $2,500 and $1,100, as against first week averages of $3,000 and $18,000.

At Loew’s the “King of Burlesque,” with Leon Navarra and his orchestra, had been doing the stage show, hit a par of $2,900.

Snow and rain during the first part of the week did not prevent any dent in the week’s totals.

Total first run business was $9,000. Average was $7,250.

Estimated takings, exclusive of tax:

Week Ending Jan. 7:

THE NEW GULLIVER” (Ambico) BROADWAY—1,140, 25c-65c, 6 days, $3,550, Gross: $3,500, Average first week, $583.

IN OLD KENTUCKY” (20th-Fox) LOEWS’S COLUMBIA—1,284, 25c-40c, 7 days, Gross: $6,160, Average: $880, first week, $1,960.

THE LITTLEST REBEL” (20th-Fox) MANN GROSSE POINT—1,250, 25c-40c, 2 days, Gross: $675, Average: $337.50.

THEY SHOW ME NO MERCY” (20th-Fox) MANN MUNICIPAL—1,500, 25c-50c, 4 days (including New Year’s Eve midnight show at 4:30), Gross: $900, Average: $225.

Week Ending Jan. 9:

EARLE—2,514, 25c-75c, 7 days, Stage: Stepin Fetchit, Alice Dawn, Line Trio, Virgin Ballet, with Andrew, Wolber, Gross: $2,200, Average: $314.28.

“THE KING OF BURLESQUE” (20th-Fox) LOEWS’S PORTLAND—1,000, 25c-66c, 6 days, Stage: Leon Navarra & His St. Moritz Orchestra, Frank Coenlig, & Sonny Dale, Lynn Burns Revue, with Violet West, Florole, Hodges, Dorothy Arden, Toby Wren (Al Schmer, Manager). Gross: $3,830, Average: $638.

Ten Days Ending Jan. 9:

“I DREAM TOO MUCH” (Radio) KRO-KETH’S—1,056, 25c-55c, 9 days, Gross: $1,099 ($180 on front door, including 4 New Year’s screenings at 9:30, $67.50 on third week). Average: $190.60.

To Pick New Director

Irving Caesar, Donald Flamm, Allan Corelli and Dave Ferguson have been named as a committee of the Cheese Club to select a successor to the late S. L. (Roxy) Rothafel as director of the program for the testimonial dinner to Harry Hershfield at the Astor Jan. 26.

“Opera” at $2,000 Best in Charlotte

CHARLOTTE, Jan. 16.—Continued bad weather had little effect on the Charlotte production of “The Great Gatsby,” starring John Garfield for the first time in the role of Jay Gatsby. The play was presented at the Carolina, the city’s leading repertory house in its first week. The show was a success, with an attendance of 1,800 people, and is expected to run for a second week.

Temple Is $13,000 Smash in Houston

HOUSTON, Jan. 16.—Shirley Temple led the field here in one of the biggest box office weeks in the city’s history in several months. “The Littlest Rebel” grossed $12,000 at the Majestic, where it played on a $500 gross.

Playing seven days, “Riffraff” at Loew’s State reached $10,000. “Colleague” had same take at the Metro-Politan. Both theatres count $7,000 a par week, but “Colleague” ran nine days in order to bring the Metropol-itan back to pre-holiday opening dates.

Bank night, introduced at the Kirby Tuesday night, ran the take at that theatre for four regional totals, which is about $900 more than the usual Tuesday take. The picture was “Broadway Hostess.”

The first run business was $37,000. Average was $2,600.

Estimated takings for the week ending Jan. 7:

“CORONADO” (Para) KIRBY—1,450, 25c-55c, 3 days Gross: $1,800, Average: $600.

“BROADWAY HOSTESS” (F. N.) MANN PENSACOLA—1,000, 25c-55c, 3 days Gross: $1,100, Average: $366.67.

“RUTHERFORD” (Radio) COLUMBIA—3,000, 25c-50c, 7 days Gross: $12,000, Average: $1,600.

“RIFFRAFF” (M-G-M) LOEWS’S BROADWAY—1,250, 25c-66c, 7 days Gross: $10,000, Average: $1,428.57.

“THE LITTLEST REBEL” (20th-Fox) PENNSYLVANIA—1,750, 25c-66c, 9 days, 2nd week Gross: $4,150, Average: $461.67.

“COLLEGIATE” (Para) METROPOLITAN—1,250, 25c-50c, 9 days Gross: $1,900, Average: $211.11.

Census of Business Data Ready July 1

PHILADELPHIA, Jan. 16.—Field work on the 1929 census of business, which will include amusements, and which began Jan. 2, will be completed in about three months. Preliminary reports will be released beginning about July 1. Headquarters for the project are located here, with Prof. A. Frankel as chief statistician in charge.

Manager Transferred

PATTERSON, N. J., Jan. 16—Irving Levinson, former manager of the Warner Renats here, is now manager of the Troy House, at Troy, N. Y. He has been associated with the company in two months, to take over the management of the new theater under construction there.

“Dangerous” Show $31,500 In Pittsburgh

PITTSBURGH, Jan. 16.—The New Year opening of the “Dangerous” all over town last week. For the Stanley, it meant a new recent high, with the Major Businesslans, the third time one of these units has played this house, and “Dangerous” running up the receiv-able take of $31,500.

“Captain Blood” also did exceptionally well at the Penn, generating around $18,000, while “Peter Ibbetson” and “Miss Pacific Fleet” boosted the Warner to $6,750. At the Fulton, “The Littlest Rebel” remained two days beyond the regulation second week and did very nicely at $4,350, while the Alvin, on six days only with “King of Burlesque,” managed to attract a fair $5,400. The Davis, remained in the doldrums, and a weak $3,500 in nine days for “Sanders of the River” and $1,000 A Minute, meant the closing of this house after a two-month try with double features. Weather conditions were anything but good, but a big snowstorm hitting town Monday to be followed by two days more of rain.

Total first run grosses were $6,900. Average is $4,000.

Estimated takings for the week ending Jan. 7:

“KING OF BURLESQUE” (20th-Fox) GROSS: $4,000 (Average, for 7 days, $571.43).

“SANDS OF THE RIVER” (20th-Fox) PENNSYLVANIA—1,750, 25c-66c, 9 days, 2nd week Gross: $4,150, Average: $461.67.

“CAPTAIN BLOOD” (W. B.) PENNSYLVANIA—1,450, 25c-55c, 7 days Gross: $3,300, Average: $471.43.

“DANGEROUS” (W. B.) STANLEY—1,500, 25c-55c, 7 days Stage: Mayor Bowes amateurs. Gross: $6,750, Average: $964.29.

“PETER IBBETSON” (Para) WARNER—1,500, 25c-55c, 7 days Gross: $18,000, Average: $2,571.43.

Columbia Sales Meet In Chicago Tomorrow

CHICAGO, Jan. 16.—Columbia will hold its third regional sales meeting of the season Saturday and Sunday of this week at the Congress Hotel here. Two previous sessions were held at Des Moines and Dallas. Abe Montague, general sales manager, who will preside, leaves the home office tomorrow with Rede Jacober and Joseph A. McConville. Policies on current films and product in work will be discussed.

Present, in addition to the home office executives, will be Max Roth, Art A. Galanty and Carl H. Shalt, Midwest division manager, Washington and Detroit branch heads, respectively. Each person represented will be Pittsburgh, Cincinnati, Cleveland and Indianapolis. Montague will go from here to San Francisco, where the coast regional session will be held Jan. 25-26.
A Frank Statement by
Dr. Alfred N. Goldsmith
PAST PRESIDENT OF S.M.P.E.
on
F. H. RICHARDSON’S
New
BLUEBOOK of
PROJECTION

In every field, there are a few books which must be regarded as “classics” and important guides by the workers in that field. Richardson’s “Bluebook of Projection” compresses between its covers substantially all the information and guides which motion picture projectionists need. The projectionist who makes himself thoroughly familiar with the contents of this book and constantly applies his knowledge in the projection room can hardly fail to do a good job and to command the respect of his fellow workers and employer. In their own interests, projectionists should not hesitate to avail themselves of such a mine of information.

The convenience of using Richardson’s “Bluebook of Projection” is greatly increased by a novel and helpful indexing system which the author has developed. Preceding each chapter are a series of numbered questions which adequately cover the subject matter of that chapter. In the chapter itself, the answers to the questions are preceded by the corresponding number. Accordingly, the projectionist can readily check up his knowledge of the subject material of each chapter before and after reading it; and can return to these questions at any time to make sure that his knowledge of the subject is still complete. This indexing system is a fine method of “perpetual self-examination.”
In its first issue of 1936, MARCH OF TIME turns its cameras on the program of the Tennessee Valley Authority (TVA), affecting 9 states, an area as large as England. As the government pushes its power lines out through the Tennessee watershed to hundreds of southern towns and hamlets, millions of people will get their first taste of TVA cheap electricity and like it. By this great experiment in regional planning, TVA proposes a national yardstick for measuring what all U. S. electricity should cost.

But TVA is in head-on collision with other millions of people who are employed by, or have their money invested in, the third largest U. S. industry. So to the nation’s Supreme Court turn the power companies to defend their property and to challenge the government’s right to go into business.

With the headlines scarcely dry on the NRA and AAA decisions, now TVA goes on trial. On this collision between public and private power is focused the attention of all U. S. industry.
Asked Help From Zukor, Wolff States

F. & M. Executive Sought First Run Product

By RED KANN

Sr. Louis, Jan. 17.—Marco Wolff, the "M" of F. & M., and executive vice-president of that company, today revealed for the first time that he has appealed to Adolph Zukor for two different occasions for his assistance in obtaining Paramount first runs after the Paramount had been committed to Warners.

The intervention allegedly sought supplemented efforts directed at both George J. Schaefer and Neil F. Agnew and took place at the Ambassador Hotel, Los Angeles, on June 6, 1934, during a Paramount convention. Two months later another conference was declared to have been held at the Paramount studio with Schaefer present at both.

This was a highlight of Wolff's testimony. It was the first time in his life that he had ever taken the witness stand.

(Continued on page 3)

M-G-M Loses Appeal On "Lynton" Ruling

The U. S. Circuit Court of Appeals yesterday sustained a district court decision and held that M-G-M's "Letty Lynton" was an infringement of the play "Dishonored Lady," by Edward Sheer, published by Herbert Ayer Barnes.

The court directed that a decree for damages and an accounting be entered, and awarded the two plaintiffs' attorneys' fees in both the circuit and district courts.

When the action was filed by the authors of "Dishonored Lady," in 1932 an injunction was asked against "Letty Lynton" and the circuit court in its decision granted this petition, although it will have little, if any, effect on distribution of the picture at this late date.

In its decision the court held that "much of the picture owes nothing to the play; some of it is plainly drawn.

(Continued on page 2)

More Music Units Sue on Broadcasts

Four suits asking a total of $20,000 damages were filed in U. S. District Court here yesterday by the Warner owned music publishing firms, charging NBC, CBS and others with copyright violation through publicly performing Warner music without a license.

Harms, Inc., brought suit against Columbia alleging an unauthorized use of the song "I Get a Kick Out of You" after Dec. 31, when the Warner music catalogues were withdrawn from Ascap, Remick Music Corp., filed suit against NBC for the singing of "Put on Your Old Gray Bonnet," M. W. Wasmund & Sons filed suit against Knepperbothe Broadcasting Co., and the Marcus Loew Booking Agency, Schenley Products Co. and William H. Rankin Co.

"Rancho" and Show Give Para. $40,000

Stage attractions at the Paramount coupled with "Rose of the Rancho" gave the big Broadway house nearly $40,000 for the first 10 days of this bill. The picture opened for its regular run Wed., Jan. 8.

"Captain Blood" was strong in its third week at the Strand at $20,500, while "The Ghost Goes West," drawing $39,000 for the Rivoli, and "The

(Continued on page 2)

QUOTAS

Some Laugh! Boston, Jan. 17.—Herbert L. Ohrenberger now has two claims to fame. His laugh—a boisterous guffaw that has audiences going—first attracted attention during the showing of Columbia's "Three Stooges" recently at the South Boston.

The management gave him a pass.

Now Columbia is going to give him a screen test to see what it does to the sound track. He may develop into something like that Lexington shot in 1775 that was heard around the world.

Reel Change Is Set Back To August 1

Shift Follows a Report From Committee

The date for the official adoption by the industry of the new 2,000-foot reel was set back from April 1, next, to Aug. 1, by agreement of the reel committee at a meeting yesterday at M.P.P.D.A. headquarters.

The postponement resulted from reports submitted jointly by the committee and the manufacturers of the new equipment. The reports set forth that it was not possible for the manufacturers to comply with the demands for simultaneous delivery to all studios and exchanges by April 1. The latest date on which they said was agreed upon was in January of the special designs, steel dies and the large amount of equipment required through the adoption of the larger reel.

All major distributors were represented at yesterday's meeting.

Expect High Court

Dual Case Appeal

Philadelphia, Jan. 17.—With the film center here alive with rumors following the decision of the U. S. Circuit Court of Appeals calling the dual feature clause in contracts a violation of the Sherman Antitrust Law, it is expected the major companies will carry an appeal to the U. S. Supreme Court.

Independent exchange men here are jubilant, expecting many independent exhibitors to begin double featuring as soon as possible, although most of the product contracted for is on a single feature basis. Premium dealers and giveaway operators are predicted a big increase of dualing cutting into their business. Warners are seen as strong competitors if they shift from their former opposition to duals.

Reserves Decision On Mrs. Fox Motion

Federal Judge William Bondy yesterday reserved decision on motion by Mrs. William Fox to set aside two subpoenas served on her last Sunday by the Capital Co. in connection with its action to satisfy a $200,000 judgment against her.

Mr. Fox's attorneys contended that a subpoena service on Sunday was not valid.

William Fox, who is said to be

(Continued on page 2)
Ted Lloyd, at present producing for Loew's, today announced details for handling a picture with studio. In 1934 he wrote "Pulitzer Prize Winner." His new one is to be called "Me and Casanova."

Lloyd C. and Mrs. Douglas sail today on the Santa Elena to Los Angeles. Douglas is the author of "Magnificent Obsession."

Jack Donohue, the dance director, and Thomas J. Gunn, an attorney, leave these shores today on the Liberty for Europe.

Madeleine Carroll is on her way to France on the Majestic and will arrive Tuesday.

Mary Astor has left for the coast after a stay of several weeks at the Lombardy.

Kay Francis is due in town this morning for a short visit.

Lina Basquette is here getting ready for a stage engagement.

**Centaur Films, New Unit, Gets Started**

Hollywood—June 17—Centaur Picture Corp., new production and distribution unit incorporated about the first of the year, has begun operations, with the intention of having the first release from it by the fall of the year. Its backers claim for it a new idea to enable the public to "assist in the exploitation and selling of the picture," but details are being withheld at present.

Lawrence W. Fox, Jr., head of Seneca Capital, which is financing the "Hop-a-Long Cassidy" series starring William Boyd, is back of the company. Harry O. Hoyt is layman policy for a general sales manager and is now touring first run centers, and Billy Leyser is in charge of advertising, exploitation and publicity.

M-G-M Loses Appeal on "Lynton" Ruling

(Continued from page 1)

from the novel, but that is entirely immaterial. It is enough that substantial parts were lifted. No plagiarism, however, is shown by such work as he did not plagiarize. We cannot avoid the conclusion that if the plaintiff can show infringement of the play, there can be none short of taking the dialogue. "The decree will be reversed and an injunction will issue to prevent the picture together with a decree for damages and an accounting. The plaintiffs are to show their rights in this court and in the court below."

Arthur F. Driscoll of O'Brien, Driscoll and Raftery was attorney for the author plaintiffs and Nathan Burkan for M-G-M.

**Reserve Decision on Mrs. Fox Motion**

(Continued from page 1)

receiving medical attention at a Toronto hospital, has an appeal before the judge in the case of "Appeals on an order citing him for contempt of court for failure to answer questions during a Senate investigation." The court,然, telling him how to do it. The usual publicity releases, mats and accessories are included. One card is devoted to The Photo Reporter, a sheet which circulates in schools.

To make sure exhibitors will do something more than file the material, a contest for best exploitation is included, with radios as prizes. The judges will be Bruce Barton, Jules Levy and S. Barrett McCormick.

**Skowras in Los Angeles**

Los Angeles, Jan. 17—Sporo Skowras will spend a few days here disposing of business problems before he sails for San Francisco for the start of his Honolulu trip.

Columbia Pays Dividend

Columbia Pictures declared an initial dividend of 6 1/3 cents a share on its $2,750,000 convertible preferred stock, payable Feb. 15 to holders of record Feb. 3.

**Quo Charlas Being Studied by FBI Group**

(Continued from page 1) annually on one or more, supers for world distribution, rather than on a number of frequently unavailable "quickies."

Because Nora Swinburne announced as Joanne in "The Beloved Vagabond," has been changed to the theatre part, Betty Stockfield, already cast for the part in the French version, will also play it in English. Chevalier vehicle is to have exteriors in the South of France.

Direction of London Films' "Hamlet," with Robert Donat, will be shared by William Cameron Menzies and Miles Malleson, Shakespearean actor and producer.

Charles Laughton's next for London Films will be "Cyrano de Bergerac" (in progress), "I, Claudius," and "Randorfs," the Paul Emvel novel.

Television Reel Worries British Lords, Jan. 7— Provision in the standard contract for prohibition of the television of films until after the last theatre run, regarded in many quarters here, as likely to stimulate the production of an official news film by the B.B.C., America's only, by the British Broadcasting Corp.

Captain West of Baird Television Ltd. supports this possibility in an article in Cinema, in which, however, he emphasizes that the final decision as to film broadcasts must rest with the owners of the films, and that with E.M.I. (Marconi-H.M.V.) will monopolize transmission for the B.B.C. and independent service, is closely associated with Bancroft British.

Press stories of the development of a film production department at the B.B.C., with interest as well as news, has been credited, the Wardour St. angle being that an association with the trade will be arrived at, newspapers offering the only point of difference.

**"Rancho" and Show Give Para, $40,000**

(Continued from page 1)

Irresponsible Ray" and a stage show bringing the Roxy $29,000, both were bright spots. "Ah, Wilderness," was $14,000 for its third week at the Center.

The Music Hall and Capitol trailers are set on a Sunday evening to play The week, "Sylvia Scarlett" finished at Music Hall with $58,000, and "Riff Raff" for St. George, which Palace collected $7,200 with its second double feature, "Show Them No Mercy" and "Your Uncle Dudley."

**Radin Joins Republic**

Paul Radin joined the republic public department yesterday. He has been assistant advertising manager for his past has been connected with several advertising agencies.
MOTION PICTURE DAILY

On the Lighter Side

By BILL ORNSTEIN

St. Louis, Jan. 17.—Sam Dembow is fed up on The Merry-Go-Round cocktail room at the Park Plaza and has a new rendezvous.

SPYROS SKOUAS left early Wednesday morning, Honolulu-bound. Crash of plane in the South China Sea, he absolutely refused to board the new flight. He flew.

ELMERS AND RHODES are tendering their congratulations to Mrs. Spyros Skouas, now in Los Angeles, as they will join the party at the embalmation plant, Los Angeles.

HAROLD J. FITZGERALD, operating head of Fox theatres in Wisconsin, was asked to make a one-line day visit here to confer with Skouas. He squeezed in a short visit to the courtroom.

Large pitchers of water decorate the one of the reasons for leasing Mount and RKO counsel, but are noticeably absent from the Government bailiwick.

When Walter Rise, Government lawyer, asked Jacob Chassoff, Government witness, what stood out in his mind—referring to one of the meet-}

ings of the bondholders’ group, he started by saying:

“It struck me . . .

and it always surprised me in what struck him,” snapped Frederick H. Wood.

The court had no call for order in what was the first judicial admonition to various counsel when Joseph H. Brandt, the witness, the court.

He and ex-Senator James Reed were at loggerheads almost all the way. Reed was seeking direct answers, peremptorily, when Grand, perhaps because he is a lawyer himself, insisted upon “explain-

ing.”

It took a lot of words and a lot of time.

And the gang here has been trying to figure out the economics of the $4.50 daily allowed each witness by the Government. Emile Alperson doped it for Sam Dembow. “He’s out before he tumbles out of bed each morning.”

Arthur V. Lashey, brother of Jacob, local RKO counsel, pinch hit, while the latter appeared in the Jefferson City court on Wednesday.

MOTION PICTURE DAILY today again played host at the St. Louis Times Building, and published an article with a Los Angeles date line telling of a transcontinental telephone conversation between Wolff and Harry C. Arthur, and dealt with the proceedings of the St. Louis grand jury which resulted in the criminal indictments against Warner, Paramount, RKO, Harry M. Warner, Abel Cary Thomas, Gradwell L. Sears, Herman J. Boyd, George J. Schaefer and Ned E. Devenen.

Reed’s question to the witness was, “After talking with Arthur did you go to him stating that, ‘everything is turning out in your favor’? The witness denied the same. ‘The story is being taken up with the newspaper’?” asked Reed. “No,” replied the witness. “Did you telephone them?” further queried Reed. “I don’t even know if they have an office in Los Angeles,” rejoined Wolff.

After establishing the approximate date on which F. & M. leased the St. Louis, Reed hammered hard and long for information concerning policy and prices. He sought to prove that it was F. & M., which, by putting on duals and stages, and 40 cents as against the 40 and 55-cent scale prevailing generally in St. Louis first runs, was in an attempt to recoup the price war which later embroiled the Fox, which also passed to F. & M.

But while the theatre under joint management, it was established that the original price had been charged and the “war” then terminated.

Under questioning, Wolff conceded that St. Louis theatre were paid each week under each company’s regime and finally had to go dark. By introducing the Government Reed demonstrated, and persuaded Wolff to admit, that the St. Louis and the Fox had been able to contract for RKO, Fox and Columbia, thereby giving it three major brands of product. But Wolff contended this was enough to keep temperatures down. “Yet you double-billed them, did you not?” pressed Reed. “Not always,” replied the witness. “When we lost one it kept me thinking. ‘Yet you double-billed them, did you not?’” pressed Reed. “Not always,” replied the witness. “When we lost one it kept me thinking.”

Wolff: Defective.

Picking up threads earlier in the Warner defense technique, which is constantly being laid down. Formerly, while his counsel for the St. Louis, Harry Koplar, admitted “arch enemy” of the Warner organization, Reed explained that Koplar was identified with the operation of the first five runs currently made by Harry F. M. Warner, who had admitted the company. St. Louis provided Koplar was to go along, but was it not familiar with any other management company, but the other four except as an employee in a managerial capacity. While he did mention that Koplar was still in charge, it was implied definitely that Koplar was to be put in the picture through $25,000 put up as part of the $105,000 guarantee on the Ambassadors, Missouri and New Grand Central by Dr. Jacob Probstein, who is Koplar’s brother-in-law. Harry F. M. Warner was a frequent 5:30 witness. He persistently warned off direct answers to Reed’s often sarcastic interrogations, and on the ground that he had little to do with negotiations involved in the leasing of any of the five first runs under F. & M. management. He was also an officer of any of the various local F. & M. corporate entities and maintained his general knowledge by keeping all local theatres running. Frequently he advised Reed that the man to answer the barrage of questions fired was Arthur. He added he had only made two trips to St. Louis, one of them a forced landing while en route from New York to Los Angeles.

Partington Queried

Wolff bid him in great detail about Chicago and New York meetings held while in the maintenance of the Snyder bid in which F. & M. had become associated. Here, too, Wolf’s knowledge was apparently limited.

Partington would have emphatically added the stand this morning had to do with a cross-examination by Phillips, who sought to show that Arthur was a witness and Arthur presumably spoke to Schaefer during the week of March 10.Partington asked Arthur to repeat Schaefer’s statement. Schaefer’s contention that Schaefer had been vacating in Florida while both Partington and Arthur claimed they had conferred with him in New York about the situation in St. Louis. Partington declared he had made a special

(Continued on page 4)
MOTION PICTURE DAILY
Saturday, January 18, 1936

Asked Help From Zukor, Wolff States

(Continued from page 3)
trip to New York from here to check the Morox Picture Daily files in at least definitely fix the date on which Schaefer had returned to that city from Miami.

Multiple showed annoyance as the session terminated when there developed a need for subpoenaed records. It also states that they were not in the courtroom. "If they are not produced, there will be something happening around here," the judge stated. There was a brief flurry which brought no results.

It's a clutch when that the hearing resumes and during the required papers will be on hand.

By agreement with the court, Warners will produce the books of the Orpheum and a breakdown of that theatre's operation. This probably explains the presence here of Stuart McDowell, an assistant secretary of the Warner company. If the records are admissible, the court held they may be turned over to the Government for its own accountant to verify. Warner counsel stated it would put its own witness on the stand may do only one film during this connection.

Ned E. Depinet is slated to leave for New York on Saturday and Harry M. Warner is now expected Sunday.

Delay Carolina Session

PINEhurst, N. C., Jan. 17.—It has been necessary to postpone the convenion of the North Carolina East Carolina theatre owners indefinitely, according to Charles Picquet.

Wall Street

Fractional Gains, Losses on Board

Net

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Little Carb Activity

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Keith Bonds Off 3/4 Points

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Quotations at close of Jan. 17.

Directors Go Into a Guild; Quit Academy

(Continued from page 1)
King Vidor, president; Lewis Milestone, first vice-president; Frank Tuttle, second vice-president; John Ford, treasurer; and Frank Howard, secretary and John Ford, treasurer. The board of directors included Ed Grafton, Clarence Brown, John Cromwell, Howard Hawks, Wesley Ruggles, Rouben Mamoulian, сотрудник Univer- sity LaCava, Edward Sutherland and Bruce Humberstone, in addition to the officers.

Among the aims of the guild, its sponsors say, is protection of directors from producers who have been minimized and it claims to be the first of its kind in the country. With the formation of the guild, they say they fear producer tactics will affect wages, if not the guild, and that the guild membership does not in any way limit the activities of other guilds, but recognizes that other guilds also are forming.

All directors attending the meeting drafted resignations from the Academy which were submitted today. Although Academy heads seemed unperturbed over the new setup this morning, it was intimated that a board of directors meetings will be called within the next two days for discussion of the directors' moves. It was understood that the Academy will continue with the achievement awards.

A decision regarding possible affiliation with the A. F. of L. has not yet been decided by the directors, a spokesman said.

Telegrams were dispatched to approximately 250 directors this morning inviting them to join.

Corporate papers were filed in Sacramento under the title of Screen Directors, Inc.

Academy Asks Short Makers for Choices

Hollywood, Jan. 17.—Short subject producers league has asked the Academy to submit immediately to that organization a list of titles of product they intend entering in the short subject division for the eight annual awards.

Each producer may enter not more than two subjects in each of the categories: cartoon, comedy and novelty. A brief description of the film and the date of its Los Angeles or general release must accompany the titles.

A committee comprised of E. H. Allen, Lee Marcus and Leon Schlesinger will decide questions pertaining to proper classification.

 coleges must be available for screening before the nominations committee by Jan. 22.

Grombacher a Manager

PORTLAND, Jan. 17.—Ray Grom- bacher, veteran exhibitor, who formerly controlled all the downtown movie houses here, has been named Ham- rich-Evengreen as manager of the Lib- bery here.

Julius Klein to Radio

Hollywood, Jan. 17.—Julius Klein, the former New York theater owner, was appointed as manager of the new film contract by Radio. Klein will go to Hollywood to work on and suggest stories with topics taken from newspapers.

"Timothy's Quest"

(Paramount)

Hollywood, Jan. 17.—What this production lacks in the way of big names is more than compensated for in a wealth of heart-warming entertainment. It has that sympathy and stimulation which really gets the heart going. The result of the preview audience here indicated that the show will receive public support parrying or topping many more heavily ballyhooed productions.

Adapted from the novel of Kate Douglas Wiggins, the story portrays childhood heartbreak, tragedy and triumph skillfully and sympathetically. Settlers play a crucial part in the romance between Frances Magee and Ellen Pratt. It is a fine blend of drama, comedy and contrasting love interest. Charles Barton's skillful direction capitalizes on these values and accentuates the competent work of the featured players at a high degree.

Life is bitter for Dickie Moore and Sally Martin, orphans, under the ruthless guardianship of J. M. Tyrone and Iris O'Connell. Shelted in the home of wealthy but big Elizabeth Patterson, the little pair contribute performances that would do credit to more mature artists. Their childlike simplicity and fortitude in the face of many discouraging events captivates the heart of Miss Patterson. It aids in climaxing the heart-breaking incidents and the romantic love interest. The little pair get the brattish Virginia Weidler.

The rural locale plus an abundance of clean, wholesome drama and romance embalmed by natural human comedy give the show an unusual appeal for small town and family audiences.

Production Code Seal No. 1,897. Running time, 70 minutes. "G."

Looking 'Em Over

"King of the Damned"

(Gannett British)

London, Jan. 7.—This Helen Vinson, Noah Beery, Conrad Veidt vehicle is surely a remarkable proof of the extent to which G.B. has assimilated American formulas and techniques. The sets, the mob scenes and the vigorous action, not to say the Devil's Island plot, might all have come from, and done credit to, a major coast studio.

Original angles in a convict nutrity story, somewhat familiar in its main outlines, are that the leader of the revolt is saint rather than tough and that he has actually given his freedom but sacrifices it to save his fellow victims from oppression; there is the further development of the convicts, in the settlement, govern it more wisely than their gaolers did and surrender in the end on a promise that they will receive justice.

There is lighting aplenty and it is hair-raising stuff in the scenes of the convicts' capture of the barricade and of the shelving of the scene. The screen play by Virginia Van Upp, Dorothy Arzner, too, is carried Pratt. It is a fine blend of drama, comedy and contrasting love interest. Charles Barton's skillful direction capitalizes on these values and accentuates the competent work of the featured players at a high degree.

Life is bitter for Dickie Moore and Sally Martin, orphans, under the ruthless guardianship of J. M. Tyrone and Iris O'Connell. Shelted in the home of wealthy but big Elizabeth Patterson, the little pair contribute performances that would do credit to more mature artists. Their childlike simplicity and fortitude in the face of many discouraging events captivates the heart of Miss Patterson. It aids in climaxing the heart-breaking incidents and the romantic love interest. The little pair get the brattish Virginia Weidler.

The rural locale plus an abundance of clean, wholesome drama and romance embalmed by natural human comedy give the show an unusual appeal for small town and family audiences.

Production Code Seal No. 1,897. Running time, 70 minutes. "G."

Ask Civil Service Change

TAMPA, Jan. 17.—Under the provisions of a bill introduced in the Senate by Norman A. O'Brien, Democrat of Rochester and referred to the Civil Service Committee, the Civil Service Law is amended to pro- hibit a public officer or employee from performing service as a professionalist or stage hand in connection with performances given by a public officer or employee for or on behalf of any state institution unless civil service employees are by occupation or vocation operators of stage hands.

Take Up West Option

Hollywood, Jan. 17.—Paramount today exercised its option on Mac West for an additional year, setting reports she would leave the company. The star has one option left during the year, which will be produced by William Le Baron.

Lou Holleb Recovers

Columbus, Jan. 17.—Lou Holleb, owner of the New, has been discharged from Grant Hospital following a severe attack of pneumonia.
Money Export Ban Restricts German Trade

End of Production Also Complicates Licenses

By J. K. RUTENBERG

BERLIN, Jan. 9.—Germany has, like many other countries in Central Europe and elsewhere, prohibited the export of foreign currency. This situation creates a peculiar problem so far as the exploitation of foreign-made pictures is concerned.

In former years some of the American branches in this country have distributed German-made films or have produced such films with the money that has piled up. A year has passed since these companies stopped their German production and restricted their business to distribution.

By their withdrawal from production in this industry the American (Continued on page 2)

Oklomans Attack Cooper Foundation

OKLAHOMA CITY, Jan. 19.—J. H. Cooper’s plan of devoting his entire income from the theaters he operates to the establishment of a foundation for destitute children was denounced by members of the Oklahoma City M. P. Council as a deliberate “attempt to hoodwink public sympathy to cover the corruption of youth through bad pictures.”

“The thing is so obvious that it is almost amusing,” said Mrs. C. R. Loocks, secretary of the council. (Continued on page 2)

Invite Them Collect

Kansas City, Jan. 19.—One way to get a crowd out to a Variety Club party was to send collect telegrams to all the members and some of their friends. It has been discovered. Some show up to tell the sender what they think of him and others arrive expecting a good time.

About 65 messages went out last week signed “The House Committee,” George Naker, chief Barker, and Dick Bie- chele, chairman of the house committee, listened to what the boys had to say when they arrived. It was a big turnout.

Last Argument On Sales Tax Set for Today

Court Appeal to Follow An Adverse Ruling

Local distributors will present final arguments today in answer to the city’s moves to apply the two per cent sales tax to the entire film rentals of New York exchanges, regardless of the location of the theatres from which they are derived.

The exchanges are prepared to make stipulations covering testimony already given at an earlier hearing in opposition to the application of the sales tax to any film rentals. The new testimony to be presented today will be brief and directed specifically at the legality of the city’s move to levy against film rentals derived from theatres outside the city limits.

A decision on the right of the city to levy the tax on film rentals is expected. (Continued on page 6)

Distributors Deny Charges by Momand

OKLAHOMA CITY, Jan. 19.—Eight distributors, charged with conspiracy in a civil suit brought by Mrs. Loretta Momand, owner of a Shawnee, Okla., theatre, in court here denied any concerted action to eliminate the Odeon from competition in Shawnee.

Mrs. Momand is asking a Federal court injunction prohibiting the companies from discriminating against her in the release of products.

Attorneys for the companies admitted that they had cancelled a contract with Mrs. Momand, but it was stated this was because the manager, A. B. Momand, had willfully and brazenly violated terms of the contract. Date for final hearing on the injunction plea has not been set.

WARNER NET IS

U. S. May Finish in St. Louis This Week

BY RED KANN

ST. LOUIS, Jan. 19.—Weekend indications pointed toward completion of the Government’s case against Warners, Paramount, and RKO on a conspiracy charge by the middle or the end of the week. The defense immediately will move for dismissal. Arguments on this point probably will run a day.

In the first two weeks of the trial, the Government put 19 witnesses on the stand. Its plan now is to call all of the witnesses for whom subpoenas were issued and already some of those who have been placed here for 14 days and more have been released. Sam Denbrow and E. L. Alperson were among those officially excused and left for New York by train Saturday night.

The witness roster so far has included Thomas N. Dysart, Maurice Schneider, Ben Reingold, Sam Walsh, Clayton Lynch, Joseph Garri- son, William Feldstein, Clarence Hill, (Continued on page 6)

Two Bay State Bills Aimed at Bank Night

Boston, Jan. 19.—Two bills aimed at regulation and abolition of cash giveaways by theatres have been introduced in the state legislature. One, proposed by Frank Lydon, local exhibitor, seeks an amendment to the present general laws which would declare bank nights not to be lotteries unless the participants were required to pay money or assume a risk of loss.

The second seeks to have bank nights specifically declared illegal in the state.

Mexico Extends Its Concession on Duty

By BRUCE LOCKHART

MEXICO CITY, Jan. 19.—The Ministry of Finance has continued for from 60 to 90 days the term of the special franchise granted exhibitors in December to import films, discs, etc., at a flat duty of $9.72 per kilogram, instead of the nominal $19.85 per kilogram. The exhibitors requested the extension as necessary to keep their houses open, following the virtual breakdown of negotiations to end the strike of employees against eight major American distributors.

Hays for Split of Will Rogers Funds

OKLAHOMA CITY, Jan. 19.—Division of funds raised in the Will Rogers memorial drive by California and Oklahoma has been approved by Will H. Hays, general chairman of the finance committee.

By telephone, Governor Marland told Hays that he thought California should retain the funds raised there for a memorial in that state and Oklahoma should do the same for endowed

(Continued on page 6)

THOSE PASSES!

Mexico City, Jan. 19.—A warning to grateful exhibitors who issue passes for favors.

A lawyer in Leon, Guanajuato state, has sued an exhibitor for $2,500 because the exhibitor cancelled a pass granted the attorney and his family for a favor rendered many years ago. The lawyer said the cancellation hurt his dignity, but the exhibitor contends the pass was not issued for life.
Monday, January 20, 1936

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Vol. 29

January 20, 1936

No. 50

Joh F. Ottekonen is scheduled to depart from the Pan American Studio Wednesday to attend the regular meeting of the Paramount board the following day.

Emmet Thurmon, secretary of the Rocky Mountain Theater Owners’ Association, is to leave from Denver on a brief business trip.

Margaret Calhoun has returned here for a vacation. She plans to see as many plays as time will permit.

William Fitekson is due back from the coast late this week.

Atlanta

Paul Bryan, of Oklahoma City, former film salesman here, has returned to this city.

Arthur C. Bremberg, head of Republic Pictures in the southeast, is in Birmingham and Memphis on business.

At Roxy, former theatre manager in North Carolina, has joined the Republic sales force out of Atlanta.

King Charney of Agfa and S. S. Karamzov, here for inspection this week, the former en route to the coast by auto, and the latter accompanying him as far as Dallas.

Denver

Bill Agren, Fox theatre booker, has just returned from California.

Harry Golub has been in a hospital for a minor operation. He is manager of the OKO theatre.

Archie Hulkey is building a new theatre at Tucumcari, N. M., to be opened in the spring.

A German school is back from Hollywood with several films to distribute in this territory.

Deke Herder, who has been playing some great golf lately, recently made an eagle two on a par four hole at St. Louis, and went around nine holes in 37.

Tony Archer flew east and back on a hurried business trip.

Pittsburgh

Mrs. Ira Cohn won first prize in a costume ball aboard the Kungskoml during her recent three-week cruise.

Sam Stern is running into a lot of tough luck. He left the hospital a few weeks ago after a threatened breakdown and now he's back again to eliminate a bad case of pneumonia.

Henry Pogilek has just been named manager of the Variety Club, replacing Red Bracconier.

Portland Gets “Dream”

Portland, Jan. 19.—“A Midsummer Night’s Dream” opened last night at the Star after an intense local and heavy exploitation campaign. It is booked for 14 days, with a guaranteed screen at $500 for the first week. This is claimed to be a record here.

Alton House Damaged

St. Louis, Jan. 19.—The Gem, Alton, was almost ruined when a fire caused $10,000 damage. The theatre was closed at the time.

MOTION PICTURE DAILY

Purely Personal

Money Export Ban Restricts German Trade

(Continued from page 1)

companies have come under a new regulation which forms a part of the kongent laws in effect since 1916, although in a different form. The main point of this regulation is the charging of the kontingent law has been changing every year, making a clear policy for an unprecedented number of years impossible for American companies. Since the arrival of the new Government the kontingent law has been touched, only the prices of the kontingent licenses having been changed in the meantime.

Import Licenses Distributed

Each year, at least since the present stipulations have been in force, 105 import licenses have been distributed. Sixty of them are handed free of charge to distributors of German films and 30 to exporters of German films. The 60 distributors’ licenses must, according to the provisions of the law, be used by distributors themselves and are non-transferable. For import licenses, however, are transferable once and have, in former times, been sold to U. S. companies at a price which has been regulated by market conditions. To prevent an over-rating of these exporters’ licenses the Government has recently fixed a price of $20,000 (§8,000) for each license. After a stormy debate, which was conducted on the floor by Canty, U. S. Trade Commissioner, the Government agreed to reduce this price and introduced a sliding scale.

The main point of this regulation is, that the wholesale price is reduced to 10,000 marks ($4,000) if the imported film is to be run in Germany in foreign language (original version) or with super-imposed German titles. If the film is to be run in a German studio with German negative stock and German actors, the price is reduced to 7,000 marks, when more than 5,000 copies are paid for the dubbing. For each 5,000 more copies the price remains the same, and the cost of the dubbing reaches the 40,000 mark limit.

U. S. Films Best of Foreigins

The license is issued on presentation of bills. After the American film companies retired from production the showing of U. S. films depended upon the availability of exporters’ licenses and external distribution licenses were used to differentiate them from the 60 internal licenses. Internal and external licenses make a total of 90 licenses per year, so that 25 licenses are reserved in the hands of the Government which are issued only when a special need for films exists.

U. S. films have always held first place so far as foreign-made product is concerned and there is no sign of a change in this connection. This preponderance of American films is mainly due to the fact that with a few exceptions only American film companies have their own representation in Germany.

Selection of American films for this market has not always been good. Some have done a tremendous business, beating house records. Others, however, have failed.

Some countries send films abroad which have been unsuccessful in the countries of their origin, and it pays to protect its own film industry from the expense of production. This is always wrong. It spoils the market and leaves the following productions because of the dissatisfaction.

Restrictions on Foreign Films

Germany has severe provisions for the showing of foreign-made films. Each company has to arrange a trade show which must be published three days ahead in the official organ of the Ass’n of German Film Exhibitors. Even when there is a contract signed months before the exhibitor has the right to refuse the film within four days after the first public presentation. This constant protest and fluctuation in the number of bookings and complications the problems of foreign companies, which have to present films in original versions at first to judge reactions of the public and the press.

Germany considers films a medium rather than mere distractions and films with logic and reasonable education and are rich to look at and to hear. Healthy and fine humor, are more welcomed than typical American features, but they are rare in Germany. Here historical films have a better chance than modern satires, human features a greater one than “hot stuff.”

Oklahomans Attack Cooper Foundation

(Continued from page 1)

which was organized recently to fight an alleged monopoly of films which is alledgedly avoiding “school-like pictures to schools, churches and independent exhibitors.”

Cooper operates 3 theatres in part- nership with Mutual and plans to build two new houses here and others at Ardmore and Bartlesville and elsewhere in the entire group to a $1,000,000 foundation for the establishment of homes “to maintain and provide education for destitute, deserving youngsters.”

Cooper’s plan was also criticized by Paul Harrup, president of the council, as socially unsound. “I am greatly opposed to the institutionalization of children,” he said. “In my work as head of the Y. M. C. A. I have observed the situation closely and I have learned that boys who come to us from institutions definitely are not better prepared for a back-breaking initiative. Granted that Cooper is sincere in his plan, I believe that the idea of it could be spent to greater benefit.”

Harrup declined to comment on what he considered the hypocrisy of the Y. M. C. A. could put Cooper’s money to better use.

Has New Camera Device

Sacramento, Jan. 19.—Emanuel Kodak has developed Polascron, a camera device to remove the oblique glare of reflection from surfaces not intended to be in the picture. Similar to a lens filter, the device may be used in either still or motion picture camera work.
ACHIEVEMENT TO MAKE ANY COMPANY PROUD

FIVE IN JANUARY

LOEW CIRCUIT

"$1,000 A MINUTE"* with
ROGER PRYOR
LEILA HYAMS

"FORCED LANDING" † with
ESTHER RALSTON
ONSLOW STEVENS
SIDNEY BLACKMER
TOBY WING
EDDIE NUGENT

RKO CIRCUIT

"HITCH-HIKE LADY" † with
ALISON SKIPWORTH
MAE CLARKE
ARTHUR TREACHER
JAMES ELLISON
WARREN HYMER

"FRISCO WATERFRONT" † with
BEN LYON
HELEN TWELVE TREES
ROD LA ROCQUE

*FIRST RUN NEW YORK ROXY & BROOKLYN STRAND
†FIRST RUN FOX’S BROOKLYN

"HITCH-HIKE LADY"
BOOKED FIRST RUN

Boston Theatre, Boston, Mass.
Strand Theatre, Syracuse, N.Y.
RKO Golden Gate, San Francisco, Calif.

RKO Downtown, Detroit, Mich.
Fulton Theatre, Pittsburgh, Pa.
Fox’s Brooklyn, N.Y.

JANUARY IS DEFINITELY MONTH
ADD TO THESE THE MOST PHENOMENAL RECORD OF HOLDOVERS AND EXTENDED RUNS EVER CHALKED UP BY A SINGLE PICTURE!

AND KEEP YOUR EYE ON MARGARET SULLAVAN IN URSULA PARROTT’S “NEXT TIME WE LOVE”!
L STEALS

SHI

$20,000 IN HUB, MAGNIFICENT

For straight time. strongest M-A-

nificant novelties to have on town. Showing at $20,000.

aviation. Getting out of it, say

40,000. In itself, interesting.

Whole management went on the

bills for the picture and eva

eel to its movies. Space, be

$12,000, bare.

Tuberculin (RKO) 8:30-12:15.

KEITH'S B.O. BALLY, "OBSESS" $12,000.

Chi 50,000 with "Obsess" Magnify at

$27,000.

In two other spots the pictures

are the heavy money-makers.

The Obession heads into the

high water figures of the opening

days. Furthermore, on for at least

two or three weeks gallop.

For L.A. "Obsession" Strong at

$25,000.

Pantages (P.A). 8:30-12:15.

"Obsession" $8,300, indps.

The Indiana is in the

money for "Magnificent Obsession"

with a probable take of $8,300.

Indiana (Katz-Fold) 3:10 p.m.

"Magnificent Obsession" (U).

An Indiana top (W.M.) and go.

"Obsession" $9,500, Balto.

Keith's (Schneiders) 5:00 p.m.

"Obsession" (U). A big

week. Just as the

best week house, has had all

this money. Sometime $9,700 and will

hold on for a while.

"Obsession," 10 Days, $135,000.

Behind good exploitation v

strong local angle on author (H.

"Magnificent Obsession"

play. In fact, the V"
U. S. May Finish in
St. Louis This Week

(Continued from page 1)

Robert Taylor, Lawrence N. Turley, Spyros Skouras, Joseph H. Grand, Jacob Chapson, J. M. Ultra, B. D. Gordon, David Levinson, Jack Rabinowitz, Jack Kruestemann, and Marco Wolf, the latter resuming Monday when ex-Senator James A. Reddick, who had been sitting him, left for Friday. Louis Phillips for Paramount and George S. Leisure for RKO then will get the witness.

While the third week which starts Monday morning may find the Government resting its case before Saturday there is nothing at all definite about such a forecast.

Among the important witnesses who are due on Government subpoenas are Harry C. Milton B. Arthur, John S. Leahy, Irving Lesser, Cresson E. Smith and Fred Wheelenhagen. They are awaiting the call which may never come.

Theatres Picking Up
In the Philippines

Washington, Jan. 19.—Improved conditions in the Philippines have increased the total number of theaters to a record for the U. S. Department of Commerce from its Manila office.

A up-to-date theater called the State has been opened in Manila. It has 1,020 seats, is air-conditioned, and is equipped with the latest equipment to have elevators to the balcony.

With the opening of the State, the Philippines now have a total of 313 houses, which is equivalent to one for every four municipalities, or for every 43,000 inhabitants. Manila leads with 93, or one for every 3,000 of the population. Rizal, the neighboring province, is third, with 18, being exceeded only by Negros Oriental, Zamboanga, Lagon, Tayabas, and Pampanga province, all on Luzon Island, follow with 16, 13, and 12 respectively.

Hays for Split of
Will Rogers Funds

(Continued from page 1)

ment of a hospital for handicapped children at Claremore, Okla.

Further, he said, all other general funds should be divided between the two states.

Hays informed the Governor that a hospital in New York, valued at $1,046,000, had been dedicated for a Will Rogers memorial hospital for theatrical folk. Five theatrical agencies have agreed to raise $100,000 each year to support it.

W. B. “Forest” for M. H.

The Music Hall has booked Warner’s "The Petrified Forest," starring Leslie Howard, for the week beginning Feb. 13. This is the fourth Warner picture to play the Music Hall instead of one of the company’s own Broadway houses.

Move Up “Prairie” Day

Hollywood, Jan. 19.—Paramount has moved up the release date on “Call of the Prairie,” fourth of the “Hop-a-long Cassidy” series, from April 17 to March 6. The picture was finished this week.

On the Lighter Side

By BILL ORNSTEIN

St. Louis, Jan. 19.—Fred Weinberg, who nabbed 61 rabbits on a couple of days ago and who subsequently was kicked as to their disposal, declares he has solved the problem.

All his friends and employees will be on the receiving end. The remainder will be converted into hashenfeffer.

The bunch has found a new eating place, the Victoria Club. It’s run for mom and pop by Jack Krentzmann and Marco Wolf, the latter resuming Monday when ex-Senator James A. Reddick, of the state, had been occupying the job for two weeks.

There is no doubt the men there will be more sympathetic to the rabbits’ wishes.

Jack Fowler, secretary to George S. Leisure, special counsel for RKO, volunteers the information he is one of the ranking experts on bridge in New York.

Bill Benham, special investigator for the Department of Commerce, dropped his Pickwickian collars for the loose and easy soft collar-attatched idea. His appearances in court on the former standard were greeted with “Hello, Dolly.”

Ex-Senator Jim Reed has a new solution to the problem of the legal profession. He now merely walks out instead of asking the court for a respirate.

Aber Cary Thomas hasn’t missed a single day in court.

The Government’s witnesses duti- fully each day check into the Fed- eral district attorney’s office to have their “expired cards” checked off. No checks no $4.50 allowance per diem.

Where do the witnesses keep them selves?

Excluded by Judge Molynaux while brother witnesses are on the stage waiting their presentation. He has decided to keep the things in readiness in Witness Room No. 3, set aside for that pur- pose.

However, on inspection, the room was found locked.

Southio Circuit Now Controls Ohio Town

Middletown, O., Jan. 19.—Southio Theatres, Inc., a Paramount subsidiary, has leased the Gordon and Sorg, former counter of the old Strand, and now dominate this town with operation of the Para-mount and Strand, which gives the organization 3,500 out of the 6,000 seats in this 30,000 population situa- tion. The Sorg is one of the oldest stands in the territory and was recently acquired by the Gordon interests.

Under the new setup, prices at the Gordon have been reduced from 35 to 25 cents, and the Strand prices boosted from 15 to 20 cents. Both are all-day price theatres.

James Starnes, manager at the Strand, becomes manager of the Sorg, and Robt. Gibbs, former manager of the Sorg, goes to the Gordon. R. E. Fefferly remains as city manager.

Last Arguments Up
Today on Sale Tax

(Continued from page 1)

pected within a few days following the hearing. Local distributors already are prepared for an either partial or wholly adverse decision, which will be appealed immediately to the appellate division. Although the tax already is being collected by the exchanges it will be refunded to exhibitors if the exchanges are successful in their efforts to have the assessment declared illegal.

Court Decides Fox
Must Be Examined

(Continued from page 1)

who, however, provided that Fox might clear himself by submitting to the court picture to be held in the old Essanay studios by Wildling Pictures. The picture will be a one-reeler derived from the poem, “Lincoln, the Man of the People” of Edwin Mark- ham, who wrote the poem, is appearing in the picture which will be ready for exhibition January 30. Cullen Lan- dris is directing.

U. S. Pictures Lead
In the Danish Field

Washington, Jan. 19.—During the first seven months of 1935, 60 per cent of the paid admissions to all theaters in Copenhagen, Denmark, were to film houses, according to a report that came to the U. S. Depart- ment of Commerce. American films rank first among imported pictures, with German second and British third. It is reported that 68 per cent of the films distributed for the past year counted for 60 per cent of the pic- tures released during the first nine months of last year.

There are now more than 300 houses in the country wired for sound. Gen- eral Motors, says the films so favorably received in the United States are also popular in Denmark.

Douglas Back at Work

Boston, Jan. 19.—Kenneth Douglas has returned to the post of manager of the Capitol Theatre Supply Co. here after being confined following an emergency appendicitia operation.

Walters’ Net
For 3 Months

$1,031,315

(Continued from page 1)

properties (other than $188,273.02 in respect of studio properties charged to film costs) and provision for investments in affiliated companies, totaled $2,586,740.93, leaving profit before income, minority interests’ share of profits and losses and Federal income taxes.

Other income included interest and discount earned, dividends received from affiliated companies, additional proceeds on the settlement with Erpi and from miscellaneous sources.

This totaled $119,459.14.

Tordon’s net for Federal income taxes was $1,258,359.16. Income taxes reduced this by $227,043.20.

A discount of $568,273.02 was realized on conversion of six per cent convertible debentures and bonds of subsidiary companies was applied to the deficit, resulting in a net profit of $13,036,489.93.

The consolidated balance sheet as of Nov. 30 shows total current assets of $20,377,695.17, including cash of $3,541,220. Current liabilities totaled $14,896,442.30.

Pauline Frederick Ill

Hollywood, Jan. 19.—Pauline Fred- erick, for many years a stage and screen star at the Cedar and Lebanon Hospital here, where she was operated on for an intestinal obstruc- tion.

U. S. Dept. Finishes 5

Washington, Jan. 19.—The U. S. Department of Agriculture has available three secret and two sound sub- missions in one and two reels, on various subjects pertaining to its work.

Wall Street

Eastman Issues Up on Board

(Continued from page 1)

High Low Change

Columbia .446 .430 .016

Paramount .585 .560 .025

Consolidated Film .6 .6 .0

Western .506 .490 .016

Eastman Kodak .1034 .1034 .000

Law’s Inc .504 .490 .014

Metro .264 .260 .004

Paramount 1 pfd .80 .80

Paramount 2 pfd .121 .121

Paragon .62 .62

KRO .75 .75

Walter Bros .100 .100

G Abraham .214 .214

Little Activity in Bonds

(Continued from page 1)

Net High Low Change

General Theatre Equip .24 .24 .0

General Theatre Equip .24 .24 .0

Paramount Pictures .93 .93 .000

EO .80 .80

(Quotations at close of Jan. 18.)
Short Subjects

United Subjects

"Unrelated Relations"
(Columbia)
Monte Collins awakes in his boarding house room and a little later becomes rich by virtue of oil which overnight have proved valuable. He marries Ruth Skinner, and the bride has her maiden name for them. The usual mother-in-law, brother-in-law comic angles arise and Collins brings in a rival for the bride. Louise Duncan brings along her wrestling sons, and together they proceed to wreck the place. Collins is again seen lolling at the boarding house lounge after the breakfast where he is happy. Production Code Seal No. 1773. Running time, 18 mins. "G."

“Excursions in Science
No. 2”
(G.E.-A.O. Bondy)
To illustrate an industrial subject that should entertain and instruct audiences, this film shows a toothless set of gears, a sorting "photophone" and the manufacture of electric bulbs. The latter part is the most interesting. From the materials that go into the making of glass, there is shown a stock gradual construction of bulbs right to the finished product. Excellent photographs advance from a story board to a finished picture which tells mechanical wonders. This should satisfy curiosity as to how bulbs are made. Distributed free as advertising.

No production code seal. Running time, 11 mins. “G.”

"King of the Mardi Gras"
(Paramount)
Popeye and his man mountain rival in this one have rival spots on a midwestern circus and each hopes to draw the crowd from the other. The rival makes off with Popeye's girl and the usual chase takes place on a roller coaster. This makes for an exciting few moments with some spectator animation. As usual the spinach filled Harvest fellow is outdone by the offering. Production Code Seal No. 0485. Running time, 7 mins. "G."

“Scrappy's Boy Scouts”
(Columbia)
A somewhat far fetched version of Boy Scout activities, this cartoon, by merit of some novel invention should prove entertaining. The theme concerns Scrapper's attempts to join a troop. He is found not to be up to standards and rejected. As the troop marches off he leads his own troop of dachshunds on a hike. Later he rescues a pit bull that rejected him in a storm and is taken in after saving the scout oath. Production Code Seal No. 1613. Running time, 7 mins. "G."

"Morocco"
(On Screen-Radio)
Differing from other offerings of the same country, this one gives glimpses of the handicrafts and arts of the polyglot populace. It is to be recommended. Running of Moroccan leather, silk making, manufacture and methods of living. Interesting dialogue jocularly explains the gathering of snails and young locusts as food delicacies. Novel shots of peculiar eating customs in a native restaurant close an offering of merit. Good travel fare. Production Code Seal No. 1572. Running time, 11 mins. "G."

"Looking 'Em Over"
(Daily)

"Soak the Rich"
(Paramount)
The unquenchable Ben Hecht and Charles MacArthur, who wrote, directed and produced this picture, have done a farce comedy centered about an extremely wealthy man, his spoiled daughter and a group of "radical" college students, who, the Hecht-MacArthur combine is at point to point, are merely suffering from the modern form of intellectual growing pains.

As comedy, it has some mildly amusing moments, but, as in the case of the other half of the pictures, it is pointed, but perhaps not very accurately, for the sophisticated screen audience. It is, in effect, considerably more of a stage play lifted bodily to the screen, and it is open to question whether the average film patron will find much in it to entertain. The cast is headed by Walter Connolly, the only player whose name is apt to mean anything on the theatre marquee. Mary Taylor, with an amateur dramatic club speaking voice, plays his spoiled daughter; John Howard the young "radical," and Lionel Stander, Ilka Chase and Alice Duer Miller have the more important minor roles. Then the showdown, when Howard's resistance is broken down by the girl, and an alliance, while his erstwhile "radical" group enjoys the comedy changes and even membership.

It is, on the whole, a typical Hecht-MacArthur concoction, not, however, nearly so promising as certain of their earlier efforts. Some details of their horse-play in this is not very funny and much of it is questionable in taste and judgment.

Production Code Seal No. 0761. Running time, 87 minutes. "G."

Columbus Front Novel

COLUMBUS, Jan. 19.—One of the most modern fronts in the country has been installed at the RKO Palace, with an iridescent color motif, an indirect lighting, arrangement and revolving figures of picture stars. Several types of glass, steel and porcelain enameled steel and similar materials have been used for a red, blue and black color scheme which is trimmed in silver and gold. Fifty thousand watts thrown off by 500-watt bulbs are used in lighting the new front.

Old Films for Seattle

SEATTLE, Jan. 19.—In association with the Museum of Modern Art in New York, the University of Washington division of drama has scheduled a series of films showing their development from 1895 to the beginning of sound. Admission will be by series ticket only, to be sold for $2 for the five shows. The Egyptian, in the University district, will have the show for two days each month from Jan. 23 until May.

Hartford House Closes

HARTFORD, Jan. 19.—The Loew-Polo Palace is closed because of the running of the house from the Poli Capito. "Al Wildenhorn" didn't seem to want company in those days and closed. Lou Cohen, manager, hopes to be able to open Jan. 24 with a holdover on "Riff-raft."
Shout The News

"THE GREATEST AIR FK Men! Here's a show that's absolutely classic, epic, colossal—in fact we'd even go as far as to say it's a real good picture! Now for the luvva Mike and Pat and Jimmy, don't let it go out as just another Cagney-O'Brien hit!

Sure there's magic in those names... But don't let them carry the whole load.

CEILING

(Ask anybody in New York who

JAMES

CAGNEY

WARNER BROS. started th ago with daily key-paper publicit -- from coast to coast. And a will back the engagements in fif SENSA NAL PREMIRES LA Now don't be bashful abo

With June Travis • Stuart Erwin • Barton MacLane Henry Wadsworth Martha Tibbetts Isabel Jewel • Directed by Howard Hawks A Cosmopolitan Production A First National Picture
The Skies, About SINCE HELL'S ANGELS

You can get a lot more dough than this duo ever snared before if you'll bang home the news that this picture has a lot more innards and assorted entertainment features than any of their other shows.

So don't hold back on the promotion heat. Don't be afraid to step right out and tell the whole stirring truth about

CEILING ZERO

(it was on the stage last season!)

PAT O'BRIEN

flash bulletin!

Mark Hellinger, in his nationally syndicated column:

"Don't miss 'Ceiling Zero' when it reaches your vicinity. And if you don't get a kick out of it, run—do not walk—to the nearest doctor."
Grosses Leap On the Loop; 'Whipsaw' Top

CHICAGO, Jan. 19.—First runs had the best week since the opening of the Century and Caribou buildings, and the Chicago's gross was the best in two years, with "Whipsaw" on the screen this past week. The $5,210 gross was $19,200 over normal.

"My Life in the Bounty" ran $3,100 over and came to a total of $4,500 at the Apollo. "I Dream Too Much," with Ken Murray on stage at the Palace, was $13,500 to the good on a take of $32,250 at the Palace. At the Oriental a combination of "This Is the Life" and a Major Bowes' amateur unit on the stage hit $24,700. This was $9,700 above par.

Total first run business was $142,400, average is $17,000.

Estimated takings:

**Week Ending Jan. 9: (25c-40c-60c)**


**SPLENDOR** (U-A.) $2,250. 25c-40c-60c. 4 days. Gross: $11,250. Average: $2,810.


**This Is Life** (20th-Fox) $5,900. 25c-35c-55c. 7 days. Stage: Major Bowes' Amateurs No. 3. Gross: $41,300. Average: $5,930.


**Out of Hollywood Way**


Laid Doyle, Warner writer, father of seven-pound boy, David O. Selznick borrows Max Steiner from Radio to supervise the score and recording for "Little Lord Fauntleroy."... Clarence B. Bigelow reforming the Fritz Kreisler music in Grace Moore's next for Columbia ... Freely Lurie, Radio publicity department, in hospital to have his tonsils out; Joe E. Brown buys his fourth race horse named after himself... "South Sea Orchid" changed to "Columbia's U. S. Smith."... Hal Roach to share half of Jack Haley's contract with Twentieth Century-Fox. He has five series in the works in "Once Over," starting Feb. 15... Ronald Howard, son of Leslie Howard, has been signed by MGM... "The Great Sugar Factory" not a script for "The Puzzle of the Briar Pipe"... Sherman Rogers doing screen treatment of "Setting on the Moon" and Donald Stewart... "Good Morning, Mr. Option" script for "The Singing Cowboy, Republic... Tom Redenbach's new book's story of "Gold Diggers." Warner.

**Writers**—Elmer Harris assigned to script of Damon Runyon's "Three Boys in a Tree." Also, original script of "The Puzzle of the Briar Pipe."... Sherman Rogers doing screen treatment of "Setting on the Moon" and Donald Stewart... Stewart MacGowan assigned to "The Singing Cowboy," Republic... Tom Redenbach's new book's story of "Gold Diggers." Warner.

“Bride” Tops Frisco Takes; Gets $25,500

SAN FRANCISCO, Jan. 19.—Heavy rains hit this city last week and left many mark on grosses, but there were two bright spots. “The Bride Comes Home” reached $25,500, over par by $4,500, at the Warfield. “I Dream Too Much” grossed $15,000, up $400, at the Golden Gate.

“Whipsaw” and “Freshman Love” managed to get a par $1,150 at the Paramount, but elsewhere grosses were pretty weak. Total first run business was $77,500. Average is $9,700.

Estimated takings:

**Week Ending Jan. 7:**

| Title | Est. Gross | Avg. |
|-------|-----------|-----|-----|
| “The Bride Comes Home” (Para) | $25,500 | $2,000 | $25,500 |
| “AH WILDERNESS” (M-G-M) | $15,000 | $1,500 | $15,000 |

**Week Ending Jan. 8:**

| Title | Est. Gross | Avg. |
|-------|-----------|-----|-----|
| “IF YOU COULDN’T DO IT” (Col) | $5,000 | $500 | $5,000 |
| “GREAT IMPERSONATION” (Para) | $4,000 | $400 | $4,000 |

“Gross:”

Monday, January 20, 1936

“Dangerous,” Bowes Group Detroit Lead

DETROIT, Jan. 19.—“Dangerous” and Major Bowes’ amateurs packed the Michigan all week and piled up a total gross of $6,400, a margin of $6,600 over average.

The Downtown was in the money again with a return of vaudeville and with “Mr. Hobo” on the screen. The $12,200 take passed par by $2,700. If You Could Only Cook” also did well with $16,000 at the Michigan and “Captain Blood” was strong with $13,000 at the United States. It was held over.

Total first run business was $77,800. Average is $9,700.

“Riffraff” $6,500

Indianapolis Top

INDIANAPOLIS, Jan. 19.—Business picked up at the three first days last week with the remaining two days averaging an average week.

“Riffraff” led the procession with a gross of $6,500, which was $2,000 over average. “Show Them No Mercy” at Lyric was grossing a gross of $8,500, about $1,500 above normal. The stage show at the Lyric featuring Carl Freed helped the gross with an additional $5,000 of which $2,500 was from a picture several weeks ago. “Collegate” at the Indiana was $500 above par with a gross of $7,700.

Total first run business was $30,500. Average was $25,500.

Estimated takings:

**Week Ending Jan. 7:**

| Title | Est. Gross | Avg. |
|-------|-----------|-----|-----|
| “Riffraff” (M-G-M) | $6,500 | $500 | $6,500 |
| “CAPTAIN BLOOD” (F. N.) | $4,000 | $400 | $4,000 |
| “FORBIDDEN HEAVEN” (Republic) | $3,000 | $300 | $3,000 |
| “BARBARY COAST” (U. A.) | $2,000 | $200 | $2,000 |
| “NEEDLE’S ANGELS” (U. A.) | $1,500 | $150 | $1,500 |

“Wilderness” Gets Providence Honors

PROVIDENCE, Jan. 19.—Columns of publicity since a portion of the picture was shot in Gatton, Mass., plus the word of “Ah Wilderness” itself, pushed the state gross in nine days to $18,500, which is $6,500 over normal.

All downtown theatres had good weeks. The Strand took $10,800 with “The Bride Comes Home,” over par by $2,000.

“Two in the Dark” and a stage show garnered $8,200 for the Albee, $1,200 to the good. The Majestic was $7,500 above par, and the Roxy, $5,000 above par, with “Your Uncle Dudley” and “Your Uncle Dudley Too.” The Majestic took $2,500 from Columbia to join Glazier, who is also a Hub representative.

Honor Schertz Feb. 1

Cleveland, Jan. 19.—The Variety Club will hold a dinner dance on Feb. 1 to honor J. J. Schertz, newly elected president, and the new roster of officers.

Caldecott Recuperating

SPARTANBURG, S. C., Jan. 19.—Herbert Calwell, assistant manager of the Carolina, is recuperating from an appendicitis operation.

Rancho” Hits Swift Denver Pace, $8,000

DENVER, Jan. 19.—“Rosa of the Rancho” proved a big money-winner here. It ran 100 per cent over normal to a take of $8,000 at the Denham, with standouts frequent during the week. “Riffraff” took a par $5,500 at the Dakota, another par with Bowes’ “Aladdin.” “Captain Blood” held up to $1,200 at the Broadway, Mulling a week at the Denver. Total first run business was $22,000. Average is $19,500.

Estimated takings for the week ending Jan. 7:

| Title | Est. Gross | Avg. |
|-------|-----------|-----|-----|
| “SPLENDOR” (U. A.) | $1,500 | $150 | $1,500 |
| “CAPTAIN BLOOD” (F. N.) | $1,000 | $100 | $1,000 |
| “DREAM TOO MUCH” (Radio) | $2,100 | $210 | $2,100 |
| “THE GREAT IMPERSONATION” (Para) | $2,100 | $210 | $2,100 |

“Barbary Coast” $1,500

Alamo—1930, 15c-25c, 7 days, split week. Gross $1,100. (Average, $150)

Glasier Named Booker

Boston, Jan. 19.—John Glasier has been named booker for the 14 theatres of the Eastern Massachusetts Theatres, Inc. Effective February 1, day after day one picture from Columbia to join Glazier, who is also the Hub representative.

Dayton Apollo Rate Up

DAYTON, Jan. 19.—The Apollo, downtown house, previously a 10-cent subsequent run, has switched to first run this week, and is picking up a normal rate of 40 cents. The name has been changed to the Little Playhouse. Herbert Byrd is manager.

Falkenburg Recovers

LEXINGTON, Neb., Jan. 19.—Ralph Falkenberg, manager of the Majestic, and a member of the board of directors of the M.P.T.O., has recovered from a 10-day illness.
ANNA KARENINA
THE HEADLINE WOMAN
THE EAGLE'S BROOD
WANDERER OF THE WASTELAND
ACCENT ON YOUTH
FATHER BROWN, DETECTIVE
MAN'S BEST FRIEND
$20 A WEEK
SWEETSTAKE ANNIE
ONE HOUR LATE
LIGHTNING STRIKES TWICE
ROBERTA
BEHOLD MY WIFE
VANESSA, HER LOVE STORY
THE WEDDING NIGHT
RUGGLES OF RED GAP
NAUGHTY MARIETTA
THE MARRIAGE BARGAIN
THE CASINO MURDER CASE
PORT OF LOST DREAMS
PRIVATE WORLDS
WILDERNESS MAIL
BEHIND THE GREEN LIGHTS
McFADDEN'S FLATS
CYCLONE RANGER
HIGH SCHOOL GIRL
LADDIE
THE WORLD ACCUSES
ROCKY MOUNTAIN MYSTERY
THE GHOST WALKS
STRANGERS ALL
FOUR HOURS TO KILL
CIRCLE OF DEATH
SONS OF STEEL
RECKLESS
THE DEVIL IS A WOMAN
ON PROBATION
STOLEN HARMONY
GOIN' TO TOWN
ONE FRIGHTENED NIGHT
RESCUE SQUAD
THE TEXAS RAMBLER
SUNSET RANGE
HOT TIP
NEW ADVENTURES OF TARZAN
THE DARK ANGEL
UNCONQUERED BANDIT
NO RANSOM
ENTER MADAME
ENCHANTED APRIL
THE NITWITS
PEOPLE WILL TALK
ADVENTUROUS KNIGHTS
KENTUCKY BLUE STREAK
LADIES CRAVE EXCITEMENT
SYMPHONY OF LIVING
CODE OF THE MOUNTED
KID COURAGEOUS
THE VANISHING RIDERS
MEN WITHOUT NAMES
NOW OR NEVER
COLLEGE SCANDAL
MEN OF ACTION
CIRCUMSTANTIAL EVIDENCE
RAINBOW'S END
DANGER AHEAD
CHINA SEAS
JALNA
HOP-ALONG CASSIDY
SMOKEY SMITH
CAPTURED IN CHINATOWN
SMART GIRL
OLD MAN RHYTHM
ACCENT ON YOUTH
MANHATTAN BUTTERFLY
HARMONY LANE
TWO FOR TONIGHT
WATERFRONT LADY
PURSUIT
TWO-FISTED
THE MAN ON THE FLYING TRAPEZE
HOT OFF THE PRESS
I LIVE MY LIFE
SADDLE ACES
WHEN A MAN'S A MAN
HARD ROCK HARRIGAN
THUNDER MOUNTAIN
BARBARY COAST
THE JUDGEMENT BOOK
CONFIDENTIAL
THE RIDER OF THE LAW
WILD MUSTANG
VALLEY OF WANTED MEN
FALSE PRETENSES
SOCIETY FEVER
IN PERSON
THE RAINMAKERS
MARY BURNS, FUGITIVE
SHIP CAFE
SKYBOUND
THE LAST OF THE CLINTONS
MILLIONS IN THE AIR
SPLENDOR
THE SAGEBRUSH TROUBADOUR
THE IVORY-HANDLED GUN
THE MIDNIGHT-HANDED PHANTOM

IN 1935
DUPONT NEGATIVE WAS CHOSEN
OFTEN AND WISELY BY PRODUCERS
AND CAMERA MEN.
WE THANK YOU

Du Pont Film Manufacturing Corporation
35 WEST 45TH STREET
NEW YORK CITY
SMITH & ALLER LTD.
6656 SANTA MONICA BLVD.
PLANT ... PARLIN, N. J.
HOLLYWOOD, CAL.

Du Pont Trademark

The Dupont Trademark Has Never Been Placed on an Inferior Product
Federal Amusement Taxes Jump
$1,026,625 in 6-Month Period

Washington, Jan. 20.—Marked improvement in the amusement industries is demonstrated by a $1,026,625 increase in admission tax collections of the Government during the last half of 1933 as compared with the corresponding period of the preceding year, reported tonight by the Bureau of Internal Revenue.

Receipts from the admission tax during the first half of the current fiscal year reached $8,674,671, against $7,585,236 in the same period of the previous year.

Collections in December, the bureau reported, were nearly $112,000 under those of November, but were $59,000 ahead of December, 1934, amounting to $1,755,099 against the $1,696,090 in the same month of the previous year.

The settlement within a few days of labor and tax problems which have barred the operations of distributors in Mexico since September is now a possibility, foreign managers of major distribution companies were advised yesterday at a meeting at M.P.D.D.A. headquarters.

Current reports from Mexico on the situation were studied at the meeting, at which Frederick L. Herron, the M.P.D.D.A. president, the distributors' policies will remain in status quo until the expected developments materialize, it was stated following the meeting.

American distributors curtailed their activities in the Mexican market appreciably following the imposition of drastically higher duties on American films entering Mexico last year. This was followed in September by

Warner Policy on Bands Not Set Yet

ST. LOUIS, Jan. 20.—While Warners expect to file additional suits against the great number of film producers, the company's licensing policy for the calendar year, however, will be under discussion, but probably will not be made known for several weeks.

The Warner licensing policy as it affects theatres and hotels is now under discussion, but probably will not be made known for several weeks.

Appeal Court Quicks End of Mexico Tangle is Predicted

The Appellate Division of the N. Y. Supreme Court at Brooklyn, affirming a decision of the Court of Special Sessions, has decided that prizes awarded as the result of spinning a wheel in a theatre are in violation of the state lottery law. District Attorney William F. X. Geoghan of Brooklyn said the opinion of the Appellate Court that theatre operators distribute cash awards as the result of drawings.

The case was against Charles Cranides, theatre manager; Joseph Kiley, assistant manager, and Farnier Miller, who operated the wheel used in the drawing. A policeman who attended the house Aug. 22 was the complainant. He said he purchased a ticket, and was given another with a stub bearing a given name. He dropped the stub into a box, he said.

Bill Imposes Limit On Boston's Censers

BOSTON, Jan. 20.—The banning of any film, stage show, or entertainment in the Hub by the Board of Censers, consisting of the Mayor, Police Commissioner and Chief Justice of the Municipal Court, would be allowed only if after a hearing all persons interested under the terms of a bill filed in the Legislature on the newly formed Massachusetts Theatre Alliance.

The bill provides: "The Mayor and
Theatre Men
Not Heard in
Tax Protest

(Continued from page 1)

such a decision for some weeks past and are prepared to appeal the city’s
objections in the case to the Appellate Division.

An appeal may be based in part on the question of the constitutionality
of the city’s sales tax law, it was made evident at the hearing. Melvin
Quigley, attorney, for Robert P. Allen & Spett, representing the I. T. O. A., pointed out that the
city was attempting to levy on film rentals derived from pictures which exhibi-
tors had contracted for months prior to the enactment of the sales tax.
Offered to show that the rentals were not impairments of contract and that
the provision of the sales tax which specified that rentals at above such
antedated contract sales was unconstitutional.

Albert Testimony Ruled Out

Goodgold refused to permit Albert’s
marks to be made as a part of the record and observed: "We are not
here to argue the constitutionality of the amendment." He stated,
however, that if and when the tax is found to be applicable to films the
exhibitors will be given a hearing.

Formerly a named in the Samuelson, attorney for Allied of
New Jersey, and Lee Newbery, presi-
dent of that organization, to testify for
the record.

Assessment A Test Case

Yesterday’s hearing was specifically on the right of the city to assess the
United Artists exchange $21,232 on its film receipts from Dec. 19, 1934,
to May 31, 1935. This assessment is being accepted as a test case by all
local exchanges. A first hearing in opposition to it was held Nov. 8.
Yesterday additional testimony in op-
position was offered by Paul Laxer of
Samuelson, Laxer, Goldman's, attorney for Allied
New Jersey, and Lee Newbery, presi-
dent of that organization, to testify for
the record.

Judge Robert Bown

Goldman Partnership
Stirs Philadelphia

PHILADELPHIA, Jan. 20.—The setup
whereby William Goldman operates sev-
ereate the theatre to be constructed in the
new 69th St. Terminal has the local trade intrigued by the involutions of its
management and its competitive aspects.

Goldman, one time local chief of
the Warners forces and lately an in-
dependent exhibitor, is a partner with
Warners in the new terminal theatre,
though he will operate it under his own renue under a 10-year lease. In
competition with the house is the 69th St. Theatre, across the street which
is a Warner house, and the Tower, within a stone’s throw, which was
recently sold by the Frickhofer-Nird-
laukis, which to a new corporation.

Rumor states that it may eventually
Theater. In other words, the new Goldman-Warner spot may
result in a heavy blow to the two other Warner houses.

While this partner-competition is
looking for place in the West Philadelphia district, Goldman is in strong
position with Warners in the Ger-
man-town neighborhood where his
Bambax Theatre is surrounded by
three nearby Warner houses definitely
restricting Goldman’s first run profit-
ning its locale, is an additional threat to the other homes.

Center Sets Next Five

"The Country Doctor," Twentieth Century-Fox film, starring the Di-
ome quintuplets and their physician,
Dr. Allan R. Duane, has been booked
in an early spring showing at the Center.

The picture is still in work. Bookings to follow "King of Eus-
ero," "Paddy O’Dwy," "It Had to Happen," "Captain January" and "A Message to Garcia."

F. J. Smith with M-G-M

Frederick James Smith has joined
M-G-M as an associate in the public-
ity department. Smith has had wide
experience in the field, having been at
various times editorial director of
Tower Magazine, eastern editor of
Fawcett Publications and managing
can had.

Rhodes” at the Ritz

The Adventure Society of America
has selected "Rhodes, the Empire
Builder," for a showing in connection
with the society’s annual banquet at
the Ritz-Carlton Hotel, Feb. 19, two
days before the picture’s premiere at
the Roxy.

Purely
Personal

A. E. MEYER, export manager of
International Projector Corp., has
just returned from a four-month trip
around the world which took him
through all the principal countries of
Europe and the Far East.

HARRY ROSS, head of Ross Federa-
lar Service, and Clifford Ross, manager
of exchange operations, leave tomor-
row for an extensive tour of the Ross
Federal offices in the south and far
west.

WALTER BROWN, midwestern divi-
sion manager of Ross Federal Serv-
vice, Inc., has returned to Chicago
after a week of conferences at the
home office.

DANIEL FAIRBANKS, Jr., will leave
England for New York next week
with the first print of "Amateur Ge-
nuine," in which he is starred with
ELLA LANDE.

ILLIAN MESSINGER, eastern sec-
tion editor for Radio, will leave for
the coast tomorrow to confer with
studio executives.

OTTO KRUGER is due in from En-
gland on the Majestic today after
completing work in "Living Dangerously"
for B. I. P.

BILL PINE left yesterday by plane
for the coast following a brief visit
at the Paramount home office.

ELIZABETH RUSSELL, artists model,
has been signed by Paramount. She
will leave for the coast tomorrow.

KATHERINE DE MALLE will arrive in
town Thursday for her first visit to
New York since her early childhood.
She will be here for three weeks.

EB SULLIVAN will bring his "Dawn
Patrol Revue" back Friday to the Roxy.

WALTER WANGER has taken an op-
portunity for "African Intrigue" by Al-
fred Batson.

H. J. YATES plans to leave for the
cost tomorrow.

STANLEY SHUFORD of Warners was
convinced of his health with a cold yest-
terday.

DAVE BADER leaves today for the
coast.

Editorial

"Pasteur" Praised
By Paulist Father

The Rev. James F. Cunningham, of
the Paulist Fathers, has written Harry
M. Auerbach, owner of the Warners
Theatre, lauding "The Story of Louis Pasteur,"
which is to open at the Strand early in
February. Mr. Cunningham, who characterized the picture as "the
finest I’ve yet seen," declared that
such pictures are to be made, and that
all nations have made for the
betterment of human life.

Jerry Wald Married

Hollywood, Jan. 20.—Jerry Wald, Warners scenario writer, was married
yesterday to Eleanor Rudolph, Howard
Lang, producer, and Mrs. Lang accom-
cpanied the couple, who were mar-
rried at Tijuana, Mex.

Joe Orstein Wed

PITTSBURGH, Jan. 20.—Joe Or-
stein, cashier of the Fox exchange,
is a bachelor. He was married in New
York over the New Year’s weekend
and has returned to his job here.

Malcolm Sumner Dead

Malcolm Sumner, attorney, who
served as counsel for an independent
stockholders in connection with Pesca-
mount reorganization, died early yes-
terday at his residence in the Hotel
Warwick of a heart attack. Funeral
services will be held tomorrow at
11 A.M. at the Free Synagogue. Sum-
ner was 55 years old and unmarried.

Appeal Giveaway Fines

Boston, Jan. 20.—James Wells
of the Felskyn in Medford and Charles
Wilson of the Hamilton in Dorchester
will appeal from their recent convic-
tions on anti-lobby charges. Wells
was fined $20 and Wilson $50. The
former case will be heard in Superior
Court tomorrow, and the other in the
Superior Court here, within a few days.
Judge A. P. Bates, who issued the order, said that since the order was issued, no one has been allowed to purchase a ticket for the play, and that in view of the fact that the order has been in effect for a considerable length of time, it would be unfair to allow the play to be performed now.

There was some opposition to the order, but the judge ruled that the order was necessary to prevent the possibility of another similar incident occurring.

The order was granted and the play was stopped.
Records for

Houses Ruled Out by Court

(Continued from page 1)

Walter counsel, almost came to blows.

the clash in a New York trial two years later when he declined to let Hardy glance at contracts Warners had made with Tom K. Smith for product at the Ambassador, Missouri and New Grand Central. Wood, producing the facts under Government subpoena, placed them under the judge's bench when Hardy made a move to pick them up, the Warner counsel stopped him, saying, "I haven't introduced them."

Hardy queried, "You don't want me to touch them." Wood replied, "I find it necessary to have them when you don't."

Hardy then walked away from the table and that was that.

The Government called for the records of the Shubert-Rialto and Orpheum, Stewart McDonald, assistant treasurer of Warners and vice-president of the Metropolitan Theatrical Enterprises, took the stand to explain them. During part of the Government's examination of the witness, it was revealed Vitagraph receives $1,000 a week for every Warner and First National picture playing in the theatres in addition to $125 in weekly rental for shorts, that Circuit Settemberg Corp., acts as disbursing agent for the Metropolitan Theatrical Enterprises, which operates the two Warner houses here. Although Judge Molyneaux refused to admit the books and papers of the Shubert-Rialto and Orpheum, he granted the Government permission to have its accountants check the box-office statements and summaries of operation expenditures.

Phillips Objects

Fanchon's tenure of the witness box was limited to her history in the show business. When she brought her theatre career to its peak the witness was about to relate a conference assertedly held with Zukor. Louis Phillips of the Paramount home office legal roster, objected on the ground that Zukor had not acted within the scope of his authority.

Moving to obviate the appearance of present and past Paramount executives here, Phillips submitted a 16-point stipulation as to the titles produced by Zukor in which he was involved. Witness Ralph Kohn, Sam Dembrow, Y. Frank Freeman, Ralph L. LeBouef and Charles M. Regan, respectively, listed the various companies, their subsidiaries and functions.

The Paramount attorney objected to the introduction of the 25-year franchise between Skouras Super Theatres and Famous Lasky Corp. dated Aug. 1, 1928, and the cancellation of the agreement on July 28, 1932. The second was a list of theatres in which Paramount is interested.

Phillips' arguments were that the Skouras franchise was canceled because the company with which it was made was not only indebted to Paramount but had no local theatres; that the agreement was a personal contract. As for the list of Paramount houses, Phillips contended this was irrelevant since neither the parent company or any of its subsidiaries had theatres in St. Louis. The objection was overruled and after Walter Alperson, assistant to Hardy, stated the purpose of the list was to show the extent of company control, Richard Perkins said, "Warner's threatened to interfere with Paramount's reorganization in Detroit and the list will show what theatres were involved."

Phillips held that Zukor had nothing to do with St. Louis at the time of the meeting with Fanchon, that Paramount was in bankruptcy and that the trustees and not Zukor were the only ones who could act for the company. Judge Molyneaux then told Hardy, "It's up to you to lay a foundation first for Zukor's participation."

The Government counsel then contended that a simulation entered by Paramount showed Zukor was chief executive at the time, but Phillips countered that the trustees had already asserted that Neil F. Agnew was in charge of sales and they were the only persons who could act. Phillips also asserted he did not object to the Zukor-Marco Wolff conference on June 6, 1934, because Schaeffer had then been present. Hardy made another effort to have the Fanchon-Zukor conversation admitted, but it was not. The Government ended its examination there and defense counsel waited without asking a single question.

In denying Paramount's objection, the court pointed out the stipulation was being received at the discretion of the court.

With this question, the defense was not in evidence.

Hays also has arrived for a series of meetings with heads of the Producers Ass'n.
"ANYTHING GOES"

WHEN PARAMOUNT SETS OUT TO GIVE YOU

THE WORKS IN MUSICAL SHOWS

Keep Going...
NAY FOR ONE YEAR

BIG BOX OFFICE STAR NAMES...

SECTION OF HIT TUNES EVER IN ONE PICTURE

GIVE IT THE BIGGEST PRODUCTION WE'VE EVER GIVEN A MUSICAL SHOW
In other words we give you the musical box office sensation of 1936.

 Anything Goes

Bing Crosby
Ethel Merman
Charlie Ruggles

Ida Lupino • Grace Bradley • Music (from the Broadway show) by Cole Porter • New Music for the Screen Show by a bunch of song experts • A Paramount Picture • Directed by Lewis Milestone

It pays to play a Paramount picture!
“Red Salute,” Revue, Boston

Wow, $28,000

Bostov, Jan. 30.—A combination of “Red Salute” and a revue on the stage sent the RKO Boston gross sky-rocketing. This left the average $13,000 behind.

“Magnificent Obsession” was also in the hit division. It topped normal by $1,100 for a gross of $35,000 of Creed’s Memorial. “Rose of the Rancho” was $3,000 to the good on a gross of $25,000 at the Metropolitan. “Dangerous” and “Broadway Hostess,” playing day and date at the Fenway and the Paramount, were slightly off over par with $6,500 at the former and $10,000 at the latter.

Total first run business was $110,500, Average, $5,550.

Estimated takings for the week ending Jan. 17:

**RIO DE JANEIRO** (W.B.)

*BROADWAY HOSTESS* (W.B.)

FENWAY—(2,303), 25c-50c, 7 days.

Gross: $6,500. Average: $921

“MAGNIFICENT OBSESSION” (Univ.

KEITHS MORRIM & CO.—3,552, 25c-50c, 7 days.

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

“TALE OF TWO CITIES” (M-G-M)

LOEW’S ORPHEUM—(2,970), 25c-50c, 7 days.

Gross: $1,250. Average: $175.

“DANGEROUS” (W.B.)

PARAMOUNT—(2,750), 25c-50c, 7 days.


“RED SALUTE” (U.A.)

RKO BOSTON—(3,256), 25c-50c, 7 days.

Stage: “Broadway Revue.” Gross: $5,000. (Average, $714)

Wall Street

Universal Jumps Up 5 1/2 Pts.

High Low Close Change

Columbia, v.t. 434 432 432 432
Columbia, pld 506 506 506 64
Consolidated, pld 189 189 189 189
Paramount 1 pld 809 810 809 10
Paramount 2 pld 142 142 142 0
Pathé Film 75 75 75 0
RKO 90 90 90 0
20th Century Fox, 254 254 254 0
20th Century Fox, 3 pld 109 109 109 0
Warners Bros 106 106 106 0
Warners, inc 99 99 99 0

Few Changes on Curb

High Low Close Change

Sentry Safety 75 75 75 1/6
Sporites 20 20 20 0
Trans-Lux 31 31 31 0

Most Bonds Off

High Low Close Change

General Theatre 240 230 230 10
General Theatre 240 230 230 10
Keith’s 20 20 20 0
Levin’s 4/6 4/6 4/6 0
Paramount B’way 62 62 62 0
Paramount Piel 30 30 30 0
Warners Bros 68 68 68 0

(Quotations at close of Jan. 20)
San Francisco, Jan. 20.—"Magnificent Obsession" was about the biggest sensation this town has had in some time. It piled up $13,000 at the Orpheum, practically doubling the normal take, in spite of the fact that all first-run tests except two were in a slump.

"Captain Blood" was one of the other profit-makers. Ticket holders were forced to line up like $7,000, at the Warfield. "Crime and Punishment" at the Clay was $40 up on a take of $4,000.

Total first run business was $85,000. Average was $79,400.

Estimated takings:

Week Ending Jan. 12:

"AH WILDERNESS" (M-G-M) UNITED ARTISTS—$1,200, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $5,200. (Average, $6,600)

"I DREAM TOO MUCH" (Radio) EMBASSY—$1,400, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $3,600. (Average, $8,700)

Week Ending Jan. 15:

"MAGNIFICENT OBSESSION" (Univ.) PARAMOUNT—$2,440, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $5,200. (Average, $6,600)

"HER MASTER'S VOICE" (Para) PARAMOUNT—$2,200, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $2,400. (Average, $7,000)

"Frisco Waterfront" (Republic) FOX—$5,000, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $5,000. (Average, $6,600)

"MUTINY ON THE BOUNTY" (M-G-M) PARAMOUNT—$2,200, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $4,400. (Average, $7,000)

Week Ending Jan. 16:

"Criminal and Punishment" (F.) OTTUMWA—$900, 25-30-35-40, 45-50, 50-55, 1 day, Stage. Gross: $1,000. (Average, $1,000)

Tri-State Contest Winners Are Named

Des Moines, Jan. 20.—Winners in Tri-State's 13-week promotion contest were named this week.

Those placing in one section were:

Eddie Dunn, Grand, Ottumwa, first; Don Fuller, Rivoli, Hastings, Neb., second; Robert Fulton, Paramount, Des Moines, third; William Miksell, Ottumwa, fourth.

The Omaha and Des Moines district managers tied for first place in the district contest for the most successful and controlled expenditure by districts. Evert Cummings of Omaha and Stanley A. Brown of Des Moines were the winning managers. Joe Kinsey of Davenport received a special prize for a good showing.

In the livestock group the winners were:

C. W. Peterson, Princess, Sioux City, first; William Beckley, Sweden, Des Moines, second; Ben Pickett, Grand, Hastings, Neb., third; L. E. Davidson of the Capitol, Sioux City, won for the pre-Christmas activity and Eddie Rossi, Capitol, Grand Island, was second. Rocky Newton, Paramount, Cedar Rapids, ranked first in exploitation and H. W. Grove of the Fort, Rock Island, Ill., was second.

"Obsession" Sets Record in K. C.

Kansas City, Jan. 20.—"Magnificent Obsession" at the Tower more than doubled par by taking $14,500, the second biggest box-office hit by far in the history of the house.

"College" took $8,500 at the New Vic, $6,000 over par. "Ah, Wilderness" at the Midland, reached $7,100 in nine days over par for that period, $1,000 above the Far Dark", and a stage show at the Mainstreet fell below par, taking $8,200. The double bill at the Cutoff, "Here Comes the Band" and "Charley Chan's Secret", disappointed, with a gross of $3,300.

Total first run business was $22,000. Average was $5,000.

Estimated takings:

Week Ending Jan. 15:

"COLLEGIATE" (Para.) NEWMAN—$1,400, 26-29-35-40, 40-45, 60-65, 2 days. Stage, band. Gross: $2,200. (Average, $6,600)

Week Ending Jan. 16:

"MAGNIFICENT OBSESSION" (Univ.) TOWER—$2,000, 26-29-35-40, 40-45, 60-65, 2 days. Stage, band. Gross: $2,500. (Average, $3,600)

"Ah, Wilderness" (M-G-M) MIDLAND—$1,600, 26-29-35-40, 40-45, 60-65, 2 days, Stage, band. Gross: $2,500. (Average, $4,100)

"Two in the Dark" (Radio) COLUMBIA—$1,600, 26-29-35-40, 40-45, 60-65, 2 days, Stage: Ada Leonardo and her Star Cast. Gross: $2,000. (Average, $3,000)

"The Thirteenth" (Lib.) COOLIE—$1,200, 26-29-35-40, 40-45, 60-65, 2 days, Stage: Ralphp "Coolie" Cook, Almea, and Elmore Price. Gross: $1,800. (Average, combination No. 8, $2,000)

"One Night in Heaven" (Para) "HERE COMES THE BAND" (M-G-M) "CHARLIE CHAN'S SECRET" (Metro-Goldwyn-Mayer) —$1,000, 26-29-35-40, 40-45, 60-65, 2 days. Stage, band. Gross: $3,000. (Average, $1,000)
“Two Cities”
Washington’s Hit, $22,000

WASHINGTON, Jan. 20.—“A Tale of Two Cities” boosted Loew’s Palace to be city’s best mark, $22,000. This is $5,350 over $16,650 the company grossed at $15,600. The picture went into a second week.

“Magnificent Obsession” proved itself magnificent—without obsession—at RKO-Keith’s, where the $16,000 gross was $5,400 over par. It also played a second week.

A return engagement of “Captain Blood” at the Metropolitan was good for $9,600, $3,500 over $6,100 and gaining a second week.

“La Maternelle” at the Belasco playing a second week, grossed $9,300, $5,000 over $4,300, while “Old Kentucky” playing the second week on a return engagement, went $4,000 over to a gross of $4,000.

Stage-screen houses slipped under their holiday vacation, Loew’s Forum, with “Biff,” playing a second week, headed by George Givot and Sylvia Fros, taking $21,000 (over par by $100) and the Early with “Mary Burns, Detective” of Phil Spitalny’s “Charm Girls” band on the stage, receiving $18,500, over average by $100.

Stage-play engagement, “The Little Rebel” continued to play boxoffice in its third downtown week at the RKO Grand where it grossed $850 over the line with a $3,300 gross. “The Crime of Dr. Crespi” was $300 on the profit side at the independent Strand, where it garnered $7,000.

Total first run business was $70,800. Average is $56,000. Estimated takings:

Week Ending Jan. 11:

- "THE CRIME OF DR. CRESPI" (Republic)
  - STRAND — 7 days
    - Gross: $1,800

Week Ending Jan. 16:

- "MAGNIFICENT OBSSESSION" (Univ.)
  - RKO PALACE—(2,700) 36c-42c, 7 days
    - Gross: $17,500

- "MAGNIFICENT OBSSESSION" (M-G-M)
  - LOEW’S PALACE—(2,370) 36c-42c, 7 days
    - Gross: $17,500

- "A TALE OF TWO CITIES" (M-G-M)
  - RKO CAPITOL—(1,300) 36c-43c, 7 days
    - Gross: $14,100
  - RKO THEATRE—(1,400) 36c-43c, 7 days
    - Gross: $15,000

- "THE LITTLEST REBEL" (20th-Fox)
  - RKO RADIANT—(1,200) 15c-25c, 7 days
    - Gross: $11,000

- "WHISPERING SMITH SPEAKS" (20th-Fox)
  - RKO FAMILY—(1,000) 15c-25c, 4 days
    - Gross: $3,500

- "NAVY WIFE" (20th-Fox)
  - RKO ROYAL—(1,100) 25c-35c, 3 days
    - Gross: $1,200

- "DACIOUS" (W.B.)
  - KEITH’S—(1,300) 36c-40c, 7 days
    - Gross: $9,700

Washington Pension, Relief Fund Starts

WASHINGTON, Jan. 20.—Circuits this month will begin to pay the state two per cent of the total salaries of employees. Employes will have one per cent of their salaries deducted weekly. The funds thus collected will be diverted into the State of Washington employment insurance fund.

Old age pensions and unemployment insurance will be handled through this fund.

All employers of labor in the state are affected.

Brown Making a Film

PROVIDENCE, Jan. 20.—Brown University is going Hollywood and a scenario is being shot to acquaint alumni with new phases of campus life. Various athletic contests will be shown as well as those to convey an idea of the traditions of the seventh oldest college in the United States.

“Burlesque”

Cleveland, Jan. 20.—First run business dropped from the sensational high of the previous week to a better-than-average total, with “Burlesque” and “Captain Blood” in its second week, taking ranking honors.

“Burlesque” was $2,000 over the line for the $10,000 gross. “Captain Blood,” in its second downtown week at the Allen, where $3,000 is the usual take.

Ah, Wilderness” held up nine days at Loew’s State, grossing $17,500 on the run. The State average is $12,000. “Sylvia Scarlett,” with a stage show starring Paul Lukas, at the RKO, went $2,000 over par at the RKO Palace to a $17,500 take.

Mary Burns, Fugitive,” went $500 over the $5,500 normal for a $4,500 total at Loew’s Stillman.

Total first run business was $54,700. Average is $40,000. Estimated takings for the week ending Jan. 17:

- "CAPTAIN BLOOD" (F.N.)
  - ALLEN—(3,000) 36c-42c, 7 days
    - Gross: $8,200

- "KING OF WILDERNESS" (M-G-M)
  - LOEW’S STATE—(3,600) 36c-42c, 9 days
    - Gross: $4,600

- "SYLVIA SCARLETT" (Radio)
  - RKO PALACE—(2,000) 25c-35c 4 days
    - Gross: $4,500
  - STAGE: Paul Lukas, Jane Frohman
    - Gross: $17,500

- "MARY BURNS, FUGITIVE" (Par.)
  - LOEW’S PALACE—(3,600) 36c-42c, 7 days
    - Gross: $4,600

“Cities,” $18,600

ST. LOUIS LEADER

ST. LOUIS, Jan. 20.—“A Tale of Two Cities” at Loew’s was the best draw of the run with a gross of $18,600, over average by $9,000. It was held over.

“Magnificent Obsession” at the Fox had a $7,000 week, above average by $4,800. It also was held over.

“Paddy O’Day” and the “Sunkist Revue,” a stage attraction, drew $15,600 at the Ambassador, a mark $5,000 above the house average, but the stage show had much to do with this gross.

Some musical attractions at the Municipal Auditorium furnished the principal opposition. The weather was cold with several cloudy days.

Total first run business was $68,400. Average is $8,400.

Estimated takings for the week ending Jan. 9:

- "PADDY O’DAY" (20th-Fox)
  - AMBASSADOR—(9,800) 25c-35c-5c, 7 days
    - Gross: $15,600

- "MAGNIFICENT OBSSESSION" (Univ.)
  - M-G-M THEATRE—(4,000) 36c-43c, 7 days
    - Gross: $16,000

- "TALE OF TWO CITIES" (M-G-M)
  - LOEW’S—(4,810) 36c-42c, 7 days
    - Gross: $18,000

- "THE BRIDE COMES HOME" (Para)
  - SHUBERT-RIALTO—(1,220) 36c-42c, 7 days
    - Gross: $7,600
### Bowes Unit, “Band” Big in Philadelphia

**Philadelphia, Jan. 20.—**The lure of Major Bowes and his amateurs still holds, for the Bowes Unit grossed for a $17,500 week at the Earl. The feature was “Dance Band.” The other shows held their own and also cashed in with a nice $16,000 second and final week for “King of Burlesque.”

On the whole, the town felt some of the post-holiday slump with several features not getting the breaks they were entitled to. “Dangers” at the Boyd and “Collegeate” at the Stanley both got good press notices, but were both under-par with $13,000 and $11,500, respectively. Rain in the middle of the week hurt business.

In its second run at Keith’s, “Captain Blood” cruised almost alike to $17,000, best figure for the house in a long time, and was held a second week. Total first run business was $78,800. Average is $84,300.

Estimated takings for the week ending Jan. 16:

**First A Girl** (G-B)
- **ALDINE**—(1,200), 40-5c-50c, 9 days. 

**“Whipsaw” (M-G-M)**
- **ARCADIA**—(600), 25c-35c-40c, 7 days, 2nd week. 

**“Dangerous” (W, B)**
- **BOYD**—(First Dir.)—(2,800), 50c, 7 days. 
  Gross: $1,600. Average: $228.

**“King of Burlesque” (20th-Fox)**
- **EARL**—(2,400), 25c-35c-40c, 7 days. 
  Gross: $2,400. Average: $343.

**“Wilderness” Tops New Haven, $9,000**

**New Haven, Jan. 20.—**The Poli, featuring “Ah Wilderness” on a deal with "If You Could Only Cook," led first runs to a $2,000 advance over the normal $7,000 for a nine day run. 

Total first run business was $26,300. Average is $9,300.

**Estimates for the week ending Jan. 16:**

**“LITTLEST REBEL” (20th-Fox)**
- **ORPHEUM**—(3,000), 25c-35c-40c, 7 days. 

**“The Perfect Gentleman” (M-G-M)**
- **ORPHEUM**—(3,000), 25c-35c-40c, 6 days. 
  Gross: $3,100. Average: $517.

**“Whipsaw” (M-G-M)**
- **ARCADIA**—(600), 25c-35c-40c, 7 days. 

**“The Perfect Gentleman” (M-G-M)**
- **ORPHEUM**—(3,000), 25c-35c, 7 days. 

### “Bride,” Show Chicago Smash With $56,000

**Chicago, Jan. 20.—**“The Bride Comes Home” with a stage show headed by Veloz and Yolanda, packed the Chicago practically the entire week and good gross of $56,000, over normal by $24,600.

“Magnificent Obsession” was in the money in a big way with $28,200 at the Palace. This is $9,200 on the profit side of the line. “Captain Blood” was good for $23,000 at the Artists and $6,000. “Personal Maid’s Secret” helped by a stage show headed by George Olsen and Johnson, garnered a heavy $20,500 at the Oriental.

Total first run business was $158,900. Average is $17,600.

Estimated takings:

**Week End Jan. 14:**

**CAPTAIN BLOOD (F-N)**
- **UNION ARTISTS**—(1,700), 35c-40c, 7 days. 

**ROSE OF THE RANCHES (M-G-M)**
- **WISCONSIN**—(3,200), 25c, 4 days. 

**MAGNIFICENT OBSESSION (Univ.)**
- **WARNER**—(1,800), 40c, 7 days. 

**WILDELBLOOD (M-G-M)**
- **WISCONSIN**—(3,200), 25c, 4 days. 
  Gross: $1,300. Average: $325.

**MAGNIFICENT OBSESSION (Univ.)**
- **WARNER**—(1,800), 40c, 7 days. 

**WILDELBLOOD (M-G-M)**
- **WISCONSIN**—(3,200), 25c, 4 days. 

**WILDELBLOOD (M-G-M)**
- **WISCONSIN**—(3,200), 25c, 4 days. 

**“Whipsaw” Lincoln Leader at $3,300**

**Lincoln, Neb., Jan. 20.—**“Whipsaw” was in the money last week at $3,300, which is $1,100 over average. The Carnival Co. took plenty of college trade and grossed $3,800, $700 up.

**“Whipsaw”**

**Boulder House Opened**

**Denver, Jan. 20.—**Fox Intermountain has opened its new Boulder theatre in Boulder, Colo. The opening was a gala affair and was attended by many Denver men. Seating 1,040, the house is modern in every detail.
Wehrenberg Tells of Effort To Get Films

St. Louis, Jan. 21.—Testifying as a government witness today in the antitrust action against Warners, Paramount and RKO, Fred Wehrenberg, president of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois, recounted his unsuccessful efforts to obtain Paramount and RKO product for subsequent run showing at the New Grand Central, in December, 1934. Wehrenberg testified. At that conference Arthur offered him two propositions on the New Grand Central. One was that P. M. & would give him a half-seat house.

(Continued on page 6)

Canada Attendance Up to 107,718,000

OTTAWA, Jan. 21.—According to a report of the Dominion Bureau of Statistics, 107,718,000 persons attended 799 film theaters during the past year throughout Canada. This is the first aggregate attendance compilation made by the government. Receipts totalled $25,280,300. In the peak year of 1930 the aggregate gross was $38,479,500. Receipts in six of the nine provinces were in excess of those of the previous year, British Columbia showing the greatest advance with 6.6 per cent and Ontario three per cent. The greatest falling off was in Quebec, where the decrease for the year was 3.2 per cent. Man.

(Continued on page 7)

Crisis on 52nd St.

The waiters at “21” walked out on strike yesterday and left that estabishment, rendezvous for many film men, in very much of a daze. However, the film contingent got along, as did others, with only a slight delay to Ralph Rolan, Phil Reisman, Capt. Carl Sandberg, Joe Moskowitz, Bob Goldstein, Willard McKay, Charles B. Paine and Monte Brice.

British Houses Dark

London, Jan. 21.—All picture theatres and most legitimate theatres were closed today in respect for the memory of King George.

Closings of legitimate theatres was left to the individual discretion of owners, but in the case of picture houses the E. G. and Gaumont British acted.

Theatres will close again for the funeral until 5:30 P.M.

Discuss New Move In Anti-Duel Case

An application for leave to reargue the appeal on the legality of the anti-duel clause in exhibition contracts before the U. S. Circuit Court of Appeals at Philadelphia was discussed yesterday at a meeting called by the company attorneys at M.P.P.D.A. headquarters.

The application for reargument is made it would set aside for the time being any move to bring the double features case before the U. S. Supreme Court, as was favored by some distributors earlier. Such a move, however, undoubtedly would be taken if the application to reargue should be made and denied.

The Circuit Court decision upholding the finding of Federal Judge

(Continued on page 7)

$78,000 to Balabans In '34, SEC Reveals

WASHINGTON, Jan. 21.—Barney Balaban, president, and John Balaban, secretary-treasurer, of Balaban & Katz, received salaries of $78,000 in 1934, it was revealed today by the Securities Exchange Commission, making public data sought to be kept confidential by the company when it filed its operating statement last year. Walter Immernan, vice-president, received $15,060.91.

The statement also showed that the company operates 49 houses, 15 of which it owns, the other 34 being leased.

Yamins Elected Head Of Allied Affiliate

BOSTON, Jan. 21.—Nathan Yamin was elected president of the Independent Exhibitors, Inc., New England Allied Affiliate, at the annual meeting here today. Other officers elected were: Max Levenson, first vice-president; Frances C. Lydon, second vice-president; E. Harold Stoneman, treasurer, and Ernest H. Horstmann, secretary.

Standard May Ask Extension Of “U” Option

Still Studying Company Financial Details

Indications are that Standard Capital Co. will be unable to arrive at a decision on the exercising of its option to acquire a controlling interest in Universal until up to an estimated time of the expiration of the option, Feb. 1. The negotiation of an extension of the option time beyond that date, if necessary, is a possibility.

J. Cheever Cowdin, head of Standard, said yesterday that, despite the fact that his company’s study of Universal’s financial position and requirements had been proceeding “day and night,” the work could not be completed before next week at the earliest. Standard’s decision on exercising the option is awaiting the completion of this study.

The understanding is that Universal loans favorably toward the idea and that the terms of such an option are being worked out now.

Iowa’s High Court Favors Bank Night

DES MOINES, Jan. 21.—The Supreme Court of Iowa today held that Bank Night was legal. This will result in 270 houses reverting to the plan. Des Moines theatres have announced immediate resumption.

Decisions also are pending in Texas, Massachusetts and New Hampshire.

Bank Night Invades Houston

HOUSTON, Jan. 21.—Competition sharpened by the opening of two new theatres here within as many months and the announcement of two others to be opened within a few weeks has done what the depression failed to do in Houston. It has brought in Bank Nights.

The Kirby, a split-week Interstate

(Continued on page 7)

Dickering

Republic is negotiating with "two or three men" for the post of general sales manager and is seeking an "outstanding" personality for the post, it was stated yesterday.
HARRY MOSKOVITZ, head of the construction department of Loew's, Inc., and now on his way back to this country from South America, is due on the 30th, his birthday. The Moskovitz clan—Charlie, Joe, Arthur, Martin and the others—are awaiting the turn.

P. A. Powers is receiving confessions from golfing friends on the destruction by fire Sunday night of a large part of the club house of the Long Shore C. C., C. S., Conn., of which he was the owner.

Jack Goldstein, exploitation manager for United Artists, left last night with Parker-Jones for Boston to attend the opening of "Strike Me Pink" at Loew's State and Orchestra Friday.

Quip of the Day
Talking about new clubs, Bob Goldstein umped long enough yesterday to remark agents were fighting over organization of their own and would not allow producers in. "Bob's an agent."

ROXY ESTATE PLACED
At $5,000 by Widow
Samuel L. (Roxy) Rothfeld left an estate valued at less than $5,000, according to a petition for letters of administration filed in the surrogate's court yesterday by the widow, Mrs. Rosa R. Rothfeld. The petition stated that no will had been found and that Roxy's personal estate consisted principally of a claim against RKO, which was removed for settlement to $179.79. Rothfeld's death has become subject to possible readjustment.

It was revealed that Roxy held life insurance for a large amount but no mention of insurance was made in the widow's petition. Roxy owned no real estate.

Hayes Holds First Meeting
Hollywood, Jan. 21.—Will Hayes called a meeting of the Producer Announcements Board Friday night. It is the first since his arrival on the coast. Joseph M. Schenck presided. The meeting dealt with the plans of the Social Security Act and pledged full cooperation on the President's Bill this year, as was done in 1935.

"Rancho" at $25,000
"Rose of the Rancho" ended its second week at the Paramount with $25,000. Glen Gray and his Casa Loma orchestra, and the Onyx Boys were on the stage.

"King of Burlesque" finished its second stands at the Center last night with $2,000.
Boys, did you like "Mutiny," "Tale of Two Cities," "Night at the Opera," "China Seas," "Rendezvous," "Anna Karenina"? Well you ain't seen nothin' yet!

I'M WILLING TO EVEN LET THE SUPREME COURT DECIDE!

The Cream of the Crop is on its Way. No Divided opinion here—not even 6-3.

OUR CASE RESTS on this banner line-up!

Irving Thalberg claims that "Romeo" is the biggest enterprise of his career. These banners represent Millions to entertain the M-G-M millions of faithful followers. We not only wished you a Happy New Year—we'll make it Happy!
GENTLEMEN, YOU'RE RIGHT

JUSTIFIED IN SWAMPING

MARGARET SULLIVAN

GREATEST STORY, "NEXT

ARE IN FLOODING US WITH

OTHER UNIVERSAL RECORD

OBSESSION"! UNIVERSAL

YOU WHEN A NEW SHOW

YOUR WAY.
YOU ARE ABSOLUTELY
US WITH BOOKINGS ON
OURSULA PARROTT'S
WE LOVE," JUST AS YOU
CONTRACTS FOR THAT
BREAKER, "MAGNIFICENT
DOESN'T HAVE TO TELL
PICTURE IS COMING
YOU KNOW IT!
Wehrenberg Tells of Effort To Get Films

(Continued from page 1)

MOTION PICTURE
DAILY

Wednesday, January 22, 1934

St. Louis, Jan. 21.—The testimony, as of Monday afternoon, totaled 1,278 pages. At the present rate, the trial will far exceed that taken in the criminal proceedings.

J. LEVINSON is pinch hitting for GRAD SARS as far as gags go in the present civil case, since his appearance from New York Sunday, can't get near the courtroom because he will be called by Warners when this comes to the end of his lease. Levinson isn't had at the bat.

BILL GENTRY took his first look at the proceedings from the jury panel Monday afternoon. He sat next to the door in the first seat.

SAM B. JEFFRIES likes to doze in the afternoons. This reporter caught him on the act Monday afternoon while WALTER RICE was arguing the doctrine of res gestae.

And, by the way, that res gestae is getting in everyone's hair. We won't be surprised one of these five days to see a complaint for breach of contract from the Royal Terrace in the Park Plaza serving a drink of that kind. With all the Warners wisecracks around, anything can happen. Even res gestae.

LOUIS PETERSENE, former member of the thoroughfare, and assistant manag-
rial staff, was around early in the week en route to the coast. He's making the trip by bus.

CRESS SMITH had a peripetic urge Monday afternoon when he was called by the Government to be on hand. Smith went to the local exchange after having been excused in the morning and was summoned to the stand again. He is representing the court.

Wehrenberg did nothing further on RKO, he testified, until he met Elman in the old Federal Building during the Musicians' strike. He denied the alleged conspiracy of Warners, Paramount and RKO to withhold product from the Missouri, Ambassador and Shubert-Rialto.

"I asked Elman again about RKO pictures for the New Grand Central," Wehrenberg said, "and Elman continued to quote the escalation clause of the contract. I asked him if they had a copy of the agreement. He referred me to the Motion Picture Council, Inc., and it was there I heard of the alleged conspiracy."

The price war that followed the reopening of the St. Louis under F. & M. management in November, 1933, was brought out by Wood's cross-examination. At that time, the St. Louis ran a stage show and double feature films for 25 cents and 40 cents, compared with the 65-cent topFormerly charged at the house by Koplar's Famous Amusement Co., and the 55 cents which was the top at the Ambassador, Loew's State and the Fox.

Wehrenberg declared the war between the St. Louis and the Fox hurt subsequent run houses. He questioned on the meetings held by his organization in November, 1933, to protest to Fox, Columbia and RKO on the cut in first run admissions.

Wehrenberg said he filed charges the following year when similar protests were lodged with producers and F. & M. about the extension of the matinee time at the Missouri and Ambassador from 6 P.M. to 7:30 P.M.

The witness declared that on Dec. 8, 1934, he was aware that F. & M. had complained to the Department of Justice about the local situation, having noted that Warner and RKO, under Koplar, had reduced their prices. He said he received a telephone call from Koplar shortly after, when Koplar wanted to know whether the management of the New Grand Central, including the local Paramount and RKO product, for the New Grand Central. Wehrenberg said he considered two and a half months a reasonable time and would have needed four to six pictures each week.

HARRY M. WARNER, president of Warners, appeared in court this afternoon for the first time during this hearing, and Rice sought to have him excluded from the courtroom. Judge Molyneaux declined, declaring it was within the court's discretion, and he believed, as head of a defendant company, should be permitted to assist the defense.

ULMER, Gordon Testimony Admitted

Early in today's session, the court tentatively admitted the testimony of J. M. Ulmer and B. D. Gordon, Cleveland attorneys, on an alleged conversation with Herman Stary, the principal in the St. Louis case, in Austria in 1933. It was tentatively excluded several days ago, and the court has not heard Stary's side of the story.

Hardy spent considerable time this morning introducing various leases and the auditor's and Ulmer's and contractions on a picture for the houses, as well as correspondence of Warners, Paramount and RKO relative to the pictures. He tried to get into the record the indictment in the criminal case on the ground certain offers by New York owners of the local houses were exercised by Warners and subsidiaries after the indictment was

The testimony of Cresson E. Smith, RKO sales manager for East, was heard by the manager, was largely a repetition of his previous testimony in the criminal case, and related to the preparation and sending of the contract copies of RKO product to Warners for use at the St. Louis-Jan. 22.

K. C. Operators in "Unfair" Campaign

KANSAS CITY, Jan. 21—Local IATSE operators are instituting a campaign against "unfair" subsequent runs. Between 500 and 1,000 copies of a list of "unfair" houses, and a parallel list of houses using union operators, is being circulated in the neighborhoods of the non-union houses.

Union workers found going into "unfair" houses and seizing up equipment, and after several months of off-and-on negotiations between subsequent runs and I. A. T. S. E. officials, the union and non-union operators arranged a conference with subsequent run owners and managers.

Some of these houses have been using union men, but without contracts.

Union men want to get this matter settled before falling into a hostile downtown houses, which are operating on last year's schedule following their refusal to grant increases when contracts came up for renewal early in the fall.

Actors and Writers Meet Labor Units

Hollywood, Jan. 21.—The Screen Actors and Screen Writers' Guild meet here today at the Writers Club with taunters, evangelical representatives of IATSE, Directors Guild and IBEW did not attend. The meeting was a closed affair.

Brodny in New Company

NORTHAMPTON, Mass., Jan. 21.—Steve Brody, Republic salesman, is treasurer of the newly formed Hamp-
shire Amusement Corp., which was taken over at the Academy of Music formerly operated by C. W. Rock, being doubled and remodeled. Frank Shaughnessy, presi-
dent of the corporation, is managing the house.

Sharp Sues TWA

Hollywood, Jan. 21.—Henry T. Sharp, Paramount studio cameraman, has filed suit in Los Angeles against Transcontinental Aircraft Corporation for injuries he said he sustained while "in the plane crash last year which three persons were killed. Sharp claims the airplane was "not in a safe condition.""

Potter Flies East

Hollywood, Jan. 21.—Henry Potter, producer on Samuel Goldwyn staff, left here today by plane for New York. He will conduct tests of star personalities for future Goldwyn film.
Iowa’s High Court Favors Bank Night

(Continued from page 1)
downtown house, has opened the first Bank Night here.
Will Horwitz of the Uptown, Texan, Iris and Ritz is said to be planning retaliation.
The new North Main, Interstate suburban, which opened Christmas, will start Bank Night Jan. 16.
Loew’s Five and Ten, on Main, the latter a suburban owned by J. Adelman of Ft. Worth, have not entered the game and competitors in the theatres say they will do so only if they are forced into it by the competition.

Court Denies Case Review
Boston, Jan. 21.—Bank Night, represented by George E. Ryan, local attorney, won an anti-lottery litigation in Maine, when the Supreme Court refused to review a Superior Court decision on the ground the facts were insufficient.
The case had been brought by the State of Maine against Frank Colburn, exhibitor of Bath, alleging violation of the anti-lottery law. It is understood the county attorney will drop the case, which has been returned to the Superior Court.

Drop Giveaway Suit
Chicago, Jan. 21.—The Bank Night infringement suit in the Federal Court in Danville, Ill., against six houses in the McColli circuit was dropped day before McColli agreed to the terms demanded by the plaintiffs.
In his Cash Night idea, the Alner and Anderson circuits are expected to follow suit to avoid fighting the war in court.

Wins Bank Night Case
BANZON, Jan. 21.—Associated Enterprises, Inc., has won a $250 suit brought by Harry Berman of Lackland, allegedly due on commissions for sales of tickets for Bank Night in the Panama argument in Superior Court, he defense contained any action based on a suit by Rast Betten Hoden, New England Bank Night distributor.

View Kansas House Burned
Kansas City, Jan. 21.—The De Soto at De Soto, Kan., which was burned a week ago by W. E. Fishlock, was almost completely de-stroyed by fire Jan. 19.
Citizens believe the town is jinxed. The De Soto was the first theatre it had since the slender plays. Their ad used it only about 10 days. Wel-son, getting back into the business after several years, as postmaster at Overland Park, Kan., estimated the loss at $6,000 to building and equipment. This was only partially cov-ered by insurance.

Theatre Arts Celebrates
Theatre Arts Monthly celebrates its 10th anniversary today with the February issue. The magazine for the last two decades has been active in recognizing the work of playwrights and scenic designers. It has aided the theatre in many ways, including the revising of building code legisla-tion, organization of the National Theatre Conference and the publish-ing of plays and books on the theatre of its allied arts.

Canada Attendance Up to 107,718

(Continued from page 1)
toba and Prince Edward Island were also doing well. Aggregate attendance in Ontario was 45,747,000, while that for Quebec, which was second in the standing, was 24,460,000.
Among the cities, Toronto held the leading position with receipts of $4,778,500 and an attendance of 19,423,000, while Montreal, the largest city of the Dominion, but with only 56 theatres, had aggregate receipts of $3,938,000 and an attendance of 18,578,000. Theatrical receipts in Toronto reported an increase in receipts of 2.6 per cent, while in Montreal receipts fell 15.5 per cent, compared with the previous year.
Vancouver stood third with an attendance of 5,018,700, with Winnipeg fourth with 6,066,000 admissions.

Receipts of all theatres in the Dominion showed an increase of 1.9 per cent over the previous year. Film exchanges showed a relatively better increase, with business totalling $7,018,700, or 9.4 per cent better than the previous year.

Discuss New Move in Anti-Duel Case
(Continued from page 1)
George A. Welsh in the Perilcan case against major distributors was handed down a new hearing Thursday. The opinion, written by 12-year-old Judge Joseph Bunting, held that the connection was a double feature and was illegal and amounting to restraint of trade with both exhibitors and independent producers. The effect of the clause is to seek to prohibit the showing of a second full length picture on the same program with the pictures covered by the contract. Clauses of this nature were embodied in the contracts of Fox, Paramount, M-G-M and United Artists.

Looking ‘Em Over

“Dangerous Waters”

(Continued from page 1)

D’Usseau Joins Weiss

HOLLYWOOD, Jan. 21.—Leon D’Us-seau, formerly with Radio, has joined the writing staff of Weiss Prod. Inc. His first assignment will be to assist with the adaptation of "The Clutching Hand."

No Chicago Pact Yet

CHICAGO, Jan. 21.—Exhibitors and operators are still unable to decide on the terms of a new contract. Meetings are being held daily in an effort to settle the problem this week.

Farrell Goes to G. B.

BOSTON, Jan. 21.—Edward Farrell, veteran film man, has been appointed to the G. B. sales force by manager John Scully.

"Call of the Prairie"

(Sherman-Paramount)

HOLLYWOOD, Jan. 21.—This is the fourth of the Hopalong Cassidy series. Although it is weaker in story material than its predecessors still it offers enough action to give general satisfaction.

Jimmy Ellison, youthful companion of Cassidy (Bill Boyd) during the course of the sowing of his wild oats, becomes entangled with a group of robbers led by Al Bridge. After an unsuccessful attempt to rob the gang, each of the inmates of the gang hold up a bank. Although Ellison had been knocked out and took little part in the robberies, suspicion falls on him. Boyd, running down the crooks, kills them off one by one until only one remains, George Hayes, who reforms at the last minute and clears Ellison.

Director Howard Bretherton has created a gripping scene when Bridge sets a gun to destroy Ellison, tied to a post.

Muriel Evans, appearing briefly for the love interest, is good, and Chester Conklin, Hank Mann and Willie Fung give good performances in character roles. The camera work and scenery are above average.

Doris Schroeder and Vernon Smith, who did the screen play from the novel by E. Mullins, have made the situations believable, a indi-vidues who have followed the series should be pleased with this film.

Production Code Seal No. 1,927. Running time, 64 minutes. "G."

Wall Street

Fractional Losses Dominate Record Net

These figures are for stocks negotiated in New York by members of the New York Stock Exchange. The figures are for stocks negotiated in New York by members of the New York Stock Exchange. The figures are for stocks negotiated in New York by members of the New York Stock Exchange.

High Low Close Change

Columbus........ 384 356 364 18
Consolidated...... 571 571 571 0
Eastman........... 102 100 100 0
Leach’s, Inc....... 313 313 313 0
Paramount........ 102 102 102 0
Paramount 2, pfd. 116 116 116 0
Barker’s........... 75 75 75 0
RKO................. 37 37 37 0
Warner Bros........ 34 34 34 0

Technicolor Gains % on Carb

High Low Close Change

Safety Security....... 13/8 13/8 13/8 0
Security Nat. Trust... 20 20 20 0
Technicolor........ 21 21 21 0
Trans-Lux........... 34 34 34 0

Paramount Bonds Up %

High Low Close Change

General Theatre 231 231 231 0
General Theatres 235 235 235 0
Loew’s, Inc........ 244 244 244 0
Leach’s, Inc....... 258 258 258 0
RKO................ 265 265 265 0
Warner Bros........ 271 271 271 0

Edg rights........ 100 100 100 0
Paramount Pict..... 95 95 95 0

Wagner Bros........ 95 95 95 0

Quotations at close of Jan. 21.
Biggest week the N.Y.

James Cagney
With June Travis • Stuart Erwin • Barton MacLane • Henry Wadsworth • Mart

"Best of the aviation dramas! Belongs among the cinema triumphs of the new year."
—N. Y. Herald-Tribune

"Stunning drama that's new and different. Sure hit for fans who demand excitement, humanity and ringing sincerity."
—Mirror

"Moves with the dynamic pace of a machine gun. You could hardly ask for a more breathtaking story, or one more skillfully executed."
—Post

"Heart-gripping drama crowds 'Ceiling Zero'. Picture outdoes recent stage smash!"
—American

"Rugged and virile... One of the best films to come from Warner studios!"
—Ti

"Tremendously exciting. Sturdy drama, this, and done with rousing effect. Superior entertainment that you can't resist."
—New York World-Telegram

"One of screen's finest!"
—Jos

... And this week's the week you go
End business since Strand was built!

A blizzard for opposition—but every previous Cagney-O'Brien opening is topped!

ZERO AT O'BRIEN

Isabel Jewel • Directed by Howard Hawks

“A natural...Packed with tears, laughter, thrills. Will leave you limp...Easily goes on your ‘must’ list.” —World-Telegram

“Hit the Strand’s screen with terrific force and left a packed house breathless at its fade-out. Strand’s top.”—Daily News

From WARNER BROS.
**Providence Unanimous 1936 Will Be a Prosperous Year**

Providence, Jan. 21.—Voicing unanimous opinion that 1936 will be one of the most prosperous years ever for the industry, Providence exhibitors look forward to better product, larger houses and bigger grosses.

They point with pride to the fact that some of the best films of the year came at the tag-end of the season with the highest grosses for the New Year. Then, too, every home downtown has at least half a dozen pictures set for the first two months that are expected to lift grosses sky-high.

Howard Burkhart, manager of Loew's State, had no hesitancy, when queried as to the outlook, in saying that "there are plenty of good things to look forward to in 1936. Good product is coming and we should have a great season."

He then went on to point out some of the highlights of the past year which did land-office business at his house. Heading the list was the "Mystery of the Bounty" which broke all previous admissions records. Other films written in large red letters were "Forsaking All Others," David Copperfield," "Cleopatra," "Marnie," "Ladies," "China Seas," "Anna Karenina," "Broadway Melody," "I Live My Life" and "A Night at the Opera."

Harry Schlinder, manager of the RKO Albee, also voiced optimism for a banner year. In addition to pictures, the house intends again to inaugurate a trade of stage presentations which will be in the form of revues. Among the pictures to which he pointed with pride as having done excellent business were "Robertia," "Alice Adams," "Top Hat," "The Scarlet Pimpernel" and "Anne Oakley."

"Good times are on the way again," is the opinion of Bernard Fay and Jack Tootley at the Majestic. Quizzed on the situation, they replied, "Oh, of course we're mighty glad—don't you know we booked all the new productions."

Practically all of this little curly top's films were held over for a second week, in some cases moving to the Majestic. Other films that tickled the customers to the extent of disengaging "Hats Goes on the Road," "New Men," "Go Into Your Dance," "Shim- mates Forever," "Life Begins at 40," and "George White's Scandals."

"Going to Town" hit the high spot at the Strand, Providence's independent house which two years ago was under the aegis of Paramount-Publix. Ed Reed, feted recently for having put over one of the best years in the history of the theatre, sees nothing but bright lights ahead. He believes the 1936 output will be better than last year and that patrons will respond accordingly.

In his list of big attractions for 1935 Reed placed these: "Big Broadcast of 1936," "His Heart," "Mississippi," "Gilded Lily," "Rumba," "Lives of a Bengal Lancer," "Ruggles of Red Gap," generally and "It Pays to Advertise." Exhibitors point out that business has been cut into by the racing season at Narragansett and by the fact that a few houses in the territory were closed for some weeks. They believe that we can have a good season despite that sort of competition and disadvantage. They feel that Providence's New Year shouldn't be one of the best, but they contend.

Lincoln Film Men See Gain During 1936

Lincoln, Neb., Jan. 21.—Substantial gains in attendance and boxoffice receipts of Lincoln theatres during December, in comparison with 1934 in the same month, is believed by theatre operators to be indicative of better grosses in 1936.

The December haul, ordinarily tough to cut in this area of low population, set a figure of about five percent better than a year ago in the southern and eastern Nebraska town. Dependence to a large extent in this territory is on the agricultural situation, a good crop and price year meaning excellent business.

Improvement here during 1935 was in direct proportion to the difference in crop values, which were totaled at $85,000,000 in excess of 1934. The latter part of the previous year was extremely bad all over the state, since early spring saw dust storms paralyze business for nearly a month and early summer saw Nebraska's most devastating flood all along the southern part of the state.

Under such a handicap, conditions were bettered and small town theatres throughout the state showed improvements in receipts in the territory have exceeded closings. New Deal spending, along with the greater number of families in this area, has forced more and more money into amusements of which theatre represent an overwhelming percentage.

No Receipts Tax Thus Far

Box-offices have survived a regular and special session of the state legislature without seeing a tax slapped upon receipts and there is no session in sight for 1936, which will mean another worry off the mind. Vaudville, however, is a different story as the city article has cropped up in the form of a law which has sprouted in large as well as smaller towns where it was unheard of before. Following are some of the acts adopted in Bank Night as a draw which is believed the reason for the turn out of a profit.

Two-for-ones operate only in rare cases now although double features seem to be a policy which cannot be turned away.

Optimism is expressed by City Manager Jerry Zigmond of the Lincoln Theatre Co., who says that the city has received some financial betterment in December," he stated, "not anything terrific but it was an up. Most of the business men around here seem to think we're in for more spending on the part of the public for 1936 and that the receipts for the present year will be more normal."

Mid-state, Carl Rose, York, manager of the Bank Central State houses there, said: "Our corn crop, far better than usual, is netting a nice upturn in business. Summer crops show signs of being good, too."

The Inspite exhibitors are happier to see them around than at any time in the last few years.

F. & M. Offices Moved

St. Louis, Jan. 20.—F & M of a move headquarters from the Fox to the Missouri, which was about one block away from the former spot.

**Theatre Boom Underway in Detroit Area**

(Continued from page 1)

Wyon and Road and Penke. Sites for the other two are to be picked in 30 days, he says.

Jeff Williams will increase the seating capacity of the Rozelle from 830 to 700 in a few weeks.

**Changes Gaining in South**

Atlanta, Jan. 20.—Theatre changes are rapidly all over the city, those reflecting improved architectural and industrial conditions in this territory.

In North Carolina improvements are general and one new house is to be opened soon.

In other spots the changes include the renovation of the Carolina at Greensboro; exterior and interior improvements to the Broadway, Char- lottesville, and Roanoke; King- ston, owned by A. B. Huff and associates, and changes in the Seabreeze, owned by W. L. Paul, at Beaufort.

In South Carolina George H. Harris has joined the expansion moves by leasing a brick building to convert into a one-theater Road and Penke.

Florida developments include renova-

**Kansas City, Jan. 21.—Improvises general conditions for Kansas City and its trade area, on which theatre men here base their predictions for at least a 10 per cent increase in grosses for 1936, are reflected in the Federal Reserve Bank's Monthly Review of conditions, trade and financial conditions in the 10th Reserve District.

Findings of the Review, which cover November and the first 11 months of 1935, are very encouraging. Comparing the first 11 months with the same period:

Business failures declined 17.7 per cent in number and 40.8 per cent in liabilities. Payments by check in 29 cities in the district were up 11.2 per cent and Federal Reserve Bank clearings, up 9.8 per cent. Wholesalers' sales were up 0.6 per cent, and retail sales 3.2 department stores were up 6.3 per cent. Retail trade was up seven per cent in November over November, 1934, and Christmas business, it was learned from other sources, was better than a year ago.

Sales, groceries, dry goods, hardware, furniture and drugs were up from 1.3 to 14.6 per cent in November, as compared with November, 1934.

Building Brings Lumber Gain

Continuing the 11 months' comparison:

Lumber sales were up 23.1 per cent. The value of building contracts awarded increased 14.6 per cent, while the value of residential contracts awarded went up 61.5 per cent and the value of building permits in 17 cities was up 75.8 per cent.

In central Florida, flour was up one per cent; crude petroleum, 69; soft coal, 15.1; zinc ore, 25.3, and lead ore, 25.2.

Wheat receipts were 7.3 per cent up; corn, 465 off, and oats, 118 per cent up.

Live stock receipts at six markets were substantially, as was meat packing.

However, the "Dec. 1 condition of western ranges was much improved over a year ago and above the 30-year average," and "November rains over the central and eastern portions of the district materially benefited winter grains and enabled additional planting of winter wheat in areas with moisture deficiencies."

Although farm prices showed net gains of from 25 cents to 52 per cent over October.

While life insurance volume declined, reports indicate that the volume of premiums is well over last year.

**Hold Up "Show Goes On"**

Hollywood, Jan. 21.—Production on Sol Lesser's "The Show Goes On" will be suspended for three weeks whileobby Deen recover from an emergency operation for appendicitis. The young star was rushed to the Cedars of Lebanon hospital last week and is doing nicely following the op-
tramp, tramp, tramp, the boys are marching ... to the bank ... with the dough ... from "Mister Hobo"

GEORGE ARLISS AS A LOVABLE VAGABOND
MISTER HOBO
DIRECTED BY MILTON ROSTER
SUCCESSOR TO 39 STEPS - TRANSATLANTIC TUNNEL - AND FIRST A GIRL
“THE BELOVED VAGABOND”
Freely Adapted from the Novel by W. J. LOCKE

MAURICE CHEVALIER

“Paragot”

MARGARET LOCKWOOD

“Blanquette”

BETTY STOCKFELD

“Joanna”

DESMOND TESTER

“Asticot”

Produced by:
LUDOVICO TOEPLITZ

Directed by:
KURT BERNHARDT

NOW SHOOTING AT A. T. P. STUDIOS, LONDON
May Increase Federal Levy On Admission

U.S. Eyeing Theatres as New Revenue Source

The Roosevelt Administration is considering an increase in the Federal tax on theatre admissions, according to the Washington Bureau of Motion Pictures. The move is motivated by the ever-mounting federal deficit and by the success of the Federal Revenue Bureau in raising funds by means of the state and local government levies.

The present Federal tax on admissions over 40 cents causes theatre owners to pay the Government about $17,-000,000 a year. Owners would be forced to decide whether they can absorb a new tax or must pass it on to the patrons in the form of higher admission charges. The Administration is aware of the processing variable costs and the probability of a soldier's wages being one of the factors which have been the Administration to seek possible needed revenue.

On the basis of reports for the first half of the current fiscal year, ending June 30 next, it is estimated the total

(Continued on page 7)

Lesser and 20th-Fox Deal to Be Set Soon

Hollywood, Jan. 22.—The Lesser deal with Twentieth Century-Fox may be concluded some time next week when Lesser returns from a trip to Palm Springs, where there is official confirmation.

Lesser is lining up six George Breen westerns which he will make at a cost of $10,000,000 each. Some of these pictures have already been discussed with E. J. Fally of the management.

Looze Gaitey, Fulton For a New Theatre

Plans have been completed by City National Bank for the demolition of the Gaitey and Fulton Theatres on 39th St., just west of Broadway. In their place will rise a new 1,700-seat modern theatre, Slewman & Hobbs scheme for the National Bank and is understood already offering the lease to prospective tenants.

Originally, it was planned to tear down the Astor, Bijou and Morocco additions to the above two houses, but this idea has fallen through.

Nation's Houses, 18,508; 15,378 Open, a 5.8% Gain

Senators Show Little Interest in Any Copyright Legislation

By CLARENCE LINZ

Washington, Jan. 22.—A lack of desire on the part of the Senate to expedite copyright legislation was indicated today when the bill providing for adherence to the international copyright union was reached in the regular course of business. On the Senate calendar, the measure was brought up, when the call of "over" was heard, and the bill was passed by.

So far during this session, the Senate has shown no interest in the subject of copyright.

ITO Will Sue City, Changes On Sales Tax

Suit will be filed against the city and all local exchanges of the two per cent sales tax by Weisman, Quinn, Allen & Spett, attorneys for the I. T. O. A., it was stated at the exhibitor organization's meeting yesterday at the Astor.

Several details are now being discussed by the lawyers and it is expected the papers will be served either today or tomorrow. A representative of the law firm said that the grounds for the suit will be that "the tax is illegal because the films are rented and not sold." The action will be filed in the N. Y. Supreme Court.

The same legal firm will tomorrow file leave to appeal to the Court of

(Continued on page 7)

RKO Claim Hearing Is Again Set Back

A further postponement of the hearing scheduled for Friday before Federal Judge William Bondy on the exceptions of the RKO trustees to the report allowing Rockefeller Center's claim against RKO at $6,000,000 was granted by the court yesterday. The hearing was set down for Feb. 4, but indications are that additional postponements will be granted, as efforts to effect a compromise of the claim are being made and depend in large part for their consummation on progress in the development of a reorganization plan for RKO.

A memorandum proposing a $14,000,000

(Continued on page 7)

Failed to Get Warner Films, Lesser Says

St. Louis, Jan. 22.—Irving Lesser, manager and general counsel of the Roxy Theatre in New York under Howard S. Cullman, trustee, a Government witness in the equity case here against Warners, Paramount and RKO, described his unsuccessful attempt last week to get Warners' "Alibi Ike," a picture bought for the Roxy. He said that the reason lay in the fact that the Roxy had been injected into the civil and criminal actions against the three major companies, with Fanchon & Marco as complainant.

Lesser said he had no opportunity to describe his career in the industry, as Judge Joseph W. Molyneaux, in an effort to speed the action, said, "His career may be very interesting, but let's assume he is qualified as an expert." Counsel agreed, but it was established that Lesser started at 16 in distribution on the coast.

In response to a question by Walter Rice, assistant to Russell Hardly, chief Government attorney, Lesser said his experience covered production.

(Continued on page 4)

Newsreel Theatres Plan Newark House

Newseel Theatres, Inc., operator of the Embassy on Broadway, will open a second newsreel theatre, Feb. 14, in Newark. The Embassy, which is being expanded, will be used for the Newsreel Theatre, a new building just nearing completion and will seat 400. The policy will be the same as at the Embassy, a 25-cent admission and a policy using all five newsreels, March of Time, and shorts. Edward J. May, who has been assistant manager of the Embassy, will be manager of the new house.

While Newsreel Theatres may open other houses of this type in the larger cities of the east later on, it has no definite expansion plans at this time, according to F. C. Wood, Jr.

Warner's File Eighth Broadcasting Action

Warner music subsidiaries brought their eighth suit for copyright infringement by radio broadcasters yesterday with the filing of an action for $5,000 damages and an injunction against station WIP, Philadelphia.

The suit was brought in the federal district court in Philadelphia.

Suits will be filed almost daily against radio broadcasters using Warner music without a license, the company's legal department said yesterday.

Pickford Destill Still Stands, Says Lasky

Hollywood, Jan. 22.—Jesse L. Lasky denies to Motion Picture Daily persistent reports that Pickford-Lasky Prod. will disband. "There is absolutely no truth to that report," he declared.
Mrs. Roosevelt Hits “Careless” Newsreel

WASHINGTON, Jan. 22.—Mrs. Franklin D. Roosevelt, speaking today before the National Conference on the Prevention of Crime, charged by the supputation of public opinion of “careless” newsreels which tend to cause discussion and fear rather than to help, “are the people who see the reeks in the theatre. If they protest,” she said, “the thing will disappear. You control the opinion whether film or radio program or other item is seen or heard and you have the power to remove whatever is harmful to good feeling between nations.”

Kennedy Plan Nears

Joseph P. Kennedy’s recommendations for the Robert Cole Foundation for RCA are expected to be submitted to a meeting of the company tomorrow, forming SEC head and film executive, was retained recently by RCA to aid in reviewing major and accumulated dividends on the 767,275 shares of $3 cumulative preferred B shares outstanding, amounting to approximately $16,000,000.

“Zero” Is Held Over

“Weather” will be held over for a second week at the Broadway Strand, beginning Saturday.

Purely Personal

M. H. AYLESWORTH, New
D. DEPINT, Phil. FEINBERG, FRANK
BUCK, HERBERT J. YATES, HERMAN
ROBBINS, E. L. ALPERSON, SAM DEB-
MO, and M. B. DUDLEY, NATHANSON’s wife
were among those at “21” yesterday. The
NATHANSONS are just in from Florida, where they saw M. B. (“Shari”) SHANGER and JOHN D.
CLARK and leave for Toronto today or

CRESSON E. SMITH, western and
southern RKO sales manager, returns
today from St. Louis. He’s been in the
Mound City for almost three
times, waiting to make the stand in
the government’s civil suit against
Warner, Paramount and RKO. He
finally did Tuesday.

HELEN MORGAN will arrive from
Hollywood today and will entertain
nightly at the House of Morgan until
her picture next week is shown in
the “Showboat” for Universal.

PAUL MUNI will leave the coast
next week to be present at the opening
of “The Story of Louis Pasteur” on
Broadway early next month, prob-
ably at the Strand.

Quip of the Day

The Off-the-Record convened at
Jack and Charlie’s yesterday with
Eddie Alpersen as guest. Thereafter, its members adjourned to
Hicks’, to buy the largest pineapple
in sight and to present it to
Major L. E. Thompson who is ill at the New York Hos-

“We brought you this because
you’re accustomed to receiving pineapple,” said Sam Drayson who handled the presentation.

Thompson is a veteran of labor disputes.

LAURENCE STALLING has
been booked by the William Morris
Agency as guest star of the Ruby Valler
house party tonight. He will speak on
Ethiopia.

WHITFORD DRAKE, Erpi vice-presi-

dent, is away from the studio for a month’s
vacation in England and on the Con-

RICHARD COTES starts on a limited
personal appearance tour in the East
Jan. 31, opening at the Metropolitan,
Boston, before appearing here.

HERMAN BERNIK, manager for
George Givot, is searching for
a dramatic play in which to star the
“Greek Ambassador of Good Will.”

AL FREIDLANDER, First Division
vice-president, has returned from a
tour of exchanges.

HERBERT J. YATES did not leave for
California as was reported. He
hopes, however, to go soon.

FAY WRAY arrives on the Manhattan
today.

TOM J. CONNORS of M-G-M has re-
turned from a mid-western trip.

ST SEADLER has returned from
Hollywood, Palm Springs and a
Southwest ranch to Florida, shortly
and then to Los Angeles to meet Sylvo-SKOVARS on the latter’s return from Hollywood. Sylvos, inci-
dently, won a lot of bets that he
would finish testifying in the St.
Louis case and make his boat.

LESLE E. THOMPSON is recuperating
from his gallstone operation and
could be discharged from N. Y.
Hospital Saturday. Then a short stay
at his home in Larchmont and Florida
sunshine as soon as he is permitted
to travel.

W. RAY JOHNSTON, recovering from
a breakdown of bronchial pneu-
monia, left yesterday for a three weeks
rest at St. Petersburg, Fla., with
Mrs. Johnstion. He is due back
about Feb. 7.

MILTON C. WEINSTEIN modestly de-
clined an offer by the I. T. O. A. to
him to give a dinner seminar. He said
he’s having a lot of fun working for
Organized labor and testimonial
mean nothing.

RAY MILLAND has signed another
option on his term contract with Par-
mount, and left the coast yesterday
for New York, en route to Europe,
sailing on the Manhattan Jan. 29.

MILE RILEY and Edie FARLEY and
their Coast Clubs left for the
coast yesterday to begin work on
the Columbia feature, “The Music Goes Round.”

AL FREIDLANDER is on a trip to
Philadelphia and Washington for First
Division and is due back later in the
week.

NATE MANHEIM is in Switzerland.
Universal headquarters has no word as to his return.

MOLLY PIigon, Yiddish comedienne,
starts work today in a Vitaphone vaudeville show.

GEORGE K. ARTHUR, former star, is
no longer selling M-G-M pictures.

JACK GOLDEN, RKO Rochester divi-
sion head, is in town.

LEONARD GOLDSTEIN is in town from
Hollywood.

... Omaha

A. A. BURRUS and Mrs. BURRUS, Crete, Neb., have gone to Hot Springs, Ark., for a month’s rest.

FRANK and MRS. THOMAS, manager
of the Thomas at Brownville, Neb.,
are en route to California one week before
Christmas, are expected back on the
job soon.

JOHN COSSER, manager of the Sun
at Atchison, Kans, sets out on a two-month
trip through Texas.

FRANK KENNEBEEK, on leave here at
his parents’ home after spending four years in Australia for Para-
mount, is preparing to leave for his assignment in India within a week.

MUTINY’ Is September
Box Office Champion

“MUTINY on the Bounty,” M-G-M, at
first place in the list of December
Box Office Champions, according to a
Picture

“MUTINY on the Bounty,” M-G-M, at
first place in the list of December
Box Office Champions, according to a

Astaire Sues Esquire

Fred Astaire has filed suit in New York Supreme Court for $25,000

Conn. Election Delayed

New Haven, Jan. 22.—The

Empire Election Upheld

A decision dismissing a motion by

Montague on Coast

San Francisco, Jan. 22.—Ab

Ampa Meeting Closed

Ampa members will attend a close

Studies to Pay

Hollywood, Jan. 22.—Stu-

3

“Yiddish pictures” and
meet the tax under the Social Secu-
rity Act, it was determined at a meet-
ing of the Producers’ Association.

2
Bucking the winter’s worst blizzard, ‘CEILING ZERO’, Cosmopolitan’s newest production for Warner release, landed at the N. Y. Strand Saturday to smash every week-end record in the house’s history. Critics and capacity crowds alike cheered the laughter and tears that make it ‘the best and most moving of the aviation dramas’, the ‘superlative acting’ of JAMES CAGNEY, PAT O’BRIEN, June Travis, Stuart Erwin, Barton MacLane, and the ‘superb direction’ of Howard Hawks.

RKO Claim Hearing Is Again Set Back

(Continued from page 1)

700,000 reduction of the Samuel L. (Roxy) Rothafel claim against RKO which had been allowed for allowances for 1936. The $79,271 was filed yesterday with Judge Bondy by Donovan, Leisure, Newton & Lumbrard, counsel to the trustee. A careful study of the allowance of the claim was based upon the breach of Roxy's employment contract with RKO shortly after his death. The contract had 10 months to run at the time of Roxy's death and for this reason counsel believed that the stipulation complained of was not established by the court in its original form.

Briefs were also filed with Judge Bondy by the Trenton Advertising Co., contesting the stipulation for allowance of a claim by Alfred E. Field of $11,069. The company contends that the work on which the claim is based was performed by it and that Field is entitled only to a commission on the billings of $11,069. Judge Bondy reserved decision on both claims. His decision on stipulations for allowances of other claims submitted to him recently by the RKO trustees is also pending.

Increase Possible In Admission Taxes

(Continued from page 1)

The tax revenue from Federal admission taxes for the year will be more than $7,000,000, compared with $15,379,397 for the previous fiscal year. Two ways of increasing the tax are open. One is to reduce the exemption from 40 cents, and the other is to increase the tax rate from the present 10 per cent.

Tax increases are expected to face bitter opposition in Congress, however, and no new tax legislation is expected for re-election in the fall. Indicative is the fact that members of the House Ways and Means Committee, when the tax bill was last considered, did not increase the tax. A number of new tax laws which have originated, have agreed among themselves to fight new taxation.

Officers Are Installed

David A. Levy, New Jersey branch manager for M-G-M, and recently appointed president of the New York Film Board of Trade, was inducted into office last night along with other members of his department. Following the induction all local branch managers saw "George White's Scandals."

Reid Option Taken Up

HOLLYWOOD, Jan. 22—Radio has ex-erised its option on Cliff Reid, asso- ciate producer of "Downstage," for whom payments he will produce Ann Harding's next picture, "Witness Chair," and "Pugilistic Gold," starring Richard Dix.

"Collegeate" Sets Record

All attendance records for the opening day of "Collegeate" were broken yesterday by "Collegeate," according to Paramount. Robert Froemming, executive vice-president, reported 8,000 had paid admissions up to one o'clock.

Foran's Next Titled

HOLLYWOOD, Jan. 22—Warners have selected "Two Gun Buckaroo" as the title for the next Dick Foran western.

Concord's First

Concord, Mass., Jan. 22—The first new theatre which is being planned for this town, the first battle ground of the Revolution, has been completed. To set-700, the house will be built along Colonial lines, and is expected to be ready in the spring. The only films which have been shown have been occasional screenings by religious or educational groups.

Charity Rackets Go Under Manitoba Ban

WINNIPEG, Jan. 22—E. A. McPherson, provincial treasurer of Mani toba, put his foot down on "charity rackets" and threatened to prohibit the waiving of the amuse ment tax for performances of any kind when no proceeds are announced or held under the auspices of community organizations unless the sponsors actually manage the finances.

When no promoter is engaged, the charity organization will be entitled to a tax concession. This follows the example of the Alberta Provincial Government which collects the amuse ment tax in all instances, but grants only the proceeds to the organization that is able to show that the expense of a charity show do not exceed 50 per cent of the gross.

Tax Action Stirs Canada

TORONTO, Jan. 22—A sensation oc-urred recently when the Dominion excise and tax commission, which is authorized to take the action on the federal amendment, discovered that the policy had been left over from an operation which had been conducted under the authority of the Ontario government. Magni- tude Atkinson adjourned proceedings after hearing the evidence.

"Informer" in Comeback

Cleveland, Jan. 22—"The Infor-mer" is coming back for repeat runs in all major situations in this territory after having closed first and second runs. In Cleveland it is in its second week at the Circle, after hav- ing played the Palace and the plants. Other repeat runs at first run houses are at the Pantheon, Toledo; Palace, Akron; Palace, Canton; Palace, Musselman and Warner, Sheal and Schine circuits.

On Fund Committee

Boston, Jan. 22—Martin J. Mullen, Samuel Pinanski, Charles Koerner, Al Somerbee and Joseph Brennan are among the theatre men serving on the committee for the 1936 Community Fund, which seeks to raise $4,000,000 for the support of 100 charitable or-ganizations here.

"U" Theatres Pay Again

Universal Chain Theatres has paid a fine of $1,000 against them, amounting to $250 a share. The previous city-lodging the company has been under way for several years.

McCarthy Goes to Denver

OMAHA, Jan. 22—Danny McCarthy will take over the booking duties of the Omaha branch of the United Artists, replacing Bern Marriner, who has been promoted to office manager at Den- ver.

"Obsession" 116 Mins.

"Magnificent Obsession," reviewed in MOTION PICTURE DAILY in the Dec. 31 issue and for its running time 67 minutes. It should have read 116 minutes.

Chicago Men Cheerful on 1936 Outlook

CHICAGO, Jan. 22—The men in this part of the country got a taste of profits, in a substantial way, during the past year. In fact, during the first half of this year alone, several years their figures had been in the black, and, buoyed up by this rise in business, they look optimistically to the coming year.

Judging from the way business started off after the first of the year, following the unaugured year of last year, practically all other lines of business have shown a marked in- crease in the past few months, and Christmas trade, in this territory, as reported by retail merchants, was the heaviest since 1929. Theatre business here started upward last spring. More than 80 theatres, usually closed during the sum- mer months, have stayed open through the spring and summer, the number of houses using them will be far less than any other year. Exhibitors feel that the credit better pictures and healthier business conditions for this situation.

All local film exchanges report an increase in the business for the past year. Selling campaigns are months in advance of those of a year ago. Exhibitors have been all through themselves and sign up for product at prices in excess of those paid during the past few years.

For the first time in five years, many new theatres are being built. Downstate 10 or more new houses have been built. Many new houses, dark for years, have been remodeled and reopened. Theatre equipment sales have been at their best since 22 years ago, and it is estimated that at least 75 per cent of all theatres have undergone some renovation during the past few years.

In the city of Chicago, several new theatres have been opened and at pres- ent, there are waxing strong. B. & K, and its affiliate, Great States Theatres, plan to open numerous closed houses and to build several new ones.

This is the first activity of this type the circuit has engaged in for several years.

Circuit managers are optimistic. Loop houses have shown a steady in- crease in gross, week by week. Dur- ing the first week they may fail through the spring and summer, the number of houses using them will be far less than any other year. Exhibitors feel that the credit better pictures and healthier business conditions for this situation.

The threat that double features, which have not been used for many months, might force their way back after the summer may be only an increase in grosses. At present, there is no thought in the minds of exhibitors. With booking and union troubles cleared away, with better product than there has been in a long time, the theatre business is the best since those recent record-breaking weeks of the Century of Progress.

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**Out Hollywood Way**

**Hollywood, Jan. 22.—Mel Shat-\_\_arka wondering what will happen if his current features are put on a dual. They are: "Three Cheers for Love," "It Can’t Last." Sir Guy Standing is getting his own regatta next week at Gene Towne getting his play, "God Bless Your, Inc.," ready for summer opening at the New York.**

**Jack Dillon recovering from influenza at Palm Springs. Al Hansen’s new house at Compton to be opened Feb. 1. Pa Haarssen to open the Garden at Belvedere Gardens next week. Jack Sullivan, F. C. B. buyer, on a vacation at Panama. Newton P. Jacobs, RKO exchange manager, back from wraps up in its west’s skin to scare the others. He is eventually chased by a big black bear. A musical number somewhat reminiscent of "What’s Afraid of the Big Bad Wolf?" runs through it. Production Code Seal No. 1,875. Running time, 10 min. 6c.**

**"West Point of the South"**

The Virginia Military Academy, is student life, references to its share in the Civil War, views of the miniature field pieces used in artillery practice and cavalry training are presented with comments by Pete Smith. Some of the comedy attempted in the narrative falls short of the mark, but the number ought to be popular in the south where the students come from almost every state. Running time, 8 min. Production Code Seal No. 1,700.**

**"Rat-\_\_Sheep, Run!"**

Good children’s entertainment and with plenty of appeal for adults. It is the story of three little white sheep, one black sheep, a dog and a picture. The black sheep gets into trouble if a forest, and the dog, to get revenge, will try to scare the others. It is eventually chased by a big black bear. A musical number somewhat reminiscent of "What’s Afraid of the Big Bad Wolf?" runs through it. Production Code Seal No. 1,875. Running time, 10 min. 6c.

**"Sacred City of the Mayan Indians"**

(Fitz-Patrick-M-G-M)

Costumes copied from the early Spanish conquistadors, native buildings and customs with mountain scenery are used to close the series in naves at play and at work, while the Mexican mirth, a mirth made of mirths—these and other scenes make this a very interesting plot. The photography in Technicolor is gorgeous. Production Code Seal, 0,831. Running time, 8 mins. 6c.

**"Pirate Party on Catalina Isle"**

(M-G-M)

Time and money were lavished on this party, which had many of the results that are eye and ear-filling. The Buccaneer costumes, a bevy of gorgeous girls and a collection of singers, with outdoor action shots to lend variety make up a satisfying whole. Buddy Rogers and Carole Landis of the Catalina Cavallars. Occasional glimpses are given of Marion Davies, Chester Morris, Cary Grant, Vivien Leigh, Richard Dix, Dana Andrews, Randolph Scott, Mickey Rooney, John Gilbert, Leon Errol, El Brendel, Robert Armstrong, Johnny Downs, Sid Silvers, Vincent Barnett, Errol Flynn, Betty Burgess and Jack Duffy. Los Angeles Love band does a number of song number. It’s a grand short. Production Code Seal No. 1,593. Running time, 20 minutes. 10c.

**"The Count Takes the Count"**

(Roch-M-G-M)

With some well-developed gags and plenty of fun, "The Count Takes the Count" with Chester Chase succeeds in keeping this two-reeler moving at a fast pace. Chester Chase and 10 other persons, all wearing costumes, but what has been in insuring a wedding for $1,000,000 until his boss points out that the prospectus is wrong. He collides with the bride’s car, takes her in when she tells him she is a detective pursuing the missing bride, and they set merrily for San Francisco. Both are arrested. A dining room and bedroom sequence with Chester Chase playing the part of a maître d’hôtel is very funny. A holdup with Chase and the girl roped together is also good for a series of laughs. Recommended. Production Code Seal No. 1,815. Running time, 20 min. 10c.

**"International Varieties No. 1"**

(J. H. Hofberg)

This is a collection of continental vaudeville acts which includes a character, Noni; The Two Tars, Strelsky’s Cosack Singers and Albert Sandler’s Viennese orchestra. The last named plays Schubert’s “Serenade” beautifully and, in a measure, redeems the rest. Noni leads a band and The Two Tars do a silly turn, finishing with a stupid piece of business in which they row off the stage. The names are unfamiliar to Americans, and the brand of entertainment is not up to standard here. The singers do typical Russian folk songs with the usual staccato, and The light-\_\_photography and singing are spotty and little imagination went into the production. No production code seal. Running time 8 mins. 10c.

**"A Thrill for Thelma"**

(M-G-M)

This is one of the "Crime Doesn’t Pay" series. A girl is summoned from a state prison line to tell her story. The narrator is a reporter in the western office. It’s an exciting yarn, detailing how she gets a job in a beauty parlor, is led unsuspectingly into a holdup of a couple in a parked car, with one crime following another until the boy is killed and the girl is sentenced to 20 years in jail. Irene Hervey is effective as the girl prisoner and "Thelma" Mitchell as the black goat. Good performance as the young criminal. First class entertainment. Production Code Seal No. 1,700. Running time, 18 mins. 10c.

**Indianapolis Looks For Business Gains**

**Indianapolis, Jan. 22.—Business here is expected to be at least 10 per cent better this year, local business leaders believe. At least $1,875,000.00, or $1,000,000.00, for the 1941-1942 period, is expected. The sales increase may be attributed to the investment in industry and the increase in the price level.**

**Goldwyn Signs Hawks**

Hollywood, Jan. 22.—Samuel Gold-\_\_yn has signed Howard Hawks to a two-year contract. As his first assignment, Hawks will direct "Come and Get It," story by Edna Ferber. Virginia Bruce and Frank Shields are the only players set for the cast so far. Hawks is the first director ever signed to a term contract by Goldwyn.

**Wall Street**

**Substantial Gains Revive Most on Board**

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**Leading Bond Gains With 2½% Low Close Changes**

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**"Obsession" Held At Los Angeles**

**LOS ANGELES, Jan. 22.—"Magnificent Obsession" hit Hollywood Boulevard like a whirlwind, and before the second week at Pantages was over its take was more than double the first week par, $7,500. It held up to a par $41,000 in its second week at the Million.

The only other important gross of the week was at the Paramount, through a combination of Herbert J. Yates and Mayer, and the screen and a combination of Herman Timberg and his company, an F. & M. and revue and Al Lyons and his orchestra, garnered $22,500, over the line by $7,500.

Total first run business was $89,000. Average was $36,150.

Estimated takings for the week ending Jan. 22: **"ANIMAL WILDERNESS" (M-G-M)**

**"THE MARRIAGE" (20th-Fox)**

**"MY MARRIAGE" (20th-Fox)**

**"WILLIE THE SALTWATER" (20th-Fox)**

**"WILD WINDS OF THE SOUTHWEST" (20th-Fox)**

**"MAGNIFICENT OBSESSION" (Univ.)**

**"THE LION Tamer" (20th-Fox)**

**"THE SILENT WOMAN" (Univ.)**

**"CAPTAIN BLOOD" (F. N.)**

**"WASHINGTON, D.C. LUXURY" (Columbia)**

**"CAPTAIN BLOOD" (F. N.)**

**"MOTION PICTURE DAILY**

Thursday, January 21, 1936
ANSWERS ALL PROJECTION PROBLEMS!!

Sixth Edition of
F. H. RICHARDSON'S
BLUE BOOK
OF
PROJECTION

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:

:

:

MOTION PICTURE

DAILY

10

No Parking

$10,000, Houston

$7,000, Louisville

Show

"Socrates,"

"Wilderness" Gets

"Obsession" Pulls

Thursday, January 23, 1931

High

Chicago, Jan. 22.—Henri Elgot a permit to stop cars
from parking in front of his
new office. This cost him $20

in Montreal

man

—

Louisville, Jan. 22. "Magnificent
smashing
delivered
a
Obsession"
$7,000 at the Strand on the week.
This is nearly triple the ordinary take

was held.
was $2,000

for the house.

It

"Dangerous"

on

the

with a take of
Anderson. This

profit side of the line

$4,500 at

Mary

the

was held.
With the public

also

flocking to the two
standout attractions, other first runs
found the going rather rough. The
Rialto, with "Rose of the Rancho"
did $3,800, $800 under par. Loew's
State, with the double feature bill,
quite
couldn't
Ticket,"
grade, the gross hitting only $4,300,
or $200 under average.
With the repeal of the state three
per cent sales tax, theatres will drop
the additional cent on admissions up
to 40 cents. This should give some

impetus to business.
The weather has been pleasant, and
boxthe resultant reaction at the
offices has been favorable.
Total first run business was $25,-

Average

700.

15c-25c-40c,

(Average,

$2,200.

"MAGNIFICENT OBSESSION"

STRAND— (1,500),

Gross:

15c-25c-40c,
$2,500)

"DANGEROUS"

Gross:

days.

$4,500.

NATIONAL— (2,400),

"Cook"

15c-25c-40c,

15c-25c,
$1,400)

at

$3,000).

"DON'T BET ON BLONDES" (W.
Gross:

15c-35c,

7

B.)

(Bank

day

1

(Average, $500)

$1,000.

(Univ.)

Gross:

(Average, $1,500)

"AH, WILDERNESS" (M-G-M)

STATE— (2,750),

Gross: $10,000.

25c-40c,
(Average, $7,000)

Gross:

7

(Average, $7,000)

$6,000.

"DANGEROUS" (W.
METROPOLITAN— (2,600),
days.

B.)
25c-50c,

Stage: Blackstone, Magician.
(Average, $7,000)

days.

7

(Col.)
(Col.)

days.

Gross:

$2,500

7

Gross:

Oklahoma

City, Jan. 22.

—"If

Could Only Cook" managed

come

the effects of a cold

You

to over-

wave here

by getting $2,500 at the Capitol. This
was $500 over the line.
"Collegiate" took an average $5,000
at the Criterion.
"The Dark Angel"
was over the line by $100 on a gross
of $4,100 at the Midwest.
Total

run

first

Average

is

business,

$14,250.

$14,000.

"COLLEGIATE" (Para.)
CRITERION— (1,700), 10c-26c-36c-55c,
Gross:

days.

(Average, $5,000)
ANGEL" (U. A.)

$5,000.

"THE DARK
MIDWEST— (1,500),
Gross:

days.

"IF

10c-26c-36c-56c,

7

(Average, $4,000)

$4,100.

YOU COULD ONLY COOK"

(Col.)
10c-2Oc-26c-36c-41c,
7

CAPITOL— (1,200),
days.

Gross:

(Average,

$2,500.

$2,000)

"YOUR UNCLE DUDLEY" (20th-Fox)
LIBERTY— (1,500),
10c-20c-26c-41c,
4
days.
$1,900.

Stage:

"A

(Average

Night in Avalon." Gross:
for week, $3,000)

DAN MATHEWS"

"CALLING OF

(Col.)

LIBERTY— (1,500),
days.
$3,000)

Gross:

$750.

10c-20c-26c-36c,
3
(Average for week,

$9,500.

(Average, $4,500)

ment.

Gross:

with $3,600 in four days, over the line
by $1,000.
Bad weather prevailed most of the
week and grosses were low. "A Night
at the Opera" was strong at the Carolina with $1,500 in two days.
Total first run business was $9,100.
$11,000.

is

ing Jan. 18:
"I DREAM TOO MUCH" (Radio)
BROADWAY — (1,114), 25c-40c, 6 days.

Gross:

CAROLINA

Gross:

—

(1,400),

(Average

$1,500.

25c-40c,
days.
2
for 3 days, $2,000)

"RIFFRAFF" (M-G-M)

CAROLINA
Gross:

$3,600.

—

(1,400),

(Average

25c-40c, 4 days.
for 3 days, $2,000)

"MILLIONS IN THE AIR" (Para.)
IMPERIAL (949), 25c, 3 days. Gross:

—

$1,000.

(Average, $1,500)

$3,500.

(Radio)
days. Gross:

(Average, $1,500)

Gross:

(Average, $4,000)

(Average,

Gross:

Named

Pictures
Distributing
Corp. has closed with AmerAnglo
Corp. to handle the distribution of
eight Halperin pictures in the foreign field. "I Conquer the Sea" will
be handled in Canada by L. Rosenfeld,
of Columbia Pictures of Canada, Ltd.

Giveaway Dropped

—

$7,000)

$10,000.

(Average, $7,000)

Burroughs-Tar zan Get 6

give-

DREAM TOO MUCH"

"I

(Radio)

"THE PERFECT GENTLEMAN"
(M-G-M)

CAPITOL— (2,547),

25c-35c-40c-50c-60c,

(Average, $9,500)

Gross: $10,000.

days.

"ROMAN D'UN JEUNE HOMME
PAUVRE" (French)

"BURNING GOLD" (Republic)
IMPERIAL— (1,914), 20c-29c-34c, 7
Gross:

$3,000.

days

(Average, $3,500)

"DR. SOCRATES" (W.

B.)

"LADIES CRAVE EXCITEMENT"

LOEW'S —

(Mascot)
30c-34c-40c-50c-60c,

(3,115),

days. Stage: "Streamline Scandals." Gross
$12,000.

(Average,

$10,500)

"MAGNIFICENT OBESSION" (Univ.)
PALACE — (2,600), 25c-35c-40c-50c-65c.
Gross:

(Average, $11,000)

$11,000.

"Dream Too Much"
Portland High
—
Portland, Jan. 22. "I Dream Toi
Is

bill with "Low
Wolf Returns," turned in the bes
showing of the week here by going t<

—

Hollywood, Jan. 22. Burroughs- $8,000 at the Paramount. This wa:
Tarzan Pictures, Inc., has closed a over average by $3,000.
deal with Col. William N. Selig, vet"If You Could Only Cook" wa:
eran producer, to release six features held for a second week at the Or
for him as part of the company's 18- pheum, but a change was made in th
feature schedule.
The features will
be produced under the supervision of
Ashton Dearholt.
They will be:

other half of the program, "Two ii
Tb
the Dark" being substituted.
$6,000 take was $1,000 over the line.
Total first run business was $31,00C

"The Dragnet," "The Girl with the
"Going Straight," "City Pavements"
and "The White Glove."

Mercy Buys at Yakima

—

Seattle, Jan. 22. Fred Mercy,
head of the Mercy Amusement Co.,
has purchased the Fechter building
in Yakima and plans to convert it
into a 1,000-seat theatre. Stage facilities for roadshows will also be pro-

in

the

$24,700.

is

Estimated takings for the week end
ing Jan. 11

"CAPTAIN BLOOD"
(2nd

Gross:

$5,000.

Mercy

circuit,

and

will

be

Christie Starts Three
Al Christie yesterday began shooting at the Biograph studio in the
Bronx on three one-reel subjects for
Educational.
One will feature Don
Alberto, another the Cabin Kids and
the third Roy Halle.

Stern Gets F. D. Lineup
Jan.

30c-35c-40c, 7 days

(Average, $5,000)

"CHINA SEAS" (M-G-M)
"GOOSE AND THE GANDER"

(F.

N.

(2nd Run)

BLUE MOUSE- (1,700),
Gross:

$2,000.

(Average,

"THE BRIDE COMES HOME"
3rd Downtown
age, $3,000)

Week.

30c-35c-40c,

Gross:

days

7

20c-25c,
$1,700)

(Para.)
7 days

$4,000.

(Aver

YOU COULD ONLY COOK" (Col.)
(2nd Week)
"TWO IN THE DARK"
ORPHEUM— (1,700), 30c-35c-40c, 7 days

"IF

the Roxy.

Omaha,

N.)

(F.

Week)

BROADWAY— (1,912),

MAYFAIR— (1,700),

This will be the fourteenth theatre

22.

—M.

L.

Stern,

Torrington, Conn., Jan. 22. War- manager of Capitol Pictures exchanges
ners have dropped Bank Night here. here and in Des Moines, has taken

The circuit has been using the
away in a number of towns.

ing Jan. 18:

Much," heading a dual

named

Academy

$41,500.

is

Estimated takings for the week end

(Average, $4,000)

"DANGEROUS" (W.B.)
CIRCLE— (2,800), 25c-40c, 7 days.

vided.

"FANG AND CLAW"
IMPERIAL— (949), 25c, 3

Average

"SHOW THEM NO MERCY" (ZOth-Fox
Week Ending Jan. 18:
"DRESSED TO THRILL" (20th-Fox)
"LITTLEST REBEL" (20th-Fox)
PRINCESS — (2,272), 30c-35c-50c-6Sc,
APOLLO— (1,100), 25c-40c, return engage- days.
Gross: $7,000. (Average, $7,000)

(Average, $4,000)

$2,000.

"A NIGHT AT THE OPERA" (M-G-M)

no companion feature. "Show Then
No Mercy" headed the bill at th<
Princess for an average $7,000.
Total first run business was $43,000

days.

"KING OF BURLESQUE" (20th-Fox)
LYRIC— (2,000). 25c-40c, 7 days. Vaude-

—

Distributor
7

Week Ending Jan. 15:
"AH, WILDERNESS" (M-G-M)
"IF YOU COULD ONLY COOK" (Col.)
LOEW'S— (3,000), 25c-40c, 7 days. Gross:

$7,500.

Charlotte, Jan. 22.
"Riffraff"
was out in front here at the Carolina

$1,000.

18:

—

Indianapolis, Jan. 22. "Ah, Wilderness," topping a dual bill with "If
You Could Only Cook," was a senIt ran
sation at Loew's last week.
more than 100 per cent over normal
for a gross of $9,500.
"King of Burlesque" also was a
heavy grosser. It went $3,000 over
the average for a take of $10,000 at
the Lyric, helped by a vaudeville bill
headed by Johnny Perkins. "Magnificent Obsession" was $500 up on a
take of $7,500 at the Indiana.
Total first run business was $33,500.
Average is $26,500.
Estimated takings

"MAGNIFICENT OBSESSION" (Univ.)
INDIANA— (3,300), 25c-40c, 7 days. Gross:

Estimated takings for the week ending Jan.

paid the fine.

Indianapolis Hit

ville.

Average

Oklahoma

in

—

"Wilderness" Big

$3,000.

Estimated takings for the week end-

Top

"Dr. Socra
Jan. 22.
aided by a revue called "Stream
line Scandals," garnered $12,000 a
Loew's last week, thereby toppinj
normal $1,500 for the best gross ii
town.
Grosses demonstrated a general re
action, and professional hockey, play
record
crowds,
furnishe(
ing
to
plenty of opposition.
The Palace registered $11,000 foi
"Magnificent Obsession," which hac

Charlotte, $3,600

(F.D.)

"GALLANT DEFENDER"
(Average,

(Average,

$3,000.

(Republic)

"SHE COULDN'T TAKE IT"

$1,100.

"WHISPERING SMITH SPEAKS"
(ZOth-Fox)
KIRBY— (1,450), 15c-35c, 3 days. Gross:

15c-25c-40c,

Stage: Don Galvin, Bud Harris & Bert
Howell,
Meyers & St. John, Monroe
Brothers, Beatrice Gardner Girls. Gross:
(Average, $3,000)
$2,800.

ALAMO— (900),

ing Jan. 16:

(Average, $2,500)

"CAPPY RICKS RETURNS"
"MIMI"

$26,000.

"Riffraff" Leads

(W.B.)

MARY ANDERSON— (1,000),
7

is

Estimated takings for the week end-

(Univ.)
days.
7

(Average,

$7,000.

Average

700.

$10,000.

(Average, $3,500)

$3,800.

Blondes," credited with a $400 take.
at the
$1,000
under par.
"Whispering Smith," at
$3,000, just held its own at the Kirby
for three days.
Total first run business was $31,-

—

Montreal,

tes,"

night

"KING OF BURLESQUE" <20th-Fox)
MAJESTIC— (2,250), 25c-50c,
7 days.
7

He

on Tuesday at the
Kirby again drew $1,000 for the day,
with the picture,
"Don't Bet on

days.

Jan. 16:

"ROSE OF THE RANCHO" (Para.)
RIALTO— (3,000), 15c-25c-40c, 7 days.

Gross:

Bank

LOEW'S

(Average, $4,500)

$4,300.

for "Dangerous."

$1,200.

"AH WILDERNESS" (M-G-M)
"ONE-WAY TICKET" (Col.)
LOEW'S STATE— (3,000), 15c-25c-40c,
Gross:

a take of
$10,000 also, with some $4,000 attributed to the stage show headed by
Blackstone, the magician, and $6,000

days.

7

$2,000)

Week Ending

days.

was Elman.

—

The Metropolitan had

"STORM OVER THE ANDES"
KIRBY— (1,450), 15c-35c, 3 days.

Week Ending Jan. 15:
"MR. HOBO" (G.B.)

BROWN— (1,400),

$3,000 up.

Night.)

Estimated takings

Gross:

The first
for a license fee.
person to get a tag and one
that couldn't be fixed for
parking in the reserved space,

KIRBY— (1,450),

$18,500.

is

brought crowds to the theatres, with
"Ah, Wilderness" at Loew's State
the pace-setter at $10,000, which was

"One-Way "King of Burlesque" dropped
make the Majestic to $6,000, which was

and

Wilderness"

"Ah,

—

Houston, Jan. 22. Warm weathBank Nights and good films

er,

over distribution of First Division pictures in this territory.

Gross:

$6,000.

(Average, $5,000)

DREAM TOO MUCH" (Radio)
"LONE WOLF RETURNS" (Col.)
PARAMOUNT— (3,008), 30c-35c-40c,
"I

days.

Gross:

$8,000.

(Average,

$5,000)

"RED SALUTE" (U. A.)
UNITED ARTISTS— (945), 30c-35c-40c,
days.

Gross:

$6,000.

(Average,

i

$5,000)

Reopen Oakland House
Oakland,

Jan.

22.

— Golden

Stat<

Theatres has reopened the Capito
Russ Hendricksoi
after remodeling.
is manager.


Milton Arthur
On the Stand
At St. Louis

Testifies for U. S. On Product Troubles

ST. LOUIS, Jan. 23.—Taking the
same lines that featured the equity case
here against Warners, Paramount and
RKO, during the past two days, the
Government today placed on the stand
Milton Arthur, president and general
manager of Cabaret Theatre Corp.,
which has theatres in California, Ariz-
ona, Nevada and Utah, and who is a
brother of Harry C. Arthur of Fan-
don & Marcus. Arthur recognized his
difficulty in getting Warners to react
for his houses, and said his proposals
for Paramount pictures were rejected
by the home office.

Paramount's position was explained
at the close of the session when Louis
Phillips, Paramount attorney, cross-
examining Arthur, read a letter dated
April 11, 1935, from George J. Schae-
er, then vice-president and general
manager of Paramount, to Harry Ar-
thur, indicating that Arthur's con-
cerns had been
(Continued on page 4)

Phila. Independent
Meeting Postponed

Philadelphia, Jan. 23.—The meet-
ing of the newly formed Independent
M. P. T. O. scheduled for today, has
been postponed. Tomorrow the origi-
 nal M. P. T. O. will meet at the call
of Lewen Pizer for the election of
officers. Pending developments at to-
morrow's session, many members of
the new group have also retained their
memberships in the parent body.

Whether or not the merger of the
two groups will go through, the two
will remain as exhibitors favoring the
merger will go back to the I. E. P. A.,
may be decided at tomorrow's ses-
tion. The illness of Charles Segal,
president of the Independent M. P.
T. O., is the chief reason for the post-
ponement of today's meeting.

Title Barrage

Hollywood, Jan. 23.—Colum-
nia has still another title for
the Harry Richman-Roehelle
Hudson picture. First it was
"Rolling Along." Then it was
"The Music Goes Round and
Round." Now, it is called
"The Music Goes Round." One
"round" was used to save marquee space.

G. B. May Add

London, Jan. 23.—Mark
Osterr, managing director of
Gaumont British, refuses
his to comment, but, significant-
ly perhaps, does not deny a
story published locally
oting C. M. Woolf as saying
G. B. is discussing regular
American distribution of a
selection of General Film
Distributors, Ltd. releases.
This is the company formed
by Woolf after he retired as
a joint managing director of
G. B.

Fleischman Likely
To Succeed Brandt

Maurice Fleischman is ex-
pected to be the can-
didate to succeed Harry
Brandt as president
of the I. T. O. A.

Gaumont's KRS Suit
Delayed to Feb. 18

By BRUCE ALLAN

LONDON, Jan. 23.—The legal ac-
tion instituted by Gaumont British against
the Kinetograph Renters' Society
and virtually all distributors in
the British trade has been postponed
until Feb. 18.

The proceedings deal with the ban
placed on buying combines by the
K. R. S., to which G. B. objects.

Vancouver Warring on Suds

Vancouver, Jan. 23.—Four
downtown theatres, the Orpheum,
Capitol, Maple Leaf and Globe, have joined churches and temper-
cance organizations in a fight against granting a beer license to
the Palms Hotel on Granville St.

The theatre men say they don't want the crowds waiting in
front of their houses to smell the breaths of persons emerging
from the sud's parlor. They are also afraid some of the prospec-
tive customers will stop off for a snifter and then decide to
have another, thus delaying until they miss one of the shorts
of the newsreels.

It's all quite serious. The Provincial Government and Liquor
Commissioner W. F. Kennedy have been deluged by protests. The
City Council has taken a hand in it by endorsing the stand of
theatres.

It looks as though the night life boys will have to stick to their
fish 'n' chips.

Loew Theatre
Games Hinge Upon Courts

Trio of Cases in Bronx To Determine Policy

The future of games in Loew's
metropolitan theatres is contingent on
the outcome of three cases pending
against the circuit in Special Sessions,
Bronx, it was learned yesterday.

Two of the complaints filed by
the district attorney are against the El-
smere and Grand and are scheduled for
hearing on Feb. 21. The third in-
volves the Paradise, de luxe house,
which is slated to come up on Feb. 28.

Screemo is the game played in the
three houses.

On Monday, the Appellate Division of
the Supreme Court, First Department,
will hold a decision of Special Sessions in
that borough. The Winthrop, an inde-
pendent theatre, was the respondent.

(Continued on page 4)

Expect 30-Day "U" Option Extension

Extension of Standard Capital's op-
tion to purchase Universal would allow
for 30 days, or to March 1, if the pro-
posed purchaser and seller get togeth-
er. The indications last night were
that Universal would want such ex-
tension on the same terms of sale out-
lined in the original 90-day agreement,
which expires Feb. 1.

Messages on King's
Death Please Trade

London, Jan. 23.—The British in-
dustry has been favorably impressed
by expressions of sympathy from
Will H. Hays and James Beck, the
latter M.P.P.D.A. representative here,
following the death of King George.

The messages, published promi-
nently in the trade press, were ad-
dressed to the Federation of British
Industries.

Inside Stuff

A mock trial on the crimi-
nal and civil proceedings in St.
Louis will be held at the annual
Naked Truth Dinner on March 14 at the Astor, ac-
cording to an announcement made
by Gordon S. White, president of the
Ampa, yes-
terday.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Vol. 29 January 24, 1936 No. 20

Purely Personal

ARTHUR SCHWARTZ, who supplies tunes to Howard Dietz's lyrics, is on the way to Europe with the opening of "The Puritan" at the Belmont. He adapted, directed and produced the play from LAM O'FLAHERTY's novel.

CHESTER ERSKINE's efforts bore fruit last night as he was elected President of the "Pep-o-Grams" at the Belmont. He acted, directed and produced the play from LAM O'FLAHERTY's novel.

Barbor Polan of the Warner advertising department is handling a number of advance campaigns on "A Midsummer Night's Dream" in up-state New York newspapers.

CRESS SMITH returned from St. Louis. Anything is better than the Mound City even with the weather as it is, he thinks.

JIM FURMAN, who handles publicity for Loew's Jersey City, is taking a leave of absence from his home in New Jersey until next month. He will leave for the coast in about two weeks.

AL WILKIE has put off his vacation until next month. He has decided not to take a cruise to the tropics, but this is now out.

"LEP" FRIEDMAN will not sooners get set in his new apartment at the Warwick when the coast and duties on behalf of Loew's call him west.

C. E. BRADFORD, jr., vice-president of Audio Prod. is recovering from an appendicitis operation at the Mountainside Hospital, Montclair, N. J.

IRVING LESSER will return from St. Louis today. He has been in the Mound City for three weeks.

RENE CLAIR will sail tomorrow for Paris to attend the opening there of "The Ghost Goes West."

EDDIE CANTOR made personal appearances all day at the Music Hall yesterday.

BILL BRENNER, thinking backward yesterday, remembered his long and recent sojourn in London was pleasant.

BILL ROGERS, that big Metro sales manager, is in Florida. Of course, it's vacation.

KAY FRANCIS expects to end her vacation here in about two weeks and return to the Warner studios.

HOWARD DIETZ expects to leave for the coast Saturday. There may be a change in plans, however.

NARY and WILLIAM BRANDT will leave for Hollywood, Fla. They will be gone several weeks.

EDMUND LOWE and TULLIO CARMINATI sail for Europe tonight on the Bremen.

MARY GARDEN in town. Scouting for singing talent on behalf of M-G-M.

JOHN O'HARA, the book scribbler, is on his way west.

MOTION PICTURE DAILY

Friday, January 24, 1936

$40,000 Is Allowed
For GTF Attorneys

WILMINGTON, Jan. 23—Chancellor Josiah O. Wolcott in Claquerry Court here today allowed fees of $40,000 jointly on account of final compensation to Marvel, Morford, Ward and Logau, of Wilmington, and Hughes, Schuman and Dwight of New York, attorneys for Senator Daniel O. Hastings, receiver for General Theatres Equipment, Inc., on petition of Hastings.

The petition stated the firms served the receiver since his appointment Feb. 29, 1932. On Dec. 7, 1932, the local attorneys were allowed $17,500 and the New York firm $12,500. They had received no further compensation, although they had been active since, the petition said. Chancellor Wolcott, in granting the request, provided that he retain full jurisdiction to modify the order upon the hearing for final allowances.

Name Club Chairman

The following have been named committee chairman of the Paramount Pep Club for the year: Welfare, Dr. Emanuel Stern; insurance G. B. J. Ackerman; education, E. B. M.钓h; finance, John E. McDermott; cooperative buying, Bessie Goldsmith; rules, Arthur Israel; photography, Lew Nathan; legislation, Joseph P. McLaughlin; membership, William J. O'Connell; entertainment, Sam Brown, Peter Grams, Charles E. Gartner; publicity, Claude B. Kentor. The second informal dance will be held at the Hotel Astor Feb. 14.

Predict Big Star Turnout

The Press Photographers' Ass'n seventh annual ball at the Commodore next Friday night shows promise of being one of the largest star-attended affairs of the year, its sponsors say. Practically every stage, screen and radio star who is in town is scheduled to attend. Lily Pons, Eddie Cantor, Kangaroo, Russell, Ruby Keeler, John F. Fay, Eleanor Powell, Jimmy Durante and June Knight, to name a few, will perform. The constellation adds to 64.

Para. Assigns Howard

Hollywood, Jan. 23—William K. Howard will direct "Concertina," for Paramount. Work will start Jan. 27. Dore Schary and Brian Marlow, writers, have been given term contracts.

Karloff Named by G. B.

Boris Karloff, recently signed by G. B., will star in a thriller called "The Man Who Lived Again," according to word received at the New York office.

Hamrick-Evergreen Waivering on Duals

SEATTLE, Jan. 23—Hamrick-Evergreen circuit is beginning to waiver a bit on its recently announced policy of a "double-feature program at every Hamrick-Evergreen theatre every week."

Last week the Fifth Ave. Theatre featured a dual bill consisting of "A Tale of Two Cities" and "Coronado." Together with the newspaper and trailers, the complete show ran three hours and 47 minutes. This week the show was moved to the Music Box for an extended run, but "Coronado" was left off the program, without any announcement explaining the switch of a single-feature policy at the Music Box.

Next week "Captain Blood" will be booked as a single-feature attraction for the Fifth Ave. Theatre.

M-G-M Booking Revivals

Two revivals are being booked by the local M-G-M exchange, notably "Dancing Lady" and "The Big House." Several independent circuits have already dated the films.

William A. Scully, district manager, with headquarters at the New York exchange, attaches no significance to the bookings, stating that the revivals are not in line with any national plans and are only being re-dated by the local exchange.

Para. Sets Two Titles

HOLLYWOOD, Jan. 23—Two titles have just been set by Paramount. "Palm Springs" has been tentatively picked for Walter Wagner's next, and "Call of the Prairie" is to be the name for Clarence E. Mulford's "Hopalong Cassidy's Protege."

Goetzl on the Ile

Loosan, Jan. 23—Bo Goetzl, special emissary on foreign production for M-G-M, is abroad the Ile de France, New York bound.

Jack Allicote, publisher and editor of The Film Daily, is likewise a passenger.

McGrath in New Post

Steve McGrath, head of the playdate department at U. A., has been made an assistant to Paul Lazarus, sales executive, and Jack Wregge has been advanced to McGrath's old position.

Goldwyn Gets Arnold

"PROFESSIONAL SOLDIER" PROVES B. O. DYNAMITE IN PHILADELPHIA PRE-RELEASE BARRAGE!

SMASH OPENING AT FOX THEATRE BEATS "LITTLEST REBEL," "STEAMBOAT ROUND THE BEND" AND "IN OLD KENTUCKY!"

Amid critics' hurrahs and audiences' applause "Professional Soldier" starts its triumphant box-office march. The top people of show business are watching 20th Century-Fox...pouring out one smash hit after another!

Victor McLaglen Freddie Bartholomew

"PROFESSIONAL SOLDIER"

CRITICS JOIN IN AUDIENCE CHEERS:

"Throngs waited in line just to jam the theatre. A tingling and thrilling experience for moviegoers!" — Phila. Daily News

"Rollicking comedy melodrama ... acted out exuberantly by Victor McLaglen and Freddie Bartholomew."
— Phila. Evening Ledger

GLORIA STUART
Constance Collier
Michael Whalen
C. Henry Gordon

Darryl F. Zanuck
20th CENTURY PRODUCTION
Presented by Joseph M. Schenck
Associate Producer: Raymond Griffith

"Freddie Bartholomew and Victor McLaglen join forces in an unqualified success."
— Phila. Enquirer

"The film achieves commanding stature. McLaglen and Freddie Bartholomew prove a worthy duet."
— Phila. Record

"Leaves the reviewer with a keen sense of enjoyment. Damon Runyon's story gets you!"
— Phila. Bulletin
Milton Arthur
On the Stand
At St. Louis
(Continued from page 1)

tion with the charges against Para-
mount and himself had destroyed the
good name and character of the buyer
and seller, and that Paramount, exer-
cising its right to choose customers,
had decided not to deal with Ar-
thill at his request.

Charles Caballero, Milton Arthur,
Marco Wolf and Harry Arthur and
his wife each own one-fourth of Ca-
ballero's interest in the court-
room of the Leon District Court in Los
Angeles. Frederick H. Wood, Warner
counsel, brought out that Caballero
had finally obtained Warner's consent
to the same terms as submitted by
Milton Arthur. However, the houses
were without these films from Aug. 1
to Dec. 24, 1935, when Warners ac-
ccepted a compromise contract worked
out in Los Angeles Dec. 11.

He saved RKO product, Arthur testified, but he had
to give up the Studio, Prescott, Ariz.,
because he could not get Warner films and
was compelled to work in Prescott with
a company that was carrying on the same
business in that city.

Harry Lustig, Warner manager, who
has since died, and James Burden,
salesman, and N. H. Brauer, a consid-
erable figure as to whether this con-
ference should be barred because of
the Judge Molyneaux ruled the court to
check the matter. But the conversa-
tion was ruled out anyway. Arthur
then testified on a series of meetings
with Brauer to obtain the 1935-36
Warner product, beginning in August.
In these meetings Brauer had said
he would not deal with him, Arthur tes-
tified.

The letter and Arthur's response
had to do with the inability of Brauer
to deal with Arthur. He then de-
scribed the meetings at which a deal
was finally made.

Redirection examination is expected
tomorrow, when the Government will
introduce Harry Arthur's reply to
Schacker's letter.

Wood cross-examined Irving Less-
er of the Roxy in New York this
week. The Warner film rights, with
respect to "Alibi Ike," which Lesser
testified had been refused him.

Walter Rice, assistant to Russell
Hardy, chief Government attorney,
left here tonight for Washington, to
testify before the Supreme Court Monday in another case.

Two Directors Assigned

Hollywood, Jan. 21—Irving Thalber-
g has assigned Sidney Franklin to
direct "The Good Earth," and Sam
Spiegel to direct "Fish," which will
produce. Casting has not yet been
completed on either picture, and de-
definite starting dates have not yet been
set.

Ampa Award Plan on Ads
Gets Approval
(Continued from page 1)

distributed to those assisting the winners
in some divisions.

Six divisions are listed. They are:
1. The best advertisement of the
year addressed to the trade.
2. The best advertisement of the
year for book subscribers.
3. The best poster of the year.
4. The best and most practical press
sheet.
5. The best single publicity achieve-
ment. This may be the planting of a story
series or stories or the staging of a
special event that directly brings pub-
licity, but it must show wide distribution
of the publicity and must show
ingenuity and be of a definitely con-
structive character.

6. The best single exploitation
achievement. This is not to be a cam-
paign. It may be a topic or a "stunt,"
but must have widespread effect and
not be local in character. It must
show wide distribution and be of an ingenu-
osity and must be of a constructive nature.

Indies and Majors Considered

Independent companies as well as
majors are to be embraced in the con-
sideration for awards. A different set
of judges will be selected for each
company, and the paper executives will
judge the best trade ad and exhibitors
will decide on the press book prizes.

Members of the various committees
will be announced by Gordon S.
White, president, at the next meeting.

Loew's, Inc., is chairman of the Committee
on Annual Awards which includes
S. Barrett McCormick, Alex Gottlieb,
Milton Silver and Paul Gudic.

In the case of press books, it was
decided yesterday to award a plaque
to the company which is responsible
for the winning book rather than the
company. Executives of the company
who aid in the composition of the
winning press sheet will be given
certificates of merit.

20th-Fox to Transfer
Sol Wurtzel Studio

Hollywood, Jan. 23—20th-Century
Fox has decided to combine their produc-
tion activities at the Westwood stud-
ios. They will move Sol Wurtzel's Holly-
wood studio production activities to the
Westwood lot. The decision was made four
months, it was learned on unapproach-
able authority today. A new building
is being constructed to accommodate the
Wurtzel staff will be started shortly, it
is believed.

Irradiating this further is that 20th-Century-Fox does not own the
Hollywood property outright but mere-
ly leases it, although verification of
this fact could not be obtained.

Loew Prize Games
Hinge on Courts
(Continued from page 1)

and Farmer Miller was the name of the
game, which according to the
AP, was issued in response to a
newspaper strike that had started in
Los Angeles.

SEC Refunding Approved
Ask for Approval of
Scribner's

The Securities and Exchange Com-
mission has approved Scribner's
issue of $3,025,000 in 32%, 20-year,
6s at 7.175% in six per cent 1941
debentures and to retire other mort-
gages as well as subsidiary funded debts. The data
will go to Washington sometime next month.

The underwriting will be complete by about the first official approval
is granted.

For the 16 weeks ending March 14,
the company reports a net profit of
$2,344,029 which is equal to a $1.41
share on the 1,464,203 shares of com-
mon outstanding.

Flash Preview

Road Gang—A lively melodrama
with considerable in the way of explo-
ration. A review of this picture will appea-
ar in an early issue.

Wall Street

Columbia Issues Up on Board

Net

High Low

Columbia, vce

Columbia, pd

Columbia, Consolidated, pd

Eastman, pd

Paramount

Paramount 2 pd

Paramount

Pathé Film

RKO

20th Century, pd

Universal, pd

Ward, Inc

39 39 47

35 39 54

82 79 85

108 107 110

127 123 127

79 79 81

23 27 35

53 54 56

21 22 24

34 34 36

34 34 38

33 33 38

39 39 45

Net

Sentry Safety

Sonora

Trans-Lux

Bonds Slightly Off

High Low Close Change

General Theatre

General Theatre

Keith, F. Inc

Loew's

Paramount's

Paramount Pict.

Ward, Inc

(Quotations at close of Jan. 21)
Both Sides Score Points
At St. Louis

Hilles Is New Witness
In Equity Case

St. Louis, Jan. 24.—Both sides registed technical victories today in the equity proceedings here of the Gov-
ernment against Warners, Paramount and RKO. The Government won a point when Judge Joseph W. Moly-
seaux permitted the introduction of the income tax reports of the three companies and their affiliate theory that Warners had been charged with making threats and the tax en-
forcement would show whether they were capable of carrying them through if they actually were made. The Para-
mount and RKO reports were also left in the case as evidence of the power of the companies to make good their alleged threats.

The defense scored when RKO counsel, Jacob M. Lashly, was suc-
cessful in having excluded the evidence

(Continued on page 2)

Warners Aim Suits at Out-of-Town Stations

Having filed 11 complaints within the last week against local radio sta-
tions allegedly infringing on the copy-
right of Warners controlled movie com-
panies, Wattenberg & Watteneg, aig firm which has been retained to
handle the actions, next week will

focus on out-of-town stations. It was

stated yesterday.

The first complaint against a sta-
tion outside of New York was filed an-
no. 22 by Remick Music Corp. ac-
gainst the Pennsylvania Broadcast-
ing Co., trading as WIP, Philadelphia, for the use of “Canadian Capers” on
program of Jan. 1, 1936.

Delay in new out-of-town actions

(Continued on page 4)

Government’s Finance Needs Being Studied

Billions Needed; Expect Plan in Few Weeks

By BERTRAM F. LINZ

WASHINGTON, Jan. 24.—Adminis-
tration plans for raising billions of dollars needed for payment of the bonus, agricultural relief and to meet
the deficit will be developed within the
next few weeks, at which time Presi-
dent Roosevelt is expected to deter-
mine whether he can finance himself through the coming campaign without resorting to new taxation.

Possibilities indicated by recent dis-
cussions in Washington and market
trends in New York are that further
devolution of the dollar and silver
revaluation at a ratio of 16 to 1 with
the new gold value may be consid-
ered by the Treasury to use the profits
demanded in the sale of its gold and silver holdings to finance the bonus payment.

If the Administration determines to
ask for new taxes, the matter is like-
ly to come before Congress in March. What form such new taxation would take is not, of course, being dis-
cussed here, but every ef-

fort is expected to be made to avoid

(Continued on page 4)

Jack Cohn Adds to
Columbia Holdings

WASHINGTON, Jan. 24.—Acquisition
of 160 shares of common stock and 12,544 shares of common through vot-
ing trust certificates by Jack Cohn,
New York, through a stock division
of Columbia Pictures Corp. in No-
vember is shown in the semi-monthly
report of changes in the stock holdings
total at the close of the month Cohn
held 481 shares of common and 37,

(Continued on page 3)

Pizar Re-elected;

MPTO Merger Dies

PHILADELPHIA, Jan. 24.—Lewen Pizar who was re-elected president of the MPTO here today at a meeting at-
tended by 75 exhibitors representing 190 Independents and 18 affiliates.

Plans to merge MPTO with IEPA were quashed by a unanimous vote. Members also went on record as op-
posing triple featuring and the admis-
sion of political propaganda as a part of
newscasts. It was voted to petition the news reel producers for a correc-
tion of the condition.

Schnitzer to Take
Republic Sale Post

Edward M. Schnitzer, New York branch manager for Columbia, has been named eastern district manager for Repub-
lic. He will take up his new duties "within the next few weeks, according to a statement issued by William P. Johnson from St.
Petersburg, Fla.

Before joining Columbia Schnitzer was connected with Fox, Educational and other major companies.

Detroit Vote
Shows Patrons Prefer Duals

Detroit, Jan. 24.—Patrons of six Ben & Lou Cohen theatres, in widely
scattered sections of the city, are vot-
ing heavily in favor of a continuation of double features, according to Ben
Cohen.

The voting, which started Jan. 18, is to continue through Jan. 31.

It was inaugurated in the theatres be-

cause the Cohens previously believed their patrons wanted single features.

Although no total count has yet been made, Cohen said the vote in favor of duals probably would exceed the

(Continued on page 4)

Allied Leader Favors Joint
MPTOA Effort

Clinton Asks Move When
Aims Do Not Conflict

MINNEAPOLIS, Jan. 24.—A plea that
Allied recognize the need for two ex-
hibitor organizations in the national field and that Allied cooperate with the MPTOA on problems where the aims of the two organizations do not conflict is contained in a bulletin
sent to members of Allied of the Northwest by J. B. Clinton, presi-
dent.

Clinton has just completed a tour of
sections where Allied is repre-
sented and others where his

and his recommendations are presented to members with the statement that he

(Continued on page 4)

Zero Weather Nips
Broadway’s Grosses

Zero weather nipped box-office
takes along Broadway this week in
	
addition to sending grosses at neigh-
borhood houses to new lows. Eddie
Cantor’s “Strike Me Pink” garnered $78,000 for the week ending Wednes-
day night. The Capitol, with “Exclus-
ive Story,” dived to $16,750, while the Roxy ended with $22,500 on

“Charlie Chan’s Secret.”

“Ceiling Zero” at the Strand in its first week wound up around $25,

of $12,500, “Dangerous” at the Apollo ran on around $8,000 and the last four days of “Dr. Cresspi” at the Rialto got $3,000.

Brandt Is Reported
After B’way Houses

Harry Brandt, president of the
J. T. O. A., is understood to be nego-
thiating for a number of Broadway theatres including the Cohon and Broadway. Brandt left with his
brother, William, yesterday for Hol-
lywood, Fla., and will probably com-
plete the negotiations upon his return
late next month.

Frank Lawton is now operating the
Cohan and B. S. Moss some time ago
announced he would reopen the Broa-
dway, but he didn’t. Brandt would not discuss the deals prior to his depar-
ture yesterday.
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**New Haven Protests "Riff Raff" Showing**

New Haven, Jan. 24.—The New Haven Consumers' Club has protested to the P oli and all subsequent runs against the showing of "Riff Raff," an "anti-loaf" picture. Protest also has been registered with the New Haven Central Labor Union, and as many groups as possible in the city have been contacted in an attempt to influence non-attendance.

**Board Picks "Pasteur"**

“The Story of Louis Pasteur” has been chosen as the “exceptional” film to be shown at the annual convention of the National Board of Review which starts at the Astor Hotel, New York, Feb. 5. In a letter to H. M. Warner, Wilton A. Barrett, executive secretary of the reviewing board, described the picture as a “cinematic milestone.”

**Services for Klebanow**

Memorial services for Leo Kle-"naw will be held Sunday, Feb. 2, at the Temple of the Covenant, 02 W. 180th St., New York. The service will take place at the 100th Infantry Post, American Legion.

**To Honor Hershfield**

Harry Hershfield, tomorrow night will, for a change, be the receiving end of a balcony full of speakers, for he is to be honored with a testimonial dinner at the Astor. Most of the celebrities in town at present are due to attend.

**Bishop Urges Sound "Films for Churches"**

CINCINNATI, Jan. 24.—“There is no reason why the church should remain in the horse-and-buggy stage of using lantern slides and primitive methods of witnessing to its beliefs. It has the means at its disposal today to produce real and effective force as the sound film,” declared Bishop Henry W. Hobson, of the Episcopal Diocese of Southern Ohio. Contrasting the “tragically eminently” of the church, with the modern crowded film houses, he advocated installation of sound pictures in all churches.

“Your prediction is that through the sound picture, the Episcopal Church will make a great advance in visual communication, and will be able to present the life and history of the church in the way facts are presented in the crowded motion picture house of the country,” he said.

“They will not be programs of light entertainment in an effort to meet the challenge of the modern world in which leading men of the church will be brought with their personality and inspiring messages to all members.”

**Zanuck to Do Series "With the Same Cast"**

Hollywood, Jan. 24.—Darryl Zanuck has decided on an experiment of four length films. After seeing “Every Saturday Night,” which Sol Wurtzel produced at the Western Expansion of Twentieth Century-Fox, Zanuck decided to keep the main part of the cast intact, and to produce a series of four comedies with them.

**International Club Opens**

The International Club opened its new rooms today at 165 W. 46th St. The club’s affiliations include The Bueaucrees Club of Berlin, Travel-"ers Club, London; Interalli; Paris; the Canadian International Club in Buenos Aires and the International Club in Shanghai. The outfit will operate on the style of Brook-Lee’s in London where no dues is charged. It is well appointed, with a billiard room, reading room, and a ballroom. The club is a non-profit stock company.

**Denies Television Report**

R. R. Real, acting chairman of RCA’s committee on television, said “Television is nothing but a radio program, and to go before it will be ready for gen-"ral home service, and any report that the public can receive a television re-"ceiver is absolutely without founda-"tion.” The statement was made fol-"lowing a widely published report that a company is preparing to market television sets.

**Former Mrs. Keaton Wed**

Hollywood, Jan. 24.—Mrs. Mae Keaton, divorced wife of Buster Kea-"ton, was married yesterday at Tia Juana, Mexico, to Sam Fuller.

**Catholic Group Has Play Classification**

The Catholic Theatre Movement, which has published weekly in The Catholic News, a “white list” of plays considered worthwhile, has decided to extend the publication of all its plays in New York. Class A will include those approved, Class B those objectionable, and Class C those “wholly objectionable.” The first class:


“Obsession” Breaks Records in Denver

DENVER, Jan. 24.—“Magnificent Obs-"estion,” at the Denver, broke all house records for the past three years, toping the $1,000 a day mark. Huff-"man has had the house. A total of 6,402 saw the picture the first day, and the evening standouts were sold out before the doors were locked. The manager believes he will keep the picture three weeks, taking it to the Aladdin next week and back down to the Broadway the third week.

Last week’s picture, “King of Bur-"league” is remaining for a second week at the Broadway, following seven days at the Denver.

**Old $11,763 for Twin City**

"Miss Springfield Long" at the Orpheum, Minneapolis was $11,763 and not $5,500 as reported by Motion Pictu-"e Daily. The picture the week’s editions, moved to the World where it is doing a capacity business despite thermoste-"mer recording 36 below zero.

**Maine Court Denies Bank Night Ruling**

Bosston, Jan. 24.—A virtual victory for Bank Night in Maine has resulted from the refusal of a Bangor court to hand down a decision on anti-lottery suits. Hon. Ralph Dale. Dale has indicated that he will not press the case further. "Inasmuch as the litigation, which in-"volved the M. & P. Theaters Corp., a- the operators of the Opera House in Bath, was a test case, the discharge in-"dicated to be a victory for Attorney George S. Ryan and his associates.

Contests Banned at St. Louis

ST. LOUIS, Jan. 24.—Circuit Attor-"ney Franklin Miller today banned a lottery all cash and merchandise prizes upon Police Department enco-"rence. Funchon & Marco houses and "ed under the state’s lottery law and the proscription. Other first ruses had not entered the field.

**Giveaway Manager Fined $280**

Bosston, Jan. 24.—James Wall, ma-"ager of the Felsey, Medford, was found guilty of violating the Massachusetts Ante-"Lottery Law. Judge Thomas Dow-" declared the guilty verdict under the "element of chance enti-"utive contests. Wal,ll appeal the verdict.
Both Sides Score Points At St. Louis

(Continued from page 1)
of Milton Arthur, Harry Arthur's brother, concerning a conversation with Jules Levy, general sales manager for RKO. Nov. 24 was excluded on the ground that at the time Levy was not on company business but was out of town. Not, however, they met in the RKO Los Angeles office. Arthur had said Levy arrived by 1 a.m. or a little earlier, if he didn't call off his brother in his St. Louis situation.

Hilles's claim of conversation brought out that Arthur has been able to get RKO product for all his houses for the 1925-26 season, and has always been RKO films. He said he always did business with RKO and had close relations with them. "You still owe Zukor a lot," Arthur asked. "I hope so," Hilles responded.

Hardy Claims Presscott Boycott

Russell Hardy, chief Government attorney, in redesignation examination, tried to bring out that Arthur's claim that he had to discontinue business because it could not obtain Warner films, but the court ruled against him. In conversation with him, Hardy charged he could not show that the conspirators extended their boycott to Presscott. "I don't think," Hardy said, "that they ever really had anything but business with a Presscott, and that was more a clerical error than a political action."

When Arthur attempted to get into a record of a list of the theatres tenanted by the RKO, the court ruled for the attorney, and held that Warner's boycott concerned all the theatres in the St. Louis area. Then it became known that Charles, Hilles, trustee in bankruptcy for Paramount Pictures, Inc., and Carl Moxley, the receivers, had filed in St. Louis, on the St. Louis situation, that Hilles charged that it was a conspiracy to suppress his bankruptcy. The court, said, that he was not tenanted by the RKO, and that it would be improper for him to file a suit against the owners of the RKO. The court ruled against him, saying that he could not file a suit against the owners of the RKO, and that he could not file a suit against the owners of the RKO, and that he could not file a suit against the owners of the RKO.

"Financial Strength Immature"

Hardy charged Hilles in an effort to show that at the time of the Zuko receivership the company was not reasonably well equipped to sell Paramount films, but when Hilles had completed his testimony the court ruled that the consen- sation could not be entered into the record. While admitting the income tax, the court held that the company had a right to have the income tax paid. The court held that the company had a right to have the income tax paid.

On direct examination Hilles said that Paramount Pictures, Inc., was a subsidiary of Schaefer Distributing Co., Inc., and a subsidiary of Paramount-Publix when he became trustee, and at the direction of the court the property of the subsidiaries that Zuko remained as president. About May 1, 1933, the trustees directed Zuko to the time of the court, that Zuko was not to be involved in the operation of the subsidiaries and that Zuko remained as president. About May 1, 1933, the trustees directed Zuko to take no action concerning the subsidiaries and that Zuko remained as president. About May 1, 1933, the trustees directed Zuko to take no action concerning the subsidiaries and that Zuko remained as president. About May 1, 1933, the trustees directed Zuko to take no action concerning the subsidiaries and that Zuko remained as president.

Toland Working on Stereoscopic Film

Hollywood, Jan. 24.—Gregg Toland is trying out a new process which he developed with William Adler, research associate at the California Institute of Technology, during the film industry's annual meeting at the Gladstone hotel. Toland, a camera man, hopes to achieve the effect of third dimension with an attachment for the film camera.

The attachment consists of revolving mirrors, motor driven, and synchronized with the camera shutter. As the mirrors whirl, they throw a succession of images, reflecting different angles of the scene, on the film.

Jack Cohn Adds to Columbia Holdings

(Continued from page 1)

633 shares of common through voting trust certificates.

A report from Arthur M. Loew, New York, filed as evidence that his holding company disposed of 333 shares of Loew's common and at the end of the month held no equity securities in the company was filed in support of a petition from William A. Parker, Boston, last month made a director in Loew's, Inc., showed he held 100 shares of common.

Arson Charge Dropped

OKLAHOMA CITY, Jan. 24.—Dismissal by the Choctaw County District Attorney of degree arson charges against William Weaver, former Hugo, Okla., theatre owner, was ordered by the Criminal Court of Appeals Jan. 17 when it reversed Weaver's conviction.

The court held that the only evidence against Weaver was the testimony of alleged accomplices which was uncorroborated.

Weaver and two others were charged with an attempt to burn a building owned by O. Gill and used as a theatre by the Griffis Amusement Co.

Spanish Groups at Odds

MADRID, Jan. 10.—A dispute has arisen in this country between exhibitors and distributors, following a split in the Sociedad General de Exhibidores de España. The insurgent group is led by Manuel Alcazar, and the insurrectionary group is headed by a new impresario, Jesus Carrascó. An adjustment is expected shortly.

Republic Signs Corrigan

Hollywood, Jan. 24.—Republic has signed Ray "Crash" Corrigan to a five-year contract. He will be starred in "The Undersea Kingdom" as his first assignment.

Melvyn Douglas Cast

Hollywood, Jan. 24.—Melvyn Douglas has been assigned the male lead in "Bless Their Hearts," which will be P. B. Schulberg's next film for Columbia.

Too Much Dialing

Kansas City, Jan. 24.—Major Bowen's amateur hour here nearly drove one man frantic. About 750 listeners calling in on telephone and telegraph and the telephone number of Major's WDAF was Harrison 1212.

About 11 o'clock WDAF received a call from Jack Hill who had a frantic plea to try to do something about the dial experts who couldn't tell him from Ja.

Detroit House Rates Higher at Matinees

DETROIT, Jan. 24.—Detroit is to have winter and Holkem bi-weekly in the film theatre in the country charging a higher admission during the day than in the evening.

When Gus Coplan and Max Heine reopen the Lafayette on Jan. 30 with a policy of double bill second runs, Prices will range from $0.30 to $0.50, with 10 A. M. until 6 P. M., and 15 cents thereafter until closing.

The reason is that the theatre is in the heart of the business section where there is much activity during the day, which is practically deserted during the evening.

Modernization Work Pleases Felix Feist

PORTLAND, Jan. 24.—While stopping here on his tour of the northwest for other commitments, Felix Feist commented on the general modernization of theatres in this territory and said there also seemed to be a growing appreciation of better product, no matter by whom produced.

Feist was accompanied by Al Lichtman, E. M. Loew, and A. A. Hickey. They went to Seattle from this city.

Academy Men Study Technical Advances

Hollywood, Jan. 24.—The Academy Research Council has announced a series of meetings to familiarize studio department executives and technicians with developments in allied fields.

As the first move in the new plan, directors of the major studio sound departments visited the NBC broadcasting studios Wednesday to inspect new acoustic features and electrical equipment installed there.

The inspection trip was arranged by D. A. de Wolf of NBC and Carl Driehol, representing the Academy.

Photocolor Plant Sold

Details of the proceeds of the recent sale of the Photocolor Studios at Irvington-on-Hudson, Thursday, are not available as yet due to legal procedure. It was learned, however, that the plant's equipment was sold piecemeal.

Bach-Fox Deal Closed

W. A. Bach, president of Audio Prod., has closed a deal with Twentieth Century-Fox for distribution of some of the "Musical Melodies" series in Australasia and South America.

Lewis to Do "Reunion"

Hollywood, Jan. 24.—Al Lewis will produce a picture entitled "The "Reunion," at Paramount, with production scheduled to start next Wednesday.

"Pasteur" Next at World


Albany Club to Dance

ALBANY, Jan. 24.—The Variety Club will hold a dance at the Ten Eyck on Feb. 8. A number of radio and film stars are expected to attend.
Allied Leader Favors Joint MPTOA Effort

(Continued from page 1)

10 per cent—at no more, less—of our income from whatever source and do with it as we please to support the welfare of our local and national groups.

"That we recognize the need for two such organizations as the M.P.T.O.A. and I.A.M. and in proper ways we support the other organization, morally, in all, problem.

That we do all we can as missionaries to convert those independent individuals who further by money or influence the carrying on of an association of producer-exhibitors and convince them of the need for supporting our independent group.

"That we do not cease our efforts until every Congressional district has a ‘Bell Cow’ and an advisory committee to carry on either with or without state organization."

Strength Where There Is Unity

Clinton supplements his recommendations with the following:

"Having in mind a recent meeting in northern Wisconsin of a small group of determined exhibitors to which I was invited and where I witnessed the birth of an idea which finally resulted in an order from the Wisconsin General public from attendance at motion picture shows at army posts and CCC camps throughout the United States, I knew that throughout our land other and similar groups may be got together of men, unabashed and unswayed, who will, if united, make their influence felt, not only in their own communities, but in the halls of Congress and in the councils of the organization commanded by General Hays and those he capably represents.

"I have discussed this idea with Abram E. Myers with the request that he present it to the next meeting of his directors with the hope that they will take it up and, if possible, that in all.

"But whether they do or not, it is my purpose when my successor has been appointed at our district convention next April, to devote a great part of my efforts to speeding the time when National Allied will be strong, widespread, throughout the United States, and below the Mason and Dixon line, and in all states where it is now non-existent.

"We are fortunate in the Minnesota district to find our affiliated company in the hands of such constructive minds as Messrs. Fried and Ludwig, but the conditions I found in some other districts were lamentable and almost unbelievable, and, if I may be permitted to add, there were many other cases of pots calling the kettle black."

To Do 5th "Goldiggers"

Hollywood, Jan. 24—Warner's are planning the fifth edition of "Goldiggers" which will be called—"Goldiggers of 1937." Tom Reed is writing the story, and Dick Powell is mentioned as the star. Shooting is expected to start about June.

Looking 'Em Over

"Freshman Love" (Warner)

Played against what is virtually a musical background, this mild little comedy of college rowing and romance is apt to prove fare, light entertainment for the younger generation, with a number of laughs, and the comedy of Frank McHugh for its drawing value. He is aided for a scene by Frank Craven and George E. Stone, while Warren Hull and Patricia Ellis take care of the vocalizing and romance.

McHugh, the crew coach, is in danger of losing his job when he fails to turn out a winning crew. Miss Ellis, the president's daughter, seeks to help him by going out to "get" two expert oarsmen and have them trained. Everything goes well, with the crew training to a dance rhythm when one of the two oarsmen fails in his studies. The other, Hull, learns of the trickery practiced by Miss Ellis and leaves on the eve of the big race, but when he hears that she loves him returns just in time.

The rival coach tries to switch the dance rhythm, but the dear old school wins out in the end, as Hull in his romance with Miss Ellis, while Cathvorn, Hull's father, is equally pleased. William McGann directed.

Production Code Seal No. 1,710. Running time, 60 minutes. "G."

"Limelight" (Herbert Wilcox Prod.)

LONDON, Jan. 15.—Arthur Tracy is the box-office value in this first feature of Herbert Wilcox Prod., personally directed by Wilcox and released in England by C. M. Woolf's company, General Film Distributors.

Tracy, singing at the stage door of a theatre, is brought in at the instance of a chorus girl captured by his voice to take place of a sick vocalist. The stunt makes him a star. During his absence on a Continental tour, the chorus girl is billed to sing the numbers of the street singer she discovered. Depressed because she thinks the singer has deserted her for a society girl, she 'dries up,' but the Street Singer walks on from the wings and saves the show.

There are some good ballet scenes, but in the absence of really convincing story values it stands or falls by Tracy. His numbers are well put over and balance his lack of screen personality.

Anna Neagle has very few chances. Running time, 65 minutes. "G."

"Whipsaw," yesterday's opener at the Capitol, was previewed by wire from Hollywood on Dec. 4.

"Collegiate," now current at the Paramount, was reviewed from Hollywood on Dec. 17.

"The Calling of Dan Matthews," now at the RKO, was reviewed by wire from Hollywood on Nov. 23.

Kennedy's RCA Plan Received by Board

(Continued from page 1)

ferred issue to holders of the present seven per cent cumulative Class A preferred which is callable at $55, and the issuance of four per cent preferred $7 cash to an exchange for the 25 Class B preferred and accumulated dividends which amounted to $11.50 on Jan. 1. Preferred A is now selling at about a half a point over its call price of $55. The Class B, on which no dividends are being paid, is quoted today at 881/4 or 881/2.

Re-Sign Wheeler, Woolsey

Hollywood, Jan. 24—Radio has signed a new contract with Wheeler and Woolsey calling for the production of three feature comedies during and at the end of the current season the couple, who recently completed "Silly Billies," their 18th feature.

Refit "Money Mad"

Hollywood, Jan. 24—Columbia has changed the title of "Money Mad" to "Don't Gamble on Love."
Reliance to Release List Through RKO

Edward Small to Become Associate Producer

HOLLYWOOD, Jan. 26.—All Reliance pictures after "The Last of the Mohicans" will be released by RKO instead of United Artists, it was stated today after the closing of a deal by Harry M. Goetz, president, and Edward Small, vice-president of Reliance and RKO officials.

All future Reliance films will be made on the RKO lot. Small will become an associate producer for RKO and superintend the production of all Reliance pictures. Among the new Reliance films to be made on the RKO lot will be Robert Donat in "The Obber Barons," "Gunga Din," and "Son Monte Cristo" and a series of Jack Oakie starring vehicles.

Harry M. Goetz, president of Reliance, will return from the coast in a few days. From time to time it has been re- lied Reliance would be distributed by Twentieth Century-Fox upon expiration of the present U.A. agreement.

Republic to Release Frankie and Johnnie

"Frankie and Johnnie" will be released by Republic under a new deal with Edward Small and William Harrigan in support.

When originally produced at the Majestic studios, the film ran about 80. The Hays production code and censurable of the story had to be reworked before it was approved by the film organization and given code seal 7815.

At one time RKO Distributing had a deal on to release the film, but this fell through when the films office tabbed the original.

Patron Kicks Cause Resolution on Reels

PHILADELPHIA, Jan. 26.—Behind the action of the M.P.T.O. in asking its members to eliminate politics from screen is the fact that political material in the reels is putting exhibitors in a difficult spot, with many objects having been registered by the Federal Film Bureau.

At the meeting the following offers were voted in addition to those already on the table:

(a) Advertising and promotional materials should not be included in the program.
(b) All political material should be eliminated.
(c) A committee should be appointed to study the problem and make recommendations.
(d) A list of political material should be compiled and made available to exhibitors.

Delay Hearing

St. Louis, Jan. 26.—Yester-day's session in the equity case here was called off because the defendant, Harry W. Mobbs neaux of New York, and associates, failed to appear in court.

The hearing will continue Monday, probably with Harry C. Arthur, one of the few remaining Government witnesses, on the stand.

Financing by Pathé Awaits Robert Young

Plans for financing individual producers by Pathé will await the return from Europe shortly of Robert M. Young, partner of Pathe and chairman of the First Division board, it is understood.

Officials of both companies have been working the last few months on negotiations which would bring several prominent producers under the Pathé financing. During the absence of Young, Robert Mc Kinney, of the Young-Kolbe office, is said to have taken an active part in discussions on deals. Executives of Pathé and First Division are expected to make a trip to Hollywood within the next few weeks to look over the production situation and confer with a number of producers they have in mind.

Whether or not the name of Pathé will be used in this connection has been endorsed by the studio.

Mexico Strike Ends Against U. S. Firms

MEXICO CITY, Jan. 26.—The em ployees' strike here against eight American distributors, which started Sept. 27, last, has ended. The settlement finally restores to Mexican exhibitors the sorely needed better grade American product, which has been completely shut off since the strike began. The distributors declared yesterday they will have an ample supply of pictures ready on Monday.

By the terms of the settlement, the distributors agree to meet the strikers' demands for a 30 per cent increase, effective Monday, and to pay the strikers $30 per cent of their wages for the time they were out. Some $18,000 was paid to the strikers as a settlement.

Chicago Cold Hits Grosses Heavy Blow

CHICAGO, Jan. 26.—A 72-hour cold spell that threatened to break the 56-year-old Loop record of $23 below average business was averted here during the week of the 20th. This week business, too saw heavy losses, as the cold spell carried over into the weekend and into the Monday and Tuesday business.

The American Museum, in conven tion this week, had business of $9,600, only 10 per cent above average.

SOUND SPOTS LEAP TO 51,697 TOTAL

Production Gains;
38 Features Going

HOLLYWOOD, Jan. 26.—Breaking a four-week production slump, studio activity took rapid strides last week, swelling company employment rosters by several hundred. Nearly every studio registered a gain.

There were 38 feature pictures and five shorts being filmed, compared to 29 features and two shorts for the week preceding.

Warners hit a new high with nine features before better than expected Columbia had five features working, four in preparation, and three in the cutting room. Fox had two and five Goldwyn, one zero and zero; M-G-M, three zero and 10; Paramount, six, three and 10; Radio, three, zero and four; Roach, one, zero and one; Universal, four, one and two; Warners, nine, one and seven; independents, one, three and one.

In the short subject field Columbia had one in work, three preparing and two editing; M-G-M had two, four and three; Radio, one, zero and two; Roach, zero, zero and three; independents, one, and one and two.

"Opera" Made "Opry"

For Charlotte Trade

CHARLOTTE, Jan. 26.—Fearing that the word "Opera" would ruin its chances at the box-office here, the Carolinas did a little exploiting of its own and changed the title to "A Night at the Opry." The picture had a good run.

"Opera" and things connected with it are not exactly the best box-office attraction for Charlotte, as proven by past experience.

Even pictures starring the greatest opera stars of them all have fared badly here. Lily Pons scarcely got to first base in "I Dream Too Much."

Washington, Jan. 26.—The world total of Sound pictures was $5,197,085, an increase of $10,828 over 1934, according to annual statistics prepared by N. D. Golden, chief of the Motion Picture Section of the U. S. Department of Commerce.

The world total of motion picture sound shows, sound and silent combined, at the same time was computed by the section at $87,299, or an increase of $26,981 over the Government bureau's own statistics for 1934. While little explanation accompanied the graphs which traced the rising curve, the assumption is the unbelievable increase is traceable to the claims which are made for exhibition in Russia. That country, according to the section, jumped from 9,987 outlets at the end of 1934 to 18,427 by the end of 1935.

A four year comparison of the areas throughout the world, by nations and territories, appears on pages 1 and 6.

Directors Increase Guild Roster to 75

HOLLYWOOD, Jan. 26.—Approximately 275 directors turned out for the first official meeting of the Screen Directors' Guild. The membership was swelled by 35. The total is now 75.

The highlight of the session was a talk by Cecil B. DeMille, who said that any organization conceived by directors was good. At the same time he upheld the work of the Academy and urged prospective members to study the purposes of the new organization before signing, it was learned. Spokesman for the Guild stressed the point that the organization was necessary as a defensive group.

Para. Signs Sherman For 6 Cassidy Films

HOLLYWOOD, Jan. 26.—Harry Sherman yesterday signed a new Paramount contract for production of six Hopalong Cassidy features for the coming season. They will star William Boyd and Johnny Edlin. The budgets on all six will be increased over the first series.
**B. & K. Hold "Obsession"**

**CHICAGO, Jan. 26—**"Magnificent Obsession," which ran two weeks at the Palace to heavy business, was rushed into the hands of a new owner, B. & K., for a third loop week. The picture had been doing such good business the B. & K. execs felt it was time to do something. Previous bookings prohibited the Palace from holding the picture over another week.

**Columbia Men on Coast**

**SAN FRANCISCO, Jan. 26—**Columbia’s fourth regional sales conference of the season began here yesterday and concluded tonight with Abe Montagie presiding. Exchange centers up and down the Pacific coast and from the mountain region were represented.

**"Times" Premiere Feb. 5**

"Modern Times" will have its world premiere at the Rivoli on Feb. 5, according to the latest announcement from United Artists. The Chaplin picture previously had been dated for this month. Opening night seats will be reserved, following which a 55-99 cents price will go into effect.

**Whitney on Coast**

**Hollywood, Jan. 26.—**John Hay Whitney, head of Pioneer, arrived here by plane yesterday from New York. William Wright, assistant to Harry Cohn of Columbia, was on the same plane.

**Threaten Grand Jury**

**St. Louis, Jan. 26.—**A grand jury investigation of the giveaway situation here is threatened if the practice does not stop, following police orders to enforces a ban ordered by Circuit Attorney Franklin Miller, who ruled giveaways and prizes at theaters illegal. If ELMAN’s investigation indicates what had caused him to take specific action at this time.

**Rogers Fund**

**OKLAHOMA CITY, Jan. 26—**Approximately $35,000 of Oklahoma's $100,000 goal for the Will Rogers fund has been contributed, according to Glen Condon of the state executive committee.

"Quotas have been assigned to all counties," he said, "and some of them have already met with success. The amounts are based on the state’s allotments. The money is sent to the state committee of the Will Rogers fund from commissions in Claymore Okla., and forwarded to national headquarters.

**John Mills Passes**

**BELLEVILLE, Ont., Jan. 26—**John Mills, 25, basso of the Mills Brothers quartet, died here after an illness of several months. The other three brothers, and the father, John Mills Sr., who has been substituting in the quartet, will here for the funeral.

**Judgments Are Filed**

The Village of Irvington has filed a judgment against the Photo Color Corp. for $804.

The 165 W. 44th St. Corp. has a judgment against the RKO Film Booking Corp. for $11,000.

**Radio Signs Marshall**

**Hollywood, Jan. 26.—**Herbert Marshall has a five-year contract, calling for three pictures a year, with Radio. The star's latest for Radio was with Ann Hurdling in "Lady the Condemned." Making Roosevelt Film**

A two-reeler dealing with the life of Theodore Roosevelt is being produced by J. H. Hoppock, Co. Osa Apel is featured.
OKAY!
...I’ll talk

but only to confirm what every exhibitor showman knows . . . that National Screen Service does a whale of a job with complete trailers service on every picture you book!

NATIONAL SCREEN SERVICE

prize baby of the Industry!
Sound Spots
Leap to New Top, 51,697

(Continued from page 1)
of 54 to 29,691 at the end of the following year. This figure, it was pointed out, includes "urban, rural theatres and Zenith" those equipped with stationary and portable projectors where motion pictures are shown." In other words, the figures for the Soviets made no claims that they embrace the theatres in the accepted American trade sense.

There is another approach by which the staggering increase in world theatres, whether silent or sound, may be observed. In 1929, a survey of public motion-picture trade, made public early last year, the Motion Picture Section credited the United States with only 10,143 houses, less than 1% of a grand total of 1,885. The estimate was "based on the Bureau of Census survey as of December, 1934." Those within the industry and familiar with its statistical fabric failed to agree.

15,378 in United States

Currently, the section sets down 15,378 for the United States. This coincides with the conclusion drawn by the Film Boards of Trade in its own survey, detail of which was made public in New York on Thursday. However, this total, explained by the Film Boards of Trade, represents theatres actually open as of Jan. 1, 1935. The authority held by all houses in the United States at 18,508. The Motion Picture Section, at no point, specifies whether its statistics cover theatres light or dark.

A four-year comparison of all theatres throughout the world appears elsewhere in this edition of the Motion Picture Daily. Here is a four-year comparison of sound theatres, the figures to catch instantaneity of those of the Motion Picture Section:

<table>
<thead>
<tr>
<th>Country</th>
<th>1935</th>
<th>1934</th>
<th>1933</th>
<th>1932</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>15,378</td>
<td>10,143</td>
<td>9,100</td>
<td>6,837</td>
</tr>
<tr>
<td>Europe</td>
<td>5,185</td>
<td>4,718</td>
<td>4,639</td>
<td>4,922</td>
</tr>
<tr>
<td>Latin-America</td>
<td>3,388</td>
<td>2,654</td>
<td>2,620</td>
<td>2,600</td>
</tr>
</tbody>
</table>

Europe contributed 27,956 sound houses to the international total as against 60,130 theatres in toto in that division, the section points out. The United States, credited with 15,378 theatres, is 100 per cent wired for talking, as these sources conclude. Here are how the other major world geographical divisions break down:

The Far East has 3,712 sound theatres out of a grand total of 9,100. Latin-America is listed with 3,388 sound houses out of a grand total of 2,654.

Africa and the Near East have 480 wired out of a grand total of 637.

Fawcett Books to Coast

Movie Classic and Screen Book editor, both being under the managing editorship of Jack Smalley.

Midwest's Theatre Changes Continuing

KANSAS CITY, Jan. 26,—Transfers of control and general improvements have been on the up-grade in this territory for some time.

C. A. Schultz, vice-president of Commodore Amusements Corp., has acquired the State, Garden City, Kan., from Lester McCoy, W. G. Groves, owner of the Electric, Glasgow, Mo., has leased the Princess at La Platte and is remodeling it. W. G. Waldon has opened the new "DC at See" Soto, Kan., and L. B. Loue's Midland will soon receive bids for reupholstering and other improvements.

N. E. Changes Numerous

BOSTON, Jan. 26,—Shifts on the New England map are numerous. The Broadway, Chelsea, has been opened by M. & P. with George Peary in charge; Waldon's Casino, an old house, is about to be opened with films and vaudeville. The Strand, Chelsea, also has been opened by M. & P.

Two Maine theatres back on the active list are the Star, West Pembroke, and Wilbur, Pittsfield.

In New Hampshire the Alleghany, Groveton, has been reopened. Others just opened are the Town Hall, Jefferson, and Community, Ashland.

Buy Empress at Denver

DENVER, Jan. 26,—Three Denver real estate men, L. F. Eppich, Ed E. Eppich and A. G. Talbot, who formed the City and Interstate for the purpose of purchasing the old Empress deal, have bought the old Empress. The house has been closed for three years, but is equipped for pictures and vaudeville, and it is planned to reopen it as a first run with a stage show.

Southern Shifts Unabated

JACKSONVILLE, Jan. 26,—Southern theatre changes and new construction continue unabated. In this state Barber has added a second house to the Haines City for F. O. Mullins of Kissimmee and a new house, the Fan has been opened at Lakesburg.

The Leesburg is a $25,000, 500-seat structure of brick, with a separate balcony for colored patrons.

Two new North Carolina houses are planned. One will be at Newton and will be erected for G. G. Mitchell. A second will be a $22,000 structure, the first there, at Clinton.

At Columbus, Miss., home town of E. Kaydell, Solomon Bros., Inc., have purchased the Chevrolet building for the purpose of converting it into a 1,000-seat soda.

Acquires London Series


Second series will not produce this group under the Excelsior banner. He will probably rent space from the Talisman Studio for the series.

Lloyd Turel Has Son

Detroit, Jan. 26.—Lloyd Turel, general manager of the J. L. Turel houses, is passing around cigars tonight. Reason: The birth of Lloyd, who weighs eight pounds and one ounce. Mother and son are doing nicely.
JUST WHEN EVERYBODY was beginning to think there was too much sameness in cartoons,

UP POPS OSWALD

with the cleverest, cutest, funniest situations and tricks the cartoon world has ever seen!

Just take a look at OSWALD THE LUCKY RABBIT in "SOFTBALL GAME" at your nearest UNIVERSAL exchange, and you'll see what we're talking about!
Oklahoma Diplomacy Developing Strains

Oklahoma City, Jan. 26.—Relations between distributors and the Motion Picture Council here are a bit strained. The council hopes to "persuade distributors to lease the right kind of films to church schools."

So far the distributors have more or less gracefully dodged the issue.

At a meeting here Friday, Miss Mary McPherson, to which distributors had been "cordially" invited, said, "We fail to attract a single exchange manager."

Mrs. C. R. Loncks, council secretary, says she planned all the exchange heavily and "all and every time." She adduced school buses. She called it a plan to "bodysnack" the public.

Financing by Pathé Awaits Robert Young

(Continued from page 1)

not been decided, as has been said. Some interests are inclined to believe the company, because of its RKO agreement, will not be permitted to do so.

Pessimists differ. First Division in any event will distribute "Gone With the Wind." At present First Division is releasing through its own exchanges and by franchise arrangements Chesterfield and Invincible product in addition to some it produces. In the exception of Kansas City, the company has 100 per cent representation nationally. The Kansas City situation is expected to be worked out shortly.

Pessis Joins Talisman

Hollywood, Jan. 26.—Erman Pessis has been appointed publicity director for the Talisman Studio, and will handle many of the units working on that lot. Pessis has been handling publicity for the George Hiram films, as well as handling other accounts which he will retain in addition to his new duties.

Leftholtz in New Post

Omaha, Jan. 26.—Harry Leftholtz, salesman for Universal and has joined Scott Battlante, theatrical supply company.

R. C. Fox, salesman with Universal at Minneapolis, has been transferred to replace Leftholtz.

Takes Three Serials


Kennedy Made Manager

Portland, Me., Jan. 26.—Edward Kennedy, who has been assistant manager at the Empire, where he was formerly an usher, Kennedy replaces George Strong, resigned.

Para. Pep Club to Dance

A St. Valentine's dance at which amateur members will furnish the entertainment is planned by the Paramount Pep Club at the Park Central Feb. 14.

Mexico Strike Ends Against U. S. Firms

(Motor Picture Daily)

on the day of the strike settlement, and the reinstatement of the 300 members. A payment of $1,500 was made yesterday as "strike costs." [Dealers are forbidden to citizens in strikes.]

The settlement followed a long series of conferences under Government supervision. It is understood the settlement will help to straighten out the controversy on import duties and income taxes between the distributors and the Government.

Patron Kicks Cause Resolution on Reels

(Continued from page 1)


Chicago Cold Hits Grosses Heavy Blow

(Continued from page 1)

ition here, provided enough business to pay the coal bill. "Strike Me Pink" opened in the midst of a cold blast that had the thermometer 20 below. Business at the opening show flooded the main floor of the United Artists almost filled, which was better than had been expected. The second house is expected to do capacity for the first week at least as the picture was given a terrific ballyhoo.

Wall Street

Far Eastern Sales Up Slightly

High Low Closing Change

Columbia 44s 44s 44s 0

Economist 70s 70s 70s 0

Consolidated Film 6 6 6

Universal 6 6 6

Eastman Kodak 100s 100s 100s

Loew's Inc. 73s 73s 73s

Loomis, Inc. 106s 106s 106s

Paramount 102s 102s 102s

Paramount 2p 12 12 12

Pathe Film 75s 75s 75s

RKO 75s 75s 75s

20th Century, pfd. 100s 100s 100s

Warner Bros. 115s 115s 115s

Total Technicolor Off a Point

High Low Closing

Columbia 44s 44s 44s 0

Economist 70s 70s 70s 0

Consolidated Film 6 6 6

Universal 6 6 6

Eastman Kodak 100s 100s 100s

Loew's Inc. 73s 73s 73s

Loomis, Inc. 106s 106s 106s

Paramount 102s 102s 102s

Paramount 2p 12 12 12

Pathe Film 75s 75s 75s

RKO 75s 75s 75s

20th Century, pfd. 100s 100s 100s

Warner Bros. 115s 115s 115s

Little Bond Activity

[Quotations at close of Jan. 25]
ANN HARDING and
HERBERT MARSHALL
in
"THE LADY CONSENTS"
The piercing heart-cry of a million women who love—and fear!...ringing through a screen drama notable for the fine portrayals of its distinguished cast...its sheer excellence of productional quality...and its amazing success in combining class atmosphere with sure-fire emotional appeal!
New Orleans Agrees Gain Will Go On

NEW ORLEANS, Jan. 26—Reports from exchanges here point to one of the best years in the history of the business by far. Censorship, the number currently larger than ever before, has been reduced to a minimum. The city has been increased employment, both private and on WPA projects.

For the general business, things look up. The Association of Film Exchanges predicts more substantial gain in all lines. New Orleans proper shows bigger business throughout the season, and the neighboring towns show a marked increase. In the case of the //~\n
Business in Indiana Area Is Improving

TERRY HAUTE, Ind., Jan. 26.—Prospects for a bright and merrier New Year are indicated here through excellent gain in attendance and increased employment. The city is looking forward to a prosperous season, with a marked increase in local and tourist business. The season opened on Friday, and the business has been steady since that time. The local theatres are doing a good business, and the visitors are enjoying themselves.

Theatres Gain Is Seen in Virginia

RICHMOND, Va., Jan. 26.—While amusement interests in Virginia experienced a marked increase last year, eight or more new theatres having been opened in 1935, many of which are doing a better business than in 1936 as a result of increased activity along many lines.

The first of the new houses was among the homes completed last year. Others have opened in Norfolk, Lynchburg, Hillsville, Martinsville, Stuart and Galax. Richmond and Petersburg, where the Falls Church, a suburb of the national capital, is being made for the more than 40 chartered new houses in Richmond and building activity is reported to be on the increase in various parts of the state, general indication being an enlarged public and a larger number of textile workers will be given employment this year. Movie Sweeps, it is pointed out, the M. B. O. T. of Virginia, Inc., said today 1936 should be a good one for the industry.

"Better products are being offered and they will produce better business," he said. We felt the depression last year as a whole. But it will be in getting back to good times again.

Employment at the bank has shown steady gains from 82 per cent normal last January to 96 per cent normal. Graphics showing employment and wages are sufficient to encourage the office receipts would almost coincide, a survey reveals.

Insurance Field Gains

Insurance, the main industry in Hartford, Massachusetts, with $120,000,000 in assets during the year, has seen a payment of bonuses to employees at Christmas, while the 1,500 employees have been paid a bonus of 5 per cent of normal pay.

The Board of Education voted yesterday to restore 10 per cent pay cuts to teachers in city schools. The city school superintendent, which has been in force for three years.

Manufacturers of machine screws and parts for automobiles reported sharp upturns in activity following fall automobile shows.

Theatre Brushing Up

Theatre improvements, which had been at a standstill, have resumed on modest scale. The Princess has new carpets, the Allen is having murals painted on the walls by a local artist, the large lobby of the P&J has been completely reconditioned, there has been talk of installing new seats at the Palace.

Perhaps one of the most significant signs that Hartford theatres are not worried about 1936 is the lack of opposition which greeted the announce-
Short Subjects

"Between the Lines"

(’Itaphone) A strikingly novel theme and deftly handled touches of satire make this a genuinely entertaining musical offering. With the flash-back technique it faultlessly presents the real life of magazine story characters and how they view the world upon other people. Modern life and the Civil War period provide some excellent singing by Ber-nice Claire. Centering about her, the story centers around two buddies from a night club yarn on another page coming over and introducing her to modern times, and making a better, more modernized, she is enjoying herself when the place is held up. At that point her southern brother, a Civil War army officer, comes to the rescue, saving her from the “rebels.” A great piece of burlesque. There is a Lindy Hop dance to an old-fashioned, yet sophisticated, this will be well received. Production Code Seal No. 1908. Running time, 22 minutes. “G.”

"Steel and Stone"

(’Itaphone) This number of the “Our Own Universe” series covers the construction of bridges and tunnels. It is finely done photographically, and the dialogue by Milton J. Cross is a good example of scientific fact with the correct shading of humor. The piece skips about the country showing to their best advantage bridges and rivers, their purposes and the fine points of their architecture. There are excellent views of the Key West spans, the Pataskay Skyway, the Hays Long bridge in New Orleans and others. Aside from its educational value, the film is both interesting and entertaining. Should be well received. Production Code Seal No. 1904. Running time, 11 minutes. “G.”

"The Cat Came Back"

(’Itaphone) A cartoon in Technicolor that should be well received by children and adults alike. It concerns the rivalry between cat and mouse family. Mother cat teaches her kittens the art of catching mice with a club, and the mice are schooled in eluding them. A friendship between a kitten and a mouse sprang up and ceased when the kitten is beaten up, only to resume again. The mothers do some quarreling and the two go off and dance to phonograph music. The kitten falls into a sewer and the mouse goes to the rescue. Rescued, all is serene again until mama cat remembers and the struggle is on again. Production Code Seal No. 1982. Running time, 8 minutes. “G.”

"Wild Wings"

(’Itaphone) Beautifully photographed on the island of Laysan in the Pacific, this is one of the prettiest and most picturesque record of sea bird life. The island is a natural bird sanctuary and flocks of albatross, gulls, terns and frigate birds winter there. Exceptional shots reveal mating habits and others in slow motion show the poetry of their effortless flight. Should please. Production Code Seal No. 1952. Running time, 11 minutes. “G.”

MOTION PICTURE DAILY’S HOLLYWOOD PREVIEW

"The Milky Way"

(Paramount) Hollywood, Jan. 26.—With uproarious comedy and to the tune of a thousand laughs, Harold Lloyd returns to the front rank of screen fun-makers. Farcce and holuon, moving with speed and holding a sock in every sentence, the film is a credit to everyone connected with it and should prove one of the season’s ace attractions. An indication of what to expect is the reaction of the preview audience, which giggled, gulped and roared at the nonsensical action and clever dialogue.

With the exception of a few suggestions of romance, which in them- selves the film ignores everything but laugh-provoking comedy. Protecting sister Helen Mack, Lloyd, a milkman, whose fighting ability is confined to a knowledge of how to duck, is accused of knocking out William Gargan, middleweight champion. Shanghaied by chiseling manager Adolphe Menjou’s gang, including Gargan, Verco Teasdale and Lionel Stander, Lloyd is taught, but never learns, ring craft.

Wading through a series of framed bouts, the stage is set for the big Milk Fund bout with Gargan, sponsored by Marjorie Gateson, socialite. In a ridiculous single round, Lloyd wins, when Gargan’s desire for revenge is licked by his affection for Lloyd’s sister and a dose of insomnia medicine administered by Stander gets in its work.

The entire cast does a fine comedy job, their performances leaving the audience limp. Based on a play by Lynn Root and Harry Clark, the screenplay by Grover Jones, Frank Butler and Richard Connell is a masterpiece of farce comedy. Leo McCarey’s direction takes full advantage of all the opportunities and maintains a continuous fast pace. E. Lloyd Sheldon supervised. The picture looks to be a sure winner wherever it is played, on the basis of word-of-mouth advertising alone.

Production Code Seal No. 1735. Running time, 85 minutes. “G.”

"Tough Guy"

(M-G-M) Hollywood, Jan. 26.—Designed for general audiences, this picture will fit nicely on most programs. Jackie Cooper and Joseph Calleia head the cast of all male players with Rin Tin Tin, Jr., the dog star. Jackie and his dog run away from home, stowing away in a truck which Calleia is using in a bank holdup. Delivered at the gangster hideout, Jackie and Calleia are separated from the mob when the police close in and they camp out in the mountains. Calleia soltens by his association with the boy and they form a deep attachment for each other. Later the mob is tempted by the reward to kidnap Jackie as Calleia is taken into custody. Allowed to escape, Calleia and the dog find Jackie and release him in a fight which results in Calleia’s death.

Skillful direction by Chester Franklin builds the situations for suspense, nicely shading the sequences which otherwise might have appeared as holuon. The production by Harry Rapf, made mostly outdoors, offers opportunities for good photography which are all capitalized. Supporting performances by Harvey Stephens, Robert Warwick as Jackie’s father, and Jean Hersholt as a veterinary, are best. Florence Kennedy and Edgar Allan Woolf both wrote the screenplay and the original story.

The lack of love interest should not prevent a handicap and the picture should be well received as good action entertainment.

Production Code Seal No. 1851. Running time, 75 minutes. “G.”

"Every Saturday Night"

(Twentieth Century-Fox) Hollywood, Jan. 26.—Striking a new and popular chord in entertainment values and meeting pronounced approval at a neighborhood preview, this film has a typical American family in typical home situations. Wholesome and sincere elements make up the picture.

In the family is Jed Prouty, father, who lectures and loves his brood; Spring Byington, mother, understanding and kindly; June Lang, daughter, in her first feature role, and a youthful romance; Florence Roberts, grandmother, keeping Prouty in his place; Kenneth Howell, 17, with his first taxicab; George Ernest, 12, a cold-eyed banker, and little June Carlson, with a yen to be Garbo.

All these everyday folks under one roof develop the story of young people, with their joys, sorrows and happiness. James Tinling directed with understanding from Katherine Kavanaugh’s play. It is Max Gordon’s first as an associate producer and it clicks in a refreshing manner. It should do well in the general field, particularly with the family patronage. It is the first of a new series, called “Our American Family.”

Production Code Seal No. 1908. Running time, 70 minutes. “G.”

Did you get your copy of Richardson’s BLUEBOOK of PROJECTION

The Bluebook contains 714 pages plus 153 illustrations. It details and describes every piece of sound and projection apparatus in the modern projection booth and gives all instructions for operation and maintenance. It includes a complete trouble-shooting department as a first aid in breakdowns and features a quick-finding index system that provides the answer immediately to any projection problem.

Don’t put off owning a Bluebook. You will find it indispensable as a daily reference.

Price $5.25 Postpaid

QUIGLEY BOOKSHOP
1790 BROADWAY
NEW YORK

MOTION PICTURE DAILY

Monday, January 27, 1936

10
Defense Wins Vital Points At St. Louis

Arthur's Conversations Are Eliminated

St. Louis, Jan. 27.—The question of whether Warners, Paramount and RKO had conspired to violate the anti-trust law, in their alleged refusal to supply films to the Ambassador, Missouri and New Grand Central here, is almost entirely confined to correspondence between officials of the various companies involved in connection with commitments and agreements for Paramount and RKO films to the Shubert-Rialto and Orpheum for the 1934-35 season, by a series of rulings in the equity case here today by Judge Joseph W. Molyneaux.

The court's decision today sustained a defense objection to Government introduction of documentary evidence on the financial operations of the Shubert-Rialto and Orpheum under Warner management since March 31, 1934. Russell Hardy, chief

Contempt Penalty For Fox This Week

An order fixing William Fox's punishment for contempt of court will be heard today by Federal Judge William G. Bondy, it was learned yesterday after Fox's New York lawyers, who conferred with him over the weekend, said that the former film executive would refuse to answer to charged questions from the bench by Federal Judge William G. Bondy, it was learned yesterday after Fox's New York lawyers, who conferred with him over the weekend, said that the former film executive would refuse to answer to charged questions from the bench by

Legion to Publish Single Nationwide List of Films

One nationwide list supplanting sectional classifications will be published by the National League of Decency, the first to be dated Feb. 6.

The appraisal of product will be prepared under the direction of the New York Archdiocesan Council of the Legion of Decency with the cooperation of the M. P. Bureau of the International Federation of Catholic Alumnae.


Mrs. James F. Looram is chairman of the M. P. Bureau of the International Federation of Catholic Alumnae which will analyze the product and prepare the three classifications into which films will fall, Mrs. Thomas A. Bannor and Mrs. Howard Austin.

Every 4th Number Cincinnati, Jan. 27. — The following signs appear on the walls of the ratheker of a local hotel: “Please do not request the orchestra to play ‘The Music Goes Round and Around.’ It will be played every fourth number.”

Jersey Allied Will Talk Changes Today

Plans will be made today for putting into operation the finance, business relations and public relations committees when the Allied of New Jersey membership meets at the Lincoln.

The finance committee consists of Maurice Miller, chairman; Ralph Wilkins, sub-chairman and J. P. Leland, H. Block, A. J. Sabo, Frank Henry and Sam Frank.

On the business relations committee are: James Forgione, chairman; Martin Ellis, sub-chairman and Edward Lachman, Leon Rosenblatt, Myron Starr, I. Levy and D. R. Faunce.

With Irving Dollinger as chairman, the publicity relations group comprises: H. Hirsch, sub-chairman, David Mate, Harry Doniger, H. Bergston, Mrs. Hildinger and W. C. Hunt.

Each of the three committees is represented by an exhibitor in the 21 counties embraced by the organization. Lee Newberry, president, will wield the gavel. Henry Soksin has joined the organization as canvasser.

Allied-ITOA Union Contract Is Upheld

Validity of a 10-year agreement between Allied M. P. Operators and the I. T. O. A. was upheld yesterday when Justice Ernest E. L. Hammer in the Bronx County Supreme Court ordered Lee & Meyer to operate the Freeman, Fenway and Lido, to employ projectionists of this union.

In its suit against the circuit, Allied contended that the three theaters were breaching the agreement between the

SEC's Study Of Atlas Will Involve Films

Investment Trust Quiz Asked by Congress

By BERTRAM F. LINZ

WASHINGTON, Jan. 27.—Officials of the Securities and Exchange Commission said today that a study of the operations of the Atlas Corp. management will involve the company's activities in the film field.

The Atlas inquiry is part of a study of practically all investment trusts undertaken at the direction of Congress, and on which a report, together with the regulations of the S.E.C., is being field examiners

Europe Leads In Gains of Sound Houses

WASHINGTON, Jan. 27. — Europe made the greatest gains in sound installations in 1935, a further breakdown of the annual theatre statistics prepared by the Motion Picture Section of the Dept. of Commerce reveals.

Whereas that continent had 23,460 of its reported 39,547 total wired by

Selsnick May Shift Personnel To Coast

HOLLYWOOD, Jan. 27.—John Wharton, treasurer of Selznick Inter-

RKO Reported Ready For More Producers

With the signing of the Reliance deal, RKO is understood to have in work deals which would bring into the fold a number of other prominent producers.

The negotiations are said to await the arrival of Leo Spitz, president of RKO, on the coast. While Spitz is here practically all of his time is being spent on the production and distribution matters. Following his next trip to the coast, the RKO head is expected to look into the theatre set-up.
Purely Personal

ANCHON SIMON, the F in Fanchon & Marco, has arrived from St. Louis and will head for the cockpit within a few days. Marco Wolff is still in St. Louis and won't leave there until the civil hearings are over.

FRANK SPECKER, who resigned recently as Columbia art director, will be tendered a farewell luncheon by his colleagues in the College Room of the Hotel Edison Friday.

HUGO BRYK, European representative of A.C.S., is on the Ile de France, due today. Also arriving on that boat are BEN and MRS. GOETZ and MRS. HAROLD.

AL FRIEDLANDER intends to leave either today or tomorrow for Boston, Albany and Buffalo and a couple of other First Division exchanges.

MAX WOLFF, assistant to CHARLES B. SONTZ, purchasing head of M-G-M, is in Philadelphia today. The Actor's Equity Association has the unenviable task of appointing a new boss to replace the one who resigned.

BILL DANZGER, who recently returned from the M-G-M publicity department, is reported joining the Hal Roach publicity forces on the coast.

WILLIAM C. PHILLIPS, Paramount attorney in Berlin, will come back to this country on Feb. 11 for his first vacation in eight years.

SAM FORGOSTON, assistant to BILL OBRIEN of the M-G-M advertising department, will become a benefit in the spring.

LOISEL BARRYMORE has arrived from the coast. He is staying at the Waldorf-Astoria.

FRANK and MILT BRITTSON will smash up their orchestra beginning Friday on the Roxy stage.

NAT KARSON, painter and caricaturist, is a benefit. HEINRITZ KAUE sculptor, is the bride.

GINGER ROGERS arrived here yester-day on her first holiday in a year and a half.

CHARLES Koenig is in from Boston.

LESLEY E. THOMPSON will leave the end of the week for Palm Beach.

JACK L. WARNER is due on the court Friday.

CHARLES K. STERN has shaved 20 pounds from his belt line.

BILL POWERS has come ill yesterday. The cold weather got him.

EUGIE HALPERIN has left for Hollywood following a short stay here.

DOUGLAS FAIRBANKS, JR., leaves England on the Majestic today.

Mulloney and Deery Sentence Reaffirmed

Beverly, Mass., Jan. 27.—John Deery, circuit head and former president of Salem Trust Co., and Daniel Mulloney, 62, president of the closed Federal National Bank, were sentenced here today by Judge James Morton in United States District Court, Boston, to one year and a day in Plymouth Jail, effective immediately. The sentence affirms their conviction for the misappropriation of $310,000 of bank funds consisting largely of theatre loans.

Complaints Filed in Two A. T. & T. Suits

Complaints in two suits seeking triple damages of $10,000,000 from A. T. & T. and subsidiaries were filed in Federal court here yesterday. The complaint alleges a monopoly in restraint of trade in the sound equipment field.

Publishers were instituted about six months ago by Thomas F. James, assignee of a claim by the Granger Mfg. Co., and by Bernard R. Gogel, assignee of a claim by Standard Sound Recording Corp.

Reviewers Look for Attendance of 500

About 500 delegates are expected at the 12th annual convention of the National Board of Review to be held at the Hotel Pennsylvania Feb. 5 to Feb. 8. On the morning of the opening day they will be guests of the Committee on Exceptional Photodays and will see "The Life of Louis Pasteur." During the afternoon and evening they will meet newspaper critics, from Salt Lake City, the desert and far-off New England, and representatives of the Union of American Press, and the three American capitals, to hear the directors of the board speak.

National Theatres Heads Meet Feb. 17

LOS ANGELES, Jan. 27.—Division heads of the National Theatres will hold a three-day annual meet here starting Feb. 17. Syros Skouras, who will be in charge, is due to return from a Honolulu vacation two days prior to the meeting. With him is Elmer C. Rhoden. Others to attend the sessions will be Arch Bowlus, Frank L. Newman, Sr., Rick Ricketson and Harold Fitzgerald.

Rhodes" Openings

"Rhodes" will have a special showing at the Lincoln, Miami, on Feb. 1. The orchestra sold 22 agents at the Roxy here on Feb. 21.

Blank Resumes Bank Night in Des Moines

Des Moines, Jan. 27.—Judge Russell Jordan has dissolved a permanent injunction issued last fall by District Judge which enjoined the Tri-State Theatre Co. and A. H. Blank, Pres., from conducting Bank Night at five theatres here.

The recent ruling of the Iowa Supreme Court in a Newton, Ia. case, to the effect that Bank Night is not a lottery under the Iowa statute prompted the action of Judge Jordan, on motion of attorneys for the theatre company. The county attorney had approved the dismissal.

Bank Night will be resumed tomorrow in the five cities here, in the Des Moines, Paramout, Roosevelt, Strand and Uptown.

George P. Hurling, manager of the theater in Newton, whose appeal to the Iowa Supreme Court resulted in the ruling, that states that definite plans are being made to resume Bank Night in Newton, in the event of the action of the Jasper County Attorney, P. J. Siegers, Siegers withheld comment pending receipt of a copy of the Supreme Court's ruling.

Set Painsville Hearings

PAINESVILLE, O., Jan. 27.—Bank night lottery charges lodged against the Wilkoby, Willoughby, and Utica, this town, are scheduled for hearing here on Feb. 3.

Rites for H. T. Morey

Funeral services were held yesterday for H. T. Morey, director of the Poinsettia, instruction school, who died of a heart ailment. Mr. Morey was 50, and had been on the stage with Robert Downen.

Born in Charlotte, Mich., in 1872, he attended the University of Michigan and the Chicago Conservatory, and after a tour on the stage with Robert Downen.

He came to New York and worked on the stage before starting in pictures with the old Vitagraph Co. in Brooklyn.

Later he went to Hollywood where he appeared in films for Selznick, Robertson-Graville, Graphite Films, Metro, Weber & North and Pro-Disco, among others. In recent years he played a few shorts and commercials.

Surviving him are his mother, Addie Morey, two brothers, Charles R. and Warren Morey.

Bessie Nugent, 90, Dead

CAMBRIDGE, Ohio, Jan. 27.—Bessie Nugent, mother of Jack Nugent, playwright and actor, and grandmother of William L. Nugent, died here today in her ninety-first year.

Tuesday, January 28, 1936
Defense Wins Vital Points At St. Louis

(Carried from page 1)

Government attorney, argued at length, declaring the evidence in such a “fishing” properties, operated to furnish unfair competition to the Ambassador, Miss

Ex-Senator A. Reed and Frederick H. Wood, Warner counsel, argued that if the court went into the financial question evidence would have to be heard on the entire exhibition

Judge Rules Out Talks

Judge Molineux sustained defense objections to some of the alleged conversa-

Arthur completed his direct

testimony at 3:55 P.M., after taking the stand at 12. His actual direct testify was less than two hours. He
testimony he alleged in the criminal case and gave details of his business connections. He
told how he handled the plan that 

Tells of Jeffries Meeting

He recited a conversation with Sam 

Busters

Henry had advised him to explain that 

Busters

and those Warner interests. He said that 

Busters

He told what transpired on the March 6, 1934 meet-

With little change from his criminal

testimony, Arthur told what transpired on 

Screen Directors

Hollywood, Jan. 27.—Major Joseph O. Donovan, formerly head of the 

RCA

nears on March 6, 1934, to buy films, to take legal action if necessary, to sell to

Arthur responded with a negative. 

The Venues’ basis that Arthur was not transacting business with 

Warners, in having all of $55,000 of the record, with a similar ruling applying to the previous testimonies of 

Warners and to the Venues. A new conference.

A motion by Phillips to extend the ruling as to the conference with

Schneider and Partington’s testimony which of the Venues to the court now on what 

Partington did not recall Partington’s testimony this afternoon. 

Harry M. Warner left here for New 

over the week-end.

Son III, Sears Asks Exculsual

Due to the illness of his son, Rich-

ard, and a desire by Gradwell L. Sears to receive his son in hospital, the boy recovers from rheumatic fever, efforts will be made by War-

ners to speed his recovery. Louis 

Warners chief government counsel, accepts Sears’ testimony in the criminal as-

trial as that for the civil process. 

If this stipulation is agreed to by the 

Government, the Warner sales ex-

tive will ask the same conference. 

Sears arrived from St. Louis on Sunday with 

Harry M. Warner. The latter returned yesterday to the Crown Mound with 

Harry M. Warner, who flew in Sunday morn-

ing. As one of the excluded witnesses who cannot have his name mentioned, Warner lawyers, Sears spent the whole of last week at the Park Plaza Hotel and other 

in home. In the event Harry does not agree to the stipulation, Sears will depart for St. Louis.

Collins New Hardie Aide

St. Louis, Jan. 27.—Harold F. Col-

nis, a special assistant to the attor-

ney general, is here assisting Russell 

Hardie, general counsel for the 

Warners, Paramount and RKO. He 

replaces Walter Rice who returned over the holidays. He will take part in 

the Hearings of the Supreme Court before the U. S. Supreme Court on the 

and the U.S. Supreme Court.

Screen Directors

To Name Donovan

Hollywood, Jan. 27.—Major Joseph O. Donovan, formerly head of the 

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thought “Dream” is a Midsummer Night’s Dream” has been book

through PWFC for roadshowing in twenty-five cities throughout southern California.

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Europe Tops Gains Among Sound Houses

(Continued from page 1)
the end of 1934, the Government bureau states that the figure had increased by 4,756 to 27,956 by the end of last year. The chief influx came from Russia which gained 1,300, according to this authority, to a total of 3,000. Germany went from 498 in 1933 to 4,780 in 35, giving it more sound theaters than any other country in Europe. England went from 4,068 to 4,712; France from 2,900 to 3,300; Italy from 2,095 to 2,724; Sweden (notably) was one of the countries which lost sound from 3,133 to 1,550, to single out some of the leaders.

The Far East, which appears in the Section's analysis as one division, stepped from fourth to third place in 1935, outdistancing Latin-America. Total sound installations are placed at 3,712 as against 3,362 in 1934, with Spain from 1,333 to 1,550, to single out some of the leaders.

Warners Start Four New Suits on Music

(Continued from page 1)
Frill: M. Witmark & Sons against NBC and WJZ for the use of "Blue Night." In the first complaint damages totaling $10,000 are sought. In the second case, $5,000; the third, $15,000 and the last, $5,000. The $15,000 claim is based on the assertion that the station broadcast the song mentioned through the air.

With the filing of these actions, the number reached 10. Wattenberg & Wattenberg, represent Warners in each instance.

Legion to Publish Nationwide List

(Continued from page 1)
A (1) — Unobjectionable for general purposes.
B (2) — Unobjectionable for adults.
C — Condemned.

Allied-TOA Union Contract Is Upheld

(Continued from page 1)
union and exhibitor organization, of which Leff & Meyers is a member. Local 306 men have been employed at the trio.

In addition to upholding the validity of the Allied pact, the court also stated that if the theaters had a contract with Local 306 the owners must live up to the agreement.

Murray Harst, counsel for Allied, yesterday stated an injunction will be entered in a few days compelling the employment of Allied men.

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<td>23,460</td>
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<td>United States</td>
<td>15,378*</td>
<td>10,143</td>
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<td>Far East</td>
<td>7,124</td>
<td>3,362</td>
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<td>Latin America</td>
<td>3,338</td>
<td>2,783</td>
<td>2,048</td>
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<td>Canada</td>
<td>833</td>
<td>710</td>
<td>710</td>
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<td>Africa, Near East</td>
<td>480</td>
<td>411</td>
<td>432</td>
<td>379</td>
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<td>Total</td>
<td>31,697</td>
<td>24,809</td>
<td>21,823</td>
<td>18,955</td>
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*Based upon trade estimates.

Sound Theatres Throughout World

Country     1933  1934  1935  1936

Europe       27,956 23,460 20,934 17,822
United States 15,378* 10,143 15,000 14,000
Far East      7,124   3,362  2,539  2,147
Latin America 3,338   2,783  2,048  1,830
Canada        833    710    710    777
Africa, Near East 480   411    432    379
Total         31,697 24,809 21,823 18,955

Sound Theatres in Europe

Country     1933 1934 1935 1936

Europe       27,956 23,460 20,934 17,822
United States 15,378* 10,143 15,000 14,000
Far East      7,124   3,362  2,539  2,147
Latin America 3,338   2,783  2,048  1,830
Canada        833    710    710    777
Africa, Near East 480   411    432    379
Total         31,697 24,809 21,823 18,955

Sound Theatres in Latin-America

Country     1933 1934 1935 1936

Argentina    3,338  1,530  1,092  728
Brazil       906    800    525    330
Cuba         225    150    131    123
Mexico       350    350    265    265
Chile        150    148    160    85
Peru         122    85     77    40
Panama       28     18     16     12
Costa Rica   31     26     26     20
Ecuador      31     27     22     20
Honduras     29     14     14     12
Salvador     24     24     17     15
Nicaragua    23     15     14     12
Dominican Rep. 21     13     14     15
Total        3,712  3,362  2,539  2,147

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May Drop Plan

Ampa, which has been considering a take-off on the St. Louis trial as one of its features, has forthwith launched the Naked Truth Dinner slated for March 14 at a Grandison dinner, may abandon the plan. The Hays office has lodged a protest.

Ampa, however, has explained that the move was a mere mock trial based on St. Louis, but the court proceedings held and none under way there as a background on which to draw caricatures of industry figures.

H. G. Knox Realigned

Erpi Engineer Staff

H. G. Knox, vice-president in charge of engineering for Erpi, has made a number of appointments to his staff.

H. B. Santee has been made director of engineering, with H. C. Humphreys, D. M. Mascall, K. Dobson, A. de Napoli, G. W. Fiaclous and C. F. Morgan on his staff.

J. S. Ward has been appointed director of operations, with J. P. Cunningham, D. M. McLellan, P. T. Sherian and C. G. Gilbert, J. P. Maxfield, who has been named director of commercial engineering with S. K. Wolf, G. T. Stanton and C. H. Fetter on his staff.

Selznick May Shift Personnel to Coast

(Continued from page 1)
companies would follow suit, and added that such moves would result in increased employment in Hollywood and large savings in transportation and other expenses necessitated by contact with Manhattan.

To Rebuild at Staunton

WASHINGTON, Jan. 27.—Warners will immediately rebuild the New at Staunton, Va. The house was destroyed by fire on Jan. 19. Luke Payette, general zone manager, gave orders to go ahead with plans for a new house over the long distance phone from Miami.

Presentation Delayed

The death of Andre Sennwald, critic of The New York Times, has set back plans of the lower case organization, simply known as the New York film critics to formally present to Radio the gold medal which accompanies selection of the Motion Picture Informer as the best picture of 1935.

M-G-M Executives Arrive

Hollywood, Jan. 27—Al Lichtman, Felix Feist, and Ed Sanders arrived at M-G-M today on an extensive swing around key centers throughout the country.

Borg, Thompson Sick

KANSAS CITY, Jan. 27.—Russell Borg, exchange manager for G. B., and Tommy Thompson, ditto for RKO, are on the sick list.
THE BIGGEST NEWS THAT'S HIT THIS INDUSTRY SINCE SOUND is on the other page
"The Trail of the Lonesome Pine" would be a SMASH HIT in black and white

with its story value, star power, great support, ace direction, action, romance, spectacle, heart interest, comedy, song... to all these box-office elements—we've added COLOR...

COLOR of such naturalness, trueness that only that over-worked word SENSATIONAL can be applied to the picture Walter Wanger has produced for Paramount. Watch for further news.

*Technicolor
Contempt Penalty For Fox This Week

(Continued from page 1)

served on him by Capital, which sought to question him as to his alleged inability to satisfy the judgment. Fox took an appeal from the contempt order to the U. S. Circuit Court of Appeals, which last week declined to reverse Judge Bondy. The latter had provided that Fox might purge himself of the contempt citation by voluntarily appearing for questioning by Capital's lawyers, but Fox, who is now at Atlantic City, advised his attorneys last week-end that he would refuse to do this.

SEC's Atlas Study Will Involve Films

(Continued from page 1)

check the records of investment companies, without waiting for the returns of the complete questionnaire sent out some time ago.

It was pointed out that, although projection of the Atlas is almost certain to involve its film operations, it will not be an investigation of picture companies as such, but is the inquiry in the usual sense of the word as used here. The purpose of the study is to determine whether any legislation is needed to control investment trust operations.

Open at Falls Church

FALLS CHURCH, Va., Jan. 27.—The State, first theatre here since the Civil War, opened tonight, with an invited audience comprising representatives of state and local governmental groups, the business organizations, and distributors and exhibitors.

Operated by Neighborhood Theatres, Inc. of Richmond, the State is the sixth in a circuit headed by Morton G. Thalhimer. R. Wade Pearson is manager.

Pasteur Patient to U. S.

Joseph Meister, who, as a boy in France, was the first person whose life was saved by a new genus of Louis Pasteur, has accepted an invitation to visit America as a guest of the French Chamber of Commerce. Meister, now 60, is employed in the Institute Pasteur of Paris.

The saving of his life is depicted in Warners' "The Life of Louis Pasteur.

Rubin Heads Committee

Harry Rubin, director of projection for Paramount, has been named chairman of the Projection Practice Committee of the S. M. P. E. for the fifth consecutive year. Rubin has been a projectionist for 25 years, is the originator of the effect projector and responsible for the development of the Magscope giant screen.

"Forest" for St. Louis

ST. LOUIS, Jan. 27.—Warners are planning an elaborate opening for "The Petrified Forest" at the Orpheum Thursday night. The house will be closed during the afternoon to permit installation of special decorations.

Tearle Is Re-Signed

Hollywood, Jan. 27.—Mitchell Leichter has re-signed Conway Tearle for another series of eight pictures.

Sound Theatres in Latin-America

(Continued from page 4)

Country 1935 1932 1933 1934 1935 1936 1937

Bolivia 19 20 19 8

Trinidad 17 18 16 12 9

Guatemala 17 18 16 12 9

Paraguay 5 5 5 3 2

Brazil 5 4 3 2 1

Neth. West Indies 5 2 1 1 1

Bahamas 4 3 2 1

Br. Guiana 5 4 3 2

Br. Honduras 1 1 1

Fr. West Indies 1 1 1

Br. West Indies 1 1 1

Total 4,368 2,283 1,208 693 379

"Bride" Is Fair; Milwaukee Slumps

MILWAUKEE, Jan. 26.—"The Bride Comes Home" and "Last of the Pagans" grossed $4,800 at Fox's Palace for high honors during a six-day week marked by the winter's heaviest snow storm and three days of sub-zero weather, in addition to a six-day hike in the Adirondacks.

The snow storm blew into town late Friday, burying week-end business. A snow bank had shoved itself out, the mercury fell to 23 below. As a result, business in every instance was below average.

Total first week business was $17,300. Average is $23,000.

Estimated takings:


"TOO TOUGH TO KILL" (Col) RIV—450, 5-8 days. Stage: Ken Harvey, Bud Harris & Bert Heflin, Roberta, Perry, Peggy Gary chorus, Leon Roth's orchestra. Gross: $3,450.

"SHOW THEM NO MERCY" (20th-Fox) "PADDY Don't Live Here Anymore" (20th-Fox) WISCONSIN—1,300, 26-40c, 7 days. Gross: $4,300. (Average, $8,000)

Chesterfield on Third

Hollywood, Jan. 26.—Chesterfield has started "The Little Red School House," third picture on its current schedule. "The Man without a Face" is under production here, starring Ray Milland. Chesterfield is directing the supervision of Lon Young. The picture is being made at the Pathe studio.

Wall Street

Paramount, Universal Up on Board

High Low Close Change

Columbia... .443/4 44 43 1/2 + 3/4

Columbia, pfd... .500 300 300 1/2 + 5/8

Consolidated, pfd... 10 10 10 1/2 + 1/2

Universal, pfd... 10 10 10 1/2 + 1/2

Estim. Profit, 1935-36, 1600 to 1800

Toward... .10 10 10 1/2 + 1/2

Paramount 1, 12 12 12 + 1/2

Pathe Film... .72 72 72 1/2 + 1/4

25th-Fox... .34 34 34 1/2 + 1/2

20th-Fox... .44 44 44 1/2 + 1/2

Universal, pfd... 68 68 68 1/2 + 1/2

Werner Bros... 118 118 118 1/2 + 1/2

Small Gains on Curb

High Low Close Change

Sentry Safety... .25 25 25 1/4 + 1/4

Sonomet... .72 72 72 1/2 + 1/2

Ley's, Inc... .32 32 32 1/4 + 1/4

Trans-Lux... .34 34 34 1/2 + 1/2

General Theatre Bonds Off

High Low Close Change

General Theatre... 103 25 103 25 + 1/2

General Theatre... 25 25 25 + 1/2

Keith B. F. 1 46 1 46 1/2 + 1/2

Lowe's, Inc... .32 32 32 1/4 + 1/4

Redeights... .103 103 103 1/2 + 1/2

Paramount... .54 54 54 + 1/2

Paramount... .575 575 575 1/2 + 1/2

Paramount... .94 94 94 1/2 + 1/2

Paramount... .92 92 92 + 1

Quotations at close of Jan. 27.
Short Subjects

“Double or Nothing” (Vitaphone)
Phil Harris resembles a current champion fighter and, being friendly, both play practical jokes on each other. Falling for LeRoy Harris, a band is banded into posing as the champ and goes to training camp to bear out the superconsonance. Miss Ray wins him and they do a couple of songs and windup at a party on the eve of the fight where he becomes aware that he has been kidnapped by gangsters. The real champ wins and, speaking over the radio, explains that it was all simple. Harris and Miss Ray wins Miss Ray. This has its moments. There are some clever tunes which help put it over. Production Code Seal, No. 0682. Running time, 21 mins. “G.”

“Beautiful Blue Danube” (J. H. Hofberger)
The Strauss Waltz is played again to support a weak theme. The melody twists in the music and finally utilizes the words “Danube” which are some interesting nursery rhymes clipped worn into the narrative which portrays Vienna and Austria. Falling in and strairs, “Blue Danube” continues to flow into “O! Man River.” It is a routine offering, the overplayed theme has little that is novel to impress audiences. No production code seal. Running time 9 mins. “G.”

“Vitaphone Trouper” (Vitaphone)
Made up of four vaudeville acts this will entertainingly fill in a few minutes of any program. The Four Trojans do a snappy tumbling act; Aunt Jemima sings about “Clementine.” Ross and Stone do their familiar turn and The Dancers were specially requested to do “Got the Jitters.” Production Code Seal, No. 0628. Running time, 10 mins. “G.”

Ithaca to Study Screen
Ithaca, Jan. 27.—Ithaca College has introduced its curriculum courses in screen writing, acting techniques and film laboratory work. The courses are arranged for those who wish intensive training in these fields without taking a general four-year course. As the project progresses the production of shorts will be made part of the course.

Pick Robinson’s Next
Hollywood, Jan. 27.—Edward G. Robinson will make “Ballots or Bullets” for Warners before sailing to fulfill a commitment in England. Humphrey Bogart and Barton MacLane will be heavies in the picture, and Robert Benchley was requested to do a bit on the side of the law. Production is scheduled to start in March.

Luguosi Out of Cast
Hollywood, Jan. 27.—Bela Lugosi has been withdrawn from the cast of “The House of a Thousand Candles” at Republic, because of illness. He will be replaced by Irving Pichel. The picture had been in production for five days, and all scenes in which Lugosi had appeared will be remade. Arthur Lubin is directing.

Looking ‘Em Over

“Swiftly” (Walter Putter)
A routine western, this rates as average or less compared with others of its kind. It may do for the youngsters, played in the week-end action position, or as the second half of a double bill, if the top half is strong. It tells the usual story, of the murder of a rancher, the framing of a stranger for the killing and the successful uncovering of the real murderer and the men behind him, with the aid of a friendly and clever sheriff.

Hoot Gibson plays the lead, the suspicious stranger, while June Gale, as the daughter of the murdered rancher, takes care of the romantic angle; George F. Hayes is the elderly, smart sheriff, and Ralph Lewis is the bruiser behind the murder of his stepfather, the motive being the victim’s money. A second word, caught by Lewis after the murder, is the focal point about which the action moves, as he and his men try to take the will from Miss Gale.

The action often lacks reality and performances are only fair for the most part.

Production Code Seal No. 1,671. Running time, 60 minutes. “G.”

“Between Men” (Supreme)
This is a Johnny Mack Brown western, cut pretty much to the standard western story pattern and without any distinguishing virtues of its own. It offers a nominal amount of gun fire, jaw and shin brushing, pony riding and a slim and self-conscious romance between the hero and the rancher’s daughter, played by Beth Marion.

The story centers on Brown’s search for his grandmother’s granddaughter, who has disappeared with her parents in the western badlands following a family estrangement. The search not only leads him to the girl but to his own father, who had disappeared as a fugitive from justice years before after murdering a man whom he believed had killed the son. William Farquhar plays the part of the father. This one requires a second feature for support.

Production Code Seal No. 1,592. Running time, 60 minutes. “G.”

Interesting
“The Seeing Eye” (Treasure Chest-Educational release) is a delightful 10-minute short sketch in highlight form the workings of the nationally known institution in Morrisville, N. J., where dogs are trained to aid and lead the blind.

Having spoken at Flintridge, some months ago, devoted one of his “Town Crier” talks to the institution, the radio. Now comes the picture to depict in pictorial form for those who cannot see what is being done for those who cannot. Training of man and animal is shown and the very effective results accruing from both.

Production Code Seal No. 0855. “G.”

“Obsession” Again
Louisville’s High
Louisville, Jan. 27.—In its second week, the Orb’s “Embassy” did the best business in town, grossing $3,500. Another holder, “Majestic,” which did an unusually good business, $3,500, over par by $1,000.

Other first runs did not fare so well, “Exclusive Story” and “Dangerous Intrigue,” a dual bill at Loew’s gathering around $4,000, or $500 below average. Across the street, the Rialto was unable to make the grade, the gross not going over $3,400, $100 under par.

“Fang and Claw,” coupled with “First A Girl,” boosted the take at the Brown to $2,800. The weekly average is $2,000. The National, only house in Louisville playing vaudeville, continues to get fair grosses, with the playing time for acts cut to four days a week.

Weather conditions were bad, with sub zero weather persisting in 18 years, visiting the city on Thursday, the 23rd.

First run business was $23,400. Average takings: $1,450. Estimated takings: $5,000.


“CORONADO” (Para.) “HER MASTER’S VOICE” (Para.)—RIALTO—(600), 15c-25c-40c, 7 days, Gross: $1,500. Average: $215.

“SOUTHERN GENTLEMEN” (Univ.) —STRAND—(1,500), 15c-25c-40c, 7 days, 2nd week. Gross: $1,100. Average: $159.


“THREE KIDS AND A QUEEN” (Para.) “FLAMINGO” (N.B.) “THE CLAIRVOYANT” (G. B.)—“EMILY THRU” (Majestic) "$2,000) 7 days, split week. Gross: $1,000. Average: $500.

Tuesday, January 28, 1936
THE MOST UNUSUAL ACTION DRAMA IN TEN YEARS!

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Story by Richard Carroll

Dialogue by Howard Higgin and Rollo Lloyd

Produced by EDWARD HALPERIN

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**“Soldier” Big In Storms at Philadelphia**

Philadelphia, Jan. 27.—Old Man Winter stepped in this week to knock some potentially high grosses into a cocked hat. The worst snowstorm of the season hit the city Sunday and ruined Sunday business. Wednesday night brought another snow gale. At least three more snowstorms were registered. In its first Aline week, “Strike Me Pink” knocked off a good $13,000. Nine days of “Presidential Soldier” at the Fox rolled up $22,000 and would have hit much higher had it a good second Sunday, while “Magnificent Obsession” got $16,500 at the Ford and stayed a second week. A surprise hit was the second run engagement of “Bride Comes Home” at the Arcadia, which was beating out “Mutiny on the Bounty” at this house until the weather overtook it. It got $8,400 for nine days.

Total first run business was $90,000. Average is $8,570.

Estimated takings for the week ending Jan. 23:

- **STRIKE ME PINK** (U.A.)
  - Opening: $4,500
  - Average: $1,500

- **MAGNIFICENT OBSSESSION** (Paramount)
  - Gross: $15,000

- **THE MELODY LINGERS ON** (U.A.)
  - Average: $1,250

- **DANGEROUS** (M.G.M.)
  - Average: $1,500

- **PROFESSIONAL SOLDIER** (20th-Fox)
  - Average: $1,500

- **FREEDOM LOVE** (W.B.)
  - Average: $1,000

- **EARLE** (20th-Fox)
  - Average: $1,000

**“Blood” Is Fair As Omaha Takes Slump**

Omaha, Jan. 27.—The coldest weather in years with heavy snow gave box- offices bad jolt, with all houses going under.

“Captain Blood” made the best showing, $4500, which was under the Brandies par by $500.

Total first run business was $15,300. Average is $1,700.

Estimated takings:

- **Week End Jan. 22:**
  - **CAPTAIN BLOOD** (F.N.)
    - Opening: $2,000
    - Average: $1,000
  - **MURDER OF DR. HARRIGAN** (F.N.)
    - Opening: $1,000
    - Average: $1,000

- **Week End Jan. 23:**
  - **LAST OF THE PAGANS** (M-G-M)
    - Opening: $2,000
    - Average: $1,000

**Charge on Passes to Pay Insurance Fund**

Seattle, Jan. 27.—A five-cent “service charge” is being added on to all passes by Hamrick-Evergreen here. The money thus collected is diverted into a fund which will be used to offset the two per cent state unemployment insurance charge assessed against all employers of labor.

The five-cent charge is in addition to the two-cent state tax on amusement admissions. Even employees of individual Hamrick-Evergreen theaters are taxed the five cents when they attend another house of the same circuit.

**F.W.C. Houses in Contest**

Los Angeles, Jan. 27.—All 10 districts of the district have entered the F.W.C. “Southern Handicap” from Feb. 9-15.

House managers will compete for special prizes, and the event will be followed by a similar “Northern Handicap” in March.

**“Ceiling” and Show $35,000**

Boston, Jan. 27.—“Ceiling Zero,” helped by a stage show headed by Burns and Allen, overcame the effects of the season’s worst weather in a big way at the Metropolitan, for the take-up to $35,000. This left normal $13,000 behind.

The show, starring with Earl Carroll’s “Sketch Book” on the stage, hit $21,500 at the RKO Boston, over par by LOEW’S ORPHEUM—“Dorothy Dandridge, "Wolf Returns,“ duelled at Loew’s Orpheum and Loew’s, took $15,000 at the former and $14,000 at the latter. Both grosses were much above par.

Total first run business was $109,500. Average is $14,930.

Estimated takings for the week ending Jan. 24:

- **THE BRIDE COMES HOME** (Paramount)
  - Opening: $3,000
  - Average: $1,000

- **MISS PACIFIC FLEET** (W.B.)
  - Opening: $3,000
  - Average: $1,000

- **CEILING ZERO** (F.N.)
  - Opening: $3,000
  - Average: $1,000

**Bell to Buy Plant Equipment in U. S.**

London, Jan. 27.—Major Charles H. Bell, director of Soksin Prods. Ltd. and former Paramount executive, is about to purchase, Feb. 12, a big studio equipment for the new Amalgamated Studio at Elstree, of which he is one of the principals. He also will study the television situation in the United States, representing the C.E.A. Bell plans 12 features a year at the new studio. The plant is expected to be ready for production next August. Bell will spend 10 days in New York and three weeks in Hollywood.

**Complete Canton Film**

Canton, O. Jan. 30.—Local talent has completed the first film to be made under the direction of Larry Thompson, manager of Loew’s, and will be shown under the title “It Happened There.”

**Seek Funds for Films**

Cincinnati, Jan. 27.—The American Legion is soliciting funds to defray the cost of building a new club house here, which it is to complete last fall. The motion pictures which will be shown sporadically.
St. Louis Case Blows Up; Hardy Requests Dismissal

May Be Precedent

St. Louis, Jan. 28.—This town's legal lights say Federal Judge Joseph W. Molyneaux probably set a precedent when he stopped the big film trial because of a toothache, because a 73-year-old judge with a tooth to ache is rare.

New Pickford-Lasky Finances About Set

Hollywood, Jan. 28.—Final details of the plan for $2,000,000 of additional financing for the Pickford-Lasky Co. will be completed by the end of this week, it was stated today. The principals in the deal are Guy C. Molyneaux, Pickford representative on United Artists board of directors, and Robert W. Goelt, New York real estate man and a director of the Union Pacific Railroad. It is understood that several other California and New York financiers are also interested. The belief here is that Carey will be made a member of the Pickford-Lasky board as well as legal advisor to the company. Goelt was in San Francisco tonight and will leave for Manhattan in a couple of days to continue the negotiations.

The company announced that the new financing in no way alters the plans adopted at the time of their formation.

Canadian Theatres Dark to Honor King

Toronto, Jan. 28.—With the proclamation of a Day of Mourning today, across the Dominion for the burial of King George V., practically all theatres closed for matinee performances. The closing was first announced by Famous Players Canadian Corp., and other proprietors took similar action. It was the first time on record that film theatres had ceased operations to mark a national occasion, although theatres in various centres of the Province of Quebec have followed the custom of remaining closed on Good Friday each year for religious reasons.

In a considerable number of smaller cities and towns, local memorial services were conducted in theatres through the cooperation of exhibitors with civil and military authorities.

Intimates He May Renew Case Later — Court To Act Today

St. Louis, Jan. 28.—The Government's long drawn out litigation against major distributors blew up today. Russell Hardy, special assistant attorney general, exploded the legal bombshell at the morning session by requesting the court to dismiss the case without prejudice, so that, if he decides to do so, he can file a new suit joining a number of individual officers of Warners, Paramount and RKO as co-defendants.

Judge Joseph W. Molyneaux indicated he might grant the motion, but gave defense counsel until 2 o'clock tomorrow to present their opposition.

In asking the dismissal Hardy said: "After serious and mature consideration of the rulings of the court yesterday, I wish to state with the greatest deference and respect to the court that we feel an adequate and complete exposition of the facts in this matter requires that many individual actors..."

Livingston Opposes Lincoln, Neb., Suit

Lincoln, Neb. Jan. 28.—A separate denial that the cause for action is sufficient has been filed in Federal Court by R. R. Livingston in the State Theatres $344,000 suit against himself, the Lincoln Theatre Corp., J. H. Cooper, Fox, M-G-M, Universal, United Artists, Paramount, RKO and Vitagraph.

Livingston is also defendant with the same companies in a suit for $1,353,000 filed by Independent Theatres. Both actions charge collusion and conspiracy to force the plaintiffs out of business.
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MAURICE KANN
Editor
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INSIDERS' OUTLOOK

By RED KANN

BACKED by little or no fan-
fare and dismissed airily as a
return to normalcy in expan-
sion and progress, the major
circuits, almost to a man, are be-
ginning to step out. Theatres
are being annexed. Where not
acquired, plans are cooking for
brand new ones. As a case in
point, the only one this week is
Wisconsin Amusement Enter-
prises, arm of National Theatres
and so of Twentieth Century-
Fox. Harold J. Fitzgerald, the
boss in that area, discounts any
special objective, although re-
ports it had hovering around one
hundred houses. He says what-
evolve growth may come will be
governed by appraisals of likely
situations and the breaks as they
develop. . .

What he says represents the
general comment. Yet, from the
weekly circuit breeze, more
news is coming from New York
than from various quarters of
the nation, the conclusion
more turns decisive that the
move to make major circuits
more major is going into impetuous
Conditions are better and about
the choral success is more
and more rising in pro-
portional numbers. New
circuits hold on by whatever
grit and sacrifice necessary
during depression and bankruptcy
times, obviously the to-be-expected
policy now is to expand. We are
reminded and thus remind you,
in turn, of comment in this very
sentence years ago . . .

You may recall that it was
our observation, based on con-
siderable and careful probing of the
then directional signs, that
the later changes built by the
bigger companies would undergo no
drastic change; that these producers
and distributors who had
completed the triangle with far-
flung theatre holdings would go
way very far indeed along the road
to complete oblivion before they
conceded any withdrawal from the
exhibition business. True and
essential was the necessity for
pulling in horns, for retrench-
ment, for rewritten deals
with bondholders and landlords,
for the elimination of bad leases
and the excision of starved
money was plentiful. But early
in the bankruptcy era did it be-
come evident that producers who
were also exhibitors would con-
tinue to be both . . .

It is merely the fact to ob-
serve that this, exactly, has
taken place. Now come bolstered
spirits, abetted by better box-offices
and starlier financial statements,
to do and dare alongon the
all-ready back path. With no de-
sire to turn sage, this forum,
nevertheless, believes there is
substantial merit in danging a
warning finger against too great
an enthusiasm and too much
overextension. The lessons which,
it is to be hoped, were learned from
‘s9, 50 and thereafter were expressed
in the necessity to explain in more
detail . . .

The deal which takes Reliance
from United Artists to RKO, thereby
presumably opening the door at RKO to
outside product, producers,
may not be that at all.

Currently, assurance is readily
available that there are no 
imilar schemes hatching, although
it does not follow other produ-
cers will not be added to the
ranks. As a matter of fact, others
are expected to join up, not as
self-contained, but as small
units swelling an already sizable
film-making fraternity. The plan
for Reliance, as a matter of rea-
sonable conjecture, fits into this
general scheme. For the present,
Martin G. Geitz and Eddie Small
will maintain their trademark
identities. Later and gradually,
Reliance, the guess is, will blend with the
Radio unit . . .

The major, meaning Albert
Warner, has a neat method of
conducting business. He gets a
number of calls for this and that.
If it’s theatres, the caller is
channeled to Joe Bignall. If it’s
distribution, the petitioner goes
to Andy Smith where the east
is concerned and to Grad Sears
when the problem concerns the
west. That leaves Warner in the
clear and makes it possible to
forsake icebound New York for
sunny Miami which is exactly
what happened yesterday . . .

Nate Spingold is back from
the coast. Reported in and out
of Columbia, the word now is
that he may stay. After all that
has been said and written . . .

Dramatists’ Guild Pact Comes Up Soon

The contract committee of
the Dramatists’ Guild will meet early in
February with representatives of the
League of New York Producers to
propose modifications to the minimum
basic agreement with the
managers which expires March 1.

The agreement, which includes cover
revisions in the procedure on bidding
for film rights to plays and are
expected to embrace changes in the par-
ticipation of dramatists and managers
in sums received for the picture rights.

Under the current agreement the usual
participation is 50% of the
market and 35% to the manager.
Changes in the basic agreement
are being sought by the dra-
tists as a result of the entry of film
companies into play production. This
development, the dramatists believe,
tends to restrict competitive bidding
for picture rights and consequently
cuts the dramatists’ income.

Columbia Plans to Engage
In Play Production

Columbia plans to produce plays on
Brighton Beach, it was announced
by Richard Aldrich, of Richard Aldrich
and Alfred de Liagre, Jr., producers, as
play editors for the company, serve
under William C. Lengler, former
associate editor of Liberty Magazine, who
was appointed eastern story editor this
week. Aldrich and de Liagre, a
partnership under de Liagre’s name,
have been engaged to put together a
list of 40 plays for production. At least
three are expected to come from
Brighton Beach. The program will be produced
by de Liagre and directed by
Alfred de Liagre, Jr.

Major Film Prod.
Securities Listed

WASHINGTON, Jan. 28—Statements
for registration of securities by
Major Film Prod., Inc., of Wilmington,
Del., owner of Associated
Securities and Exchange Commission,
was made known here today.
The company is offering 10,000 shares
of preferred 6 per cent non-cumulative
stock of $5 par value and 4,000 shares
of common stock of $5 par value in
units of any four of preferred and
one of common at $25 per unit.

The statement lists Fred Church,
Hollywood, as president of the corpo-
ation. The offering is to be made
through C. Wayne Could & Co., Los
Angeles.

Delay Receiver Plea

BELLEVILLE, Ill., Jan. 28—State’s
Attorney Zerweck has asked the St.
Clair County Circuit Court for in-
junction against C. Wayne Could & Co.,
requesting appointment of receivers for the
Belleville Amusement Co. and the
Belleville Theatre Co. The companies have
agreed not to conduct business in instal-
ments, it was told the court.

Ampa Meet at Astor

So that the Ampa boys and their
guests can get back to work with out-
quitting time this week’s meeting
will be held at the Astor on the mezzanine
floor where the Orangeria used to be.

March of Time Has Its First Birthday

On Feb. 1 the March of Time
celebrates its first anniversary, the
first issue having opened at the Cap-
to, New York, on Feb. 2, 1935. During
the year, the March of Time
editors declare, the theatres showing
the weekly feature increased from
the original 400 to 4,500, with worldwide
distribution now through RKO. The
editor calls attention to the fact that
John S. Martin and Louis de Rochemont
in all, 10 issues have been released.
Special foreign editions are now pre-
filled in French and Spanish and an
English edition is made up for coun-
tries of the British Empire.

Para. Board Meets

The monthly meeting of the Para-
mount Board of Managers was held
last Thursday, was held yesterday.
Only routine business was transacted,
according to an attorney on the board.
The meeting was held without John E. Otterson, president,
in attendance. Otterson, now in
Hollywood on a visit to United’a
studios, is not expected back for an-
oth 10 days or two weeks.

Gilbert Left $363,494

Los Angeles, Jan. 28—John Gil-
bert’s estate is estimated at $363,494
in cash, stocks, bonds and negotiable
securities. His will was admitted to
probate yesterday and Charles A.
Greene, Gilbert’s business partner,
was designated as executor of the estate.

Harry Dahn Resigns

MONTREAL, Jan. 28—Harry Dahn
has resigned as manager of the Cap-
itol, Famous Players Canadian house,
and has been succeeded by Harold
Bishop, formerly at Winnipeg and
Calgary.

Claim Fire Incendiy

PORTLAND, Me., Jan. 28.—As a re-
sult of an inquiry into the $35,000
fire which destroyed the Strand The-
atre block, Fire Chief Sanborn and
Police Sergeant Maguire insist it was
an incendiy.
"ROSE MARIE I LOVE YOU!"

—that's what your patrons will be singing and your box-office will be SHOUTING!

BOX-OFFICE SWEETHEARTS! JEANETTE MacDONALD and NELSON EDDY!

There were cheers in the M-G-M Home Office Projection Room at the conclusion of the "Rose Marie" screening this week. We knew from Coast reviews and word-of-mouth that another great M-G-M hit was on the way. We sincerely believe it is even greater than "Naughty Marietta," the triumph that introduced MacDonald-Eddy, the screen's greatest singing sweethearts. And now as "Rose Marie" leaps into the box-office headlines we lift our hats to its stars, its director, W. S. Van Dyke, and its producer, Hunt Stromberg. Together they made "Naughty Marietta." And now they have repeated! And the M-G-M torrent of hits rolls merrily on!
Government's Counsel Asks For Dismissal

(Continued from page 1)

in the case.

"Therefore, I move the court to dismiss this case without prejudice and that the defendants, J. O. Molyneaux joining these individual actors as defendants.

In a series of rulings yesterday Judge Matthew P. O'Brien in his chambers eliminated a number of statements attributed to various officers of defendant companies and virtually to establish the hardships and expense to the correspondance that had passed in connection with commitments of Warners, of Paramount and of RKO pictures.

Judge Molyneaux is expected to grant the Government's request for a dismissal of its suit tomorrow morning.

Just before adjournment at 2:20 Thursday Judge Molyneaux said from the bench: "I am of the opinion that they will have the absolute right to dismiss, but, of course, I will hear you."

Judge Asks Brevity

The court then ordered counsel for both sides to present their arguments tomorrow morning and to make them as brief as possible "because if I do grant these motions for dismissal, I want to catch the 2 o'clock train back home."

When the court sessions were resumed at 2 o'clock this afternoon Frederick H. Wood of Warner counsel addressed the court as follows, "Your honor, while I have not had the opportunity for conference with other defense attorneys, it would seem from the pleadings that for various reasons I want that I have made, and which others of my associates have made, that there is no adequate legal basis with or without prejudice—and that whether such right shall be granted rests entirely within the discretion of the court.

Wood Requests Recess

At this point Wood requested a recess until 10 o'clock tomorrow morning, so that the defense may prepare affairs. "For the reasons of the injudiciousness that may be imposed upon the defendants if the case is dismissed without prejudice."

The court indicated they had no objection to taking the case out of court, provided that the Government is not permitted to bring new proceedings based upon the same facts and circumstances.

The court indicated the Government may institute a new suit against the same defendants. He said that if the present case is referred under an amended petition it will be brought in this Federal court district, as the venue lies there, upon the defendant properties and upon the mails in St. Louis, etc.

Anticipating that Harry C. Arthur probably was the last Government witness, the court indicated that the examination would end today, defense attorneys had wired for numerous out-of-town witnesses. Arthur was the last witness here when Hardy filed his surprise motion.

In his argument supporting his motion this morning Hardy admitted none of the cases he cited probably had proceeded as far as this one, but he added that it is his belief that this is the fundamental universal rule that the plaintiff retains the right to dismiss without prejudice, except under extraordinary circumstances, until the very time the court passes on a suit.

He contended that in the absence of many of the important actors in the alleged conspiracy, he felt the Government would not be able, largely for technical reasons, to obtain the relief to which it is entitled from "this oppressive gigantic combination," if it had to proceed with the trial and that it will deprive the public of its trade free of restraint. He insisted that the defense would lose none of its rights if the Government is permitted to withdraw the present suit and bring a new one.

However, Judge O'Brien said it is expected in another case under somewhat similar circumstances that the defendant would lose none of its rights if the Government is permitted to withdraw the present suit and bring a new one.

Rubin with Schenck

Hollywood, Jan. 28.—Robert Rubin, key man of the 

Schenck company, paid a call on Fred Schenck in Hollywood today. The party, including Lepold Friedman and Howard Dieta, left this afternoon from New York.

Tony Martin, radio singer, cast in "The Farmer in the Dell."

Harvey Clark and Billy Gilbert, formerly with Hal Roach, cast in "Dancing Pirate," Paramount.

Alfred Lunt and Marie Dressler, signed for "Dancing Pirate," Pioneer.

Agnes Ayres to have role in M-G-M's "Small Girl from the Mounties."" The film is "O'Malley of the Mounties," Sol Lesser.


Writers—John Bright and Robert Tasker doing screenplay for the James E. Grant story, "Duster." Paul Flaherty, writer by Radio to adapt Netta Syvert's "Portrait of a Rebel," to be produced by Panbro S. Berman.

Director—George Nichols, jr. to direct Ann Harding's next for Radio. "The Witness Chair."

J. M. L. Martens gets new M-G-M contract following "The Garden Murder Case."

Next assignment "Speed."

Contract—John Arledge, who has just finished in Radio's "Thoroughbred," will play stage role in "Dancing Flight." Mayer Cohn of M-G-M is to guest star in "Florida Special," and "All," and "Mother." He now has just signed a new contract with Universal.

Most Spring will return within the next few days from a Miami vacation.

Ed Kuykendall, president of the M.P.T.O.A., is due from Columbus, Miss, Monday. "

Albert Warner left yesterday for Miami where a recently acquired home awaits his company.

Irwin Zeltzer puts over a swell campaign on Burns and Allen at the State this week.

Frank Buck will be the guest of Clem Clemen's on the Melody Master radio program Sunday night.

Edward H. Griffith, director of "Next Time We Love," will come next week.

Max Cohen, the theatre man, will leave Feb. 14 for Honolulu.

Harry Shippman is planning to take a cruise next month.

J. J. Unger left yesterday on a tour of his exchanges.

Joe Seidler plans to get away on his annual vacation next month.

James R. Grainger is scheduled to arrive Friday from the coast by train.

MOTION PICTURE

DAILY

Wednesday, January 29, 1936

Out Hollywood Way

Hollywood, Jan. 28.—Mervin C. Coope, new president of St. Moritz, will visit Venice to see a play with a view to buying it for Pioneer, according to a source in that firm. Hugh Wad- pole to stay here until April . . . Jean Chatburn gets new M-G-M contract . . . Lloyd Corbell, a character actor, is, front of his home . . . Pioneer signs with Lloyd's against delays on "Dancing Pirate," . . . Bosly Flynn recovers from his recent appendicitis at Lebanon Hospital . . . Francis Lee and Joseph Caw- thorne both laid up . . . Pickford-Lasky unit on "One Rainy Afternoon" is shooting around them . . . Sam Diedre, named production manager for George Hirliman Enter- prises . . .

Russell Birdwell, publicity chief for David O. Selznick, insists upon doing the proper thing . . . At Christ- mas time he was in a hospital, so here he is now sending out his Christmas cards . . . John Hav Whitney is expected to hurry back from New York in a few weeks . . .

Mary Ellis takes house at Santa Monica . . .

Casting—Warren Hymer, Betty Bronson and Robert Hardy have been signed for Republic's "Laughing Irish Eyes" . . . Ray Mayer borrowed from radio by Warners for "I Married a Private." June Oakie, the daughter of Warners' "Schoolhouse in the Foot- hills." . . .


Canadian Theatres

Dark to Honor King

(Continued from page 1)

the requisite programs being conducted on a non-denominational basis with Jews and ladies as participating. Such programs were regulated by orders from the Dominion Government which prohibits certain types of music and customary ceremonies until after the actual burial of the monarch.

Induct Empire Officers

Officers of Empire State M.P. Op- erators' Union were inducted Monday night at 136 Lawrence St. Brooklyn. They are: President (Chaple Happy) Ricca; vice-president, Max Americh; recording secretary, Alex Rosenson; financial secretary, S. S. Shekter; business agent, Jack Millet; sertaq-at- arms, Walter Underhill; executive secretary, J. D. Brown; J. L. S. resolution, A. H. Johnston, President, Harry Cohen, I. Silver, Joe Gilhooly, Pat Katz, Charles Polovskys and Joseph Gaisser.

"Yellow Dust" Is Title

Hollywood, Jan. 28.—The final title of the new Richard Dix picture for Radio is "Yellow Dust." the originally known as "Mother Lode."
CARTOONIST TELLS ALL!

The secret's out!
LOWELL THOMAS gives famous screen cartoonist the third degree!

Unmasking the tricks and sounds that have mystified and amazed audiences for years!

Millions have asked "How?" What makes screen cartoons move, talk, run, jump? How many people does it take? Where is the orchestra? Who are the impersonators, singers? How are all those seemingly impossible effects obtained?

Now you can show them the whole works behind the scenes!

UNIVERSAL again scores a scoop on the industry!

SO 'PHONE, WIRE OR WRITE YOUR UNIVERSAL EXCHANGE AND ASK FOR GOING PLACES No. 18
THE WHOLE COUNTRY HAS GONE TAP DANCE CRAZY

IT'S GAY! IT'S FAST!
IT'S FURIOUS!

"A SWELL MUSICAL"
Editorial in HOLLYWOOD REPORTER

REPUBLIC PICTURES presents

DANCIN'

with
EDDIE NUGENT
BEN LYON
JOAN MARSH
ISABEL JEWELL

ADAPTED FROM THE NOVEL
by ROB EDEN
Directed by JOSEPH SANTLEY
Supervised by COLBERT CLARK
Story by DAVE SILVERSTEIN
Screen play by JERRY CHODOROV
OLIVE COOPER-WELLYN TOTMAN

THIS IS THE REPUBLIC PICTUR
Wednesday, January 29, 1936

**Producers in Japan Turning To Sound Films**

By TETSUYA MORI

Tokyo, Jan. 12.—During 1935 two Japanese films intended to define the cinema as an art form and to put it on the sound medium, the leading producers, realizing the importance of film sound, have more recently become convinced domestic product had to be in sound in order to hold its own against imports.

Shochiku, Nikkatsu, Shinbo, P.C. and J.O. Talkie were the leading producers which went over to talkies. However, studio activity was somewhat affected by the rush to talkies. It is foreseen that in the most recent months of the year, foreign product released during the year. It was only late in the year that a few domestic productions, having box-office hits, gave new impetus to the home producers.

Some Restriction Expected

The establishment of rational film control by the Government, begun in the late 1920's, is expected to result for the domestic industry, with possible consequences for the restriction of importation.

Observers here, however, see little reason, effect upon importation from the United States, at least for the immediate future, since the American product is considered far superior to the Japanese by Japanese patrons themselves, if only more appealing than other foreign product released in this country, is conceded that the domestic product is advancing steadily toward a position of importance in years of transition before it can seriously compete with American film.

The more active American producers, as contrasted to the romantic type from America and Europe, in the industry is the greatest success in Japan this year, indicating the trend of taste of the film public. Exhibit sales have still been further boosted by extra rental charged by domestic producers.

**Britzer to Far East**

Hollywood, Jan. 28.—Harry Britzer, former Chicago prosecuting attorney, will leave soon for India-China to film background of "Revolt of the Zombies" for Halperin Brothers. Britzer will take camera and soundman with him.

**Travelogs Completed**

Andre de La Varre, for many years associated with Burton Holmes in making of travel subjects for M-G-M, and Paramount, has just completed 12 new travelogues to be entitled "Screen Traveler."

**Carver Succeeds Kam**

Detroit, Jan. 28.—Lewis Kam, manager of the Mariner in New York for Jacob Schreiber circuit and has succeeded by Sam Carver, who was operating a booking agency for some time.

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**Fox Midwest Spots Will Suspend Gifts**

KANSAS CITY, Jan. 28.—The Kansas City district of Fox Midwest has stopped advertising gift stamps, and in April will discontinue giving them with tickets. The houses will put them back in the box-office, however, again in the fall. The idea is, not to wear out their effectiveness as an attendance stimulator.

A variety of gifts has been offered. The stamps have been introduced about 18 months ago, and the gifts have been displayed in foyer. On Jan. 1, the circuit distributed gifts, but made all stamps redeemable in theatre tickets.

Script book tickets at 10 per cent off admission price still are being offered, but are not being heavily promoted in this district. Their use is circuit-wide. Use of stamps is confined to the Kansas City district.

**Milwaukee Giveaways by Fox**

MILWAUKEE, Jan. 28.—A tempting gift quiz has been given to giveaway at neighborhood houses here by introduction of grocery nights and Hollywood at practically all Fox neighborhood houses in the city. Almost all of the Fox neighborhood houses are now using another type of giveaway several times a week.

In addition, there are a score of items being offered in the giveaway, all featuring the giveaway in the form of giftware and glassware nights or 10-cent admissions or two nights a week. No effort here on this type of promotion have been made by the local police following a district court verdict in December acquitting Norman Haacke, manager of the Grace, charged with the holding of a "manufacturers' ad" show at the house.

**Missouri Expects Court Test**

ST. LOUIS, Jan. 28.—Banning of Bank Night by Franklin Miller, circuit attorney, is expected to lead to a test case which will be carried to the Missouri Supreme Court. Promoters of the scheme, they are anxious for the test, because of their recent victory in the Iowa Supreme Court.

Fred Wehrenberg has discontinued the giveaway at the Cinderella, Melba, Michigan and Virginia, but other houses still using it were visited by the police Saturday night. No arrests were made, however.

**Delay Bank Night Case**

LOS ANGELES, Jan. 28.—The case of Bank Night vs Buck Nite, which was scheduled to come up before Judge Leon R. Yankwich in Federal Court here today has been postponed for one week at the request of Bank Night attorneys. Fay Barnes, president of Bank Night, has been present here with his attorneys, G. B. Ross and Judge Bledsoe, to fight the case.

**Commonwealth Expands**

KANSAS CITY, Jan. 28.—Commonwealth, which has taken over the Gillioz, Monett, Mo., from L. L. Lewis of the Lewis circuit, has been managed, will continue. Lewis will retain an interest in the house.

This gives Commonwealth 23 houses in Kansas, Missouri and Iowa.
HOLLYWOOD FLASHES THE NEWS HEARD 'ROUND THE SHOW WORLD!

"MUSIC GOES 'ROUND," BIG BOX OFFICE FILMUSICAL BET

Jan. 24, 1936

"STRONG B.O. OFFERING THAT WILL HOLD ITS OWN UP AND DOWN THE LINE!"

"WOW FOR COMEDY!"

"A CONSTELLATION OF STARS!"

"DIALOGUED FOR EVERY LAUGH THERE IS IN IT!"

but wait until the Hollywood Reporter re-reviews "The Music Goes 'Round" with the special sequences featuring Farley and Riley with their sensational Onyx Club 'Round-and-Round Boys!

IT'S COLUMBIA'S SHOW OF SHOWS!
Bitter Cold Wrecks Takes In Pittsburgh

Pittsburgh, Jan. 28. — Business here was greatly diminished last week by what everybody expected from the coldest spell Pittsburgh has had since 1898. With the thermometer going around 15 below zero and heavy snow delaying traffic, grosses were slogged.

It was the Stanley which felt the blow worst of all. After a start with "I Dream Too Much" and Ben Lyon and Bebe Daniels on the stage that threatened to reach record-breaking proportions over the week-end, the storm hit town and dropped takings to almost a third of what was managed to do around $17,000, which is remarkable in the face of existing conditions. The Alvin had "Magnificent Obsession" and the Warner with "Paddy O'Day" and "Whispering Smith Speaks" and the Warner at $3,800 with "The Right Gentleman" and "Fang and Claw.

Total first run grosses were $34,800. Average is $45,000.

Estimates for the week ending Jan. 23:

**MAGNIFICENT OBSESSION** (Univ.) ALVIN $7,000, 7 days, West Gross: $4,000. (Average, $500)

**PADDY O'DAY** (20th-Fox) WHISPERING SMITH SPEAKS

FULTON—$1,600, 15-40c, 7 days, Gross: $1,000. (Average, 40c)

**THE BRIDE COMES HOME** (Para.) PARIS $4,500, 7 days, West Gross: $4,000. (Average, $500)

**I DREAM TOO MUCH** (Radio) PAVILION $4,500, 2 days, West Gross: $4,400. (Average, $2,200)

**PERFECT GENTLEMAN** (M-G-M) CODY WESTERN $1,200, 25c-40c, 7 days, Gross: $1,200. (Average, 25c)

**WARNER** ($2,900, 25c-40c, 7 days, West Gross: $3,800. (Average, $500)

D. S. Lawler to Aid Fund
KANSAS CITY, Jan. 28. — D. S. "Semi" Lawler, division publicity manager for the Eaves Co., Wichita, Kan., has been named chairman of the publicity committee of the Community Chest there for 1936. This will be his third term in the post. Howard E. Jameson, district manager for Fox at Wichita, is a member of the committee.

Devaney on Vacation
TORONTO, Jan. 28. — Accompanied by his wife and son, Leo M. Devaney, general manager of Radio Pictures, Corp. of Canada, has left for an extended vacation trip to Havana, Bermuda, at the completion of which he will return to Toronto early in the spring.

Set Indianapolis Deal
INDIANAPOLIS, Jan. 28. — Chesterfield and Invincible have closed a deal with Lee Goldberg of Big Feature Rights Corp. for distribution of 12 of the current season features.

"Road Gang" (Warner)

Proving somewhat of the nature of "I Am a Fugitive," but basing it on the activity of the late Senator Huey P. Long of Louisiana, this picture emerges as active, occasionally exciting, melodrama with, however, a bit too much of prison farm brutality for the youngsters. The dictator, the unmaned southern state, the implied domination of the forces of law and order, all are of obvious origin. On the whole the film is lively entertainment, with pronounced exploitation possibilities.

Donald Woods writes an expose of the dictator and is offered a Chicago newspaper job. On route north with a friend, after taking leave of his fiancee, Kay Linaker, who is connected with the dictator, Woods is arrested for speeding, framed in a local jail break and sentenced to a prison farm with his companion. There brutality is shown in all its phases. Woods is sprung up by his hands and when his companion tries a getaway to help him, the boy is electrocuted on the prison fence. Attempting to save a story of the prison, through Miss Linaker, Woods is sent to the dreaded prison mines.

When the Chicago managing editor, with Miss Linaker, selects his release on a court writ, the warden attempts to hold him underground. The prisoners mutiny, hold their guards, find a way out and confront the warden. His words are taken. Woods is cleared, and with the fall of the prison system the dictator's regime collapses. Although a grand jury fails to indict him, he is assassinated and the romance of Woods and Miss Linaker completed.

Production Code Seal No. 1,752. Running time, 61 minutes. "A."

"Blazing Justice" (Spectrum)

As usual with westerns there is the required quota of fights, shootings and hard riding that make for good juvenile fare. Adults will be entertained too.

The story has Bill Cody whooping it up with the boys in a saloon where he is drawn into a fight when a raiding sheriff is shot down by a rustler who escapes in the melee that follows. Cody subdues the rest of the gang and is given a reward. He starts out on a long desired vacation. An interesting plot weaves its course and he is picked up by his fiancée, Kay Linaker, who thinks he killed her father. Back in town he clears himself and has another fight with Gordon Griffin, who again gets away. A trap is set and with much riding, shooting and more fighting the film comes to its finish.

Miss Messenger gives able support, as does the rest of the cast, comic, sinister character, highly reminiscent of Holbrook Blinn's "Bad Man." Motivated by the action, the romance, comedy and melodrama are well balanced.

Set in Mexico, Gertrude Michael, girl flyer, and George Murphy, reporter, are kidnapped by Sidney Blackmer and his henchmen. Stranded in the desert where the party has been led by Akin Tamiroff's minion, Julian Rivero, Blackmer gets the ransom from the girl's father, Samuel Hinds. Planning to kill Miss Michael, Murphy and Tamiroff, Blackmer is shown that such an act would be fatal to him as he would die in the desert. Conspiring to split with Tamiroff, Blackmer's gang is led to a hut on the desert's edge which, to the tune of shrieking sirens, proves to be a Mexican calaboose. As the gangsters are turned over to the United States officers, Tamiroff reveals himself as "the best of friends of the Mexican frontier." Tamiroff's work pleasantly dominates the show, though realistic performances are given by Blackmer, Ed Brophy and Bradley Page, with the youthful David Haines good in a bit as an amateur radio operator.

The romantic contrast is capably handled by Miss Michael and Murphy. Based on the original story by Charles Brackett, the screen play by Brian Marlow and Eugene Walter, with the direction by Harold Young, concentrates on letting the action and situations tell the story. Harold Hurley produced.

Production Code Seal No. 1,858. Running time, 60 minutes. "G."

Looking 'Em Over

"Wilderness," Washington, Gets $8,300

WASHINGTON, Jan. 28.—Holdover and a new release closed last week with "Ah, Wilderness!" in the latter category at Loew's Columbus 65th Street, plus $1,800 on two more on a second week, a total of $8,300 for nine days.

The second week of the return engagement of "Captured," at the Metropolitan, topped the first run weekly average by $1,500 on a take of $5,900. The picture went two days on the third week to bring the house back to Friday openings.

"Magnificent Obsession" (<P.K.> Keith's for its second week again topped the first week pop for $30, taking $10,900. It went into a third week.

Stage-screen houses were just a bit below an average worse than better, the Earl with "Two More Fools," the Fox with "Professional Soldier" both doing $21 over average, with takes, respectively, of $6,400 and $6,200.

Second week of "A Tale of Two Cities" at Loew's Palace went to $17,600, which was increased to $15,800 with an additional two days added, bring the house to Friday opening. First week average is $15,000. Total first run business was $25,000. Average is $37,700. Estimated take, exclusive of tax, is $1,900.

**ENDING Jan. 21: "THREE KIDS IN WHITE ROBES" (Univ.) BELASCO—(1,410), 25-50c, 7 days, Gross: $1,900. Average: $263.

**ENDING Week Ending Jan. 23:

**EARLE—2,216, 25c-75c, 7 days, Stas. COPENHAGEN, TWELVE ACRYLIC, Unu, WALKMINS, FLOYD CHRISTIE, Gross: $6,790. Average: $969.

**PROFESSIONAL SOLDIER" (Zhuf-Fi.) LOEW'S—F—1,050, 25c-40c 7 days: Stas. HARVEY, CARLLE, FRANK LIMBO, MAXIME, Gross $2,150. Average: $300.

**MAGNIFICENT OBSOObOTION" (Univ.) THEATRES—6,085, 3dc-50c, 3 days, West: Gross: $11,000. Average: $3,667.

**ENDING Week Ending Jan. 23:

**AH, WILDERNESS!" (M-G-M) LOEW'S—$925, 50c, 7 days, (return engagement). Gross: $50. Average, first run, $7,000.

**A TALE OF TWO CITIES" (M-G-M) THEATRES—$1,315, 25c-40c, 2 days, second week, plus 2 days on the week, Gross: $5,300. Average, first week, $1,315.

**CAPTURED" (F. N.) METROPOLITAN—$1,500, 50c-60c, 3 days, return engagement. Gross: 1st week, $4,500. Average, first run, $1,500.

Acquires "Dark Victory"

Hollywood, Jan. 28.—David Selznick has acquired "Dark Victory" stage play rights in the person of Bertram Bloch, and will produce it under the Flore Nightingale company. The leading role will be taken by Mudie Oberon, who was slated to p Miss Nightingale, will have the leading role.

Myers and Jarvis Add

Hollywood, Jan. 28.—Harry Myers, comedian, and Sidney Jarvis, character actor, both veterans of the vaudeville stage, have been added to the cast of "One Ra Afternoon," the forthcoming Pickford-Lederer and Ida Lupino.
Mexico’s Film Industry Had Biggest Year

(Continued from page 1) will again be freely distributed in Mexican communities. Patronage fell off about 30 per cent as a result of the strike, since Mexican producers showed little interest in independent American or foreign pictures. It is generally agreed here that the two class American films completely dominate this market. Some xican producers declare that the industry, since the domestic films, adequately improved, still cannot hold on their own feet. It is added that the public will not attend the direct merely to see domestic production.

Tax Reduction Attempted

MOTION PICTURE DAILY

Phila. Duals Ruling Endangers Control

(Continued from page 1) places an obstacle in the way of a distributor who wants to cooperate with the local exhibitors in such matters.

"However," the bulletin comments, "the court's opinion should have no immediate effect on the business. The distributors have almost uniformly declined to attempt to enforce the double feature clauses in their own contracts and such clauses have been generally disregarded in actual practice."

The bulletin notes that the court’s decision holds the restriction of double features to be injurious to the interests of independent producers, but "it is held that the feature of double features tends to destroy the market for short subjects. Have the short subjects producers no right to exist?" the bulletin asks.

Halperin Closes Deals

First Division has closed with Edward Halperin for distribution rights on "I Conquer the Sea" for Afhany, Buffalo, W. I., Philadelphia, Atlanta, Charlotte and New Orleans. Halperin left for the coast yesterday after signing the deal.

Chicago Row Still On

Chicago, Jan. 28—Arguments are still in progress over the new operators’ contracts. Exhibitors insist they will not grant a 20 per cent raise. More meetings are scheduled for this week.

Beery to Be a Speaker

KANSAS CITY, Jan. 28—Wallace Beery will speak, Feb. 10, at the Kansas diamond jubilee party of the Kansas Commonwealth Club, Wichita.

Wall Street

Short Gains Mark Board Trading

Columnists, Jan. 27—The name of Enterprise Optical Mfg. Co. was changed at the annual stockholders’ meeting to Motograph, Inc., with Charles B. Goetz, who now assumed the position of president and general manager.

Kleinberger, Francis C. Matthews (Arthur T. Spring of Boston) also named directors.

Zeckinger, formerly connected with Continental Illinois National, was named vice-president and in charge of collections.

Del Ruth Re-Signed

HOLLYWOOD, Jan. 28—Roy Del Ruth, 16, who directed "I Milt," and "It Had to Happen" has signed a two-year renewal of contract by Darryl F. Zanuck.

"Cohen" for the Astor

Joseph J. Pinkett, managing director of the Astor, has booked "Mr. Ben Takes a Walk" for Feb. 12.

Looking 'Em Over

(Continued from page 10) posed of Milt Morant, Bud Baxter and Frank Vaccumelli. The photography is of the fast-moving variety, well suited for the story. A. Her- man directed from a story by Zarah Zayid. A good western for Saturday morning juvenile trade.

Production Code Seal No. 1,854. Running time, 37 minutes. "G."

"Koenigsmark"

(Capitol Prod. of London)

LONDON, Jan. 15.—An English-language version of the doomed French production. Directed by Maurice Tourneur with Elissa Landi, Pierre Fresnay, John Lodge and Frank Vesper, it is a true version, not a dub. Adventures are satisfactorily presented.

Where they the background of one of those German principalities bordering Ruhritia, plenty of uniforms and melodramatic plot with a princess falling for a simple French civilian and helping him to put it across a murderer-duke, audiences may overlook the extremely slow tempo and weak dialogue. Pictorial values are decidedly good and a real mediaeval chateau makes a fine exterior background for scenes of military pageantry. Some of the court scenes also are photographically excellent.

Pierre Benoit’s story turns on the discovery, by the French tutor of his young ward’s poisoning, the father killed his brother, the grand duke, and walked up his body in a tower, as in the original story of Koenigsmark. The Princess Aurore, widow of the grand duke, helps the tutor to search for proof of the crime, but the duke blows up the tower and takes advantage of the outbreak of the war to discredit the princess. She appeals to the Kaiser and the murderer-shrinks himself.

The greatest weakness here is the extremely slow pace, but this can be remedied to a large extent by cutting; the footage leaves plenty of opportunity for this. Even so, the entertainment values will be those of the Ruhritanian melodrama so popular in silent days.

Running time, 100 minutes. "G."

"Professional Soldier," this morning’s opener at the Center was previewed by wire from Hollywood on Dec. 24; "Rose Marie," performed by wire from Hollywood on Jan. 10, will open at the Capitol Friday morning.

"King of the Dandies," which will preview at the Roxy tomorrow night, was reviewed by cable from London on Jan. 18.

Zero Weather Bumps St. Louis Theatres

ST. LOUIS, Jan. 28.—Sub-zero weather, accompanied by almost six inches of snow, scheduled havoc with theatres. First runs have been from 30 to 40 per cent off, and on some shows, tickets have reported a 75 per cent drop.

On only such nights as individuals have Bank-Night, or have other, otherway, has business been close to normal.

Aside from unfavorable weather, there are many indications that theatre business should be good when the weather improves. General business is decidedly on the up grade. Retail sales are running ahead of last year. Freight car loadings are running ahead while motor truck lines report decreased traffic due to the period in 1935. Private industries are putting on more workers, although the percentage of gain is rather slight. Other concerns have increased the hours of work for individuals and their payroll volume is up from five to 10 per cent.

Laemmle Extends Option

Carl Laemmle has announced an extension of six weeks on the option granted to Standard Capital Co. and Charles R. Rogers to allow them the necessary time to complete their investigation and examination of the company's affairs.

M-G-M production plans for England will now be set definitely. Ben Goetz reaches Hollywood. Goetz arrived yesterday on the 'Ile de France after a stay of six weeks in England. During his time he made a survey of studios and talent. He will leave for the coast the end of this week with Nicholas M. Schenk, Louis B. Mayer and other M-G-M executives. Goetz has selected no studio in England nor can he name the number of pictures he will make until after the Hollywood meetings.

Movie Folk on 'Ile

Arriving yesterday on the 'Ile de France were Hugo Bryk, Mme. Stavisky, Mrs. Hal Roach and daughter, and Jack Alcoute, publisher of 'Ile de France'.
VARIETY IN THE SHORT SUBJECTS
THAT PUT THE BEST SPICE IN YOUR SHOW

Educational Pictures

FAST ACTION COMEDY
• BUSTER KEATON
in "THREE ON A LIMB"
"Fast all the way... Laughs come close together." Variety

MUSICAL COMEDY
• NIELA GOODELLE
FRED LIGHTNER
NEL KELLY
in "THANKS MR. CUPID"
Produced by Al Christie

CARTOONS • "THE 19th HOLE CLUB"
PAUL TERRY-TOONS
By Frank Maser and Paul Terry

SPORTS
• "THE GAME OF JAI ALAI"
A TREASURE CHEST PRODUCTION
Story and Narration by Edward Thorgersen

DRAMA
• "THE SEEING EYE"
The story of the almost human dogs that lead the blind
A TREASURE CHEST PRODUCTION
Story and Narration by Clinton Wunder

Distributed in U. S. A. by
20th Century-Fox Film Corporation

Photo by H.I.H. Grand Duchess Marie
Fight Brewing Upon Laws for Film Matrons

Additional Censorship Also Is Opposed

Violent opposition is predicted for any efforts to force the passage of a law requiring exhibitors to have matrons for unattended children, and to submit to a new form of censorship be controlled by the city.

Since the recent police raids which have resulted in the arrest of about 80 managers and their staff statements have been issued by Mayor LaGuardia and others to the effect that his move, to get rid of an old and unpopular law by enforcing it and then introducing a new one in the legislature.

The new one, it turns out, holds a far greater number of difficulties than the one that has stirred exhibitors' ire, as well as protest from the National Board of Review and other workers in behalf of exhibitors.

(Continued on page 7)

Three Bills Affect Bay State Theatres

Boston, Jan. 29.—Exhibitors are watching three bills now before the Massachusetts House.

One, sponsored by Robert Watson of the Lord's Day Alliance and before the Legal Affairs Committee, would bar Sunday vaudeville until 9:30. Programs now open at 1 P.M.

Another, introduced by Millard H. Spett, and sent to the Committee on Mercantile Affairs, regulates resale of tickets.

The third, favored by Mayor Frederick W. Mansfield, provides for revision and codification of the Boston building laws. This also is before the Committee on Mercantile Affairs.

Grainger Talks '37 In Chicago Session

Chicago, Jan. 29.—James R. Grainger, head a one-day sales convention of Universal men at the Hotel Blackstone today and told that he not only had reached an agreement with Carl Senn on the details of the remaining

(Continued on page 7)

At One Time

Hollywood, Jan. 29.—More M-G-M executives are here at one time than probably any other period in the company's history. The group from New York includes Nicholas M. Schenck, J. Robert Rubin, Al Lichtman, T. Bix F. Feist, E. M. Saunders and Howard Dietz.

Leopold Friedman is in from the east in connection with legal detail involving Loew's State, downtown Los Angeles.

TOA to Seek Stay On Sales Tax Here

Applications for restraining orders to prevent both local exchanges and the city comptroller's office from collecting the two per cent city sales tax from local exhibitors until such time as the validity of the tax assessment has been passed upon by the courts will be filed in the Supreme Court of N.Y. county by the T. O. A., according to Weinman, Allen and Spett, attorneys for the exhibitor organization.

Briefs attacking the validity of the sales tax levy on film rentals were submitted to the city comptroller's office early this week by J. T. O. A., Keith-Albee-Orpheum and Allied of New Jersey. The city now has before it the complete testimony of the local United Artists exchange attacking the validity of the city's assessment against its entire film revenue. The United Artists contest is regarded as a test case and will be carried to the appellate court if the city's decision, expected within a few days, is unfavorable to the exchange.

Congress Probe Into Music Costs Hinted

A Congressional investigation of the score charge and of music taxes paid both for recording in film and reproduction in theatres may be undertaken in connection with hearings on the Duffy copyright bill, which was tabled by the Senate late last week when called in the regular course of business, according to Motion Picture Herald.

It was also stated that the House

(Continued on page 7)

Defense Suggests Hardy Amend Complaint To Get a Decision, But He Talks of "Great Generic Conspiracy"

ST. LOUIS, Jan. 29.—The equity proceedings of the Government against Warners, Paramount and RKO came to an undecided, but quite abrupt termination at 10:20 A. M. here today, when Judge Joseph West Molyneux, presiding, sustained the motion of the Government for permission to dismiss the case without prejudice. His action was indicated at yesterday's session, when Russell Hardy, special assistant attorney general, made the motion. The case began Jan. 6. When the dismissal was left open for the Government, if it so desires, to bring the same defendant corporations and various of their officials into court. It is now on some issues anywhere that the Government decides it has a right to do so.

The case involved charges of conspiracy to interfere with the movement of intertitle and intertitle music in films for use at the Ambassador, Missouri and New Grand Central, operated by Fanchon & Marco. But, it is pointed out, that does not necessarily mean that the jurisdiction rests solely with the U. S. District Court here. Since conspiracy is alleged, the litigation may be brought in any place where a part of the alleged conspiracy took place, or even where any of the defendants do business.

While Hardy could not say here today what the next move of the Government will be, latest advice from the Capital indicate quite definitely that a move is already under way to institute another action. Hardy had been in charge of the prosecution in the criminal action against the three companies and various of their officials, which ended in a jury verdict of not guilty on Nov. 11 last. Hardy and other Government attorneys expected to remain here for several days, and probably will confer with their superiors in Washington before any decision is made.

When court convened at 10 A.M. today, Frederick H. Wood of Warner counsel, on behalf of all the defendants, informed Judge Molyneux that the matters raised

(Continued on page 9)
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

*The Garden Murder Case* (M-G-M)

Hollywood, Jan. 29.—This is a typical S. S. Van Dine murder mystery given many novel and intricate twists and nicely flavored with romance, comedy and contrasting drama. Edmund Lowe is featured as Philo Vance.

The plot moves quickly and logically, effectively establishing, and at the same time, concealing clues that lead to a possible easy solution of a series of killings in which many are suspected. The atmosphere created is one of sophistication.

The unexplainable, seemingly accidental death of Douglas Walton leads to circumstances which result in the murder of Gene Lockhart. As Lowe is investigating the case, the police summon for questioning Benita Hume, with whom Lockhart had been having an affair. Before leaving, accompanied by Virginia Bruce, she talks with H. B. Warner. Later she is killed, apparently accidentally, and Miss Hume, to whom Lowe has become attached, is arrested and charged with the crime.

Convinced of her innocence, Lowe goes to work to clear her. In the smoothest Vance manner he unearths clues proving that Warner has a hypnotic influence over both Walton and Miss Hume and that this influence caused their deaths. He also proves that Warner's wife, Frieda Inescort, who later was killed by him, had reason to, and did, slay Lockhart. The innocence of Miss Bruce having been established, the stage is set for her romantic fadeout with Lowe.

The players maintained the romantic character of the story very nicely and are ably assisted by Nat Pendleton and Grant Mitchell in the dumb cop comedy parts. Intelligently directed by Edwin L. Marin packs plenty of realism into the BertramMillar screen play.

Production Code Seal No. 1,956. Running time, 60 minutes. "C."

**Looking 'Em Over**

**RKO Decision Reserved**

Federal Judge William Bondy yesterday reserved decision on a petition by independent RKO stockholders for a protective committee to intervene in the company's reorganization. Stockholders' opposition was not opposed. If granted, the committee will be entitled to receive notice of all corporate meetings and to communicate with the reorganization. None of the large RKO creditors have yet applied for leave to intervene.

"Marie" Opens at Miami

MIAMI Beach, Jan. 29.—"Rose Marie" was given a double opening here last night at the Colony and Community theaters almost opposite each other on the same street. Big crowds of winter visitors turned out.

"Rose Marie" goes into the Capitol Friday.

**20th-Fox Buys "Zorro"**

Hollywood, Jan. 29.—"The Mark of Zorro" has been bought by Twenti- 

eventh-Century-Fox from Douglas Fairbanks. Darryl Zanuck will make it as an opera under the direction of Lawrence Tib 


**Pasteur**

*Leutron International*

This French production, interpreting the highlights of the life of Louis Pasteur, the great French scientist, and appearing almost coincidently with the American film on the same man, is considerably more dramatic in its conception and in its handling in the character study, than an active, stirring story of a fight against disease.

The characterization of Pasteur is ably portrayed by Sascha Guiry, with a good supporting cast, but since the film is almost wholly composed of lengthy speeches by Pasteur and comparatively little action or
Meet "THE WIDOW FROM MONTE CARLO" in the person of lovely DOLORES DEL RIO who, with WARREN WILLIAM, Louise Fazenda, Colin Clive and Herbert Mundin, brings Warner Bros.' new comedy to the fore among this week's light entertainments. More beautiful than ever, Dolores, gone A.W.O.L., leads suitors and society a merry chase, all nicely straightened out, thank you, by the able work of Director Arthur Greville Collins. Released Feb. 1st.
**“Riffraff” Is $11,500 Top In St. Louis**

**“Burlesque” Show, Smash Detroit Hit**

**Montreal Dull Due To Death of King**

**San Francisco, Jan. 29.—In a week of dull grosses in Frisco “Magnificent Obsession” was the only attraction to get into the profit column. It was $200 over normal on a take of $6,000 for the stage.

The Warfield, without a stage show and with reduced admissions and a dual bill, eked out $19,500. The Average was $66,100.**

Estimated takings:

**Week Ending Jan. 21:**

**“AH, WILDERNESS” (M-G-M)**

United Artists—(1,800), 16-20c-35c-40c, 7 days. Gross: $3,500. (Average, $500.)

**“NEW ADVENTURES OF TARZAN” (Republic)**

Embassy—(2,700), 16-20c-35c-40c, 7 days. Gross: $2,500. (Average, $357.)

**“MUSICAL HUMOR” (Radio)**

Golden Gate—(8,000), 16-20c-35c-40c, 7 days. Stage, band. Gross: $12,000. (Average, $1,600.)

**“BORN FOR GLORY” (Radio)**

Fox—(3,000), 16-20c-35c-40c, 7 days. Gross: $2,000. (Average, $286.)

**“CRIME AND PUNISHMENT” (French)**

Embassy—(1,000), 16-20c-35c-40c, 5 days. Gross: $1,000. (Average, $200.)

**Lincoln Slumps As Storm Sweeps City**

**Lincoln, Jan. 29.—Heavy snow and extremely cold kept the propel from under grosses, and a hard rain shut one house reaching par. This was the O'Keefe, with “Forbidden Fruit” and a stage show headed by Ruby Bandy and his band for half the week and “Way Down East” for the other half. The take was $5,000.

“Dark Angel” at the Stuart was $100 off with only $3,500; “Frisco Kid” at the Kirby took $1,100 and left the chop with $2,000, likewise $200 down.

Total first run business was $8,800. Average is $980.

Estimated takings:

**Week Ending Jan. 22:**

**“RAINBOW’S END” (First Div.)**

Radio City—(550), 16-20c-35c, 2 days. Gross: $1,000. (Average, $500.)

**“DARK ANGEL” (U. A.)**

Stuart—(600), 16-20c-35c. 7 days. Gross: $3,000. (Average, $429.)

**“FRISCO KID” (W. B.)**

Lincoln—(1,400), 16-20c-35c-40c, 3 days. Gross: $2,000. (Average, $667.)

**“WAY DOWN EAST” (Radio)**

Warfield—(1,900), 16-20c-35c-40c, 3 days. Average, $590. (Average, $2,500.)

**“Smith” on a Dual Fair in New Haven**

**New Haven, Jan. 29.—A snow storm over the week sent the merc and the movie grosses way down the scale. The Poli took the College nine days of a dual, plus the locally-filmed “It Happened in New Haven” to reach $2,500, or $100 over the normal seven-day gross.**

“Riff Raff” and “The Calling of Dan Matthews” at the Poli, dipped $600 under the $1,700 par. The Paramount went under the $4,500 mark by $800 with “Her Master’s Voice” and “The Great Impersonation,” while the College dropped “The Invisible Ray” and “First Girl” after six days and a take of $1,300.

Total first run business was $16,500. Average is $1,930. Estimated takings for the week ending Jan. 24:

**THE LONE WOLF RETURNS** (Col.)

“WHISPERING SMITH SPEAKS” (Radio)

**COLLEGE—(1,400), 25c-35c. 9 days. Gross: $2,000. (Average, $222.)**

**HER MASTER’S VOICE** (Para.)

**THE GREAT IMPersonATION**

**PARAMOUNT—(2,400), 35c-50c. 7 days. Gross: $6,000. (Average, $857.)**

**“Riff Raff” (M-G-M)**

**THE CALLING OF DAN MATTHEWS**

**POLI—(800), 35c-50c. 7 days. Gross: $6,500. (Average, $928.)**

**“The Invisible Ray” (Univ.)

**“First Girl” (G. B.)**

**ROGER SHERRID—(2,000), 6 days. Gross: $3,000. (Average, $470.)**

**“Voice” and Show Top Indianapolis**

**Indianapolis, Jan. 29. — “Her Master’s Voice” on the screen at the Lord and Earl Carroll Vanties was the top grosser this week, taking the high grossing spot here last week with a take of $12,000, up by $2,000 over the run of a week ago due to the first cold weather which hit the city of the middle of the week.

“Tish” and a Major Bowes’ unit at the Lyric was the only other combination to get into the profit column. They were up by $2,500 on a week ago.

Total first run business was $30,000. Average is $26,500. Estimated takings for the week ending Jan. 25:

**PROFESSIONAL SOLDIER** (20th-Fox)

**MAGNIFICENT OBSESSION (Univ.)**

**HER MASTER’S VOICE** (Para.)

**APRIL BLOSSOM** (M-G-M)

**LONE WOLF** (Col.)

**LONE WOLF** (W.B.)

**LYRIC**—(2,000), 25c-35c, 7 days. Stage: Majestic, Union. Gross: $1,500. (Average, $214.)

**FRESHMAN LOVE** (W.B.)

**“Little Big Shot” (W. B.)**

**CRIME AND PUNISHMENT** (Col.)

**“PROFESSIONAL SOLDIER” (20th-Fox)**

**“Riff Raff” (M-G-M)**

**“BAD SPOUSE” (Radio)**

**“ROSE OF THE RANCHO” (Para.)**

**“Romeo and Juliet” (Radio)**

**“Magician’s Mystery”**

**“Thelma Todd in Shipwreck” (Univ.)**

**“The Unknown” (Univ.)**

**“College” (Radio)**

**“Forbidden” (Republic)**

**“The Unknown” (Univ.)**

**“Tish” (Radio)**

**“Law of the Prairie” (Univ.)**

**“Al,Jake, and Francie” (Radio)**

**“The Beautiful Trap” (Univ.)**

**“That Thing You Say” (Radio)**

**“Two in the Dark” (Univ.)**

**“The Unknown” (Univ.)**

**“The Unknown” (Univ.)**

**“The Unknown” (Univ.)**

**“The Unknown” (Univ.)**

**“The Unknown” (Univ.)**
We told you so, and now vast crowds at Radio City Music Hall are confirming it... You NEVER were more glamorous, more heart-touching than you are in Universal's triumphant production of Ursula Parrott's greatest story!

CARL LAEMMLE PRESENTS
MARGARET
SULLAVAN
in Her Greatest Triumph
URSULA PARROTT'S
Most Famous Best-Seller

NEXT TIME
WE LOVE

with JAMES STEWART • RAY MILLAND
GRANT MITCHELL • ROBERT MCEWEN
ANNA DE METRIO • RONALD COSBEY
Produced by PAUL KOHNER
Directed by EDWARD H. GRIFFITH
A UNIVERSAL PICTURE
Film Uptown Is Predicted In New Haven

New Haven, Jan. 29—In general New Haven officials expressed the feeling that the film business will definitely show an uptrend in 1936. Exhibitors generally expected an increase in grosses of from 10 per cent to 20 per cent, at the end of 1935. "We are definitely on the way back," so far as New England shows business is concerned," states Harry Shaw, division manager for Loew's, New Haven. "We are optimistic, contingent upon the continuation of better product, is also, by Dr. J. B. Fishman, Connecticut State P. T. O. president, and by many other executives in the territory.

B. E. Hoffman, Warner Theatre executive, predicted only a slight improvement for 1936 over 1935, stating that he was more optimistic about business from the first of September through Thanksgiving than ever before. George Crenzen, division manager of M. & P. Theatres, termed the outlook "most encouraging." He sees an apparent general upturn in all business throughout the New England and Massachusetts valleys, where for years he has "looked at silent factories, which are now turning their wheels with one to three shits a day," Mr. Crenzen said. "Our business through December was excellent and this is a period which we always fear. Evidence of the upswing is expressed definitely by the fact that our own grosses are up 20 per cent above those of the same period last year, referring both to the past three months and currently."

2,000-Foot Reels For Houses on Coast

Hollywood, Jan. 29.—San Francisco fire officials have decided to revise the 2,000-foot reel, it was agreed upon today by the Board of Supervisors at a meeting that city. "Now in force the unbuilt for the use of more than 1,000 feet at a time. Today's meeting was attended by Fire Marshall Frank Key and Henry Ballentine, manager of Twentieth Century-Fox Exchange, and Gordon S. Mitchell, manager of Academy Research Council.

This action, together with similar law revisions in Portland, remands State to the use of the new reel on the Pacific coast.

Dissolve Fordham Firm

Albany, Jan. 29.—A certificate has been filed in the office of the Secretary of State dissolving the Fordham Amusement Co.

Report "U" Theatre Loss

A net loss of $9,951 for the period of Jan. 1 to Dec. 31, 1935 was reported by operators of Universal Chain Theatres Corp.

To Make "Deerslayer"

R. M. Savini will produce James Fenimore Cooper's story, "The Deerslayer," which will be released in June by Astor Pictures Corp.

Looking 'Em Over

(Continued from page 2)
dramatic movement, other than that inherent in the man's fight for recognition, it is likely that only those with a knowledge of French will find the picture especially appealing. There are, however, sufficient English subtile translations to make for ready understanding of the story, and the film is interesting.

Highlighting the picture is Pasteur's defense of his work before the Academy of Medicine, his action in saving the life of a boy bitten by a dog through the use of his hydrophobia serum, and finally the honors which are heaped upon him by the country, in the person of the President of France, in the closing years of the scientist's life.

Underwood without production code seal. Running time, 63 minutes. "G."

Grainger Talks '37 In Chicago Session

(Continued from page 1)
der of the current season's lineup, but had also induced him to add four serials for next season. Preliminary arrangements also have been discussed on the 1936-37 lineup.

Grainger's stop here was one of the closing scenes of a four-week visit to the coast and back. Among those at today's conferences were E. T. Gomerson, central division head, and H. M. Herzel, Chicago; Louis Faiz, Des Moines; Morris Gottlieb, Detroit; Floyd Brown, Indianapolis; William Benjamin, Kansas City; Saul Resnick, Milwaukee; Frank Manztek, Minneapolis; J. J. Spandau, Omaha, and J. E. Garrison, St. Louis.

Immediately after his arrival in New York Friday morning Grainger will go into conference with F. J. A. McCarthy, eastern division sales manager; Sig Wittman, eastern district manager; A. J. Herman, New England district manager, Harry Graham, southern district manager, and Clarence Hague, Canadian general manager.

Congress Probe Into Music Costs Hiked

(Continued from page 1)
patents committee, to which the Duffy bill has been referred, plans an inquiry into copyrights involving every phase of the film industry.

Executives familiar with legislation affecting the industry, when questioned by Motion Picture Daily yesterday, expressed doubt as to the probability of the reported Congressional investigation of the score charge and music rental. They advanced the opinion that these charges comprised so incidental a part of the objectives of the Duffy bill that they doubted whether a Congressional committee would make them the subject of an investigation.

Short Subjects

"Finer Points"

(Paramount)

Hunting dogs are featured in this "Sportlight" and as they go through their paces they give an entertaining few minutes. The film shows a pack of young dogs flushing quail and other game birds and excellent closeups achieve a fine quality in artistic photography. Of course, there is a human element interwoven and Ted Husing's narration is fitting in its mixture of the serious with the humorous. Natural surroundings of the Carolinas form a perfect hunting setting. A good sporting, outdoor offering. Production Code Seal No. 0811. Running time, 10 mins. "G."

"Movie Milestones No. 2"

(Paramount)

The milestones in this effort are "The Ten Commandments," an old Betsy-Hatton, "Behind the Front," and "The Way of All Flesh," an Emil Jannings drama. The sound has been dubbed and the narrative symphony covers the history of each episode. The parting of the Red Sea in "Ten Commandments" is again seen and retains its spectacular impact after all these years. The highlights of the others are shown and go to make an historical film study that should entertain. Production Code Seal No. 0843. Running time, 11 mins. "G."

"Pirates" Date Set

Hollywood, Jan. 29.—Pioneer has designated April 17 as release date for Technicolor "Dancing Pirates."
Reopenings in Portland Area Stir New Hope

PORTLAND, Ore., Jan. 29.—Interviews obtained from representative film men of this trade area, show there is practically a unanimous opinion that business will continue on the upward turn, at least for the first six months of 1936. This optimism is reflected in the modernization of a score of houses, and the opening of several which had been closed for the past few years.

Conservative estimates indicate that business at both the downtown and suburban spots has shown an increase of from 20 to 40 per cent, and it is believed this will continue in 1936. Where last year at this time there were some 13 theatres closed, they have all been reopened and modernized, with a corresponding increase in the equipment business. There are now some 213 theatres operating in this area, which includes Oregon proper, the southern counties of Washington and a few in Northern California. Contracts have been let for another eight houses in the outlying sections of Oregon which will be completed during the next three months.

The brightest spot of all is the great Inland Empire adjacent to and including Spokane, having three sources of income, both Ft. Peck and Coulee Dam, the returns from wheat harvest and the rich mining boys.

Statistics in Ohio Reflect Heavy Gain

COLUMBUS, Jan. 29.—Improved state-wide conditions are reflected in the tabulation just released by Samuel Squire, state superintendent of banks, based on reports made by 407 state-supervised institutions in answer to a call as of Dec. 31.

The compilation, prefaced by the statement: "Business generally has emerged from the shadows, and it is evident that 1935 will bring further improvement in economic conditions," the figures show that total resources were $2,305,023,327, an increase of $1,305,023,327 since the call of Sept. 30, 1935, and an increase of $147,435,861 since the call of September a year ago.

Total deposits at the end of 1935 were $1,139,516,792, an increase of $64,141,001 since September, and a gain of $149,673,192 over September 1934.

According to a statement released by the Wright National Bank of Columbus, Thursday, Jan. 30, total deposits were $64,141,001 for the month of September, 1935, $149,673,192 for the month of December, 1934, and $64,141,001 for November, 1934.

Form Graham Enterprise

DALLAS, Jan. 29.—Graham Enterprises, Inc., has been chartered to engage in the theatrical business. Incorporators are Mary Graham, M. D. McCloud and Artie P. Stephens.

Townsend Is a Father

DENVER, Jan. 29.—Marvin Townsend, booker for the Butterfield circuit, is the father of an eight-pound boy.

338 English Firms Formed During 1935

By BRUCE ALLAN

LONDON, Jan. 29.—A total of 338 companies engaged in production, exhibition or other film work were formed during 1935 in Great Britain. The total capital registration was approximately $18,387,200. Of the new firms 12 were public companies and 326 private. Theatre companies totaled 162, with a total capital of approximately $2,937,325. There were 259 new companies registered in 1934. The largest single formation of the year were National Provincial Cinemas, a Union Cinema subsidiary, which increased its capital from $1,000,000 to $750,000; Gaumont Super Cinemas, in taking over H. & G. theatres, $41,000,000, and Technicolor, $10,000,000.

Worton Hall Studios, Ltd., with a nominal capital of $30,000, has been formed by Mr. Robert Watoon and Mr. Douglas Fairbanks, Jr., Paul Czinner and Marcel Hellman, directors, to acquire the Worton hall studio at Isleworth. All but Czinner are directors of Criterion Prod., releasing through United Artists.

Desham Laboratories, Ltd., has been formed with a capital of $500,000 to erect a laboratory on a site adjacent to the new London films studio at Isleworth. The directors of the new company are Sir Concom Guthrie, Alexander Korda, D. Oliver and S. Warburg. The plant will do general work as well as London's product. It will be ready in nine months.

Radio Signs Marshall

Hollywood, Jan. 29.—Herbert Marshall has signed an exclusive contract with Radio for five years. He will make three pictures a year. His first assignment under his new contract has not yet been set. Marshall has been one of the outstanding free lance players, and he has refused all offers for his exclusive services.

Technical Advisor Named

Hollywood, Jan. 29.—Louis Van Den Ecker has been signed by Pickford-Laskey as technical advisor or "One Rainy Afternoon." He will handle a complete technical creation. Louis Van Den Ecker has been in both the French military and diplomatic services.

Selnick Signs Hoffman

Hollywood, Jan. 29.—David O. Selznick has signed Terrence Hoffman to act as his business assistant. Renauld's duties will not conflict with those of Phil L. Ryan, who also acts as a business assistant.

FWC Managers Shifted

Los Angeles, Jan. 29.—Harry Hunsucker has replaced J. D. Graham as manager of the Fox, Warburg and has taken Hum- sucker's place as manager of the E. Ray, Salinas. Both are FWC heads.

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Equity Case Is Dismissed At St. Louis

(Continued from page 1)

by the Government's dismissal motion, the defendants were willing to allow the Government to amend its motion, and to enter an immediate appearance of the additional defendants, "in order that this case may proceed as we think it should."

Hardy said yesterday that, "in the absence of any of the important actors in the conspiracy the Government feels that it cannot proceed to a final decision in view of the court's ruling of Monday eliminating conversations with some of these alleged conspirators."

Wood Guarantees Appearance

Wood continued: "The Government thinks others than these persons should be made party defendants. We state we will be able to say promptly if it will be possible to enter their appearance. Of course, the Government says whether this offer of ours will be accepted or not."

Wood pointed out the desirability of having the case decided as soon as possible, adding that the same defendants had been acquitted in the criminal action on the same issues, and that the equity case had apparently proceeded to a point where the Government was about to rest its case. He contended the naming of additional defendants could not change any material facts in the case, and it was in view of this that the defendants were making their offer to the Government.

Hardy declared he regretted the offer could not be accepted, since it did not meet the situation with which the Government was confronted.

The Government chief attorney thereupon launched into a bitter attack on the defendants, accusing them of "being in the process of a conspiracy that was crushing hundreds of small and medium-sized competitors, and that the local situation was 'a small segment of this great generic conspiracy.' He charged that even during the hearing on the case they were extending their conspiracy "to every place in which the complaining witnesses do business."

Phillips Scores Hardy

Louis Phillips of Paramount counsel rose and sharply scored Hardy for rejecting Wood's offer, saying:

"Hardy closes this case as he started, by assuming a conspiracy without proving it." He accused Hardy of "fool and villainous attacks on the defendant's business practices. He has been clamoring for his day of justice," said Phillips, "but when the opportunity is afforded him he does not accept it, but continues his attacks."

Judge Molyneaux intervened to say he would rather counsel would abstain from personal characterizations, adding that he realized it is possible for feelings to enter a case, but that it is possible to control those feelings.

William S. Leisure, of RKO counsel, declared he thought the trial had moved to a point where res judicata had been reached and asked for a dismissal of the Government's motion.

The court then heard Wood on whether it had discretion to dismiss without prejudice. Judge Wood said that in view of the circumstances surrounding this case and the criminal case, it is four grounds for final motion, although he admitted expense or annoyance to the defense would not be considered. He pointed out that in every similar case the decision was at the cost of the plaintiff, and that since the Government cannot be charged with the cost, the court should consider that point. He said further that the equity could not be completely divorced from the criminal case, which resulted in acquittal.

"Despite that acquittal," said Wood, "we have been branded as criminals even today by a very court."

"Plaintiff's Right" Says Judge

Judge Molyneaux declared: "I ran of the opinion not only from my personal knowledge of the law and previous court decisions, but also from the expression of opinion in this case, that the court is without discretion. The plaintiff has the absolute right, if he chooses, to dismiss the defendants from this court. The court is only the instrumentality of the law. Therefore, I will sustain the motion to dismiss without prejudice."

After the court and counsel had extended the usual defense attorneys took the customary legal exceptions to the court's ruling. Judge Molyneaux returned to Minneapolis at 4 P.M.
He stands alone as the greatest entertainer of Modern Times!

Charlie Chaplin in MODERN TIMES

written, directed and produced by CHARLES CHAPLIN
Released thru UNITED ARTISTS

World Premiere Wednesday, Feb. 5th Rivoli Theatre, N.
Exhibitors to Battle Motors' Film Caravan Plan Is for 20,000-Mile Tour of Country

Exhibitor leaders yesterday prepared a protest vigorously the free film show caravan which General Motors Corp. plans to start on a 20,000-mile itinerary through the country early in spring. The motorized show, dubbed a "science-circus" of 28 motor vehicles by General Motors, will set up a tent for a week, accommodating several thousand in each stop on its itinerary. In the language of the motor company, it expects to reach "many millions of people" through the thousands of free shows which it plans to give in almost every city and town. "Continu-

Enjoins City From Levying 2% Sales Tax Stay Effective Pending Injunction Hearing

A temporary stay enjoining the city from levying the two per cent sales tax on film rentals and enjoining distributors from collecting it was granted yesterday by Justice R. E. Leyden of the N. Y. Supreme Court to two exhibitor plaintiffs on the petition of Weisman, Quinn, Allen & Spett, attorneys for the I. O. A. The stay is effective pending a hearing to be held Feb. 7 on the plaintiffs' motion for a temporary injunction, pendente lite. It enjoins Frank J. Taylor, city comptroller, from levying the tax against plaintiffs prior to the hearing and restrains Columbia, Twentieth Century-Fox, M-G-M, Paramount, RKO, United Artists, Universal and Vitagraph from collecting it. The action applies only to the two

Rumination

Film lawyers in New York yesterday calculated whether or not Judge George A. Welsh was within his authority as a Federal judge in enjoining M. Goldner special investigator to determine if anti-trust laws have been sufficiently violated in the Philadelphia area to warrant grand jury investigation. Opinion was mixed and, while no one would submit to a quotation, the majority viewpoint was that he had not.

Double Bill Truce Urged By Laemmle

In an open letter to producers, especially those own and operate theatres, Carl Laemmle yesterday suggested a truce on the double feature question. The Universal president admitted frankly in this open letter, which will be published as a Straight-from-the-Shoulder-Talk in Universal Weekly dated Feb. 1, that double features hurt Universal just as much as they help. "I quote a paragraph," says Laemmle, "from Motion Picture Herald."

"The right of an independent exhibitor to show two pictures on a single program without contractual interference from the large distributors was upheld for the second time within a year by a decision of the United

KANSAS CITY ITO SUGGESTS CITY-WIDE GIVEAWAY BAN

Kansas City, Jan. 30.—About three-fourths of the members of the I.T.O. met this week and voted to eliminate all cash giveaways and premiums, providing other independent and circuit theatres in Kansas City, Mo., do likewise. The vote resulted from an effort on the part of E. Rolsky, president, in the direction of complete giveaway elimination. Most of the independents are agreeable to the move, but agree it will be abortive unless elimination is 100 per cent.

The independents have word from Fox Midwest that Fox houses will go along with such a move, providing it is complete.

Hopes for the success of the move are not high, as it is expected some of the independents will not go along. Rube Pinklestein of the Belmont and William Parsons of the Aladdin have already indicated their unwillingness. Parsons is willing to eliminate cash giveaways but not premiums.

Rolsky will, however, continue his efforts and call a meeting next week to apprise I.T.O. members of the situation.

Hateny on Board of Radio Pictures, Ltd., By BRUCE ALLAN

London, Jan. 30.—Ralph Hanbury, general manager of Radio Pictures Ltd., here, today was elected to the board of directors of the company at a board meeting. Hanbury replaces Frederick Paul Cullbert, managing director of RCA Photophone, Ltd., and European representative of RCA Manufacturing Co.

Hanbury had been branch manager and general manager of Stoll Films Ltd., general manager of Welsh Pearson Film Co., branch supervisor of G-M here, then general sales manager and later general manager of Radio Pictures, Ltd.

Directors Gain 19; Donovan Made Agent

Hollywood, Jan. 30.—Nineteen rectors joined the new Directors Guild last night when Major Joseph Donovan was named as executive secretary.

William K. Howard was put in charge of press releases. A committee was named to make repairs in the by-laws which were adopted at the last meeting.

"The directors were not considering affiliation with any other organizations now or in the future.

Lawyers, Principals Back From St. Louis

Attorneys for Warners, Paramount and RKO and several principals who have been in St. Louis on the Government's equity suit against the three companies and which was dismissed Wednesday at the request of Russell Hardy returned yesterday from the Mound City.

Among those were Harry M. Warner, Herman Starr, Abe, Carey Thomas, Miles Alben, Robert W. Perkins, I. Levinson, Frederick H. Wood.

Tally Suit Against FWC Delayed Again

Hollywood, Jan. 30.—The hearing of the suit by T. L. Tally and Corbar Corp. to have the Fox West Coast territory set aside has been postponed from Feb. 3 to Feb. 6, at which time Judge Alger Fee will have arrived. At the request of Russell Hardy, Judge Fee will preside in place of Judge Cogswell.

In filing an answer to the complaint...
Martín Quigley
Editor-in-Chief and Publisher

MAURICE KANN, Editor

J. B. HENDRICK, Managing Editor

JAMES A. CRON, Advertising Manager

Published daily except Sundays and holidays by Quigley Publishing Co., Inc., Martin Quigley, President; William L. Quigley, Vice-President; Maurice Kann, Editor; Ralph L. Quigley, Treasurer.

Registered U. S. Patent Office.

Vol. 39 January 31, 1936 No. 26

FRIDAY, REGENT HIGASHI THE T-RUE LEARN EDITORIAL, was O’NEILL, was M. L.


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Rutenberg, South Hollywood, 7-3100.

Vine president president; York. Arraigned for

High empire, Martin

Post S. Martin 26

Laurel, Missouri, Illinois, New York, Maryland, Kansas and Pennsylvania, tempering her remark with a number of humorous incident she experienced in these states. She stated the New York board for the period July 1, 1934, to June 30, 1935, looked at 9,000,000 feet of film containing 1,749 features and shorts. On that number there were eight rejections in totos and three subject to revisions.

Peggy Calvert sang with George Walah accompanying at the piano. William Lynn, who appears in "Three Men on a Horse," told of his experiences when the cast put on the show at Sing Sing recently.

Executive Changes Announced by Roach

HOLLYWOOD, Jan. 30.—At a dinner conference held here tonight by B. P. Brandt, head of his production company, Jack Warner, the chief, and his aides, made some major changes in the organization of the company's affairs were announced yesterday, some of these production jobs formerly under the jurisdiction of Herlune Ginsberg were placed in the hands of other department executives.

It is our opinion that, in lesser degree probably but there to conclude with, the current case of "The Informer" can be duplicated if distributors put in the required effort. The question of whether or not the commercial usefulness of product is entirely exhausted once it passes through the routine machinery of distribution continues to be an open and an argumentative one. The piling up of one release after another to meet what the distributor views, or is told, or has come to imagine, is the demand of his theatre customers admittedly makes the time to ponder further possibilities fleeting and yet we believe the subject rates reflection since it may reflect better grosses.

Lessons for those modest enough to learn: Editorial and word-of-mouth comment on "The Informer" will swell Radio's domestic distribution gross by $150,000 through repeat and new bookings and swing the picture from red to black in this market. Internationally, there never was any doubt about the final outcome; domestically, there was plenty. You may conclude from this that it is only the rare attraction capable of reviving itself when general distribution had virtually played itself out except in the smaller situations.

That's quite true, but not all the truth. It has long been an idea, not so much a secret, we think, as one of our others, that the rapidity with which the release schedules of all majors move makes it impossible generally to give proper and adequate merchandising. Coupled with this the unsoon, but again general, practice of theatres at large changing program every seven days because it seems more to the custom than anything else and you find a situation against which meritorious product successively batters its head. There was the case of "Top Hat" which did not make a fourth week at the Music Hall because bookings prevented. And so it gave way for something else, despite a third week which finished somewhere in the neighborhood of $90,000.

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Nothing like them in the industry today. They're whole vaudeville shows—and better than big-time vaudeville ever was!...They're whole radio programs—only people come to your theatre to see them!...They're musical comedy—but on your screen instead of Broadway's stages!...and Universal releases them!
EVERY NIGHT WILL BE SATURDAY NIGHT WHEN YOU PLAY THIS!

The happiest, scrappiest family picture of the year! "homey" as your bedroom slippers! As hilarious as the first pair of long pants! As tragic as breaking your wife's best china! And how it hits HOME!
20th Century-Fox presents

The Jones Family

in

EVERY SATURDAY NIGHT

with

ED PROUTY • SPRING BYINGTON
UNE LANG • FLORENCE ROBERTS
ENNETH HOWELL • GEORGE ERNEST
UNE CARLSON • WILLIAM MAHAN
nd Thomas Beck • Paul Stanton • Paxton
isters • Kay Hughes • Phyllis Fraser

Associate Producer: Max Golden Directed by James Tinling
reen play by Edward Eliscu. Based on the play by Katharine Kavanaugh

A FOX PICTURE

EXTRA!

Preview reaction was so tremendous that 20th Century-Fox has decided to make an "Our American Family" series!... four a season. The same featured cast in all. Remember how Mr. & Mrs. Sidney Drew pictures packed in the crowds?
**First Nominations In Short Awards**

Hollywood, Jan. 30.—First nominations for the Academy's eighth annual awards have been made in the short subjects category.


These nominations were made after the judges had seen films shown at the Radio and Paramount studios. Final ballots, at which one picture in each class is eligible for the awards, will be held in a theatre. Winners will receive the regular Academy awards at the presentation dinner March 5.

**Ryan Withdraws As E. M. Loew Attorney**

Boston, Jan. 30.—George S. Ryan has filed in Federal court here today with a motion to withdraw for E. M. Loew in his $50,000,000 anti-trust suit against Paramount and subsidiaries.

The litigation started in 1931, with hearings before Elias Field, appointed by the court. An agreement was signed early in 1933 and the court, at the request of the attorneys, was asked to enter judgment. It was understood Loew increased his demands several times until at the peak he would have received $300,000.

It is understood Loew's refusal to accept a settlement was behind Ryan's withdrawal. The most recent ruling in the case was by Federal Judge Cote in New York, who ordered that actual damages should be fixed and expressed the desire to decide whether single or triple damages should be assessed.

**CANTOR PICTURE DOES $59,000 AT THE HALL**

"Strike Me Pink" at the Music Hall garnered $59,000 in its second and third week at the box office. During the first seven days, the Eddie Cantor film got $78,000. The Paramount with "Colygates" and Hal Kemp and his orchestra ended the first week of the combination show with about $38,000. Ishuan Jones and band goes into the Paramount next Wednesday.

The Roxy, with "The Calling of Dan Mathews" and Ed Sullivan on the stage was weak at $22,000.

**To Broadcast From Stage**

Starting Feb. 4, WHN amateur broadcasts will be staged from Loew's Siegfried instead of the station's house quarters at the Loew Building. The broadcasts will be held every Tuesday night and sandwiched in between the dual & "First Year." Stations and station器件 will continue as master of ceremonies.

**Covington House Burns**

Covington, Tenn., Jan. 30.—The Palace, operated by W. F. Ruffin, former owner of the "House of Loving," was destroyed by fire yesterday. The loss of $30,000 is partly covered by insurance. A statement was made Ruffin said he will rebuild immediately.

**MOTION PICTURE DAILY**

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

**"Captain January" (20th-Century-Fox)**

Hollywood, Jan. 30.—Another Shirley Temple vehicle and certain to rank very high in her list of successes. There is expert blending of warm and human drama with real humor, plus Shirley's accomplished singing and dancing. In a manner seldom achieved by a picture, the audience is given everything it looks for in the way of entertainment and has exhibitors who will be keen for salesmanship.

The story is treated in sane, sensible fashion, even to the introduction of the specialty interpolations. Its appeal is universal to any audience, anywhere, any time. Using Laura E. Richard's down east classic, the screen play of Sam Hellman, Gladys Lehman and Harry Tugdull faithfully retains all the original comedy, drama, sentimentality and thrills in a manner which evokes plenty of laughs and occasional tears. Dave Butler's direction uses dialogue, situations and characters in a manner which preserves all of their fundamental values in transition to the screen.

The highlights of the picture are the scene in which Guy Kibbee, as Captain January, rescues Shirley from the sea, the sympathetic and sincere manner in which he shares her training with Slim Summerville and the rest of the fisher folk, the heart-rending situation in which Sarah Haden, truant officer, contrives to take the child from her protectors, the twist of pathos as Shirley's relatives, Nella Walker and George Irving are discovered, the vivid suggestion of tragedy as the wail is separated from Kibbee and Summerville, and the fairy story ending in which she finds them skipper and mate on the yacht which Miss Walker and Irving have provided for her.

Miss Temple's acting, as usual, is exceeded by the artistry of her singing and dancing performances. Her rendering of "Early Bird" and "At the Codfish Ball," among other musical numbers, and her spiral staircase dance with Buddy Elesh, as well as her solo multiplication table tap dance, are features which place the picture among the few best she has ever appeared in. Preferred without code seal. Running time, 75 minutes. "G." 

**"Don't Get Personal" (Universal)**

Hollywood, Jan. 30.—A bright, resourceful little story filled with sparkling gags, this newest Sally Elters-James Dunn comedy is a very good bet for any ball location.

Humphrey Bogart and Pinky Tomlin, being broke, resort to the public auction of their talents. Miss Elters, also flat, bids spiritedly in order to jack up the price for the boys' benefit. She is horrified when she gets them herself with her last five dollars and demands that they drive her home. Their journey trek is enlivened by furious squabbling between Dunn and Miss Elters, songs by Pinky, and a series of really comic misadventures culminating with Dunn's kidnapping of Sally at the very altar of her spire marriage. The Dunn-Elters combination is excellent, as usual. Pinky Tomlin is biting his stride and makes an engaging comedy foil. George Cleveland and Lillian Harper, as a farm couple, draw plenty of chuckles and the competent cast is rounded out by Spencer Charters, Doris Lloyd, Charles Coleman and George Meeker. William Nigh directed and Dave Diamond produced. The story, by William Thiele and Edmund Hartman, is slightly implausible but none the less funny. It is helped by a good script, the work of George Waggner, Clarence Marks and Houston Branch. The pay angles are those of human auction and the comic adventures of love at first sight—or perhaps "fight."

Preferred without production code seal. Running time, 65 minutes. "G." 

**Lease Brooklyn Theatre**

James Felt & Co., Inc., yesterday reported the leasing for the Trans Lux Movies Corp. of the theatre recently completed at 561 Fulton St., Brooklyn, to interests represented by Carnegie Playhouse, Inc., of which Henry Siegel is president. The lease is for 10 years, with a minimum guarantee of $250,000 for the term against a percentage of gross.

**Renaldo Is Pardoned**

WASHINGTON, Jan. 30.—The Justice Department said today that Dunlap Renaldo, owner or lessee of the Cherokee Theatre, has been pardoned by President Roosevelt. It was indicated, however, that this might not save him from deportation orders based on immorality entered into the country originally.

**Short Subjects**

**"Carnival Time" (Meadow-Universal)**

With Russ Brown as Barker, great fun at this carnival. The laughs are introduced before the big tent at the carnival. On the whole the collection proves most entertaining short. Performers are Jean Sargent, vocalist; Jack Fulton, radio tenor; the Sue Hansen and Elden Seren, siren; Gus Adams, colored boy, and the Biltmoreettes, three girl acrobats. Production Code Seal No. 0801. Running time 24 mins. "G."

**"You Can Be Had" (Universal)**

There is fair entertainment in this subject, featuring a group of monkey and baboons in a takeoff on a Ma West picture. All credit to the producers and Sam Neuwirth, the directors for the smooth performances of the "players." When the night club in which the "young man" thought she knew so well is actually a detective, Production Code Seal No. 1391. Running time 15 mins. "G."

**"Soft Ball Game" (Universal)**

A real ball team, composed of small animals, plays an entertaining cartoon game with the Jungle Giant. The youngsters especially should enjoy the subject. Almost beats Osvald uses a centipede as a pin biter, when the opposition switches it an ant. The director with the result that his team scores six runs at one time. Nonsensical, but amusing. Production Code Seal No. 1,731. Running time 7 mins. "G."

**"Signing Off" (Monteith-Universal)**

Ray Knight, as a passer of bad checks pursued by a detective, finds his way into a radio station where he is an employee and makes an announcement substituting for his. Some of his comments are amusing; he changes "To" to "Ther," as well as "By" to "Sigh." "Sally, Loois Ravek, Mabel Pearl's Chu guitar, the Zeb Carver Troupe, etc., etc., and make up the list. With a Harry Ackerman and Marshall Grant. The result is a lively group of turn which should do to fill a spot on radio. Production Code Seal No. 045 Running time, 19 mins. "G."

**"Alaska Sweepstakes" (Universal)**

Osvald, the animated hero, is eastered in the big dog team race, wrestlers the value is the best of favorite. Osvald's sole motive power is his dog, Pooch. The difficulties that occur until they finally wobble by suddenly becoming a rolling as continuously growing snowball make up a cartoon subject of average quota. "Thirteen Hoots by Air" for Paramount. Directed by Mitchell Leisen, who has arranged production Code Seal No. 1,850. Running time 8 mins. "G."

**Joan Bennett Returns**

Hollywood, Jan. 30.—Joan Bennett, who flew east early last week to visit the father who is ill, has returned here. She has resumed work in "17 Thirteen Hours by Air" for Paramount. Directing Mitchell Leisen has arranged production Code Seal No. 1,850. Running time 8 mins. "G."
motion picture daily

Friday, January 31, 1936

Double Bill Truce Urged
By Laemmle

(Continued from page 1)

States Circuit Court of Appeals in Philadelphia late last week in the so-called Perelman case.
In other words, the court upheld Laemmle's double features.

"What quarrel about it? Why quibble about it? Why not be decent about it?"

"Forget your hatred of certain exhibitor organizations and I mean even the organizations as headed by men who make a fat living out of running up trouble between producers and exhibitors."

"Why not forget greedy men? Why not deal, for a change, with plain principlists?"

"Practically, you realize that there is no real argument against the use of double features. If fans want them, they're going to get them, no matter what any court says. If fans don't want them, they won't live, still regardless of your decree."

"What Would You Do?"

"Just pretend that you own only one theatre. Pretend that the opposite position gets the very best of the first run pictures. Pretend that you cannot get any of these first runs. In such case, what would you do? The chances are a million to one that you would jump to double features to save your hide."

"And that was a pretty smart thing to do."

Now then, you have tried to lick the independent theatre by gobbling up all the first runs. He licked you with double features. Then you tried to lick him by running double features yourself. In many cases you amazed yourself with your brilliant results. In others you flopped. Then you tried to help through the courts and you tried to outlaw double features.

"Why not do as the fellow has as much right to live as you do?"

"Lick your competitor if you have brains enough, but don't rely onrawn. Play fair. In these days the courts won't stand for a "Hawaii," don't lead with your chin. Be humble, live and let live. Don't be too damned darned universal."

Laemmle's 30th Anniversary Near

Hollywood, Jan. 30.—Feb. 24 has been designated as the date of a tribute to Carl Laemmle, Universal president, on his thirtieth anniversary in the industry. The date is that on which Laemmle opened his Whitefriars Theatre in Chicago.

The feature of the event will be a show on the "Phantom of the Opera" set at the studio, to which 200 executives, stars and present and former employees of Laemmle have been invited. After the luncheon the guests will be taken to special reels from "Show Boat" and "Sutter's Gold" and the film will come from the original Imp company.

RCA Directors to
Pass on Revamping

(Continued from page 1)

pany's entire issue of 495,597 preferred A shares at $5 share and taking care of more than $16,000,000 of accumulated dividends on 767,275 shares of preferred B. A cash payment on the B shares and the issuance of shares to shareholders is expected to be ratified by way of clearing up the B dividends. The presentation of the plan at the next meeting of the board of directors is expected to be made.

If this plan is approved today the cash outlay would approximate $35,000,000. RCA is understood to have proceeded in every necessary cash on hand at this time.

Court Orders New
Philadelphia Probe

(Continued from page 1)

Exhibitors' Protective Ass'n is behind the move was not apparent today, although it was rumored. Golden years to F.W.C. are going on a month's vacation and is slated to launch the probe upon his return. The understanding is he is to meet expenses incurred.

I.E.A.P.A. adherents imply the Department of Justice in Washington is familiar with the development; that it may lend its cooperation and that it may have prompted the action in the first instance.

Lawyers, Principals
Back from St. Louis

(Continued from page 1)

Louis Phillips and Irving Cohen, George S. Leisert, Gordon E. Youngman, Jack Fowler, John Howley, Eugene Ford, Thomas Cook, Morris Koffman and Russell Dowling of W. L. Wilkenson, Washington attorney for F. & M., has been in town several days. He will leave for the capital the end of the week. Larry C. Arthur and Mike Marco are due from St. Louis either Saturday or Monday.

Talley Suits Against
FWC Delayed Again

(Continued from page 1)

yesterday F.W.C. entered a general denial of all charges and asked the court for an allotment of counsel fees in addition to the ordinary costs of the suit. The answer described the complaint as "defamatory, scandalous and in contempt of court. The defendants are represented by John B. Bertero and Charles A. Buckley. Col. William H. Nebbett represented the plaintiffs.

Enjoins City from
Levying Sales Tax

(Continued from page 1)

plaintiffs, Harlon, Inc., and Quinral, Inc., both of which are said to be error holding companies of the Harry Brandt enterprises. However, the action is in the nature of a test and if it results in an injuction being granted similar stays could be obtained by other theatre companies.

Exhibitors to
Battle Motors' Film Caravan

(Continued from page 1)

in his C. Hill, commentator for Hearst Metrotone News; Lowell Thomas, commentator for Fox Movietone News; John S. Young and John B. Kennedy, radio commentators, the motor company's announcement says. In addition, there will be a feature length picture, which the company says, will depict General Motors scientific research achievements, and considerable footage made and developed locally with "hometown crowds" in each city on the itinerary. The company also promises "various thrilling films of the motor world" for its free programs.

Screen on "Theatre" Truck

The motor show caravan will include a specially constructed truck for sound and camera equipment, projection and sound reproduction equipment, and developing equipment. A feature of the tour will be the filming and screening of pictures made in the stopover. The silver screen will be dropped from the stage of a specially constructed "theatre" truck within the show tent.

Another truck, leading what the company says will be a "two-mile long procession," will be equipped with a public address system to broadcast music and announcements. The motorized theatre will spend several days in each city on its itinerary and as much as a week in some.

Exhibitor representatives, acquainted with the G. M. plan, were quick to characterize it as "unfair competition" with every established commercial theatre and made plans at once for organized protestations. The M.P.T. O.A. undoubtedly will take the initiative in the move, representatives of the organization said, recalling how it was successful, last year in having the free shows sponsored by Standard Oil and featuring Guy Lombardo discontinued, and its further work against free entertainment sponsored by Goodrich Rubber Co. and others.

Representatives of Hearst Metrotone and Fox Movietone were unable when questioned yesterday to explain the parts in the "motor circus" to be played by Hill and Thomas. It was their belief, however, that the General Motors material in which the two appear must have been made several years ago as contracts between the companies and the commentators specify their exclusive services in the short film material.

Boston Men Head South

Boston, Jan. 30.—The film district is heading southward, E. M. Loew, circuit head; E. Harold Stoten, Allied executive and circuit operator; Joseph Cifre, theatrical company head; and Maurice N. Wolf, M-G-M manager, have gone to Florida. Nathan Yamin, circuit operator and Allied head, has been there for some time.

for your daily reference

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of projection

714 pages that detail and describe every piece of sound and projection apparatus and give all instructions for operation and maintenance.

Included is a complete trouble-shooting department as a first aid against breakdowns and also a quick-finding index system that makes the new Bluebook a ready reference for all projection problems.

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Purely

ED KUVENDALL, M.P.T.O.A., president, is delaying his scheduled departure for New York in order to attend hearing at Jackson, Miss., Monday evening on renewal of the state admission tax. He is now expected here about Feb. 6.

ROMOLA NIZNYSKY left yesterday on the Ile de France for England and conferences with Alexander Kanya on the planned London film production on the life of Nizinsky, famous dancer and her husband.

Ginger Rogers, S. Barrett McCormick and Rutherfurd Neilson journeyed to Washington yesterday to attend the President's birthday ball there.

King Vidor has been awarded the Southern Cross of Honor by the United Daughters of the Confederacy in recognition of his work in directing "So Red the Rose."

James Greer, assistant at the RKO Capitol has been transferred to a similar post at the RKO Albee, replacing Edward Marshall, who has returned to New York.

Harry Moskowitz, head of the Loew theatre construction department, will arrive today on the Western World. Due to bad weather, the boat has been delayed a day.

Hugo Brey, European representative of Ascap, will return to Paris in two weeks. He plans to visit here again in March when he will bring Franz Lehrer with him.

Barry Senior, in his book, "Valiant Is the Word for Carvill," has been bought by Paramount. Wesley Ruggles will direct the film.

Walter J. Hutchinson, head of the foreign department of Twentieth Century-Fox, is due to arrive from London about March 6 or 7.

Rudolph Sterer, husband of Marine Dufresne.model leaves tonight on the Union City after a visit to his wife in Hollywood.

Ad Schuberg has opened a London office, returning to the agency business in partnership with his brother, Sam Jaffe.

Victor Moore leaves the cast of "Anything Goes" in Detroit tomorrow night and flies himself west for Fred Astaire's new picture.

Cyrus Stewart, former Columbia salesman, has joined the United Artists sales force, covering Kentucky and West Virginia.

Louis Phillips and Irving Cohen of the Paramount legal force returned from St. Louis yesterday.

Emmanuel Silverstone left for Boston last night to assist the Twentieth Century-Fox in "The Ghost Goes West" at Keith's.

J. E. Lambert, K-A-O counsel, returned yesterday from a one week visit to Topolka, Kas.

John C. Flinn has returned from the coast.

Personal

RAY MILLAND, who came in from the coast the other day, did not wait for the premiere of "Next Time We Love," as he had planned. He returned to work in "The Tiniest Man," another Universal comedy, because of the illness of his mother.

WILFRED LANEY, British actor in "Libel," Broadway play, has been signed by Twentieth Century-Fox. He will visit London before reporting to the studio. The deal was arranged by the William Morris office.

Francis Arden, comedienne, will return from Hollywood next week to open a vaudeville tour at the Baltimore Hippodrome Feb. 7.

Edward G. Robinson returns to the coast in a couple of weeks by rail, but his wife may go by boat.

... Baltimore

Charles McCleary, manager of Loew's Parkway, has returned to Sinai Hospital for treatment of stomach ailment. Doodler Drucker, assistant manager at Loew's Century, is pinch hitting for him.

Jack Weir of the Avenue has been laid up by neuritis.

Harry Reddish of the Durkee interests is in Florida with Mrs. Reddish. They will be joined soon by Frank H. Durkee and Mrs. Durkee, Charles E. Nolte and Mrs. Nolte, and Walter Pacy and Mrs. Pacy.

... Cincinnati

For Gerhart division manager for RKO, is now minus his tonsils, and scheduled for another operation in the near future.

Bill Lumbel, assistant to Philip Chacek, at Springfield, 0., has resigned and has assumed duties as city representative to which office he recently was elected.

... Denver

Frank Culp, Isis manager, is back at work following an illness.

Ben B. Perlman has been appointed sales representative for Fotofine, Inc.

Harry Nolan, who recently immigrated, will operate at a local hospital to take care of the job now. Nolan is a well known theatre supply and film man.

Gene Duck has opened the new 160-seat Lyons at Lyons, Colo.

Hugh Braly, division manager of the Salt Lake and Denver branches for Paramount, has just completed a 2000-mile trip through the southern Denver territory.

... San Francisco

Harry H. Thomas, president of the West Division Pictures, Inc., is here on a short visit from Hollywood, visiting old friends.

John Grayson, head of the M-G-M exchange, was on a sick call for a few days.

Aaron Goldberg is preparing to open a night club in the theatre, the Pom, early in February.

George Mann is on another round-the-trip, attended by Mrs. Mann and baby.

Bob Harvey is doing free lance publicity work, making tentative head quarters with Gerald Kasebi of M. P. Service Co.

Bill in Mississippi Would Eliminate Tax

Jackson, Miss., Jan. 30.—A bill repealing Mississippi's 10 per cent amusement tax was introduced in the state legislature here yesterday by Representative Homer Williams of Grenada County. The measure is said to have the approval of Ed Kuykendall, president of the M.P.T.O.A. and the Mississippi M.P.T.O.

Governor Walls has pledged re peal of the amusement tax, the Williams measure is expected to pass over the Governor's veto if the bill becomes law. The taxes still will be subject to the per cent general sales tax.

Italy's "Hollywood" Started by Premie

Rome, Jan. 30.—Premier Mussolini yesterday officiated at the beginning of work on "Cinemagraphics City," which, it is hoped by its promoter, will become the Hollywood of Italy. Ready for production in a year, the project is said be important for European supremacy in the industry.

Groundwork in the project will be on the first buildings, with warehouses, offices, hotels, and fire station in the center of a 19 acre location about five miles south of the city.

It is the plan of the promoters to make it the most complete equipped and modern studio in Europe.

McCarthy Heading East

Hollywood, Jan. 30.—Charles B. McCarthy entailed for New York today following two weeks of conferences with this 20th Century-Fox.
Comeback to 1929 Is Seen
In Pittsburgh

Sunday Films Called an Important Factor

PITTSBURGH, Jan. 31.—In Pittsburgh the film men see for 1936 a prosperity second to none since the boom days of 1929. It's a spirit that's evident in the theaters, in the executive offices and in the exchanges.

There are at least three reasons for the optimism. The first is the legalization of Sunday films, a factor that has taught men to feel confident that they won't be booted out of the tree house in several years. So far, the every-day week has meant little, but with managers introducing more Governman in their Sunday ideas and with the public getting used to the idea, Sundays are expected to be important.

They point to the good years when there didn't appear to be the remotest possibility that Pittsburgh could get Sunday pictures. Even without Sunday, some executives have said, 1936 would show a profit.

The second is the pickup in the industry. At Christmas a dozen films...

(Continued on page 4)

Friedl Here to Talk
Moves in Northwest

John J. Friedl, operating executive of the Minnesota Amusement Co., Paramount theatre subsidiary in the Northwest, arrived in New York from Minneapolis yesterday to confer generally on the program of expansion announced by his company recently.

He explained Minnesota Amusement had no set objective, but would spend and acquire additional house...circumstances and conditions warranted. The plan itself, he added, had been approved by Paramount some time back.

Warners File Three
Suits Against WHN

Three suits for damages totaling $5,000 were filed against Loew's radio station, WHN, yesterday by former music subsidiaries. The complaints, filed in the Supreme Court, allege the station broadcast Warners' music without permission. Affenfeld & Wattenberg represented the complainants.

In one of the suits, Warners against Marcus Loew Booking Agency (WHN), damages of $4,000 are...

(Continued on page 4)

Blow to Film Music Seen
In Pending Copyright Bill

By CLARENCE LINZ

WASHINGTON, Jan. 31.—Hearings on the new copyright legislation will be held during the coming month by the subcommittee designated by House Patents Committee, it was indicated here today. A stiff copyright measure is expected to be introduced by Representative Daniel of Pennsylvania, who, it is believed, will head the sub-committee. While this bill deals chiefly with copyright problems involved in broadcasting, it also affects the film industry in that it differentiates between the right to produce and the right to exhibit. This opens the possibility of royalty demands from the composers, songwriters, authors, etc. Moreover, the measure provides copyright protection for the performer and specifically authorizes the compulsory license in broadcasting.

Newsmen producers would be affected by the bill, which provides that even the innocent or incidental inclusion of copyrighted music shall be considered an infringement.

In the penalty provisions of the bill, a fine of $25,000 is set, but no injunction clauses are included.

Hearings on Federal Licensing Scheduled

WASHINGTON, Jan. 31.—Federal licensing of all corporations engaged in interstate commerce will be considered last year by Senator O'Mahoney of Wyoming. This bill calls for the creation of a national corporation system controlling interstate commerce and providing for the issuance of charters, licenses, the protection of labor and collective bargaining, and wage and price restrictions and prohibition against child labor. While the bill would give the Government full control over corporations, its proponents maintain that it would end bureaucracy and "confine the Government to its proper sphere.

Bank Night Battling Widens in Bay State

BOSTON, Jan. 31.—The Bank Night battlefront is widening in this state. The giveaway has just been banned in Lowell, Reading and Stoneham. It is also being considered in Springfield, where appeals are pending from Superior Court convictions on a lottery charge in these municipalities.

In an intra-state suit begun Bank Night against Parlay Cashi, Night here the judge told both sides neither had any standing in court but considered when Attorney George S. Ryan told the court that participants did not have to buy theater tickets to win.

Estimate RCA '35
Net Is $5,100,000

RCA and subsidiaries yesterday reported an estimated net income for the calendar year 1935 of $5,100,000, an increase of $850,736 over 1934, when the net was $4,249,294. Total...

(Continued on page 4)

Majors Avoid
Quiz Fight in
Philadelphia

Question Court's Move,
But Take No Action

Major company attorneys indicated yesterday that despite their belief that Federal Judge George A. Welsh of Philadelphia may have exceeded his authority in appointing Benjamin A. Golber a special investigator to determine whether there is sufficient evidence of anti-trust law violations in the use of exhibition contract clauses designed to restrict distribution of films, they expect to contest the appointment of Golber when it is taken.

Golber was attorney for the exhibitor plaintiffs in the Perelman case which resulted in a decision by Judge Welsh holding the clauses to be illegal. The decision was upheld recently by the U.S. Circuit Court of Appeals at Philadelphia, but an application for leave to reargue the case will be made by the defendant distributors in the near future. If it is...

(Continued on page 2)

New Indie MPTO to
Expand Activities

PHILADELPHIA, Jan. 31.—The Independent Exhibitors' Protective Ass'n today voted to extend its scope and to charter its expanded activities as the Independent M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. Decision was made at a meeting of the board of managers.

A $12,000 budget was set as a requirement for its first year's operations along the new front. This is to be raised by an assessment on members of 10 cents per seat. A general meeting also was called for the Broadwood Hotel here on Feb. 11.

Reagan Breaks Arm;
Is in Indianapolis

Charles Reagan, western division manager for Paramount, is in St. Vincent's Hospital, Indianapolis, where a resting after having broken his right arm in a fall earlier in the week.

Reagan was making a tour of exchanges under his supervision when the accident occurred. He is due in New York Tuesday. Neil F. Agnew, general sales manager, who planned to make a checkup on branches, will delay his departure about a week because of the Reagan incident.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 39 February 1, 1936 No. 27

MARTIN QUIGLEY
Editor-in-chief and Publisher
MAURICE KANN, Editor
J. M. JERRELLS, Editor
JAMES A. CRON, Advertising Manager


MOTION PICTURE DAILY

Purely Personal


DOUGLAS FAIRBANKS returned to New York yesterday by plane. He will stay here for the opening of Chaplin's "Modern Times," before leaving for Europe. Some of the scenes of "Marco Polo" are to be made in Italy and China.

FRANK SPICER, resigning, is head of the Columbia art department, was tendered a luncheon yesterday in the Essex House, after which he joined Mr. and Mrs. Colvin at the Hotel. He is leaving for New Mexico in about a month with his family.

E. L. ALPERSON is slated to leave for Miami next week. From there he will go to the coast to attend the Nutrition Week divisions and managers' meeting in Los Angeles.

BOB WOLFF, manager of the New York RKO exchange, has declared a moratorium on writing letters since his secretary, ANN LEVY, went to Miami the other day.

HENRY BROWN of the Isle circuit is the father of an eight-month-o- old baby girl, Miss Brown, and the baby is doing nicely at the Women's Hospital.

BILL DANZIGER will leave today for the south. He recently resigned from the M-G-M advertising and publicity department.

FRED SCHWARTZ, son of A. H., will marry Shirley Wilcox Feb. 17. Many film people will attend the ceremony.

JAMES R. GRAINGER left Mrs. GRAINGER in California. She will remain there for the remainder of the winter.

CARL LEVY, Loew district manager for downtown New York and the State theatre, will leave shortly on a cruise.

GENE MEYERS, district manager for Loew's in Washington Heights, will be in the Bronx, left yesterday for Miami beach.

Oscar DOON, Loew publicity head, leaves next Friday for a two-week rest in Miami.

BILLY ROSE left for Indianapolis yesterday in connection with "Jumbo."

CHARLES E. McCARTHY is due to arrive from Hollywood on Monday.

S. R. KENT will arrive from the coast the latter part of next week.

MEL HEITMANN has returned from a 10-day trip to Havana.

JOHN D. CLARK will return from Miami on Monday.

Majors Not Fighting Philadelphia Quiz

(Continued from page 1)
denied the defendants plan to take the case to the U. S. Supreme Court.

Distribution officials yesterday pointed out that any move for a grand jury investigation property should come from the Federal district attorney.

Pizor Says MPTO Will Aid
PHILADELPHIA, Jan. 31.—Lew Pizor, president of the M.P.T.O., of Eastern Pennsylvania, Southern New Jersey, said today: "We had a spirit of cooperation regarding any investigation into alleged unfair trade practices on the part of major companies. "Any inquiry which is for the best interests of everyone is to be welcomed. We never have and never will cooperate with any movement which is instigated for selfish reasons." Pizor said the Federal Judge Welsh is sincere in his efforts to get at the truth of any charges. "He is not perfect here or anywhere else, we have always found that most films not being our work but rather large organisations are against their out their problems through an arbitration method. Any sincere effort being made to help the industry will help our members. Any independent investigator will find us ready to cooperate."

Industry Figures to See Chaplin Opening

United Artists has set up to get more notables to the opening of Charlie Chaplin's "Modern Times." One has already appeared at any opening for a long time.

Douglas Fairbanks, pere et fil will be on hand, according to the latest list, and others will be Herbert Hoover, J. P. Morgan, Louis B. Mayer, Robert Montgomery, Alfred Hitchcock, Alexander Woollcott, Nathan Burkin, Ziegfeld, Gable, Colleen Moore, Marlene Dietrich, Hoagy Carmichael, Harry C. Buckingham, Lillian Hellman.

Talent will be represented by: Edward G. Robinson, Toshi Loc, Gloria Swanson, Donald O'Connor, Dorothy Arzner, Gregory Ratoff, Alexanderจอง Griffith, Ginger Rogers, Eddie Cantor, Burns and Allen and Parkyaks.

Reservations have been received from Canada, Mexico, England and Venezuela, according to U.A.

Museum Showing


Whitney to Do "Jumbo"

John Hay Whitney of Pioneer will produce "Jumbo," which has been purchased at the New York Hippodrome, in color, it is understood. The film may be released by RKO Radio.

The circus will end its New York run next May, opening in Los Angeles shortly thereafter.
STAR PERFORMER

SUPER X delivers unparalleled photographic quality to the screen. That is why it continues to hold its position as star performer among negative motion picture films. That is why it plays a part in most of the feature pictures released in the world’s leading movie-producing country. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
Comeback to 1929

Seem in Pittsburgh

(Continued from page 1)

voted sizable bonuses to their em-
ployees. In some cases pay cuts were
reversed. Steel orders have been
rising, the beer can demand has
planted at least two important local
firms back on their feet and other
allied factories have shown similar
signs of new life.

The third reason is the increase in
available WPA money here. For
some time differences have existed
over relief money between the city
authorities and the state and Federal,
but these have been straightened out
and several millions have been made
available for projects approved. The
attempts feel that some of this money
will go to entertainment.

There is a surprising number of
indie loops in a boom in 1936. There is
some theater construction under way again,
and architects and builders claim they
look about 75 per cent on the money
for years. Another optimistic sign is the
tease with which test price
limits have been made in certain terri-
ories.

This would seem to indicate that
1936 will find the independent in the
downtown sector, particularly since downtown
Pittsburgh has the lowest first-run price in the country.
Then, too, there is not so preva-
ient, another healthy sign, and houses
that have been dark for years are set
for reopening.

Estimate RCA '35

Net Is $5,100,000

(Continued from page 1)

gross income for the year was esti-
ated at $89,146,147, compared with
$78,756,994 the previous year. Net
income for 1935, before interest, de-
preciation, amortization of patents
and Federal income taxes, totaled
$10,295,637, compared with $9,490,455
in 1934.

Kennedy Plan Approved

A plan of financial reorganization for
RCA, which was submitted to the
Kennedy, former SEC head and film
exec, was approved yesterday by the
RCA board. It was submitted to a meeting of stockholders for ratifi-
cation in the near future.

The plan provides for the calling of
the entire issue of 435,597 preferred A shares at $35 per share, plus ac-
crued dividends, and the conversion of
707,237 shares of preferred B into new
preferred and common. The cash
requirements of the plan are estimated
to be $37,000,000. The board has
sufficient cash on hand to meet this outlay it would
borrow $8,500,000 at 21/2 per cent, pay-
able within five years, in order to
maintain a comfortable cash balance, the Kennedy plan provides.

The conversion of the B shares in-
volve an exchange of 1 1/5 shares of
new common for each preferred share to dividends from April 1, 1936, and callable at $100 par and one
share preferred, for each share of the present B stock.

Mae Clarke Engaged

Hollywood, Jan. 31.—Mae Clarke is
cengaged to Dr. Frank C. Nodian,
local physician. The wedding will
be held at an early date, when Miss
Clarke completes "The House of a
Thousand Candles" for Republic.

Walters in Three

Suits Against WHN

(Continued from page 3)

sought, the plaintiff charging "No
Bad" was used eight times. The
decision was 7, 8, 10, 11, 12, 13.

In another action Wit
mark contends the same station broad
cast "I Like Mountain Music" o
Jan. 4 and "A Shanty in Old
Town" on Jan. 14. The third com
plaint was by Rombick for the use of
"Your Old Grey Bonnet" o
Jan. 13.

Suit also was filed yesterday by
Bryant, owner of the Brack
casting SPC, for use of "I Wan
Bounce Around Wit
Yours".

Action will be taken next week,
was stated by Wattenberg & Watten-
berg, against KMOX, St. Louis
CHM, Hollywood; WVL, New
Orleans. The attorneys are awaiting
arrival of affidavits from these point
before taking legal procedures.

Ronald Colman Injured

Hollywood, Jan. 31.—Ronald
Colman is missing from the scene
of a mishap which was thrown as
his face by a stuntman during the tak-
ing of a scene for Under Two Flags.
He was supposed to be in the
Twentieth-Century-Fox lot. Physicians said
injury was not serious.

Rene Baldwin Contrac

Hollywood, Jan. 31.—The contra-
ct of Carl Baldwin, associate pro-
ducer for Twentieth-Fox, was renewed today for an additional year. He will produ-
uce, as the first feature on the new ticker
"Gold Diggers of 1937" and "Gilt
Edged Blonde.

Producers to Meet

Hollywood, Jan. 31.—The pro-
ducer's Assn will meet here Sunday
Will H. Hays will preside.

Wall Street

Trading Irregular on Net

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Para. Fees Allowed

Federal Judge Alfred C. Coox yester-
day allowed Chase National Bank
$5,000 and Milbank & Tweed, attor-
eys for the bank, $10,000, for ser-
dices rendered as trustee under a
Paramount indenture prior to the
latter's bankruptcy, The allowances
are in addition to fees paid Chase
and its lawyers for services in the
Paramount reorganization.

Kalmar & Ruby Signed

Hollywood, Jan. 31.—Bert Kalmar
and Harry Ruby, songwriters, have
been signed by Radio to do the screen
play and songs for "Count Pete."

Schnitzer Dinner Guest

Edward M. Schnitzer, who leaves
the local Columbia exchange next
week, was given a farewell testimon-
ial dinner last night by 43 employees
of the branch. The affair was held
at the Park Central. A successor will be appointed upon
the return of Abe Montague, general
sales manager, from the coast next
Thursday.

Paramount Adds 50

Hollywood, Jan. 31—Paramount has
added almost 50 writers, directors
and players to its talent roster during
the past year.
Golder Takes Data Along on Southern Trip

Philaſphenian Is Already Busy on Trust Probe

Philadelphia, Feb. 2.—Benjamin J. Golder is taking to Florida a mass of data which he will submit to study of the film industry as to whether or not, in his opinion, there are factors that are making anti-trust charges against major distributors.

Announced as a vacation solely for loaning Picture Daily, this is the plan of the attorney who was appointed amicus curiae (friend of the court) by Federal Judge George A. Velis on Thursday to determine if anti-trust laws have been violated and if the motion pictures, isolated in this area to warrant a grand jury investigation.

The origin of the court's action comes to be cloudy in doubt. One angle suggests that the Independent Exhibitors Protective Assn., which on Friday voted to drop its old name for the Independent Motion Picture Assn., of Eastern Pennsylvania, Southern New Jersey, and Delaware, is not behind the move.

Appears to be definite that Judge Velis made the Golder appointment following the submission by a group of independent exhibitors of correspondence from various major exchanges. Whether or not those unsigned exhibitors are members or sympathizers with the aims of the I. E. A. is not conclusively known.

Kuykendall to Make a Study Of G.M. Show

Motor Caravan Effects To Guide Action

A thorough study of the film and stage programs of General Motors "science-circus" without an admission charge during a month's work northward by粉末 Kuykendall, M.P.T.O.A. president, on his arrival here on Thursday, was learned over the week-end.

National exhibitor representatives are already investigating the free show project with a view to protesting to its sponsors in the event it is revealed to be unfair competition with established theatres. Indications are, however, that organized exhibitor action will be held in abeyance until viewing the show's free performances on theatre attendance have been observed.

The motor caravan opens its first free test show Feb. 17, in Miami. The 28-car unit, carrying complete facilities for making and exhibiting sound pictures, left Detroit late last week and was in Nashville over the week-end. It is booked for one, three and four-day stands in more than 20 Florida cities following its Miami opening. From Florida it will work northward through Georgia, South Carolina, North Carolina and Virginia on the first five months of its itinerary, which will bring it to Washington in June. The balance of the itinerary has not been completed yet, but will probably call for continuation of the show through the east.

This Is Why

Harms, through Wattenberg & Wattenberg, has filed suit against WTEL, Philadelphia, broadcasting without permission "Where Am I?", "Night and Day" and "You Took Advantage of Me."

Seals Issued On 104 Films In 2 Months

Production Code Also Okays 74 Shorts

Hollywood, Feb. 2.—Renewed activity on the part of the Production Code Administration marked December and January. From Nov. 26 to Jan. 26 the Producers' Ass'n, okayed and issued co-numbered on 164 features and 74 shorts. These figures include both current films and reissued pictures.

The two-month total was somewhat lower than the high marks chalked up during the first few months of the code administration's work.

Since July 15, 1934, 1,102 features and 705 shorts have been okayed for distribution.

The titles and releasing companies for films passed during the two months are as follows:

AUDIO (Short)

"Les Prebuck.

WILLIAM BERKE (Feature)

"The Pecos Kid.

Kennedy's RCA Work Ends: He Goes South

Joseph P. Kennedy, former SEC head and film executive, terminated his association with RCA on Saturday with the approval of his plan of financial reorganization for the company by its board of directors on the preceding day. Kennedy left by plane Saturday for an indefinite stay at his winter home in Florida.

His reorganization plan, outlined in Motion Picture Daily earlier, will be submitted to a meeting of stockholders April 7 for ratification. The effect of the plan is to eliminate all of the RCA preferred issues and ultimately to place control of the company with the common shareholders.

New Exchange Union Strikes at Republic

Six employees in the film room of the local Republic exchange walked out on strike Saturday, following which Herman Glackman called an emergency crew into service.

Picketing the Film Center in which the exchange is located, the men allege on placards that the strike has been called for union recognition. The men are affiliated with the Film Exchange Employees Union, a unit of

Karnegie's RCA Work Ends: He Goes South

Appeal Allowed on Lottery Decision

Leave to file an appeal with the Court of Appeals from a decision of the Appellate Division of the Brooklyn Supreme Court in connection with the award of John Weimar, O'Brien, Allen & Spett on Saturday by Chief Judge Crane.

The case which is being appealed has to do with a Farmer Miller game at the Winthrop, Brooklyn. On Jan. 20, the Appellate Division of the Brooklyn Supreme Court held that prizes awarded as the result of spinning a wheel in a theatre are in violation of the lottery law.

No date for the Albany hearing has been set.

Federal Tax Moves Face Congress Row

Washington, Feb. 2.—A sharp rift in Congress as to whether the Soldiers' bonus and financing of farm relief shall be accomplished from tax money has developed, making impossible any determination of the extent to which the film industry will be affected.

So far, no indication has been given

(Article continues on page 2.)

(**Continued on page 2.)

CC to Start Quiz Of A. T. & T. Soon

By BERTRAM F. LINZ

Washington, Feb. 2.—The Federal communications Commission is considering plans for the investigation of T. T. & T. and it is expected that the time of testimony will begin sometime next month. The hearings will be held in the field. Testimony is to be taken in New York first, it is said.

(Article continues on page 11.)

(Article continues on page 11.)

(Article continues on page 11.)
Bill in Mass. Would Prohibit Giveaways

Boston, Feb. 2—A bill has been introduced in the Senate here by Wil- liam F. C. Cartwright, Democratic state senator, which would prohibit the practice of theatres and other places of amusement of awarding bank ac- counts, cash or other prizes to participants for games of chance. A public hearing is expected to be held by the Committee on Mercantile Af- fairs, which has the bill has been re- ferred. It is pointed out that if such prac- tice continues, it will defeat the lottery, which they would automatically be pro- hibited under the present anti-lottery laws of the state.

J. Fred Lovett Dies

Providence, Feb. 2.—J. Fred Lovett, veteran theatre man of Rhode Island, is dead at his home here. He had been ill since Christmas. He had been manager of the local Olym- pic for four years.

Huffman Cuts Scales

Denver, Feb. 2—Harry Huffman has been appointed booker for the Aladdin. The new high is 50 cents, reduced on 60 cents. The Aladdin is an upmarket house.

Schultzes on Vacation

Kansas City, Feb. 2.—Clarence Schultz, head of Commonwealth Amusement Corp., and Mrs. Schultz, left here Saturday for a two or three weeks’ trip to Mexico City.

Federal Tax Moves Face Congress Row

(Continued from page 1)

by the President that he will propose any "new" taxes, but he has stressed that funds must be raised to finance both the farm program and the bonus payment. The former, it is ex- pected, will be dealt with by seeking release of "windfall" revenue taxes; the latter is up in the air.

Any move to impose new taxes will be strongly fought by powerful in- terests in Congress, particularly by members of the House, who will seek re-election next fall.

At the same time, the President’s distinction between new taxes and "substitute" taxes is seen as an effort to forestall action on the raising of funds. In the forthcoming campaign, in view of the anxiety of the Administration not to have taxes made an issue, it is expected no move will be made which would disturb the present tax struc- ture of the film industry.

Kuykendall to Make Study of G.M. Show

(Continued from page 1)

New England, central and middle west during the summer and fall and head- ing east Dec. 15.

The show was planned by the G. M. home office advertising department, with nothing assisted by the Art- kuder advertising agency. General Motors states that the film program, except for pictures of local residents to be made in each town, is solely commercial and scientific. It includes a two-reel Audio subject with narrar- or. The first half has been directed by Mr. Metrotone, Lowell Thomas of Fox Movietone, John B. Kennedy and John S. Young, radio commentators.

To Distribute Series

Guaranteed Pictures Co., has ac- quired a world-wide distribution rights for "Just My Luck," first of a series planned by Corona Pictures. Guar- anteed will distribute the series through States Rights.
All America Is Going To Celebrate The

REUNION

OF THE

"CLASS"

OF 1934

Personally Arranged and Supervised by Warner Bros.
LESLIE HOWARD and BETTE DAVIS
The Stars of Of Human Bondage, the CLASS of 1934 Shows, REUNITED For the First Time in
"The Petrified Forest"

From the “exciting success” in which Leslie Howard starred for six months on Broadway!

With Genevieve Tobin • Dick Foran • Humphrey Bogart • Joseph Sawyer
Eddie Acuff • Directed by Archie L. Mayo

Opening RADIO CITY MUSIC HALL FEB. 6th
Kansas City Uptown Drops Double Bills

Kansas City, Jan. 27.—After double billing three months—from Oct. 25 to Jan. 25—the first run Fox Uptown has returned to single bills and has reduced admissions from 25c-40c, to a straight 25c.

A trial run of the new policy will determine its permanency.

The policy is not expected to have an effect on other first runs. The Uptown is viewed as non-competitive with downtown first runs because of the distance between the two locations.

With the announcement of the 25c single bill policy, the Uptown introduced a free dancing school for children under direction of a dancing master. Though free, a “registration fee” will be required—purchase of a $5 book of admissions, good any time but only at the Uptown. The 12 lessons in any sort of dancing will cover three months, at the end of which a recital will be given on the Uptown stage, and the classes will change.

Fox Midwest has used the idea in other spots and is now using it at the Granada, Kansas City, Kan.

Duals at K. C. Apollo

Kansas City, Feb. 2.—The Fox Apollo, special run house, introduced double bills for the first time this week with The Man from Monte Carlo and Little America, two pictures doubled on first run some weeks ago at the Fox Uptown.

This may indicate what other Fox houses will do with pictures that have played double at the Uptown during the past three months, although the Plaza is singling “Little Rebel,” a double at the Apollo.

Other exhibitors are expected to double except in the case of outstanding hits.

Buy “Unguarded Hour”

Hollywood, Feb. 2.—M-G-M has acquired screen rights to The Unguarded Hour, starring by Howard Duff and Merriwai. Loretta Young, who has a commitment for one picture, will play the leading role, as will also Jean Arthur and Howard Emmett Rogers. They are now working on the screen play. Sam Wood will direct under the supervision of Lawrence Weingarten.

To Film “Suicide Club”

Hollywood, Feb. 2.—M-G-M will make a screen version of the “Suicide Club” stories by Robert Louis Stevenson. Rosalind Russell is likely to head the cast. Russell, who is under a new term contract will play the feminine lead, and Robert Montgomery will play the investgator. Louis D. Lighton will produce.

Pick Grace Moore Title

Hollywood, Feb. 2.—M-G-M has definitely set “The King Steps Out” as the title for the new Grace Moore picture. Louis B. Mayer has named it “Cissy,” Josef von Sternberg directed.

Howard Film Premieres

St. Louis, Feb. 2.—“The Petrified Forest,” starring Leslie Howard, had a gala premiere at the Orpheum Fri.

“The Voice of Bugle Ann”

(M-G-M)

Hollywood, Feb. 2.—This film is exceptional in many ways, not the least of which is the opportunity to bring to the theatre the large number who seldom patronize films, by playing up the remarkable shots of hunting dogs.

Lionel Barrymore is a backwoods Minnesota farmer, whose chief diversion is the raising of a pack of hunters. His love is lavish on one dog in particular because she has a voice which earns her the title, Bugle Ann. Dudley Digges, a sour and spitful neighbor, puts up a woven wire fence around his sheep pastures over the reasonable protests of neighbors who fear her dogs may be sneaked when hot in chase of foxes at night. Digges not only insists upon erecting the fence but threatens to kill any dog seen on his property. Things come to a showdown when a faint yip of pain is heard from Digges’ farm and Bugle Ann disappears. In a grim group the neighbors demand an explanation. The hunting quarrel Barrymore shoots Digges and, although 71 years old, is sentenced to serve 20 years.

The value of this film lies not so much in the story as in the appealing characters and the convincing portrait of rural sportsmanship. Barrymore will have a large appeal for dog lovers in the heavily accented portrayal which will linger in the memory. Maureen O’Sullivan and Eric Linden are excellent as the young lovers parted by the feud, but joined in an unexpected climax.

Telling and sympathetic direction by Richard Thorpe gives Spring Byington, Charles Grapewin, Henry Wadsworth, William Newell, James Macklin, Jonathan Hale and Frederick Burton opportunities to shine brightly in the acting of the supporting parts. The screenplay by Harvey Gates and Samuel Hoffenstein, from the book by Macklin Kantor, has a number of thin spots, but is none the less interesting in its character drawing. The photography by Ernest Haller is exceptional. The lighting is handled with the cleverest of direction.

Play up the angle of an old man’s unwavering love for the greatest dog of his pack, the remarkable hunting scenes and the early portrait of sporting farmers.


“Here Comes Trouble”

(Townleth Century-Fox)

Hollywood, Feb. 2.—With a capable cast and an interesting story of international jewel thieves, this production should please in the subsequent runs for which it is aimed.

The action is concentrated around a liner plying between New York and South America. The crooks, consisting of Halliwel Hobbs and Mona Barrie, the other of Andrew Tombes and Edward Brophy, are after a gem carried by Gregory Ratoff. Paul Kelly, the ship’s engineer, becomes involved in the plot when Miss Barrie uses him to carry the stone, stolen from the ship’s safe, through the customs. At the finish, Sammy Cohen, Kelly’s brother, leads the crooks to the crooks’ hangout in time to save all the situations. Interwoven in the main theme are counterplots which carry the story into the stoke room of the ship, include a near boiler explosion and other elements which are nicely woven in by the clever direction of Lewis Sekler. The love plot is also handled by Arline Judge playing opposite Kelly.

In the supporting cast Ernie Alexander gives a standard performance of the inevitable drunk and Grainville Bates does well as a ship captain. The screenplay is by Robert Ellis, Helen Logan and Barry Trivers from John Brugman and Robert Trasker’s original. The production by John Scalzi reflects intelligent preparation.

There is enough action probably to recompense for the shortage of marquee names.

Production Code Seal No. 1910. Running time, 64 minutes. “G.”

Briskin to Start Seven


“Dream” in 57 Spots

“A Midsummer Night’s Dream” will open in 57 new situations this week, all the dates being limited road show engagements.

Judi Spiegel Married

Pittsburgh, Feb. 2.—Judi Spiegel, of the local Paramount exchange, was married to Marjorie Rosen here yesterday.

Paramount to Have 70 for Next Season

(Continued from page 1)

man. The number of single reeclers, 100, will be listed.

Para-Skouras Close Deal

After weeks of negotiations Paramount late last week signed a two-year product deal with the Skouras circuit. The arrangement calls for 100 per cent of the distributor’s output for the balance of the current and all of next season.

This is the second two-year deal closed by Paramount in this territory within the past few weeks. The first was the Century circuit. The reason for the two-year pact is due to the Loew franchise which has another year to run after the current season. The two circuits follow Loew.

Neil F. Agnew and Milt Kussel acted for Paramount and E. L. Aperg in securing the signature deal. The only independent circuit which has not purchased Paramount this season in the local area is Presidential. No negotiations have been started as yet.

Expect More Delay

On RKO Allowances

Further postponement of the Federal Trade Commission’s exceptions to the allowance of the Rockefeller Center claim against RKO at $8,207,000 was granted on Wednesday by Judge Bowne. The hearing, which was scheduled to be held tomorrow, was postponed to Feb. 18.

Indications are that additional postponements will be sought by both Irving Pott and three of the RKO and Rockefeller Center, pending efforts to work out a compromise or settlement of the claim either in part or in its entirety. The settlement negotiations are reported being held in abeyance until a plan of reorganization of RKO and the “consolidative stages,” is further advanced.

Wall Street

Eastman Pfd. Up a Point

High Low Close Change

Columbia, pfd. $425% 425% 425% + 4c
Consolidated Film $106 105 105 + 1c
M.G.M. pfd. 104 103 103 + 1c
Eastman Kodak 135 134 134 + 1c

Paramount 1 pfd. 85% 85% 85% + 1c
Loew’s, Inc. pfd. 105% 105% 105% + 1c

Paramount 2 pfd. 85% 85% 85% + 1c

Pathé Film 79% 79% 79% + 1c

20th Century-Fox 26% 26% 16% + 1c

Warner Bros. 121% 121% 121% + 1c

Sonotone Gains ¼ on Curb

High Low Close Change

Sonotone $24% $24% $24% + ¼

Trans Lux 5% 5% 5% + ¼

Little Bond Activity

High Low Close Change

General Theatre 9% 8½% 9% + ¼

Loew’s 6% 6% 6% + ¼

Paramount Film 9% 9% 9% + ¼

Warner Bros. 6% 6% 6% + ¼

Quotations at close of Feb. 1.)
ACTUAL BOX OFFICE
THAT IN A PERIOD OF
4,800,000 PERSONS
SEE "MAGNIFICENT"

BY DIRECT WIRE FROM
WESTERN UNION

GB 24 P N = PITTSBURG PENN JAN 12 1936
J R GRAINGER = ROCKEFELLER CENTER NEW YORK NY
OBSESSION OPENED ALVIN TODAY TO BIGGEST SUNDAY SINCE ADVENT OF
OBSESSION SHOWS STOP LINES A BLOCK LONG AN HOUR BEFORE
SUNDAY SHOWS IN A PERIOD OF 4,800,000 PERSONS SEE "MAGNIFICENT"
OPENING STOP POSITIVE HOLD OVER FOR SECOND WEEK REGARDS =
A BARNETT.

NA 15 31 = B OMAHA NEBR JAN 23 1936
J R GRAINGER, UNIV PICTURES CORP =
ROCKEFELLER CENTER NY =
WITH WEATHER TEN BELOW OPENING MAGNIFICENT OBSESSION TODAY
TERRIFIC LOOKS LIKE RECORD DAY STOP SENDING PHOTOGRAPH CROWDS
THERMOMETER REGISTERED SIXTEEN BELOW ZERO =
TED EMERSON OMAHA THEATRE.

N 5 21 = F CLEVELAND OHIO JAN 14 1936
FRANK M CATHY =
UNIVERSAL EXCHANGES
WITH IT AT THE RIVOLI THIS WEEK IT IS MAGNIFICENT WITH IT
ELSEWHERE IN TOLEDO IT WOULD SURELY BE AN OBSESSION =
WM. N. SKYBall.

NH 50 23 DI = C PITTSPURG PENN JAN 14 1936
J R GRAINGER, UNIVERSAL FILM EXCH =
MAGNIFICENT OBSESSION OPENED ALVIN SUNDAY TO
TREMENDOUS BUSINESS STOP DOUBLED ANY PREVIOUS SUNDAY STOP
CONTINUING EACH DAY TREMENDOUS GROSSES CONGRATULATIONS
AND REGARDS =
JOHN H HARRIS.

N 12 95 DL QNS = W BALTIMORE MD JAN 8 1936
J R GRAINGER =
UNIVERSAL PICTURES =
WHEN I ARRIVED AT THEATRE LAST NIGHT FOR THE OPENING OF
"MAGNIFICENT OBSESSION" I HAD TO USE THE STAGE ENTRANCE AS
I COULD NOT GET THROUGH THE LOBBY ON ACCOUNT OF THE CROWD
STOP QUITE A FEW REFUNDS WERE MADE TO THE OVERFLOW STOP
RECORD BUSINESS SHOULD BE ENJOYED.
THANKS
J. L. SCHANBERGER.

Jan. 23, 1936

BEST 'U' GROUP FOR 'MAGNIFICENT'

Topping Previous
Highs 20 Percent

New York.—“Magnificent Obsession” is doing the biggest business
throughout the country in any Universal picture in four years.

The film has played two weeks or
is in a second week in these cities:
St. Louis, Los Angeles (two houses),
Richmond (two houses), Chicago, San
Francisco, Minneapolis, Boston, Wash-
ington, Cleveland, Kansas City, Salt
Lake City, Hartford, Indianapolis,
Detroit, Baltimore, Atlanta, Philadel-
phia, Louisville, Pittsburgh, New Or-
leans, Toledo and St. Paul.

In Minneapolis the picture regis-
tered nearly four times the business
of “Imitation of Life,” previous high,
In Houston, Grand Rapids, Cleveland, Seattle, Syracuse and
Rochester, “Obsession” did better in
two days than “Imitation of Life”
or “Diamond Jim” did in a week.

In every one of nearly the playdates
to date “Obsession” has exceeded any
previous Universal picture by at least
million dollars.

B. & K. Hold “Obsession”

Cleveland: Jan. 26.—“Magnificent
Obsession,” which ran two weeks at
the Palace to heavy business, on a mo-
tioned notice by the Palace, was shut
down by a third week’s notice by the Palace. The picture had been
such good business that the Palace
executives thought the picture
of a week was enough to hold the picture
of another week.

Providence Telegram

Page 01

Jan. 23, 1936

THE WOLCOTT

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of another week.
REPORTS SHOW ONLY 3 WEEKS HAVE PAID TO OBSESSION!

“Obsession” $5,500 Draw
In St. Paul

Minneapolis, Jan. 27.—“Magnificent Obsession” was in the money in a big way in St. Paul where it garnered $5,500 at the Orpheum, passing par for $1,500. At the World here it took an average of $1,000.

“Obsession” Again Louisville’s High
Louisville, Jan. 27.—In its second week at the Strand “Magnificent Obsession” did the best business, grossing $5,500.

“Obsession” Breaks Records in Denver
Denver, Jan. 24.—“Magnificent Obsession,” at the Denver, broke all house records for the last three years, topping everything since Harry Huffman has had the house. A total of 6,402 saw the picture the first day, and the evening standouts were out to the street. Huffman is planning to keep the picture three weeks, taking it to the Aladdin next week and back down town to the Broadway the third.

Last week’s picture, “King of Burlesque” is remaining for a second week at the Broadway, following seven days at the Denver.

Did $11,765 in Twin City
“Magnificent Obsession” gross at the Orpheum, Minneapolis was $11,765 and not $6,500 as reported by Motion Picture Daily. The picture then moved to the World where it is doing capacity business despite thermometers recording 36 below zero.

“Obsession” Pulls $13,400, Houston

Houston, Jan. 29.—“Magnificent Obsession” was the money-maker of the week. It had a take of $13,400 at the Majestic and was held over for a second week. This is $6,400 above par.

SAN FRANCISCO, Jan. 29.—In a week of dull grosses in Frisco “Magnificent Obsession” was the only attraction to get into the profit column. It was $200 over normal on a take of $7,000 for its second week.

The Warfield, without a stage show and with reduced admissions and a dual bill, took in $19,000. Total first run business was $66,100. Average is $74,400.

HARTFORD, 4th wk.

HOBSON, 2nd wk.
KANSAS CITY, 2nd wk.
LOS ANGELES, 2nd wk.
LOUISVILLE, 2nd wk.
MEMPHIS, 2nd wk.
NEWARK, 2nd wk.
NEW ORLEANS, 2nd wk.
NORFOLK, 2nd wk.
PHILADELPHIA, 2nd wk.
PITTSBURGH, 3rd wk.
PORTLAND, Ore, 2nd wk.
PORTLAND, Me, 2nd wk.
RICHMOND, 2nd wk.
ROANOKE, 2nd wk.
SACRAMENTO, 2nd wk.
SAN DIEGO, 2nd wk.
ST LOUIS, 2nd wk.
SAN FRANCISCO, 3rd wk.
SEATTLE, 2nd wk.
TORONTO, 3rd wk.
WASHINGTON, D.C., 2nd wk.
WINNIPEG, 2nd wk.

AKRON
ALBANY
ATLANTA
CHICAGO
(Cafter holdover)
CINCINNATI
CLEVELAND
COLUMBUS
DENVER
DULUTH
DETROIT
DAYTON
EVANSVILLE
FT. WAYNE
FT. WORTH
INDIANAPOLIS
LANCASTER
LONG BEACH
MADISON
MILWAUKEE
MINNEAPOLIS
MONTREAL
NEW ORLEANS
PHILADELPHIA
PROVIDENCE
READING
SALT LAKE CITY
SAN ANTONIO
SAN FRANCISCO
(after holdover)
SEATTLE
SYRACUSE
SIOUX FALLS
TERRA HAUTE
TROY
TOLEDO
WILMINGTON
UTICA
"Opera" Gets Big $19,000 On the Loop

CHICAGO, Feb. 2.—In spite of three days with the mercury 15 degrees below zero, not one theater was closed down out of the 11 which were open. The "Night at the Opera" ran $8,000 over normal for a take of $19,000 at the Roosevelt. The second week of "The Bride Comes Home" at the Chicago with Veloz and Yolanda and a revue on the stage (total up) by up, by $8,500.

"Magnificent Obsession," in its second week at the Palace, was still $3,200 to the good on a take of $22,300. "It's the Air" was $2,400 up with $17,400 at the Oriental, and "Mr. Hobo" was nearly 100 per cent over $19,000 next week. "If You Could Only Cook" was good for $6,500 at the Garrick.

Total first run business was $139,200. Average is $17,000.

Estimated takings:

Week Ending Jan. 21: [Details not provided]

Week Ending Jan. 23: [Details not provided]

"Fleet" on a Dual
Only Buffalo Drawl

BUFFALO, Feb. 2.—The icy hand of winter put the damper on box-office here. Only the Century's dual, "Miss Pacific Fleet" and "Man of Iron," passed the $5,000 barrier. The total was $7,700, average above by average by $1,900.

At the Erlanger, George M. Cohan's "Man of Iron" was playing to sold-out houses. Total first run business was $37,400. Average is $42,000.

Estimated takings for the week ending Jan. 25:

"CAPTAIN BLOOD" (W. B.)
BUFFALO—$6,500, 30c-60c, 7 days.

"SPLENDOR" (U. A.)
HICKOP—$3,200, 30c-65c, 7 days.

GREAT LAKES—$1,000, 25c-50c, 7 days.

"MISS PACIFIC FLEET" (W. B.)
"MAN OF IRON" (W. B.)
CENTRAL—$1,300, 30c-60c, 7 days.

LAPEYRRE—$500, 25c-40c, 5 days.

"LOVER DIVINE" (G. B.)
GAYETY—$1,650, 30c-65c, 7 days.

"Cattier" Gets $19,000 On the Loop

CANTOR FILM
Seeks Free Shows

DALLAS, Feb. 2.—The Dallas Park Board has under consideration a proposition offered by Orrill O'Byrley for operation of free films in some of the parks throughout the city. O'Byrley, who operates similar projects in other cities, offered the city one of the net receipts of such shows. Advertisements from musical organs furnish the revenue, he said.

"Obsession"
Defies Cold
Wave in K.C.

KANSAS CITY, Feb. 2.—In the face of extreme cold and snow which sent in its first run $1,500 for "Magnificent Obsession," at the Tower in its second week held up well to $9,800, over the first week average by $2,000.

Total first run business was $36,500. Average estimated takings:

Week Ending Jan. 22:

"SHOW THEM NO MERCY" (Radio-Fox)
"FIRST A GIRL" (G.B.)
4 STAR—$4,000, 30c-55c, 6 days.

"THE DANCING DUCHESS" (Foreign)
THEATRICAL-
$8,000, 30c-45c, 7 days.

"ANYTHING GOES" (Para.)
PARAMOUNT—$3,900, 30c-55c, 7 days.

"BROADWAY HOSPITAL" (F.N.)
BROADWAY HOSPITAL" (F.N.)
"THE MURDER OF FRANK HARRIGAN" (F.N.)
WARNER BROS. (DOWNTOWN)
"BROADWAY HOSPITAL" (F.N.)
WARNER BROS. (DOWNTOWN)

Burlesque" Leads
At Ciney, $15,500

CINCINNATI, Feb. 2.—Despite heavy snows and sub-zero weather, business held up remarkably well, with "The King of Burlesque" leading the list at the RKO Albee with a take of $15,500, a plus figure of $3,500. It moved to the RKO Lyric.

"Three Love Ghosts" at the RKO Shubert, where Jackee Coogan and Betty Crable headed "Hollywood Striptease," which was 

$14,000, average.

"A Tale of Two Cities," in its third downtown week at the RKO Grand, did $3,100, which is $50 over the good.

"Midsummer Night's Dream," the show on the stage at the RKO Capitol, has averaged $15,000, a satisfactory, although not an outstanding gross.

Total first run business was $99,200. Average estimated takings:

Week Ending Jan. 21:

"SKY DEVILS" (U.A.)
STRAND—$2,100, 30c-55c, 7 days.

"ROSE OF THE RANCH" (Para.)
RKO PALACE—$2,000, 30c-45c, 7 days.

"ROSE OF THE RANCH" (Para.)
RKO ALBEE—$2,000, 30c-45c, 7 days.

"ROSE OF THE RANCH" (Para.)
RKO ALABAMA—$2,000, 30c-45c, 7 days.

"Rose of the Ranch" Leads On the Loop

"Pink" is $15,000
Hit in Providence

PROVIDENCE, Feb. 2.—"Strike Me Pink" came into the big money for the week, catching $15,500 at Loew's state, which is $5,000 to the good.

"Chatterbox" and Joe Cook in person at the RKO Albee had a par week, taking $7,200, and the Strand was $100 over the average take of $6,500 with "Millions in the Air" and "Miss Pacific Fleet" at the Palace and "Magnificent Obsession" and "Miss Pacific Fleet" at the Majestic were under at $6,500.

Snow-covered roads kept the suburban trade away, but city folk found it a good place to go to escape the zero weather.

Total first run business was $41,500. Average is $39,500, (Continued on page 11)
MADE FOR THE MILLIONS OF WIVES AND SWEETHEARTS WHO LOVE ... AND FEAR!

ANN HARDING AND HERBERT MARSHALL IN "THE LADY CONSENTS"
A remarkable screen drama... outstanding in productional qualities... sure-fire in audience appeal!... the swift-paced, smartly dialogued drama of woman's war for possession... told in a turbulent story of three souls in conflict!

ANN HARDING and HERBERT MARSHALL in
THE LADY CONSENTS

with
MARGARET LINDSAY
WALTER ABEL...EDWARD ELLIS
HOBART CAVANAUGH...ILKA CHASE

DIRECTED BY
STEPHEN ROBERTS
"Obsession" Doubles Par in Cleveland

Cleveland, Feb. 2—In spite of a sub-zero temperature which last week, "Magnificent Obsession" enjoyed the average take at Warner's Hyperion, going to a gross of $2,000. "Crime and Punishment" at the Allen took second place with $2,150 on a 48-cent week, which is $2,250 better than par.

"Riff Raff" went $1,000 over average at Loew's State with a total of $3,000. "Two In The Dark" with an elaborate stage show at the RKO Palace lacked $2,000 of the $15,000 average.

"The Melody Lingers" at Loew's Stillman was $1,000 under the usual $4,000 take.

Total first run business was $50,250. Average is $4,000.

Estimated takings for the week ending Jan. 24:

"CRIME AND PUNISHMENT" (Col.) ALLEN—$3,000, 3c-6c, 7 days. Gross: $2,000. Average, $286.

"RIFF RAFF" (M-G-M) LOEW'S—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"THE MELODY LINGERS" (M-G-M) ALLEN—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"TWO IN THE DARK" (Dark) RKO PALACE—$3,000, 3c-6c, 6 days. Staged: $1,500. Gross: $3,000. Average, $500.

"THE MAGNIFICENT OBSESSION" (U.W.) WARNERS’—$2,000, 3c-3c, 7 days. Gross: $1,600. Average, $233.

"Dream" Rolls Up $12,000, Portland

Portland, Feb. 2—"A Midsummer Night’s Dream" played to $18,850 in the Mayfair and exploiting heavily in advance, rolled up $12,000 on its first week. This is $9,500 over the average take at regular admission prices.

Mr. Hobo and "Annie Oakley" did well at the Maysville, which also in the money in a big way at $5,000, over average by $3,000.

In "RIFF ME PINK" (U. A.), it was first week at the Broadway, "Magnificent Obsession" registered $6,000, over par by $1,000, and was held for a second week.

Other houses were average and above. The weather clear and cold. Total first run business was $39,700, average $4,950 per week. Average is $4,700.

Estimated takings for the week ending Jan. 25:

"MAGNIFICENT OBSESSION" (U.W.) BROADWAY—$1,170, 3c-4c, 6 days. Gross: $1,000. Average, $167.

"SHE MARRIED HER BOSS" (Col.) PARSONS —$1,000, 3c-4c. Gross: $1,000. Average, $167.

"TWO NIGHTS" (2nd Run) BLUE MOUNTAIN—$1,000, 3c-4c, 7 days. Gross: $1,200. Average, $171.

"MIDSUMMER NIGHT’s DREAM" (Col.) PARSONS—$1,000, 3c-4c, 5 days. Gross: $1,000. Average, $200.

"MR. HOBO" (G. B.) "ANNE OAKLEY" (Radio) PARAMOUNT—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $167.

UNION ARTISTS—$900, 3c-4c, 7 days. Gross: $900. Average, $130.

"Burlesque" Leads At Cincy $15,500

(Continued from page 8)


"A MIDSUMMER NIGHT’S DREAM" (W.B.) (Rev.) RKO CAPITAL—$2,000, 3c-6c, 5 days. Gross: $1,300. Average, $260.

"COLLEGIATE" (Para.) RKO LECYR—$1,000, 3c-4c, 7 days. Average, $143.

"A TALE OF TWO CITIES" (M-G-M) GRAND—$1,000, 3c-4c, 7 days. Average, $143.

"NEVADA" (Para.) RKO PALACE—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"TOUGH TO KILL" (Col.) RKO PALACE—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"AUBER, The Grand" (F.N.) KEITLIS—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"Pink" Is $15,000 Hit in Providence

(Continued from page 8)

Estimated takings for the week ending Jan. 30:

"MILLIONS IN THE AIR" (Para.) "THREE LITTLE WOLVES" (Col.) STRAND—$1,000, 3c-4c, 7 days. Gross: $600. Average, $86.

"DANGEROUS" (W. B.) MAJESTIC—$1,000, 3c-4c, 7 days. Average, $143.

"MAGNIFICENT OBSESSION" (U.W.) RKO PALACE—$1,000, 3c-4c, 7 days. Average, $143.

"CHATTERBOX" (Radio) RKO PALACE—$1,000, 3c-4c, 7 days. Stage: Joe Cook in "Tip Plunky." Gross: $1,000. Average, $143.

"STRIKE ME PINK" (U. A.) LOEW'S—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

New Exchange Union Strikes at Republic

(Continued from page 1)

the A. F. of L., which was recently organized in this town.

Questioned about the walkout Saturday, Gluckman explained that he was called to the phone at his home by Bob Murray, who had given the union, at 11:45 Friday night and advised the strike would be called unless the Gluckman immediately. 

Gluckman then announced the local exchange head.

He said he could not understand why the union was the target of the union, since this was the first move on its part. Gluckman denied he had ever refused to recognize the union.

Strike Halts Greenwich Work

Construction on the new Greenwich Village was abruptly halted last week when unions affiliated with the A. F. of L., who have a building house, scheduled to open on Lincoln’s Birthday, will not be ready for several weeks, as a result.

Although Ken Klug, who is erecting the theatre, is not at odds with the building trades’ group, the order of the trustees was received from the union to sign a contract with Local 305.

Delegates from the operators’ local are understood to have insisted on the contract before the house opens. Local 305 is affiliated with the I.A.T.S.E, a unit of the A. F. of L.

Seals Issued On 104 Films In 2 Months

(Continued from page 8)

"CAMEO" (Korea)

"Rich Relations" (CATHAY)

"Sun Hun" (Celebrety)

CELEBRITY (Short)

"Humpty Dumpty" (Commode)

"Acres Wild", "Glory Town"

EMPIRE FILM DISTRIBUTORS (Features)

"Crime Painted"

EXCERLSOR (Feature)

"Crashing Through"

FIRST DIVISION (Feature)

"Dark Hour"

INVINCIBLE (Feature)

"Tribe"

MACCULLOCH LABORATORIES (Feature)

"St. Louis Woman"

M-G-M (Feature)

"Tale of Two Cities", "The Reef儒"

"Lady Mary"

"Thanking Three" (Col.) "Bridge of Gold" (Col.) "INVINCIBLE"

"Jockey Club Revue" (Rev.)

"Chatterbox" (Radio)

RKO PALACE—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.

"MAGNIFICENT OBSESSION" (U.W.) WARNERS’—$1,000, 3c-4c, 7 days. Gross: $1,000. Average, $143.
REPORT!
(from Hollywood Reporter)
"Laurel-Hardy’s ‘Bohemian Girl’ grand! Hilarious comedy with swell music. Operatic part handsomely presented, and all singing high class. Festival of laughter and jolly good entertainment."

The Crowns of the Comedy Kings!
Better known than the alphabet!
Feature stars in a new big-time feature!
First comic opera to reach the screen!
Magnificent music and mad merriment!

WELCOME! LAUREL & HARDY in "THE BOHEMIAN GIRL"!
(Hal Roach did it for M-G-M’s and your joy!)
City Sales Tax Is Applied to All Contracts

Exchanges Preparing to Contest the Ruling

The city comptroller's office yesterday made known its formal decision holding local film rentals to be subject to the city's two per cent sales tax, including even thills sold derived from theatres located outside the city or state if serviced by the local exchanges.

The decision related only to the assessment which had been made against the United Artists exchange, for which, however, is recognized as a test case and was opposed at formal hearings before representatives of the city comptroller's office. The exchange, through its attorneys, O'Brien, Driscoll & Raittery, will take an appeal from the decision to the appellate division of the state court. The city's decision was not unexpected and the United Artists' attorneys are prepared to move today.

Sound Suit Motions Off Until March 12

Preliminary motions in the recovery actions brought against A. T. & T. Western Electric and Erpi by a score of local theatre operators and sound equipment manufacturers which were scheduled for hearing in Federal court here yesterday were postponed to March 13.

The actions allege that provisions of the Erpi contracts made it necessary for the theatre operators to pay more for replacements and servicing of their sound equipment than was necessary and seek recovery of the alleged surplus charges. The bulk of the exhibitor plaintiffs are represented by Weissman, Quinn, Allen and Spertt, which is also counsel to the I.T.O.A.

Hardy and His Staff Go Back to Capital

WASHINGTON, Feb. 3.—Russell Hardy, chief Government attorney in the civil suit against Warners, Paramount and RKO in St. Louis, returned here over the week-end from the Mound City. With him was his chief staff comprising Harold L. Shultz, William Benben and John Clagett.

Future plans of the Government in connection with the St. Louis and other anti-trust suits are being held.

Loew Erpi Pact Calls for $100,000 Yearly Minimum

WASHINGTON, Feb. 3.—The contract which Loew's, Inc., parent company of M-G-M, has with Erpi, runs for 15 years and calls for a minimum royalty of $100,000 a year, it was revealed here today when Loew's filed with the SEC a registration statement in connection with a debenture issue.

The contract with Erpi, the first agreement for the use of sound to be made public by the SEC, provides for charges of $500 per 1,000 feet reel or fraction thereof of the negative production of features, with a provision that the charge shall apply to all reels in excess of 5,000 feet only if the additional footage exceeds 200. On newsreels, a charge of $100 per 1,000 feet is provided. The charge is to be payable whether or not part is made with sound. On master records made independent of specified pictures a charge of $500 for each 10 minutes of playing time is made.

The contract also provides that Loew cannot make sound records for radio, although it may broadcast sound from pictures if it can show that it will or prohibits the company from producing sound for other companies unless licensed by Erpi and in the case of licensed companies, it may not produce more than five features or 12 shorts a year.

A supplement to the contract carries a schedule of the charges for sound on pictures for foreign distribution, as follows: United Kingdom and Ireland, $100 per reel; Canada, $75; Australia, $62.50; Germany, $50; Central Europe, $35; France and Belgium, $25; South Africa, $40; Scandinavia and Denmark, $20; China, Japan and Italy, $15; Spain and Portugal, $12.50; South Africa and Holland, $10; Cuba, Mexico, India and Indo-China, Turkey, Egypt and Asia Minor, $7.50.

Allocation Asked By MPTO Board

PHILADELPHIA, Feb. 5.—The Board of Managers of the MPTO of Eastern Pennsylvania today called upon distributors to allocate percentage pictures before they are played. The association protested the practice of assigning high percentages to films already released when the exhibitor is unable to learn in advance what the product is to cost him.

Abbe Salsbisky was elected chairman of the Board.

Sunday Option Bill In Kentucky House

Frankfort, Ky., Feb. 3—Senator Franklin Rives of Christian County has introduced a bill (S. B. 272) to permit incorporated cities to say whether or not opera, film shows shall be permitted on Sunday.

Loew-M-G-M Heads' Profit Is 2 Million

SEC Discloses Payment During Fiscal Year

By BERTRAM P. LINZ

WASHINGTON, Feb. 3.—Six executives of Loew's, Inc., and M-G-M who share in the profits of the company received nearly $2,000,000 during the fiscal year ended Aug. 31, last, it was revealed today in a registration filed with SEC to cover the issuance of $15,000,000 in 31/2 per cent sinking fund debentures to fall due Feb. 15, 1946.

The six are Nicholas M. Schenck, president; A. S. Cowles, vice-president; Edward H. Sloman, vice-president; Irving Thalberg, in charge of production; J. Robert Rubin, vice-president; J. L. F. Mory, vice-president, and Arthur M. Loew, also a vice-president.

The filing called for a filing fee of $1,485, and requiring two large volumes, carried copies of a large number of financial statement reports required under the law and contracts with various organizations.

Accompanying the statement were copies of option contracts with Mayer, Rubin and Thalberg, under which Thalberg is to purchase up to 100,000 shares of unissued common and preferred stock for $500 a share each.

The three options may be exercised between Dec. 31, 1934, and March 1, 1935; Dec. 31, 1936; March 1, 1937, and Dec. 31, 1938, and March 1, 1939.

During the first of these three periods Thalberg was entitled to purchase 27,780 and the others to 13,890 shares at $30 per share. During the recent period they may take similar amounts at $35 and during the final period Thalberg may take 44,440 shares at $25 and Rubin and Mayer may take 7,770 and 9,120 shares at $40. As an alternative, if they do not take the stock in this manner they may obtain an option on March 1, 1935, and March 1, 1937, at $45.

Studios May Escape New Coast Taxation

SACRAMENTO, Feb. 3.—Studios are expected to escape without adverse recommendations at the Governor's tax conference which opened here today and is expected to last a week.

It was predicted by Governor Merriam would recommend no change in the present tax system. Two film representatives at the conference are Bud Lollier of Fox West Coast and Hulda McGinn of the M. P. T. O.
MOTION PICTURE DAILY
(Registered U. S. Patent Office)
Vol. 39 February 4, 1936 No. 29

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Budapest; 11, Ester, Norway, Representative; Tokyo
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Company Name Changed
DOVER, Del., Feb. 3.—Paramount
Pictures Corp., has changed its name to
Paramount Corp., New York, Public
Sal Lake, Inc., has changed its name to
Inter-Mountain Theatres, Inc. The
Company Theatres Inc. is agent for both
companies.

It was explained at the Paramount
home office that Paramount Pictures
Corp. was formed about 1932, but has
not been actively operated until the
name change is for the purpose of avoiding
confusion, the action having been
taken instead of dissolving the com-
pany.

Ascap Sues Exhibitor
GREENSBORO, N. C., Feb. 3.—J. T.
Justice, Jr., operating the Pickett,
Kernersville, has been sued in federal
court here by Gene Buck for Ascap
and the Broadway Music Corp. The
plaintiffs ask $250 for the alleged use
of the song, “Don’t Let Your Heart
Go Wrong,” in the Pickett, and an
injunction restraining the defendant
from further alleged violation of copy-
right.

Audio Sets Distribution
Audio Prod. has signed with Asso-
ciated British Film Distributors, Ltd., for
distribution in the United King-
dom. Eight shows in the “Musical Moods” and “Thrilling Journeys” series.

Rifkin on the Coast
Hollywood, Feb. 2.—Herman Rifkin,
New England district manager for
Republic, is here from Boston for
conference with Nat Levine.
Sylvia Sidney and Fred MacMurray find love in bloom along "THE TRAIL OF THE LONESOME PINE"
"THE TRAIL OF THE LONESOME PINE"

John Fox, Jr.'s, heart-stirring romance, the great American classic of the Kentucky hills ... the story of the beautiful June Tolliver ... and of the man who wins and the man who loses her love ...

A story given new power by those romantic stars Sylvia Sidney, Fred MacMurray and Henry Fonda ... given new depth, by natural color, in this first outdoor feature picture ever completely filmed in Technicolor.

*Sylvia Sidney  Fred MacMurray  Henry Fonda* in

"THE TRAIL OF THE LONESOME PINE"

Loew-M-G-M Heads' Profit Is 2 Million

(The continued from page 1)

The AMATEUR GENIUS
(Criterion-United Artists)
London, Jan. 20.—This is the first feature of Criterion Film Prod., Ltd., the Douglas Fairbanks, Jr., Marcel Lemaire company. Fairbanks co-stars with Elissa Landi and specially featured is Gordon Harker, low-comedy specialist loaned by Gaumont Britannia. Thornton Freeland and Jeffery Fairbanks was adapted by Clemence Dane and Sergei Nolbandow, with dialogue by the former.

A costume drama, of the Regency period in England, it has good story values and plenty of dramatic action. Backgrounds are varied and picturesque. First fights, coaching scenes and court scenes of ball and palace are excellently handled.

The story deals with an innkeeper wrongfully condemned to death for theft from guests. His son, posing as a rich young "back" with the aid of money borrowed from the inn hostler, breaks into society in London, discovers the real thief in a fortune-hunting nobleman, falls in love with the girl, who has agreed to a marriage of convenience with the adventurer, schemes his father's escape and neatly exposes the criminal after a helter-skelter chase back to the inn.

Outstanding incidents are a fight in which the hero, as an unknown amateur, knocks out a professional and an effective scene of his escape from police officers by forcing them to pose with him in a tableau before the Regent, whose presence allows him to escape. Grin flashes of a public hanging and scenes of Newgate in the days of the treadmill are incidentals helping to create realistic atmosphere.

Trimmed 10 per cent from its present 9,000 feet, this will offer definite entertainment values for American audiences.

Running time, 100 minutes. "G."

Suit for $670,000

(Continued from page 1)

WCAU, Philadelphia, on Jan. 25, Warners assert.

The action was brought by Wattenberg, attorneys for the Warner music companies, and will be followed by the filing of individual suits for $500,000 each, two of which were filed in a federal circuit court.

The company reported that the proceeds from the new issue will be used as follows: $5,000,000 for the financing of the company's business; $1,250,000 to reimburse the treasurer for the advance of the New York Co. stock; $270,000 to reimburse for retirement of Loew's St. Louis Realty and Amusement Corp. Six per cent notes.

Judges of Academy Study Nominations

Hollywood, Feb. 3.—The first meeting of the board of directors for the scientific and technical Academy Award was held here today. The board met for the purpose of considering nominations which have been submitted.


The Academy has appointed a tel- er of department to consider the nominations submitted for the art direction achievement award.

Wolff Goes to Coast

St. Louis, Feb. 3.—Marco Wolff of Fanchon & Marco left for the coast late last week. He had been here about a month on the Government's suit against Warner, RKO and Paragon for injuction for allegedly withholding first runs from the Ambassador, Missouri and New Grand theatres. This suit, brought against other distributors, was dismissed by the court in favor of the Warner company and the producers of the film.

Charles Kurtzman, manager of the theater, was quoted as saying, "This was our first trip from the three-week tropical cruise.

Fanchon Simon goes West

Fanchon Simon, the F in Fanchon & Marco, returned to the coast over the weekend. She came on from St. Louis shortly after she testified in the civil suit in which her company was the complainant.

Wall Street

Issues Irregular on Board

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Curb Issues Gain Fractionally

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| Technicolor | 23 | 23 | 23 | -1 |
| Trans-Lux | 23 | 23 | 23 | -1 |

Slight Bond Activity

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(Quotations close of Feb. 9)
"'NEXT TIME WE LOVE' IS ROMANTIC DRAMA WITH STRONG APPEAL... EMOTIONALLY STIRRING... RICH IN WAR INTEREST... RANKS HIGH AMONG THE FINER EXAMPLES OF CINEMATIC ENTERTAINMENT!"

— N. Y. America

"'NEXT TIME WE LOVE' TOUCHING FILM... THE MATINEE AUDIENCE IN THE MUSIC HALL WAS PROFOUNDLY STIRRED BY IT AND THE LADIES WEEPED PLEASURABLY"

— N. Y. Daily Mirror

"SENSITIVE AND INTELLIGENT... MISS SULLAVAN GIVES A PERFORMANCE IN THE LEADING ROLE THAT CAN ONLY BE DESCRIBED AS BOTH HONEST AND BEAUTIFUL"

— N. Y. Herald Tribune

"A GRAND PICTURE FOR WOMEN TO CRY OVER AND GENERALLY ENJOY THEMSELVES... MISS SULLAVAN HAS NEVER LOOKED SO LOVELY NOR ACTED WITH MORE SURENESS... PROVIDES SIGHS, ROMANCE AND TEARS!"

— N. Y. Sun

MARGARET

in Her Greatest Triumph

NEXT!

with JAMES ROBERTSON PRODUCED BY
"'NEXT TIME WE LOVE' IS THE BEST MARGARET SULLAVAN PICTURE, AND CLOSE TO THE BEST PRODUCTION UNIVERSAL HAS TURNED OUT, FOR SHEER DRAMATIC MERIT. IT HAS POWERFUL EMOTIONAL APPEAL IN ITS DELICATELY AND POIGNANTLY TOLD SEMI-TRAGIC STORY, AND IS A NATURAL FOR WOMEN, FULLY AS STRONG IN THIS RESPECT AS U'S CURRENT HEAVY GROSSER, 'MAGNIFICENT OBSESSION'"!

—Daily Variety

"'NEXT TIME WE LOVE' FINE. SULLAVAN SHINES IN POIGNANT YARN. REAL AND MOVING LOVE STORY OF YOUNG AMERICA THAT COMES SO CLOSE TO HOME AS TO ENLIST THE SYMPATHETIC RESPONSE OF EVERYONE"!

—Hollywood Reporter

CARL LAEMMLE PRESENTS

MARGARET SULLAVAN

URSULA PARROTT'S Most Famous Best-Seller

TIME WE LOVE

Ewart • Ray Milland • Grant Mitchell

Wade • Anna de Metrio • Ronald Cosbey

Kohner Directed by Edward H. Griffith

A Universal Picture
Houston Men Oppose Use of Bank Nights

Houston, Feb. 3.—Protests against Bank Nights at downtown theaters were made here with the City Council last week by independent owners and operators of suburban theaters here. They charged that the Bank Nights are lotteries and therefore illegal in Texas, and that their operation constitutes unfair competition for the small suburban theaters.

Mayor Holcombe said he would "see what other cities" are doing before he makes a move. The theaters are operated in many larger cities of Texas. Recently Trencham in East Texas and El Paso on the extreme west, stopped the practice.

Houston independents at the meeting were Sam Kirschneimer, owner of the North Side Terrace; Robert Wygant, Heights Theatre; L. E. Newton, the Blue Bonnet; D. F. Wilke, Boulevard; and Charlie Gray.

The Kirby has one Bank Night per week downtown, and Will Horvitz's Uptown, a new subsequent run, has drawings two nights per week.

Postpone Hearing On Sunday Film Arrests

NEWBURGH, N. Y., Feb. 3.—Harry J. Friedman and Joseph Goldberg, managers of the Early Years here, were released today for hearing next Monday, following their arrest yesterday on a charge of opening their theater one week before a new Sunday opening ordinance became effective. Friedman had said he understood an ordinance to be effective Monday, was effective with passage, but city officials contended it was not effective until Feb.

Friedman also has obtained a show cause order against ordinances regulating operators and creating a license board of operators. He accused Mayor James Tweed, business agent for the operators' union, of discriminating against three local non-union houses.

Buy House; Can't Get In

MILWAUKEE, Feb. 3.—Dr. Joseph Aksadoff, representing his brothers, Anton, Angelo and Leo, must turn over the keys of the World, south side neighborhood house, or the sheriff will take charge of the premises on behalf of the new owner, Harris Evans.

This was the order of Circuit Judge Otto H. Bredenbach when Evans complained he has been refused possession of the building by his accuser. Evans purchased the structure at a sheriff's sale following foreclosure of a mortgage.

Rush "Angel of Mercy"

Hollywood, Feb. 3.—Warner's is rushing preparation of "Angel of Mercy" to the picture theaters. War on Feb. 15. Kay Francis is scheduled to play the title role. The story deals with the life of Florence Nightingale. As Walter Waiger and others have also announced pictures on this subject, Warners are anxious to finish first.

Race Night Hits N. E.

BOSTON, Feb. 3.—Race Night is the latest giveaway here. It is being held by Sol Rines, American Film Exchange.

“Pink” Hit in 2 Hub Clubs; Gets $31,500

BOSTON, Feb. 3.—"Strike Me Pink" overtook business on the cold and icy streets by handing grosses in two spots. At Loew's Orpheum, receipts reached $6,000, over normal $3,000. (Average above $13,000.) Loew's gave it $15,500, up $3,500.

"King of Burlesque" was $1,000 to the good on a gross of $13,000 at Keith's Memorial. "The Melody Lingers On," helped by the Connie's Inn Revue, pulled a handsome $19,500 at the RKO Boston. This was above normal by $4,500.

First run business was $94,000. Average is $85,500.

Estimated takings for the week ending Feb. 1:

"DOUG HARRIGAN" (W.B.)
FEBRUARY 18-24, 21 (20th-Fox) Gross: $4,000. (Average, $4,500.)

"PADDY O'DAY" (20th-Fox)
FEBRUARY 18-24, 21 (20th-Fox) Gross: $12,000. (Average $12,000.)

"STRIKE ME PINK"
LOEW'S ORPHEUM-(2/25), 26-5c-6c 7 days Gross: $13,000. (Average $13,000.)

"STRIKE ME PINK"
LOEW'S ORPHEUM-(2/25), 26-5c-6c 7 days Gross: $13,000. (Average $13,000.)

"STRIKE ME PINK" (U.A.)
LOEW'S ORPHEUM-(2/25), 26-5c-6c 7 days Gross: $13,000. (Average $13,000.)

"MELODY LINGERS ON" (U.F.)
PARK-MOUNTAIN-(2,000), 26c-5c, 7 days Gross: $7,000. (Average $7,000.)

WILDERNESS" Dual

Best in Milwaukee

MILWAUKEE, Feb. 3.—"The Wilderness," a dual bill, grossing $5,500 at Fox's Wisconsin, were the week's leaders in another weekend for "The Great One-out-and-out" was by the zero weather and plenty of headaches for exhibitors. "Strike Me Pink" did $5,000 at the picture house, and "The Stage" $3,500, and other business was below average.

First run business was $19,100. Average is $23,000.

Estimated takings for the week ending Jan. 30:

"SHE COULDN'T TAKE IT" (Col.)
IT'S A GREAT LIFE" (Para.)
FEBRUARY 18-24, 21, 26c-5c-6c, 7 days Gross: $4,500. (Average, $5,000.)

"MY EIGHTEEN WORTHENWORTH CASE" (Repalce)
RIVERSIDE-(2,000), 26c-5c-6c, 7 days Gross: $13,000. (Average, $13,000.)

"STRIKE ME PINK" (U.A.)
WARNER'S-(2,000), 26c-5c-6c, 6 days Gross: $3,000. (Average, $3,000.)

"CORONADO" (Par.)
WISCONSIN-(2,000), 26c-5c-6c, 7 days Gross: $3,500. (Average, $8,000.)

To Reopen in Pittsburgh

PITTSBURGH, Feb. 5.—Remodeled at a cost of more than $25,000, the old Harris Theatre will be reopened Feb. by George Jaffe as a combined vaudeville and motion picture house, where operators burlesque houses here for a score of years, has taken a three-year lease on the spot and has rena...
“Let’s Face The Music And Dance”
FRED ASTAIRE
GINGER ROGERS
IN RKO-RADIO'S SUPERDREADNAUGHT OF MUSICAL SHOWS
"FOLLOW THE FLEET"

WITH
RANDOLPH SCOTT, HARRIET HILLIARD, ASTRID ALLWYN

DIRECTED BY MARK SANDRICK
A PANDRO & BERMAN PRODUCTION

Adapted from the play "Three Men on a Match" by Hubert Osborne

Music and Lyrics by
IRVING BERLIN

WHO FIRES A BROADSIDE OF SEVEN NEW SONG HITS:
"Let's Face the Music and Dance" — "Let Yourself Go" — America's newest ballroom sensation; "We Saw The Sea" — "I'd Rather Lead a Band" — "Here Am I, But Where Are You?" — "Get Thee Behind Me, Satan" — "I'm Pulling All My Eggs in One Basket"
Wilmington Awaits Extension of Gain

WILMINGTON, Feb. 3—Wilmington experienced its steadiest improvement since 1929, with substantial increases in basic indices each month over the corresponding months of the previous year. The Chamber of Commerce reports. Officials take the view that recovery has developed a momentum which should carry the city through to real prosperity in 1937. Continued and greatly increased associations and more vigorous activity in home building are among the prospects foreseen.

Since last spring, there has been a marked increase in inquiries received from manufacturers in other parts of the state and eastern Maryland, predict 1936 will be a banner year for the industry. Loe’s point out that pictures lined up for 1936 will bring a big year for the box office. Warners and the independents throughout the peninsula reported an increase, and for the previous year and look for a great show season in 1936.

Bank Night and Jack Pot Night are still going strong in downtown theatres, but have not yet made their appearance in Wilmington. Double features are still popular in the box-office downtown theatres. Film, theatre, amusement and radio clubs for 1935 at Dover showed an increase over the previous year. Charter sessions resided during the past year for failure to pay taxes numbered 119 as compared with 138 the previous year. Certificates of dissolution issued to theatre and film companies showed a large decrease.

New Setup Completed At Roach Studios

HOLLYWOOD, Feb. 3—Completing the reorganization of Hal Roach Studios, today, under the management direction today, Syd Van Kuren, formerly on the production staff, was made supernundant out of all construction will be continued by Swarts. C. E. Christensen remains as construction superintendent. Hugh Huer, auditor, was promoted to assistant secretary and treasurer of the studio succeeding with O’Brien, who became general studio manager in the re-arrangement.

Mary Astor in “Hearts”

HOLLYWOOD, Feb. 3—Mary Astor will replace Jean Arthur in “Bless Their Hearts” which Columbia will put into production this week. Miss Astor was unable to complete “Opera Hat” in time to do the role.

City Sales Tax on All Contracts

Details of the four-day program of the 12th annual conference of the National Board of Review which starts tomorrow, call for morning, afternoon and night sessions.

After seeing “The Life of Louis Pasteur” at the Warner projection room in the morning, the delegates will meet with the committee on exceptional photoplays. At 2 o’clock they will convene again at the Hotel Pennsylvania to hear a selection of various publications discussing. At 8 P.M. Twentieth Century-Fox will show a film at the company’s theatre, 44 West 56th St.

Discussions of activities in smaller communities will take place Thursday morning at the Hotel Pennsylvania, with similar talks on larger communities to follow at 2 o’clock. In the evening there will be a demonstration on university courses covering films. Community groups will discuss their plans for the next course of the School of Education of New York University will be described.

On Friday the morning program will include a talk by Prof. Robert A. Kissack, Jr., of the University of Minnesota on “Motion Pictures in the Education of Youth.” In the evening a private showing of “Marie,” a film by Dr. Paul Fejos, will be held at the New School for Social Research, and Arthur Garfield Hays will discuss “Censorship.”

The Saturday morning session at the Hotel Pennsylvania will be devoted to a conference of the National Assn. of 4-Star Clubs, followed by a presentation of films for young people, by Robert Adam of the Birch Way. Then School. The 21st annual lunch will be served at 12:30 o’clock.

Producers Meet Monday

HOLLYWOOD, Feb. 3—The meeting of the local Producers’ Association, previously scheduled for yesterday, has been called by Will H. Hays for next Monday.

Wharton On Way Here


Harriet Hillard Signed

HOLLYWOOD, Feb. 3—Radio has signed Harriet Hillard to a five-year contract, following her work in “Follow the Fleet.”

Laidlaw Found Dead

HOLLYWOOD, Feb. 3—Roy Laidlaw, 50, Pickford-Lasky makeup man, was found dead in bed this morning, apparently from heart failure.

Bank Night Warning Given in Cleveland

CLEVELAND, Feb. 3—Police Prosecutors Perry A. Frey told a group of theatre owners that for the sake of public policy a judicial ruling should be obtained on the legality of Bank Night.

The exhibitors had been summoned on complaint of Max Kaplan, Grand Central Theatre, who claimed Bank Night is a lottery. The prosecutor warned that arrests would be made, and William E. Minshall, Bank Night attorney, said he was prepared to contest the case.

Swarts Takes Partner

LOS ANGELES, Feb. 3—Louis Swarts, well known film attorney, long with Paramount, has formed a partnership with David M. Swarts and Tannenbaum. George Chasin and Seymour P. Steinberg will be associated.

Claude Binyon Stricken

HOLLYWOOD, Feb. 3—Claude Binyon, Paramount writer, was stricken with appendicitis while preparing to complete “Concertina.” He is in Santa Monica Hospital.

Denies Temporary Stay

MINNEAPOLIS, Feb. 3—Judge Nordby today denied a temporary injunction to the Shubert Playhouse Operating Co., in the Palace 10-cent show case. Trial has been set for March 8.

“Obsession” Hits Record

HARTFORD, Feb. 3—E. M. Loe’s has begun its fourth week with “Magnificent Obsession.” This breaks all time records for the house.

Massee Company Moves

Massee & Co., custom house brokers, have moved their New York office from 729 to 737 7th Ave., where the company will occupy all of the fifth and part of the third floor.

Robert Riskin Returns

HOLLYWOOD, Feb. 3—Robert Riskin, Columbia writer, has returned to the studio after an operation.

Did you get your copy of Richardson's BLUE BOOK of PROJECTION?

- The sixth edition, all new from cover to cover, is now available.
- The Bluebook contains 714 pages plus 153 illustrations. It describes and details every piece of sound and projection apparatus in the modern projection booth and gives all instructions for operation and maintenance. It includes a complete trouble-shooting department as a first aid in breakdowns and features a quick-finding index system that provides the answer immediately to any projection problem.

Don’t put off owning a Bluebook. You will find it indispensable as a daily reference.

Price $5.25 Postpaid
Challenged their leader.

"MINE!"
...The challenge of beasts...who had once been men!

"MINE!"
...Challenged their leader...the King of the Damned.

KING OF THE DAMNED

with
CONRAD VEIDT
HELEN VINSON

Scenario and Dialogue by Sidney Gilliat
Director, WALTER FORDE

A WOW!
ROXY. NOW

SUCCESSOR TO "39 STEPS", "TRANSATLANTIC TUNNEL", "FIRST A GIRL" AND "MISTER HOBO"
Erpi Talking New Deal for Loew's Sound

Reductions To Be Made, It Is Understood

A new recording license agreement will be entered into between Erpi and M-G-M in the near future and will incorporate reduced rates for the domestic recording of dubbed versions, foreign versions and trailers, as have been made available by Erpi already to Warners and Paramount.

This was learned yesterday following the publication of the basic provisions of the present contract which Loew's, Inc., parent company of M-G-M, has with Erpi. The existing three-year contract, entering in 1945, was the first agreement for the use of sound to be made public by the SEC. It had been filed with that agency at Washington in connection with Loew's registration covering the issuance, Feb. 15, of $15,000,000 of new sinking fund debentures.

The new contract with Loew's has been in negotiation for the past year.

(Hoffman to Set Up His Own Exchanges)

Hollywood, Feb. 4.—M. H. Hoffman has completed the minimum of six pictures called for in his contract and has severed connections with Republic.

It is understood here that under the new setup Republic franchise holders have to get home office approval before they can take on the distribution of any independent product. This, it is said, gives Republic practical control over independent distribution in a number of territories.

Hoffman plans to set up his own exchanges to handle a complete program which he intends to produce. While working out the details of his plans he is making his headquarters at the RKO Radio lot.

Weeks Is Adding 20 To G. B. Sales Force

George W. Weeks, G. B. general sales manager (heading 20 men) to his sales staff throughout the country. Scott E. Chesnut, former Paramount special sales representative in the south, has been named G. B. district manager in the same territory, effective Feb. 15.

"Doomed Cargo" has been set as the title of the G. B. film to star Edmund Lowe and Constance Cummings.

Legion's First Nat'l List Fully Endorses 122 of 223

The first nationwide classification of the National Legion of Decency List, made public in complete detail yesterday, passes as unobjectionable in any score 122 of 223 features mentioned.

Sixteen are described as "objectionable for adults"; 37 as "objectionable in part" and three are condemned.

The national list is prepared under the New York Archdiocesan Council of the Legion of Decency of which Alfred E. Smith is chairman, by M. P. Bureau of the International Federation of Catholic Alumnae, of which Mrs. James F. Loomar is chairman.

(The Film Group May Go Into Variety Club)

Incorporation of the Monday Nighters, Inc., which has been meeting informally for the past few years, is understood to be the formation of a local unit of Variety Club. The organization is composed of about 50 prominent exhibitors and exchange men in the local territory. J. Louis Geller has been named president; Henry Brown, vice-president; Max A. Cohen, secretary; Moe Morris, treasurer; and Nat Cohn sergeant-at-arms. The board of govern-
COMES THE Pilot, a Catholic paper, if so happens, published by the Catholic Fiction, the enthusiastic commendation for "The Story of Louis Pasteur." Praise for such an interesting and emphatically worthwhile effort rests pleasantly with the writers, marketing, and production staffs, all would. But this department's current interest in the matter has to do with the last two paragraphs which have this to say for themselves:

Will the picture "succeed?" There is a general feeling that the motion picture industry has cooperated honestly with the purposes proposed by the Legion of Decency, and that productions such as this are in line to provide a kind of high-class entertainment. That effort certainly deserves generous public support.

This story of a scientist's achievement has all the elements of a classic drama. It is presented against a background of clear, unclouded truth, and is simple, but in the public's interest to prove their sincerity. Do we want real art, or the tawdry frivolity which infest outside theatres? A great industry waits for our answer.

\[\text{Does the public want "real art or the tawdry frivolities which once infested our theatres?" The unfortunate answer, backed by too many proofs in the past, appears to be that generally it does not. That fastens attention, again as many times before, on the great difficulty which constantly confronts Hollywood in this field.}

Mrs. F. F. Metcalf Dead

KANSAS CITY, Feb. 4.—Mrs. Frances E. Metcalf, a member of the Women's City Club, was motion picture chairwoman of the Motion Picture Corporation. A native Missourian, she was a prominent figure in the city and state, known for her work with the Parent-Teacher Ass'n, of which she was vice-president.

Her activities in connection with films were constructive, and her criticism of the industry were made as a friend.

Harry Van Keven Dies

Baltimore, Feb. 4.—Harry Van Hoorn, 66, owner of Van Hoorn's Amusement Park, who at one time was publicity head for the Whitehurst theatre, is dead here following a siege of pneumonia.

MOTION PICTURE DAILY

Insiders' Outlook

By RED KANN

Final plans for the formation of a new producing organization backed by American and British capital were discussed here yesterday following the return of the visit of William Fitzelson, New York film attorney representing the plant's backers.

While in Hollywood Fitzelson discussed with established producers the possibilities of setting up two pictures a year outside of their regular contract schedules for the new organization. Fitzelson indicated that the production fund would own 50 per cent of the new company, which would sponsor a list of six to 12 features annually, budgeted at $200,000 to $250,000 each. Distribution would be by a major company.

The eastern arrangements may be completed today, in which event additional details on the new organization's plans can be disclosed, Fitzelson said.

Scheis Discussing New Paramount Deal

Indicating an early trend in negotiation for 1936-37 product, Louis Scheis, Paramount's vice-president in charge of advertising and promotion, has been discussing with the studio's circuit employees, and will shortly return after preliminary details have been set.

Kessel, recently assigned two-year deal with Century, Loews, and Skouras which includes next season's output of 70 features and 100 single reel shorts. Whether the agreement will run for a year or longer will be determined later.

Meeting of National Board Starts Today

The 12th annual conference of the National Board for the Prevention of Film Decadence will open this morning with a screening of "The Life of Louis Pasteur" at the Warner projection room, with representatives of the magazine and the public. The committee of 13, including the delegates will meet with the committee on exceptions at photoplays. At 3 o'clock there will be a discussion of an unreleased film at the Twentieth Century-FOX theatre at 444 West 56th St. Morning, afternoon and evening sessions are scheduled for Thursday and Friday. The luncheon set for 12:30 on Saturday.

Allied Ass'n Board Meets in Capital

WASHINGTON, Feb. 4.—Discussion of various matters marked the meeting here Friday of the board of directors of national Allied Ass'n. The budget for the coming year was approved and the organization voted to hold a convention. No location was decided upon.

Election of officers will be held Tuesday.
Tonight...

an event eagerly awaited for the past five years...

THE WORLD PREMIERE

AT THE RIVOLI THEATRE, N. Y.

of

Charlie Chaplin

in

MODERN TIMES

Written, directed and produced by CHARLES CHAPLIN

Released thru UNITED ARTISTS
It's "Mutiny" at the Box-office! JEANETTE MacDONALD and NELSON EDDY are America's singing sweethearts! Watch the industry's headlines and take a tip from the first sensational engagements!

Ho-hum! Another M-G-M hit has come!

Executives' Stock Dealings Reported

(Continued from page 1)

same, this holding by 133,333. Jack Warner disposed of 2,000 shares of common and 409,333 six per cent convertible debentures.

At the close of the month, H. M. Warner held 62,800 shares of common and an additional 2,115 shares through holding company, disposition by gift of 15,000 shares of $1.50 cumulative preferred and an additional 4,786 shares through holding company and 1,385,000 convertible debentures. Jack Warner held 85,000 shares of common, 10,618 shares of $3.85 preferred and 4,786 shares through holding company, B, and 1,850,000 debentures.

In a report filed by Joseph M. Schenk, the disposition by gift of 30,000 shares of Twentieth-Century-Fox common and the sale of 10,000 shares of common, the disposition by gift of 15,000 shares of $1.50 cumulative preferred and the sale of 16,000 shares was reported. At the close of the month, Schenk held 168,643 shares of common and 24,284 shares of the preferred. These holdings represented a share of two-thirds of the company stock. The report contained a commission report showing also the filing of a return for August in the amount of $24,642 on 36,000 shares of common and 55,284 shares of preferred.

New Deal Talks

For Loeby's Sound

(Continued from page 1)

and when completed will incorporate the high rate provisions granted to Warners and Paramount. These rates will also be made available to other exchanges, it is understood. They include Columbia, Universal, Universal Artists, Twentieth-Century-Fox and Educational.

The new rates were first incorporated under the Warner agreement and were finally concluded in 1934 following upon the adjournment of the long disputed claim controversy between that company and the exchange. They may now make a new domestic recording rights agreement, as is the current practice. It is understood that Columbia, Universal, United Artists, Twentieth-Century-Fox and Educational will not make a new domestic recording rights agreement. The new rates were first incorporated under the Warner agreement and were finally concluded in 1934 following upon the adjournment of the long disputed claim controversy between that company and the exchange. They may now make a new domestic recording rights agreement, as is the current practice. It is understood that Columbia, Universal, United Artists, Twentieth-Century-Fox and Educational will not make a new domestic recording rights agreement.

Gillmore for Strongest Guild Arguments

(Continued from page 1)

movement is under the leadership of the Writer-Actor Guilds and unions, the Actors' Equity Guilds and the Screen Actors Guild, the latter an agreement, stating the local guilds were taking care of that problem. However, he expressed the confidence that the controversy over the new agreement will be well planned and reasonable closed shop agreement.

H. M. Warner held a general meeting with both the Screen Actors and Writers Guilds at the Masonic Temple, Saturday night. He will sail for New York either Saturday or Sunday on the President Cleveland.

ITOA to Hear Sales Levy Report Today

(Continued from page 1)

LaSalle and Hughes, in connection with the admission of children in theaters will also give an account of latest developments.

United Baud, vice-president, will preside in the absence of Harry Brandt who is vacationing at Hollywood, Fla., with his brother, William.

U. A. Pays $21,188 Tax

United Artists yesterday paid to the city $21,188, representing the assessment for the two per cent city sales tax on the company's local exchange account for the year 1934, to May 31, 1935. The city comptroller's office ruled on Monday that the assessment was valid and corporation of the city's assessment against United Artists, recognized as a test case by local government agencies, will be mailed to the city comptroller's office.

A motion for a writ of certiorari to bring an appeal of the city's ruling to the appellate division of the state supreme court is in preparation and may be filed within a day or two. It was necessary to pay the tax in advance of the appeal as objectionable to the city's assessment against United Artists, recognized as a test case by local government agencies.

Film Group May Go Into Variety Club

(Continued from page 1)

nors control, for example, one picture, have signed a three-month contract to join Columbia and are bound to leave Columbia to join Republic.

Plans for the organization's future activities have not been completed, but it is said several directors have been appointed. It is also planned to establish a club room especially for the Monday Nighters.

New Schach Firm

Suits U.A. Release

(Continued from page 1)

Hammer Prod., in the original Wolfe ensemble picture, as part of the expedition, took advantage of the film's popularity. It was released in the UK by the Warner Bros. and was widely distributed throughout the country. The film's success was attributed to its plot, which was a unique combination of action and romance. The film's box office success was also attributed to its popular stars, led by Fredric March and Greta Garbo. The film went on to become a commercial success, grossing over $2 million in its first year alone.

Gardner Replaces Colbert

LONDON, Feb. 4—Bernard Gardner, who has been named managing director of RCA Photophone, Ltd., replacing Archie Pat Colbert, who was recently succeeded on the board of Radio Pictures, Ltd., has been announced as the new general manager.

M-G-M Sets Four Films

HOLLYWOOD, Feb. 4.—M-G-M has completed production plans for four new pictures. They are: "Me and Mrs. Simple," "Moonlight Murder," "Absolute Quiet" and "Wings of Tomorrow."
LOOK OUT! KILLER! Here comes...
The Fighting Milkman in the Laugh to a Finish Comedy Hit of the Century
LLOYD

KY WAY

with
ADOLPHE MENJOU VERREE TEASDALE HELEN MACK
WILLIAM GARGAN GEORGE BARBIER DOROTHY WILSON
A Paramount Picture • Directed by Leo McCarey

the picture with...
THE CREAM OF COMEDY!

"There's no top milk in 'The Milky Way'. It is pure cream of the comedy crop, traveling at a fast pace through a series of hilarious situations. The best Harold Lloyd picture to date, it will stand one hundred per cent behind the Paramount slogan, 'It's the Best Show in Town'."
— Box Office

SEASON'S ACE ATTRACTION!

"With uproarious comedy and the tune of a thousand laughs, Harold Lloyd returns to the front rank of screen funmakers. Farce and hokum, moving with speed and holding a sock in every sequence, the film is a credit to everyone connected with it and should prove one of the season's ace attractions."
— Motion Picture Daily

A MONEY PICTURE!

"The picture emerges on the screen as one of the funniest comedies since the advent of talkers. It should prove a money picture everywhere. Writing trio have taken a good play, made it near perfect screen fare. Everyone connected with the picture has contributed to its success. Picture can live up to most anything zealous press agents will say."
— Daily Variety

LAUGHS TWO A MINUTE!

"Harold Lloyd's new one is a gag-bejeweled farce of the prize ring. It registers a laugh-count of about two a minute for its entire length and that is something of a record, even for Lloyd. So there should be nothing but smiles at the box office wherever it goes."
— Hollywood Reporter

"TAKE IT FROM THE CHAMP, FOLKS

It Pays to Play a Paramount Picture!"
Big Insurance Fund Ordered Distributed

KANSAS CITY, Feb. 4—Exhibitors, distributors, and allied tradesmen of Missouri are interested in a Federal district court decree handed down here.

The decree ordered distribution of approximately $10,000,000 in fire, windstorm, and hail insurance premiums impounded between June, 1930, and November, 1935. Twenty per cent of the fund goes to policyholders of the state, plus a fifth of the earnings of the impounded fund. The remainder is divided among the other procedures, a per cent rate increase in 1920, which was refused. They secured an injunction against the insurance commissioner, and since then the rate increase has been collected by the companies, but has been impounded under court jurisdiction. A group of the companies—137 of the larger ones—took their case to the Federal court. More than 70 of the theater companies filed into the state court. It is the Federal court case that was finally wound up here Saturday, when it was decided that cases probably will be settled soon.

Last May R. Emmett O'Malley, present insurance superintendent, and the insurance commissioner worked out a compromise settlement plan. It is this plan, with a few minor changes, which has been made effective.

Hearing Set Today Upon Alien Talent

WASHINGTON, Feb. 4—The House Immigration Committee tomorrow will hold a hearing on the resolution introduced by Representative Dickstein of New York to permit artists and musicians under the contract labor provisions of the Immigration Act.

The measure would bar such aliens unless they secure the consent of the Secretary of Labor prior to embarkation, unless of distinguished merit. Where actors or musicians are concerned a number admitted from any country will depend upon the number of American professionals admitted to that country.

The hearing was called at such a late hour that it is not expected that any representatives of the industry from the west coast can reach Washington in time.

Must Walk a Block

Vancouver, Feb. 4.—The boys here have will walk an extra block for their beer. The campaign of the Capitol, Orpheum, Globe and Maple Leaf theatres against issuers of licenses for Palms Hotel which is in the same block with the theatres, ended in W. P. P. Butlin and B. C. Liquor commissioner, velo-\n\[...\]

Vote Against Sales, Income Tax Repel

SACRAMENTO, Feb. 4.—The Gover-\n\[...\]

Exchange Workers Talk Strike Moves

Members of the Film Exchange Employees Union held a closed meeting at the Times Square Hotel last night to discuss the Republic strike called last Saturday.

The reason for picking Republic as the first exchange for a walkout unless a contract was signed recognizing the rights of the employees is not an issue, but a question of what the contract should be. If it is a 100 per cent union membership in this company's film department. However, Republic, which is financed by Herbert J. Yates, called in an emergency crew from Consolidated Film Laboratories to handle both the day and night shifts.

Two pickets continue to parade in front of the Film Center in which the Republic exchange is located.

Kuykendall to Talk At the Aampa Lunch

Ed Kuykendall, president of the M.P.T.O.A. and Charles L. O'Reilly, head of the New York Theatre Owners' Chamber of Commerce, will be the principal speakers at the Aampa meeting to be held tomorrow at the Aampa. Pete Woolseley, president of M.P.T.O.A., will act as m.c.

Also included among the guests will be several circuit and theatre opera-\n\[...\]

Wall Street

Fractional Gains Spot Board

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Warner Music 9.34% In '34, Ascap Says

Warner music publishing companies owned 448 of 4,799 musical works copyrighted during 1934, Ascap re-\n\[...\]
AGAIN "WARNER BROS.
BLAZE A NEW TRAIL
IN PICTURES"
SAYS FILM DAILY

PAUL MUNI
"IN
THE STORY
OF LOUIS
PASTEUR"

With Josephine Hutchinson • Anita Louise • Donald Woods • Fritz Lieber
Henry O'Neill • Porter Hall • Akim Tamiroff • Directed by William Dieterle
A Cosmopolitan Production • A First National Picture
Cellew Hits Bill to Bar Alien Actors

Says It Would Restrict Film Production

WASHINGTON, Feb. 5.—The Dickstein resolution, which is aimed to bar alien actors from this country unless they are of "exceptional merit and ability," was sharply attacked today by Representative Celler of New York, who declared that the measure would "hamstring" the theatrical industry.

Appearing before the House Immigration Committee, Celler asserted that "passage of the bill would greatly impede not only the motion picture but also the little that remains of the spoken drama." Entering into argument with Representative Cramer of California and Dirksen of Illinois, who claimed that England bars American artists, Celler insisted that such was not the case. He further asserted that Equity is not pressing for adoption of the measure. Dickstein at this point declared that the resolution is undemocratic.

Quigley Company to Rockefeller Center

The Quigley Publishing Co., publishers of Motion Picture Herald, Motion Picture Daily, Better Theatres, Motion Picture Almanac and Box-Offices Check-Up, on Saturday will occupy new quarters on the 30th floor of the RKO Building in Rockefeller Center.

This will mark the third change in publishing headquarters since Martin Quigley founded the business in 1915. The company moved from Chicago to New York in 1930 when it centered its activities in the U. S. Rubber Building at 1790 Broadway.

Nine More Theatre Men to Be at Ampa

Nine additional theatre men have been promised to be on hand today when Ed Kynkendall, president of the M.P.T.O.A., and Charles L. O'Reilly, head of the T.O.C.C., discuss exhibitor problems at the Amma meeting at the Astor.

The list includes Walter Reade, Laurence Bolognino, Arthur Mayer, Nate J. Blumberg, John O'Connor, Charles Moskovitz, Joe Vogel, Pete J. Wood and Sidney Wilmer. Pauline Starke also will grace the dais.

Chaplin Gets All-America Opening; No Holds Barred

The chief excitement on Broadway last night centered outside and inside the Rivoli where "Modern Times," the first Chaplin feature in five years, had its premiere.

By J. M. JERALD

Some openings are different. Last night's start of Charlie Chaplin's "Modern Times," one of these. The streets were too slippery for the mounted police to get out, and the walking cops couldn't get too holds to push the crowds back.

As a result, Broadway's restless throngs jostled Commissioner Valentine's shouting minions hither and yon and got closer views of New York's notables than they have had in years.

That short 30 or 40 feet from the center of Broadway to the Rivoli's doors was an adventure for some of Park Avenue's ermine-clad women and high-hatted men. Some made it by elbowing; some dashed through narrow lanes opened by the police. Marcel waves became wind-blown bobs in no time at all.

Somebody started a shout when Edward G. Robinson emerged from a limousine. The crowd closed in on him. He came up for air amid a mass of press photographers. Everybody seemed to know Adolph.

(Zeidman to Reduce His Schedule to 6)

B. F. Zeidman will reduce his planned schedule of 16 independent productions which were to be aimed for major playing time in favor of a program of six features, as a result of a study of the independent exchange market made for him recently by L. J. Schaefer which showed that the independent market at this time could not

Koplar Warner Suit Gets Started Today

WILMINGTON, Feb. 5.—Harry Koplar's suit against Warner Bros. Pictures, the three Warner brothers and other officials of the company filed several years ago will go to trial tomorrow in U. S. District Court before Judge John P. Nields.

The suit seeks an accounting of the issuance of 90,000 shares of Warner

Yamins Named As Successor Of Samuelson

Latter Refuses to Again Take Allied Post

WASHINGTON, Feb. 5.—Nathan Yamins was elected president of Allied States Ass'n, today as successor to Sidney Eagan, who, because of pressure of his own business affairs, refused reelection for a third term.

Abram F. Myers was reelected board chairman and general counsel and Herman A. Blum and H. M. Richey were named as treasurer and recording secretary, respectively.

Arthur B. Price of Baltimore and Samuelson were named to the executive committee, with Myers and Yamins as ex-officio members.

By request, W. A. Steffes, regional vice-president for the northwest, was relieved from the position. No successor was named.

Price was named as vice-president for the eastern region, with Walter B. Littlefield as his aide. Aaron

(Critics Speak at Review Board Meet)

The motion picture today has rocking the world, and today, too, the opinion of Otis Ferguson, film critic of the New Republic, in the course of a symposium of reviewers which featured the afternoon session at the newly opened office of the National Board of Review of the National Board of Review, at the Hotel Pennsylvania, Ferguson was one of several speakers at the session, presided over by James Shelly Hamilton, editor of the exceptional political department of the National Board of Review Magazine. Besides Ferguson the speakers were

Trafalgar Is New Producer for U. A.

By BRUCE ALLAN

LONDON, Feb. 5.—Max Schach of Capitol Film Prod., and Maurice Silverstone of United Artists, signed contracts here today for the world release by U. A. of the product of Schach's newly formed Trafalgar Film Prod., which will be released by the U. A. associate producing units as Max Schach productions. Schach is managing director and producer for Trafalgar, with Louis A. Neel, a director of Capitol, and Beverly...
Yamins Named As Successor Of Samuelson

(Continued from page 1)

Said past President, now Vice-president for the west, H. A. Cole for the south, and Martin G. Smith for the east.

Cleveland was the unanimous choice for the annual convention to be held about May 13. Richey was appointed general chairman for the event. Because J. B. Clinton of Minneapolis is vacating in South America, there will be an Allied and M.P.T.O. cooperate on common problems was considered, but no action was taken.

Richey ended early in the afternoon after a luncheon held by the local group.

The following committees were functioning during the meeting:


Budget: Herman A. Blum, chairman; Melvin A. Clark, treasurers; Richey, Herrington, Maurice Rubin, R. A. Morgan, A. D. Knecht, Harry Richman, Sim- mons Yamins.


Ligation: Cole, chairman, Nathan Yamins, secretary; Trade Practices, production, etc.; Sidney G. Samuelson, chairman; Yamins, Richey, Maertz, A. D. Knecht.

The list of delegates and their alternates was included:


Indiana: Director R. R. Blair, Maurice E. S. William, Chicago, Midwest: Tor- nor Edomartini, Trench, Northwest.


Allied Union Case Dismissed by Court

Justice Peter P. Smith in Supreme Court handed down a decision dismissing the application of Harry Glover, pres- ident of Allied Operators' Union, for an injunction restraining Liberty Film Operating Co., from employing others than members of his union as projectionists in the Avon, Garfield and 46th Street, Brooklyn houses operated by Estates, which is a member of the I.T.O.A. Glover's action was based on an agreement between Allied and the I.T.O.A. by which members of the latter were to employ Allied opera- tors at their theatres.

In dismissing the application Justice Smith held that the merits of the case had been covered by previous similar similar actions which had been dismissed by Justice James C. Cropyse in Brooklyn.

Lowt Firm Cuts Loss

Loew's Theatre and Realty Corp., wholly owned subsidiary of Loew's, the largest company, owning leases and operating movie houses, reports a net loss for the year ended Aug 31, last, of $14,498 after expenses, taxes, interest and other deductions. The previous year showed a net loss of $29,344.

Nathan Yamins of Fall River, Mass., who yesterday was elected President of the company, will make a meeting of the board of directors in Washington.

“U” European Staff Shifted by Manheim

Max Friedland, general manager for Universal in Europe, has resigned and has been succeeded by Sigwatt Kusiel, manager of the company's office in Spain, Nye Manheim, who yesterday upon his arrival on the Maestra. No appointment for the Spanish post has been decided, he said. With the resignation of R. Rapaport, a successor of the office of the president, Manheim has named Leopold Schiller supervisor of the office in Hungary, Austria and Prague branches. A successor to Rapaport in Vienna will be selected later.

Manheim was abroad two months during which time he visited London, Paris, Zurich, Vienna and Budapest. He is bullish on English production and theatre business. He said Uni- versal's production plans in Europe will include a film of Joe Pastorack, in charge of production on the continent, and Charles Kosterlitz, director. They are scheduled to sail from London today.

Following the arrival of past President and Kosterlitz, Manheim will go to the coast to discuss European production plans with Carl Laemmle.

Meighan's Brother Dies

Meighan, 41, brother of Thomas Meighan, died here today shortly after being found unconscious at the foot of a marble stairway in his apartment house. He apparently had fallen from an upper floor.

Beverly Hills, Feb. 5.—Word of the death of his brother in Pittsburgh was kept from Thomas Meighan today because of his illness.

Mrs. Lyman Howe Dead

WORLD, Pa., Feb. 5—Mrs. Mary Koehler Howe, widow of Lyman H. Howe, film pioneer, died at her home here yesterday at the age of 75.

“Adverse” Is Finished

HOLLYWOOD, Feb. 5.—“Adverse” will be finished at Warners on Saturday after 86 days of shooting. Principal numbers numbered. There were 131 sets, 1,150 scenes and 2,900 extras. Cutting will not be hurried, for the release date is in the fall.

Criteron to Do 4 Yearly—Fairbanks

Criteron Film Prod, will produce four pictures a year for international distribution through U. A., Douglas Fairbanks, Jr., general manager of the company, announced yesterday on his arrival from London. The star said that he will be starred in two. Film will be licensed to England, Fairbanks said. The company also plans to make some of the brothers, with another deal with them "The Amateur Gentleman," first of the Criteron group, Fairbanks said the box office and five days by around 8,000 for the American market. He added that English audiences likes the pictures long. His second will be "Knights of the Round Table," which will be made in Eng- land.

While here Fairbanks will confer with U. A. executives, he said, and in about three weeks he will go to the coast for film production and Fairbanks. Sr. He expects to remain in the United States for several months. Capt. Cunningham Reed, who is currently in Europe, will preceded Fairbanks' arrival by a few days.

Production cost of "Knights of the Round Table" is expected to approximate $1,000,000, or about $500,000 above what Fairbanks asserted. He said he pre- tends to make pictures in England. Comparing the attitude of English producers, Fairbanks declared "in Hollywood an actor can't express an idea."

Merging Paramount Units Due Feb. 27


Last Monday Paramount Picture- Corp., changed its name to Paramount Corp., New York, with the Delaware Secretary of State Walter Dent Smith at Dover.

A Paramount official said yesterday that no particular significance attached to the proposed mergers which are being undertaken to eliminate non- essential subsidiary corporations as means to taxation economy.

Court Upholds Acts Of Major Companies

MINNEAPOLIS, Feb. 5.—Federal Judge Gunnar H. Nordby, in denying a temporary injunction against major film companies, including Theatre Players Co., held that no con- spiracy had been shown and upheld the ever-increasing pressures of the business in such a manner as to prevent ad- missions under 15 cents and denote discrimination.

The complainant operates the Palace here and the Lyceum in St. Paul, and had charged conspiracy and discrimi- nation on the part of M-G-M, Para- mount, RKO, Warners, Twentieth Century-Fox, Universal and U.A.

Kuykendall Here On MPTOA Board Plans

Final plans for the annual meeting of the M.P.T.O.A. directors at Miami, about March 12, will be set by J. O. Kuykendall, who is here from his Columbus, Miss., home. Kuykendall arrived yesterday for a stay of a week or 10 days. The current slate of M.P.T.O.A. is expected to be re-elected at the annual election to be held in conjunction with the directors' meetings' Thursday, T.O.A. will not hold a general membership convention this year.

Kuykendall is scheduled to address the weekly Amana luncheon meeting today. While here he will also study plans of General Motors for 12-hour daily theatre operation, beginning at Miami, Feb. 17, and continuing over a 20,000-mile itinerary. If the free commercial shows are demon- strated to be unfair competition for established theatres, exhibitor leaders plan an organized protest.

Hughes Flying to Coast

Howard Hughes, who recently broke the cross-country flight record, left Floyd Bennett Field yesterday on a solo trip to New York. He plans several stops en route. John Lund flew with him as co-pilot.

Marion Talley Signed

Hollywood, Feb. 5—Marion Tal- ley, the operetta singer, has been signed by Republic for the lead in "My Old Kentucky Home," which goes into work late this month.
'One of the finest and most emotional stories that the screen has known' comes to Radio City Music Hall today in Warner Bros.' THE PETRIFIED FOREST with LESLIE HOWARD and BETTE DAVIS turning in 'magnificent, exceptional' portrayals in this 'impressive production of the famous stage play.' Archie Mayo's 'skillful direction' 'extracts every ounce of dramatic and emotional value' from the stars and great supporting cast of Genevieve Tobin, Dick Foran, Humphrey Bogart, Joseph Sawyer, Eddie Acuff and Charlie Grapewin. Released February 8th.
UNIVERSAL, CHAMPION PRODUCER OF CHAPTER-DRAMA, AGAIN STARTLES THE ENTIRE INDUSTRY BY CAPTURING THE GREATEST PROPERTIES IN SERIAL HISTORY AT A STAGGERING PRICE!

"JUNGLE JIM"
By Alex Raymond, of sensational "Flash Gordon" fame.

"ACE DRUMMOND"
By CAPT. EDDIE RICKENBACKER, World-War ace and daredevil of the auto racers!

NOW APPEARING IN HUNDREDS AND SUNDAY. READ BY MILLIONS, YOUNG AND OLD, WHEN THEIR FAVORITE ADVENTURE STRIPS ARE REPRINTED IN "THE SERIAL SCOPS".
OF THE CENTURY!

"SECRET AGENT X-9"
By Leslie Charteris

PLUS THIS NEW SERIAL GIANT BUCK JONES

Biggest money-making box office draw of all the Western stars, in his newest and most breath-taking 15-Chapter sensation "THE PHANTOM RIDER"

THOUSANDS OF NEWSPAPERS DAILY AND EVENING—AND EACH A POTENTIAL PATRON TO LIFE ON THE SCREEN!
Looking ’Em Over

“Modern Times” (United Artists)

Charlie Chaplin—you will remember him, no doubt—last night returned to basic fundamentals in story construction, coupling with it an ironic joke or two at the System, as constituted today, and crowned it all with his great talent in his first screen appearance since “Gold Rush.”

He also dug deeply into his memory, recalled his famous series of two-reelers and, by sometimes twisting the gags to fit the situations, incorporated in “Modern Times” highlights of such classic and historic films as “The Rink,” “The Floorwalker” and perhaps others which a faltering memory failed to marshal at the midnight hour.

It failed to matter especially. In the years which have rolled by since his two-reeler days, a new generation has advanced well on its way. Those who may remember probably will recall reminiscent scenes with a pat, self-implanted in tribute to their own emotional alertness.

The point about “Modern Times” is simple and this it is: It brings the outstanding film comedian of his time back to the screen after an absence of five years in the type of picture with which he has always been associated. And that means considerable. It is this reviewer’s firm belief that this will prove a formidable attraction.

Initially, because it has Chaplin in virtually every scene and because the audiences curious to see him and with their memory waiting must mount into the millions. Secondly, because of its content.

The story essence can be boiled down briefly. There is the same old, pathetic Chaplin, this time tightening bolts on a conveyor belt in a steel mill until he cracks under the exhausting strain. He goes to a hospital, is cured and released. Later, when he accidentally picks up a red flag dropped by a truck he finds himself the unsuspecting leader of a labor protest parade. Arrest follows; later a thwarted jail break in which Chaplin is the hero, then prison privileges. Subsequently there is his release and his touching plea to remain just a little longer because he’s happy in jail. There ensue efforts to get work, his meeting with the street gangin, played without distinction by Paulette Goddard; their adventures, pathetic and funny, and their final futile attempt to get away from workaday hardship as they walk down a country road into the dawn.

The Chaplinesque antics at the conveyor belt are amusing. The department store sequence wherein he is a night watchman pulls at the heart and the funny bone amusingly and that, we think, is a combination achieved only by an approach of genius. The emotional tug which courses through the hot episode where the comedian and Miss Goddard seem to reach out and for once tangibly touch happiness is another place where emotion conflicts with laughter in expert mixture. There is, thinking rapidly now of the high points, the cale episode where it’s all fun, joked at the ribs relentlessly and with fury, and the grand piece of business where Chaplin, carrying a duck to an irate customer, finds himself hopelessly and ludicrously entangled on the crowded dance floor. There is in this part of the picture also a memorable scene when Chaplin sings, or presumably does, a nonsensical ditty with words scribbled and only occasionally decipherable. Here his cleverness as a pantomimist probably reaches its peak.

Perhaps it was because it came well within the opening half hour. Perhaps not. But nowhere did the distinguished premiere audience react as it did to the cruelest jibe of all at big business. This was an automatic feeder for the workers, a patented idea designed to reduce the lunch hour and to increase efficiency. Chaplin becomes the test tube for the experiment. What happens between mechanically contrived soup and meat plates, a revolving ear of corn, a persistent chin wiper and the bewildered Chaplin make for a panic of yells and shouting glees.

It is a gem of comic invention played out with masterly art, the sort of thing that would be appreciated, if the experience were not so patently a public service.

Chaplin, of course, wrote, directed and produced “Modern Times,” religiously following the technique of the silent picture, for a picture it essentially is. Alfred Newman’s musical score, attuned to the action, is splendid. Charlie’s old time standbys—Henry Bergman, Chester Conklin, Stanley Sandford, Hank Mann, Louis Nathan, Allen Garcia, Murdoch McGraw, Wilfred Lucas and Ed LeSalle—were in the support, but nowhere do they or could they rank alongside Chaplin.

Production Code Seal No. 1,596. Running time, 87 minutes. “G.”

KANN

Enthusiasm As Chaplin Film Opens

(Continued from page 1)

Zukor, but Mrs. Consuelo Vanderbilt is the only person in Hollywood who forecast in August that his work is art has grown in the meantime. The belief that he is funny has also been, the story lovers. The laugh-devotees were there mixed in a mass that had the theatre attaches groggy.

One of them shouted: “Get inside or get outside!” He began pushing in the lobby with the enthusiasm of a local fan who screamed: “Let go of my arm!”

It was a big night.

About 9:05 the reserves arrived with a captain at their heads. Lined up three deep, with their backs to the crowd, the police pushed north and south, then they had an opening, perhaps, 50 feet wide. It was simple after that. People could get in with their buttons and zippers intact.

Even the start of the newsreel of King George’s funeral couldn’t get the crowd into its seats, but Mickey’s “Polar Team” did. That came close to being the Mount Everest of laughs in Walt Disney’s career.

Dorothy Lamour Top Star

Years ago a quarter was a hefty price for a Chaplin picture. Last night top was $3.50, and if there had been 20,000 people they for $5.00 probably would have been filled. Today there will be 11 shows, starting at 9 A.M. and running until 3:30 A.M. This will go on indefinitely. Beginning this morning, the scales will start at 40 cents. They’ll run nonstop until 1 A.M.

George Skouras and John Wright, acting as sort of unofficial committee, believe Chaplin’s enthusiasm high. They predicted, exclusive of the premiere performance, that the picture will do between $150,000 and $250,000 a week, which starts this morning.

During the run of the picture the ticket name will be making from the front and rear of the theatre. Hugh Charlie Chaplin signs have been erected. The front of the house is covered with cardboard machinery some of which moves, Monroe Green that gate keeper New York Chaplin-conscious, and he did.

Many Notables Present

Among those who attended last night were: Mrs. Vincent Astor, Harry D. Buckley, Paul Elssber, Nathan Burkan, Burns and Allen, Eddie Cantor, William A. Culver, and Mr. and Mrs. William A. Zuckor, Harry A. Goetz, Corinne Griffith, Lillian Helmman, Arthur W. Kelly, Edward E. Lucas, pencil Parkywa, Dr. kaskus, Edward G. Robinson, Mrs. Ogden Reid, Lee Shubert, Arthur Hays Sulzberger, Alexander Woolcott, Douglas Fairbanks, Tallulah Bankhead, Fanny Hurst, Terry Ramsaye, Sam Denbow and Misses Dembow, Yvonne de Varn and Mrs. Luther Schumisson, Emanuel Silverstone, Pat Lucas, Si Seidler, Willard C. Patts, Elizabeth and Mrs. Patterson and Dr. Mesereau.

Cowen Bringing Prints


Purely Personal

FRANK KENNEBECK of Paramount general manager, has been attached to the company’s Austral fabric distribution office for the past four years, is at the Paramount home office on a week’s visit prior to leaving for Bombay where he will become as assistant to Charles Ballance, in charge of Paramount’s Indian office. He will visit Paramount headquarters in London and Paris en route.


Harold Osley, manager of Jimmy Lundoer’s “Harlem Express” orchestra, leaves today for Ithaca. The orchestra has an engagement to play at the Cornell junior prom.

Irving Renner of the Nelson & Renner circuit returned yesterday from Miami and Louis Nelson is back from the same resort shortly.

Mrs. A. W. Kelly arrived from London yesterday on the Majestic. She was met at the pier by her husband and Harry D. Buckley.

Mort Sweng is scheduled to check in at the M-G-M foreign department today. He was supposed to get in Monday from Miss.

Paul Parry has been signed by Al Chisette for the second lead in “Gold Briar.” He is an Educational short star Bert Lahr.

Jack Goldstein of Rex Premiums has returned from a trip to Syracuse and Buffalo. He does all his traveling via plane.

Jules Girod, Warner home office executive, is the father of a seven-pound girl born at the Lister Hospital.

Noel Francis will make her debut tomorrow night at the Central Park Casino.

Milton C. Weissman is taking a few days rest and will return tomorrow.

Elizabeth Longeman sails for Hollywood via the Canal on Saturday.

Ned E. Depinet heads west shortly. He’ll be in Hollywood about the 20th.

Mrs. Lawly Lawrence will reach New York tomorrow on the Lafayette.

MOTION PICTURE DAILY

Thursday, February 6, 1936
Lou Metzger IS HAPPY!

MACKAY RADIO
THE INTERNATIONAL SYSTEM
COMMERCIAL CABLES
ALL AMERICAN CABLES
POSTAL TELEGRAPH

109KD in 55 NL
SANDIEGO CALIF JAN 29 1936
725
MR AL OKEEFE MANAGER UNIVERSAL EXCHANGE
1960 SOUTH VERNON ST LOSA

JUST SCREENED NEXT TIME WE LOVE WITH MARGARET SULLAVAN AND JAMES STEWART STOP WANT CONGRATULATE DIRECTOR GRIFFITH MISS SULLAVAN ON SPLENDID DIRECTION AND PERFORMANCE STOP PERSONALLY THINK ONE OF Finest PICTURES MADE RECENT YEARS AND COMES CLOSER TO SEVENTH HEAVEN THAN ANYTHING EVER PRODUCED CONGRATULATIONS AGAIN

LOU B METZGER

AND SO ARE HUNDREDS OF OTHER EXHIBITORS, WITH

MARGARET SULLAVAN in UNIVERSAL'S "NEXT TIME WE LOVE"
Critics Speak at Review Board Meet

(Continued from page 1)

Ward Marsh, critic of the Cleveland Plain Dealer, who was the only member of the National Film Board, Massachusetts, who was on the special committee that conducted the investigation, and who was appointed by the National Board, also expressed the opinion that films today are nearer to a real motion picture than they have been before, while Paulding pointed to the enormous influence exercised by the screen culturally and socially. Miss Gersten stressed the fact that the National Board and the exceptional photoplay committee, opposed to censorship from larger communities to be considered separately. The resolutions committee will submit reports to the conference next week, and the conference will meet for a final adjournment on the conclusion of the conference next week.

The motion picture challenge to higher education, said by Professor Robert A. Kissack, Jr., University of Minnesota director of visual education.

California Taxation Conference Adjourns

SACRAMENTO, Feb. 5.—The Governor's conference on the taxation problem was adjourned yesterday for more than 50 days after selecting a committee of three to name a larger committee of 23 to study the problem. The conference will consist of a demonstration of a university course in the motion picture at New York University, organization of junior members, the two groups discussing the Twentieth Century-Fox film, "The House That Dr. Build," following a screening. The film has not yet been released.

Today's meeting will feature a resolution to the discussion of "Community Activity in Helping to Develop the Motion Picture," with the smaller and larger communities to be considered separately. The resolutions committee will submit reports to the conference next week, and the conference will meet for a final adjournment on the conclusion of the conference next week.

Koplar Warner Suit Gets Started Today

(Continued from page 1)

Mr. Koplar has been fighting the Warners on the St. Louis front for years, charges that the stock was issued to Renraw, Inc., in exchange for the services of the Warner brothers to the corporation and that they were to be paid collectively $10,000 a week. The Warners in their answer have denied that they received salary, but had "forgiven" the obligation in the interests of the company.

An amendment to Koplar's complaint will be filed tomorrow charging in effect that the corporation transferred to Goldman, Sachs Co., of New York, Warner Bros. and Warner, a director, is a partner, 50,000 shares of common stock worth $6,000,000 with the intention of obtaining control, of which the two corporations, Goldman, Sachs, Koplar transferred to McClure, Jones & Co., 15,000 of the shares, and H. H. Beggs, Warner's other director, Koplar states, is a partner of McClure, Jones.

Koplar asks an accounting of the value of the stock and also that the dividend defendants he held responsible for this value.

Cecil Assais Ban Upon Alien Actors

(Continued from page 1)

point waved a letter in which he claimed Equity asked for enactment.

Cecil expressed the fact that had a similar measure been in force 20 years ago, there would today be no Garbo, no Arliss, and added that the fame of the American production is its international character: that it is America's best salesman abroad, and not essential to this essentially has been furthered by foreign players who have starred in such of our pictures as "MGM's happiness," "That Prince of Happiness," "What Price Glory" and many others. Such successes, he said, make necessary the continued employment of thousands, by producers, distributors, exhibitors, bill posters, printers, etc.

Bay State's Battle On Billboards

BOSTON, Feb. 5.—An outdoor advertising battle that since the passage of an act in 1923 has had far-reaching effects, has ended, at least on one front, with the withdrawal of an appeal to the U. S. Supreme Court. Three separate petitions were filed with that court last June, contending that certain advertisers in Massachusetts whose messages were invalid. The Massachusetts Supreme Court has previously upheld the laws.

The waiving of the appeal is expected to result in some 10,000 billboards in the Bay State being moved within the next two months in ways and otherwise altered as to position and size to comply with state regulations passed in 1924. No reason was given for dropping the appeal.

Quigley Company's Top Rockefeller Cent

(Continued from page 1)

way and now transfers to Rockefeller Center. In the span of those 20 yrs. Quigley Company has moved into Motion Picture Herald Motion Picture Daily these publications from their first home at Trafalgar World, Motion Picture News and Exhibitors' Daily Review.

The new offices are located in Rockefeller Center, and the building is a further a point of activity for publishing, film business and advertising. Of a number of Rockefeller center are Curtis Publishing Co., the Macfadden Publications, News-Week, Inc., McCullough and others.

There are in Rockefeller Center more than 50 companies connected with the film industry including RW Publications, Newsweek, the Times, the New York Times, Loew's, etc. a number of theatre circuits such as Century and Monarch.

More than a score of advertising agencies are housed in the Radio City development. Among them are Do It, Inc.; Arthur Kardner, Inc., Broderick, Monarch, Nes, A, Roosevelt, Transit Advertiser, Radio Advertising Corp., with Rock & Miller, etc.

Officers of the Quigley Publish Co. are Martin Quigley, president, and Wm. Rock, vice-president; T. J. Sullivan, secretary and Leo J. Brady, assistant secretary Branches and are operated Clican Los Angeles, London and Paris.

Mack in New G. B. Po

William A. Mack has been named district manager for the G. midwestern exchanges with headquarters in Chicago and Leo W. Wee general sales manager.

Wall Street

Paramount I pfd. Best Board G

High Low Close Date
-------------------------------------------------------------
Columbia, etc. 50% 40% 35% 1939
Columbia, etc. 50% 40% 35% 1939
Consolidated, pfd. 36 35 34 1939
Safeguard, etc. 10 8 7 1939
Loew's, Inc. 51% 32% 25% 1939
Loew's, Inc. 51% 32% 25% 1939
Paramount, pfd. 11% 10% 9% 1939
Paramount, pfd. 11% 10% 9% 1939
Paramount 2 pfd. 12% 11% 10% 1939
Safeguard, etc. 10 8 7 1939
SKO, Film, etc. 71% 52% 45% 1939
Warner Bros, 77 75 73 1939
20th Century, pfd. 34% 33% 1939
Warner Bros. 7% 34% 12% 1939

Little Activity on Curb

Bumper Bonds Up 3 1/4

High Low Close Date
-------------------------------------------------------------
Sentry Safety, etc. 201% 189% 185 1939
Gay Gordon, etc. 157% 140% 127% 1939
Trans-Lux 7% 5% 1939
Warner Bonds Up 3 1/4

High Low Close Date
-------------------------------------------------------------
General Theatres 61 59 59 1939
General Theatres 61 59 59 1939
Loew's, Inc. 64' 51' 45% 1939
Loew's, Inc. 64' 51' 45% 1939
Paramount B'way 39 39 39 1939
Paramount B'way 39 39 39 1939
Paramount Pct. 96% 96% 96% 1939
Warner Bros., B'way 94 91 91 94 1939
(quotations at close of Feb.)
Academy Vote
Hits New High
In Semi-Final

Ballots Name 4 Actors
And 6 Actresses

HOLLYWOOD, Feb. 6—The Academy today reached the semi-final stage in the eighth annual merit award race for 1935. With the few past weeks marked by unprecedented voting, Academy members have placed four actors and six actresses on the final ballot, instead of the customary three in each group.


Although the selection of more than three artists in the actor and actress groups was unusual, it complied with Section F, Rule 6 for the awards of merit committed by the Academy, which reads: "11.

Detroit Vote Shows
Duals Are Favored

Detroit, Feb. 6—The final tally in the voting held in six Ben and Lou Cohen theatres here to determine whether patrons preferred double or single bills, resulted in an overwhelming decision in favor of two features. The vote on Jan. 18 to Jan. 31 was: For double bills, 26,866; for single bills, 6,435.

The approximate three to one ratio in favor of duals was maintained in four of the theatres, all of which are important situations in widely separated business areas.

New Producing Plan
Dropped by Fiteolson

The refusal of major studios to approve outside production activities by producers in contract to them has resulted in the shelving of a plan sponsored by British and American capitalists for a master plan of up to 12 features budgeted at $200,000 to $250,000 each.

The plan contemplated the lining up of five or six producers under contract to a major company who would

S.R.O. Sign Hung Out for Chaplin By End of 1st Day

"Modern Times," first Chaplin picture in five years, went S.R.O. at the Rivoli last night after an opening morning and afternoon of substantial but not sellout business.

By about 9:30 the house was jammed, approximately 300 waiters were parked in the back of the orchestra and a line stringing along the staircase from the lounge to the upper balcony. At the outer box office about 100 were in single file.

Because of the intense interest among theatre operators throughout the country, the first day of the Chaplin film was news. Staff members of MOTION PICTURE DAILY clocked the theatre from the opening until 11:30 last night and reported:

Due probably to the advance in

Essaness Refuses to
Play Warner Product

CHICAGO, Feb. 6—Essaness has refused to play Warner product in any of its houses here, following the action of the Warner exchange in giving preference to Warners' Metro Pictures over the Essaness-owned Michigan. Both houses are in the same week of giving to Warners' Metro pictures, and one of them is under a three-week's protection over the Metropolitan. Both theatres have a negro patronage.

Edward Silverman of Essaness declared, "We will not play any Warner pictures until we get a square deal. Other exchanges do not show preference in this situation and it is unfair that Warners should, despite the fact that the theatre is affiliated.

Film Men in Spain
May Move to Madrid

BARCELONA, Feb. 5—American distribution representatives here are discussing the advisability of moving their Spanish distribution headquarters to Madrid some time this summer. The location there of the Spanish censor's headquarters and American dubbing plants is regarded as making the move advisable.

Foreign distribution managers here are hopeful yesterday that the moving of Spanish distribution headquarters from Barcelona to Madrid had not been discussed in the home office.

Walls Adorned
Boston, Feb. 6—Headquarters of the E. M. Loew Circ have been moved. In the new reception room there are three pictures of E. M. Loew—and a mirror.

No Film Levy
Seen in New
Tax Measure

By BERTRAM F. LINZ
WASHINGTON, Feb. 6—No film taxes will be included in the tax bill to raise $50,000,000 in new revenue to carry out the farm program, suggestions for which will be submitted to Congress by President Roosevelt next week, it was disclosed today by Chairman Doughton of the House Ways and Means Committee, following a luncheon conference at the White House.

The new revenue bill will be kept as "light" as possible, and probably subjected to the recomposition of the processing taxes invalidated under the recent Supreme Court A.A.A. decision. Consideration has been given to making the taxes retroactive, but it was learned today that the Attorney General has held any retroactive measure

Continued on page 4

Allied Adopts Plan
To Shift Presidents

With the unanimous election of Nathan Yamin of Fall River, Mass., as president of Allied, succeeding Sidney E. Samuelson, national organization has adopted a plan of rotating the presidency from year to year. The annual convention will be held in Cleveland between M. 15 and June

Continued on page 6

Conference Called
On N. Y. Giveaways

In an effort to reach a better understanding on the subject, License Commissioner Paul Moss has sent out a call for all local exhibitors playing games in any form to meet at his office next Monday.

The purpose of the session is to inform Greater New York theatre men on the various angles on lotteries. District attorneys in all counties
SECOND day thoughts on the "Modern Times"... As, of course, expected, at tremendous interest in Charlie Chaplin's first feature in five years. The New York trade was the reaction of those present at Wednesday's distinguished premiere how it went. The schools of thought divided themselves into several parties, with even the experts divided. For instance, much criticism was heaped on the attraction because it reminded so definitely of another day in production. Chaplin, the comment, had not kept abreast of Hollywood and "Modern Times" was the proof.

We are curious about that.

The picture itself heightened that curiosity. In the steel mill sequence, the general handling certainly proved in keeping with Chaplin's "Ghost" reputation that he definitely reverted back to the earlier Chaplin formula and technique, so much so that, aside from the improved quality in photography, an intervening scissors, doing its work, easily might have snipped out sequence after sequence reminding strongly of other pictures the noted comedian had made.

Our curiosity, however, goes beyond. We have been speculating since the opening whether Chaplin did not deliberately plan it. Same film, an opening series of shots reflected modern production methods and the remainder did not, the assumption seems to draw, we think, that there can be no matching of the two parts because the producer designed that there should not be. After all, Chaplin demonstrated rather conclusively with "A Woman of Paris" that there was in him, of that time at any rate, enough brilliance to fashion a film which ran considerably ahead of its contemporaries. Thinking in print, it is our impression, totally lacking of proof, that Chaplin's intention was to reappear on the celluloid scene in a story, a tempo and a treatment which were close cousins to his earlier successes.

The chief disadvantage about "Modern Times," it is this opinion is that the story construction is so flimsy. The dramatic thread recedes almost into complete inactivity at times, leaving the excuse for each new gag often too trite for a maximum effectiveness. It was argued in a circle yesterday that a sound story would have interfered with the timing or the rapid pace of the gags themselves. We, for one, hold such theory to be fallacious. The combination has been tried before by other comedians and has worked.

Other comment chided Chaplin for revising many of his old comedy tricks, such as the "dope" episode, the skating business and the escalator. This, we take it, is merely the price which the outstanding exponent in his field must pay for doubling back on ground already trodden.

A Chaplin, by inference, is expected to evolve the constantly new and the forever more entertaining. Why? The laugh inventions of another era were his brainchild and so his property to bring back at will. It is interesting and the finest kind of tribute to Chaplin that the recognition is widespread that he does them with artistry and consummate skill.

While we adhere to our original point of view, which is that the automatic feeding machine gag is the most uproariously funny in "Modern Times," the brain invention behind the labor parade sequence is the most clever. This is the point where Chaplin picks up a red flag dropped by a speeding truck and hurries down the street with this funny walk in an effort to return it. As it turns a corner, totally without his knowledge there masses behind him a group of protesting strikers. The police go nose down, assume Chaplin to be the leader and hurry him to jail. It is a gorgeous conception.

Many are the places where Chaplin, delegating direct comedy business into the background, makes scenes notable through his ability in pantomime. One of the most delightful occurs in the cafe where a certain barkeeper, the lyrics of his song flies to the wall and Charlie is compelled to blow his way through with jumbled lyrics in his ownSelection. His interwinding of jargon, funny little dance steps and story planting through gestures is a gem of its kind and Chaplin at his height, which is very high indeed.

L. B. Steedman Made India Head for Fox

Word has been received at the home office of Twentieth-Century-Fox that the appointment of L. B. Steedman to be manager for India, made by District Manager Delbert Gooman at Bombay, has been confirmed by Walter J. Hutchinson, general foreign manager.

Steedman joined the London staff of Fox in 1928. He has passed successively through various departments from district salesman, assistant contracts manager, foreign manager in India. In 1935 he won first place in the Kent sales drive. At that time he was stationed at the Singapore office.

Steedman was educated in India and served in the British army during the World War. He speaks Hindustani.

Form New Law Firm

Jacob Schecter, A. S. Cutler, Myron Sulzberger, Jr., and Daniel J. Mc- Mahon have formed a new law firm, Schecter, Cutler, Sulzberger and McMahon, with offices at 500 5th Ave., following the dissolution of the firm of Schecter, Cutler and Sulzberger. The firm has a number of film clients.

Wanger, Para. Deal On

Hollywood, Feb. 6—Negotiations are still under way among Walter Wanger, John E. Otterson and Waterfront leaders, and the new, a release of Wanger product by Paramount.

U. A. to Appeal Sales Tax

An application for a writ of certiorari will be made in the U.S. Supreme Court today by the local United Artists exchange in order to bring to the Appellate Division an appeal from the city comptroller's recent finding that film rentals are subject to the two per cent city sales tax. The exchange yesterday paid the city a $2,188 assessment, representing the sales tax on its revenues for the period from Dec. 23, 1931, to Mar. 31, 1935, in preparation for its court appeal moves.
CREDIT ANOTHER RAVE-WINNING COMBINATION
to 20th CENTURY-FOX!

—and did it click at
the Coast preview:

“A solid hit... for real acclaim. George
Raft exceeds all past performances.
Rosalind Russell indicates she will be
one of the first ladies of the screen!”
—Daily Variety

“A swell show! George Raft’s best part
in ages! Rosalind Russell is perfect!
Leo Carrillo gives his top-notch perfor-
mane!”
—Hollywood Reporter

“Vividly combines drama, romance, in-
trigue and excitement. George Raft and
Rosalind Russell contribute swell per-
formances!”
—Motion Picture Daily

IT HAD TO HAPPEN

with

LEO CARRILLO
ARLINE JUDGE
ALAN DINEHART
ANDREW TOMBES

a

DARRYL F. ZANUCK
20th CENTURY PRODUCTION
Presented by Joseph M. Schenck
Based on a story by Rupert Hughes.
Screen play by Howard Ellis Smith
and Kathryn Scola.
Associate Producer
Raymond Griffith
Directed by Roy Del Ruth

THE KEYSTONE OF YOUR FUTURE

But Leo Carrillo thinks
love is the bunk.
School Films Not Theatre Competition

Developments in visual education at the University of Minnesota have given rise to the national awareness that films should and can be used in the classroom, and that competition with the theatrical motion picture industry, declared Professor Robert A. Kissack, Jr., director of the visual education department at the university, in an address last night before delegates to the 24th annual conference of the National Board of Review.

The meeting was held at New York University in connection with a demonstration of a university course in motion pictures, and formed the third session of the second day's proceedings of the four-day conference. During the morning and afternoon round table discussions were held at the Hotel Pennsylvania on "Activity in Helping to Develop the Motion Picture." The morning session was devoted to the smaller community and the afternoon to the larger community.

The education, in the opinion of Prof. Kissack, is catching up with the tools of civilization, of which the screen is one of the most valuable, since it affects the manner, the form, and the attitudes of national life. "The time has even arrived," he said, "when individuals in the film industry are realizing that the best facilities at hand last shows signs of becoming a money-maker. He expects "stirring developments within the next two years.

"Plan Is Needed"

The field at the moment is in the midst of a hectic controversy. The value of films in education is beyond question, said Kissack, but a plan of organization and developement is needed. While now Minnesota University's visual education department was pointed to by the speaker as one of the leaders in solving the problem. Daily screenings are held to discover educationally valuable films, and a complete service is maintained for the entire university, including the maintenance of portable equipment. Special screenings are held at intervals. Because few films are planned for instruction, his department has a schedule of 700 films of all lengths and types, said Kissack, and the plan offers a practical model.

The morning session yesterday, conducted by Mrs. Marguerite F. Schwarman of the executive committee of the National Board, discussed the development of film appreciation work in the schools. F. J. Wood, exhibitor leader, stressed the importance of the theatre in building the community and giving it what it wants. The afternoon session was conducted by Mrs. Johnson, chairman of the motion picture bureau of the International Federation of Catholic Action, and ended with an address of charge of amusement licenses in Boston, said films are definitely better now than have been for several years. Among the other speakers was Capt. George W. Cowan, Providence representative.

Today's session will be on "Cultural and Teaching Applications of the Motion Picture: Progress and Possibilities." Arthur Garfield Hay, will speak on "The Problem of the Censors," in connection with a private showing in the evening at the new School for Social Research.

Laugdon W. Post is expected to deliver one of the principal talks, on censorship, the 2:30 open session on Saturday. Douglas Fairbanks, Jr. and Tilly Losch are expected to be among the guests.

No Film Levy Seen In New Tax Measure

(Continued from page 1)

action cannot extend back of the beginning of the current fiscal year, July last.

At present the Administration is hopeful of financing the soldiers' bonus without resort to new taxation, to make up for a considerable amount of the war surplus left over from the days of the war. The government has in the hands of the Treasury a surplus of approximately $12,000,000,000, which it is planning to use for this purpose.

Conference Called On N.Y. Giveaways

(Continued from page 1)

have been trying to establish the illegality of the games. Leagues have made an appeal from an adverse ruling of the Appellate Division of the Supreme Court, Brooklyn, recently granted the Winthrop, which has been featuring Farmer Miller, Loew's has three cases pending in the Bronx Supreme Court. The hearings are scheduled for the latter part of the month.

F.W.C. Bankruptcy Arguments Heard

HOLLYWOOD, Feb. 6.—With intent of obtaining a better understanding of the jurisdiction, and to take up preliminary matters and set the case for trial, the F.W.C. bankruptcy is established, Federal Judge Alger Fegey to-day heard arguments on the petition of T. L. Corbar Corp. to have the Fox-West Coast bankruptcy adjudication set aside.

Oscar Lavater, counsel for the respondents, opening the argument, stated that the facts of the petition do not entitle the petitioners to proceed. Only Tally and Corbar are not petitioning as creditors, and all creditors have been paid in full. He added that petitioners had full opportunity to participate in bankruptcy court. He denied all charges specifically, positively and categorically.

Major Walter K. Tuller, following Lavater, stated that the petition be turned down because of his claim of non-charge of innocent fraud, saying that for that reason the law could not be used as a closed house.

The case will be continued tomorrow.

Yates Leaves Coast

LOS ANGELES, Feb. 6.—Herbert Yates left here for New York today after a three-day conference in New York, with conferences on the coast. Herman Reikin, head of Republic distribution in Boston, who came here with Yates, is remaining for another week.

Sales Policy Change Urged By Kuykendall

(Continued from page 1)

their activities in the trade press. Talking for the industry in general, he said, "It is the responsibility of the public. We brought it more or less on ourselves and asked people to shoulder the responsibility. The public has helped in the effort."

The Administration has been made up of pictures with a definite entertainment value, the speaker said, that is to keep the people coming into the theatres.

Before launching into his lengthy argument, Judge Fegey said, "The whole subject is far too complicated. The people. They make so much of it.

Claiming a wrong impression has been created due to his being misquoted on his stand on classics, the M.P.T.O.A. president stated: "I never said that any pictures should be deliverables to the trade. I said classics should be made in reasonable proportion to modern pictures.

Calls For Cooperation

More cooperation between exhibitors and local civic and legislative organizations was propounded by Kuykendall. He said that the greatest obligations of the exhibitor is to cultivate the friendship of organizations which are in a majority, for it costs them badly, not so much money as time and patronage as for aiding in combating things incompatible to the industry. We must be equal rights."

"The Pettingill bill won't do what its sponsors claim it will and it will be a long time before we will live down the St. Louis legislation."

Continuing his fight against Ascap, Kuykendall declared the "copyright laws should be amended to give the public a license in the law itself." He hit the arbitrary levy by Ascap and hoped to see the time when theatre owners will have a voice in the license levy.

Dulls were described as the "third big menace we have." He stated they tended to reduce quality and encourage quickies and held it would be healthier for the business if fewer and better pictures were printed. Kuykendall also stressed that the efforts of Ascap are continually the policy of some companies which sell schools and institutions and one of us closed out of a local theatre situation.

Culminating his stand for the independent, Kuykendall declared that "if the small exhibitor is not protected we are destroying the industry. He is the very foundation of the business and means more in legislative fights than the big boys. The big boys are going to fold up and point for the little man and keep him in business. We need each other," he said.

Estimating that there are from 25,000 to 30,000 theatres in the country which are attended by 120,000,000 people nightly, he deplored the elimination of "disgruntled obstructionists, who want what some one else has, and will do anything they can to ruin others in order to get what they want."

Pete Woodhall, whose voice was affected by a cold, was master of ceremonies. Gordon White first introduced M. B. Horwitz, from Cleveland, who took a bow. Walter Reade also stood up for less than a minute. Arthur Mayer, who described himself as "honest, no inside tricks, no stuff everyone discards and "the guy that takes the body odor out of pictures," said, "I'm not sure how the Rialto has now become a theatre for all sorts of action pictures."

Pete Wood of Columbus regarded the whole idea of the motion picture industry, but he was inclined to believe they were being censured. James C. Carnes, chairman of the Motion Picture Herald objected to the allegation as far as Quigley Publications were concerned.

Max Stern described the early days of motion pictures.

O'Reilly Hits Giveaways

Charles L. O'Reilly, head of the T.O.C.C., lambasted the trend the industry has taken on giveaways and "cheap advertising." The organizations made as much progress as pictures the theatre today would not be semi-gambling houses and grocery stores.

"If the industry can't survive on what it is accustomed to, it can't survive. And it is a time the day when money has come when organizations must get together and bring back showmanship to the theatre."

Discussing the two per cent sales tax on rentals, O'Reilly recommended that the exchanges open offices in New Jersey to get around it. The tax doesn't seem much, but will amount to $1,000,000 a year. "There is no place for a sales tax on a disappearing service (leasing of films), but a 10 to 20 per cent tax should be imposed on games," he said.

The election of Nathan Yamin's as head of Allied was highly approved by the T.O.C.C. president, who worked closely with Yamin. O'Reilly's appearance yesterday was the first since the demise of his predecessor of trying to bring about a working harmony between Allied and the M.P.T.O.A. on things "which affect us."

Walter Vincent, chairman of the Republic Board and a prominent executive, was briefly heard lead several notable reactions of exhibitors who had visited theatres in his circuit. He appealed to Ascap to soft pedal music and "tell the truth about pictures."

Remarks, he said, from patrons in Rahway, Homestead, Brownsville and Middletown were "a little too much exaggerated."

He said in a short discourse on what a Chinese philosopher on words
New York newspaper critics view "Modern Times" with mixed comment, ranging from that of William Cameron Menninger, that he found it the funniest picture since "City Lights," to Eileen Creelman in the New York World-Telegram, who found it behind the times, "in direction as in sound technique."

The consensus of their opinions follows:

Daily Mirror—Should warn the hero, Charlie is out of line. He should stay in character. The former is a repetition of the old gag, but the latter, as Chaplin admits, is an anachronism. The film is a comedy by strictly in pantomime technique, having by most of his cast follow suit.

Evening Standard—It's curious, these days there is no need to be ashamed of the title. The old gags are brought out and dusted off for use. But they are such good ones that they still earn laughs. Chaplin is a born comedian, and 30 minutes of his comedies by working strictly in pantomime technique is as funny as any film, but the film is his own, and most of his cast follow suit.

New York Times—A note of the old Chaplin is one in which Chaplin, as the factory hand, is fed by a mechanical food server that goes out of control and rapidly fills the rest of the rest. The result is a skit, an era of the current social scene, but the rest of the rest, which are numerous, are varied in slapstick for which no one has detailed any slapstick.

Herald-Tribune—For the fun-lovers, it presents the spectacles of a piece of slapstick hilarity, which, if not a note of the old Chaplin, is an anachronism. It is a comedy of the old style, but the film is a comedy by working strictly in pantomime technique, having by most of his cast follow suit.

Post—"Modern Times" is worthy of its author, the true genius of film technique, but it is not a note of the old Chaplin. The film is a comedy, which is a note of the old Chaplin, and 30 minutes of his comedies by working strictly in pantomime technique is as funny as any film, but the film is his own, and most of his cast follow suit.

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Koplar's Suit Started with Fraud Charge

WILMINGTON, Feb. 6.—Harry Koplar's stockholder suit against Warner Bros. Pictures, Inc., the three Warner brothers and others goes up today with charges of fraud, abuse of duties as officers and directors and other sweeping statements by Ernest L. Wilkin-son, Koplar's counsel.

Koplar seeks to have Harry M., Jack L., and Albert Warner, and several company directors, declare for $14-,000,000 said by Koplar to have been the value of stock given in 1928 by the company in part to Renray, Inc., family holding company of the Warners, and in part to Goldman, Sachs, brokers.

Plaintiff's counsel charged the stock was given away fraudulently, and that the Warners used the assets of the company in questionable ways. The defense counsel pictured the brothers as men of vision in the matter of talking films, having contributions to the company, and as having stalled their reputations and fortunes upon their projects.

Joseph Proskauer, New York defense counsel, told of how Sam Warner worked on producing "The Jazz Singer," the dramatic death scene which was the dim opening. His three brothers carried on, the attorney said, and that picture revolutionized the industry.

The suit has been pending since 1932. Koplar is a minority stockholder. Wilkinson charged that in 1928 Renray was sold Warner Bros. with Warners whereby the former would sell the services of the Warner brothers to the picture company for a total of $10,000 weekly for six years; that Renray also received from Warner Bros. a common valued then at $11,000,000; that this stock was given by a company of which the Warners were directors and was part in questionable ways, and that the issuance of the stock to Renray was fraudulent and in violation of the anti-takeover regulations. He also charged that the giving of a block of stock to Goldman, Sachs, valued at $9,000,000, for which 25,000 common shares were received, in return, valued at $3,000,000, was an abuse of duties, since 25,000 shares was too high a remuneration.

Proskauer traced the development of the company, and told of Warners' loans during the depression period. He also gave details of the Stanley Co. of America acquisition and called the court's attention to the results of the recent St. Louis litigation.

**Wall Street**

**Substantial Gains Mark Trading Day**

**Net**

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The balance of the money of the new feature, the worth of the story and the quality of the performances by the players should be sufficient to arouse patron attention.

Product Code Seal No. 1195. Running time, 65 minutes. "G."

**Preview Murder Mystery**

*(Paramount)*

Hollywood, Feb. 6.—There is much in this that is refreshingly new in the way of a murder mystery, plus many inside revelations of the art of picture making which should provide unique entertainment for audiences and give the exhibitor a wealth of angles on which to base intriguing exploitation. It is a story of murder for revenge. The interest lies in how the plot is handled. Film star Rod La Rocque, who has been warned that he will never live to see the picture he is making, is killed at the theatre preview. Publicity director Reginald Denny, assisted by Frances Drake, takes charge of the case, and the scene moves into the studio itself as the sinister activities of the murderer continue. A policeman and director Ian Keith are slain. Denny finally traps the murderer, Conway Tearle, a pase star, who killed La Rocque and Keith because of a belief that they had ruined his career. During the unfolding of this story the audience is introduced into every corner of the studio, to be shown in complete detail the mechanics of picture making.

The players mentioned contribute realistic performances, while the work of Gail Patrick, George Barbiere and Thomas Jackson adds to the show's entertainment value. Robert Florey's direction accounted for an arresting brand of suspense. The screen play by Brian Marklow and Robert Yost is a smart adaptation of Garnet Weston's excitement-packed original. Sell the picture as one that will keep the patrons on the edge of their chairs and will give them many inside glimpses of studio workings. From these angles it should click loudly.

Production Code Seal No. 1,899. Running time, 65 minutes. "G."

**The Test Cure**

*(Regal)*

JACKSONVILLE, Feb. 6.—Done in color, using Magnicolor, this unusual Regal feature stacks up as something that will engage attention. Not only is color intelligently applied, but the story has an action adventure quality which, dominated by comedy and amplified by romance and drama, packs an entertainment punch that easily creates and holds interest.

Ex-gangsters Reginald Denny and Vince Barnett, seeking a rest cure from bulletts and pineapples in Paris, carry on a flirtation with Sisters Esther Ralston and Claudia Dell. They join the Foreign Legion because Miss Dell is to accompany her sister, Capt. Robert Frazer's wife, to a Moroccan outpost. There the pair, breaking every legion regulation, are in even more hot water than in the most hectic gangster days. Following up clues which in both legionaries are interested about singing and dancing Eleanor Hunt, the two sisters arrive.

Sentenced to a disciplinary camp for infractions, comedy-tinged drama enters as a bonus. After precipitating a mutiny, break up an Arab attack. Their heroism wiping out the stigma of past suspensions, both are promoted and Denny is further rewarded by winning Miss Dell.

Produced by George Hirliman from a story by J. D. Newsom with the screen play by Roger Whately, Crane Wilbur's direction concentrates on the comedy trend save for the romantic death scene which sets off the mutiny. Selling both the novelty of color in an outdoor feature, the worth of the story and the quality of the performances by all players attention should be sufficient to arouse patron attention.

Production Code Seal No. 1,908. Running time, 65 minutes. "G."

Koplar, who instituted his action in June of 1932 seeking to hold the officers and directors of Warner Bros. liable for the giving of stock in the company voted to Harry M. Warner, Albert Warner & Louis Warner in December, 1928, as part of a six-year employment agreement. The plaintiff charges that the issuance of the 50,000 shares was not supported by a consideration and was therefore a bonus or gift.

"The management has answered stating that the Messrs. Warner from 1926 to 1928 made unsecured loans to the corporation and had personally guaranteed bank loans to the corporation in a total exceeding $13,000,000 and that the Messrs. Warner had contributed 50,000 shares of stock in order to enable in some way the underwriting of a $4,000,000 note issue."

"The management also has answered stating that it was through the far-sightedness and unselfishness of the Messrs. Warner that talking pictures became an accepted medium of entertainment and displayed the silent movies; that as a result of the industry and enterprise of the Messrs. Warner the company was enabled to emerge from a small company with recurrent losses to the largest motion picture company in the business, with assets totaling over $150,000,000; that for the years 1926 and 1930 the corporation made over $24,000,000 profit; and that under the able management of Messrs. Warner the corporation has survived the depression when others have been compelled to go into bankruptcy and receivership.

"After this defeat Koplar organized a group to take over the theatres in St. Louis operated by the corporation and he and his associates filed charges against the Federal Government which caused the management and officers of the corporation to move for a sale of his stock at an exorbitant price. The court's decision and that after the corporation was permitted to remove this suit at the corporation's motion to force Warner Bros. Pictures, Inc., to purchase his stock at his price or suffer the heavy expense incident to litigation.

"After this defeat Koplar in this litigation were presented to the stockholders at the annual meeting in 1932 and the stockholders voted in favor of the management and against the claims raised by Koplar in his complaint in this case.

"The corporation of the company stated they would welcome the opportunity to air this entire situation in court so that the facts for all time definitely be put to rest and all records of the minority stockholders who seek to benefit personally by their efforts die to involve the company in litigation."
"50,000 BATTLE TO SEE CHAPLIN FILM OPENING"
Police emergency squads are called out to Tumultuous first night demonstration! Riot sirens screaming, Emergency Squads 3 and 4 Queensboro Bridge sped to the scene to...
clear throng from in front of theatre. It was sent to police headquarters. With some the West 30th Street Station and the strain the spectators.”

— New York Times
THE CINEMA'S FIRST IMMORTAL RETURNS!

— Richard Watts, Jr. Herald-Tribune

The funniest picture in years... Chaplin still supreme. My only advice is to see the film and laugh yourself sick.

— William Boehnel, World-Telegram

Not only is he the first pantomimist of the screen, but Charlie can sing. Had the audience breathless with suspense.

— Kate Cameron, News

Highest rating EXCELLENT. It is Chaplin at his best... a brilliant succession of gags and stunts... the season's motion picture event. A Picture no other screen artist could paint.

— Thornton Delahanty, Post

A rousing, rib-tickling, gag bestrewn jest in the best Chaplin manner. Chaplin is a master of pantomime. Time has not changed his genius.

— Frank S. Nugent, Times

Same old Chaplin, same rare comedy. Kept last night's audience in almost constant mirth.

— Regina Crewe, American

Modern Times is fast-moving, hilarious... a succession of amusing gags. Chaplin returns in old role, but brings new laughs... characteristic Chaplin slapstick and mimicry.

— Rose Pelswick, Journal

It adheres to the Chaplin tradition, sweet and sentimental and touching. Everyone will want to see it.

— Bland Johaneson, Mirror

The comedy is regulation Chaplin, broad, sentimental and very funny, boasting some grand slapstick... filled with funny and well-executed gags.

— Eileen Creelman, Sun

As we go to press, every record in the history of the Rivoli Theatre... since it was built... is being shattered. Up to 8 p. m., all money and attendance records had been far outdistance by this... the screen's greatest box-office attraction!

CHARLIE CHAPLIN

MODERN TIMES

Written, Directed and Produced by CHARLES CHAPLIN

Released thru UNITED ARTISTS
Academy Vote Hits New High In Semi-Final

(Continued from page 1)

any individual receives nominations for two or more achievements, a total number of votes for any individual would be the third highest vote for any single achievement, then there shall also be included on the final ballot the one or more nominees for best picture nominated for that same achievement, but tied for the next highest vote. The individual which polled the highest vote.

Arthur A. Lee, vice-president of G. B.; George W. Weeks, general sales manager, and A. P. Wax, advertising counsel, left yesterday for Miami Beach to attend the opening of “Rohoes” at the Lincoln Feb. 10.

L. E. Alpferd left for Florida yesterday and from there he goes to Los Angeles to attend a forthcoming meeting of the heads of National Theatres Corp. on Feb. 17.

M. B. Horwitz, Cleveland exhibitor, will return to the Ohio city today for the 10th annual conference yesterday after attending the two-day board of directors’ session.

Budd Rogers will move into Alliance’s own office on Saturday. It’s one floor below his former Republic headquaters to the 22nd floor of the RKO Bldg.

Charles Herbert, March of Time cameraman, and Anthony Girdlman, soundman, returned to New York after four months in the South.

Nirka, Forrester, Seaman & FA, the Thursday Boys, Dorothy Proby and Tommy Dunne headline the Roxy stage show starting today.

Harry H. Thomas, president of First Division, is on a tour of company exchanges that will keep him away until the middle of the month.


L. Jack Schlafer, who rejoined the U. A. as an assistant to Arthur W. Kelly, is scheduled to return from Hollywood shortly.

Jack Partington, president of F. & M., will leave for Chicago Tuesday to be on hand for the opening of Al. Pearce at the RKO Palace.

Adolph Zukor, Barney Balaban and Y. Frank Freeman engrossed in plans to open the Astor Hunting Room yesterday.

Pete Woob, secretary of the Independent Theatre Owners of Ohio, left last night for Columbus.

Dr. Kuykendall plans to leave for Washington Monday, but may return here prior to leaving for his Columbus, Miss., home.

Tess Michaels of the U. A. publicity department, will sail tomorrow on the “Monarch of Bermuda.” It’s vacation stuff.

Jeanne Dante, 12-year-old juvenile star of the Theatre Guild’s “Call It A Day,” is being given a screen test by Universal.

Bob Condrigue leaves for Bermuda Saturday in search of sunshine and recuperation from a persistent cold.

Sidney L. Bernstein, English theatre executive, is on route here on the Berengaria, due next week.

Carl Levis, one of the Loew division managers, sails today on the Lafayette for a 17-day cruise.

Most Singer, who arrived from Chicago Tuesday, will leave for the Windy City on Saturday.

Harry M. Goetz, president of Real- time, is due from the coast some time next week.

W. Ray Johnston is slated to get back from a three-week Florida rest on Tuesday.

Al Rockett is on his way to the coast and is due to return in about two weeks.

Moe Reitzler, local U. A. manager, has gone to Miami for a vacation.

John J. Fisher has not decided when he’ll return to Minneapolis.

Grace Hayes has been signed by Vitaphone for a two-reel musical.

Barney Balaban returned to Chicago late yesterday afternoon.

Harry Singer, brother of Mort, is now on the coast.

Jack Benny and Mrs. Benny are at the Lombardy.

Kate Blumberg had a birthday Tuesday.

... London

Joe Friedman of Columbia is scheduled for a March visit to New York and Hollywood.

Sidney Jackson, from British & Dominions, appointed sales supervisor to C. M. Woode’s General Film Distributors.

Sidney Bernstein sailed for New York Jan. 29. He will go on to the coast.

Harcout Templeman and Sophy Hall of Grosvenor Sound Films planning a Hollywood talent-searching trip in March.

Eleanor M. Plumer taking the place of Mrs. H. L. Fister, resigning from the Films Act Advisory Committee, as representative of the general public. Is associated with Public Morality Council.

Expect New LeRoy Pact

Hollywood, Feb. 6—Warner’s are expected to give Mervyn LeRoy a new contract shortly, replacing the present one, which terminates in March. The director plans a Euro- pean vacation, having just completed “Anthony Adverse.”

Friends Give Dinner

For E. M. Schnitzer

With about 50 friends present, Edward M. Schnitzer was rendered a testimonial dinner last night in the State Room of the Tropicana. The dinner was given an ouzak decanter as a token of the esteem in which he is held by the Monday Night Club which present were; E. H. Goldstein, Herman Gluckman, John O’Connor, Max Sellem, J. C. Hornstein, Charles McAdoo, A. S. Fisher, Henry Rendel, Louis Frish, Harry Shifman, Roy Haines, Harry B. Buxbaum, Charles Geller, H. M. Buxbaum, Robert Wolf, Harold Rinzel, Joe Lee, Morris Sanders, Edward Malan, Samuel M. Greenberg, Irving Tenenbaum, William Secor, H. L. Eldridge, Bernard Kleid, Nat Beier, Henry Decker, Dave Solom, Joe Berquist, Eugene Toller, Edward Ruggles, Lou Weinberg, Nat Cohn, Jack Goetz, Henry Brown, Louis Geller and many others.

There was plenty of entertainment and dancing. Schnitzer leaves Columbia tomorow evening for the Republic as eastern district manager.

Kansas City I.T.O.

Signs Giveaway Ban

Kansas City, Feb. 6—Practically every member of I.T.O. today signed an agreement to abolish all money and premium giveaways provided all other Kansas City, Missouri, exhibitors do likewise. The independent exhibitors are apparently determined to make the move a success because they feel that it will promote a healthier business condition. E. Rolisky, president, will make a further effort to get the few exhibitors not yet signed to go along.

Clark Flying West

John D, Clark, general sales manager of Twentieth Century-Fox, flies to Los Angeles tomorrow for next season. He had planned to go from Miami, but instead returned to New York.

“The Times” in Boston Feb. 14

Boston, Feb. 6—The Majestic here has been leased by United Artists for the upcoming engagement of Charlie Chaplin’s “Modern Times,” beginning Feb. 14.

F. W. C. Reopens Tower

Campion, Cal., Feb. 6—F. W. C. planning a big opening for the new Fox Tower tomorrow night. The Skouras brothers, F. W. C. officails and studio personages will attend.

Kay Brown on Way Here

Los Angeles, Feb. 6—Kay Brown, eastern story head for Selznick International and Pioneer, encharged for New York this week accompanied by assistant, Dorothy Modissette.

G. B. Re-Signs Rosner

Word has been received at the G. B. offices that Milton Rosner, director of “Mister Hobo,” has been signed to a new year contract. He will write as well as direct.

Form Seatle Company

Seattle, Feb. 6.—Jay C. Allen, W. H. Ninomi, and Archie Kaufman have organized the Third & University Corp. to operate theaters.
**Pink** Pulls Only $11,000 In Pittsburgh

PITTSBURGH, Feb. 6. — Sub-zero weather continued to hit grosses all over the district, but “Strike Me Pink” got only $11,000, the poorest gross ever chalked up locally by an Edward G. Robinson star. “Professional Soldier,” although it bettered average by $100 at $4,100, was likewise a disappointment.

It was the day that took the worst licking, “Riffraff” and a stage show headed by Lucky Millinder’s band shipping to $14,250, while the Warner, with “Three Live Ghosts” and “Coronado,” couldn’t better $3,975. “The Man About the House” wound up a 19-day stay at the Alvin with $3,800 for the last five days in the third week, an average that was fair.

Total first run grosses were $36,225. Average is $45,000.

**MAGNIFICENT OBSESSION** (Univ.) ALVIN—$2,600, 11:45-25c, 6 days, 3rd week. Gross: $17,000. (Average, $2,833.)

**PROFESSIONAL SOLDIER** (20th-Fox) FULTON — (1,700), 15c-35c, 7 days. Gross: $3,000. (Average, $428.)

**STRIKE ME PINK** (UA) MAJESTIC — (1,600), 11:45-25c, 6 days. Gross: $3,100. (Average, $516.)

**RIFFRAFF** (M-G-M) STANLEY — (1,200), 11:45-25c, 7 days. Stage: Lucky Millinder’s band, Pops and Louis Armstrong’s band. Queens. Gross: $14,250. (Average, $2,035.)

**CORONADO** (Para) WASHINGTON — (2,000), 11:45-25c, 7 days. Gross: $3,875. (Average, $554.)

**Pink** Is $12,000 Smash in Montreal

MONTREAL, Feb. 6.—Although all theatres were closed on the day of King George’s funeral until 6 P.M., the box office outcome for the week was generally satisfactory. The Princess shot to the top with $12,000 on “Strike Me Pink,” $5,000 over par. The most successful picture of the week was “Captain Blood,” which grossed $11,500 at the Palace, while Loew’s registered $11,000 on a combination card topped by “Charlie Chan’s Secret.”

“Rose of the Rancho,” heading the dual at the Capitol, was supported to the extent of $9,000. The legitimate stage was dark all week and social functions were cancelled because of the pert处境 mounting.

Total first run business was $46,500. Average is $41,500.

**MAGNIFICENT OBSESSION** (Univ.) RIALTO—(1,500), 11:45-25c, 6 days. 2nd downtown week with stage interregnum. Gross: $2,100. (Average, $350.00.)

**INFORMER** (Radio) RKO GRAND—(1,200), 11:45-25c, 6 days. Gross: $3,600. (Average, $600.)

**BAR 20 RIDES AGAIN** (Para) WASHINGTON — (1,000), 11:45-25c, 6 days. Gross: $1,100. (Average, $183.)

**CEILING ZERO** (F. N.) ROYAL—(1,500), 11:45-25c, 6 days. Gross: $4,500. (Average, $750.)

**ROACH BULDS BUNGALOW**

Hollywood, Feb. 6.—Construction work was being steadily on a second double bungalow to house the Laurel and Hardy and the Edward Sedgwick-Mabel Paige bungalow. The bungalow will be at the east end of the administration building and will be ready for occupancy on Feb. 15. The former quarters of the Laurel and Hardy unit will be used by writers.

Rochester, N. Y.

**Strike Me Pink** 100% Over Par Despite Louisville Freeze

LOUISVILLE, Feb. 6. — “Strike Me Pink” hit town at the same time that sub-zero temperatures were being recorded, which probably prevented the directors from giving it full play. At that, the gross of $8,500, was over 100 per cent above par.

Anybody’s hold up well at the Radio, grossing $5,000, over the line by $1,500, while a double feature at “Oklahoma” and “Charlie Chan’s Secret,” at the Strand went $800 over average, for a gross of $3,300.

“Seven Keys to Baldpate” and “Sylvia Scarlett,” dual feature at the Browne could not overcome the effects of the cold wave, the take being $1,600, or $400 under average.

“A Midsummer Night’s Dream,” playing an eight-day engagement at the Mary Anderson, preceded by a tremendous exploitation campaign, wound up with a gross of $6,000, which would have been greater if the weather had been more favorable. Total first run business was $28,100. Average is $18,500.

**MAGNIFICENT OBSESSION** (Univ.) RIALTO—(1,500), 11:45-25c, 6 days. Gross: $2,500. (Average, $416.)

**PROFESSIONAL SOLDIER** (20th-Fox) FULTON — (1,700), 15c-35c, 7 days. Gross: $3,000. (Average, $428.)

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**Pink** Strong as Portland Holdover

PORTLAND, Feb. 6. — “Strike Me Pink” was held for a second successful week at United Artists, securing another $7,000, over par by $2,000, as Operatic Cooper on the stage with heavy exploitation on “Tough Guy” at the Broadway secured $8,000 over the usual average by $3,000. An extra long double bill at Orpheum with “King of Burlesque” and “Widow from Monte Carlo” registered $6,000, over by par by $1,000. The weather continued cold and clear.

Total first run business was $33,000. Average is $24,200

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“We Saw The Sea” with
IN RKO-RADIO'S
SUPERDREADNAUGHT
OF MUSICAL SHOWS

WITH
RANDOLPH SCOTT, HARRIET
HILLIARD, ASTRID ALLWYN

Directed by MARK SANDRICH
A FANDRO S. BERMAN PRODUCTION
Founded upon the play "Shore Leave" by Hubert Osborne

LYRICS AND MUSIC BY IRVING BERLIN

WHO FIRES
A BROADSIDE
OF SEVEN
"We Saw Thee"
NEW SONG HITS
"Sea"
America's newest ballroom
"Let's Face
sensation; "I'd Rather Lead
the Music and Dance"
"Let Yourself Go"
"Here Am I, But
America's newest ballroom
"Where Are You?"
"Get
sensation; "I'd Rather Lead
"Thee Behind Me, Satan"
"I'm Putting All My Eggs
in One Basket"
MOTION PICTURE

Friday, February 7,

DAILY

1936

99

46

"Obsession"
Lone Wolf
Pulls $9,200 Top in Dull

'Rose Marie"

Just Another Fire
Kansas

6.—KanThey were

City, Feb.

calm.

are

sans

Heavy Grosser

film in the WhitKan., township hall rewhen the building
cently

showing a
ing,

3dLoopWeek

Capital

Week

caught

of the audience
calmly picked up a chair
apiece and other furniture
they could carry handily, and
moved out of the flaming

—

Washington, Feb. 6. Continued
Chicago, Feb. 6.— "Magnificent Obwas the surprise of the week. Arctic temperatures, coupled with a
After two weeks at the Palace it was lineup of sub-torrid pictures, caused
moved to the Garrick, and, in spite grosses to hit the skids, with only
of sub-zero weather, it piled up $9,200, "The Lone Wolf Returns" at the
over a first week normal by $3,700, Metropolitan and "If You Could Only
Cook" at the Earle topping par, the
and was held for another week.
"Strike Me Pink" was strong at former by $600 for a take of $4,900
It went $4,000 and the latter by the same amount for
the United Artists.
over the line for a take of $21,000. a take of $19,000. At the Earle, one
"Dangerous" also was in the money at of Major Bowes' amateur units was
the Chicago, with Libby Holman and on the stage, a fact generally credited
Ina Ray Hutton and band on the for the above-average business.
Other first runs were well under
The $37,500 take was above
stage.
respective
the line by $5,500. "Riffraff" reached their
pars.
At RKOat the Keith's, "The Magnificent Obsession"
3,000, over par by $3,500,
Apollo. Elsewhere business was in a hit $8,000 on its third week, with the
tenth issue of "The March of Time"
bad way.
Total first run grosses were $137,- added for one week only.
Total first run business was $69,700.
300. Average is $117,000.
Average is $76,700.
Estimated takings
Estimated takings, exclusive of tax
Week Ending Jan. 28:
session"

ME PINK"

"STRIKE

(U. A.)

UNITED ARTISTS— (1,700),
7

days.

Gross:

30c-40c-60c,

(Average, $17,000)

$21,000.

AT THE OPERA" (M-G-M)
ROOSEVELT— (1,591), 30c-40c-60c, 7 days.

"A NIGHT
2nd

week.

Gross:

(Average,

$14,000.

$11,000)

Week Ending Jan. 30:
"TWO IN THE DARK" (Radio)
PALACE— (2,509), 25c-35c-50c, 7 days.
Stage;
$17,700.

Wayne King and Band.

Gross:

(Average, $19,000)

BROADWAY"

(W. G.)
ORIENTAL— (3,490), 25c-40c, 7 days.
Stage: Ben Lyon and Bebe Daniels in pervaude revue.
Gross: $17,400.
son, with
(Average, $15,000)

Week Ending Jan. 31:
"RIFFRAFF" (M-G-M)
APOLLO— (1,400), 25c-35c-50c, 7
Gross:

$8,000.

(Average,

days.

$4,500)

"MAGNIFICENT OBSESSION"
GARRICK— (900), 25c-35c-50c.
(Following 2 weeks at
(Average, $5,500)

(Univ.)
7
days.
Palace).
Gross:

$<\200.

"IN PERSON"
STATE-LAKE— (2,776),

$3,000)

Week Ending Jan. 30:
YOU COULD ONLY COOK"
EARLE— (2,218), 25c-77c, 7 days.

(Col.)

Stage:

Major Bowes' Amateurs, with Ruth O'Neill,
Mike Bolero, Wyoming Jack O'Brien, Arthur Frischette, "Diamond Tooth" Mary
Perry, Eva Ortega. Gross: $19,000. (Aver$18,400)

A GREAT LIFE" (Para.)
LOEWS COLUMBIA— (1,264), 25c-40c, 7
days.
Gross: $2,000.
(Average, $3,600)
"THE ROSE OF THE RANCHO" (Para.)
LOEWS FOX— (3,434), 25c-66c, 7 days.
"IT'S

days.
7
Stage: Libby Holman, Ina Ray Hutton and
Band, Jack Pepper. Gross: $37,500. (Aver-

"STARS OVER

(Average,

$2,500.

age,

"DANGEROUS" (W. B.)
CHICAGO— (4,000), 35c-50c-68c,

age, $32,000)

Week Ending Jan. 28:
"KAMERADSCHAFT" (Assoc. Cinemas)
BELASCO— (1,140), 25c-60c, 7 days. Gross:
"IF

Emile Boreo, Toby Wing, Tommy
Monahan & His Paradise Cafe Orchestra.
Stage:

Gross:

(Average,

$19,300.

METROPOLITAN — (1,591), 25c-40c,
days.
Gross: $4,900.
(Average, $4,300)
"THE MAGNIFICENT OBSESSION"

7

(Univ.)

RKO- KEITH'S — (1,836),
week.
Gross:
week, $10,600)

20c-30c-35c,

(Para.)

LOEWS PALACE— (2,370), 35c-55c, 7
days.
Gross: $14,000.
(Average, $15,900)
"THE LONE WOLF RETURNS" (Col.)

3rd

(Radio)

$20,900)

"THE BRIDE COMES HOME"

25c-55c,

days,

7

(Average,

$8,000.

"bhe Married" Hits

attraction in a

week

6.

— "She

strongest

of snow, ice and

lC-above

temperatures. It was held
er for one day at the Midwest and
ossed $4,700, over par by $700.
"The Invisible Ray" was the only

i

other straight film program to make
par.
It grossed $2,000 at the Capitol.
"Millions in the Air," helped by a
stage show, reached $2,400 in four
days at the Liberty.
Total first run business was $13,625.
Average is $14,000.
Estimated takings for the week ending Feb. 1

"CAPTAIN BLOOD" (F.N.)
CRITERION— (1,700), 10c-20c-36c-55c,
idays.

Gross:

$4,000.

(Average.

MIDWEST —
Gross:

$2,000.

(Average, $2,000)

Gross:

$7,700.

(Average. $12,000)

HIPPODROME— (2,100),
$7,100.

(Average,

GREAT LAKES— (3,000)

Gross:

$9,300.

(Average,

"MILLIONS IN THE AIR"

LIBERTY— (1,500),

10c-26c-41c,

CENTURY-(3.OS0).
(Para.)
4
days.

Vaudeville on stage. Gross: $2,400.
age for week, $3,000)

"CRIME AND PUNISHMENT"

LIBERTY— (1,500),
Gross: $525.

(Average

(Aver-

(20th-Fox)
7 days.

30c-50c,
$7,300)

10c-26c-41c,
3
days.
for week, $3,000)

—

Milder
New Haven, Feb. 6.
weather brought the hibernating movie
audiences out to the tune of good
The Paramount
business all around.
led the way with a $3,200 increase
over the normal $4,800 on "Anything

Goes" and "Confidential."
"Strike Me Pink" at the Poli topped
ordinary $7,000 business with a $7,300
The Roger Sherman stole a
take.
march by opening a day early with

Average

450.

$86,150.

is

Estimated takings for the week endeng Feb. 5
"ROSE MARIE" (M-G-M)

CHINESE— (2,500),

Gross:

30c-55c, 7 days.

(Average, $12,500)

$14,500.

"THE GHOST GOES WEST" (U.A.)
STAR— (900), 30c-55c, 7 days. Gross:
4

Zero" and "Hitch Hike $5,800. (Average, $3,250)
"Ceiling
"FRONTIER" (Amkino)
Lady," the results being $2,000 betGRAND INTERNAT'L— (750), 35c-40c, 7
Standing room on ama- days. Gross: $2,200. (Average, $1,200)
ter than par.
"STRIKE ME PINK" (U.A.)
teur night brought the College gross
HILLSTREET — (2,700) 25c-40c, 7 days.
and
Secret"
Chan's
"Charlie
on
2nd week. Gross: $7,000. (Average, $8,000)
"Three Live Ghosts" up to $3,600.
"ROSE MARIE" (M-G-M)
LOEW'S STATE— (2,500), 30c-55c, 7 days.
Total first run business was $25,,

600.

Average

is

Gross:

$19,300.

Estimated takings
ending Jan. -31 :-

week

the

for

"CHARLIE CHAN'S SECRET" (ZOth-Fox)
"THREE LIVE GHOSTS" (M-G-M)

COLLEGE — (1,499),

Gross:

25c-35c.

(Average.

$3,600.

"ANYTHING GOES"
"CONFIDENTIAL"
$8,000.

$7,300.

ME PINK"
35c-50c,

7

days.

7

Gross:

days.

(U. A.)
Gross:
days.

ME

Al Lyons^ & orchestra, F. & M.
Judy Starr, Nick Cochrane. Gross:

(Average.

WARNER

$18,000)

35c-50c.

BROS.

25c-40c.- 7
(Average. $14,000)
(3.0Q0),

(F.N.)

(HOLLYWOOD) —
Gross:

days.

$15,000.

"CEILING ZERO" (F.N.)
WARNER. BROS. (DOWNTOWN)
(3.400).

25c-40c.

7

Gross:

days.

—

$16,000.

(Average, $12,000)

D.)
(Republic)

(F.

8

(Average, $4,700)

$6,700.

(Average, $14,000)
PINK" (U.A.)

"CEILING ZERO"

(Average, $7,000)

"CEILING ZERO"

revue.
$17.2.50.-

35c-50c,
(Average. $4,800)

"STRIKE
POLI— (3.040),

Stage:

(Para.)

(Mascot)

PARAMOUNT— (2,400),
Gross:

days.

7

$2,800)

$17,500.

"STRIKE

PANTAGES— (3,000), 25c-40c, 7 days. 2nd
week. Gross: $6,200. (Average, $3,200)
"ROSE OF THE RANCHO" (Para.)
PARAMOUNT — (3.595), 30c-55c, 7 days.

"Burlesque" Gets
$4,000, Charlotte

Plan a Television Film

—

Charlotte, Feb. 6. "King of Burlesque" was the top draw last week

,

25c-40c, 7

$5,800.

25c,
$5,800)

days

$7,300)

(Average,

7

days.

Gross:

"MR. HOBO"

(G.B.)
(3,300), 25c, 7 days.

LAFAYETTE—
Gross:
(Average, $6,000)
"TOGETHER WE LIVE" (Col.)
GAYETY — (1,600), 15c-25c-35c, 7 days,

vaudeville.

Gross:

$3,400.

(Average,

on the ice in front of the Globe. He
was taken to Bridgeport Hospital.

(F.N.)

BROADWAY— (1,114),
Gross:

$1,000.

(Average,

25c-40c,
$2,000)

3

days.

"KING OF BURLESQUE"

$9,500.

(Col.)

New Haven

Best in

—

"THE INVISIBLE RAY" (Univ.)
"CHARLIE CHAN'S SECRET" (20th-Fox)
CAPITOL— (1,200), 10c-26c-36c-41c, 7 days.
"SHIP CAFE" (Para.)

[Gross:

Anything" on Dual

per cent over normal with $6,200 in
It
its second week at the Pantages.
fell
over to $7,000, however, in its
holdover at the Hillstreet.
"Ceiling Zero" was a profit-maker
both Warners' Hollywood and
at
Downtown. At the former it was
$1,000 over the line on a take of
$15,000, and at the latter it was $4,000
over to the good on a gross of $16,000.
Total first run business was $101,-

Hollywood, Feb. 6.— Columbia has
Buffalo, Feb. 6.
Hobo" was scheduled a picture called "Trapped
the top draw here in a week of sub- by Television" for early production. with a take of $4,000 in four days at
zero weather. Playing the Lafayette, The story is an original by Al Mar- the Carolina, average is $2,000 for
three days. "The Bride Comes Home"
it pulled $8,500 past the turnstiles, to
tin and Sherman Lowe. Lee Loeb and
break par by $2,500.
Harold Buchman are now working on got off to a good start at the Carolina
"Ceiling Zero" was close behind at the screen play, and the cast will in- grossing $2,000 in two days, and is
the Great Lakes, an average $7,300 clude Mary Astor, Lloyd Nolan, Jean expected to continue to make money
house, with a take of $9,300. It was Dixon and Gene Morgan. Del Lord next week.
Bad weather all week held down
held over for another week.
will direct.
attendance at other first run houses,
The only counter attraction in town
and no other picture broke average.
was the Jooss Ballet, playing one
Total first run business was $11,000.
night at the Court St. to capacity.
Ted Holt Breaks Wrist Average
is $11,000.
Total first run business was $42,200
Bridgeport, Feb. 6. Ted Holt, forEstimated takings for the week endAverage is $42,000.
manager of the Majestic and ing Feb. 1
Estimated takings for the week end- mer
"SYLVIA SCARLETT " (Radio)
Globe here, and now a member of the
ing Feb. 1
BROADWAY— (1.114), 25c-40c, 3 days.
Loew's New England maintenance
"ANYTHING GOES" (Para.)
(Average, $2,000)
$1,500.
BUFFALO — (3,000), 30c-50c, .7 days. staff, fractured his wrist when he fell Gross:
"THE MURDER OF DR. HARRIGAN

"CEILING ZERO" (W.B.)

8

Me

—"Mr.

Gross:

$5,000)
(Col.)

(1,500),
10c-26c-36c-56c,
$4,700.
(Average, $4,000)

Top

"PROFESSIONAL SOLDIER"
7

"SHE MARRIED HER BOSS"
days.

Is

In Buffalo, $9,500

4,700 in Oklahoma
Jklahoma City, Feb.
Married Her Boss" was the

"Mr. Hobo"

It

"Rose
two
ran up to
in

$14,500, over the line by $2,500, at the
Chinese, and at the same time piled up
$17,500 at Loew's State downtown.
This was $3,500 to the good.
Pink" was nearly 100
"Strike

ties.

44

here last week.

spots

building burn to
ground for a loss of $4,000.
The town has no water facili-

"HITCH HIKE LADY"
ROGER SHERMAN— (2.200).

days.

—

the

the

the Coast

Los Angeles, Feb. 6.
Marie" was in the big money

They then watched

building.

first

7

Stage: Verne Buck and Vaudeville
(Average, $13,000)

On

fire.

Members

$3,600)

Hub Rebooks "Informer*'
Boston, Feb.
— A new experi6.

ment, locally at least, is being conducted by the M. & P. Theatres Corp.
in rebooking "The Informer" day and
date at the first run Fenway and Par-

amount.

The

double-feature
top adverlisinc

picture

is

part

of

a

(20th-Fox)
23c-40c,
4
days.
(1,400),
(Average for three days,

CAROLINA —

Gross:

$4,000.

$2,000)

"THE BRIDE COMES HOME"
CAROLINA — (1.400), 25c-40c,

Gross:

$2,000.

(Average

for

(Para.)
2
days.
days,

three

$2.0^0)

"THE MELODY LINGERS ON"
IMPERIAL— (989), 30c, 3 days.

$1,500.

"PADDY O'DAY"
IMPERIAL— (989), 30c,

$1,000.

(U.A.)
Gross:

(Average. $1,500)

(Average, $1,500)

(20th-Fox)
days.
Gross:
3


Announcing

The Removal of the Publication Offices of Motion Picture Daily to Rockefeller Center, New York
City Asks for Dismissal of Sale Tax Stay

Exchanges Inform Court Of Their Appeal

The city yesterday asked for dismissal of its suit to stay sale by levy of a temporary injunction against the seizing and collection of the city's sales tax. A hearing before Justice Callaghan in the Supreme Court was set for today. The court ordered a stay decision.

The suit is brought by Justice Callaghan, acting as a trustee for the city, to prevent the imposition of sales tax on film rentals placed on interstate commerce, involving the taxing by the city of a Federal government and was injurious to exhibition, that it might force the closing of theatres.

New York exchanges, which are opposing the tax independently with the city's appeal against the United Artists' exchange, are accepting the suitors' test case, advising the court through Edward Ryffel of O'Brien, Friend, that an appeal was being taken to the Appellate Court.

"Rose Marie" Leads B'way with $1,000

"Rose Marie" was the topgrosser on Broadway last week, tallying a profitable $1,000 for the first seven days. The picture garnered the largest ticket take of any house, including the Music Hall, despite the sticky streets and sub-zero weather.

"Colect" in its second week at the Paramount ended with a nice $30,000, while the third stanza of "Camping Out," which ended up approximately $16,000. The first two days of "Anything Goes" at the Paramount showed close to $71,000 on the books.

Essaness-RKO Row Is Reported Ended

CHICAGO, Feb. 7—It is understood that the Essaness-RKO booking difficulty was straightened out today, but that no progress has been reached toward an agreement with Warners. Essaness objects to one week clearance for Warner pictures playing the Warner Metropolitan.

Justice Department Declares
New St. Louis Case Is in Work

BY CLARENCE LINZ

Washington, Feb. 7—Far from abandoning the St. Louis case, the Department of Justice is definitely engaged in making preparations for a new suit, it was declared by officials today.

It was explained that the department was holding back and intended to undertake further consideration of the facts before proceeding, officials asserted that the matter is "all set" and that while the new suit may not be filed immediately, it will be delayed no longer than is necessary to line it up.

It was explained at the department that the Attorney General yesterday, in response to a question at his press conference, repeated his announcement of some days ago that the Government had secured dismissal of the suit without prejudice and planned to bring a new case without additional notice to get into the record certain conversations which were barred by rulings of Judge Moley. By no stretch of imagination, it was declared today, could this be construed as meaning that the department was quitting.

The department has all the facts necessary for the new suit, but requires a little time in which to arrange its campaign. Attorney General Cummings was consulted and a suit was withdrawn last month and gave his approval to the motion as an advisable strategic move to secure the introduction of testimony which the Government considers vitally important.

U.S. Firms Resume Selling in Mexico

American distributors in Mexico resumed selling activities in their respective regional meetings and publication in the Mexican Official Gazette of the recent settlement decree entered into between the Government and the distributors. The publication of the decree automatically makes it a law, officially permitting the resumption of business.

The settlement involved a favorable adjustment of import duties on American films and income tax schedules of the companies operating in Mexico. A settlement of an employee's strike which closed the offices of eight distributors in Mexico City last Sept. 27 preceded the agreement with the government by 10 days. Under the strike settlement the employees received a $55 per cent wage increase and 80 per cent of their pay for the time they were out.

Equity-Guild Merger Is Asked at Meeting

HOLLYWOOD, Feb. 7—Demands for an amalgamation of the Actors' Guild with Equity were voiced here last night at a general membership meeting of Frank Gillmore, Equity head, was one of the speakers. Morgan Wallace was chairman.

The meeting was marked by arguments for and against the move.

In explaining the agreement existing between Equity and the guild, Gillmore said that Equity's jurisdiction over screen actors had been abandoned.

LeBaron Head, Para. Studio: Unit Plan In

Lubitsch Has Own Unit To Produce 4 Yearly

HOLLYWOOD, Feb. 7.—William LeBaron today became the first producer to announce a production at Paramount studios by appointment of John E. Ottersen, company president. LeBaron succeeds Ernst Lubitsch, who relinquished the title of studio managing director. Lubitsch, however, steps into a unit producing berth which provides for the heading of his own unit and for his production of four pictures annually, with which he will direct two of them himself.

LeBaron's post was announced here as a temporary arrangement during the existence of units similar to the one headed by Lubitsch. Following the completion of the transition to the new system, LeBaron will be placed in charge of one of these units. Today's appointment, however, is effective immediately. The decision to establish the unit system is the result of several weeks of executive conferences at the studio during which time the changes which are now confirmed have been constantly reported as imminent.

Paramount-Schine Dicker Is Delayed

Paramount's deal with the Schine circuit of upstate New York and Ohio has been delayed until next week when George Lynch and Louis Schine will return from a trip to N. Y.

One hour after Lynch arrived from Glens Falls Wednesday he received a telephone call that his wife had undergone an operation for a ruptured appendix. Both Lynch and Schine left for their upstate headquarters and are due back either Tuesday or Wednesday.

Enjoin Warners in Cagney Pact Action

LOS ANGELES, Feb. 7—James Cagney today obtained from Superior Court Judge Douglas L. Edmond a temporary order restraining Warners from interfering with his attempts to obtain a contract elsewhere, in the player's action to cancel his Warners contract. The order is returnable Feb. 14, when Warners must show
Allied Is "Company" Union, Court Ruling

"Allied at all times was and still is a company union," Supreme Court Judge Frank F. Adel in Brooklyn yesterday held in denying Allied Moving Co., an independent motor carrier, an injunction against Terminal Associates and DeGrow Amusement Co., operating the Ter- minal on Flatbush Avenue and North Dean Street, Brooklyn. Local 306 intervened through its attorney, Matthew Levy.

The three theatres have been employing Local 306 operators and some time ago joined the I.T.O.A. Allied, which has a 10-year master contract covering its entire fleet of motor carriers, was notified of the organization, demanded that its projectors replace Local 306.

Continuing his opinion, Judge Adel said: "Allied was organized by the I.T.O.A., and was sponsored by them. "Allied never selected a committee to negotiate with the I.T.O.A. for the master contract," he said, adding, "prior to said contract there never having been any negotiations in Flatbush, and the usual terms of labor contracts prior thereto was for two-year periods and were not to be altered until Aug. 21, 1933, is against public policy."

In denying the injunction the court also assailed Allied for costs.

Political Pictures
Get Chicago Permit

CHICAGO, Feb. 7.—After delaying his decision 24 hours Police Lieu- tenant Harry Costello has granted a permit for the showing of "Amateur Fire Brigade" and has finalized plans for New Deal pictures to start Feb. 10 at the Grand Opera House.

Costello, who is head of the censor board, asked a final decision from Police Commissioner Allman.

"As the pictures violate no law," Allman said, "we cannot refuse a permit."

Costello's explanation of the delay was: "I thought the pictures des- pectful. They hold the President up to ridicule. After all, he's our Presi- dent and he shouldn't be held up to ridicule."

Shubert Sues Authors

A suit for $50,000 damages alleging copyright infringement has been signed by Samuel Goldwyn against the estate of N. Y. Supreme Court yesterday by Lee Shubert against Basil Dean and Dean & Reed, Ltd., now at 3406 S. Michigan Ave., former owner of "Autumn Crocus.

The complaint sets forth that on Aug. 15, 1931, Solober and Dean & Reed, Ltd., entered into a contract for exclusive producing rights and was to get one-quarter of the film rights. It was also stated that in 1931, the defendant sold the film rights to Associated British Film Distributors. For $225,000, Shubert charged that this caused Dean & Reed, Ltd., to breach an agreement with him.

RKO to Have a Drive

March will be Bob Wolff Month at the local RKO exchange. The special drive will begin Feb. 28 and continue to March 31. It's an annual event with Wolff.

Goldwyn Signs Huston

Hollywood, Feb. 7.—Walter Huston has been signed by Samuel Goldwyn to play the role of Dodsworth in "Dodsworth." Ruth Chatterton has been cast to play opposite him.

Extensions Granted in Broadcast Suits

Extensions of from 10 and 20 days to file answers to suits instituted against local and national broadcasting stations have been granted by War- ren E. Burger, the U. S. District Court judge yesterday to Wattenberg & Watten- berg, attorneys for the plaintiffs.

Suits in which the stations named were NBC, CBS, WHN and WNEW. WMCA, New York and WIP, Philadelphia, have been allowed 10 days.

"At first the companies were very anxious to have the suits filed so that they could get some delay, but now they are asking for delays," a representa- tive of Wattenberg & Wattenberg said.

Two new actions were filed yesterday for alleged damages totaling $25,000, in the The Fox-West Coast Broadcast & Sons against WNEW for $5,000 for broadcasting without permission "I Like Mountain Music," is the title of one filed yesterday. In the second, the total damages sought being $15,000.

In the second complaint was lodged by Remick against Knickerbocker Broadcasting Co., Inc., WMCA, for $20,000 for "chanting" consent "Chintamot, My Chintamot," "Crying for the Carolines," "Naga- te," and "I Want to Bounce Around with You." Previous Warner's filed three suits for $15,000 damages against this station.

Dan Barkan is reported repre- senting all defendants. His firm also is counsel for Ascap.

Precedents Cited
In F. W. C. Hearing

LOS ANGELES, Feb. 7.—Walter K. Fuller, continuing arguments here today in the Fox-West Coast bankruptcy hearing before Judge James Algier Fee, cited many instances to prove that the distributors have refused to reopen closed broadcasting plants. Fuller said by the present case parallels that of the Lerner chain stores bankruptcy even to the payment of a dividend of 9¼% to stockholders.

He stated that in claims for future rents the distributors have refused to maintain that landlords have no provable claim.

Judge Fee will study the records of the case over the week-end and will probably rule on Fuller arguments on Monday.

M-G-M Studying Appeal

M-G-M is considering applying for a writ of certiorari to appeal to the U. S. Supreme Court the recent decision of the U. S. Circuit Court of Ap- peals here holding that "Letty Lyn- nett," an infringing film of the picture "Dishonored Lady" by Edward Shel- don and Margaret Ayer Barnes. The Circuit Court yesterday denied M-G-M's petition for a re hearing. The U. S. District Court here had de nied M-G-M's picture was not an infringe ment but an appeal was taken to the higher court by Sheldon and Mrs. Barnes.

Goetz Talking Plans

Hollywood, Feb. 7.—Ben Goetz is here conferring with M-G-M heads on the company's production plans in England. Nothing as yet has been definitely formulated.
Red Kann
Is on his way!

- - - On a roving assignment, heading for where the news may be breaking, including a closeup of the Hollywood situation.

MOTION PICTURE DAILY
MOTION PICTURE DAILY
Saturday, February 8, 1936

Natl' Board Hears Censorship Attack

(Continued from page 1)

the Motion Picture: Progress and Possibilities. The morning and afternoon meetings were presided over by Professor Robert A. Kissack, Jr., of the University of Minnesota, and Dr. Frederick M. Thrasher of New York. The sessions were attended by Dr. Claude Hardy, superintendent of White Plains schools; Dr. Walter S. Burghardt, of Harvard; Dr. John R. Aitkens, of Earlham College; and John E. Abbott, of the Museum of Modern Art Film Library, and Dr. J. J. Fontaine, editor of the Health Digest, were among the speakers.

The conference yesterday afternoon added five resolutions: (1) endorsing the program of the National Board; (2) urging the further development of censorship; (3) endorsing the program designed to give young people the opportunity to select and evaluate films; (4) urging all efforts to educate the public to the value of films as aids in education; (5) endorsing the National Board's recommendation to the Congress, in any form, and opposing any extension of legal censorship "which might be applied to a selection of video films either for children or adults."

In his attack on censorship, Hayns said, "The demand for censorship legislation ... represents a demand for enforcement shows a desire to control morals and thoughts by law and says more about the fearfulness of the crusaders would set up a howl if anyone suggested that a law be passed compelling them to see something they disliked. But they actually exercise this power on others."

Today's closing session conference will be featured by the sixty-first annual National Board luncheon at the Pennsylvania Hotel.

City Asks Dismissal Of Sales Tax Stag

(Continued from page 1)

late Division on the city's recent decision that rentals are subject to tax. Ratliff stated that the distributors felt that their procedure was the one most likely to be successful and feared that the injunction proceedings might prejudice their cause.

He asked the court to fix bond for exhibitors in the amount for which they might be liable under the tax in the event the injunction was granted. This was done because the city sales tax law provides that the tax must be passed on to the ultimate consumer, and if the tax on film rentals is not invalidated exhibitors will be liable to disconnect and underwrite the interpretation of the law, for a two per cent tax on their film rentals from Dec. 28, 1934. The city's contention is that the exhibitor and not the public is the ultimate consumer.

The city based its plea for dismissal on the assertion that the tax law itself provides for a review by certiorari of the city's decisions on the question of whether or not the tax makes an injunctive proceeding unnecessary if improper.

Local theater owners yesterday granted United Artists' application for a writ of certiorari under which it will take its appeal from the city's tax decision to the Appelate Division.

"Shadows of the Orient" (Larry Darmour Prod.)

Hollywood, Feb. 7.—Providing the maximum amount of thrill and suspense embellished by romance, drama, melodrama and comedy, this is geared to appease the appetites of the excitement-adventure fans as well as those who like a little freshness in their entertainment fare.

It's a story of Chinese smuggling. It tells of the activities of a new kind of Crew, a young immigration inspector, an in-the-run veteran, who was just smart enough to be on the job at the right moment, a suave behind-the-scenes racketeer and a girl who had a penchant for getting herself in all kinds of romantic and dramatic trouble.

Moving rapidly, it spends no time beating around the bush, but plunging right into the plot, makes it through realistically and logically. The story centers on a drive to break up the smuggling ring. How the young inspector adapts new-fangled detective methods toame the veteran and put the finger on the senior, the country's source of interest. How he brings the full force of his magnetic romantic personality to work on the girl is equally so. How he gets her out of a serious jam in the finale is bold and intriguing.

Reggie Toomey is the inspector, J. Farrell McDonald the old stag, Sidney Blackmer the heavy and Esther Ralston the girl. Eddie Feathersone, Matty Fain, Kit Guard and James Leong are an assortment of gangsters.

Production, which is ample in its suggestion for interest-creating showmanship is based on a story by L. E. Hefftis, with screen play by the order permanent. According to the Cunningham Royal and direction by Burt Lynwood concentrating on thrill action elements.

Production Code Seal, No. 1,928. Running time, 65 minutes. "G."

Enjoin Warner In Cagney Pact Action

(Continued from page 1)

cause why the court should not make such an order.

Cagney charged that his Warner contract, signed in October, 1932, provided for his appearance in only four pictures a year. His complaint stated that during the first year he appeared in three films, but during the second and third two years he was assigned to five pictures each year. He claimed that the number of roles assigned him resulted in a loss to his popularity.

No statement on the Cagney action was obtained at the Warner home office yesterday.

Koplar Suit Heirs Catchings, Koplar

Wiliston, Vt., Feb. 7.—Harry Koplar and Waddell Catchings, director of Warner Bros., were the only witnesses to be heard today in the Koplar-Warner trial. Time consumed in the trial was a surprising short, Koplar being the only witness. The rest of the time was taken by the introduction of the exhibits, affidavits and records pertaining to the Koplar acquisition of stock through the Scovars deal. There were additional exhibits concerning the Goldman-Sachs deal, which on the part of the Koplar, as himself as a stockholder, testified that he now owns 15,818 shares.

There was read into the testimony during the afternoon session, parts of the Warner Bros. "Biography" to which the Koplar and the Goldman came to derate the floating of securities for the company and to show the extent of the services rendered by the financial organization.

Bank Night Cleared In Two N. E. States

Bosox, Feb. 7.—Bank Night is now legal in two New England states after the successful running of a ruling by the New Hampshire Supreme Court that it is violation of the lottery laws there. Maine prosecutions were withdrawn a few days ago.

In this state two Superior Court decisions have recently gone against the giveaway.

Radio Re-Signs Jason

Hollywood, Feb. 7.—Radio has signed Leigh Jason, director, to a new long term contract. His next will be a musical tentatively titled "Make a Wish."

Flash Review

"Tango," A well directed story on the time-tried thesis of the working man's struggle to marry into the wealthy family.

This film will be reviewed in full in a later issue of Motion Picture Daily.

Short Subjects

"Mickey's Polo Team" (Diurney-United Artists)

There is no comparison of this cartoon series. Each is as good as the last and then becomes better. The whirlwind action and splendid animation of a burlesque polo game here leaves audiences breathless and then makes them roll. The team is spotted with various film personalities in good-natured satire. Gable, Shirley Temple, W. C. Fields, Garbo, Oliver Hardy with Sian Laurel and many others are in the stands and on the field. The game is a fast, hilarious and spectacular picture, a gem with Jack Holt as referee. The usual comic invention and clever sound effects bring the gag to a close, with the mounts riding the riders. Production Code Seal No. 1,570. Running time, 8 mins. "G."

Repeat on "Obsession"

KANSAS City, Feb. 7.—"Magnifi- cent Obsession" began a repeat run at the Tower today, following a record-breaking two-week run at the house two weeks ago.

Don Marquis III

Don Marquis, humorist and playwright, is ill at his home, following a cerebral hemorrhage. His right side is reported paralyzed.

Wall Street

Warners Pfd. Leeds Stock Gains

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Fractional Rise Spots Bonds

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CLASSIFIED

POSITIONS WANTED

NEWSPAPERMAN, YOUNG: 10 YEARS EXPERIENCE; Columbia graduate; press contacts Long Island; valuable in public department; low salary. Box 683, Motion Picture Daily.
WARNERS MAY MOVE TO END MUSIC TAXES

STUDYING PLAN TO HAVE PRODUCERS PAY COSTS

WARNERS favors the elimination of the music tax on all theatres and believes that the entire music royalties levied against films should be paid by the producers, it was learned yesterday from an authoritative source.

WARNERS are now studying the theatre music tax situation with a view to putting their policy into work, and if they are successful in this, there is reason to believe that other major producers, who are also being asked to comply with the tax, will follow suit. A successful development of the policy by WARNERS is expected within a short time would be relieved of the music tax.

While HERMAN STARR, vice-president of WARNERS in charge of its music publishing subsidiaries, could not be reached yesterday for a statement on the information given to MOTION PICTURE DAILY, the current issue of Metronome, a professional journal (Continued on page 8)

CENSORSHIP HIT BY POST AT BOARD MEET

A general attack on censorship and praise for the work done by the National Board of Review keyed off a talk by Langdon W. Post, tenement house commissioner of New York City, at the concluding four-day session of the 12th annual conference and last business session of the national board on Saturday.

Post told conventions assembled that the people who sit in judgment on these films are in my opinion incompetent and completely without ability to tell the people in this state what they shall and shall not see. He added that only the work of pre-

"OBSESSION" HOLDING UP ALL OVER CHICAGO

CHICAGO, Feb. 9—"Magnificent Obsession" with the thermometer below zero continued to pack them in at the Garrick. As a matter (mostly women) of fact at the peak hours the great ladies in the audience would smile and laugh. The picture played its first two weeks in the Loew's at the Palace and (Continued on page 12)

Moss to Seek Stoppage for All Giveaways

WILL APPEAL TO THEATRE MEN AT MEETING TODAY

License Commissioner Paul Moss today will appeal to major and independent circuit operators to voluntarily abandon all games in metropolitan theatres.

Sources have been sent out by the commissioner for all circuits to be represented at a meeting scheduled for 10:30 o'clock this morning at his office at 6 Reade St. Practically every circuit, large or small, will be represented, it was learned Saturday. John Manheimer, secretary of the I. T. O. A., will also be on hand as the official representative for members of the organization.

Commissioner Moss has made various efforts to have the numerous types of games eliminated from theatres, contending that they violate the lottery laws. Many suits have been instituted and where exhibitors have... (Continued on page 11)

PARAMOUNT CIRCUIT

BUY-BACK DEAL SET

A new agreement under which Paramount is given the right to exercise an option to purchase the 50 per cent stock interest in the A. H. Blank and Carl Hoblitzelle circuits from the operators has been reached. The original buy-back privilege expired last Dec. 31 after having been extended several times.

Under the agreement Paramount is privileged to purchase from Blank his 50 per cent stock interest in the Lowa-Illinois circuit up to April 1, and from Hoblitzelle a 50 per cent interest in the Texas circuit up to April 1. The new buy-back arrangements were consented to by the operators following negotiations with Paramount.

ROXY BONDHOLDERS

STILL ASK RFC AID

The Roxy bondholders' committee is continuing its negotiations with the RFC for a $750,000 loan to finance its own reorganization of the theatre and may ultimately adopt this procedure unless proposals which are more inviting to the creditors are received in the near future, it was stated on Saturday at the offices of White & Case, attorneys for the committee.

A number of proposals for reorgan-

NEBRASKA COLD HITS SMALL TOWN HOUSES

OMAHA, Feb. 9—Constant sub-zero weather for two weeks has kept exhibitors confined to their home towns, leaving Film Row here with scarcely a visitor. Shoeshops in small towns have been doing business because of the intense cold. Film delivery trucks were halted Monday night on their northern route.

REPORT WARNERS TO GET CLEVELAND SPOT

WARNERS are reported interested in a new theatre to be constructed in Cleveland. While not concerned with the building, interests which are backing the project will be approached by the company to take over the structure when completed.

The Lake, on 19th and Euclid, a Warner unit, has been closed for several weeks. (Continued on page 13)
**Insiders’ Outlook**

By RED KANN

**Chicago, Feb. 9.**

The western legal slant on the incorporation in exhibition contracts of clauses having an actual, regulatory effect on the theatre’s minimum admission and playing periods was widely from the eastern version, as exemplified by the recent U.S. Circuit Court of Appeals decision at Philadelphia holding the anti-double feature clauses in contracts to be illegal.

The still more recent decision of Judge Gunnar H. Nordbye in U.S. District Court at Minneapolis in the case of the Theatre Players Co. against major distributors, involving the 15-cent minimum admission clause as well as the dual clause, is in sharp contrast to the order interdicted by the Minneapolis court after attention had been given it to the Philadelphia appeals court’s ruling. Judge Nordbye held the distributor has an interest in theatre policy where his pictures are played and that the safeguarding of this interest by contract clauses which regulate policy may be reasonable, but those clauses are similar to clauses contained in the contracts of other distributors this, in itself, is not evidence of concerted action in violation of the antitrust laws.

Excerpts from this decision follow:

“The high cost of production of the modern motion picture film requires an arrangement between the producer or exhibitor, whereby the former may be assured of a sufficient source of income to pay the costs of production with a profit. The distributors, therefore, have a direct interest in the showing of their pictures in theatres where their pictures are exhibited.

The court finds ... that the policy of these defendants with respect to the establishment of a minimum admission price and the prohibition of double features in the theatres in this vicinity where their films may be licensed, is predicated on long years of experience in the moving picture field, and that such policy has for its purpose, and does tend to secure to the defendant distributors, a better remuneration for their copyrighted motion picture films, so licensed and to be licensed.

... Among the defendant distributors individually produce or distribute a sufficient number of motion picture films to monopolize or control the available motion picture licenses for use in the various theatres in this vicinity, and the re- stricting the admission prices and double features do not tend to substantially lessen competition in, or to discourage the circulation of, the Sherman Act or the Clayton Act, and do not tend to create an illegal monopoly in interstate commerce, if it be a fact that such contracts are promulgated by their own individual experience and the policy of the respective distributors and that such arrangement, understanding or contract, express or implied, with any other distribution.

The Shubert petition for a temporary injunction, therefore, was denied. Thus, indicating something or nothing about the judicial policy of the nation, two diametrically opposite decisions emerge to further confuse the ultimate outcome on the vexations problems of low admissions and double features.

But there is something beyond law courts and citations and it leaves a mighty impress on the practicalities of the twin bill complexity.

**Chicago, Feb. 9.**

...During the changeover from The Century to The Chief today, an interesting report was dropped in this traveler’s lap. It seems to comment in this space recently about the increased tempo which is marking the exodus of those distributors who have an interest in arresting light on ways and means. The report comes down Lake Michigan from Milwaukee and has to do with the growth and activities of Area of Wisconsin Amusement Enterprises, one of the units in National Theatres which means Twentieth Century-Fox. There, Harold J. Fitzgerald is understood to be acquiring more houses, with still more to come, under a looking arrangement which keeps the original operators at the helm and charges a five per cent fee for the privilege of playing on and with National Theatres’ buying power. Profits, if any, divide evenly both ways...

It is said for Wisconsin independents that they are kicking up dust over the method and out of that something may come although perhaps nothing more than a good deal of yelling. As a cited instance of how it appears to be working out is the case in hand of the Sherman in Milwaukee, which is advertised as a Fox theatre. Home towers there, however, seem to be convinced it is actually operated by George Levine and Etta Weiser under an agreement with Fitzgerald. The bidding continues, but the last several fund recollections. One: That distributors at large say they refuse to deal with them. This incident, is another example of fluctuation which is to be expected in the industry. The trouble about Aaron Saperstein long had right here in Chicago, whereas Ray Moon in overnight Detroit had little except with the studio, his first line now, when the industry was rocked by the ambitious plans, engendered by the old Stanley Company of America, to organize a national booking circuit. You can’t tell about these things. Either can we. That’s why we’re returning to window gazing.

**Board of Education Takes Chicago House**

CHICAGO, Feb. 9.—The Board of Education of Chicago has directed the McVicker Theatre building at 17-27 West Madison St. on an eviction order signed by John Soleski, the chairman.

The court order was directed against the McVicker Theatre Co., headed by J. M. Findlay, a local which held a 99-year lease on the property.

The order followed the theatre company’s failure to pay rental to the city on time. The city judge rendered the judgment for $66,878, the amount of unpaid rent for the year, was entered against the defendant theatre, which will be accepted shortly, the board stated. The house has been dark for some time.

**Fox in 157 Chicago Spots for One Day**

CHICAGO, Feb. 9.—A new booking record was set here one day last week when Twentieth Century-Fox pictures were shown in 157 Chicago theatres. This is an all-time high in bookings any one company has had in local history. Practically all “C” week and first and second week release houses played the company’s pictures.

Advertising in the papers showed that 95 theatres out of 124 advertised, were playing product from the company. Most of the bookings were for “Red Foley,” “The Little Rebel” and “Thanks A Million.”

**Lottery Charge Up In East Cleveland**

CLEVELAND, Feb. 9.—Stuart Cagney, manager of the Washmore, East Cleveland, has been charged with a charge of running a lottery. A hearing has been set for Feb. 14 before Police Justice Myran J. Penny. The case was purchased from the activity of Police Prosecutor Perry A. Frey, who has been gathering evidence of bookmaking, night and other giveaways for a week.

**Richards Optimistic**

NEW YORK, Feb. 9.—Richard Richards has this to say about 1936:

"I think that 1936 will be an excellent year for the picture business."
AGAIN
WARNER BROS. HAVE
A SENSATIONAL HIT
AT THE N. Y. STRAND

PAUL MUNI
THE STORY
OF LOUIS
PASTEUR

With Josephine Hutchinson • Anita Louise • Donald Woods • Fritz Lieber • Henry O'Neill • Porter Hall
Akim Tamiroff • Directed by William Dieterle • A Cosmopolitan Production • A First National Picture
"Splendid. 'Next Time We Love' is another gem in the already studded crown of Universal."

— Jimmy Starr, Los Angeles Herald Express

"Heart-warming, human and understandably emotional . . . a generally superior attraction."

— Red Kann, Motion Picture Daily

"A natural for women, fully as strong in this respect as U’s current heavy grosser, 'Magnificent Obsession.'"

— Arthur Ungar, Daily Variety
BIG-TIMERS SAY

"Ranks high among the finer examples of cinematic entertainment."
—Regina Crewe, N. Y. American

"'Next Time We Love' has been made into a beautiful, thoughtful film . . . expertly acted, sympathetically directed."
—Carol Frink, Chicago Herald and Examiner

"A grand picture for women to cry over and generally enjoy themselves . . . Miss Sullavan has never looked so lovely nor acted with more sureness . . . provides sighs, romance and tears."
—Eileen Creelman, N. Y. Sun
Short Subjects

"Toonerville Trolley" (Radio)
The characters of Fontaine Fox's comic strip are vividly brought to life in this color effort. The Skipper, the powerful Katrinka, and the trolley car all go to make an amusing short, but unfortunately figures are missing. The plot centers around the Skipper's attempt to get to the depot in time to catch the daily train. Aided by Katrinka, he beats a cow who goes after the car and with some difficulty, manages to get the trolley back on the rails and also on the right track. It is a good cartoon offering. Production Code Seal, No. 1098. Running time, 7 mins. "G."

"Winter Sports" (Radio)
Bill Corum takes the audience to the outskirts of Canada where the best of winter sports are in play. Well photographed, there are seen champion skiers, snowboarders, and Charlie Chaplin in bluebird form are well done, and the subject should sell a spot on any program. Production Code Seal No. 1,419. Running time, 6 mins. "G."

"Dr. Bluebird" (Columbia)
One of the Color Rhapsody cartoons, this is an entertaining number, with the bluebirds rallying to cheer the small boy whose sprained foot makes flying impossible. The characters of the Marx Brothers, Mae West, Laurel and Hardy and Charlie Chaplin in bluebird form are well done, and the subject should fill a spot on any program. Production Code Seal No. 1,896. Running time, 7 mins. "G."

"Bird Stuffer" (Columbia)
Krazy Kat, taxidermist, is ordered by the bulldog to stuff a fish and make it look like a bird. His dog steals the fish and, chasing him, Kat is knocked out. His dream has all the stuffed animals coming to life and trying to make him believe that he is one of them. When he comes to be put to rout the fussy customer. The subject is of average quality with others of the type. Production Code Seal No. 1,896. Running time, 7 mins. "G."

"Winter at the Zoo" (Pan Buren-RKO)
The Easy Aces pull gags about what the title implies as scenes of the New York Zoological Park are shown. The plans for feeding the animals are shown and interesting shots of feeding time and winter gaspimes of the animals winding up with Jabez Acker sitting uncomfortably all through discovering that she has been on a man's lap. Excellent photography accompanies the subjects which would be found entertaining by most audiences. Production Code Seal, No. 0872. Running time, 12 mins. "G."

"Ice Cut-Ups" (Columbia)
When the narrative delivered by Ford Bond, this World of Sport subject offers interesting shots of various forms of fun on the ice. Included are curling and stunts skating, trolley races in sleds and sakles, ski racing behind horses, iceboat sailing and handball skating. The feature of the subject is a recent professional hockey match at Madison Square Garden, when the boys became "annoyed" at each other and sticks and fists were flying with reckless abandon. A good subject. Production Code Seal No. 0,839. Running time, 10 mins. "G."

"Screen Snapshots No. 6" (Columbia)
In this number of the Seeing Hollywood with Harry Parsom group, the audience is given glimpses at home of Betty Davis, Hal Mohr and his wife, Evelyn Venable, Ken Maynard, Arthur Rankin and Gloria Shein. The real features the opening of Max Factor's beauty salon, attended by dozens of stars and adoring fans who liked to see the players in off moments this subject should be satisfactory. Production Code Seal No. 1,913. Running time, 11 mins. "G."

"Radio Barred" (Radio)
Johnny Arthur, Landers Steven, Ruth Hiatt, Maxine Jennings and Ed Kane act out a typical comedy plot in this short. Revolving around the theme of too smart neighbors, the story has Arthur, promoted to sales manager at the office, replacing a fellow who entered a contest run by the office. Arriving home he finds himself in a similar predicament due to his wife. There follows a fine for all in which a prize, a gift and a dog all make for ordinary comedians. Production Code Seal No. 1,847. Running time, 15 1/2 mins. "G."

"Tango" (Invisible)
Hollywood, Feb. 9.—Good direction and a competent cast greatly help this twice-told tale.

Marian Nixon plays the poor, but honest, working girl who marries Matty Kemp, rich, but easily influenced younger brother of George Meeker, who also has an eye on Miss Nixon. Meeker, enraged at being jilted, is about to remarry with the marriage annulled and there are plenty of misunderstandings over stolen letters before all ends happily when Miss Nixon turns up to remarry Kemp with surprise in the shape of a little stranger clutched in her arms.

This tale is well played and directed and such good actors as Warren Hyner, Herman Bing, Franklin Pangburn and Marie Prevost aid materially in the comedy roles. Chick Chandler as the loyal family friend, draws plenty of sympathy. So does Miss Nixon as the snubbed bride. Meeker is smoothly calculous as the menace. Phil Rosene's direction keeps the story progressing at a satisfactory rate.

Whalen places Miss Trevor in a show he is backing after persuading Kemp by Miss Nixon, compares to the marriage annulled, is all but forced from the show by Rall Harold, stage director, who sees her numbers for his sweetheart. At dress rehearsal Kelly returns, exposes Harold and leaves Miss Trevor to Whalen to alter the opening.

Director Allan Dwan frequently interrupts the main trend of the story and inserts comedy, which is ably handled by James Burke and Ruth Donnelly as comedy lovers, and Helen Troy in an amusing switchingboard operator routine. Three musical numbers written by Sidney Clare and Lou Pollack are tuneful, but the dances staged by Fanchon are not impressive. In general the production is good, however. The love scene and conclusion offer the best exploitation angle, and Kelly, who has been given numbers for his sweetheart.

Production Code Seal No. 1,824. Running time, 68 minutes. "G."

"All Business" (Radio)
This is a dull treatment of a comic theme that is tarnished from constant rewriting. It concerns the efforts of Ford Sterling to sell a line of insurance to a rich man and the suspicions of his wife who thinks he is selling on to another woman. He is also beset with facing his boss and annoyed by the attentions of the house detective. The final quote "snaps it tight" and the overall effect leaves with a degree of understanding on all sides. Production Code Seal No. 1,966. Running time, 18 1/2 mins. "G."

Transfer of Trust Case Here Rumored

(Continued from page 1)

ings, when set, will be heard before three judges in the U. S. District Court. It is stated that when the court convenes it will act in equity three judges instead of one can be demanded for the proceeding.

When the equity case was tried in St. Louis, Federal Judge Joseph W. Webster called in the state judges to decide the issues at stake. Just as Russell Hardy, chief Government attorney in the matter, was about to wrap up his presentation before Harry C. Arthur, chief Government witness, a dismissal was sought and granted without prejudice to again file and name individuals as supplementary defendants. The hearings were being put off for 10 days

One of the reasons given for the possible change in states is said to be the fact that all of the individuals to be named as defendants are in New York. Many of the witnesses called to St. Louis were inconvenienced and no, and those in New York are, there remain in the corridors because they were unable to get to the courtroom. This, it is stated, would be done away with if the case is transferred.

Warners May Move To End Music Taxes

(Continued from page 1)

musicians scheduled an interview with Starr in which he is quoted along lines which substantially verify this information.

"The performing rights business is a new one with us," Starr is quoted as saying, "and we are studying a number of angles at the present time. We believe, for instance, that all performing rights fees should be paid at the source as publication, and not interest in whether hotels have radios in their rooms or not. What we desire is that we catch a public program in his home or in a hotel room? We do not propose to tax hotels for use of our music. Like- wise," Starr is quoted as again saying, "we see no point in imposing a double tax on pictures—at the source and in the theaters where they are showing—and are studying this situation with a view to simplifying the matter. While the ultimate amount paid for the use of music in pictures should not be any less, we believe the producer should pay the whole amount."

Greenwich Opening Set Despite Strike

Despite differences with Local 306 over an operators' agreement, Ben Knoebel will open the new 600-seat theater in Greenwich on Wednesday, as originally planned.

Construction on the theater was completed last week when crafts affiliated with the A. F. of L., of which Local 306 is a member, walked out on the building department and others interested in completing the work, appealed to the A. F. of L. and after a few days men who had been employed on the theatre were called back.
The Prisoner of Shark Island
The STARK DRAMA of "I AM A FUGITIVE!"

TORTURED
by the savage fury
of a nation's hate!

THE PRISONER OF
All that...and more...in this spectacular production vibrant with every emotion...ablate with nerve-tearing suspense. An unforget-tably moving document of courage prevailing over unbearable cruelty . . . unshakable faith triumphing over man's basest betrayal.
TEARS WILL GLISTEN

THE PRISONER OF

THE KEYSTONE OF YOUR FUTURE
IN A MILLION EYES!

Crushed, despised, tortured . . . and forgotten! His heart black with despair . . . his soul blank of hope. Only one faint gleam of light stole into his dank, rock-bound dungeon . . . the divine spark of a woman's love that gave him the strength to pray!

THE STARK TRUTH
more grimly powerful than fiction's strangest creations!

SHARK ISLAND

The true story of a nation's crime!

SHARK ISLAND
... scene of the blackest blot on a nation's honor . . . locale of the most thundering drama in screen history!

America's Devil's Island... a bit of burning white hell in the Gulf of Mexico called the Dry Tortugas, where life imprisonment was an ironic term for slow death!
A STATEMENT TO THE TRADE

Hollywood, Calif.

Any six-page insert should have a serious purpose and carry a proportionately important message to our customers.

In my eighteen years in this business I have personally endorsed very few productions; but I feel that "The Prisoner of Shark Island," which I have just viewed at the studio, deserves everything that I shall say about it.

Not only is it Darryl Zanuck at his best, but the work of John Ford, the director, Warner Baxter and the entire cast is so outstanding as to label it definitely one of the three great pictures of the year.

"The Prisoner of Shark Island" is a true page from our own history. It could be properly labeled our own American "Les Miserables" and Dr. Samuel A. Mudd, its chief character, could well be called our own Jean Valjean.

The story is that of the tragic fate of Dr. Mudd, who lived through many hells because he dared to serve the highest ethics of his calling — only to be saved when, under circumstances that will wring your heart, he answered the call again to save hundreds of helpless, as well as his own worst enemies.

Only recently our government has taken action to pay proper honor to this hero — the victim of mob hysteria — a sacrifice thrown to an inflamed and prejudiced public.

What a price! What a story! ... and what a picture!

The holders of 20th Century-Fox contracts should approach the handling of this subject in their theatres with the same responsibility as I feel for its proper handling the world over.

President, 20th Century-Fox Film Corp.

THE KEYSTONE OF YOUR FUTURE
**Chicago Gains**

19 Theatres; 20,060 Seats

(Continued from page 1)

**They Confer**

Miami, Feb. 7.—Spotlighted at Hialeah track yesterday in a race in which President W. Ray Johnston, president of Republic; C. C. Exell, southwestern district head; William G. Underwood, Dallas manager, and Irving Mandel, central district manager.

**Giveaway Stoppage Sought by Moss**

(Continued from page 1)

lost in the preliminary stages appeals have been taken to the higher courts. The commission's new move, it is said, is designed to do away with further legal actions.

One of the most important circuits in the local territory has advised MOTION PICTURE DAILY it will not discontinued practice. A high official of the circuit will attend the session this morning and express his views, it was stated.

The case before the Bronx Special Sessions Courts is three hearings involving Loew units playing Sceenoc, will be heard on Feb. 21 on the Grand and Elsmere. The Paradise case is scheduled for Feb. 28. Under the terms an appeal in the Court of Appeals in Albany on a decision handed down by the Appellate Division of the Supreme Court, Brooklyn, will be heard there.

Harry M. Warner spoke in eloquent defense of the screen.

At many speakers’ table were Edward G. Robinson, Beulah Beaumont, Douglas Fairbanks, Jr., Harriet Hilliard, W. G. Van Schmus, Agnes Moorehead, Karen Joseph, Kugel-kendall, Dr. A. A. Brill, Dr. John Katholie Oliver, Mrs. Oliver Harri-man and others.

**Roxy Bondholders Still Ask KFC Aid**

(Continued from page 1)

property of the company have been received by the committee, it was stated, but none other speculation has to wort abandonment allowed by the committee of a plan of its own.

Among other proposals known have been submitted by F. & M. Howard S. Cullman and Har- blummen. Recent interest in the Lees, by theatre owners, which ended with the death of Samuel L. (Roxy) Rothstein, who would have returned as operator under Paramount’s proposal.

**Censorship Hit by Post at Board Meet**

(Continued from page 1)

censorship should exist in this country, if at all.

The meeting of the board, Post continued: “It seems to me that the National Board of Review is based on a correct and proper principle and continues its stand against silly and stupid censorship laws which exist in this country.”

Mesmerized were read to William A. Barrett, executive secretary of the board, and President Roosevelt. The President, in part: “I believe our motion pictures should be same and substantial, enlightening and mentally stimulating. This can be accomplished without subjecting the industry to unnecessary restrictions.” A message from Mayor LaGuardia also was read. He, in part: “approve” the action of the organization. R. H. Cochrane, vice-president of Universal, highly praised the meetings activities in his message. Harry M. Warner spoke in eloquent defense of the screen.

At many speakers’ table were Edward G. Robinson, Beulah Beaumont, Douglas Fairbanks, Jr., Harriet Hilliard, W. G. Van Schmus, Agnes Moorehead, Karen Joseph, Kugel-kendall, Dr. A. A. Brill, Dr. John Katholie Oliver, Mrs. Oliver Harri-man and others.

**“Obsession” Holding Up All Over Chicago**

(Continued from page 1)

then was rushed into the Garrick where it did record business. Bookings made previously could not be taken out of the Loop after this engagement and put in the “big three,” the Tivoli, Marbro and Uptown, B. & K. ’s deluxe neighborhood houses. Heavy advertising campaigns were launched on the playdate.

**Wall Street**

Trading Irregular on Board

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**Nebraska Cold Hits Small Town Houses**

(Continued from page 1)

by a blizzard that struck northeast Nebraska and southeast South Dakota. Snow drifted beyond Norfolk, key city of the northeast, were in peril. Exchanges were receiving film cancellations from any of the towns marooned by snow and cold.

The loss in confused bookings and lot expected is to reach a tidy sum.

**Take Hoffberg Shorts**

J. H. Hoffberg’s 1926 short product has been bought by the Capital Film Exchange of Philadelphia, by Elliott Film in Minneapolis and Sack Amusement for Texas, Oklahoma and Arkansas.

**Quip of the Day**

**MOTION PICTURE DAILY**

Dear Motion Picture Daily:

I received your note about lift- ing yourself up boldly and moving over to Rockefeller Center. I did think that’s such a tremen-dous stunt.

Now, if you could lift Eddie Ederley and put him out of Sardi’s reach—that would be something.

Monroe Greenhal.

**George J. Schaefer**

returned to New York from Florida on Saturday for a couple of days, after which he returns to that sunny clime. In answer to reports that he had made a new deal, he declared this was not so.

**Col. Harry A. Cole** left for Dallas Saturday after coming on from Wash- ington, where he attended the two-day Allied directors’ meet. Al. Steffes and H. M. Ritchie were in town also and left for Colm. Monday.

**Dorothy J. Bayless** to assistant to A. McCauley, RKO theatre repre- sentative, will be married on Wednesday to Charles Oatley of Great Neck, L. I.

**Joe S. Hummel** resigns as Manager, the spot where he will remain until Feb. 20.

**Maffin Schenck**, assistant to Charles G. Moserwitz, left Wednesday for Hot Springs, Ark., and a vacation. He’ll be gone until March 1.

**Douglas Fairbanks, Jr.,** will enter-tain the press in his his- tienhouse st the St. Regis tomorrow after- noon.

**Mort Singer** left Saturday for Chi- cago, where he will remain for a week and then head for the coast.

Frank M. Thomas, stage player recently signed by Radio, is en route to Hollywood by motor.

**Bois Karlaff** will be host at a cocktail party to be given this afternoon at the Algonquin.

**Pete Mayer** is on the bounding main and heading for the West Indies. Away until the end of March.

**Purely Personal**

G. W. Weeks and Arthur Lee are due back from the south either Feb. 15 or Feb. 17. Accompanied by A. P. Wadman and Reg Wilson, Weeks and Lee are now in Miami Beach for the opening of “Rhodes” today. After the opening they will visit Atlanta, Charlotte and Wash- ington exchanges. Wilson, who has been transferred to the home office, will be replaced by Scott Chin- nott, who will supervise G. B. sales in Charlotte, Atlanta, New Orleans and Memphis.

**Edwin L. Wiss,** personal attor- ney to Floyd B. Oslum, Paramount director and head of Atlas Corp., re- turned Saturday from a visit of sev- eral weeks at the Paramount studio during which he conferred with John E. Otisson.

**Chic』 Gains**

19 Theatres; 20,060 Seats

(Continued from page 1)
**"Anything" Is Kansas City's Top, $10,600**

KANSAS CITY, Feb. 9.—Grosses followed the thermometer down, "Anything" Goes at the Newman had the best showing with $18,000, compared with an $8,000 advance at the Fox.

In spite of excellent promotion, "Strike Me Pink" at Loew's Madison will $20,000 under fair for second week.

"Crime and Punishment," plus a stage show at the Tower, took $8,000, which was $1,000 under average; and a combination bill with "Another Face" at the Mainstreet pulled $7,100, Average, $9,000.

The Fox Uptown's first week under a new policy of single bills for a straight 25 cents was considered fair when $12,000 OTTO took $28,000. Average under the 25c-40c schedule was $3,500.

First total business was $38,800. Average is $39,000.

Estimated takings:

**Week Ending Jan. 30:** "ANYTHING GOES" (Par.)

NEWMAN—($4,000), 25c-40c, 8 days. Gross $32,000. Average, $4,000.

"STRIKE ME PINK" (U.A.)

MIDLAND—$1,000, 25c-35c, 7 days. Gross $11,200. Average, $1,600.

"CRIME AND PUNISHMENT" (Col.)

TOWER—($2,000), 25c-35c, 7 days. Stage: Clue Kelly. Lionel's Chinese Revue, Smith Brothers & Pearl, and Boshey & GODD. Gross $6,900. Average, $900.


(Average, combination bill, $500).

**Week Ending Jan. 31:** "PADDY O'DAY" (20th-Fox)

UPTOWN—($2,500), 25c-35c, 7 days. Gross. $2,900. (Average, underrated under new policy).

**"Two "U" Releases Set**

HOLLYWOOD, Feb. 9.—Universal will present "Sudden Fear" and "Sutter's Gold" in March. The first picture, in which Carole Lombard stars and Ida Lupino is the leading role, is tenta-

ively open in New York March 2. The other, which features Edward Arnold, Lee Tracy and Binnie Barnes, will probably be released right after Easter.

**Pick Santry’s Third**

HOLLYWOOD, Feb. 9.—When Joseph Santry finishes "Laughing Irish Eyes for Republic," he will start on "The Gentleman from Louisiana" as the third picture on his contract. Lee Freeman, Andre Boichik and Reinhart Hammeister are working on the script.

**Switch Yuma Bookings**

YUMA, Feb. 9.—Product scheduled to play Mike Rosenberg’s Yuma, which burned down last Saturday morning, has been booked in.

The Lyric is a smaller house. Both theatres were operated by Rosenberg in connection with F. W. C.

**She’s Now "Carroll"**

HOLLYWOOD, Feb. 9.—Kay Hughes, recently made a featured player by WALTERS for "The Golden Arrow" will be known hereafter as Carroll Hughes.

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**"Pink" Leads Seattle for Second Week**

SEATTLE, Feb. 9.—"Strike Me Pink" in its second week more than doubled its average at the Liberty by getting $8,150 in a week of extreme cold and snow. It was held over for a third stanza.

"Magnificent Obsession" held up to $3,100 in its third week at the Fifth Avenue. All other spots were in the doldrums.

Total first run business was $34,550. Average is $3,300.

Estimated takings for the week ending Feb. 3:

**CAPTAIN BLOOD** (F.N.)

BLUE MOUSE—($500), 25c-40c, 5 days. Gross $1,500. Average, $300.

"ANYTHING GOES" (2nd Week)

FIFTH AVENUE—($2,000), 25c-45c. 5 days. Gross $4,150. Average, $830.

"STRIKE ME PINK" (U.A.)

LIBERTY—($1,400), 25c-35c-50c. 7 days. Stage: John Valentine. "Strike Me Pink" at the Kirby also bettered the $1,150 par slightly, grossing $1,700. Other pictures dropped, "I Dream Too Much!" at the Metropolitain proving a disappoint-

ment with $6,700, which was low by $3,000. "Stormy" falling to $3,000 at the Kirby where the week-end figure is $3,300.

Bank Night, combined with "Per-

sonal Maid's Secret," averaged a $350 a day take to the Kirby of $1,500, of which the matinee trade of $400 was credited to the picture.

Total first run business was $28,

400. Average is $26,000.

Estimated takings for the week ending Jan. 30:

"STORMY" (Univ.)

KIRBY—($1,400), 25c-35c, 5 days. Gross $3,500. Average, $700.

"PERSONAL MAID'S SECRET" (W. B.)

KIRBY—($1,400), 25c-35c, 5 days. Gross $3,500. Average, $700.

"BARBARA'S MANSION" (Fox)

KIRBY—($1,400), 25c-35c, 5 days. Gross $3,500. Average, $700.

"STRIKE ME PINK" (U. A.)

LOW STATE—($2,000), 25c-35c, 5 days. Gross $4,500. Average, $900.

"MUSIC IN THE AIR" (Fox)

KIRBY—($1,400), 25c-35c, 5 days. Gross $3,500. Average, $700.

"STRIKE ME PINK" (U. A.)

LOW STATE—($2,000), 25c-35c, 5 days. Gross $4,500. Average, $900.

"MUSIC IN THE AIR" (Fox)

KIRBY—($1,400), 25c-35c, 5 days. Gross $3,500. Average, $700.

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**"Wasserman Aids Benefit"**

BOSTON, Feb. 9.—Harry I. Wasserman, M. P. & district manager, heads the entertainment committee for the 6th annual benefit performance of the Menorah Institute, to be held Sunday on the stage of the Colonial. Hy FINE, M. & P. stage show director; Harry Goldstein, Samuel KRAFT, Harry Harris, Charles Van, Ralph Harris and Joseph and Mrs. Silverman, are on the benefit committee. Gene Raymond is expected.

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**Hamrick in Opera Deal**

SEATTLE, Feb. 9.—Hamrick—Ever-

green has just closed a deal to bring the Gary Cooper picture, "The Norma Jeane," the week of March 15. It is under-

stood to be a percentage deal in order to use a dark house. Seating capacity is 2,280.

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**"Let’s Sing" New Title**

HOLLYWOOD, Feb. 9.—Sol Lesser has changed the title of the Bobby Green picture, "The Show Goes On," to "Let’s Sing Again," with that title in the film.

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**"Rose Marie" Denver Smash; Gets $14,000**

DENVER, Feb. 9.—"Rose Marie" was mounted before a capacity audience in a hurry at the Orpheum. It set up new attendance marks and passed the top gross, through which it reached $14,000, over normal by $8,000. It was held.

"Strike Me Pink" had repeated holding at the Denver, before it reached $8,000, up by $2,000. It was moved to the Paramount for a second week.

"Magnificent Obsession" moved to the Broadway for a third week after a fair second week at the Kirby where during which it grossed $3,500.

The "Milky Way" got off to a good four-day start at the Warner's and $9,500 to take being within $500 of a week's normal gross. The temperature was around zero for the entire week.

First total business was $38,800. Average is $22,000.

Estimated takings for the week ending Feb. 5:

"MAGNIFICENT OBSESSION" (Univ.)

BROADWAY—($3,000), 50c-75c-$1.10, 7 days, four showing engagement, twice daily.

"MIDSUMMER NIGHT'S DREAM" (W. B.)

BROADWAY—($3,000), 50c-75c-$1.10, 7 days, four showing engagement, twice daily.

"ANYTHING GOES" (Para.)

DENVER—($2,500), 25c-35c-50c, 7 days, but will stay at least a full week. Gross: $4,000.

"STRIKE ME PINK" (U.A.)

DENVER—($2,500), 25c-35c-50c, 7 days. Gross: $4,000.

"ROSE-MARIE" (M-G-M)

ORPHEUM—($2,000), 50c-75c-$1.10, 7 days. Gross: $4,000.

PARAGON—($2,000), 50c-75c-$1.10, 7 days. Gross: $4,000.

**Circle Shifts Managers**

DES MOINES, Feb. 9.—Tri-State Theatres has again made some man-

agerial changes. Harry Hollberg has quit the management of the Spencer on Rock Island, Ill., and has been suc-

ceeded by R. J. (Ned) Lemmon, who is now manager of the Paramount on the Des Moines. Harry Workman, assistant at the Des Moines, is now manager at the Gar-

ham. Harold L. Lusk, former assistant at the Strand, is now at the Para-

mond.

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**Group Protests Shows**

OTTUMWA, Iowa, Feb. 9.—The District Ministerial Ass'n has passed a resolution attacking the presentation of shows at the new armory-cosumeum on Saturday, and calling religious devotion to the religious people of the commu-

**"Music" Set for Miami Beach**

FEB. 9.—"The Music Goes Round" at the Lincoln Feb. 19. Harry Rigman, star of the picture, will be present.
"Hitch Hike Lady" Wins in a Walk

She's marching at the head of Republic's Hit Parade... winning acclaim throughout the country... and earning a claim to the Comedy Sensation of 1936!

MORE HITS FROM REPUBLIC:

DANCING FEET
with Eddie Nugent, Ben Lyon, Joan Marsh, Isabel Jewell

$1,000 A MINUTE
with Roger Pryor, Leila Hyams

THE LEAVENWORTH CASE
with Donald Cook, Jean Rouverol

FORCED LANDING
with Esther Ralston, Onslow Stevens

FRISCO WATERFRONT
with Ben Lyon, Helen Twelvetrees, Rod La Rocque

NOW IS THE TIME TO BOOK REPUBLIC PICTURES

Directed by AUBrey SCOTT
Supervised by VICTOR ZOBEL
Original Story by WALLACE MacDONALD
Screenplay by Gordon Rigby and Lester Cates
Business in New England On Up Trend

Boston, Feb. 9.—The film business in New England is heading up hill at a fast rate this winter, according to a cross-section of industry members. Distributors, exhibitors and equipment field join in the prediction.

"The year 1936 should prove memorable in the annals of our country, declared Gov. James M. Curley of Massachusetts, "marking as it will the end of the greatest depression ever visited upon the American people."

Theatre openings in the territory in 1935 showed an increase of at least five per cent over 1934, and, although according to the Thomas Woodburn, city manager for the Ramsdell Brothers circuit, a need for fewer and better pictures, and prediction. In this year "film fare is going to be more important than diskhware."

Still the other hand one exhibitor foresaw giveaways as being a mainstay of theatre business in 1936, while another forecasts business of Lothrop Theatres Corp., expressed the belief that vaudeville will have difficult sledding during the year.

In fact, new repairs and replacement of equipment are anticipated. Martha W. Ferris and Joseph Heilbower, president and treasurer of the Film Board of Trade and the M.P.T.O., respectively, were cheerful in their predictions for the coming months. Brennan pointed out that in Gov. Curley's message to the legislature he proposed no new taxes on the film business.

1936 Outlook in Bridgeport Bright

Bridgeport, Feb. 9.—Local exhibitors are agreed that the box-office prospects for 1936 are bright and that improvement to the best year since the depression. Business has been on the gain since early last fall and is expected to hold a high level through the winter months.

Matt Saunders, manager of Poli's Palace, says, "Business is far ahead of last year and taking into consideration the tremendous growth of the Loop theatres Corp., expressed the belief that vaudeville will have difficult sledding during the year. Brennan pointed out that in Gov. Curley's message to the legislature he proposed no new taxes on the film business.

Vancouver Is In Sight of Better Times

Vancouver, B. C., Feb. 9.—For perhaps the first time in six years Vancouverers are looking to the future with optimism. British Columbia has been slow to feel recovery, just as it was slow to feel the depression. But now it seems that the entertainment business is at least within sight of better times.

Concrete proof of this is shown in a review of theatre receipts for 1934. While Canada was looking down in 1935, 1936, and 1937, in 1936 the largest of any province in the Dominion. Business receipts have shown that are not yet available, but B.C. again will lead the field in gains over 1934.

Although an increase in the volume of forest products has made a striking improvement Forest products show a gain of $5,000,000 over 1934, with employment in camps, mills, and sawmills increased from 10,000 to 15,000.

Miners estimate 1936 will show at least a $6,000,000 gain. Agricultural products showed a remarkable recovery by now than for years, and the biggest salmon run in years has put new blood into the fiscal picture.

In Vancouver, bank clearings showed a gain of $25,000,000 over 1935, the last year local business was the highest since 1929. In 1935, five new independent suburban theatres were built here, and an additional six were built in small towns in British Columbia, and at the present time only one house out of 36 is dark.

With a year as promising as 1935 under their belts, exhibitors and exchange men are optimistic about 1936. As one local manager said, the completion of two of mills this year will make it easier to keep down the overhead. The outlook for box-office business in the city is at the peak. For the past few months is much better than usual.

Predict '35 Gains Will Hold in Iowa

Des Moines, Feb. 9.—Reports of widespread interest in the Tri-State Theatres Corp. for the last weeks of 1935 and expectations that this sentiment will be main- 
1ained during 1935 are typical of the reports by other theatres in the territory and of the business indices in the state.

Business prospects are excellent throughout Iowa, according to W. E. West, president of the state organization. A change here. He based his opinion on the general business improvement in the territory. Growth and expansion is the byword of the industry.

General increases were noted in business indices. New theatres, six new suburban houses having been opened locally, played a part in the increased building permits issued. The value of building permits for 1935 was $2,083,765, compared with $7,346,244 in 1934. Bank deposits showed an in- 
creased, postal receipts gained, and incre- 
ses were indicated of the general business picture. Significant increase was made in farm income, $43,000,000 in 1935 over 1934.

Indicating that Iowans are spending more money, car registrations show an increase of 20,000. This increase in car sales was taken as indicative of the improved farm situation. Significant increase was made in farm income, $43,000,000 in 1935 over 1934.

Theatre Gain Seen For Albany Houses

Albany, Feb. 9.—The theatre operators of Albany have reported an increase in business of 5 per cent and a general gain of 15,000,000 cigars in 1935 over 1934. The local chamber of commerce, in support of the general belief that conditions are better, points to an increase in postal receipts of 12 per cent in 1935 over 1934, a gain of 20 per cent in bank clearings, and corresponding increases in bank deposits, building permits, automobile sales and theatre receipts.

Although actual figures are not available, it is generally agreed that theatre operators of Albany have been encouraged by the good times, despite severe competition in the form of slot machines, now legalized in the state, dog races and the like.

Washington Sees Big '36 Advance

WASHINGTON, Feb. 9.—The enthusiasm of the industry, reflected in the excellent business they have been doing all winter, is expected to continue this summer.

"The film business has been on the rise since early last fall and is expected to hold a high level through the winter months," says Matt Saunders, manager of Poli's Palace, Bridgeport, Conn.

Business is far ahead of last year and taking into consideration the tremendous growth of the Loop theatres Corp., expressed the belief that vaudeville will have difficult sledding during the year.

In fact, new repairs and replacement of equipment are anticipated. Martha W. Ferris and Joseph Heilbower, president and treasurer of the Film Board of Trade and the M.P.T.O., respectively, were cheerful in their predictions for the coming months. Brennan pointed out that in Gov. Curley's message to the legislature he proposed no new taxes on the film business.

Prospects Hit New High on the Coast

Los Angeles, Feb. 9.—If signs mean anything in southern California, Los Angeles and particularly Hollywood stand on the threshold of an unprec- edented period of expansion, which will make the industry gain on a sounder basis than ever before. Optimism runs high. Film leaders have generally voiced their future plans and anticipations. Business, finance and com- mercial leaders are in agreement.

All point to the millions spent on the recent Pasadena Tournament of Roses pageant, and the thousands that are daily going into the Santa Anita race track pari-mutuels as evidence of the territory's willingness to spend. Hollywood is on one long chorus of enthusiasm, a spirit timelessly reflected by theatre people, circuit managers and independent producers.

Yet there are a few flies in the ointment. Business generally is fear- ful that it may be "just because.

"We feel that the world is going to be better in 1936 than it was in 1935," said a leading producer, "and we don't intend to let anything get in the way of making the best picture possible."

Exhibitors are hoping for the best. Some have returned the money they have spent, and is willing to spend it, if the right sort of screen product can be made. They believe they know how to take care of themselves, given any sort of a break.

Optimism Stressed By Houston Houses

Houston, Feb. 9.—The general at- titude in this territory is one of opti- mism for 1936 with planned construc- tion to add three to the present total of eight neighborhood houses, and four planned in outlying sections, indicating the feeling of confidence.

Houston's leadership during 1935 and 1936, in the words of a Texan, "is an inland port and its position as the focal point for the oil fields of the Gulf Coast region, are other indica- tions of the coming boom.

Postal receipts here were $2,240,400 in 1935, an increase of $168,074 over 1934. The in- crease in mail receipts in the past few months is viewed as a hopeful sign.

Will Horowitz, head of a downtown circuit of subsequent runs, and L. O. Stanley, manager of the De Lamar, were among the exhibitors who expressed optimism about the prospects for 1936. He pointed out that general business plans for the city this year, already involving a total payroll of about $750,000, should have a helpful effect on theatre business here.

'T' Gets Comic Strip

Hollywood, Feb. 9.—Universal has purchased a screen rights to the King Features Syndicate comic strip "Secret Oper- ator No. 9," and will make a screen serial from the series. The deal was set by the William Morris office.

Encouraging Signs Increase in Tampa

Tampa, Feb. 9.—Business locally and in the Tampa territory is showing definite signs of improvement. This winter the tourist activity in- creased by a greater percentage than last year.

The cigar-making industry, this year, gained the largest increase in gain of 15,000,000 cigars in 1935 over 1934. The local chamber of commerce, in support of the general belief that conditions are better, points to an increase in postal receipts of 12 per cent in 1935 over 1934, a gain of 20 per cent in bank clearings, and corresponding increases in bank deposits, building permits, automobile sales and theatre receipts.

Although actual figures are not available, it is generally agreed that theatre operators of Tampa have been encouraged by the good times, despite severe competition in the form of slot machines, now legalized in the state, dog races and the like.
To-day!
MOTION PICTURE DAILY
is located in its new offices at
ROCKEFELLER CENTER
NEW YORK CITY
CIRCLE 7-3100

A QUIGLEY PUBLICATION
You said it, KEEED!

National Screen Service delivers the goods!

a seat-selling trailer for every picture you book... and always on time... you said it!...
Circuit Court Rules Against Wiseman Plea

The U.S. Circuit Court of Appeals yesterday affirmed a decision by Federal Judge Alfred C. Coxe which held that Sir William Wiseman, partner in Kuhn, Loeb & Co., and a former Paramount director, must submit to examination in connection with suits instituted by the Paramount bankruptcy trustees to recover from former officers and directors of the company for losses incurred in certain official actions prior to the bankruptcy.

Wiseman had appealed from Judge Coxe's decision on the grounds that with the approval of the Paramount organization plan by the Federal court all litigation begun by the trustees was automatically ended. Root, Clark, Buckner & Ballantine, counsel to the trustees, successfully contended that no official actions prior to the bankruptcy specifically retained for the trustees. (Continued on page 12)

Warners File NBC Suit for $950,000

Warners yesterday filed suit against NBC for $950,000, claiming damages to this amount for the use without consent of “Painting the Clouds with Sunshine” on a program emanating from the NBC studio in Chicago on Jan. 1 and 2. In the papers filed by Wattenberg & Wattenberg, attorneys for Warners in the handling of the music suits, it is claimed that there have been 199 uses if the song from “Goldiggers of Broadway.”

New England Houses Gain 8% for Year

Territory Ranks Second In National Rating

Borroz, Feb. 10.—Better than eight percent more theatres are now operating in New England than were in 1935.1, according to the local Film Board of Trade, of which Martha W. Ferris is secretary. Whereas 768 houses were open in Massachusetts, New Hampshire, Maine, Vermont and Rhode Island last year, a total of 798 were doing business at the close of the present year. This is an increase of 8.51 percent.

The jump of 60 houses puts the northeastern territory in a strong position as such as it ranks second nationally, both in the total number of theatres and in capacity. The theatres booked from Boston number only 46 less than those covered from New York.

Legal advice was that these penalties could not be constitutionally imposed. From a practical point of view, according to T. H. Hartley, a member of the general council, it would have meant members as a whole depositing $3,000,000 with the associations, with owners of big houses called upon to pay $2,500 per theatre.

To combat high rental demands Hartley urges local agreements among exhibitors conducted “without ostentation.”

Norman Hubert, M.P., news theatre chief, is prominent in a move to make new representations to the Government about the law.

Loew's Gets Chaplin For the N.Y. Houses

Loew's will get “Modern Times” for its metropolitan New York theatres as well as for its out-of-town group. It was learned yesterday. A deal between the circuit and United Artists for the New York playing time has just been completed.

On Dec. 26 Joseph R. Vogel completed negotiations with Charles Chaplin over the long distance telephone whereby the picture would play in Loew theatres in 46 key cities exclusive of New York. The latest pact gives the circuit 100 per cent playing time.

Insurance Covers English Fire Loss

By BRUCE ALLAN

London, Feb. 10.—Insurance completely covered the $2,500,000 lost in the disastrous fire which swept the British film center at Elstree early yesterday. Three stages of British & Dominions and three of British International were damaged by the flames, which destroyed sound and lighting equipment. A detective
LAURENCE STALLINGS, TRUMAN TALLEY, LEW LEH, ED TIBBINS, HARRY GOLD, PAUL LAVARAS, LYNCH FANNIN, CHARLES CURR, MONROE GRENICAL, ARTHUR M. KELL, AL SMELINGER, A. MIKE VOLK, AL FRIEDLANDER, JOYCE CURTIS, IRWIN KLEBLATT, CHARLES MOW, CHARLES PALINE, A. HAYVE, JAC W. SPRINGER, HARRY SHIPMAN, BURRE ROGERS, PAUL GRANT and ED FENNY at the Tavern yesterday.

JOSEPH BIRNE has signed contracts with Purean Pictures and the Mercury Film Lab, to produce four Pol- ash and Peruvian films featuring ALEXANDER CARR.

STANLEY FREEMAN AND JOSEPH HASEN of the Warner legal staff are in Wilmington contesting the latest Harry Koplar suit against the company.

CHARLES KORNER of Boston and A. GOLDEN of Rochester arrived in town yesterday for RKO home office meetings.

BOB COCHRANE canceled his Bermuda reservations at the last minute. Too much to do around Universal was the reason.


MAX RHINHARDT will leave for Hol- loway later in the week to confer with Jack L. Warner on his next picture.

AL FRIEDLANDER, who returned yester- day from Buffalo, will take a plane for the same city tomorrow.

HARRY H. THOMAS is due back from a circuit of First Division exchanges on Friday.

CHARLES MOSKOWITZ is acquiring a home-made tan with the use of lamps. He’s too busy to go to Miami.

LAURENCE BOLONCHINO has a bad cold and will have to keep away from his office for the next few days.

ROBERT WOLFF will leave for Key West on Feb. 26 on a fishing vaca- tion.

MAX A. COHEN will sail for Hono- lu on Feb. 16. He’ll be gone several weeks.

HUGO BRYK, European representa- tive for Ascap, will sail for Paris on March 2.

JOSEPH BERNHARD will return this week from Miami. MORT BLENN- STOCK will go back the other day.

MIRIAM HOPKINS is on her way here from the coast via the sea route. She will visit the West Indies.

DAVE BADER, back from Hollywood, will leave for London in a few weeks as representative of ZEPF MAX.

LOU KAUFMAN will leave for Cleve- land tomorrow.

Ed KUYKENDALL leaves for Wash- ington tonight and plans to halt in Columbus, Miss., before returning home from there but will probably return here in advance of the Carolina Theatre Owners’ meeting at Pinehurst, Mar. 1 and 2, which he will attend.

HARRY H. BUNBAUM, local Twelve- Century-Fox sales head, will take a trip on salesmanship at Dart- mouth on Feb. 14. About three weeks ago he gave a similar dissertation at U. Utrecht High School, Broo- lyn.

ARTHUR TRACY will get in on the Chaplin tomorrow. He finished a picture for G. B. while in London. TRACY will be on the Valee Hour Thursday.

ASTON LITVAK, European actor and director, arrives tomorrow on the Chapline, en route to Hollywood to direct "Salatra" for WALTER WARN- GER.

MARTIN S. BENNETT, Jr., of the War- ner home office theatre sound depart- ment, will marry KATELEEN CHAM- BERLICK tomorrow at Hewlett, L. I.

W. RAY JOHNSTON, Republic presi- dent, is expected back from Miami to- morrow where he has been recuperating from bronchial pneumonia.

AL FRIEDLANDER of First Division is due back from a trip around eastern exchanges the end of the week.

TOM JACKSON and JOHN TWIST have sold their original story, "The Last Outlaw," to Radio.

FRED BASHLER and HIER BING caught eating fish and beans at the Harvard Club.

JOHN BOLES, here for a vacation, will be HELEN MORGAN’s guest to- night at the House of Morgan.

JOHN CROXON of the New York Film Bureau is seriously ill at his home.

BONUS KARLFF will hold a cocktail party this afternoon at the Algon- quin.

MORT SPRING returned yesterday from a Miami vacation.

BEN BENJAMIN plans to leave for the coast Friday.

Hartford

I. J. HOFFMAN is due back at his desk Thursday after two weeks of work at Hollywood. His mother.

The following will join the exodus from New Haven to Miami in the coming month: J. B. FISHEIM, NAY FURST, SAM ROSEN, BARNEY HOFFMAN will soon show up for the South.

L. K. SCHAEFER and BEN LOURIE are the latest contenders to challenge JAC BERNETTE’s boxing championship. L. K. SCHAEFER recently addressed the Civilian Club and sized up the movie and vaudeville situation.

RUTH BENNISTON, for many years with the Warner-Theatre office, has joined G. B. as booster and secre- tary.

Los Angeles, Feb. 10—Walter K. Tuller, testifying today in the Fox- West Coast bankruptcy hearing, main- tained that the resignation of Arthur W. Hevess, assistant director of F.W.C. prior to the filing of the bank- ruptcy proceedings makes no difference in the present status of the case. The State Securities Commission of California Corporation charges that Heves- signed because the bankruptcy was an attempt to prevent enforcement of the Corporations' code. Tuller called that relationship. Tuller further attacked the conspiracy claim in the petition, quoting numerous court decisions to show that conspiracy is not subject to civil action although damages resulting therefrom may be. He denied the existence of intrinsic fraud. William Nehelt, counsel for the petitioners, is expected to testify at tomorrow’s session.

Catchings Testifies
On Warner Finances

WILMINGTON, Feb. 10—The finan- cial side of the film industry was dis- cussed in United States District Court here yesterday in testimony of the trial of Harry Koplar against War- ners. Waddill Catchings, Warner di- rector and a partner in the Waddill- Corbar Co., told how he and his financial or- ganization labored to obtain loans for Warner Pictures and to obtain licenses for the use of existing pro- duction of talkies. Catchings went carefully into detail, telling how finan- ciers were taken to experimental talkies in order that they might ap- preciate the possibilities of the new medium. In an effort to obtain the use of the sound record- ing devices controlled by their organization.

Koenig a Director
Of Producers' Ass'n

HOLLYWOOD, Feb. 10.—William Koenig, formerly President of Universal on the board of directors of the Producers Ass'n, it was announced here today following the meeting of the coast producers called by Will Hay's. Koenig succeeds Fred Meyer and is the only change in the personnel of the board, the other members being Louis B. Mayer, president; Jack L. Warner, vice-president; Joseph Schenck, vice-president, and Fred W. Beetsos, secretary and treas-urer.

The current budget was submitted and adopted.

Columbia Appoints
Four New Executives

HOLLYWOOD, Feb. 10.—Columbia today promoted H. A. MacDonald, former comptroller, to the newly created position of assistant man- ager. R. J. Abshire, former auditor, stepped into MacDonald’s post. T. C. H. McAllister recently appointed assistant was succeeded Abshire. Another per- sonal shift brought Vincent L. Mar- tin, formerly with the California State Sales Tax Division, to Columbia as assistant to William Holman, studio manager.
Sylvia Sidney and Henry Fonda thrill to one of the glorious natural color vistas in “THE TRAIL OF THE LONESOME PINE”
"THE TRAIL OF THE LONESOME PINE"

The whole sweep of mountain country in a succession of breath-taking views of scenic glory . . . vista after vista which in black and white would mark this picture as a sensational advance in the art of motion picture photography.

All made even more thrilling by natural color in this first outdoor feature picture ever completely filmed in Technicolor.

Sylvia Sidney  Fred MacMurray  Henry Fonda in
"THE TRAIL OF THE LONESOME PINE"
**New York Critics Bestow High Praise on “Pasteur”**

Practically unanimous in their praise were New York newspaper critics in their evaluation of The Story of Louis Pasteur. A consensus of their opinions fol- lows:

**Variety**—"The Story of Louis Pasteur" is a cinematic masterpiece, ... The film, it is generally agreed, has given a more vivid, a more impressive, and an altogether more startlingly authentic picture of the great French scientist than has been possible previously. It is a vivid, authoritative, and fascinating portrayal of one of history's most notable characters. (Continued from page 1)

**The New York Times**—"The Story of Louis Pasteur" is a superb biographical study, ... The film is timely and ... It has no peer in the American motion picture industry. (Continued from page 1)

**The New York Herald Tribune**—"The Story of Louis Pasteur," written and directed by Irving Pichel, is a moving story of human life and achievement, and it is a perfectly executed story. It is a film that will ... (Continued from page 1)

**The New York Daily News**—"The Story of Louis Pasteur," directed by Irving Pichel, is a film that ... It is a film that ... (Continued from page 1)

**The New York Evening Journal**—"The Story of Louis Pasteur," directed by Irving Pichel, is a film that ... It is a film that ... (Continued from page 1)

**The Motion Picture Daily**—"The Story of Louis Pasteur," directed by Irving Pichel, is a film that ... It is a film that ... (Continued from page 1)

**British CEAs Ends Moves for Fines**

in regard to Sunday opening. An appeal for the legalization of uni- versal opening would, he says, meet with a friendly reception in official quarters at this time.

**Insurance Covers English Fire Loss**

(Continued from page 1)

water supply hampered the work of firemen.

All negatives were saved. Capitol Prod. had the fire department call away the Hall to complete a film, and Paramount is moving a production to Rock Island. The schedule is so spread out that immediate production plans and will depend on what decision is reached in regard to rebuilding. The fire was the second in the actual history of the British industry. Clive Brook, Helen Vinson, Leslie Banks and Tully Marshall, four of the players whose dressing rooms were completely destroyed.

**May Drop KRS Action**

London, Feb. 10.—The abandonment of the action of Gaumont British against the Kinematograph Renters' Assn., was foreseen here today in the intimation that proceedings against individual companies will be dropped.
New England Houses Gain
8% for Year
(Continued from page 1)
spots during the course of the year and affiliated circuits added one house, the independents dropped 17 situations.
New England holds third place in the United States in total seating capacity in lights. Nevertheless, the division ranks first with the number of closed houses, both sound and silent.
The total number of theatres in the territory is 1,090, with a seating capacity of 801,915. Maine has 253 houses with a seating capacity of 130,472; Vermont, 118; Hampshire, 73;339; Vermont, 121, seating 57,197; Rhode Island, 88, seating 72,736, and Massachusetts, 496, seating 602,446.
The affiliated circuit houses now number 150 and seat a total of 206,374. Although an increase of one theatre, this is a decrease of 11,457 in capacity. Affiliated circuits control 58 Maine situations, seating 34,259; eight in New Hampshire, seating 20,161; eight in Vermont, seating 9,230; nine in Rhode Island, seating 14,017, and 112 in Massachusetts, seating 140,279.
Indies Numerous in N. E.
Unaffiliated circuit houses total 181 in contrast to 151 12 months ago. The total capacity is 1,352,782, a decrease of 13,153 in comparison to 1,365,935 last year. New Hampshire, 26, seating 20,161; Vermont, nine, seating 5,960; Rhode Island, 10, seating 14,017, and Massachusetts 112, seating 126,105.
Although registering a drop during the past year, independent theatres are still the leading group in the New England spots. There are 765 of these against a total of 331 circuit situations in operation. New Hampshire, 104, seating 44,571; Vermont, 104, seating 42,407; Rhode Island, 69, seating 44,250, and Massa-

Looking 'Em Over
"Follow the Fleet"
(Radio)
The Fred Astaire-Ginger Rogers team goes to town again this time in a Carole Lombard-Benny Goodman musical show, of course, built around the fast and high stepping of the cast's leaders. There is something to sell in addition to the song numbers, with music and lyrics by Irving Berlin. A lively, tuneful, fast-moving light com-
dy drama, there is plenty of romance in a double combination, and the dancing pair do all this without breaking a sweat.
The second romantic pair are Randolph Scott and Harriet Hilliard, the latter a newcomer to the screen from the radio, who gives consider-
able promise both in voice and appearance. Astaire gives further evi-
cidence of the fact that he is a first class comedian even without his edu-
cated feet, and Miss Rogers is expert playing opposite.
Astaire and Scott, sailor-mates, meet Astaire's old dancing partner of his vaudeville days, Miss Rogers, in a 10-cent dance hall, where she is an entertainer, when they are on shore leave. Be-speckled Miss Hilliard, Miss Rogers' sister, is attracted to Scott, but he is cold to her, until she does a little passenger transportation and from the dross, she is used as a dance contest, and she loses her job when he says the wrong thing.
Miss Hilliard spends all her savings having a boat her father once owned refitted, dreaming of Scott taking command when they are married, and not realizing Scott didn't mean what he said. When the two appear as the love and drama and dancing, with Astaire putting on a show to save Miss Rogers and her sister from the loss of their ship. Scott, who has been attracted to wealthy Astrid Allwyn, realizes he loves Miss Hilliard, the show is a success and with a produc-
er looking on, the picture is taken and Miss Rogers has married Scott, and he is headed for the command of his wife's ship.
Pandro S. Berman produced and Mark Sandrich directed from the screen play by Dwight Taylor and Allan Scott, who adapted the play, "Shore Leave," by Hubert Osborne.
Production Code Seal No. 1,801. Running time, 110 minutes. "G."
CAROLE LOMBARD
IN
“LOVE BEFORE BREAKFAST”

IS A
SOCK
IN THE EYE!

UNIVERSAL’S NEWEST COMEDY SMASH!
GB CONGRATULATES THOSE 117 FAST EXHIBITORS WHO ARE CASHING IN OVER "THE YEAR'S FASTEST MOVING

Conrad Veidt
Helen Vinson

in

KING OF

THE DAY
THINKING... FAST MOVING... EXTRA DOUGH BY HOLDING MELODRAMA.”

FIVE IN A ROW

MISTER HOB O
starring George Arliss

FIRST A GIRL
starring Jessie Matthews

TRANSatlantic TUNNEL. Eight Stars

THE 39 STEPS
starring Robert Donat

KING of THE DAMNED
starring Voight, Vinson

M NED

Scenario and Dialogue by Sidney Gilliat
Directed by WALTER FORDE

TOPS 'EM ALL
Philadelphia, Feb. 9. — "Rose Marie" continued to top a notch $2,000 on its first week at the Boyd, defying the continued sub- freezing weather.

The flashy Marcus Revue, with "Charlie Chan's Secret" as the film brought a nice $16,000 at Fox. At $15,000, was the figure grossed by the Earle, which had also had a flash stage show and "Daring Intrigue" on screen. Also on the right side of the ledger was the second week of "Tale of Two Cities" at the Arcadian, which got $4,000 in 10 days.

Total first run business was $90,000.

Arthur—$6,160.

Estimated takings for the week ending Feb. 6.

"STRIKE ME PINK" (U.A.)
ALABAMA—(3,000), 25c-55c-6c, 7 days. Gross: $1,500. (Average, $214.)
"DANGEROUS INTRIGUE" (Col.)
EARLE—(2,000), 25c-55c-6c, 7 days. Stage: Royalty Ruble, and till "Everything Goes." Gross: $1,000. (Average, $143.)
"CHARLIE CHAN'S SECRET" (Fox)
FOX—(3,000), 25c-55c-6c, 7 days. Stage: Allen, Marie, Cushing, Eddy, O'Neal. Gross: $1,600. (Average, $233.)
"MAGNIFICENT OBSESSION" (Univ.)
KEITHS—(2,000), 30c-80c-9c, 7 days. Gross: $1,000. (Average, $143.)
"ANYTHING GOES" (Par.)
STANLEY—(2,000), 40c-55c-6c, 7 days. Gross: $1,500. (Average, $214.)
"EXCLUSIVE STORY" (M-G-M)
CHARLESTON—(2,000), 40c-55c-6c, 7 days. Gross: $1,900. (Average, 7 days, $271.)

Original Versions At One Rome House

Washington, Feb. 9.—A special permit was granted recently to a private firm in Rome, Italy, for the showing of films in original versions without any bar on language, according to a report from the Department of Commerce from Charles A. Livengood, commercial attaché at Rome. The first showing received official approval after a private showing to the attaché.

The theatre, a small house seating 350, is designed to serve tourists in Rome who are unacquainted with Italian. The venture is said to be beginning with success.

To Film K. C. Officials

Kansas City, Feb. 10.—City officials are to get "in the movies." A film is to be produced by the city to teach police and fire safety. The mayor, the city manager, and other city notables, according to present plans, will take the leading roles.

Ann Sotherton to Radio

Hollywood, Feb. 9.—Ann Sotherton, who terminated her contract with Columbia this week after a seven-year agreement with Radio, Miss Sotherton had announced she would free lance, but signed the new agreement the following day.

"Zero" at $6,000

Milwaukee Leader

Milwaukee, Feb. 10. — "Ceiling Zero" and "Freshman Love" at the Warner enjoyed high business for the week with $6,000 take, just $1,000 above average. This was due to another snowstorm and sub-zero weather in a week marked by one mild weather and a five-day Socialist tavern and carnival at the Milwaukee Auditorium, which accounted for the drop.

Second honors for the week went to "Guard That Girl" and "Red Hot vs. Hollywood" on the stage at the Riverside. "The Average Joe" grossed $300 above average, or $5,500. Other business again dropped below par. What downtown exhibitors have had to face in the form of weather can be gleaned from the fact that it has been zero or colder every day in the last 17, except two.

Total first run business was $21,300, Average: $2,300.

Estimated takings for the week ending Feb. 6.

IF YOU COULD ONLY COOK" (Col.)
RKO ALABAMA—(2,800), 25c-40c-6c, 7 days. Gross: $4,300. (Average, $615.)
"GUARD THAT GIRL" (Col.)
RKO ALABAMA—(2,800), 25c-40c-6c, 7 days. Stage: Redheads vs. Blondes. with Bose and Mary Nolan. Showed by Southern Sisters, Babe Leonard. Gross: $5,300. (Average, $757.)
"CEILING ZERO" (W.B.)
INTRIGUE" (M-G-M)
WISCONSIN—(4,200), 25c-55c-6c, 7
days. Gross: $3,200. (Average, 7 days, $460.)

"Ceiling" $10,000

Best in Providence

Providence, Feb. 10.— "Ceiling Zero" hit the high spot for the week, bringing in to the box office $10,000, which is $3,000 over the usual gross.

The Strand was next in line with a $9,600 gross, second highest par by $2,500. "The Great Impersonation" and a stage show brought in a normal $7,000 to the box office.

"Exclusive Story" and "Last of the Pagans" at Loew's was good for only $9,000, which was $3,000 over average. The RKO Albee likewise had a poor week with "The Ghost Goes West" and "The Girl Who Came Back," which netted $5,000. The usual take for the house is $7,000.

Total first run business was $40,000, Average: $5,700.

Estimated takings for the week ending Feb. 6.

ANYTHING GOES" (Paras.)
STANLEY—(2,000), 40c-55c-6c, 7 days. Gross: $1,500. (Average, $214.)
"DANGEROUS" (W.B.)
"CEILING ZERO" (M-G-M)
RKO ALABAMA—(3,000), 25c-65c-7c, 7 days. Gross: $1,000. (Average, $143.)
"CEILING ZERO" (M-G-M)
RKO ALABAMA—(2,000), 25c-55c-6c, 7 days. Gross: $1,000. (Average, $143.)

"Dark," King

Minneapolis

High, $8,500

MINNEAPOLIS, Feb. 9. — "Two in the Dark," produced by Warner and his orchestra on the stage at the Orpheum, was the outstanding profit combination of the week with a take of $8,500. This was $3,000 to the good.

"Captain Blood" at the St. Paul Orpheum was strong $6,000, which was $2,000 over the good. "Magnificent Obsession" held up to $3,000 in its fourth Loop week at the World.

Total first run business in Minneapolis was $29,900. Average is $25, total first run business St. Paul was $17,500. Average is $16,000.

Estimated takings:

Week Endings Feb. 5:

"MAGNIFICENT OBSESSION" (Univ.)
WORLD—(4,000), 25c-55c-7c, 7 days. Gross: $1,000. (Average, $143.)
"ANYTHING GOES" (Par.)
RIVIERA—(1,000), 25c-46c-7c, 7 days. Gross: $1,000. (Average, $143.)
"CAPTAIN BLOOD" (F.N.)
ORPHEUM—(2,900), 25c-46c, 7 days. Stage: Warner, king. orchestra. Gross: $1,500. (Average, $170.)
"SECOND OF THE RINGS" (Para.)
STATE—(2,900), 25c-46c-7c, 7 days. Gross: $1,500. (Average, $170.)

St. Paul:

Week Ending Feb. 7:

"KING OF BURLESQUE" (F.B.)
RIVIERA—(1,000), 25c-46c, 7 days. Gross: $500. (Average, $150.)
"CHIPS" (F.N.)
TOWER—(1,500), 32c-56c-7c, 7 days. Gross: $1,500. (Average, $146.)
"MR. HOBØ (G.B.)
WORLD—(4,000), 25c-46c, 7 days. 3rd week. $1,500. (Average, $146.)

Golden Gate Shows Set

San Francisco, Feb. 10.—The Golden Gate, RKO first run, has inaugu- rated a policy of enlarged stage and band presentations, with the girl-act under the direction of Peggy O'Neill, local dance authority.

Miss O'Neill for several years staged the vaudeville-type stage act used by the Warnell, F. W. C. first run, and other vaudeville discs through all but film presentations. The Golden Gate is now the only first run here offering color, full orchestra and band entertainment with films.

"Zero Hour" New Title

Hollywood, Feb. 10.—"Zero Hour" is the new title of the Twentieth Cen- tury-Fox film which has been shoot- ing under the title, "Wooden Crosses," and in which Fredric March, Warner PAXTON, who is now under- leading roles. It will be the first release for the 1936-37 season.

Custer City Manager

ATHENS, O., Feb. 10.—F. R. Custer has been named city manager in charge of the Ohio, Court and Athens houses recently acquired by Schine.
The National Projector Carbon Handbook is a practical treatise on the carbon arc as applied to projection. It gives the projectionist the information needed to secure efficient operation, freedom from trouble, and maximum intensity and quality of screen illumination from projection lamp equipment. New chapters cover the Suprex and A. C. High Intensity Arcs. Instructions are given for correct arc operation in every type of projection lamp.
**Circuit Court Rules Against Wiseman Plea**

(Continued from page 1) 

Circuit Court Rules Against Wiseman Plea

**Variety Club Chatter**

**Cincinnati**

Cincinnati, Feb. 10.—The membership roster has been increased by three: Arno Brown, commercial artist; Nat Comisar, operator of the La Normandie, and Anthony Kogos, superintendent of a local sporting goods establishment.

Merrell Schwartz has returned from a trip of several days during which he visited a number of the major key cities in the state.

**Detroit**

Detroit, Feb. 10.—The third annual ball of Variety Club will be held in the Book-Cadillac March 26. Arrangements are in charge of the entertainment committee, headed by M. Gottlieb. It is planned to bring a name orchestra to town and to have several stage and screen stars present. Proceeds of the affair are to be devoted to the club’s welfare work among underprivileged members of the industry.

**Omaha**

Omaha, Feb. 10.—D. V. McLucas has been elected permanent president of Variety Club.

H. J. Shumow was re-elected permanent vice-president.

The induction was preceded by a banquet. Shumow was elected by a unanimous vote. The entire membership of 70 (with one or two exceptions) was in attendance. The banquet was served on two long tables joined to form a V. The program included the entertainment over the air. A full orchestra played during the dinner.

At the end of the banquet hall, letters carved out of the solid spelter Variety. A fountain stayed in the center of the V-shaped tables.

The meal began at 1 A.M. and dinner, and entertainment, having been played through. Following the induction, a business meeting was held. The affair ended at 4:30 A.M.

Seventeen guests were D. E. Brashaw, king of Ark-Sar-Ben and president of the Woodmen of the World; George F. Wolberg, district M-G-M manager and a director of Variety.

Harris, in his banquet address, repeated the story of the start of Variety Club, and told about CARLINGS Variety Studios’s adoption and her present status. He explained how Variety Club’s charities have grown to include annual milk fund drives and the placing of children in homes for adoption. Harris said that the organization had received, "short, sweet and swell." He added that Mabel Shumow, local chief barber, made the responses and acted as toastmaster.

**Washington**

Washington, Feb. 10.—Works has been started on the installation of a modern cocktail bar.

Under the chairmanship of Sam A. Galanty, with Barriers Charles Kranz, Carter T. Barbon, Harry S. Brown, Charles E. Schulman and William E. S. Wilcox as active members, work has been under way in the new quarters for the program that was announced by Chieftain Barker J. Louis Rome, workmen began knocking down walls.

Barker F. KemMohler, architect, drew the plans for the cocktail bar. Security of the premises was announced by Chieftain Barker J. Louis Rome. Included in the list this week are social activities and greeters’ committees for the first time.

The membership: 

**No Theatres Dark**

In San Francisco

San Francisco, Feb. 10.—With no film theatres dark in the San Francisco area, the year has started under most favorable circumstances for exhibitors. Informal quarters estimate that receipts now are averaging at least 125 percent better than they were a year ago. Last year at this time there were seven first runs here; today there are nine, and all are successful.

Approximately 20 new theatre ventures have started in the past few weeks, and theatre advertising is approaching the lineage figures of 1928-29. Government spending and the construction of two new hay bridges are held high, and both are improving locally. The completion of the bridges in the fall will mark the beginning of a new era in the world’s fair. The bridges are expected to increase the population of the city from 125,000 to over 1,000,000 within a few years.

The unusual activity in theatre building indicates that the industry is being matched by the growth of exchanges, especially among the independents. Many of them recently have enlarged their quarters.

**Light Damage in Lab Fire**

Hollywood, Feb. 10.—Little damage was caused by the fire which swept one of the cutting rooms at the Western Laboratory over the weekend. Several studio rushes were destroyed, but the loss was unimportant.
MOTION
DAILY

Out Hollywood Way

Hollywood, Feb. 10.—Farley and Riley, the “Round and Around” authors, have arrived, a day late. Columbus set to start with Harry Richman. Bob Risskin, recovered from tonsil operation, back at his desk. Dwight Taylor has thrown a party at Del Monte to honor his sister, Marguerite.

Charles Richard, casting director for David O. Selznick, has placed his racing car, a Miller special, on the market and plans to quit racing. Irvin S. Cobb is in Texas on a vacation. Sybil Jason, Warner child star, is in Hollywood hospital recovering from a tonsil operation.

Ben Holmes brought in “Farmer in the Dell” three days ahead of schedule at Radio. Count Stefanelli, wintering here, is to play in "The House of a Thousand Candles" for Jos. von Sternberg insists upon using helium to blow up the toy balloons in the Grace Moore picture.

Katherine DeMille plans a cut short her New York vacation to do retakes in “Sky Paradies” for Paramount. Estelle Winwood, sister of Rosalind, here to begin Paramount contract. Ned Scott, still photographer, added to the staff of Paul Selznick at Paramount.


Chicago Tries Out Bank Night Matinee

Chicago, Feb. 10.—Bank Night matinees are proving the rage here at the Great Northern business at theatres using the plan. Cold weather has hurt the standup trade. All circuits which have been using Bank Night have gone for the matinee plan.

Rosener Buys Another

San Francisco, Feb. 10.—Herbert Rosener, who operates the Clay Inter- national here, has purchased the National in Stockton and is expected to operate it under a similar policy. Rosener’s homes, the Clay here and the Grand International, in Los Angeles, show only foreign product. Henry Price, formerly advertising manager of the Clay, was recently transferred to Los Angeles. John Petrel will replace him here.

Form Little Rock Firm

Little Rock, Ark., Feb. 10.—The Metropolitan Theatre Co. has been granted a State charter. Incorporators are Thomas Allsbrook and Alfred Starr of Nashville and others.

Selznick Signs Garrett

Hollywood, Feb. 10.—David O. Selznick has signed Oliver H. P. Garrett to a term writing contract. As his first assignment, Garrett will prepare an original for Ronald Colman, luggage... Barbara Deny, daughter of Reginald, signed by David O. Selznick for “Little Lord Fauntleroy.”


Contracts—Frank Thomas, character actor, and Walter Plunkett, costume designer, given term pacts by Radio. Columbus takes up option on Victor Kilian.


The Bluebook contains 714 pages plus 153 illustrations. It details and describes every piece of sound and projection apparatus in the modern projection booth and gives all instructions for operation and maintenance. It includes a complete trouble-shooting department as a first aid in breakdowns and features a quick-finding index system that provides the answer immediately to any projection problem.

Don’t put off owning a Bluebook. You will find it indispensable as a daily reference.

Price $5.25 Postpaid

QUIGLEY BOOKSHOP
ROCKFELLER CENTER
NEW YORK

South, West Shifts Among Theatres

Middle West and southern reports in the past few days show theatre managers are continuing without slackening. This applies both to changes in ownership and new construction.

Cleveland has a new $200,000 house, work on which will be started in February, according to Louis Israel, president of the Tiffany Amusement Co. A. A. Truchalt of Keys-Truchalt Co., is owner and builder.

Work has been started on a 1,000-seat house at Trenton, Mich., which will be ready about April 15. Schreiber, Smiley & London will be the owners.

Ohio has a new house at Marietta, to be built by the Marietta Concrete Corp., and leased by Mort A. Shea.

Still another house is to be built in Madison. This will be at Fergusen with T. E. and H. E. Huet. It will be a two-story theatre and store building with seats for 650, with the cost estimated at $25,000. At Salisbury, Mo., Elmer Bills is planning to rebuild the Lyric, which was destroyed by fire, and at La Plata V. G. Greer is re-modeling the Princess.

M. Kurian has purchased the New Lyric in Crawfordsville neighborhood house, from Russell Rothrock.

Southern Openings Gain

BIRMINGHAM, Feb. 10.—Southern openings and renovations continue at a fast pace. Latest to be remodeled here is the Five Points, owned by Waters Theatres, Inc.

The new Lyric at Rockwood, Tenn., has opened, Palmetto Theatres Co. has purchased the Ritz at Columbus, S. C. The Lyric at Gordon, Ga., long dark, is being remodeled for early openings.

In Louisiana, E. I. Hawkins has opened a new house at New Orleans and restoration work is being done at the Blackman at St. Joseph. Cecil Culp also intends to open the Co-Ed at Arkadelphia, Ark.

Central States Adds One

DE S M O N S, Feb. 10.—Central States Theatre Corp., has acquired the Grand at Eusterville, la., from Henry Hower of Okoboji and Omaha and will take possession Feb. 10.

Parker Opening Set

PORTLAND, Feb. 10.—J. P. Parker’s new United Artists Theatre will open at Pendleton Feb. 1. It’s a 600-seat modernistic theatre with Victor M. Keady as manager.

Prepare N. O. WPA Shows

NEW ORLEANS, Feb. 10.—Tentative plans for theatre project has begun to function here. “After Dark” will be presented at the Little Theatre in about five weeks. John B. McGee, author of “Jackson Davis,” is southern supervisor.

Sirica City Manager

LOWELL, Feb. 10.—John Sirica has been named city manager here for Michael Daly, operating the Capitol and Victory, formerly a part of the Frederick E. Lieberman circuit.
MPTOA Board Meet Is Set On March 5-6

Varied Problems on Tap; Elections Scheduled

The annual meeting of the board of directors of M.P.T.O.A. will be held March 5 and 6 at the Miami Biltmore Hotel, Miami.

Exhibition problems, distributor policies, conferences on industry self-regulation through conciliation and arbitration of trade disputes and discussions on raising exhibition standards and increasing theatre attendance will occupy the two-day meeting.

The annual election of officers also will be held. Advance indications are that Ed Kay Kendall, president, and most, if not all other officers, will be reelected. These include M. E. Conterford, M. A. Lightman, W. S. Butler, B. N. Berinstein and A. Julian Brylawski, vice-presidents; Morris Loewenstein, secretary; Wal-

(Continued on page 6)

Warner Quarter Net Seen at $1,000,000

WARNERS are expected to show a net profit of more than $1,000,000 for the quarter ending Feb. 29, it was reported yesterday. The reputed earning power is based on the lineup of pictures released during the current quarter.

For the last quarter the company released a net of $1,031,315, after all charges, including interest, amortization, depreciation and Federal taxes. With the next board meeting scheduled for Feb. 18, routine matters are likely to come up. Harry M. Warner, president, plans to sail for Europe next month on a combined business and vacation trip.

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 29, NO. 36 NEW YORK, WEDNESDAY, FEBRUARY 12, 1936 TEN CENTS

MOTION PICTURE DAILY

KANSAS LIKES SNOW

Kansas City, Feb. 11.—Kansas exhibitors are viewed in their attitude toward the heavy snow that is blocking rural highways.

It hurts business now and helps it later, because the wheat crop will be that much better and farmers will have more money to spend.

Blind Buying Hit

By Phila. M.P.T.O.

PHILADELPHIA, Feb. 11.—The alleged failure of RKO to deliver product commensurable with promised orders is the first item of testimony to be submitted to Federal Judge George A. Welsh and Special Investigator Goldie, relative to the evils of blind buying.

A resolution to this effect was passed today at a meeting of the Independent M.P.T.O. The confab was attended by representatives of 125 houses throughout this territory. The text of the resolution is as follows:

"Whereas, at the beginning of 1935-36 selling season, RKO represented in advertising, advance literature, and by sales representatives that product for 1935-36 would possess definite production quality and box office values, and, whereas, of 16 released so far, only one, "Top Hat" conforms to representation, remaining 15 being far inferior, "

"Be it resolved that RKO be requested to revise the terms of existing contracts where such revision is justified, and, be it further, "

"Resolved, that a copy of this resolution be forwarded to Judge George A. Welsh and Special Investigator Goldie." "

Morris Wax presided at the meeting in place of Charles Segall, who is ill.

ASCAP Claims Big Block of Herbert Works

Small Rights Claimed to Warner Music

ASCAP laid claim yesterday to the performing rights to 63 individual song numbers, all of the separate musical compositions of Victor Herbert except those from "Naughty Marietta," and all of the works of the late Louis A. Hirsch, published by Warner music subsidiaries.

The claim that the ASCAP license covers the performing rights to these compositions was made in a letter addressed to all broadcasting stations licensed by ASCAP advising the stations that their license with the society made the listed compositions available for their use and intimating that additional song numbers published by Warner are covered by the ASCAP license agreement with that company.

U. A. Seeking Writ On City Sales Tax

Application for a writ of certiorari was made to the State Supreme Court yesterday by the local United Artists exchange in preparation for an appeal of the city's recent decision holding the film rentals of the exchange to be subject to the city's two per cent sales tax. Ordinarily, such applications are granted as a matter of course by the court.

The city will have 20 days in which to file its answer to the writ before a hearing date on the appeal can be set by the appellate division. As the United Artists assessment is the only one to be made by the city against a local exchange the appeal is viewed by distributors here as a test case.

Move to Take Up Film Bills Made In House

Subcommittee Will Hold Pettengill Hearings

By BERTRAM F. LINZ

WASHINGTON, Feb. 11.—Film legislation was given a place on the program of the House Foreign and Interstate Commerce Committee today when the group met to map out a schedule for the session.

The committee approved the holding of hearings on the Pettengill block booking bill, and instructed that a sub-committee be formed to take charge of the measure. Representative Pettengill, a member of the majority party, probably will head the group.

It was said it is planned to hold the hearings sometime this month, perhaps in about two weeks.

Congressman Pettengill has expressed confidence that the bill will be favorably reported by the committee and be accepted by the House. It is considered doubtful, however, that the Senate will reach it at this session, especially if an early adjournment is sought.

Gaumont Drops Its Suit Against KRS

LONDON, Feb. 11.—Gaumont British has definitely abandoned its conspiracy in restraint of trade action against the Kinematograph Reporters' Society, after several adjournments. The action was brought against the society and its individual members in connection with the refusal of the K. S. & G. theatres through H. & G. which have recently gone out of existence through absorption in Gaumont British Super Cinemas, Ltd. The deadlock resulting may be ended by the dissolution of Super Cinemas, but this could not be confirmed today.

"Modern Times" Does $65,000 First Week

First week of "Modern Times," which ends tonight at the Rivoli, is expected to show approximately $65,000 on the books. This is considered unusual for the house.

Estimates yesterday were that the Chaplin film will continue at the house.

MOTION PICTURE DAILY

CIRCULAR 7-3100

Is now located in its new offices at ROCKEFELLER CENTER

New York City

(Continued on page 6)

(Continued on page 6)
Insiders' Outlook

By RED KANN

Albuquerque, N. M., Feb. 11

A Hollywood and the land where they make 'em draws closer, the realization never before made, of the importance of the product becomes keener. There comes bouncing back into mind with a gallop the familiar and oft-stated assertion that production is the life-blood of the business. True enough, certainly, but the stream coursing through the body must have an inimitable flowing tided new as a necessary adjunct. And that reminds of an incident, and an occasion about which Hollywood may or may not have heard.

It has to do with invaluable contact and the confidence breeding from it established over a long period of years with the excelling fraternity. It deals with one of a picture, called "Magnificent Obsession," and what Jimmy Granger did with and about it. He saw it, or enough of it, in Hollywood last fall to launch and complete a selling job which has been duplicated over the years, but definitely has not been excelled. Of the strength of his word, which could be another way of talking about his reputation for honesty, Granger, sitting at his desk back in New York and by telephone, arranged for one hundred and date and day runs; his crew lined up an additional twenty-six, all played off in two weeks. Many of the nation's leading papers were in that assemblage, including the Music Hall in New York.

Thereafter and because the attraction rated and became the key city stimulus, as usual, properly excited other showmen, the picture nabbed many imitators. In five weeks Universal grossed almost $500,000. Dear reader, that's business, make no mistake. It illustrates several things and, among the pertinent, but aside from the vast credit it reflects upon Granger and his sales capabilities, the understanding which should be Hollywood's that matters do not quite begin and end when the master print is shipped over the mountains east.

A long train ride such as this never fails to impress anew the desirability of a closer understanding of the two coasts. The very difference, geographically, in a different coast asset is considerable has been said about the opposite directions in which Hollywood and New York pull. We should say that was the east's fault, far more than the west's. For the administrative headquarters are and will continue to be in New York. It is from that point that the instructions should be issued and it is in Hollywood where they should be carried out. This is not to say that the arbitraries or the old hangover will not strike; these two integral parts of the one business should co-operate understandingly. By this time, you have probably said to yourself that all of this is old stuff. It is, but it is very much up front in a number of the industry's better minds. It is time you were remarking to yourself that all of this is old stuff. It is, and it is very much up front in a number of the industry's better minds.

A few days before he left on a South American cruise J. B. Clinton, president of Allied of the Northwest, did what all executives in a position to do, from time to time. He issued a bulletin. His, however, was not run-of-the-mine because in it he sent aloft a trial balloon labeled cooperation between Allied and M.P.T.O.A. on problems where the aims of the two organizations do not conflict. At the time, Albert F. Myers, for Indiana, had no comment to make. Only recently his board of directors completed a two-day session in Washington. So far as it has come to light, nothing happened with the Clinton suggestion.

This journeyman, for one, was not surprised. He was even less astonished when the idea met with complete silence from the M.P.T.O.A. As a matter of fact, it reminded him that exhibitors, or those who go in for national associations, have had a very persistent habit of damaging their own cause by failing to hang together in sufficient numbers long enough to make their impact felt. That, you might reflect, is an extremely fortunate state of affairs for the distributor, but it does not help the exhibitor. Clinton must be told, if he has not appreciated the facts himself by now, that any enunciating plan to bring about cooperation between the two associations will remain merely an idea until politics is rooted out with the sharpest of scalpels. This department, approaching more pleasant climate now, would wish that Clinton will be in a position to remove the obstacle to witness such a miracle. It is only the melancholy truth to observe, however, that he will not.

These are brave days at United Artists. For the run of "Modern Times." Charlie Chaplin's name blazons forth in large upright signs in place of the Rivoli's at 49th and Broadway. Sam Goldwyn's next isn't far behind.

Neblett Argues

At F.W.C. Hearing

Hollywood, Feb. 11.—Concentrating on the F.W.C.'s million dollar divident and the assignment of its assets to 27 other corporations organized after the filing of the bankruptcy petition, William H. Neblett today opened argument for T. L. Talbot, the bankruptcy examiner before Federal Judge James Alger Fee in the F.W.C. petition set aside. After conceding the right of anyone to file a voluntary bankruptcy petition, Neblett argued that an oath of insolvent does not mean that shifts in assets have been made. He charged that desirable assets of the firm were transferred to these 27 new corporations in violation of the bankruptcy act as well as properties to bankrupt. He claimed that the dividend was declared solely for the purpose of creating a fictitious condition and added that the dividend was the withdrawal and reduction of capital stock, and as such was a criminal act. He charged against the Federal Judge Henry C. James was not informed of the transactions and parties to them, Charles F. Skouras for this omission.

Cross Examination Of Catchings Starts

WILMINGTON, Feb. 11.—Cross-examination of Waddill Catchings was started yesterday by Abraham L. Pomerantz, plaintiff counsel, just before adjournment today in the Harry Koplar action against Warner Bros. directors. Seeking to establish the domination of the directors by the Warner's, Pomerantz drew from Catchings an admission that he had been threatened in 1927 that should he have obtained the resignation of George Quigley, a minority director, although he had already acquiesced, that this could be done only for "cause.

Prior to this testimony, Joseph M. Pomerantz, plaintiff counsel, drew from the witness a lengthy description of the Warners' indispensability to the company, especially during the transition to talkies.

Catchings will resume the stand tomorrow.

Doug, Jr., Goes West

Dong Fairbanks, Jr., following a reception yesterday at the St. Regis left for Hollywood for a series of conferences with producers of United Artists on the distribution of his latest film, "The Amateur Gentleman."

Sehine Deal Delayed

Paramount's deal with the Sehine circuit on product for next season is off. Harry Sehine, executive buyer for the circuit, being detained in Vancouver because of the condition of his wife after an operation.

Hays Meets Ad Men

Hollywood, Feb. 11.—Will Hays met with studio publicity directors here today in the regular monthly conference. He may leave for New York the end of this week.
"Let Yourself Go"... with
In the Super-Dreadnought of Musical Shows...

FRED ASTAIRE
GINGER ROGERS

"FOLLOW THE FLEET"

WITH
RANDOLPH SCOTT
HARRIET HILLIARD
ASTRID ALWYN

Directed by MARK SANDRICH
A Pandro S. Berman Production
Founded upon the play "Shore Leave" by Hubert Osborne

MUSIC AND LYRICS BY
IRVING BERLIN

WHO FIRES A BROADSIDE OF SEVEN NEW SONG HITS:
"Let Yourself Go", America's newest ballroom sensation; "Let's Face the Music and Dance"; "We Saw Thee Sea"; "I'd Rather Lead a Band"; "Here Am I, But Where Are You?"; "Get Thee Behind Me, Satan"; "I'm Putting All My Eggs in One Basket"
Ascap Claims Big Block of Herbert Works

(Continued from page 1)

listed by Warners probably could be added to the list in the future.

Ascap bases its claim to the performing rights of the Herbert compositions on several ground. Chief among these, the society says, are the terms of agreements between writers and the publisher under which the writers reserved the small rights or sub rights subject to their agreements with Ascap, and the terms of agreement between composers and author-sponsors or their assignees. This latter arrangement, by virtue of the writers' agreements with Ascap, remain vested in the Ascap registry.

The communication adds that the list is augmented by “large numbers of compositions of foreign origin, whose authors, composers or publishers are members of performing rights societies which have agreements with Ascap, either original or exclusive right to license non-dramatic performances of the works in this country.”

Compositions to Be Listed

Ascap declares that a study is now being made of all of these agreements which will determine the compositions published by Warners for which it may assert the right to license. The study has progressed far enough, the society says, to issue the first list of such compositions, any of which, its communication states, may be included in broadcast programs of its licensees.


Warner officials could not be reached yesterday for comment on the Ascap communication but some film attorneys predicted the society's stand might lead to lengthy litigation before its claims were fully established legally.

Music Action Delay Seen

None of the many actions filed against Warners at federal and local radio stations for alleged infringement of copyright for using without permission music contained in Warners' schedules is scheduled to come up for trial in the Federal courts here until October, it was stated yesterday.

Many of the judges sitting in the Federal courts are now confronted with plans of reorganization which will carry them through to the summer, when the courts adjourn, it was pointed out. Senators in the senate today were discussing the possibility of the enactment of laws affecting the industry when the legislature meets in May. It is said that the Gulf States M.P.T.O.A. will take definite steps to protect the interests of the industry from the pass of adverse measures.

There are two possibilities frequent mentioned. The first is a bill to provide an examining board for projectionists. The other is a statute aimed at the various forms of give-aways. Regarding the latter, it is believed that the state wide elimination of gift nights might work to the betterment of the industry as a whole.

Ascap Claims Big Block of Herbert Works

Ascap has revealed that it has established a claim to the performing rights of 106 compositions by John Herbert, a songwriter and composer. The list was revealed by Herbert Smollett, general counsel for Ascap, who said that the list was compiled in cooperation with the Wall Street Corporation, which represents the Warners music publishing company.

The list includes such popular songs as "Put on Your Sunday Clothes," "Jeepers Creepers," "Bye and Bye," "I'll Be Seeing You," and "When the going Gets Tough, the Tough Get Going." It is expected that the list will be expanded in the future.

In a statement, Herbert Smollett said: "Ascap is determined to protect the interests of its members and to ensure that the music industry is properly compensated for the use of its compositions." He added that Ascap would take all necessary legal action to enforce its claims.

"Spy 77" (First Division)

An All-American picture, produced in England and released here by First Division, this film has an occasional note of suspense, and a good portion of action, against a background of secret service intrigue during the World War. The romance of an Italian woman spy and an American officer, rather unfortunate ends in tragedy, as the American officer does his duty for his country.

The cast is headed by Greta Nissen, as the Italian spy; Don Alvarado, as the chief of the Italian service, and Carl Diehl as the American officer.

With the possible exception of Miss Nissen, the names will mean comparatively little to the average American screen audience.

Miss Nissen falls in love with Diehl and learns that incriminating evidence has been planted on him to save her by her superior. Diehl is stripped of his rank, re-enlists and seeks permission to vindicate himself. He is sent to Rome by the Austrian secret service, to discover the identity of an Italian spy who is seriously damaging the Austrian cause.

There follows the major part of the film's suspense, as Miss Nissen on several occasions saves Diehl from the Italian service because she loves him. Finally, when she tries to prevent him from flying across the line with the needed information, she shakes him off his plane and she is killed, while, vindicated, he is restored to his rank in the Austrian army.

Production Code Seal No. 0.782. Running time, 82 minutes. "G."

"Heir to Trouble" (Columbia)

Starting off with a fast pace, this western, aided considerably by the experienced trouping of Tarzan, the Arabian stallion, is good outdoor action fare that will satisfy the fans.

Ken Maynard, a rancher-miner, becomes a father when his best friend dies and leaves his infant son in his care. Harry Wood, the heavy, a rival miner, plots to have the child taken away, concocting a story of fantastic goings on with a singer in a saloon, and tips off the local women's club that the virtue of the town. This brings about a misunderstanding between Maynard and Joan Perry, who are the romantic interest. There are the usual riding, fighting and shooting sequences which prevent the piece from getting dull. The climax is reached when Maynard, rescued by his fellow cowboys, corners Wood, and Tarzan saves the baby a moment before Wood gets his due.

The supporting cast, ably assisting, includes Martin Faust and Harry Bowen. Tarzan, superb animal that he is, almost steals the show. Spencer Gordon Bennett's direction keeps the film moving at a good pace.

Herbert Kirkpatrick is responsible for the fine photography. The production is in the hands of Leo Dietsch.

Production Code Seal No. 1,322. Running time, 59 minutes. "G."

"Raft Suspended"

Hollywood, Feb. 11.—George Raft has had his contract definitely sus- pended by Paramount as a result of his refusal to accept Teddy Tetzlaff as camera man on current films. Raft has five pictures on his contract.

"Cartoon Banned"

COLUMBUS, O., Feb. 11.—The Dick Tracy cartoon, which was banned here today after the Censor Board de- clared that it "encourages disrespect for the President."

E. G. Huhnke Recovering

OMAHA, Feb. 11.—E. G. Huhnke, salesman of the RKO exchange here, is recovering in Bartlett, Neb., after having been almost frozen to death in his car which had been caught in a snowdrift near the town last Friday.

MOTION PICTURE DAILY

Short Subjects

"March of Time No. 2" (RKO)

Once again the March of Time in its second issue of the second year, offers material of a high degree of interest and current significance. The reel is divided into four parts, with the first on "Freedom Today," the second on "Father Divine" and the third on "The Hartman Solution." Modern man's condition, as trend toward various of the activities of "capitalistic" countries, is ably de- scribed here. This installment, dealing in beauty parlor treatments, people buying as much of anything as they desire, and the busy transportation system, the industrial activity and the like, all in implied contrast to the Russia of the early days of its present system. Seen is Alexei Stakhanov, Russian hero, whose method of speed- ing production, Stakhanovism, has made little difference.

Extremely good, with expert use of the camera, is the Father Divine film, which is interesting primarily as an exercise in which the diminutive colored man, with the accents of the evangelist, completely dominates a vast group of his "disciples," centering in New York's Harlem.

The final portion reviews the latest boom to the movie experience, the new "desensitizer" developed over a long period by Dr. Leroy Hartman, which is being used to encourage the American public to watch the movies without taking steps to protect their eyesight.

"Darkest Africa" (Republic)

A 15-episode serial, with names that will be familiar to the younger element, this film has enough juvenile twists to make it pleasing to the Saturday morning theater goer. There is evidence today that the first two reels predict that the story comes up to the needs of this type of production.

The beginning of the story has Clyde Beatty as an animal trainer roaming up beasts for circuses. He also trains them a bit. Starting out on a safari, he meets up with young Manuel King, the boy who recently was a newsreel sensation with his handling of a cage full of lions. He is a sort of miniature Tarzan. The story proceeds to the rescue of his sister, who is held by a tribe in the interior which believe her to be a goddess. Also in the cast are Wheeler Oakman, Edward McWade and Edmund Craddock. The heroine, the officer's niece is Elaine Shepard. Lucien Prival aids, too. Production Code Seal No. 3,530. Running time, 30 mins. "G."

Frisko U. A. Holds Scale

SAN FRANCISCO, Feb. 11.—Since the Warfield dropped stage shows and reduced admissions to 40 cents on tops the Warfield is the highest priced house here, with 55 cents top. The Warfield, which under its stage prices sold for $82,000 to $25,000 weekly, has dropped to around $19,000 with duals. It is ahead in net profits, however, because of savings in overhead.

Louisianians Study Legislative Outlook

NEW ORLEANS, Feb. 11.—Exhibitors and managers here are discussing the possibility of the enactment of laws affecting the industry when the legislature meets in May. It is said that the Gulf States M.P.T.O.A. will take definite steps to protect the interests of the industry from the pass of adverse measures.

There are two possibilities frequently mentioned. The first is a bill to provide an examining board for projectionists. The other is a statute aimed at the various forms of give-aways. Regarding the latter, it is believed that the state wide elimination of gift nights might work to the betterment of the industry as a whole.

Chouteau a Candidate

ST. LOUIS, Feb. 11.—Henri Chouteau, owner of the World's Theatre building here, is a candidate for the Republican nomination for lieutenant governor of Missouri. He is a former member of the state General Assembly and a former Republican state committee man.
**MOTION PICTURE DAILY**

Wednesday, February 12, 1936

**MP TOA Board Meet Is Set On March 5-6**

(Continued from page 1)

**Purely Personal**

NORTON RITCHIE, FRANK BRUNO, CHARLES D. PAINE, HARRY SHIFFMAN, HAROLD SCHNEIDER, HERMAN GLICKMAN, BURG ROGERS, ER FAY, JULES CHAPMAN, A. M. WATERSBERG, BRODY MORRIS and WILLIAM PIZOR gathered at the Tavern yesterday for lunch.

FRANK V. KENNEBEC, for four years publicity and exploitation manager for Paramount's Capital, Melbourne, will leave New York today on the Washington en route to Cuba to become assistant to General Manager Charles Finkle of Paramount.

GEORGE J. SCHAFFER, Y. FRANK FREEMAN and FRANK WALKER arm and arm, setting down Broadway from Walker's office to the Algonquin, where SCHAFFER leaves today for Miami Beach.

BOB COLLIER, who returned yesterday after doing special work on a number of "Midsummer Night's Dream" openings, will leave Warner's Feb. 15.

PRINCESS NATALIE PALEY, ARTHUR TRACY, ANTON LITVAK and EDITH LOCKE are due here today on the Chippewa.

HARRY C. ARTHUR left for the coast Monday to confer with MARCO WOLF and RICHARD SIMON. He'll return by boat.

J. A. PARRINGTON and JESSIE KAYE of F. & M. arrived today in Chicago for the opening of Al Pearce's engagement at the RKO Palace.

BOBS and MRS. KARLÖFF, and MRS. WALLACE BERRY leave today on the Washington.

GLORIA SWANSON will leave today on the Century, where she will watch the Chief from Chicago tomorrow.

RICHARD BENNETT left Harbor Hospital today to continue his convalescence in Florida.

J. J. UNGER has returned from a circuit of southern Paramount exchanges.

DAVID SARKOFF, at the Astor yesterday, made a dash for the main elevators to attend a meeting.

JAN KEPFURA and MARTA EGERBÉ sail tonight on the Bremen.

BILLY YEARSLEY of Warners has arrived in town.

W. RAY JOHNSTON is expected back from Florida tomorrow.

FRED GREENE of New Paltz, N. Y., was in town yesterday.

JOSPEH BERNHARD has returned from Florida.

GARY GRANT was spotted in the Paramount Bldg. yesterday.

H. J. YATES is back from the coast.

Circuits Cold to Clearance Changes

(Continued from page 1)

Loew's may alter an advertisement here and there, but nothing of a radical nature.

Under the provisions of Paramount's contract subsequents can follow Loew's a week later with a 15-cent minimum admission. Exhibitors charging under 20 cents must wait 45 days after Loew's.

Loew's has issued a willingness to intervene on behalf of the unaffiliated theatre men, major circuit heads feel that the license commissioner is exceeding his authority. If there are any readjustments in zoning and hiring of admissions, major circuit executives would prefer to work them out with the independents without outside forces entering the picture.

Despite the fact that LTOA yesterday authorized Mess to act for the members of the unit in re-zoning the city, major circuits will disregard any message given by the license commission in this regard.

**Six Films Named in The Editing Section**

HOLLYWOOD, Feb. 11.—Nominations for the achievement awards in the motion picture editing division of the Academy were listed late last night by Harold McCDord, chairman of the film editors' executive board, as follows: "David Copperfield," "The Informer," "Les Misérables," "The Lives of a Bengal Lancer," "A Midsummer Night's Dream," and "Mating in the Boneyard."

Four productions were tied for third place, instead of the usual three, which accounts for the division of the six films in accordance with Academy award regulations.

**Hold Stamford Dance**

STAMFORD, Feb. 11.—The annual ball and benefit of the Stamford Theatre Enterprises, the leading theatre employers of Stamford, Greenwich and Danville was held at the Ellis' auditorium here tonight. Anthony J. Marucco was chairman, assisted by Nicholas Trimboli, Lawrence Tousky, Arthur Davis, Harry Freeman, Joseph Mitchell, Joseph Bonomo, Earl Barkston and Charles E. Bankston.

**Visits Injured Parents**

HOLLYWOOD, Feb. 11.—June Travis, actress of "The Gentleman From Big Bend," has been given leave by Warner's to fly to Palm Springs, to be with her mother, whose injuries were incurred in a recent automobile accident.

BRANDT BUYS THE GLOBE

Harry Brandt, who has been operating the Globe under a lease for the past four years, has purchased the property from the Globe Land Co.

**Dressler Tax $70,181**

LOS ANGELES, Feb. 11.—The $722,476 estate of Marie Dressler paid $70,181 in Federal taxes, a final accounting showed today.

**"U" Board Meet Off**

The regular meeting of the board of Universal, scheduled for yesterday, was postponed indefinitely.

**Court Eliminates 64 OfMomand's Charge**

OKLAHOMA CITY, Feb. 11.—An order striking 64 sections from the $31,415,924 dam suit petition of A. B. Momand, Shawnee, Okla., operator, and virtually necessitating filing of amended charges against 21 distributors has been signed by Judge Edgar S. Vaughan in Federal Court here.

Judge Vaughan ruled that the 64 sections charging monopolistic practices were毫无根据.

A 20,000 mile journey through Florida and the Carolinas by Senator J. Wilham Rogers, to confer with the producers and distributors.

Among the sections stricken out by Judge Vaughan was one charging the "comparators" obtained leases on theatres "by means of threats and another charging the large film producers "manufactured many of the stars independent producers to leave their employ and enter the employ of the defendant producers."

Judge Vaughan held that before the latter allegations could be continued in the suit the names of the parties would have to be named and the accusation made more specific.

**Delay Greenwich Opening**

Scheduled to open today, the new Greenwich in Greenwich Village will not be ready until Friday. Labor disputes were responsible for the completion of the house until then.

"Pine" Premiere Set


**Wall Street**

Eastman Issues Up on Board

**High** | **Low** | **Change**
---|---|---
Columbia, vte. 30 | 20 | +10
Columbia, nd 83 | 72 | +11
Consolidated, vte. 94 | 81 | +6
Consolidated, nd 95 | 81 | +6
Paramount, vte. 77 | 66 | +11
Paramount, nd 74 | 61 | +13
RKO, vte. 69 | 55 | +19
RKO, nd 59 | 46 | +13
Loew's, vte. 83 | 64 | +18
Loew's, nd 84 | 64 | +20
Warner Bros., vte. 91 | 80 | +11
Warner Bros., nd 83 | 72 | +11
General Electric, vte. 43 | 38 | +5
General Electric, nd 37 | 32 | +6
Federal, vte. 14 | 10 | +4
Federal, nd 12 | 8 | +4

Eastman shares were up 1 1/2 points.

Sonolone Lone Curt Gain

**High** | **Low** | **Change**
---|---|---
Sentry Safety 18 | 17 | +1
Sentry Safety 17 | 16 | +1
Trans-Lux 28 | 26 | +2
Trans-Lux 25 | 23 | +2


**High** | **Low** | **Change**
---|---|---
General Theatre 66 | 64 | +2
General Theatre 64 | 62 | +2
Loew's 64 | 62 | +2
Loew's 64 | 41 1/2 | -2 1/2
Loew's 64 | 64 | -2 1/2
Loew's 64 | 103 | -17
Loew's 64 | 103 | -17
Loew's 64 | 103 | -17
Loew's 64 | 103 | -17
Loew's 64 | 103 | -17
Loew's 64 | 103 | -17

(Quotations at close of Feb. 11)

**Modern Times** Does $65,000 First Week

(Continued from page 1)

at least six weeks. Loew's will get it first run after the Rivoli showing.

London Press praises film

LONDON, Feb. 11.—Charlie Chaplin's "Modern Times," which opened here tonight at the Tivoli, was greeted with considerable praise and there was following a showing for critics this morning. Three evening newspapers were highly laudatory and gave the opening feature news space.

Rogers Library Started

CLAREMORE, OKLA., Feb. 11.—Work on the Will Rogers Memorial Library was started yesterday by Morton Harrison, WPA director. It will cost $18,000. The WPA is supplying $10,000.

Warners Party to Europe

Harry M. Warner, Sam E. Morris, Fred Seibert and Mrs. LeRoy Vaught are set for Europe for a six-week trip. Morris hopes to leave for a Florida vacation before sailing.

End
Writers Seek 100% Royalty On Some Plays

Vant All of Film Value If Producer-Backed

Royalties up to 100 per cent of the full value of the picture rights of stage productions will be asked by writers under their new contracts with managers in instances in which film companies participate as play producers, was reported yesterday.

Changes in the authors' participation in film rights to stage plays will made only where film companies appear as play producers, it was said, and new arrangements, although subject to negotiation with those companies who have been scheduled to go into effect March 1.

They are being proposed as a solution to the problem created for the writers by the recent appearance of film companies as the backers of numerous stage productions with the re-

Republic's Selling Setup Complete Soon

With E. M. Schnitzer in charge of republic sales in the east and Jack Lew in the west, the company's new sales setup will be completed in the near future with the appointment of midwest sales manager, it was said yesterday.

It is expected that W. Ray Johnson, Republic president, who is due back today from a Florida rest folowing a recent illness, will confer with E. H. Goldstein, vice-president of general manager, on appointments to the midwest sales post at once.

Cold Wave Drops Key City Grosses for Three Weeks

What the cold wave has done to grosses all across the northern and central portion of the country during the past three weeks is shown in reports from 80 key cities gathered in Motion Picture Daily. After climbing, with slight fluctuations during October and until the Christmas holidays, they have taken a marked drop since mid-January when sub-zero weather and snow became widespread.

During the early weeks of January grosses were hitting new highs for the season. In the second week of January grosses were hitting new highs for the season. In the second week of January they began to slide, the total for the week ending Jan. 16-17 being $1,722,400. The following week the total went down to $1,359,065, with a further recession to $1,515,300 for the week ending Jan. 30-31.

The total of first run houses open has also declined from the peak of 180 for the week ending Oct. 31-Nov. 1 to 109 for the week ending Feb. 6-7. Last week's declines were confined to Buffalo, Chicago, Cleveland, Kansas City, Lincoln, Louisville, Minneapolis, Montreal, New Haven, Oklahoma City, Portland, Providence, St. Paul and Seattle.

Construction

In K.C. Ahead Of Last Year

KANSAS CITY, Feb. 12—Indications here are that remodeling and new theatre construction under way or planned in this area for the first half of this year will be far ahead of the same period last year. Remodeling is expected to follow the bulk of the theatre activity.

Locally the Dubinsky Brothers will reopen the Regent next month after remodeling. E. B. Danielson is building another house, the Mecca, in Russell, Kan. James Owens, mayor of Bramon, Mo., is replacing his present Owens with a new theatre. Charles Barron and Floyd E. Droz will start construction next month in a new house at Anthony, Kan. John Goshen is building a new house at Sedalia, while O. L. Sullivan is

Senate Moves For Action on Picture Bills

By CLARENCE LINZ

WASHINGTON, Feb. 12—Senator Burton K. Wheeler of Montana, chairman of the Senate Inter-State Commerce Committee, today announced the appointment of a sub-committee to consider the bill introduced by Senator Neely of West Virginia, prohibiting block booking and blind buying.

The sub-committee will be headed by Senator Neely, other members being Senators Barkley of Kentucky, Benson of Minnesota, Metcalfe of Rhode Island and Davis of Pennsylvania. The group will meet for consideration of the measure Feb. 18, it was said by Senator Neely.

Lesser to Do Six

20th-Fox Outdoors

LOS ANGELES, Feb. 12—Sol Lesser has contracted to release six outdoor action pictures through Twentieth Century-Fox. This arrangement is entirely separate from his producer deal, which is still being negotiated with the same company. It is not likely that Lesser's new outdoor films will again star George O'Brien. The writing of a new contract has been held up by the star's desire for a different type of role.

Lesser will not arrange a release on the current Bobby Breen production titled "Let's Sing Again" until the picture is completed.

Zukor Denies Para. Changes Contemplated

Realffirms Confidence In John E. Otterson

No top-line executive changes at Paramount are expected at this time, it was stated yesterday by Adolph Zukor, chairman of the board.

Reports of disension between financial interests represented in the company's board over theatre and financial policies have been rumored widely for many weeks past. More recently reports have been current that changes in the company's executive setup were imminent with the names of both Zukor and Joseph B. Kennedy, former SEC head, linked with new active management posts within the company. The reports in each instance have been denied officially by the financial interests and the individuals involved.

Zukor's statement of yesterday fol-

WARNERS STUDYING ASCAP MUSIC CLAIM

WARNERS said yesterday that Ascap's claims to the licensing of the small rights of certain music published by Warner subsidiaries was being studied by the company's legal associates and comment would be withheld until the study had been completed.

Ascap notified its licensed broadcasting stations that a considerable amount of the Warner music was available for their use under their Ascap contracts because the small rights to the works were reserved by the writers, composers and authors

Dietz to Star

Hollywood, Feb. 12—Pete Smith, after months of high-powered screening, has persuaded Howard Dietz to go into action before the camera.

Dietz is "the demon pinguongist." He will appear in Smith's next short, for M-G-M, "Table Tennis," and will not only demonstrate how to win gracefully, but will decide once and for all what the well dressed ping pong player will wear.
**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

**Vol. 39**

February 13, 1936

**No. 37**

**MARTIN QUIGLEY**

Editor-in-Chief and Publisher

MAURICE KANN, Editor

J. M. BEARD, Managing Editor

JAMES A. CRON, Advertising Manager

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**Insiders' Outlook**

By RED KANN

**Los Angeles, Feb. 12**

A Associated Press wire from London finding front page display in the Los Angeles Times states that 100 of "the highest paid and most widely known celebrities of Hollywood" will appear in British films this year.

The reporting is careless and the Times headline writer was inaccurate when he captioned the dispatch in terms of "Raid." Thinking exhibitors will fail to become alarmed. Others are told not to worry over any depletion of significant Hollywood talent. An American producer is allowing not a single valuable name permanently out of their hold. The truth for some time has been that English studios largely have been content to take what they have been able to get and Hollywood hasn't wanted.

Important talent heading for London will go by consent of the major producers either to develop or their own production in England. Unless in reciprocal mood induced by the need to keep the British market a continued happy hunting ground for American films. In any event and regardless of whose merit will fall playdates waiting.

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**Joan Bennett to Do 4 More for Wanger**

Hollywood, Feb. 12.—Walter Wanger has signed Joan Bennett to a new four-picture agreement. Under the terms of the pact, two of these pictures must be released through Paramount. As Wanger has not yet signed his new releasing contract with Paramount, this clause was put in to guarantee the services of the actress to this studio in the event that Paramount makes other releasing arrangements.

In the event that Wanger renegotiates with Paramount, it is likely that all four pictures will go to that company. The contract will start after Miss Bennett returns from London. She is now working in "Big Brown Eyes" for Wanger.

**FWC Decision Delay Seen as Possibility**

Los Angeles, Feb. 12.—With the continuation here today of the petition to have the Fox-Western Bankruptcy Court declare the F.W.C. a "device," the consensus of court opinion was that Judge James Alger Fee may not render a decision until much later in the month because of the tremendous precedent which will be set should he decide in favor of the petitioners. Observers here feel that the number of days are six to ten in favor of a reopening.

William H. Neblett, counsel for T. Dally and Corbett, Corp., continued his testimony today, citing authorities to prove that the court has jurisdiction to act upon the arguments which he presented yesterday regarding the validity of the bankruptcy. He testified that the transfers of F. W. C. properties were not affected by any long distance telephone conversations between the boards of directors of various companies in Los Angeles and New York.

**Rolgell Head, RKO Studio**

Hollywood, Feb. 12.—Sid Rogell will become general manager of the RKO Radio Picture Co., on Feb. 20. The post has been vacant since the death of Herman Zebel and C. D. White. Rogell has been with the company the past three years. He has been under the jurisdiction of J. R. Cron, production manager. Rogell recently resigned from associate producer berth at Columbia.

**Change 20th-Fox Titles**

Hollywood, Feb. 12.—Twentieth-Century-Fox has changed the titles of two productions, "I Will Be Faithful" has been changed to "Human Cargo" and "The Matron's Report" will be seen as "Miss Nobody."

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**Purely Personal**

EDWARD BONN, Universal short subject sales manager, is back from a six-week tour. He said he found serial business definitely on the increase.

MAJOR ROGER MARCHETTI has returned from the coast to attend to legal matters here. He goes back Saturday.

EDDIE REED of the Strand, Providence, R. I., is confirming here with Hy Daar on an opening date for "The Music Goes Round."

**Quip of the Day**

Nate Mancheff contributes this as his series continues:

"The King's Funeral."

"You May Be Next."

**BUSINESS NOTES**

Phip Regan, who recently finished "Laughing Irish Eyes" for Republic, has arrived here. He is at the New Yorker.

MABEL DREW has withdrawn from the M-G-M publicity department where she was handling radio.

BUDDY MORRIS plans to leave for Miami and a fishing vacation on March 10.

Y. FRANK FREEMAN is looking forward to a vacation next month at either New Orleans or Miami.

JOSEPH M. SCHOEN is due from the coast the end of the month. He'll then go to Florida.

JAMES A. FITZPATRICK, who is on a world tour, will return sometime next June.

HAL LE Roy and Toby Wing have been signed by Sam Sax for a Vita-phone short.

WILLIAM MCKAY is due back from Florida late this week.

SINDBY R. KENT is expected in from the coast late this week.

JOE MOSKOWITZ has a coast trip in view, but hopes to go to Miami first.

BILL SCULLY will return from Miami sojourn on Feb. 20.

IRVING BERLIN has returned from the coast.

JOE VERSGESCHIL is no longer with Movie Sweepsstakes.

ARTHUR W. KELLY is in Chicago on a "Modern Times" deal.

CINCINNATI:

ANDREW HETTISHEIMER, manager of the Norwood, suburban, is vacationing in Florida with his family.

LEVIET BOSIE, Fox salesman, previously covering Kentucky, has been transferred to the local city district, replacing Nick St. George who replaces Busie in Kentucky.

NOAH SCHETTER has returned from an automobile trip through the south.
The subtle art of man-hunting, as practiced by G-men and big-time newspaper reporters, receives a rather rudely jolting treatment this week in Warner Bros.' 'excellently conceived satire', 'MAN HUNT'. Ricardo Cortez again clicks as a 'smoothie' gangster whom Marguerite Churchill kind-heartedly hides, small-town reporter William Gargan cleverly uncovers, and ex-sheriff 'Chic' Sale hilariously brings to earth, aided and abetted by the 'tongue-in-cheek' direction of William Clemens. Released Feb. 15th.
WARNER BROS. give you the stars of 'Of Human Bondage' in a certified success

LESLEY HOWARD

"The Petrified Forest"

...and watch for the COMPLETE Story

"Seven times better than the average with excitement, humor and romance.


"A production of most distinguished and thrilling action. This is, perhaps, the finest performance on the stage and screen."

"Animate and vital. The Warners' transcribing plays into film. We hold this to be a hit.

"Brilliantly written, splendidly directed.

"Thrilling and absorbing. Howard, which he gave on the stage and in the screen, finest performances on the screen."
CHEER,
MUSIC HALL
OVER
WARNER BROS.
1936

"An excellent film...filled with work of distinction."—World-Telegram

"Has been admirably transferred from stage...effective entertainment."—Journal

"Tense, swift, hot melodrama, Howard's finest role."—American Film

"Continue to display their skill at staging...Petrified Forest."—Times

"...handsomely produced!"—Mirror

"The same compelling performance that...him Bette Davis gives one of her best performances—warming and appealing."—News

With GENEVIEVE TOBIN • DICK FORAN • HUMPHREY BOGART • JOSEPH SAWYER • EDDIE ACUFF • CHARLEY GRAPEWIN
Directed by ARCHIE L. MAYO

BETTE

DAVIS

"Petrified Forest"

"The Story of Louis Pasteur"—soon!
Zukor Denies Para. Changes Contemplated

(Continued from page 1)

owed upon the publication of a report linking his name with the active management of Paramount, possibly as a successor to E. O. Otterson, president. Zukor said, "I wish at this time to reaffirm the confidence in John E. Otterson which he expressed when he assumed the position of executive head of Paramount. Rumors of any change in the executive setup within the company are groundless. I am very happy in my position as chairman of the company and I wholeheartedly support the management policies of Mr. Otterson."

Richardson Quits Board

Charles E. Richardson, a director and former trustee of Paramount, has tendered his resignation from the company's board. Action on the resignation is expected to be taken at the company's next board meeting, Feb. 27. Richardson was elected last January to a second one-year term. He has considered resigning for several months in order to devote his entire time to his business interests, located in Philadelphia.

Reports that Robert K. Cassatt, also of Philadelphia, had again tendered his resignation from the board, could not be verified at Paramount yesterday. Cassatt, who was also elected for a one-year term, offered his resignation several months ago, but was induced to withdraw it at the time.

Warners Studying Ascap Music Claim

(Continued from page 1)

under their agreements with the publishers and as a result were fully covered by the company's defense. The first list of Warner music coming within this category, as compiled by Ascap, included many George M. Cohan songs, and the Victor Herbert works with the exception of the "Naughty Marietta" numbers and many others from various publishers and composers. Additional lists will be issued as Ascap's study of the agreements between member writers and their publishers progresses, the society said.

Frels Suit Delayed

DALLAS, Feb. 12—The anti-trust suit of Ruben Frels, exhibitor, against the Jefferson Amusement Co. and several major distributors, was not reached on the Federal Court here today. It is expected to begin tomorrow. Frels, charging conspiracy seeks triple damages under the Sherman anti-trust act totaling $560,024.

Holiday Closes Office

Film offices in New York yesterday declared a half holiday observing Lincoln's birthday. Twentieth Century-Fox was closed all day.

While the stock market, bond and turg markets were closed also.

Cold Wave Drops Key City

Grosses for Three Weeks

(Continued from page 1)

Comparative grosses for the last available periods:

<table>
<thead>
<tr>
<th>No. Theatres</th>
<th>Gross</th>
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<tr>
<td>177</td>
<td>$1,515,300</td>
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<table>
<thead>
<tr>
<th>Week Ending Feb. 6-7</th>
<th>No. Theatres</th>
<th>Gross</th>
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<tr>
<td>Boston</td>
<td>7</td>
<td>$99,500</td>
</tr>
<tr>
<td>Chicago</td>
<td>8</td>
<td>121,100</td>
</tr>
<tr>
<td>Cleveland</td>
<td>5</td>
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</tr>
<tr>
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<td>6</td>
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<td>7</td>
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<td>5</td>
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<tr>
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<tr>
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</tr>
<tr>
<td>Washington</td>
<td>7</td>
<td>80,000</td>
</tr>
</tbody>
</table>

Total                168     $1,591,350

Construction In K.C. Ahead Of Last Year

building a new 800-seat house at Wichita.

Schine's Bucyrus at Bucyrus, O., is expected to open in a few weeks. The Hennepin Amusement Co. of Minneapolis is rebuilding a grand at Grand Forks, N. D., at a cost of $40,000 on complete renovation.

The Film Board of Trade at Topeka is listing eight openings in the territory during January, and only two closings. The houses opened were: "Cook; Cook, Farman, Farman, Rex, Mason City; Cass, Plattsburgh; Saybrook, Table Rock, all Nebraska; Strand, Arlington and State, State, all in and a grand, Hurley, S. D.

Charles Schweitzer is spending $5,000 on remodeling the Allen, at Amarillo. F. B. Price shortly will begin remodeling a three-story building in St. Joseph, O., into a film house. The Majestic has been closed in Crooksville, O., Ross Garver and Maurice Reinking plan to acquire one new neighborhood, N. D. They have three houses in Terre Haute.

Southern Spots Active

MEMPHIS, Feb. 12—The Parkview Amusement Co. will build a new house here, costing $35,000. The Fox in Columbus, S. Dak., was reopened after complete remodeling. In interstate Circuit plans one of the largest (Continued from page 800-seat house in Broadbrok, Conn., and will open a new house in the city. Shapero is planning a new house in Saybrook, Conn.

Ohio Jury OK's Gifts

CLEVELAND, Feb. 12—The first legal decision to determine the status of Bank Night from the lottery angle in this territory was handed down in Judge Baker's court in Painesville when a jury, after four hours of deliberation, acquitted Dan Starnes of the Willoughby Theatre, who was accused of violating the State lotteries statute. Basis for the decision was that no corporation was involved in the winning of a prize.

"U" Buys Two Stories

HOLLYWOOD, Feb. 12—Universal has purchased two stories. They are: "Pompeii," by Clarence Buckingham, Kelland, and "Adam's Eve," an original by Katherine Kavanagh. Edward Everett Horton will be in the second.

Universal Sets Its 24th Serial Lineup

It was on April 14, 1913, that Universal released its first serial, "Lucile Love," starring Francis Ford and Grace Cunard. "Troy O' Hearts," and "The Master Key" completed the 1913-14 serial schedule. On April 14, this year, Universal will start on its 24th season of serial production, with four of the epic pictures planned for the 1936-37 season.

The four are: "The Phantom Rider," in 15 episodes, with Buck Jones; "Auntie Drummond," with John Mack Brown; "Jungle Jim," and "Secret Agent X-9." All but the last has been taken from popular comic strips, by arrangement with King Features, which syndicates the strips in newspapers throughout the country.

CLOSINGS

Cleveland.

Closing was the Town Hall of Oxford, Mass., and the Alley at Groveton, N. H., badly damaged by fire some time ago. The closings are: "Stale Break" at Surf City; a "Nonstop" at Casino, Old Orchard, Me.; "Office Stories" at Hiramville, "Neptune," Cornelle, Nearville and Town Hall, Jeffersonville, Vt.

San Francisco Opening

SANTA Fe, Feb. 12—Aaron Goldberg has reopened the Regal hero, formerly the Phoenix, after complete remodeling at a cost of $25,000.

Shapero Quits DuWorld

Irvin Shapero has resigned as general manager of DuWorld Pictures, Inc. He will sail Saturday for a tour of Europe and will announce his future plans on his return.
"PRISONER OF SHARK ISLAND" BREAKS EVERY OPENING DAY RECORD AT THE CENTER THEATRE NEW YORK!

Put your theatre's name in this headline!
Thursday, February 13, 1936

**“Ceiling” Is $16,000 Draw In Pittsburgh**

PITTSBURGH, Feb. 12.—Although the weather continued to stifle business, “Curtains” was not precluded from fanning away to a flying start and never let up, collecting $16,000. At the Stanley, the condensed version of Earl Carroll’s “Scotch Tape” was a successful bolster for “Show Them No Mercy” on the screen and the combination was good for $2,500.

Nowhere else, however, was there any indication of improvement. The Average, headed by Earl Hines’ band, with “If You Could Only Cook,” but the results were unsatisfactory, the gross had dropped to $6,200. At the Palace, “East of Java” and “Dance Band” couldn’t better a week $2,900, while the Warner’s “The Widow From Monte Carlo” and “It’s a Great Life” did a trifle better at $3,900. Total business of the Palace was $4,950. Average is $495.

Estimated takings for the week ending Feb. 12:

- **IF YOU COULD ONLY COOK** (Col.) ALVIN—(7,000), 25c-5c, 7 days. **Stage:** Edward S. Chase. **Result:** $1,500. **Dancing Demons, Radiodisc and Rogers, Kaye. **Perry, Gross:** $6.30. **Estimated:** $1,500.

- **DANCE BAND** (First Division) FULTON—(1,200), 15c-40c, 7 days. **Gross:** $2,200. **Average:** $314. **Estimated:** $2,200.

- **CEILING ZERO** (W. B.) PEABODY—(7,000), 15c-40c, 7 days. **Gross:** $16,000. **Average:** $2,286. **Estimated:** $16,000.

- **SHOW THEM NO MERCY** (20th-Fox) DUNCE—(6,000), 25c-5c, 7 days. **Stage:** Warner, “The Widow From Monte Carlo.” **Result:** $1,300. **Chan, Murray, any Average, in (1,500).**

- **IT’S A GREAT LIFE** (Para.) WIDOW FROM MONTE CARLO (W. B.) WARNER—(2,000), 25c-40c, 7 days. **Gross:** $1,000. **Average:** $143. **Estimated:** $1,000.

**“Exit” with Show Oklahoma City Top**

OKLAHOMA CITY, Feb. 12.—“Grand Exit,” with 10 acts of vaudeville, made by far the best showing by pulling $3,200 in four days at the Liberty. Normal for a week is $3,000. During the remaining three days of the week, “Charlie Chan’s Secret,” with “Spanish Night” on the stage, garnered $1,400.

Cold weather electricity along the line, with “Anything Goes,” “Barbary Coast” and “Sylvia Scarlett” all falling under par.

Total first run business was $1,100. Average for the week, $150.

Estimated takings for the week ending Feb. 8:

- **ANYTHING GOES** (Para.) CRITERION—(1,200), 10c-35c-5c, 5 days. **Gross:** $450. **Average:** $90. **Estimated:** $450.

- **BARBARY COAST** (U. A.) MIDWEST—(1,000), 10c-35c-5c, 7 days. **Gross:** $1,200. **Average:** $171. **Estimated:** $1,200.

- **SYLVIA SCARLETT** (Radio) CARLTON—(1,000), 10c-35c-5c, 7 days. **Gross:** $1,000. **Average:** $143. **Estimated:** $1,000.

- **GRAND EXIT** (Col.) LIBERTY—(1,000), 10c-35c-5c, 4 days. **Stage:** “Spanish Night.” **Gross:** $1,800. **Average for week:** $450.

**“Charlie Chan’s Secret”** (20th-Fox) LIBERTY—(1,000), 10c-35c-5c, 3 days. **Stage:** “Spanish Night.” **Gross:** $1,800. **Average for week:** $600.

**“Captain” $3,200 Leader in Lincoln**

LINCOLN, Feb. 12.—Bitter cold is still retarding business. “Captain” is one of the solid first string films to get over average, that by $100 on a take of $3,300 at the Stuart.

The Orpheum, with the help of Andy Kirk’s stage show three days, and “Freshman Love,” split with “Stars Over Broadway” had a final tally of $2,300, which was $200 good. “Freckles” at the Lincoln was aver-

Total first run business was $9,400. Average is $950.

Estimated takings for the week ending Feb. 8:

- **FAST BULLET** (Reliable) WELLS—(2,000), 15c-25c-40c, 7 days. **Gross:** $900. **Average:** $128.

- **MURDER OF DR. HARRIGAN** (F. N.) CORTIZ—(5,000), 10c-25c-40c, 7 days. **Gross:** $1,000. **Average:** $143.

- **DANGEROUS INTRIGUE** (Col.) VALLEY—(1,000), 10c-25c-40c, 7 days. **Gross:** $900. **Average:** $128.

- **FRESHMAN LOVE** (W. B.) STARS OVER BROADWAY (W. B.) OLYMPIC—(1,000), 25c-40c, 7 days. **Gross:** $3,000. **Average:** $428.

_Video_ contents for the week ended Feb. 8:

- **FRESHMAN LOVE** (W. B.) STARS OVER BROADWAY (W. B.) OLYMPIC—(1,000), 25c-40c, 7 days. **Gross:** $3,000. **Average:** $428.

**Vidor Honored Again**

Hollywood, Feb. 12.—King Vidor has been awarded a diploma of honor by the Festival International of Brus-

Vidor’s work has been similarly recognized recently by the United Daughters of the Con-

**Elise Wilkins Returns**

Hollywood, Feb. 12.—Elise Wilkins, secretary of the Screen Writers Guild, has returned after a two-

**“Ceiling” Is Washington’s Hit, $20,000**

WASHINGTON, Feb. 12.—“Ceiling Zero” sent the gross at the Earle to $20,000.

In a return engagement at Loew’s Columbia, “A Tale of Two Cities” continued its smashing success, taking $5,200 against the house average of $3,600.

“Exclusive Story” at Loew’s Foxy proved a surprise by taking $2,000 or $1,100 over par. “Broadway’s Hollywood Cabaret Revue” helped.

The Metro-Goldwyn-Mayer picture, “Murder of Dr. Harrigan” topped par by $1,300 for a take of $5,600, and the Belasco, $2,500 average for a gross of $3,200 on “Any Number Can Win.”

The surprise flop of the week was “Fang and Claw” at RKO-Keith’s, which was expected to earn $2,500 in week’s exchanges, Frank Buck got the picture off to a swell start, but it died during the latter part of the week. The $200 gross was $2,200 under average.

“Strike Me Pink” at Loew’s Palace slipped $400 under par for a take of $15,500, but it was held for a second week.

Total first run business was $80,000. Average was $11,428.

Estimated takings, exclusive of tax:

_Video_ contents for the week ended Feb. 8:

- **NOUS LA LIBERTE** (French) BELFAST—(1,000), 15c-25c-40c, 7 days. **Gross:** $1,300. **Average:** $186.

- **A DICTATORS** (Col.) LOEGS—(1,000), 15c-25c-40c, 7 days. **Gross:** $1,300. **Average:** $186.

- **UNDER THE ROOF** (Col.) O’DAY—(1,000), 15c-25c-40c, 7 days. **Gross:** $1,400. **Average:** $200.

- **MARRIAGE** (Col.) HALL—(5,000), 15c-25c-40c, 7 days. **Gross:** $2,000. **Average:** $286.

- **THE IMPERSONATION** (Col.) HALL—(5,000), 15c-25c-40c, 7 days. **Gross:** $2,200. **Average:** $314.

- **THREE SINNERS** (Republic) NATIONAL—(1,500), 15c-25c-40c, 7 days. **Gross:** $2,000. **Average:** $286.

- **CEILING ZERO** (F. N.) MARY ANDERSON—(1,000), 15c-25c-40c, 7 days. **Gross:** $3,300. **Average:** $471.

- **THE MELODIES ON IN** (U. A.) HALL—(1,000), 15c-25c-40c, 7 days. **Gross:** $4,000. **Average:** $571.

- **THE RETURN OF PETER GRIMM** (Col.) BROWN—(1,400), 15c-25c-40c, 7 days. **Gross:** $6,000. **Average:** $857.

**Rachman Seeks Release**

LINCOLN, Feb. 12.—After four years in the Nebraska State Prison, Julius Rachman, former Omaha theater manager, was sentenced for 15 years on second degree murder charges growing out of the shooting of Sam and Harry Golding, business associates. The 292 days will appear before the Pardon Board tomorrow in a clemency plea. Many of the show business men have signed a petition asking commutation of the sentence.

**Sale to Do “Boy Blue”**

Hollywood, Feb. 12.—Chic Sale will appear in “Little Boy Blue” as his next M-G-M miniature. The show will be based on the story of James R. White, who wrote the music for the song “Boy Blue.”
STAR PERFORMER

SUPER X delivers unparalleled photographic quality to the screen. That is why it continues to hold its position as star performer among negative motion picture films. That is why it plays a part in most of the feature pictures released in the world’s leading movie-producing country. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
**MOTION PICTURE DAILY**

**Thursday, February 13, 1936**

**Short Subjects**

**“Tom Thumb”** *(Celebrity)*

Again using a fairy tale story, this film should be loved by all children. The narrative has Tom getting into all sorts of mischief due to his smallness. In a pie, then he is swallowed by a goat—an imaginatively presented and colorful sequence—and finally he is eaten by a bear. He is not harmed when he goes fishing and uses it as bait. He is swallowed by a fish which in turn is swallowed by another and so on. Finally he is rescued and given a spanking. Excellent. No production code seal. Running time, 5 mins. “G.”

**“Stars of Tomorrow No. 5”** *(Columbia)*

Two youngsters, the screen, with Benny Rubin as master of ceremonies, this number of the series offers some turns which are good and some which could be better. Helen Marion seems well, and a farm trio is featured by novel throat-whistling. For the rest a New York production has the same impersonations, the Mandel Sisters sing and tap dance, and three boys play the banjo and sing. As for three amusing amateurs, goes so this will go. Production Code Seal No. 0,771. Running time, 11 mins. “G.”

**“Ali Baba”** *(Celebrity)*

This Cinecolor cartoon tells the familiar story and spins it into a whirlwind of animated activity. The result is a fine, entertaining offering. The thread of the plot involves the discovery of the cave with the “Open Sesame” password by Ali Baba and the subsequent overcoming of the obstacles put in his way by the thieves. A feeds modern burlesque twists should bring some hearty guffaws. No production code seal. Running time, 8 mins. “G.”

**“Stars of Tomorrow No. 6”** *(Columbia)*

Two youngsters, Jay and Anne, doing an Apache dance, are the best bet in this series of amateur acts, for which Benny Rubin acts as master of ceremonies. Then follow Blanche Lewis, tap dancer; Jack MacPherson, who sings well; the Blane sisters, who sing, and the Catskill Hillbillies, who are what the name implies. Production Code Seal No. 0,772. Running time, 11 mins. “G.”

**F. D. Appoints Kilfoil**

Thomas A. Kilfoil has been named purchasing agent for First Division. He was formerly associated with Majestic and Paramount. Joe Cronin has been appointed a salesman out of the Boston office.

**306 to Vote on Attorney**

Local 306 may have a new attorney if a move on way by some members succeeds. A meeting of the last general meeting brought up the question of replacing Matthew Levy. Another group is in favor of retaining Levy. A special session will be called to thresh out the matter.

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**MOTION PICTURE DAILY’S HOLLYWOOD PREVIEW**

**The Prisoner of Shark Island** *(Twentieth Century-Fox)*

Hollywood, Feb. 12.—A powerful drama with emotion-stirring punch in dialogue and action. Intelligent selling should make this picture one of the year’s big features. It vividly pictures a chapter in American history heretofore closely guarded.

It is splendidly acted, with Warner Baxter giving perhaps the best performance of his career. John Ford’s direction is excellent. Although at first glance it may appear to be a movie in favor of the skillfully blend love interest with the motivating forces of loyalty, heroism and sacrifice make it readily adaptable to feminine patronage.

The assassination of Lincoln hurbs the North into a fury of bigoted hatred. Dr. Samuel Mudd (Warner Baxter), not knowing the identity of his patient, is placed in a dangerous position when his attempt at escape fails.

Yellow fever breaks out, panic strikes and Harry Carey, the commandant, begs Baxter to halt the epidemic. Without hope of reward he agrees and is successful. In the conclusion liberties have been taken with the facts, as Baxter is exonerated and returns to his wife, Gloria Stuart, as child, J. W.Backing.

A preview audience several times interrupted the film with applause. A courageous production, it calls for the same brand of sensationalism in selling as went into the making.

Production Code Seal, No. 1,907. Running time, 105 minutes. "G."

**Her Master’s Voice** *(Wanger-Paramount)*

Hollywood, Feb. 12.—This light hearted comedy of mistaken identities is an excellent one to couple with a somber drama.

Edward Everett Horton is funny in his usual exact fashion as a mild and loving husband driven to animal rage by his wife’s relatives. Elizabeth Patterson plays his harmless tippling mother-in-law for the comedy effect.

She holds him for everything from losing his job to the whole depression. Laura Hope Crews does nobly with the equally funny part of a maiden aunt who mistakes Horton for a butler, hires him away from himself, and then resorts to girlish blackmail. The harder the world and the more Horton has acquired, the more the aunt’s handyness in order to be near his wife. Peggy Condlin is appealing and charming as the worried young wife who is the victim of the managing impulses of her relatives. Grant Mitchell, as a songbird business man, has a smaller but thoroughly funny part. The film closes on a hilarious note when Horton is revealed as a success at last, as a radio crooner.

Dore Schary and Harry Sauber constructed the screen play from the play by Clare Kummer. The direction by Joseph Santley keeps the laughs rolling out.

Play up the same husband going berserk under continued feminine domination, and Horton’s name.

Production Code Seal, No. 1,772. Running time, 72 minutes. "G."

**The Three Godfathers** *(M-G-M)*

Hollywood, Feb. 12.—This tale of three outlaws develops as an interesting character study motivated by a heart-hitting theme after starting as an average action feature.

While fleeing from a bank stickup, the characters, Chester Morris, a killer; Lewis Stone, philosopher turned bandit, and Walter Brennan, good humored ignoramus, encounter Helen Brown and her baby. Jean Kirchman, dying of thirst on the desert. Their horses die from drinking poisoned water. Left with meager supplies, Stone and Brennan promise the dying mother that they will get the baby to civilization while Morris stills and refuses to commit himself. Trecking back on foot to the town is overruled by the wayward. The next day Brennan succumbs and Morris, after a struggle with his conscience and inclinations, picks up the infant and goes forward. For the climax, Morris delivers the child back in the settlement. He falls dead, himself a victim of the poison water which he had purposely drank to gain strength for the final spurt.

Richard Boleslawski’s direction captures the full power of the struggle.

(Continued on page 11)

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**Writers Seek 100% Royalty on Some Plays**

(Continued from page 1)

suit that competitive bidding for the film rights to the first five plays with restrictions with a consequent lessening of the writers’ royalties, according to the Dramatists Guild. While there is no participation by film companies in the production of plays and the bidding for film rights in consequence, negotiations in connection with such exchanges are contemplated in the existing provisions under which writers share up to 50 per cent of the film rights, it is reported.

The contract committee of the Authors’ League is completing a first draft of the contract which will be submitted to the managers in the near future for ratification. One per cent royalty participation in film rights may be revised downward at the time, providing the agreement is reached with the lessening of the financial interest of a film company in a stage production. If the film company is only paid a set price, the writer’s participation in film rights may be adjusted accordingly, it was said.

Efforts to reach officials of the Authors’ League for comment on these details of the proposed new agreement were unsuccessful yesterday.

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**Miami Beach Scene**

Of “Rhodes” Preview

MIAMI BEACH, Feb. 12.—“Rhodes, the Diamond Master,” G. B. special, was previewed at the Lincoln here with numerous film company executives in attendance. The film will have a $10 premiere at the Ritz Carlton Hotel in New York, Feb. 19, for the benefit of the Adventure Society, and will open at the Roxy there, Feb. 28.


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**Urges Mass. Bond Bill**

Boston, Feb. 12.—Passage of a pending bill for the establishment of a state commission to conduct investigations of real estate bond reorganization was urged before the legislative committee by Warren L. Bank, to- day by Peter N. Borre, New England counsel for the Salisbury Congressional committee and the bond reorganization investigations national- ly.

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**Ambrose to Milwaukee**

MILWAUKEE, Feb. 12.—James Ambrose has been appointed the new director of the Milwaukee United Artists exchange here.
Continued Pickup

SALT LAKE CITY, Feb. 12.—According to all indications through the business horizon for Salt Lake City and the surrounding Intermountain territory, 1936 will be a banner year.

The holiday season, closing the year 1935, far surpassed expectations for spending and optimism, and the year is seen on the business horizon for the coming year which should hinder a continuous pickup in this direction, according to leading exhibitors and distributors here.

A gradual improvement in mining, of which this region is a center, is forecast. Farmers of Utah received $5,365,000 more for their crops in 1935 than in the previous year, and it is officially indicated, and it is expected a similar gain will be shown during 1936.

Real estate activity has taken a definite upward turn. There has been considerable remodeling as well as some new construction on the theater side in this area.

Neighboring Montana is expected to gain substantially, chiefly through the anticipated greater activity in mining.

Production Gains

With 38 in Work

HOLLYWOOD, Feb. 12.—Both major and independent producers increased their activity last week, with 38 features and 192 short subjects prepared with 32 features and two shorts during the previous week. Fifteen pictures are in production.

Columbia had four features in work, three in preparation and six in the cutting room. Fox had four, seven; Goldwyn, four, zero and one; M-G-M, six, one and twelve; Paramount, seven, two and 10; Radio, three, three and zero; RKO, one and one; Universal, two, one and two; Warners, eight, zero and seven; independents, three, two and one.

Columbia had one short subject shooting, one preparing and three editing. M-G-M had three, one, one; Radio, two, zero; Roach, zero, one and three; independents, one, one and one.

Green in New Post

HOLLYWOOD, Feb. 12.—Howard J. Green is now associate producer at Columbia, a post to which he was appointed a month ago by Harry Cohn. Green has been engaged on several writing jobs. The first film under the new setup will be "Taxi Please," which is being shot from the story of Octavus Roy Cohen. He will also do some of his originals.

Coast ITO to Meet

LOS ANGELES, Feb. 12.—The local I. T. O. will hold its first general membership meeting in several months next Friday. Lester Elster of Oak-land will speak on the Social Securities Act.

Pick Bing Crosby's Next

HOLLYWOOD, Feb. 12.—Bing Crosby's next picture for Paramount will be "Beach of Dreams," from an original story by Harry Hervey. William Le Baron will produce.

Looking 'Em Over

"Mr. Cohen Takes a Walk"

(Warning)

Produced at the Warner English studios at Tuddington, this comedy drama of the self-made Jewish department store owner who brings happiness to others and finds that he is not quite the has-been he had been made to feel, offers simple but enjoyable entertainment.

Although the names of the players will be unfamiliar to American audiences, the performances are good. That of Paul Graetz in the leading role, as Jake Cohen, being especially outstanding. The story and one which should be found generally appealing, and often amusing. The English countryside backgrounds add to the production value of the picture.

Graetz is completely lost in his large department store since his sons handle the business so efficiently, and he has little to do. Returning from the United States, his youngest son falls in love with an Irish-girl, and the boy is unable to tell his parents that he does not love Julie, the girl they had long planned he should marry, before his mother dies.

Unhappy with nothing to do, Graetz leaves on a long walking tour. The youngest son leaves the firm and a strike at the store threatens. Graetz meets an unemployed boy and sends him to the store in London. Then he learns of the strike and reaches town just in time to save the situation, and take complete charge. Julie meanwhile has fallen in love with the boy Graetz met on the road, and a double wedding concludes the film.

Reviewed without production code seal. Running time, 80 minutes. "G."

P. T. A. Would Bar School Film Tieups

MINNEAPOLIS, Feb. 12.—The Parent-Teachers' Ass'n of West High School here, recently called upon nationwide P.T.A. groups to bar all high school lunch-hour use of P.T.A. families are urged not to attend theaters showing films of the companies refusing to cooperate. Dr. Charles G. Pollock, local president, declared efforts will be made to contact 20,000,000 P.T.A. members. He urged that films should be made available for rental to schools after their commercial value has expired, and pointed out that theaters constantly use schools for advertising tieups and that schools should be entitled to rent films.

Tearle Series Delayed

HOLLYWOOD, Feb. 12.—Mitchell Leitch is holding up hisｕpcoming Conway Tearle series while Tearle plays a part in "Romie and Juliet" at M-G-M. Leitch has five films of the series of eight to make for this season, and has Tearle under contract for eight for the 1936-37 season as well.

Senate For Action On Picture Measures

(Continued from page 1)

The house committee on Interstate Commerce will include not only the Petenburg block booking bill, but also other similar measures now pending, it was disclosed today.

All film legislation before the committee has been turned over to a sub-committee which, if repeated, will probably be headed by Cong. Benjamin C. Pettengill, of Indiana, with instructions to study the whole situation.

As a result, it is anticipated that the hearings which will probably be called late this month will canvass all phases of the film situation, since there are pending a number of bills dealing with the subject.

H. C. Bissells in Miami

CLEVELAND, Feb. 12.—Hobart B. Bissells, Columbia branch manager, and Mrs. Bissell are in Miami for a two-week vacation.

J. D. Clark on Coast

HOLLYWOOD, Feb. 12.—John D. Clark is here for conferences on product at the Twentieth Century-Fox studios.

Attendance Gained

30% in Cleveland

CLEVELAND, Feb. 12.—Reports from leading industries in the Greater Cleveland area are generally in agreement that business showed a definite improvement in 1935 and that a fair degree of faith in a continuation of the gains in 1936.

The theater business in the area showed an approximate attendance increase of 20 per cent and a 10 to 20 per cent increase in gross receipts, although exhibitors did not make a corresponding profit because of the generally low scale of admissions, according to the Cleveland M. P. Exhibitors Assn. Schwartz looks for a continuation of last year's improvement in 1936 if the level of product holds up, and predicts an increase in admissions to approximately 25 per cent.

Cleveland's local stock exchange reports the greatest volume of trading since 1934. Similar improvement in the sales of automobiles, and in the steel industry in Ohio are noted. Local prosperity was seen as the result of aetu from a building boom, which will include 10,000 new houses to overcome the present shortages.

"Zero," at $6,000

Charlotte's Leader

CHARLOTTE, Feb. 12.—"Zebra" covered the Carolinas, had weather conditions at the Broadway with a take of $5,000, exactly $2,000 over par. It was held over for six days more. The weather man reported a lot of snow, rain, fog and cold.

The Bride Comes Home" continued its run at the Carolina with $2,000 in two days. "Magnificent Obsession" failed to break par in four days at the Carolina with $2,000. Average is $2,000 for three days.

"Sweet Surrender" in two days at the Imperial, combined with a stage door showing of $2,000, doubles down, which is $1,000 for two days. "Tough Guy" did $2,500 in four days at the Imperial.

Total first run business was $14,500. Average is $1,100.

Estimated takings for the week ending Feb. 9:

"CEILING ZERO" (W. B.)

BROADWAY (11-400) 6 days. Gross: $6,700. (Average, $1,117)

"THE BRIDE COMES HOME" (Para.)

CAROLINA (1-400) 28c-40c, 4 days. Gross: $2,500. (Average for three days, $625)

"MAGNIFICENT OBSESSION" (Univ.)

CAROLINA (1-400), 25c. 4 days. Gross: $8,500. (Average for four days, $2,125)

"TOUGH GUY" (M-G-M)

IMPERIAL (29-100) 25c. 4 days. Gross: $4,500. (Average for four days, $1,125)

"SWEET SURRENDER" (Univ.)

IMPERIAL (1-100) 25c. 4 days. Gross: $2,000. (Average for two days, $1,000)

(Stage: "A Night in Havana")"
Sure it’s a Horse and Buggy picture just like “Mrs. WIGGS”

Styles in pictures may come and styles may go but there’s one kind of picture that’s always box office ... the picture with good, old-fashioned heart appeal. “Little Women” had it, “David Copperfield” had it, “Mrs. Wiggs of the Cabbage Patch” had it...

“Timothy’s Quest” has it ... the heart appeal of American small town life ... the sentimental appeal of real people living real lives ... “Timothy’s Quest”

A Paramount Picture Directed by Charles Barton with

It Pays to Play a Paramount Picture!
Legion's Work
To Be Pressed,
States Priest

**Asserts Campaign Raised Grosses 25 Per Cent**

The Legion of Decency, far from entertaining thoughts of disbanding now that the hue and cry which attended its launching has subsided, is preparing to dig in for the long, hard pull in safeguarding what has been achieved. Rev. Joseph A. Daly, Ph. G., executive secretary of the Legion's national headquarters, told members of the local branch at their weekly luncheon meeting at the Astor yesterday.

Father Daly reviewed the aims of the Legion, saying they were twofold—the encouragement of patronage for pictures which are worthwhile from a moral and educational standpoint, and the discouragement of patronage for the vulgar and indecent. The results, he said, are reflected in a 25 per cent increase in theatre attendance since the formation of the Legion, and in such encouraging manifestations as were shown in the last Box-Office Check-Up which rated Shirley Temple.

(Continued on page 8)

**German Technicolor Lab Being Studied**

Construction of a Technicolor laboratory in Germany following completion of the one now being built on the Great West-Bath Highway near London was predicted yesterday by Dr. Herbert T. Kalmus, president and general manager of Technicolor, who returned a few days ago from a tour of Europe.

Formation of a Technicolor subsidiary for Central Europe was dis-

(Continued on page 8)

**Financing for Universal Deal Is Set by Cowdin, Coast Hears**

Hollywood, Feb. 13.—It is understood here that all details connected with the financing of the purchase of Universal by Standard and dramatic arrangements for financing Standard Capital and Charles R. Rogers to purchase Universal. We do not know the details, or how they will affect the option to buy the radio properties of the Crown. Rogers refused to discuss the matter, saying, "We're not making any halfway statements. We will release statements when we're ready."

**British Plan Two Issues For Studios**

By BRUCE ALLAN

**London, Feb. 1.—Details of the proposed financing of Sound City have been made known by Sound City (Films), Ltd. They include an offer of £1,350,000 in 15 per cent consolidated 9% preference shares and £15,263 in three-shilling value ordinary shares. The preference shares are offered at par and the ordinaries at 6/—, a premium of 1/—.**

Five additional floors are to be erected at Sound City, Shepherd's Bush, and space has been booked by Universal and J. G. & R. B. Wainwright to the value of £30,000 a year, it is stated. The share capital is being acquired by the renting company, Gilbert Films, Ltd., controlling Associated Producing and Distributing Co.

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How the British Broadcasting Corp. proposes to make its recently announced films for television broadcasting has been made known.

Primarily the film unit will record musical and dramatic performances for subsequent air transmission in the experimental service to be inaugurated in a month or two.

A film library of this sort will provide the television service with a dependable reserve of material and make the B. B. C. scheme for one or more television theatres in London more practical. Ultimately B. B. C. will turn to making its own newreels, because existing newreels will not be available for television.

"Mutiny on the Bounty," held for a sixth week at M-G-M's Empire, Leicester Sq., beat the record of "Theodore Hov." by **$2.75 per share.**

Promoters of the Petersen-Harvey fight for the British and Empire heavyweight championship fight, made their own two-reel picture because the newreels were unable to cover the event owing to the footage demand of creating a press in connection with the late King George V.

**SEC Reveals Cohns Hold 3-Year Pacts**

WASHINGTON, Feb. 12.—Harry Cohn, president, and Jack Cohn, vice-president of Columbia Pictures, signed a three-year contract with Columbia Pictures, expiring July 1, 1937, it was revealed here today by the SEC. The contract was completed by an exchange of 1,000,000 preference shares and the Cohns now control 1,000,000 shares of the company, making their holdings of Columbia Pictures, Export, S.A., now 15% of the company. The exchange was made for the salary of the last quarter, and the Cohns will be paid $2,000 weekly for Jack and $3,500 weekly for Harry Cohn.

Abraham Schneider, treasurer, held a two-year contract from April 17, 1933, for $650 a week with options for the next three years at $900 a week for the first, $1,000 for the second and $1,250 for the third. J. Friedman director (Columbia Pictures Export, S.A.) received $33,884 in the last fiscal year, and E. Zana, director (Columbia Films, S.A.), $13,099. Approximately $120,000 was paid to 16 other officers and directors. A total of $1,713,093 was reported paid to 29 other employees, which is $1,045,977, or 60% of the salaries of production managers, writers, players, etc.

Details of an underwriting contract with Hempfluegh, Noyes and Co. for the floating of 75,000 shares of $2.75 preference convertible no par stock were also made public, showing the company was to receive $46,50 a share and the stock was to be sold to the public at $50, the underwriters retaining the difference.

**Personal Appearance At Chaplin Premiere**

Hollywood, Feb. 13.—The laugh highlight of Chaplin's premiere here last night was the address by Charlie Chaplin himself, the substance of which was going Hollywood rondays today. Chaplin described a round table session between Charlie Skouras, Sid Grauman and himself, punctuating the description with Greek dialect for

(Continued on page 6)

**Pettengill in Doubt On His Booking Bill**

Refuses to Head Group For Film Hearings

By BERTRAM F. LINZ

WASHINGTON, Feb. 13.—Representative Samuel B. Pettengill indicated here today that he is not completely satisfied with the desirability of such film legislation as the block booking bill which he has introduced into the House, and wants the opinion of men who have no interest in the matter.

The Congressman thus explained the reasons behind his refusal of the post of chairman of the sub-committee of the House Interstate and Foreign Commerce Committee which will consider film legislation. It was expected that Chairman Sam Rayburn of the Commerce Committee would name Pettengill as chairman of the smaller group. Pettengill declared he had urged Rayburn to name a chairman.

(Continued on page 8)

**Writers' Terms Up At League's Parley**

The contract committee of the Authors' League with the League of N. Y. Film Writers and for preliminary conferences on the new contract between writers and managers is to hold three days in the early March 1. This is the first meeting on the new pact which the writers have had with the managers.

When the managers' views have been obtained the contract committee will complete its draft of the new pact, which then will be submitted to the council and members of the Authors' League for ratification.

(Continued on page 6)

**Horowitz Is Named For Republic Post**

Sam Horowitz, formerly mid-west division manager for United Artists, yesterday was appointed mid-west district manager for Republic by W. Kay Johnston, president, following his return from Florida.

The appointment completes Republic's new national sales setup, E. M. Genszter having been placed in charge of eastern sales and Jack Fier in charge of western sales, earlier.

Horowitz's territory will include Chicago, Milwaukee, Omaha, Detroit, Cleveland, St. Louis, Minneapolis, Des Moines, Cincinnati, Kansas City and Indianapolis.
Warner Takes Stand At Koplar Hearing

WILMINGTON, Feb. 13.—Defending his own honesty and sincerity, and that of his two brothers and the firm's associates, Harry M. Warner, president of the Warner Bros. studio, stood for two hours late this afternoon in the Koplar action against the Warner organization. His testimony was practically the history of the business lives of himself and his two brothers, the story of how they were peddling America's earliest films until the present. He told of his faith in the talkies and the obstacles which were placed in their way, and the present success. He denied that "pressure" had been brought to bear upon directors or assestors. He characterized the $30,000 fee to Wadill Catchings as "fair compensation for what was furnished." Testimony brought out the fact that the three Warner brothers each received $10,000 weekly and 15,000 shares of stock. Stanleigh P. Freedman, a Warner director, testified, substantiating the statement that there had been no tampering with the directors.

Pathé Overassessed On 1929 Income Tax
WASHINGTON, Feb. 13.—Determination of an overassessed of $22,036 in the 1926 income tax of Pathé Exchanges, Inc., had been completed. The court found that the allowance of an additional deduction for debts ascertainment to be worthless and charged off with the taxable year, had been approved by the Bureau of Internal Revenue.

Mayer Explains Pool
Arthur Mayer, operator of the Rialto, is making plans to inaugurate a new operation of managing head of the Trans-Lux—Kilgo pooling arrangement, but that he decided to use the Trans-Lux form the operating committee. He declared further that there is no intention of transferring the Philadelphia Trans-Lux theatre to the Trans-Lux-Kilgo pool. Some expansion is planned. Mayer said, with deals now in negotiation in two situations.

New Lab Ready in May
Consolidated Film's new west coast lab, which will be opened by Hollywood and the Ziegfeld and other houses in Manhattan and the Bronx on Feb. 25, Brooklyn, New Jersey and Westchester houses will follow later.

Frels Case Set Monday
DALLAS, Feb. 13.—The anti-trust suit of Rubin Frels against the Jef-

Monday

Phil Reisman, in charge of the
KRO foreign department, will sail
on Friday. He will have one chance
of making a survey of the KRO offices
in Europe. He will stop off in London and several other cities.

Natalie Kalms of Technicolor leaves today for Hollywood, while
Dr. Herbert T. Kalms, who returned with her from Europe this
week, will remain here for several days.

Roy Hargrave, actor and playwright, will leave this afternoon
for Hollywood to confer with
Walter Wagner on forthcoming
pictures which Paramount will release.

Louis Godsell of the Paris Court, Gloria and Boro Hall, Brooklyn, has
reapportioned a special epithet in
Brooklyn. He was out of service a year.

Quip of the Day
Bob Goldstein says his insomnia is bad these days; he can't even sleep through XYZ's pictures anymore.

Harry Hervey has sold his original story, 'Beach of Dreams,' to Par
amount as a vehicle for Bing Crosby.

William LeBaron will produce
J. Chester Cowdy, head of Stand
and Capital, is returning from London on the Europa, scheduled to dock
Monday.

Henry King is flying his own plane
eastward on the first leg of a nation-
wide tour of 26 leading cities.

Peggy Conklin will be interviewed by Raie Harrel on her Movie Club pro-
gram tonight on WHN.

Arthur Tracy will be guest of honor at a cocktail party at the House of Morgan this afternoon.

John Ferguson's "A Night in
Glengyle" has been purchased by
M-G-M.

Walace Reade, vacationing in Flor-
da, is due back about Feb. 24.

Wallace Berry is on his way east.
Next Monday night he will broadcast on the Lux program.

Thomas Mitchell, Broadway act-
or and director, has been signed to a long term contract by Columbia.

Pittsburgh
Bill Blowy, the Tarentum exhibi-
tor, was tendered a testimonial dinner
the other night, and all Film Row was there.

W. H. Trunkick, of Photophone, is the father of a girl.

Dave Biderman, exchange opera-
tor on the coast, and his brother
Pittsburgh Express sports writer, re-
ceived condolences on the death of
their father here last week.

Jimmy Balmer thought it was
gall stones, but it was an attack of
painless poisoning.

Writers Take Over Theatre in Indiana
CHICAGO, Feb. 13.—The pooling ar-
angement between the Rialto circuit and Balaban & Katz on the Par-
amount in Hammond, Ind., will be con-
cluded with the formation of a group which will start operation of the house immediately. Harry Mintz, resident manager at Hammond, will have charge of the house. He will be assisted by the man-
ger for Warner Indiana houses.

Bombing Shows Shown
Pictures of the recent bombing of a Swedish Red Cross hospital by Italian planes in Ethiopia, claimed by Un-
iversal Newsreel to be the only pic-
tures ever taken on the actual Ethio-
pian front, were shown yesterday at the Roxy, Music Hall and Empire, Universal sent the scenes to the Inter-
national Red Cross in Geneva at the latter's request.

F. J. Schwartz to Marry
Fred J. Schwartz, son of A. H. Schwartz, head of the Century Cir-
cuit, will be married Monday afternoon at Temple Emanu-El, 5th Ave. and 66th St., to Shirley Joyce Wilkins, daughter of J. Y. and Mrs. Wilkins of New Gardens.

Will Hays on the Way
Hollywood, Feb. 13.—Will Hays will leave the coast for New York to-
morrow by train. There will probably be a stop-over in Chicago.
UNITED IN THE KIND OF LOVE THAT MAKES YOUR PROFITS ZOOM!

Imperious society beauty and impetuous man of the people... played by that "natural" heart-beat team... resistless George Raft and ravishing Rosalind Russell of "Rendezvous." Another winning combination from 20th Century-Fox!

"Why did you want all that champagne?"

"Because I knew you wanted to make love... and I'm a snob... and I didn't want to be... tonight!"

George Raft
Rosalind Russell

with

LEO CARRILLO
ARLINE JUDGE
ALAN DINEHART
ANDREW TOMBES

DARRYL F. ZANUCK
20th CENTURY PRODUCTION
Presented by Joseph M. Schenck
Based on a story by Rupert Hughes.
Screen play by Howard Ellis Smith and Kathryn Scola.

ASSOCIATE PRODUCER
Raymond Griffith
DIRECTED BY ROY DEL RUTH

20th CENTURY FOX
THE KEYSTONE OF YOUR FUTURE

But love is just a laugh to Carrillo!
Out of Hollywood Comes a Meteor of Entertainment Soon to Burst in Wonder and Amazement on the Screen!

Most Thrilling Adventure in Box-Office Showmanship Since the Talkies Were Born!
Columbia Invites you to a Box-Office STAMPEDE!
Opening with a blast in a score of key cities beginning February 20th.

PANIC OVER MIAMI!
as hundreds fight for reserved seats to world premiere, New Lincoln Theatre, Miami Beach, February 19th

HARRY RICHMAN
ROCHELLE HUDSON
WALTER CONNOLLY
FARLEY & RILEY
and their 'Round and 'Round Music
Michael Bartlett • Douglass Dumbrille
Lionel Stander
and thousands of others!
Screen play by Jo Swerling    Story by Sidney Buchman
Music and Lyrics by
Lew Brown, Harry Akst and Victor Schertzinger
Directed by VICTOR SCHERTZINGER

Audiences will be Singing with the Stars! Novelty of the Year!

WATCH FOR NEWS BULLETINS ON COLUMBIA'S WONDER SHOW OF 1936!
Amended Trust Suit Is Filed in Buffalo

BUFFALO, Feb. 13.—A second amended complaint has been filed here in the $750,000 anti-trust suit of Reliance Films, Inc., against RKO and other defendants, including Schine Chain Theatres, Inc., and other defendants.

The new complaint replaces one filed in three of which three of the defendants were stricken by Federal Judge John Knight upon motion of the defendants.

Actual damages of $250,000 and punitive damages of $500,000 are sought by the plaintiff, operator of the Palace in Lockport, on the plea that the defendants conspired to prevent it from obtaining films from major producers.

"By conclusion, by unlawful agreement and combination, by threats and by the pressure of their great purchasing power, the Schine defendants have induced all the major distributors to give their theatres exclusive rights to license to first run films and their photo-plays," charges the amended complaint.

Schine interest operates the Rialto and the Palace in Lockport.

In the complaint, Peter Grañades, Reliance president, charges that his father purchased the Palace on the plea that since that time, Schine interests have been trying to drive him from the business by refusing to buy from the building or its lease, and by attempting to keep him from getting important films.


Writers' Terms Up At League's Parley

(Continued from page 1)

ination in film rights to stage plays has not been decided by the writer yet it was in hand at the Authors' League meeting yesterday. It is reported, however, that considerable sentiment within the membership of the Corp. favor a 100 per cent participation in film rights for the writer in instances where the play is wholly or largely owned by a film producer. The provision is being sought to remedy the curtailing competitive bidding for film rights for plays in which a film producer is financially interested.

Century Drive Planned

Century Circuit managers gathered at the Astor to hear circuit officials outline plans for a business drive to start March 14 and continue through June 12. About 25 of them were present.

Ed Hyman and Charles Moses presided and explained the details. Prizes will be worth $10,000.

Fred J. Schwartz, son of A. H., was given a gold watch in honor of his approaching marriage.

Love on Writing Staff

Hollywood, Feb. 13.—Edward T. Love has resigned his producing post at 20th Century-Fox. He will join the writing staff of the same company.

Finances of FWC At Reded Hearing

Hollywood, Feb. 13.—Hot words between counsel featured today's session of the hearing on the petition of F. W. Chapman Corp. for reorganization of the Fox West Coast bankruptcy adjudication set aside. Oscar Lawler, counsel for respondents had claimed Tally had desisted, with $750,000 in settlement of the Criterion Theatre lease and had given release for Chapman's stock in his theatre for the petitioners, claimed that the settlement was ineffectual since Tally had given the release the belief that all proceedings were regular. Lawler had submitted figures showing Chapman's deficit had dropped from $400,000 in 1932 to $32,000 in 1932. He also argued that Chase National was owed $45,000 and $4,000 at the time of adjudication.

Personal Appearance At Chaplin Premiere

(Continued from page 1)

human interest. "It was me who held out for a five dollar top premiere," Lawler continued. "I couldn't do it. If you insist, however," Schenck added, "give the suckers a break and make a justice of the peace for them."

"If you insist," Lawler retorted, "let's try it out for five years; they've probably forgotten you. Your picture looks pretty dull anyway." Chapman, "Quiet worrying about Manhattan, as the town is just a village compared to Hollywood."

Pauline Goddard climaxched Chaplin's story by stepping into the footlights and announcing "It's all Greek to me."

Among those present were:


Chicago Opening Feb. 22

Chicago, Feb. 13.—"Modern Times" will open here on Feb. 22 at the United Artists, with a four to six weeks' run expected. Arthur W. Kelly, U. A. sales head, is here arranging for the picture's booking. It is expected to be through the B. & K. Circuit. It is reported most of the deals for the film outside of the downtown run will be on a 65 cent basis.

"Times" Breaks Record

PHILADELPHIA, Feb. 13.—The first public announced showing of "Modern Times" at the Etklerwagner 1,941 admissions more than did the first "City of Angels" in house five years ago. A storm today cut into the audience, but the picture seems to have an eight-week run of its predecessor.

Chaplin Awarded Medal Of Honor

Hollywood, Feb. 13.—Charlie Chaplin has been notified that the Motion Picture Division of the League of Nations has awarded him a gold medal in recognition of his work as an international screen figure.

LA TSE Local in Test Case on Coast

LOS ANGELES, Feb. 13.—The I. A. T. S. E. Projectionists Local 15 at Superior Court here on the Pasadena ruling requiring newsboys to obtain permits before soliciting paper sales. The move is a result of the arresting and fining of a newsboy who was participating in the circulation of paper against the Robbins & Rowley circuit in Pasadena by selling labor papers outside the State, an action operation by Superior Court. The law which made the complaint.

R. L. Haywood, head of the I. A. T. S. E. Projectionists Local 15, and Union men have been picketing the circuit's houses for the past two months in protest against wage scales and the employment of non-union men.

Appraisers Chosen For St. Louis Film

ST. LOUIS, Feb. 13.—Federal Judge George H. Moore has named James M. Franciscus, Jr., Joseph M. O'Reilly and Cornelius M. McDonald, as the impartial property owners—of the Theatre Realty Co., including the Fox Theatre, the Humboldt Building and a number of other properties.

The appointment was made after James T. Blair and Edmond Koeln, trustees for Theatre Realty, had reviewed the court that an appraisal was necessary to determine accurately the assets and liabilities of the company.

Father, Not Son

Under an Albany date yesterday, MOTION PICTURE DAILY, in error, reported the death of William H. Biddle and named him as Warners personnel manager in the home office. This was wrong, he was the father of Ralph Biddle, the personnel manager.

R. E. Moon in Florida

DETROIT, Feb. 13.—Ray E. Moon, general manager of Co-Operative模型, is in Palm Beach for a month. M. Gottlieb, local Universal branch manager, will leave this week for Miami.

Phillips in Honolulu

SAN FRANCISCO, Feb. 13.—Phil Phillips, F.W.C. publicity director, is in Honolulu, on a three-week vacation in Honolulu.
WALTER HUSTON as

RHODES

The astounding drama of a man who changed the map of the world . . . A thrilling romance of adventure and buried treasure.

WORLD PREMIERE ROXY, N. Y., FEBRUARY 28

PHYSICAL DISTRIBUTION - FOX EXCHANGES - CANADA, REGAL FILMS, LTD.
German Technicolor Lab. Being Studied

(Continued from page 1)

(cussed by Dr. Kalms while he was in Berlin, he said.

“Lawrence in Arabia” is to be done in color, with the outdoor scenes ac-

tually filmed in the country described, he said. He completed the arrange-
ments for this with Alexander Korda, while abroad. Robert Kane’s first for-

Twentieth Century-Fox in England, “King of the Jews,” also will be in color, he said, and Natalie Kalms will be color director.

Pitt Will Open Again

PITTSBURGH, Feb. 13.—Backed by a group of Cleveland men headed by William Skirboll, the old Pitt here will reopen next week as the Barry-

playing late-run double features at an afternoon show of 15 cents and an

evening top five cents higher than that. The house, which has been dark since

a month ago, when Morse and Roth-

enberg, New England operators, failed to put it over with vaudeville,

then triple features and finally twin bills with a series of prize nights, is

being renovated at a cost of $5,000.

Skirboll’s brother is Joe Skirboll, head of First Division exchange here.

Buy Auditorium Seats

KANSAS CITY, Feb. 13.—The City

Council has appropriated $135,785 for

seats, projection equipment, screens, etc., in the two theatres of the Munici-

pal Auditorium.

Legion’s Work

To Be Pressed,

States Priest

(Continued from page 1)

and will Rogers, upon neither of whom the Legion’s official blessing had

been bestowed, as first in the box-office rank.

Through the Legion’s work “great masses” of the public that had been

alienated by movies, were returned as patrons, Father Daly said. Producers have

been encouraged to forsake threadbare dra-

matic themes and to turn to the clas-

sics for source material with the result

that new audiences have been won for the screen, “family trade” has been re-

vived and parents who formerly did not permit their children to attend pictures

they had not themselves seen and ap-

proved thus are guided by the Le-

gion’s reports, Father Daly said.

Legion to Continue

“The Legion of Decency,” he ob-

served, “has fulfilled its obligation to the public.”

But, Father Daly added, its work is not over; for reasons for its organ-

ization impel its continuation, he said, explaining that the Catholic Church

has definite duties to its 22,000,000

members in America, and that it must

remain “the custodian of their moral-

ity.” For this reason the Legion was

created “in the hope that the work undone by any influence such as the screen

undoubtedly is. If, as we believe, the screen is a powerful force in the life of

America, a moral and ethical responsibility to parents and public rests with the

industry.”

A recent tendency in production, of

which the Legion is taking note, is an

effort to return to pictures certain ob-

jectives of their past, Father Daly

said. He described these as “the

so-called Lubitsch touches” in pictures and other distinguishing marks, many

being encouraged, if not inspired, by New York film critics. These, he said,

cater to a sophisticated few but they

have little influence on the makers of

pictures for the entire country and its

small towns, in which these things cannot be exhibited without giving “serious

offense.”

“If this tendency is not checked,”

Father Daly said, “it will drive away

the new, rating-gate audience, and

next time it will be harder to get them back.”

Lands Breen’s Help

He said that the type of criticism complained of made the work of Jos-

eph L. Breen, Production Code admin-

istrator, more difficult. Producers

anxious to add “the Lubitsch touch”

found themselves clipped on the nape from New York reviews which de-

scribe pictures without them as “naive,” he said.

Father Daly said that Breen had been "most helpful" to the Legion in its

work and the organization “wants to support him and continue helping him.”

The Legion officer also recognized the

work of J. J. McCarthy, head of the

Advertising Advisory Council, in not-

ing the great improvement made in

the industry’s advertising copy. “The advertising is important,” he said, “and the more favorable type of copy

is to your credit and our gratification,”

he told the Aampa members.

The Catholic bishops have decided

that the Legion of Decency is to be

permanent,” he concluded, “and, not

in any blue-nose spirit, we dedicate

ourselves to continue with the Congress.”

Recognition for the improvement in

ad copy was also given McCarthy

by Mrs. Mary H. Looram, head of the

motion picture bureau of the Inter-

national Federation of Catholic Alum-

nati who was also a speaker.

“The advertising code has accom-

plished wonderful results,” she said,

“and in commending Mr. McCarthy

we mean it for the entire industry.”

Mrs. Looram’s bureau reviews films

in cooperation with the Legion of

Decency.

Other guests at the meeting included

Paul Graetz, featured in “Mr. Cohen

Takes a Walk,” Maurice Ward, Flor-

ence Muzzy and Walter Tleby, radio

performers.

Pettengill in Doubt

On His Booking Bill

(Continued from page 1)

and committee membership of impar-

tial men.

It is planned to have the sub-com-

mittee consider all pending film legis-

lation if action appears necessary,

to draft a combination bill which will

meet the situation with a maximum of

simplicity. It was indicated also that

the sub-committee will consider the

measure for the repeal of the law

on the interstate transportation of film

fights.

Congressman Asks

Copyright Action

WASHINGTON, Feb. 13.—Members

of the House of Representatives to-

day were being urged by Congressman

Zioncheck of Washington to sign a

petition to discharge the Patents Com-

mittee from consideration of the

Duffy Copyright Bill so as to bring it

up for immediate consideration.

The petition was filed, the Con-

gressman explained, because Repre-

sentative Sirovich of New York, chair-

man of the Patents Committee, “re-

uses even to hold hearings upon a

bill that the Senate has passed unani-

mously.”

Sirovich’s action he charged, was

"arbitrary and capricious.”

Zioncheck placed the petition on

the Speaker’s desk and withdrew one he

had filed earlier to discharge the com-

mittee from consideration of the

Bloom Bill, which was the House

version of the copyright measure, but

which the committee planned to sup-

plant with the bill introduced last

month by Representative Daly of

Pennsylvania. The only signature he

secured to this petition was that of

Congressman Pierce of Oregon.

The Patents Committee plans to

hold hearings on copyrights, but has

not yet decided on the date. How-

ever, it is possible that in view of

Zioncheck’s agitation, if he secure any

extensive support for his measure, hearings may be called in the near

future. It is planned to have the copy-

right legislation placed under the

committee, of which Representative

Daly has indicated he will be chair-

man.

Any hearings on the measure, it has

been said, will be on the Daly bill

rather than on that passed last year

by the Senate.
Bank Night in Missouri Hit By 2nd Ruling

**Bank Night in Missouri Hit By 2nd Ruling**

But State Not Expected To Prosecute Users

JEFFERSON CITY, Mo., Feb. 14.—Although the office of Roy McKittrick, attorney general of Missouri, this week again pronounced Bank Night a lottery, and therefore contrary to Missouri statutes, the office probably will not itself file charges against theaters using the giveaway, it was indicated.

This leaves the situation in Missouri just about where it was before. The Attorney General's office pronounced Bank Night a lottery some time ago, but no charges were pressed by the Attorney General. Although the present opinion gives local police and county prosecuting authorities to bring action, the earlier opinion did likewise without local police and county attorneys doing anything about it.

It is understood, however, that a number of St. Louis theaters have decided to abolish such giveaways as Bank Night, Screeno, etc. The re-

(Continued on page 4)

Temporarily Drops Bank Night Action

Cleveland, Feb. 14.—Max Kaplan of the Grand Central here today was granted a dismissal without prejudice of his complaint against Stuart Cagney of the Windemere in East Cleveland; a competitor who was charged by Kaplan with operating Bank Night in violation of the state lottery laws. Kaplan sought dismissal of the complaint because his attorney was not ready to proceed, but indicated that he would file a new complaint later.

Philadelphia Plea Goes to Court Monday

Majors Seek Rehearing On New Dual Angles

Major distributors will file their application for a rehearing of the Perelman double feature with the U.S. Circuit Court of Appeals at Philadelphia today in a further effort to establish the legality of double featuring restrictions through exhibition contracts.

The application for a reaffirmation of the appeal will be based on new evidence and legal considerations not touched upon at the first hearing and will include the evidence that the Circuit Court previously heard.

It is understood, however, that a number of St. Louis theaters have decided to abolish such giveaways as Bank Night, Screeno, etc. The re-

(Continued on page 4)

**RKO Claim Hearing Delayed to Feb. 25**

Negotiations for settlement of the $9,000,000 Rokeffeler Center claim against RKO are being continued, necessitating another postponement of the federal court hearing on the exceptions of the RKO trustees to the allowance of the claim at that amount. The hearing, which was scheduled for next Tuesday before

(Continued on page 4)

**Ohio Cuts Only 16 Of 661 Reels Seen**

COLUMBUS, Feb. 14.—Eliminations by the Ohio censor board for January amounted to one-quarter of one per-centage of the total number of reels reviewed. Of 661 reels, eliminations were ordered in but 16. During the week ending Jan. 25, there were only two eliminations in 120 reels reviewed.

The record for December was 660 reels reviewed and 27 eliminations ordered.

**Wanger Signs U. A. Contract For Ten Years**

Hollywood, Feb. 14. — Walter Wanger today signed a ten-year contract with United Artists. The official statement from the U. A. offices stated, "The board of directors of United Artists announces that Mr. Walter Wanger has been granted a franchise to release the future product of Walter Wanger Prod. through United Artists' distributing organization. Associated financially with Mr. Wanger in his future production activities will be Miss Mary Pickford, Mr. Charles Chaplin, Mr. Douglas Fairbanks, Mr. Nathan Burkan and Mr. Samuel Goldwyn. The releasing agreement contains provisions for a ten-year period of distribution through United Artists." The new Wanger contract will begin at U. A. about July 1. His present Paramount contract calls for four more pictures. "Palm Springs," "The Moon's Our Home" and "Brazen" are in work. Following these will be

(Continued on page 4)

**Claim New Chaplin Records for Miami**

MIAMI, Feb. 14. — "Modern Times" has broken records for both money and attendance at Loew's theater, according to J. A. Cunningham, manager.

The opening on Tuesday set a new high and these receipts were exceeded by $250 the second day and $470 on the third, he says.

"Modern Times" is scheduled to open in 13 Loew's houses Feb. 27, according to U. A.

Exploiteers leave today to handle the picture in Dayton, Toledo, Richmond, Norfolk, Dayton, Atlanta, New Orleans, Nashville, Memphis, Louisville, Akron, Canton, and Cleveland.

**Attorneys Studying Cincinnati Ruling**

Attorneys associated with film company reorganizations studied with interest yesterday the U. S. Circuit Court of Appeals' decision in the Cincinnati holding a part of Section 77-B of the Bankruptcy Act to be unconstitutional.

In the absence of copies of the court's opinion lawyers were uncertain of its full significance to compa-

(Continued on page 4)
Salaries Justified, Says Harry Warner

WILMINGTON, Feb. 14.—Harry M. Warner, on the stand again today in the Koplur action against his company, insistently denied that he or his lawyer ever suggested that uncorroborated and uncorroborated stock transactions to build up their personal fortunes, or that their weekly salaries of $10,000 over a period of six years at all ex- tense when compared with the compensation received by officials of competi- tive companies. During the session Warner touched on many of the inter- esting phases of film production here and Hollywood, telling of the meth- ods of purchasing stories and film rights, of the necessity of keeping in tune with the public’s preferences, and of film promotion in Russia, where the Soviet will permit the showing of Americans’ work “in the future.”

In an effort to shake the financial claims in Warner’s testimony, plain- tiff’s attorney, Ernest and Aaron Finger submitted reports showing total common stock dividends of only $236,000 over a period of six years at all ex- tenue, when compared with the compensation received by officials of competi- tive companies. During the session Warner touched on many of the inter- esting phases of film production here and Hollywood, telling of the meth- ods of purchasing stories and film rights, of the necessity of keeping in tune with the public’s preferences, and of film promotion in Russia, where the Soviet will permit the showing of Americans’ work “in the future.”

“Music” Opening Set

MIAMI BEACH, Feb. 14.—Openings are coming so fast these days that the film contingent won’t have any- thing to do when it gets back to New York. Columbia has set “The Music Goes Round and Around” for the Lincoln next Wednesday, with all the earmarks of a picture of importance. Pre-release showings have been set in Springfield, Mass., Providence, Pinhurst, Kansas City, Los Angeles, and Reading. Salt Lake City, Reno, Des Moines, and Minneapolis have been on the list. The film goes before the public Thursday.

Plan “Pine” Broadcasts

Paramount has gone in for extensive radio work on “The Trail of the Lonesome Pine.” On Sunday at 2 P.M. an outline of the Miami scene will be given over the NBC hookup. Tonight Christopher Dunphy of Paramount will broadcast on the second show of WIOD in Chicago, and there will be a 15-minute program from the theatre over WIOD before the picture starts.

FWC Hearing Ends; Decision Reserved

LOS ANGELES, Feb. 14.—Federal Judge James Alger Fee today re- served decision on the petition of T. D. P. and Company, and the Fox West Coast bankruptcy ad- judication set aside. Judge Fee, who was going around the table with the petitioners, claimed that the bank- ruptcy has never closed because of the fact that the Government has a tax lien of $1,000,000 against the bank- rupt. On the other hand, Walter K. Fuller, representing the respondents, maintained that the Government has waived the claim against the bank- rupt, agreeing to file the lien against the National Theatres instead.

Judge Fee intimated that several weeks may be necessary to consider all the documents and testimony before a decision can be reached.

Philadelphians Get Charter in Delaware

DOVER, Del., Feb. 14.—The inde- pendent M. P. T. O. of Eastern Penn- sylvania and Delaware, recently organized in Phila- delphia as an amalgamation of the M. P. T. O. and certain members of the M. P. T. O. unit, received a Delaware charter. Incorporators are M. S. Cook, A. L. Raughey and H. H. Kline, all of the latter city.


“Investigator” For Dix

Hollywood, Feb. 14.—Richard Dix’s next film for Radio will be an outdoor drama titled “Special Investigator.” The supporting cast will include Margaret Callahan, Marion Moses, Ray Mayer, Lucille Ball and Harry Janes.

Rites for Francis Burton

Funeral services will be held Monday in Arlington National Cemetery, Va., for Francis Burton Harrington of the Outdoor Advertising Depart- ment of Ross Federal Research Corp., who died at his home Thursday. He was 40 years old, Marjorie Harrington, his widow, and two children, sur- vive.

Brown Services Today

Funeral services will be held today at the Campbell Funeral Church for Martin Brown, 51, playwright and screenwriter, who died here of pneumonia Tuesday. He is survived by a sister, Freddieka Brown, of New York.

Rites for C. W. Kline

AKRON, Feb. 14.—Funeral services were held here today for Clinton W. Kline, operator of the Arcade for the past 15 years, who died after a long illness. He is survived by his widow and a daughter.
Science Will Cure World Ills—Sarnoff

CHICAGO, Feb. 14.—"The solution of the world's economic problems will be found in sound science," declared David Sarnoff, president of RCA in the course of an address at the Third Annual Woman Congressman at the Palmer House here yesterday.

Sarnoff sharply scored the manner in which the press, radio, the screen, theatre and printed word have been made tools of political "propaganda" in the European dictatorships of today, and contrasted that situation with this country's enlightened democracy.

Science and invention must remain bulwarks against the hammering tides of autocracy and intolerance," he added. "Enlightened democracy must be guided in part by the necessity for the unhamppered development of science, invention and industry, if the encouragement of personal initiative and rewards for achievement," Sarnoff declared.

Wilmington Theatre
Rules Stir Protest

WILMINGTON, Feb. 14.—A set of counter proposals in opposition to the proposed new building code affecting the city's theatres, prepared by Robert L. Mills of Philadelphia, has been submitted to the Law Committee of the City Council. The code is designed to ensure that the code be not retroactive and that modifications be made in the sections which exhibitors have found objectionable.

Among objectionable restrictions in the code were fixing of minimum width of seats at 20 inches and other restrictions on aisles and seats; prescribing a standard aisle width; requiring steel frame curtains for the proscenium, and directing that the line of projection booths be separate from projection booths and also that storage rooms for films be separate from showrooms.

Theatremen requested that the code should place theatres showing legitimate stage productions and those showing only films be placed under separate classifications in reference to proposals for fireproof curtains.

Chicago Deliveries
Made Despite Storm

CHICAGO, Feb. 14.—Film delivery service out of this city was hampered, but not halted despite the heavy blizzard and cold wind which prevailed during the past weeks. Shipments were delayed in some cases but no outlying houses suffered from being without film, according to reports of the various film trucking services. Orders of business were not so fortunate, as truck as well as rail shipments were held up in many of the smaller towns.

Open New Georgia House

FITZGERALD, Ga., Feb. 14.—Martin Theatres will open their new Grand here Monday evening. A dance will follow the formal opening of the house.

Witers Film Titled

HOLLYWOOD, Feb. 14.—"Little Miss Nobody" is the title definitely selected for the forthcoming Jane Withers production now in work at 20th-Fox.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Wife vs. Secretary"
(M-G-M)

Hollywood, Feb. 14.—Here is something new in the line of comedy-drama and triangular romance. The title, the prestige of the players, including Clark Gable, Jean Harlow and Myrna Loy, plus the novelty of the story content combine to give this unusual entertainment value for both exhibitors and patrons.

Tastefully produced and directed, with considerable to stimulate the imagination, the picture is characterized throughout by an atmosphere of romantic intimacy, although there is nothing in the slightest way objectionable in it. The film is certain to appeal to women, and at the same time has something to interest men, assuring it a good box-office.

Gable is deep in love with his wife, Miss Loy, and attached to his job, which keeps Miss Harlow, his secretary, at his elbow day and night. Miss Loy, inspired by Gable's mother, May Robson, becomes jealous. Although the relations of Miss Harlow and Gable are strictly formal, there is a slight occur which convinces Miss Loy her husband is straying. The comedy contrast is provided in the reactions of Miss Harlow's friend, James Stewart, to the demands Gable makes on her time. Miss Loy is certain something is wrong when Gable refuses to speak to her in business any more. When she calls and Miss Harlow answers, she is sent on separation and refuses to hear Gable's explanations until Miss Harlow, meeting her, makes her see that she has been looking for trouble.

With lively dialogue and clever situations, the film shows Gable and Miss Loy as two persons of a surprisingly different Miss Harlow. The picture was adapted from Faith Baldwin's story by Norman Krasna, Alice Duer Miller and John Lee Mahin, and directed smartly by Clarence Brown.

Production Code Seal No. 1,989. Running time, 85 minutes. "G."

"The Leathernecks Have Landed" (Republic)

Hollywood, Feb. 14.—In this action film the Marine Corps is treated slightly differently than in most films on the subject. Although the story has some elements of weakness, there is enough sight to satisfy those who enjoy two-fisted action.

Lew Ayres, scrappy private, constantly involves his buddies, Jimmy Ellison and Maynard Holmes, in personal battles. When Holmes is captured by the Chinese, Ayres leads a gang of Chinese soldiers against his former comrades. Later, when the bandsits and Ayres' gang are fighting the marines, Ayres returns to the marines and eventually is restored to the corps with honors. Isabel Jewell furnishes the romantic interest as the Shanghai recluse.

The Republic screen play is from an original by Wellyn Totman and James Green, and is convincing in all but the fight sequence which leads to Ayres' discharge. The direction of Howard Bretherton is good. Ken Goldsmith produced. Satisfactory support is given by J. Carol Naish, Christian Rohl and Pauline Lord.

Production Code Seal No. 1,925. Running time, 65 minutes. "C."

SMPE to Hear RCA's New Sound Advances

Demonstrations of the latest developments in RCA's recording and reproducing processes will be featured at a meeting of the New York Section of the S.M.P.E., to be held in the Engineering Societies' Center, 415, 5th Ave., next Wednesday night.

Glenn L. Dimick of the RCA Mfg. Co., will talk on "Increased Resolution in Recording by Using Through the Use of Ultra Violet Light."

Dinner will be served at the Eastman Kodak Co. offices, 350 Madison Ave., at $3.00 each.

Variety Club
Kansas City

KANSAS CITY, Feb. 14.—Records and sheet music autographed by Enson Farnsworth will be auctioned at $2.00 for a lot at "The Music Goes Round and Around," at the Tower where they reputedly have 40,000 titles; will be auctioned off at the annual Variety Club Film Row charity ball.

The ball, which will be held at the Plaza, is17, with charge to have the largest attendance of any yet.

The purpose is to raise money for the industry's charity fund. The condition of the fund has improved each year with the increased interest in the wishful Tuesday.

FRANK HENSLER, exchange manager for M-G-M, has been elected chief Barker of Variety Club. He won by a plurality of 74 votes to Pla-Mor, 17, who was returned to have the largest attendance of any yet.

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Bank Night in Missouri Hit
By 2nd Ruling

Bank Night Wins in Denver
Denver, Feb. 14.—A victory for Bank Night was won here when District Judge Samuel W. Johnson de
(b) ided the stipulation and injunction against the RKO, Broadcast, Col., to prohibit the use of the stunt. The District Attorney charged that Bank Night and Divvy, which the RKO was also using, were in violation of the Colorado lottery laws, but Judge Johnson held that neither violated the state
laws.

The RKO is owned by Charles Leavelle United Enterprises, Inc., the owner of Bank Night. Emmett Thur-
man conducted the defense.

Bingo Hits Bridgeport
Bridport, Feb. 14.—Managers are beginning to mean over Bingo games here. There are Bingo games operating downtown every night in the week, and drawing plenty of customers. It is thought there are as many as four varying for the trade.

The girls have become the strongest
est addiction in the nightly hunt for prizes. The games are cheaper than most of the theaters and the couples can lay in stores longer these cold nights.

Beano Report Out Soon
Boston, Feb. 14.—According to U. S. Attorney Francis J. W. Ford, findings of an extensive investigation into Bean in Massachusetts will be presented to a Federal grand jury in Boston shortly.

Race Night in N. E.
Boston, Feb. 14.—ace Night has been introduced into New England by Sol Plaskin, manager of American Film Exchange. Patrons bet on characters which are later flashed on the screen in a comedy race.

Drop Ads on Giveaways
Denver, Feb. 14.—Giveaway advertising has been banned both the Denver Post and the Rocky
Mountain News here, following a letter warning from Postmaster J. O. Stievc.

Takes Space in Center
Windsor Prod., Inc., producers of industrial films, have leased space in the International Building in Rocke-
feller Center.

Attorneys Studying Cincinnati Ruling
(Continued from page 1)
nies with corporate reorganizations in
the offering, such as RKO, the Roxy, General Theatres Equipment Corp., and CBS. Mr. O’Leary felt, however, that the decision could have a decided adverse effect on corporate reorganiza-
tions if it stands.

The Circuit Court held that subsection B-5 of the reorganization stat-
tute was unconstitutional in attempt-
ing to allow the court to create a "treatement for non-assenting creditors in reorganization which lack a major-
ity vote of their class.

Mr. O’Leary also said that the decision will move to a trial and if it was not successful would take it to the U. S. Supreme Court.

Walter Wagner Signs
Ten-Year Contract
(Continued from page 1)
"Big Brown Eyes," starring Joan Bennett and Ted de Corsia, was released yesterday by Walter Amines, featuring Madeleine Carroll, "Spent希尔," a musical to be directed by Alfred Lunt, and "Tears, Beautiful Tears," by Charles Boyer, to be directed by Anatole Litvak. The United Artists deal calls for four years under the Amines’ properties are "African In-
tigue," "Spent the North of" and "Wuthering Heights.

Wagner intends to take a trip to Europe before starting work on the new assignment.

C. E. Sasseen Passes
Atlanta, Feb. 14.—Charles E. Sasseen, head of the Sasseen Film Co., died at his home here. He was a native of Atlanta. Until his retire-
ment in 1933, he was district manager for Publix with headquarters in Dal-
las.

Sasseen began his career with the old Orpheum in 1883. He also had held executive posts in Dallas, Fort Worth, Galveston, Houston and San Antonio.

Ampa May Fete Berlin
Plans are in work to make next week's Ampa luncheon meeting a tes-
ating, it is said, by Ampa himself. The group now has a chest of $1,500, for-
mor indebtedness of $2,178 entirely wiped out.

ITD Debts Paid
Los Angeles, Feb. 14.—All indebted-
ness with local ITD has been paid off since the election of Harry Vinni-
coff as president, it was revealed tod-
ay at the annual meeting. The group now has a chest of $1,500, for-
mor indebtedness of $2,178 entirely wiped out.

Some New Thing
Fields James and Cook, the latter formerly a cameraman with Universal, and expected to bring a novel concept that can be called the "last word." They have formed a company called "Signatures," with offices here, and production plans call for the distribution of 52 series of tracks a year, composed with appropriate music and some homy sort of dialogue, such poem or proverb that, at the conclusion of a screen show will hit the spot with audiences as they file out.

Writers, Managers Progress on Terms
Progress toward agreements on the new contracts between writers and managers which are to go into effect on March 15, 1936, has continued following the first meeting between the contract committee of the Authors’ League and the League of N. Y. The

proceedings will be repaid.

The joint meeting will be resumed next Tuesday.

The two are preparing a new pact to correct restricted competitive bidding for film rights to stage plays in a way that will prevent the appearance of film companies as whole or part owners of Broadway plays, say the. When the new contract has been completed will be submitted to the council, and membership of the Authors’ League for ratification.

Hub Gets Symphony
With Its Art Film
Boston, Feb. 14.—When this town goes arty it goes arty in a big way. The Art Cinema Guild's Fine Arts Theatre under the direction of George Kraska is an example.

Recorded concerts are to be pre-
duced for each month of the season.

"The New Gulliver" went on the screen, the music included the "Sibe-
drome" suite by Vassilevich, as played by the Boston Symphony Orchestra under the direction of Dr. Sergei Koussevitzky.

Screen Tests on 16mm.
Hollywood, Feb. 14.—Edward Small of Reliance is planning screen tests on 16mm. film, conducted at various points far removed from Holly-
wood. It is estimated that such a test can be made on 50 feet of film at a cost not in excess of $3.50. Studios walls will be sent to all sections of the United States and Canada for the purpose.

"Time" Worksheet Out
With the current issue, the "March of Time" has inaugurated a new group of supplements, simplified for newspapers, with exhibits which will accompany each new release. The sheet contains explanation suggestions, newspaper re-
lease material on the content of the reel, and samples of lobby displays.

"Whispering at Globe
"Whispering at Globe," starring James Smith, peaks one of the Col. Lessor George O'Brien series for Twentieth Century-Fox, goes into the Globe tonight.

Para. Amateurs Shine
Paramount’s amateurs had their big chance last night. They furnished the entertainment at a dance given by the Paramount Pep Club at the Park Court. Eighteen of them performed after having previously satisfied the entertainment committee that they had the necessary qualifications.

They were: Louis T. Davidson, harmonica; Esther Jablow, soprano; Nat Brownfield, pianist; C. H. Van Patten, violinist; V. B. Bel and Joe Steri, skit, "Alba’s Back in Town," Esther Rabin, soprano; Henry Baumgartner, violinist, "Atlantic Canfield, Jr., songs; Harry Anwa-

Bingo "Crusoe" Third on List
Guaranteed Pictures will release "Bingo Crusoe" as the third on its schedule for the current season. It is now nearing completion. Uncle
Don, radio character, plays the lead.

Wall Street
Gains Mark Board Trend
High Low Close Change
Columbias, vs. 41.75 40.0 40.75 1.75
Consolidated 2.45 2.30 2.35 0.25
Eastern 135.75 135.75 135.75
Keystone 11.75 11.75 11.75
Paramount 139.75 139.75 139.75
RKO 45.75 45.75 45.75
Pathe Film 38.75 38.75 38.75
Paramount 2 pds. 15.75 15.75 15.75
Central 125.75 125.75 125.75
Pephe 9.75 9.75 9.75
Western 50.75 50.75 50.75
Biograph 100.75 100.75 100.75
Weber Bros. Inc. 54.75 54.75 54.75
Warner Bros. 150.75 150.75
Warner Bros. pds. 55.75 55.75 55.75

Little Carb Activity
High Low Close Change
Safety Supply 94.5 94.5 94.5
Sometime 53.75 53.75 53.75
Trans-Lux 49.75 49.75 49.75

More Bonds Rise
High Low Close Change
Grosser Theatre 3 23.25 23.25
General Theatre 3.5 23.25 23.25
Keith B. F. 100.75 100.75 100.75
Lowe’s 6.5 41.75 41.75 41.75
Paramount 100.75 100.75 100.75
Paramount Bwly. 100.75 100.75 100.75
Paramount Pict. 50.75 50.75 50.75
RKO 65 41.75 41.75
Weaver Bros. Inc. 49.75 49.75 49.75
Wm. B. 39 wd. 95.75 95.75

(Quotations at close of Feb. 14)
Making It Tough
It may sound dizzy, but it’s a fact. The board of governors of the Monday Nighters, Inc., has adopted a resolution relative to applications for membership which provides that each exchange man must be endorsed by three exhibitors and each theatre owner must have three branch managers approve him. The plan goes into effect immediately.

Report M-G-M Ends Dispute In So. Africa
JOHANNESBURG, South Africa, Feb. 16.—Reports, well founded, are current that all difficulties between M-G-M and Union Theatres Proprietary, Ltd., have been settled. The termination of the difficulties is understood to have come about with the delivery of a release by Union Theatres Proprietary of a five-year contract for M-G-M pictures which had been the subject of litigation here. M-G-M sometime ago filed suit against Union Theatres to have the five-year franchise on the ground that it had been obtained illegally.

Arthur Loew, head of the distributing foreign activities, arrived here about two weeks ago. His mission was to attend the trial and also make general survey of the theatre situation in South Africa. He left the studio of the Alcides M. Leake, of New York, who was present at the trial, and has not yet left.

E. C. Grainger Quits Fox for Theatre Post
E. C. Grainger, eastern division sales manager for Twenty-first Century, Fox, has resigned that position to become general manager of the Feiber & Shea circuit. He will assume his new post with the Mort Sheja theatres within the next few days. Grainger, who has held high sales executive posts with the Fox organization for the past 10 years, forwarded his resignation to John C. Clark, Twenty-first Century-Fox sales manager, who is now on the west coast for product conferences at the studio. In Clark’s absence no

Assist Dual’s Ban Protects Property
PHILADELPHIA, Feb. 16.—Emphasizing that clauses in exhibitors’ contracts which prohibit the showing of a second full-length feature with one covered by the contract are designed solely for the protection of the distributor’s property, Paramount yesterday filed a petition for a rehearing of the Pielznan dockets case before the U. S. Circuit Court of Appeals here.

The petition denies that a combination or conspiracy existed among defendant distributors employing the dual clause in their contracts and

“Forest” Is Strong In Spite of Weather
Despite bad weather, which hurt Broadway grosses generally, “The Petrified Forest” did remarkably well at the Music Hall, garnering $82,000 for the first week. Expectations are that with a change in the weather, the picture will gross about the same figure for the second stanza.

The Center with “The Lady Conquers” ended with a nice take. The gross was around $20,000. “King of

Conn. MPTO Split Plan of 42 Indies
New Haven, Feb. 16.—It is understood here that 42 independent theatre owners are favorable to the formation of a new independent organization, with possible affiliation with Allied. The new group, which is already considering office space in one of the buildings as its headquarters, would be separate from the Connecticut M. P. T. O., of which the independent members are now members.

National Executives Gather on the Coast
Los Angeles, Feb. 16.—Division operating heads of National Theatres will gather here tomorrow for a three-day annual get-together with Spyros and Charles Skouras. The men will make their annual reports on business. No changes in personnel are contemplated.

Computers Move Slowly by Weather on Coast
HOLLYWOOD, Feb. 16.—With rain and general bad weather slowing up production, there were 35 feature pictures and five short subjects in actual work on the sound stages as compared to 36 features and the same number of shorts for the preceding week. Studio location plans were hampered by the weather. One company was snowbound in the mountains.

Warners remained at the head of the list of active studios with seven films before the cameras.

Columbia had five features in work, three being readied for filming within the next two weeks and four in the cutting room. Fox had four, one and seven; Goldwyn, zero, zero, one; M-G-M, five, zero and 12; Paramount, five, three and eight; Radio, two, three and three; Roach, one, zero and zero; Universal, two, one and two; Warners, seven, one six and six; independents, four, two and one.

In the short subject classification, Columbia had one shooting, one pre-printing and three editing. M-G-M had three, two and six; Fox, zero, one and three; Roach, one, one and two; independents, zero, two and one.

Judge Julian Mack Sets Total at $333,100
Fees for services in the reorganization of Fox Metropolitan Playhouses aggregating $333,100 were allowed on Saturday by Federal Judge Julian W. Mack. The allowances represent a reorganization of considerably more than one-half the amounts sought by the reorganization participants who, last week, filed a petition for an order of the court for the total of $657,011 in fees. The court has had the applications under consideration since that date.

The allowances in most instances cover the entire four-year period during which Fox Met was in receivership and reorganization. The court allowed $100,000 to the firm of Beekman, Bogue, Leake, Stephens & Black, which, as counsel to the holders of the protective committee, had a fee of $125,000, plus expenses. The Irving Trust Co., as receiver and trustee of Fox Met, was allowed $80,000, and had applied for $100,000. The firm of Davies, Abbott & Littlefield, counsel to Irving Trust, which had asked a

Song Writers Fight Warner Music Deals
The Song Writers’ Protective Ass’n in a letter to the Warner music subsidiaries made public on Saturday challenged the Warner companies’ right to dispose of the performing rights for the music which it controls without first consulting the authors and composers. The letter was written in reply to a communication from the Warner group giving information of the company’s “efforts and progress” to date in licensing music outside the company’s “rights.”

“While your letter recognizes the interest of song writers in 50 percent of the proceeds derived from the use of their songs, ‘Radio,’” the S.W.P.A. letter says, “yet we resent the implication, both from your letter and your recent activities, that the rights in question belong to you or your subsidiaries to handle in any way you see fit.”

“Their members and their assignees are interested not only in the proceeds but in the rights themselves. They intend (Continued on page 10)

Fox Met Fees Cut Over 50% By the Court
SOMERSET, N. J., Feb. 16.—Judge Julian W. Mack, at a hearing here, today fixed the total amount of fees for the reorganization of Fox Metropolitan Playhouses at $333,100.
Spitz, Depinet Go West
Leo Spitz, RKO president, left yes-
terday for three weeks, the first visit to the company's studio. He will stop over in Chicago today and be joined there tomorrow by Ned Depinet, who will accompany him to the coast.

Goldwyn Going Abroad
Hollywood, Feb. 16.—Samuel Gold-
wyn, who left here yesterday for New York with James Malvey and Merritt Hulburt, will sail for Europe on the Berengaria March 4.

Cummings Has MusicFirm
Samuel Cummings has formed the Foreign and Domestic Music Corp. to publish songs, published in foreign countries where it holds the rights, for domestic consumption.

Insiders' Outlook
By RED KANN

ALFRED's from the Hollywood Hills: In the days not long back when Charlie Rogers was producing for Paramount and so rated headquarters of his own he occupied a bungalow not far removed from that which Ben Schwartz once filled. Cecil B. De Mille is current occupant in transitory Hollywood.

But the Rogers bungalow is no more. The space now has reposing on it a film vault. When the job was under construction, steam shovels howled and snorted through the otherwise outwardly calm atmosphere. "What's all this activity?" inquired one who hadn't heard. "Why are all those shovels so frantically digging away?"

"Henry Herzbrum's boy has lost his ball," replied another.

On occasion, word does filter through from the outside world. The dope hurls the mountains that, for the first time since the communists came into their own, Broadway is without a resident scrivener. That is, of the topnotchers in that particular field of literary expression.

Walter Winchell and Ed Sulli-
avan are in Miami. Louis Sobol is been here for some time and likes it and it and it.

The observation followed that this was a perfect time to step out in Gotham. . .

Young man moves bithely and with springy step from the adm-

Alabama Men Fight Moves for 10% Tax
BIRMINGHAM, Feb. 16.—Film men are hot under the collar as they begin a fight against a bill in the legisla-
ture levying increased taxes on quite a list of "luxuries," including 10 per cent on all amusements. The "Luxury" tax was put forth by Gov. Bibb Graves after a proposed three per cent sales tax with vigorous opposition from retail interests.

Clark East Shortly
Hollywood, Feb. 16.—John D. Clark, general sales manager of the Twentieth-Century-Fox, may return to New York before attending the company's divisional sales heads' conference in Chicago Feb. 22-23.

Herman Wohber is at the studio out of town for the Feb. 16-17 sched-

Closes for F. D. Product
Seattle, Feb. 16.—At Golden eight of Principal Pictures with offices here and in Portland, has closed for the distribution of First Division product in this territory.

Parent-Teachers Hit

Columbia's Annual Party Draws Crowd

Some 700 guests were present at the dinner and dance of the Columbia Club held Saturday night in the ball-

activity at the Waldorf Astoria at Christmas, was assisted by Benny Rubin.

A unique feature was a testimonial to Jeanne Dressler, vice-

Among those attending were: Mr. and Mrs. Jack Cohn, Mr. and Mrs. A. Schneier, Mr. and Mrs. L. L. Barban, Mr. and Mrs. Nathan Bur-

Storms in Illinois

Cause Booking Shift
CHICAGO, Feb. 16.—Downstate ex-
hibitors in some cities, having big pic-
ture bookings for Sunday showings, jerked the films for cheaper product when they saw business was to be ex-
etly right on account of the blizz-

They explained to the few dissatisfied customers that the deluxe feature just can't be done because the weather was so bad.

The other films will be shown later.

British Films Fall
In Canadian Houses
TORONTO, Feb. 16.—Fewer British features were released in Canada dur-

Caynegy Action Delayed
LOS ANGELES, Feb. 16.—The action of James Caynegy against Warners in the federal court over the contract has been delayed until Wednesday in Superior Court here. Caynegy had obtained a temporary restraining Warners from interfering with his at-

To Handle Premiums
Lester S. Tobias has closed a con-

Exhibitors Visit Coast
HOLLYWOOD, Feb. 16.—Ralph Talbot, Tulia, Okla., exhibitor, is visiting the studio.

Agnew Heading South
HOLLYWOOD, Feb. 16.—Neil F. Ag-
new, general sales manager of Par-


**STUDIO**

Greatest number of consecutive smash hits in industry history.

*(From Hollywood Reporter)*

**TRADEVIEW**

by W.R. WILKERSON

- SIDNEY Kent is faced with an unusual situation. He has so many big pictures to set for release that he confronts quite a problem in the handling of them. After looking at the pictures which are now ready and parts of others soon to be completed, Kent wired John Clark to come out and sit in on the situation.

Kent must be a happy guy when Zanuck hands him so many big attractions that he finds it hard to place them. It’s a new sort of situation for him, since he took over Fox. But it is a burden he is glad to shoulder.

Zanuck has shown the Century-Fox president “The Prisoner of Shark Island,” “The Country Doctor,” and “Message to Garcia” in their completed form. Kent has also viewed the footage of “Under Two Flags,” “Wooden Crosses.” In addition to these, he must find places for the two new Shirley Temples: “Captain January,” and “Poor Little Rich Girl.”

Zanuck unquestionably has a very important group of pictures. He is spending more on “Under Two Flags” than he ever sent into a picture before. He believes, as does every other person who has seen “The Country Doctor,” that even without the quintuplets it is one of the greatest attractions the Century production head has ever had.

**THEATRE**

Highest number of simultaneous showings from any one company in Chicago history.

*(From Motion Picture Daily)*

**Fox in 157 Chicago Spots for One Day**

CHICAGO, Feb. 9.—A new booking record was set here one day last week when Twentieth Century-Fox pictures were shown in 157 Chicago theatres. This is the largest number of bookings any one company has had in local history. Practically all “C” week and first and second week release houses played the company’s pictures.

Advertising in the papers showed that 95 theatres out of 124 advertising, were playing product from the company.

**Chicago is but one of many!**

Exhibitors have demonstrated an overwhelming preference for those great 20th Century-Fox productions. And every release date proves more conclusively the wisdom of their choice!
BREAKING RECORDS SO FAST THE PRESSES CAN'T KEEP UP WITH THE NEWS!
TOWERING HIGH ABOVE THE YEAR'S GREAT HITS!

THE PRISONER OF SHARK ISLAND

The TRUE Story of a Nation's Hidden Shame!
MIGHTY AS A NATION'S FURY...
STIRRING AS A STRONG MAN'S COURAGE

HEARTS will pound in a million breasts... as this grimly real story of America's Jean Valjean unfolds breathlessly... powerfully... unforgottably. For never in fiction's most fantastic flights has there been anything to compare to this TRUE story of a man whose innocent act of mercy earned him a nation's relentless persecution... and who found that a woman's love can soothe the pain of a hundred living hells.

THE PRISONER OF SHARK ISLAND

starring
WARNER BAXTER

with
GLORIA STUART
CLAUDE GILLINGWATER
ARTHUR BYRON
O. P. HEGGIE
HARRY CAREY
and a cast of one thousand

a DARRYL F. ZANUCK
20th CENTURY PRODUCTION

Presented by Joseph M. Schenck
Associate Producer and Screen Play... Nunnally Johnson
Directed by John Ford
Based on the life of Dr. Samuel A. Mudd
Assists Duals' Ban Protects Property

(Carried from page 1) endaughters to point out to the court what appear to be discrepancies between testimony given in the case and the strikes made by his stenographic reporter, that a copy of the original transcript has been prepared and is available to the court. Quoting from the report: "...the matter that is confessed does not consist of any substantive error, but rather of a mistake in the transcription of the testimony of counsel for the defense, and has been corrected in the copy of the transcript made by the court reporter."

Republic's Los Angeles Showroom

Mrs. J. B. White, who has been responsible for the opening of the new Republic showroom in Los Angeles, is reported to be in the city for the wholesale opening of the store. The showroom is said to be one of the largest in the country and is located in the heart of the retail district.

Sper, getting two-day back

L. E. Hignon, general manager of the Denver and Baltimore theatres for the past 15 years, has been granted a two-day vacation. The theatre is closed on Saturday and Sunday, and Mr. Hignon is expected to return to work on Monday.

O'Donnell, Defendants in Action

J. J. O'Donnell, president of the Vitagraph studios, and his brother, J. H. O'Donnell, have been granted a decree of divorce by the court in New York. The case is being tried in the Supreme Court of the State of New York, and is expected to last for several weeks.

[Continued on page 2]

Purely Personal

PHIL REGAN, who played the lead in Republic's "Laughing Irish Eyes," will entertain the press today at the New Yorker. He leaves tomorrow for Rochester to begin a series of personal appearances.

NAT J. BLUMBERG is back on the job. He's taking no chances after being laid up with the gripe and now travels around with a fur coat that almost weighs him down.

Joe Moskowitz returned from an out-of-town trip over the week-end, worn out from carrying a heavy fur coat.

EDWARD G. ROBINSON leaves for the Warner coast studio today to begin work on "Bullets for Ballots.

S. R. KENT leaves for Florida this week. He returned last week from a lengthy stay on the coast.

MORRIS SHAH of the Fleish & Shah circuit is back from Miami sojourn.

JACK ALLEN PARRINGTON is back from a trip to the Bandy City.

FRED MEYERS has an enormous Miami run.

BILLY POWERS is now on the coast.

Quip of the Day

"Some of the gang around New York are considering launching a movement to рекoup the 10 backs they spent on the testimonial dinners tendered Dave Loew when he quit Loew's last fall to join Hal Roach whose organization he now left.

...Baltimore

J. Louis Rome has sailed for Nassau on the Corinthian.

DIANE WEINSTEIN of the Regent and Diane is on a tour of South America.

MRS. GENE FREELAND, wife of the mayor, is the mother of a seven-pound boy.

PETE ROSIAN has been appointed city manager of the Leo F. Jones, Broadway manager, is getting ready for his anniversary week starting February 14.

W. S. FISCH of Reading has taken over the Auditorium.

ARTHUR E. PRICE with Mrs. Price and their two sons have gone to Florida.

...Chicago

J. JACOPICK from the Lake Theatre in Milwaukee comes to the shore here as assistant manager.

JAMES Wynn went to Minneapolis for a two-day stay. He spent four days there. Snowbound.

F. ROYER, the prominent downtown exhibitor, is back from a month's vacation in California.

SOL STRAUSS, manager of the Midtown Cinema, received a chest of sterling silver as a wedding gift from the Film Row plastics.

O. REYNOLDS moves from the Stratford here to Milwaukee to manage the Lake for Warners.

J. B. WRIGHT, circuit operator from Peru, Ill., is en route to Hollywood for a vacation.

APRIL MARCHESI announces that his new theatre in Lockport will be ready for opening early in April.

...Denver

ARTHUR HARRIS, publicity director for the Denham, will handle publicity for the annual Shrine circus at the city auditorium March 23 to 29.

HARRI STEARN has resigned as salesman for United Artists.

Three of the managers of the High Five theatre in Denver have been shifted. STERLING RAY, former manager at the Rialto, is now at the Aladdin, John Lindhurt, Aladdin manager, has gone to the Broadway, and John Denman has gone from the Broadway to the Aladdin.

DAVE FRIED, who resigned as manager of the Englewood, has been succeeded by HAROLD SHALLOW. Assigned as assistant to Shallow was JOHN HERZO, former doorman at the Gothic.

BRADY FISH, welfare division manager for United Artists, was at the local exchange looking the situation over for a few days.

THEY have returned from their winter vacation.

...Los Angeles

DICK MOSS has been transferred by P. W. C. from the Imperial, Long Beach, to the Boulevard here to replace Pat Argust, resigned. He is replaced in Long Beach by Jack LaMont, formerly manager of the Criterion in Santa Monica.

J. A. ESTE OUTO of C. B. and E. W. MACGOWN of United Artists exchange both at home with influenza.


M. D. SLOANE has closed the Columbus.

D. F. LYNCH is opening the Alpine which has been dark for some years.

A. A. RIVEL, who recently opened the Odeon at Rivioul in Van Nuys where he also operates the Van Nus.

DAVE BESNOS has closed the Studio and has taken out the equipment. The little house on Hollywood Boulevard seats only 303.

Variety Club

BUFFALO, Feb. 15—Variety Club will have its first annual ball and frolic in the Statler ballroom March 14. Vincent Bedwell, host, is honorary chairman. Harry T. Dixon and Nate Sapper are co-chairmen of arrangements: C. Arthur Wood- ward, P. J. O'Sullivan, Charles Edward Bork, Elmer Lux and Lucien Blumenfeld are in charge of reception. Mrs. William W. Kempe of tickets; Harry Alt- man, Dewey Michaels and Mur- ray Schuster, majesties. George Robert T. Murphy, Sapper and Dixon of favors and menus; Will- iam Martin, John Sitley, Mike Simon, Ralph Maw, L. R. Loung- berry and Edgar Twamley of public- hem; Ephraim Bettsolle and Her- cules Webster of decorations; Ken- neth Robbins of reservations and seating; Basil Brady and Paul Lat- fens of transportation, and Joe Green- man, Otto Siegel, Leo Murphy, George Ferguson, Matthew V. Sullivan, Gaynor, Shann, J. W. Butler, Emerson Dickman, Nathan Marcus and J. R. Levey of the club journal. Barker Harry A. Seid and Mrs. Schuster are in Miami for their winter vacation.

Former Chief Barker Edward K. O'Donnell, who was in Miami several years ago and more recently has been in Hollywood, has been a visitor in Buffalo for a week. He is a former Buffalo resident.

BUFFALO, Feb. 14—Plain Harris of Pittsburgh, national Variety Club head, came here for induction of offic- ers of Tent 17. He was accom- panied by James B. Balmer, national secretary.

J. O'Donnell is head of the local tent.

Colman Deal Profitable

Hollywood, Feb. 15—Ronald Col- man is reliably reported here to be a heavy winner as the result of his percentage contract with M-G-M on "A Tale of Two Cities." He is said to have refused the company's offer to buy his contract for a flat sum. His deal with Selznick calls for a percentage on the net revenue, as in preparation by Oliver H. P. Gar- rett.

Para. Signs Odes

Hollywood, Feb. 16—Clifford Odets, author of "Waiting for Lefty," "Awake and Sing" and "Paradise Lost," was signed Saturday by Para- mount to a new deal. "All General Died at Dawn." Lewis Milestone will direct, and Gary Cooper will probably be starred.

A. E. Levy to Marry

Hollywood, Feb. 16.—Albert E. Levy, associate producer at Republic, and Ella Arnold, secretary to Nat Levine, will be married on Wednesday.
**Pittsburghers Fear Association Breakup**

Pittsburgh, Feb. 16.—Because George Jaffe refused to join the Pitts-burgh Managerial Ass'n and is charging only 40 cents for pictures and stage shows at his new Casino while the set organization scale is 55 cents, theatre men see a possible dissolution of the association in the near future and possibly the outbreak of another price war.

Last year the association was formed to control prices following a battle which sent the de luxe scale down to 40 cents for combination bills. Since then Warners and Loew's have pooled their product and the Casino competition isn't expected to affect them. An Alvin and the Fulton may find the going pretty rough.

If either of these houses secede from the association, as observers predict, it will mean the end of the organiza-

**Mexico to Produce Series of Scenics**

**MEXICO CITY, Feb. 16.—**A series of shorts depicting Mexico's beauty spots, places of tourist interest and activities of the people is to be made by the Ministry of Public Education, which accepted the suggestion of a group of congressmen that these pictures would be excellent publicity abroad to attract tourists.

The first picture is being made in Michoacan, President Cardenas' home state. This film, which is featuring the activities of Michoacan women's organizations, is being directed by Elena Sanchez Valenzuela, local journalist, and the first native woman to direct a picture. The production has musical numbers performed by crack Mexican orchestra.

**Providence Grosses**

**High Despite Cold**

**PROVIDENCE, Feb. 16.—**In spite of the fact that highways all over the state are ice-blocked and temperatures have been hitting record lows, the attendance market is remarkably well in recent weeks. Because local houses depend on people from outside the city for patronage, the owners are con-

**Kelton, Kelly Teamed**

**Hollywood, Feb. 16.—**Pert Kelton will take the place of Thelma Todd in the next series of Pert Kelton short for Hal Roach. The picture, which will be the sixth in a series of nine, is scheduled to go into production Feb. 20. Miss Kelton has not been signed to com-

** Writers Assigned**

**Hollywood, Feb. 16.—**New assign-
ments to writers at Republic include: Wallace Sullivan and Jo Graham, on "Sitting in the Moon"; Joseph Fields, on "The Finest Woman of the Country"; Frank Tupper's novel, "The Gentleman from Louisiana," and Isabel Dawn and Boyce DeCaw, on "My Old Kentucky Home."
CAROLE LOMBARD
in Universal's Smash Comedy
"LOVE BEFORE BREAKFAST"

THE PICTURE WITH THE UNFORGETTABLE PUNCH!
Fox Met Fees Cut Over 50% By the Court

(Continued from page 1)

fee of $110,000, was allowed $100,000, less $5,000, offered. Offered his lawyer but was denied. Milton C. Weisman, receiver of Fox Theatres and proponent of the Fox Met reorganization plan, was granted $100,000, which is subject to the approval of the Central Hanover Bank & Trust Co., trustee under the Fox Met mortgage indenture, asked a total of $20,750, and was awarded $12,500, less $5,000 paid on account. Central Hanover's counsel, Larkin, Ratliff, & Perry, for whom a fee of $5,000 was sought, was allowed $30,000, less $15,000 paid on account. Archibald Palmer, counsel for independent bondholders, who asked a fee of $40,000, was allowed $5,000. Lybrand, Ross Bros. & Montgomery, auditors, was allowed a $600 fee it had asked.

Some Applications Disallowed

Among the applications for fees which were disallowed entirely were those of members of the noteholders' protective committee, which submitted an aggregate of $117,500 in fees and $79,927 expenses. The members of the committee were Ernest W. Niver, chairman; William Geve, Max Horwitz, Alvin J. Schlosser, Herbert P. Howell and the late Casimir I. Stra- lem. The court ruled that testimony on the expenses of the committee should be submitted to Referee John E. Bailey, but that proper expenses were established recovery might be had from a fund set up in the reor- ganization plan for this purpose. The same was true as to applications for large expense amounts sought by applicants.

C. Frank Reavis, who was attorney for Si Fabian in the proposal of an unsuccessful, alternate reorganization plan for Fox Met, was denied an application for $10,000. Likewise, no remuneration was made to Percival E. Jackson, attorney for independent bondholders, nor to Isidor J. Kresel, who was of counsel to Weisman, who was of counsel to Weisman.

The court made frequent commendatory references in the opinion to the work of Weisman in effecting the successful reorganization, from which Fox Met emerged as Metropolitan Theatres under the control of Joseph M. Schenck's United Artists Theatre Circuit and with Keith-Albee-Ophrahn as a participating interest.

Weisman Lauded

"In the final result," the opinion states, "some measure, indeed a large one, of what I believe to be a successful conclusion of a difficult task is due to the intervention of Mr. Weisman. The final result, a result which on market quotations is at this time far more favorable to the noteholders than had at any time been contemplated before he stepped into the picture, and a result which appears likely to be increasingly better, is due in good measure to Mr. Weisman's activities."

Looking 'Em Over

(Continued from page 8)

and at work in the mill. He is about to be fired when an accident occurs. He helps and is assisted as a doctor to the doctor.

He meets Miss Shea, daughter of a steel foreman, who has been de- monstrating, with too frequent "accidents," in his section. From that point there is considerable action involved in the discovery by Bellamy that Kohler, mill safety chief, is actually behind the accidents and in the pay of a rival mill. Kohler, attempting a last "accident," is killed in the explosion, while Bellamy successfully completes an operation on a patient who is to be left to die. In his far-reaching, Bellamy refuses, preferring to stay in the mill town with Miss Shea.

Production Code Seal No. 1,787. Running time, 60 minutes. "G."

"Bulldog Courage" (Puritan)

Tint McCoy, starring in this western, plays a dual role and in both presents a measure of action to come up to outdoor action standards.

When his father is mortally wounded by the sheriff, McCoy follows in his steps toward achieving certain revenge on a swindling banker. This end takes him to the town of Goldfield, where he arrives on the day of the trial of a friend of his father's who is threatened with a long prison sentence. Too touched off with what he's seen he sets out on a stagecoach, he-blues, hard riding, wit and the required amount of shooting, brings the piece to its end with the banker caught in one of his own schemes when a mine is dynamited.

The romance theme is carried on somewhat by Joan Woodbury, but there is little clinching, for the film ends abruptly after a shooting match.

Sam Newfield's direction plays the effort for all its thrill and action content, while Jack Greenhalgh's photography takes in the pictorial backdrops and follows the action suitably.

Production Code Seal No. 1,818. Running time, 61 minutes. "G."

Production Code Seals Go To 27 Features Reviewed

The following listing covers 27 features which were reviewed in Hollywood and reviewed in the East by Motion Picture Daily without Production Code Administration seals, and have since been accorded seals. The period covered is from Sept. 6, 1935, to Jan. 7, 1936.

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Song Writers Fight Warner Music Deals

(Continued from page 1)

list that you have no right to make contracts affecting those rights without their consent," the letter which was signed by Sigmund Romberg, noted composer, and Edward Mann, Warner's attorney, who states that the communication may have been aimed at Warners' recently stated policy of favoring a performing fee large only at the source of music use. In the case of radio this would be the broadcasting station, rather than the person or other factor which disseminated the actual broadcast, and in the case of the industry it would mean that producers would be taxed both the recording and performing fee while theatres would be exempt from any tax.

Exhibitor observers on Saturday saw this policy as it relates to theatres seriously jeopardized by the song writer's threat of & unless Warners are suc- cessful in meeting their objections in the future.

See Court Test by Ascap

A court test of Ascap's claim that its licensed radio broadcasters are en- titled to the use of Warner published music wherever writers, composers or authors have not assigned the small rights to the Warner publishers ap- pears certain for the near future.

On the advice of its counsel after studying the agreements between the change and Warners, the Ascap has requested the Ascap claim as "erroneous and misleading, and if relied upon by sta- tions who have not been faced with the same, may result in many actionable in- fringements." Ascap and its counsel, the court stated that the move is emphatic on the legality of the stand being taken, despite the Warner state- ment.

Indications are that Ascap licensed stations will shortly avail themselves of the Warner music in the Ascap list in order to provide a court test of the society's stand.

Ricketson on Coast

LOS ANGELES, Feb. 16.—Rick Ricketson, operating head of the Rocky Mountain division of National Thea- tres, exhibition arm of Twentieth Century-Fox, is here. E. L. Alpelson is also here.

National Theatre head holds will their scheduled meeting beginning tomorrow.

To Publish Film Songs

Hollywood, Feb. 16.—Republic has signed with the Sam Fox company for the publication of all the numbers from the film, "Laughing Irish Eyes." The numbers were written by Sam H. Stept and Sidney Mitchell.
FLASH FROM COAST TO COAST. LISTEN! "ROSE MARIE" SENSATIONAL!

Typical telegrams to M-G-M

"BIGGEST GROSSES IN HISTORY!"
—wires I. Libson, from Cincinnati

"Congratulations, M-G-M. 'Rose Marie' destined to be among the topnotch musicals ever made. The Albee this week will do one of biggest grosses in the history of the house and the picture will undoubtedly do four to five weeks in downtown Cincinnati."
—I. LIBSON

"HUNDREDS COMING BACK!"
—wires Chas. A. Middleburg, Charleston, W. Va.

"First four days nearly doubled the first four days of 'Marietta."

"Had we been able to take care of the crowds, our receipts would have been hundreds of dollars more.

"Receipts on the fourth day fifty percent more than on opening day. Patrons are returning by the hundreds to see it a third and fourth time. Thousands stood outside in zero weather trying to get in.

'It will break all existing records.'

..."Get ready, statue, you've got a new sweetie and her name is Rose-Marie!"
“THREE TIMES ‘MARIETTA’”
—says Mr. Wilson, of Williamsport, Pa.

In the face of the worst possible weather conditions Rialto opened yesterday on “Rose Marie” to what we believe to be the largest number of paid admissions in the history of the theatre for a mid-week opening. The gross was more than 300 per cent of the opening day on “Naughty Marietta.” Words fail me to express the comments of our patrons. Practically each one of the thousands enthusiastically endorsed it as the best picture in years. Congratulations!

LATER WIRE: “Rose Marie” engagement completed sets new house record beating “Mutiny on Bounty” previous record-holder!

FLASH FROM ICY DENVER!

“Number of admissions Saturday broke every existing record in the Orpheum Theatre, even surpassing the week they had Ben Bernie in person and also the week they had Sally Rand. Also surpassed the number of Saturday admissions on ‘Top Hat’ which pulled the house record. There were 8300 admissions on Saturday. ‘Mutiny’ at the Denver Theatre on Saturday, November 9th, played to 8022 people. Sunday attendance was approximately 8500 people, making a total of 60,800 admissions over the weekend, which is a lot of sugar!”

IMAGINE! TWO FIRST RUNS ON SAME STREET!
—Miami makes theatrical history!

“After screening ‘Rose Marie’ we realized picture had exceptional box office possibilities. Accordingly, plans were quickly made to present simultaneous twin engagements in our Colony and Community Theatres, Miami Beach, which are located on Lincoln Road directly across street from each other. Picture doing biggest business in history of Miami Beach. Continuous lobby holdouts both theatres matinee and evening. ‘Rose Marie’ is a history maker as superlative entertainment as biggest local grosser and as first picture to play first-run engagement simultaneously in two theatres.”

—ERNEST MORRISON

LOOK OUT!

“Rose-Marie” is hot after those Mutiny records! Watch the papers!
**“Soldier” on Dual $14,000, San Francisco**

San Francisco, Feb. 16.— "Professional Soldier," topping a dual bill with "The Widow from Monte Carlo" at the Paramount, made the best showing of the week. The take was $14,000, which was $2,500 above normal.

- "Last of the Pagans" and "Forced Landing" were also on the bill. The net was $7,000 at the Fox, and "Exclusive Story" was $2,500 to the good on a gross of $17,000 at the Golden Gate. "Magazine Obsession" held up to $5,500 in its fourth week at the Orpheum.

Total first run business was $71,400. Average is $73,800.

**Estimated takings:**
- **Week Ending Feb. 1:** United Artexion (Para.) $3,500, 5 days. Gross: $2,500. Average: $500.
- **Week Ending Feb. 2:** "MAGNIFICENT OBSESSION" (M-G-M) $3,500, 5 days. Gross: $2,500. Average: $500.
- **Week Ending Feb. 8:** "PROFESSIONAL SOLDIER" (20th-Fox) $3,500, 5 days. Gross: $2,500. Average: $500.
- **ZSIE" (M-G-M) $3,500, 5 days. Gross: $2,500. Average: $500.
- **NEW GULLIVER" (Amkino) $3,500, 5 days. Gross: $2,500. Average: $500.

**"Double" on Dual $14,000, San Francisco**

San Francisco, Feb. 16.— "Professional Soldier," topping a dual bill with "The Widow from Monte Carlo" at the Paramount, made the best showing of the week. The take was $14,000, which was $2,500 above normal.

- "Last of the Pagans" and "Forced Landing" were also on the bill. The net was $7,000 at the Fox, and "Exclusive Story" was $2,500 to the good on a gross of $17,000 at the Golden Gate. "Magazine Obsession" held up to $5,500 in its fourth week at the Orpheum.

Total first run business was $71,400. Average is $73,800.

**Estimated takings:**
- **Week Ending Feb. 1:** United Artexion (Para.) $3,500, 5 days. Gross: $2,500. Average: $500.
- **Week Ending Feb. 2:** "MAGNIFICENT OBSESSION" (M-G-M) $3,500, 5 days. Gross: $2,500. Average: $500.
- **Week Ending Feb. 8:** "PROFESSIONAL SOLDIER" (20th-Fox) $3,500, 5 days. Gross: $2,500. Average: $500.
- **ZSIE" (M-G-M) $3,500, 5 days. Gross: $2,500. Average: $500.
- **NEW GULLIVER" (Amkino) $3,500, 5 days. Gross: $2,500. Average: $500.

**“Zero” with Show Indianapolis Hit**

Indianapolis, Feb. 16.— "Ceiling Zero," plus vaudeville, pulled a gross of $10,500 into the Lyric. This was above average by $3,500.

All five first runs continued to suffer from cold weather, although the frigid wave was not as severe as the one the week before. The Indiana grosses were "Nothing Gross."

Two houses showing double features, Loew's and the Circle, dropped below average. The second feature at the Circle was "Nothing Gross."

"If I Had a Million." Total first run business was $26,800. Average is $25,300.

**Estimated takings for the week ending Feb. 12:**
- **ADDY O'DAY" (20th-Fox) $3,500, 5 days. Gross: $2,500. Average: $500.
- **THE INSTINCTIVE RAY" (Univ.) $3,500, 5 days. Gross: $2,500. Average: $500.
- **IF I HAD A MILLION" (Para.) $3,500, 5 days. Gross: $2,500. Average: $500.
- **INDIANA" (M-G-M) $3,500, 5 days. Gross: $2,500. Average: $500.
- **CEILING ZERO" (W.B.) $3,500, 5 days. Gross: $2,500. Average: $500.
- **LYRIC" (Beverly) $3,500, 5 days. Gross: $2,500. Average: $500.

**Ohio Official Warns Tax Licenses Needed**

TULSA, Feb. 16.— A warning has been issued to all places of amusement by Guy F. Chilote, local excise tax manager, that amusement licenses must be applied for immediately under the new state amusement tax law. Penalties for failure to obtain a license is $50 for each place included. The law流氓 exemption from the three per cent tax grosses, regardless of the exclusion allowed. The law includes license fee for each amusement place, being pushed back an added two weeks in most cases.

**Uniform Protection Sought in Cleveland**

Cleveland, Feb. 16.— Local theatre owners will try to effect a plan whereby there will be a uniform protection plan, such as was used here during 1933-34. When that agreement expired Jan. 1, 1935, distributors each set up individual protection schedules. The 15-cent houses were most affected this season when a new schedule was issued, being pushed back an added two weeks in most cases.

New Haven, Feb. 16.— Finding that the house was overwhelmingly filled by Guy F. Chilote, local excise tax manager, that amusement licenses must be applied for immediately under the new state amusement tax law. Penalties for failure to obtain a license is $50 for each place included. Under the law流氓 exemption from the three per cent tax grosses, regardless of the exclusion allowed. The law includes license fee for each amusement place, being pushed back an added two weeks in most cases.

**Advances Night Price**

New Haven, Feb. 16.— Finding that the house was overwhelmingly filled by Guy F. Chilote, local excise tax manager, that amusement licenses must be applied for immediately under the new state amusement tax law. Penalties for failure to obtain a license is $50 for each place included. Under the law流氓 exemption from the three per cent tax grosses, regardless of the exclusion allowed. The law includes license fee for each amusement place, being pushed back an added two weeks in most cases.

**Fonda in "Intrigue"**

Hollywood, Feb. 16.— Henry Fonda, who has just finished work in "The Trail of the Lonesome Pine," has been cast by Walter Wanger for "Afghan Intrigue."
Moon Over Miami Eclipsed Tonight by World Premiere of Paramount's "The Trail Of The Lonesome Pine" at the Colony Theatre, Miami Beach, Florida.

Read your favorite Trade Paper for complete details for this Walter Wanger Production.
CHICAGO, Feb. 16.—"King of Burlesque" was strong enough to beat out one of the coldest stretches in 26 years hereabouts. Even slippery streets couldn't keep the crowds away from the Apollo House, which was sold out on Friday night with Fred Waring and his radio show on the stage, ran $12,500 over average.

"Magnificent Obsession" was also a money-maker in its second week. It hit $26,000, up by $7,200. "Riffraff" was good for $5,500 in its second week at the Apollo and "Strike Me Pink" took a par $17,000, also in its second week at the United Artists.

Total first run business was $119,100. Average is $11,700.

Estimated takings:

Week Ending Feb. 4:

A NIGHT AT THE OPERA (M-G-M)
ROSWELL—(2,500), 25c-35c-50c, 7 days, gross $6,500. (Average, $1,100)

Week Ending Feb. 6:

NEVER SAY DIE (20th-Fox)
PALACE—(2,505), 25c-35c-50c, 7 days, average $3,504, (Average, $500)

KING OF BURLESQUE (20th-Fox)
CHICAGO—(2,300), 25c-35c-50c, 3 days, gross $7,000. (Average, $2,333)

A PERFECT GENTLEMAN (M-G-M)
ORIENTAL—(600), 25c-35c-50c, 7 days, gross $3,500. (Average, $500)

GREAT DEPRESSION (Univ.)
GARRICK—(900), 25c-35c-50c, 7 days, gross $4,000. (Average, $571)

Week Ending Feb. 7:

RIFRAFF (M-G-M)
APOLLONIA—(900), 25c-35c-50c, 2 days, gross $4,500. (Average, $2,250)

UNIVERSAL—(1,700), 25c-35c-50c, 7 days, gross $2,500. (Average, $357)

PAGES TO BALDFADE (Radio)
STATE—(1,776), 25c-35c-50c, 7 days, gross $3,000. (Average, $428)

"Soldier" Sets Pace in Detroit

Detroit, Feb. 16.—"Professional Soldier" should do excellently at the Fox, in the face of continued zero weather. The $17,300 take was above average.

"The Lady Consents" at the RKO Downtowner pulled a good $11,000, up by $1,900, and "Ceiling Zero" was $1,400 over the line with $21,400 at the Michigan.

First total run business was $70,700. Average was $5,050.

Estimated takings for the week ending Feb. 6:

"Island" on a Dual

BUFFALO, Feb. 16.—"Escape From Devil's Island," heading a dual bill with "A Feather in Her Hat," was practically the only attraction to get into the profit division to any extent last week. The $7,800 take at the Lafayette was over par by $1,800. Continuance of the bitter cold kept people at home and all other houses were better.

Total first run business was $37,700. Average is $4,210.

Estimated takings for the week ending Feb. 8:

"THE LADY CONSENTS" (Para)
BUFFALO—(3,000), 25c-35c-50c, 7 days, gross $6,000. (Average, $857)

"STRIKE ME PINK" (U. A.)
BUFFALO—(2,500), 25c-35c-50c, 7 days, gross $6,000. (Average, $857)

"MURDER OF THE HARBOR" (M-G-M)
BUFFALO—(3,000), 25c-35c-50c, 7 days, gross $5,500. (Average, $786)

"ESCAPE FROM DEVIL'S ISLAND" (Col.)
BUFFALO—(3,000), 25c-35c-50c, 7 days, gross $5,500. (Average, $786)

"HAPPINESS, C. O. D." (M-G-M)
BUFFALO—(3,000), 25c-35c-50c, 7 days, gross $4,200. (Average, $600)
AL STEFFES, exhibitor association leader, has subscribed to the Motion Picture Daily for ten years, to January 1947.
AN AWARD
FOR
CHEMICAL ENGINEERING
ACHIEVEMENT
TO
E.I. DU PONT DE NEMOURS & COMPANY
ORGANIC CHEMICALS DEPARTMENT
IN RECOGNITION OF ITS MERITORIOUS
CONTRIBUTION TO THE ADVANCE OF THE
INDUSTRY AND PROFESSION MADE POSSIBLE
THROUGH A BROADER PARTICIPATION BY THE
CHEMICAL ENGINEER IN THE AFFAIRS OF
THE PROCESS INDUSTRIES
PRESENTED BY
CHEMICAL & METALLURGICAL ENGINEERING
DECEMBER 6, 1936

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.
“U” Decision Ready Soon, Says Cowdin

Denies Erpi Will Share in the Financing

A decision on the exercising of Standard Capital Co.’s option to acquire control of Universal can be made in the near future, J. Cheever Cowdin, head of Standard, said yesterday on his return from London on the Europa. The option continues in effect up to March 15.

While declining to comment on or confirm reports that the requisite financing for the exercise of the option had been set during his stay in London, Cowdin said that his London trip had served to “clarify” many things involved in his company’s current study of Universal’s operations here and abroad and brought the study nearer to its conclusion. His London visit, Cowdin said, provided him with an opportunity of looking over Universal’s foreign organization and properties and of meeting the people with whom he is dealing.

U. A. Gets Review On Sale Tax Issue

United Artists has been granted a writ of certiorari by the New York Supreme Court in a move to bring to the Appellate Division its appeal from the city’s ruling that film rentals are subject to the two per cent city sales tax. The question was raised on the city controller yesterday and an answer must be filed with the court by March 4. The case will then be noticed for argument and a hearing will probably be held some time before the end of March.

Stebbins Quits Firm For New Connection

Los Angeles, Feb. 17.—Arthur W. Stebbins has resigned as director and chairman of the board of Stebbins, Lettermen and Gates of New York and Stebbins, Lettermen and Gates, Ltd., of Los Angeles to enter the insurance business here on his own.

Associated with him will be Cosgrove & Co., Inc., large insurance brokers and one of the largest of the kind west of Chicago.

Uses Snow Piles

St. Louis, Feb. 17.—Harold W. Evans, manager of Loew’s Stud, turned to advantage the big snow banks in various parts of the city by having his bill posters placed around the current films at his house atop the snow banks.

M-G-M Stand Upon

Lewis Yarn in Air

M-G-M home office officials said yesterday they had not been advised whether or not the company had per- served its announced plans for producing Sinclair Lewis’ novel, “It Can’t Happen Here,” which Louis B. Mayer wants to make not at the present time, because it would cost too much. If “all this talk continues,” Mayer was quoted as saying, “perhaps we will find it profitable to make the picture at once.”

The M-G-M studio denied reports that the change in production plans was occasioned by a Hays organization ban on the novel, which depicts America under a dictatorship, and its subsequent overture. No comment could be obtained from the M.P.I.P.D.A. here which said that the matter, if brought to the attention of the organization, would be handled by the Hollywood office. Will H. Hays, who left Hollywood Friday, reiterated, when questioned in Chicago yesterday, the M-G-M denial that its organization (Continued on page 3)

Pantages Dies In His Sleep At Coast Home

Veteran Exhibitor And Horseman Was 72

Los Angeles, Feb. 17.—Alexander Pantages, theatre owner, veteran of the Klondike gold rush days, horseman, and colorful figure in the in- terests of the industry has been dead in his home here this morning. Death was believed due to natural causes.

For years Pantages had suffered from heart trouble. He is survived by his wife, Mrs. Louis Pantages, and two sons, Lloyd A. and Rodney, and one daughter, Carmen Considine. Pantages was born on an island off the mainland of Greece. As a youth he worked at Cairo, Egypt. He reached this country, still a youth, in the gold rush excitement, and began his career in the show business by talking “Klondike Kate,” song and dance girl, into working for him on a percentage basis. This was the first vaudeville in Alaska.

When he decided to go to Seattle he opened his first theatre, and during the succeeding years he built up a circuit of vaudeville and film houses here, in the west and in Canada and is said to have totaled more than 250 at one time. He sold out to RKO in 1929, and reports at the time were that he had received $24,000,000.

In 1933 he reentered the entertainment and took over the Pantages, Hollywood. He announced plans for further ex- pansion, but little was done.

Exhibitor-Ascap Talks to Continue

Meetings between representatives of the national exhibitors’ protective committee and officials of Ascap will be continued from time to time as developments in the music per- forming situation warrant, Walter Vincent, chairman of the exhibitor committee, said yesterday. Representatives of the committee held their first meet- ing with E. C. Mills, Ascap general manager, late last week.

This “compromise,” says the letter, “becomes especially devastating in the small towns and city suburbs. The experience with the same in and around the tracks in New Jersey last year affords a good case history. The- ractual enterprise is entitled to pro- tection against unnecessary hardship.”

Members of the Racing Commission, who prepared the letter, are, Herbert Bayard Swope, chairman; John Hay Whitney and John Sloan.

Sheehan Has Producer Post At Paramount

Agreement Calls for Ten Pictures Annually

Hollywood, Feb. 17.—Winfield Sheehan today reached an agreement with John E. Otterton to produce ten pictures annually for Paramount over a period of years. Sheehan will have his independent unit and will produce at the General Service Studios under the supervision of W. W. D. Path.

The producer is now on his way to New York accompanied by his wife, and will be there for the rest of the week, where he will take charge of his unit. Some of the pictures will be produced by Sheehan personally while the rest will be supervised by him.

The present deal has been hanging fire for several months.

Missouri to Rule Again on Giveaways

Kansas City, Feb. 17.—Attorney General Roy M. Barrow has termed his department’s ruling that Bank Night is contrary to Missouri statutes, which was announced last week, pre- mature. The opinion will be reconsidered.

McKittrick has written Franklin Miller, circuit attorney of the state, who asked for the opinion, and who had threatened to bring charges against St. Louis banks if they con- tinued to use Bank Night, that in view of information of the last character would take the question of legality of the promotion to the Missouri Supreme Court, he will withhold an opinion until such time as...

Allied Owners Have $2,018,786 in Cash

Allied Owners’ Corp., theatre owner and builder, which is reorganizing under Section 77-B of the Bankruptcy Act, has $2,018,786 in cash as of Jan. 31, last, according to a trustees’ re- port filed in Federal court at Brook- lyn yesterday. The trustees state that this represents an increase of $66,112 in the company’s cash position as of Jan. 31.

Receipts for the month of January were $78,310 and disbursements were $12,197. The company has about $18,000,000 in bonds, its surplus outstanding. The only proceedings remaining in the reorganization is the payment of fees to attorneys, trustees (Continued on page 5)
Insiders' Outlook

By RED KANN

Hollywood, Feb. 17.

What to do with Mae West in these days of Production Code Administration and the resultant good will which the industry has been steadily building for itself in the press of the nation? An unhappy and perilous job at best, as each succeeding West attraction amply illustrates.

There is her latest to consider and our first elected piece of business in Hollywood. Scarce off the train, we splashed our way to the Paramount projection room to see what there was to see... .

Once known as "Klondike Lou" and now refurbished as "Klondike Annie," her newest is decidedly average entertainment wending its way out of the accepted Western tradition with one eye covertly fixed on the distant past, when Mae could do what she cannot do now. Turn to the fashioning of essentially phony story and dramatic situations which may fit the code but certainly not West. For the truth of the matter is at once simple and obvious. Miss West is the arch exponent of the hurly burly, the double entendre, the question of the last free-wheeling of all three, she has made box-office attractions in their time. Shorn of some of each, as prevails in the instance of "Klondike Annie," she has a Mae West with her bag of tricks largely turned inside out and so leaving woefully little left...

"Klondike Annie" has to do with the following situations: Miss West is first seen living with Harold Huber, an Oriental operating a joint in San Francisco. He fails to say so, but there is the circumstance inescapably planted by situation in large degree and dialogue in lesser. Her planned escape "to associate with men friends of her own race" is discovered. In self-defense, since the Chinaman threatens to blind her, she stabs him to death and makes her escape through a rooftops bound for Nome with Victor McLaglen in command and the Alaskan gold rush. At a northern post, she is captured and brought through a police circular that Miss West is really the San Francisco Doll wanted for murder...

This was directed by Raoul Walsh, who once made "The Cock-eyed World." That, however, was an entirely different piece of work and has a production code seal, too. No. 1,856 for the record. It was based on a play by Miss West, who also did both script and dialogue, as is her wont, and who arranged production detail to include her presence in every scene, supplied with all the assurance. The current claim also set forth that the original yarn had grafted to it a story by Marion Morgan and George Dowell with further material suggested by Frank R. Mitchell Daily, Adult entertainment, this. And unexciting enough in its way. The difficulty about "Klondike Annie" is that it is so thoroughly objectionable, but did not make the grade because of the brakes sometimes known as the production.

Typical of the dialogue and correct in import if not always in text are lines like "It's a cold sheet with only one underneath it." There is, to boot, the song titled "It's Better to Give Than to Receive," sung by the congregation with a significant flash back to McLaglen. "A good line is hard to resist is a thing... and a fourth Mac's crack that she found McLaglen a "good loving man all the weeks up from Frisco to Nome. By no means Berlin philosophical reasoning which goes to point out: "Give a man a free hand and he puts it all over you." "It's better" impresses as far more dull than the others. Even like a firecracker with most of the gunpowder removed. Not all, however, and sufficient to make a secondary explosion.

"Modern Times" Is Banned in Germany

Berlin, Feb. 17. "Modern Times" will not be shown in Germany, it was revealed today, because of a ban by the Nazi Government. The Ministry of Propaganda declared the film was "contrary to the highest interests of the new Germany of Chancellor Adolf Hitler."

Queried yesterday on whether United Artists would seek an appeal from the German Government ban on "Modern Times," Arthur W. Kelly, executive vice president who made the picture, said last night she company would not. "It's up to Mr. Chaplin to do whatever he wants to about it," Kelly asserted.

O'Conor Switched From Japan to Cuba

Edward F. O'Connor, who was recently transferred from M-G-M's office in Tokyo to Manila, has been switched, this time to take charge of the company's branch in Cuba. Daniel C. O'Connor, who has been at the helm in Cuba, will assume charge of the Japan office.

O'Connor recently made efforts to secure reorganization of his division, aided by immigration authorities. He has been with M-G-M for seven years.

Los Angeles: O'Connor is on route from Johannesburg, South Africa, to South America, where he will arrive March 1 for an indefinite stay.

Schmerztes Celebrate

Cleveland, Feb. 17. -1. J. Schmertz, Fox branch manager, and Mrs. Schmerz, are celebrating their 25th wedding anniversary.
direction!

Director Henry "Bengal Lancer" Hathaway and the big Walter Wanger unit filming "THE TRAIL OF THE LONESOME PINE"
"THE TRAIL OF THE LONESOME PINE"

The expert direction of one of the keenest minds in Hollywood . . . Henry Hathaway, who gave you that box office champion of 1935, "The Lives of a Bengal Lancer" . . . direction which has movement, power, emotional impact, heart appeal, all the major box office qualities.

And every one of them heightened, strengthened, by natural color in this first outdoor feature picture ever completely filmed in Technicolor.

direction + COLOR

Sylvia Sidney  Fred MacMurray  Henry Fonda in
"THE TRAIL OF THE LONESOME PINE"

M-G-M Stand Upon Lewis Yarn in Air

(Continued from page 1)

tion had banned the production. No action on the book was taken by the Picture Board. Hays said, "I have been out of touch with Hollywood since leaving and will not make any statement until I am in possession of the full details. I shall make a statement later if I think it necessary.

The statement reported to have been made by Sinclair Lewis, "was full of inaccuracies. There was never any question of this story affecting the Republican party in any way and no one, including myself, ever made any statement that would suggest so much," Hays said.

Industry opinion is that the M-G-M action was taken because of the probability of retaliatory action by Germany and Italy, S. Supreme Court of which nations were quoted as saying they were pleased by the decision not to produce the picture. Paramount's recent complications in Spain, in which a ban on the company's entire product was threatened for a time, because of alleged material offensive to Spain in "The Devil Is a Woman," was cited as a case in point.

Missouri to Rule Again on Giveaways

(Continued from page 1)

Looking 'Em Over

"Sunset of Power"

(UNIVERSAL)

A western that is definitely in the better class, this film, with a fair story and well composed action and riding sequence played against picturesque but outdoors scenery, will be released this week. Buck Jones plays a cowhand at Charles Middleton's ranch. Opening with the boys going to town for a drink, the narrative begins rambling, with well spaced spots of action and some shooting toward the problem of Dorothy Dix and cattle rustling. Miss Dix's problem is with her good looking husband, who has gone to the states; he is jealous of her and harbors some hard feeling because she is the last of the Brennan line and a female. Charles King acts out a good part as the cheat who is made foreman of the ranch and just about compelled to marry Miss Dix. With a murder and a last minute kidnapping to stave off the ill-matched give the job of developing the mine. As usual, John's performance is top notch and Middleton is excellent as the grandlyfeathered old codger. Miss Dix handles a dramatic role convincingly. Ray Taylor directed. Allen Thompson's and Herbert Krakower's camera work is exceptional.

Production Code Seal No. 1,741. Running time, 65 minutes. G."

Connery Hits Use of Army-Navy in Films

WASHINGTON, Feb. 17—Free use of the military and naval forces at a time when thousands of unemployed extras are walking the streets was attacked today by Representative William P. Connelly, junior Democrat from Massachusetts, speaking at the bi-monthly luncheon of Variety Club. Although declaring himself pro-army, Connelly stated his intention to introduce legislation to prevent such picture use.

The Congressman also expressed regret at the reappearance of double-meaning dialogue and warned that a continuance would bring censorship.

Bank Night Files 14 Actions in Indiana

INDIANAPOLIS, Feb. 17—Affiliated Enterprises, Inc., of Denver, has filed suit in Federal Court here to enjoin N. C. Weinberg of this city and the management of 13 theatres from operating Cash Nights. The suit asks damages of $10,000.

Weinberg has arranged Cash Night for several local neighborhood houses and a number in smaller Indiana cities. The suit contends that despite a name change in name, Cash Night is an infringement. Max M. Pleiser, attorney, speaking for the theatre men, asserted that the plaintiff has no cause for action.

"U" European Heads Here on Production

For the purpose of discussing Universal's plan to inject an international technique and flavor in pictures to be produced at Universal's new studio in Europe, Joseph Pasternak, Herman Kostertitz and D. Rabinowitz will arrive today on a two-day trip. In conferences with Nate Manheim, in charge of the company's foreign activities, and later go to the coast where they will produce a feature with this in mind.

The sessions with Manheim will last several days, on which Pasternak, Kostertitz and Rabinowitz will leave for Hollywood for conferences, with Carl Laemmle on foreign production plans. Universal executives feel that in having the three foreign production men make one film on one trip, and on other plans which will be easier to grasp. This provides for less dialogue and more action.

Manheim will not accompany the trip west, but will depart shortly afterwards to sit in on the coast conferences.

Copyright Hearings To Open on Feb. 25

WASHINGTON, Feb. 17—Hearings on copyright legislation will open before the House Patents Committee on Feb. 25, it was made known today by Representative Sirovich of New York, chairman of the committee by the petition filed last week by Representative Zioncheck of Washington for the discharge of the committee from further consideration of the legislation. Chairman Sirovich revealed that the hearings will cover both the Duffy Bill, passed by the Senate last session; the Daly Bill, submitted in the House last month as a substitute, and any other plans which may be brought up for solution of the copyright problems.

Plans for the creation of a sub-committee, have apparently been dropped as a result of the Zioncheck action, but the hearings would be held before the full committee.

Delay Sound Men Status

Hollywood, Feb. 17—The question of jurisdiction over sound men, scheduled for settlement here over the week-end, has been postponed and probably no adjustment will be made until March, it was learned from A. T. S. E. headquarters. Pat Casey, studio labor representative, said that no arbitrator has been appointed yet.

J. D. Clark Flies East

Hollywood, Feb. 17—John D. Clark, general sales manager of Universal International's Century-Fox, left for New York tonight by air, but will return here by Feb. 25. In between will be the busy sales schedule of all company's top flight sales executives from the field in Chicago on Feb. 21-22 when new season's plans will be discussed.

Fox Buys "Slaver"

Hollywood, Feb. 17—"The Last Slaver," adventure story of the closing days of the African slave trade, has been purchased by Twentieth Century-Fox. Nunnally Johnson, script writer of "Shark Island," will be associate producer.

Allied Owners Have $2,018,786 in Cash

(Continued from page 1)

that body has ruled on the question. He also pointed out that the New Hampshire Supreme Court, as well as that of Iowa, had held the plan legal.

In the premature opinion issued by Franklin E. Reagan, assistant attorney general, last week, the Iowa statute governing lottery was explained as more technical and narrower than Missouri's. Reagan expressed the belief that Missouri, if it passed the broader statute, would hold "consideration" to be any definite form of consideration recognized in the law of contract.

McKitterick's department last March held Bank Night was a lottery.

NUNNALLY JOHNSON

"The Prisoner of Shark Island"

WILLIAM MORRIS OFFICE
Koplar-Warner
Action Concluded

WASHINGTON, Feb. 17—San Mor-
roe, president of the Koplar-War-
nan organization, and Walter G. Garrett, New York attorney, were the
last witnesses to testify as the Kop-
lar-Warner director who had been
the organization's directorate gave to
a close in the U. S. District Court here
this afternoon.

Garrett testified just before the
trial closed, told of a promise made
to pay Waddill Catchings, another
Warner director, a fraction of the
amount due him for his work in the
organization.

Despite the tardiness of the com-
promise that was ratified at the annual stockholders' meeting of
the company last December. His
testimony centered about the employ-
ment contract between Renraw and
the company. The stockholders at that annual meeting had approved a
settlement of the controversy between
the company and Renraw, Inc. over
renunciation of the charter of the
Warner brothers. Under the terms of
the settlement approved, the Warner
company was to receive from Renraw
100,000 shares of its stock and agree to pay the legal fees and expenses of Max Goldberger who
brought the suit against the company
as stockholders.

Judge John P. Nield set May 5 as the
date for argument. The motion for
dismissal, which was made by Joseph L. Proskauer today, will also
be heard on that date.

Loew's Seeks Delay
In Two Bronx Cases

Attorneys for Loew's will ask for
a month's postponement of the hearing
scheduled Friday against the Elamere
and Grand in Bronx Special Sessions
in connection with games. If the de-
lay is granted, a similar request will
be made on Feb. 28 when a like com-
plaint is set in the same court in
volving the Oklahoma Theater.

One of the reasons for the contin-
uation will be that an appeal from a
decision in the Appellate Division of
the Brooklyn Supreme Court on the
Winthrop, Brooklyn, will come up for
an argument in the Court of
March in the Court of Appeals, Al-
Bany. In view of this, Loew's legal
representatives will try to have their
cases put over until the determination of the three judges in Albany.

Leopold Friedman of Loew's is ex-
pected from the coast the end of
the week. Irving Greenfield, his assistant, will seek the continuations.

Grainger to Leave
20th-Fox April 15

E. C. Grainger's resignation as
eastern division head of Twentieth-
Century-Fox becomes effec-
tive April 15, it was learned yes-
terday. Grainger, who had
resigned late last week to John D.
Clark, general sales manager, who
was present at the conference
among the company's staff.

Clark is expected back here today,
but probably will not announce a suc-
cessor to Grainger for some time.

He leaves Friday for Chicago.

Grainger resigned the sales post he
had held for more than 2 years to become
general manager of the Feber &
Brae circuit.
DID YOU EVER HEAR A CRITIC SINGING?

THEN GATHER 'ROUND, MATES, AND LISTEN WHILE THE NEW YORK CRITICS SING THE PRAISES OF
PAUL MUNI
in
"THE STORY OF LOUIS PASTEUR"

Thousands upon thousands of words of undiluted and unparalleled praise in 12 great New York dailies certify another rearin' WARNER BROS. HIT

✓ Checked and
✓✓ Double-Checked
As a Top Cash Proposition by Biggest Muni Week-End take on Record in Year's Toughest Weather and Indefinitely Extended Run

AT N.Y. STRAND WORLD PREMIERE

HERE IS every syllable from every review—from every New York paper—unedited and unexpurgated! The keynotes above each clipping will give you the general idea. But if you have time, read every line and see if you can find a single word of blame!
"A cinematic masterpiece - thrilling, gasping sequences - must be seen!" - American

"Story of Louis Pasteur; Is Tensely Gripping Drama; Muni Powerful as Its Star"

BY REGINA CREVE
Motion Picture Editor of THE AMERICAN

"Just as Louis Pasteur lives in the history of the medical world, the drama of his life fits neatly into the grandiose tapestry of history. In his day, Pasteur was a controversial figure.

The story of Pasteur's life is as gripping as any contemporary drama. The medical world was in awe of his discoveries. His methods of curing diseases have saved countless lives.

The performances of Muni are as compelling as the story itself. He brings to life the scientific genius and the man behind the discoveries.

The film is a true testament to the power of drama and the importance of scientific research. Pasteur's legacy lives on, and this film captures his spirit."

"Screen Reviewer Sees The New Film: CLIMACTIC SCENES FROM FILM ON LIFE OF GREAT SCIENTIST, LOUIS PASTEUR"

"And now, Joseph," says Pasteur (Paul Muni) as he addresses Joseph Meister (Dickie Moore), "you go down in history as the first person to be cured of rabies."

"We have won," cried Pasteur, but how could I have gone on without you?" - The great French scientist, who saved the world from suffering, is addressed by Joseph Meister. In this scene, played by Joseph Meister, children are better protected against the deadly disease.

"Persecuting Pasteur - You are hereby forbidden," says the Emperor, as the medical practice in France.

"The picture is a masterwork of historical accuracy and dramatic tension. The performances are outstanding, especially by Paul Muni as Louis Pasteur. The film is a must-see for anyone interested in the history of science.

"The story of Pasteur's life is a testament to the power of science and the importance of education. The film captures the spirit of Pasteur's discoveries and his dedication to improving the lives of all humans."

"It is a true inspiration, and it is a fitting tribute to the man who changed the course of medical history."

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"The film is a true masterpiece, and it is a fitting tribute to the man who changed the course of medical history."
The New Talkie
Paul Muni in an Exciting and Noble Film,
'The Story of Louis Pasteur,'

By Eileen Creelman.

Those amazing Warners, having successfully revived
the gangster melodrama this season, have now jumped a
long way in the other direction. Their current presenta-
tion at the Strand, as exciting in its own way as any tale
of G-Men is, is a drama of scientific research, 'The Story
of Louis Pasteur.' The wily Warners have used their
knowledge of showmanship to make the discovery of a new
germ a breathing and stirring business even to audiences
more used to machine-gun antics on the Strand screen.

'The Story of Louis Pasteur' is worth of course a picture that should be
seen by every one, from disinterested adults to children eager for adven-
ture. It is a drama of adventure, of illusions too, and high courage
in the face of ridicule and skepticism.

Science has been simplified so that any layman, even a
young child, could follow the theories without effort. The picture
surrounding each experiment has been heightened and lightened
until its success becomes a matter of personal concern to each spec-
tator. And Louis Pasteur, truculent, tactless, absorbed in his work, and
intolerant of ignorance, becomes through Paul Muni's interpretation
a human as well as a dignified figure.

These Warners have a rating all their own. This time they have
checked out the usual movie plot, using the dramatic biographical
method of books rather than centering
the film about one incident. The love story of Pasteur's daughter and a young
doctor is played with real charm and
immensely. The drama is that of
筏. When Pasteur's famous and innocuous
bacterium was found to be alive and to prevent
cancer, men fighting to
break the unhallowed barrier of a
cure of the disease. And it is
that Pasteur himself, as a young
doctor, who first proved the
theory of his own germ.

Then there is the scene with the
sheep, with Pasteur frantically
hoping that the vaccinated ones
would be found alive; and that drama-
lar experiment with small Joseph
mice, doomed to death by the des-
perately moment in which Charles
Annette, agrees to deliver Annette's
child if Pasteur himself will turn
against his own theories. This last
accident by the way, is perhaps the
least one that seems realistic. The
rest of them, however, are vitally real.

Mr. Muni, surrounded by a host
of character actors, proves his
right to one of his
inconsiderable roles as Louis Pasteur. Anita
Louise, as his daughter, is
briefly present as a daughter
and Davy Dykes as the doctor.

'功率的' is the story of Louis Pasteur, a
master
piece of dramatic and
script. Always the
composer of the lines and
script, in the role of Louis Pasteur, for
Muni and seen only the ob-
sure country chemist who devoted
himself tirelessly to research for the
benefit of mankind.

Life-Long Fight

With Pasteur's life-long fight
against disease as its theme, the
picture follows the chemist from
the time that he tried to
Napoleon's death on the vase of
antiseptic in the practice
and discovered the power of
the antiseptic in 1870.

He was finally honored by a
homicidal surgical academy.

His entire career a struggle against ignorance and ridicule,
the part of his contemporaries who, when he was about
to point out the danger of contact between bac-
ti and disease, the scientific community in Paris,
where he finds his first recognition 10 years later in the
village of Sennecce where his anti-toxin saves the child of that
district from the dread disease known as anthrax.

The picture then details his
spiteful laboratory work and his triumphs for
hydrophobia today. And the story development
by which he proves his theories—his
acceptance of challenges by his chief
competitor, Dr. Charpentier, his
failure to have that German boy when
the Pasteur of his home,
the laboratory of Russian peasants,
who pitifully for
experiment—make for
intensely absorbing and inspira-
tional drama.

Muni's Acting Brilliant in
Fine Picture

By ROSE PELSWICK

Intensely impressive and stirring is 'The Story of Louis
Pasteur.' A powerful nar-
Rose Pelswick

The most distinguished drama of this season. A pic-
ture you must see!—Journals
"As exciting and thrilling in its own way as 'G-Men'!"  - World-Telegram

Muni's "Louis Pasteur" Superb Screen Tribute

Powerful, Poignant Screen Picture Inspires Strand Audiences; Supporting Cast Splendid

BY IRENE THIER

A powerful, poignant and enlightening tribute to the memory of the eminent chemist Louis Pasteur is Muni's portrayal of him in the Warner Brothers' vehicle current at the Strand.

The Story of Louis Pasteur, directed dramatically and sympathetically by William Dieterle, treats in inspiring fashion of the French scientist's strife-filled career—a life devoted to the struggle against those diseases which, for years, would not recognize his theories and discoveries; his battle against misfortune; his unceasing fight for the cause; his frequent battles with the public, who, at the beginning of his career, were not convinced of his theories; and such later years as he may have spent in the service of science. He has no patience with those who are not convinced of his theories, and the story of Pasteur's life is one of the most inspiring stories that could be told.

The picture moves with a dignity and forthrightness which should be emphasized by every television fan, as well as by those who are not familiar with the scientific world. It is a thrilling story of Pasteur's life, and the story of the progress of science.

The Conquest of Hydrophobia.

Pasteur's next efforts are to eliminate the dread hydrophobia. Again his efforts are ridiculed, but he is accused of being a charlatan by his contemporaries. He is known to the world as a man of science and is praised by all who know him.

In the role of Pasteur, Paul Muni is superb, while the part of his understanding wife is expertly played by lovely Josephine Hutchinson. The minor roles are usually handled by Fritz Leiber, Henry O'Neill, Porter Hall, Raymond Massey, Halliwell Hobbes, and Frank Reicher. Donald Woods and Anita Louise do a fine job as the young lovers, whose romance in no way interferes with the main reason of the narrative, which is to illustrate the life of one of the world's greatest benefactors, something it does with great dignity and power.

"Certain to take its place on everybody's best-tens lists for the year!"  - Post
"Exciting and beautiful – far more exciting than the run of films!" – Herald-Tribune

"Intensely thrilling story made into a vital motion picture – deeply moving!" – News

"One of those exceptional pictures you should not miss – vastly exciting" – Mirror

"THE STORY OF LOUIS PASTEUR" PROVES IMPRESSIVE FILM

Scientists' Role

Played Well

By Muni.

By BLAND JOHANSSON.

"The Story of Louis Pasteur" as the Sinal. A really fine picture – as exciting as it is impressive.

Produced by Continental, directed by William Dieterle. The story is a fascinating one and the actors are entirely successful in their parts, making it one of the best of the year's films.

"THE STORY OF LOUIS PASTEUR"

Dr. Louis Pasteur

The story introduces the life of the great French chemist, known for his work in the fields of biology and medicine.

"IN THE SUPPORT, Dr. Louis Pasteur" is the star, played by Muni. Mr. Muni's portrayal is outstanding, giving a realistic and moving performance.

"SPACEUS BUT WITH THESE OBJECTS, whose forced..."
“A credit to the Warner Bros. studios and to the whole motion picture industry!” — Morning Telegraph

“The Story of Louis Pasteur,” dynamic cinema account of one of the world’s greatest scientists, opened Saturday at the New York Strand Theatre.

Notable—a subject that should speak personally to every audience!” — Times

The Current Cinema

By Seymour Roman

Paul Muni is starred in “The Story of Louis Pasteur,” First National Production Now at the New York Strand Theatre.

“Dynamic . . . tense, compelling photoplay . . . it is Muni’s greatest role!” — B’klyn Times-Union

SCREEN PRESENT

“Story of Louis Pasteur,” With Muni Is Credit to Warners and Industry

By Les Mishkin

As we left the screen we saw the confrontation of science and some thrilling disputes in “The Story of Louis Pasteur,” which opened at the Strand Theatre on Saturday. With Paul Muni in the title role and with the adaptation, the film shows itself as a thoroughly entertaining and professional effort, to be enjoyed by all.

Fail

Readers didn’t fail or ace critics views we’re esclose here.
Pasteur's Victory Over Plagues Vividly Presented

Swords, trumpets, marching men—these are all pictured when the word "battles" is mentioned. But battles of a different kind are being waged every day, and none of these can be said to have been more important than the one fought by Louis Pasteur. He also showed how to make the bacillus ever these diseases.

Young America

Hails Pasteur From Rabies

First Patient Saved From Rabies

See Pictures on Page 17

When Louis Pasteur's development was first successfully applied in the prevention of diphtheria, the world was changed, and millions of children were saved from certain death. The discovery of diphtheria bacillus was made by Pasteur in 1881, and the treatment based on his discovery has saved thousands of lives. The first patient to be saved was a child named Mary Evans, who was treated with a vaccine made by Pasteur and is now living a healthy life.

Boston, Saturday

Established by the Second Bishop of Boston in 1825

The Pilot is maintained in the Interest of the Catholic Church of the Archdiocese of Boston

Worth Our Support

A motion picture soon to be released presents the life of one of the greatest men of science, Louis Pasteur. The picture is based on actual events and is intended to present a vivid and popularized account of the life and work of Pasteur. It is a true story, and we believe it will be a great success.
RIGHT ON TOP OF SUCH PUBLICITY BREAKS

First U.S. Boy Cured of the Rabies by Pasteur Sees Himself Treated Again on the Screen

APPEARENTLY DOOMED, Boy Was Sent to Paris by N. J. Business Men 61 Years Ago

In 1885, Pasteur isolated the rabies virus and developed a vaccine for it. The boy, Charlie R. Johnson, was the first patient to be treated with Pasteur's vaccine. The treatment was administered in three doses, with the first and last doses given 10 days apart and the middle dose given 5 days after the first dose. The boy recovered from the disease after being treated with the vaccine.

THE LIFE OF PASTEUR

A great revolution of humanity. Pasteur's work on the prevention and treatment of rabies was a significant contribution to medicine.

March of Events

FEBRUARY 1, 1938
This great his theories and experiments. He had begun life as son of a poor French tanner, but only a country medical chemist. He is a character of marvelous gift who could hold his ground in the tempest gathered which raged on Pasteur. His own careful scientific habits and his proved theories of his structure most resembled man's. He could no reason why they should human beings, as well as he a pet, stepless sore that first experimentally of a boy far advanced in life, an acacia in the scientific world of medical men within his time. But the outside, he was a man who never knew rest from his work. He lived, slept, ate, and worked. He was a man who never knew rest from his work. He lived, slept, ate, and worked. He was a man who never knew rest from his work. He lived, slept, ate, and worked.

A Great, Useful Scientist And Three Faces Well-Known Following the Dramatic "Story of Pasteur"

PAUL B. JOHANN, CHARLES CHARLES, AND G. E. WELLS, WITH A PICTURE FROM THE "REPORT OF PASTEUR"
The trade press and newspaper critics agree, man to man and eye to eye, one hundred and no one hundredths percent, about "The Story of Louis Pasteur". Almost three months ago the gentlemen of the trade press started warning you in loud and insistent tones that "Pasteur" was going to be a hit of the de luxe order—sometimes known as the "wow" type. And now look what's happened! Put ditto marks under their previews and you'd have an almost exact approximation of what the gentlemen of the public press are saying today. So score another point for the accuracy and reliability of the forecasts of the better trade papers!
DROPPED RIGHT IN YOUR LAP!

Warner Bros. present

PAUL MUNI
in
"THE STORY OF LOUIS PASTEUR"

With JOSEPHINE HUTCHINSON • ANITA LOUISE
DONALD WOODS • FRITZ LEIBER • HENRY O’NEILL
PORTER HALL • AKIM TAMIROFF • MANY OTHERS

Directed by WILLIAM DIETERLE

A Cosmopolitan Production • A First National Picture

A Tested and Proved Money-Maker All Set Up and Ready to Shoot! Advertised and Publicized to the Limit in Key Papers from Coast to Coast!

Release February 22nd—And We’re Ready for Right Dates...Right Now!

LET US SHOW YOU HOW TO GO AFTER THIS ONE!

Write our Ad. Dept. for special ways to get extra revenue through schools, colleges, committees, etc.
"The Story of Louis Pasteur" followed by two days the brilliant success of "Petrified Forest" at Radio City Music Hall.

"Pasteur" followed by one day the record-breaking 3-week run of "Ceiling Zero" at the Strand.

"Ceiling Zero" followed the 3-week run of "Captain Blood."

"Road Gang," surprise sensation, will follow "Pasteur."

Boris Karloff in "The Walking Dead" will follow "Road Gang."

"Colleen," with Dick Powell, Ruby Keeler, Jack Oakie and Joan Blondell, will follow "The Walking Dead."

Al Jolson's "The Singing Kid" will follow "Colleen."

Joe E. Brown in "Sons O' Guns" will follow "The Singing Kid."

Marion Davies in "Hearts Divided" will follow "Sons O' Guns."

"Anthony Adverse" starring Fredric March will follow "Hearts Divided."

"Green Pastures" will follow "Anthony Adverse."

'So Follow the Leader . . . .

WARNER BROS.
**Lloyd, Cantor Films Strong Detroit Draws**

Detroit, Feb. 17.—This town's film patrons are having a hard time deciding whether the "Out Hollywood Way" or "Strike Me Pink," so they're going to see both.

The former opened garnered $2,400, up by $2,000, at the Michigan, and Cantor's musical held up to $12,200 in its second week at the Metropolitan. "Next Time We Love" was pulling an excellent $16,300 at the Fox.

Total first run business was $69,200. Average is $65,000.

Estimated takings for the week ending Feb. 13:

- **"LONE WOLF RETURNS" (Col.)**
  - YOU MAY BE NEXT** (Col.)**
  - **"THE MILKY WAY"** (Par.)
  - **"THE THREE LITTLE GIANTS"** (MG-M)
  - **"FRESHMAN LOVE** (W. B.)
  - **"STRIKE ME PINK"** (U. A.)
  - **"MUSSE EM UP"** (Radio)

Stage:
- **UNITED ARTISTS**—$20,000; **ALAMO**—$19,500; **STATE**—$14,000.

**Out Hollywood Way**

Hollywood, Feb. 17.—W. P. Lipscomb intends to buy some race horses, have a yacht built, and go to Honolulu after he finishes "O'Malley of the Mounted."...George Francos is a pest to fish on the side. He owns a schooner cruising in the South Seas. Lillian Deitch, daughter of Dr. O. Selznick's research department.

Samuel Goldwyn's publicity department being enlarged to provide publicity, the studio will open a new department to wait for the news to break....Joe Hannigan handling opening of "The Trail of the Lost Pioneers." Stephi Duna has birthday party on set of "Dancing Pirates."...Frank John of Gilbert Medical, who signed for Warners for "The Green Pastures." Fred Datig, Paramount casting director, signs for four more months' illness. Sam Fox to publish three songs from Republic's "Laughing Irish Eyes." Joe E. Brown rehearsing the burlesque Apache dance for "Sons of Guns" at the RKO. "Burns and Allen" back at Paramount. Warners sign Aubrey Bobbin, recent U.C.L.A. graduate, to term contract. +


**"Marie" Houston's Leader at $12,000**

Houston, Feb. 17.—"Rose Marie" was the pace-setter at Loew's State, in spite of Bank's "Johnny Get Your Gun," which from five others on the first stage show at the Metropolitan next door, and the "Hollywood" opening of the new Tower Friday night. The gross was $12,000, which was $5,000 up. It was held over for a second week.

An all negro stage show led by Lucky Millinder with "If You Can Only Cook" raised the ante at the Metropolitan, $2.35. The deal was $9,200. "Red Salute" at the Kirby for the week-end also was high with a take of $3,300. Average is $3,000. "The Great Impersonation" at the Kirby mid-week broke even with $1,500. The Majestic took the rap with "The Petrified Forest," ringing up only $5,500 as against an average of $7,000.

Total first run business was $33,000. Average is $25,000. Estimated takings for the week ending Feb. 13:

- **TOMMY SALITRE** (U. A.)
  - **THE PAYSOFF** (F. N.)
  - **THE PAYSOFF** (F. N.)
  - **THE PAYSOFF** (F. N.)
  - **THE PAYSOFF** (F. N.)

**Closes Burroughs Deal**


Other franchises closed by Burroughs-Tarzan are with Heili Ellman for northern Illinois; with Jack Adams for Texas; with Harry Silverman for Oklahoma, and with C. W. Trumpe for Wisconsin.

The company plans a maximum of 24 features and two serials for the coming season.

**Rites for N. Pinanski**

Boston, Feb. 17.—More than 3,000 here today attended the funeral of Bernard Pinanski, 73, father of Malcolm Pinanski, president of M. & P. Theatres Corp. The elder Pinanski was also a pioneer exhibitor, owning a large number of theatres. He was also known as one of the leading Jewish philanthropists in the United States.

**"Mohicans" Is Delayed**

Hollywood, Feb. 17.—The fact that Edward Small will start his first radio picture, "Marry the Girl," on March 1 will not interfere with "The Last of the Mohicans," which will go into production shortly after April 1, according to Harry Goetz.

"The Last of the Mohicans" will be the last Reliance film for United Artists release. Its release date, set for June 19, will be postponed to some date in July, according to Goetz.

The Reliance offices still are being maintained at the RKO-Pathe lot, though the studio is already using offices at Radio City.

**To Form Amateuer Unit**

Pittsburgh, Feb. 17.—Bernie Armstrong, house organist at the Harris-Alvin, who also conducts a weekly spot program amateur hour every Sunday on WJAS, will form a unit of his prize-winning talent and install it at the Alvin for a week's engagement starting next Friday.

**"Rose Marie" Hits $26,000 In Pittsburgh**

Pittsburgh, Feb. 17.—"Rose Marie" and "Lucky Luke" and everything else, ran up a new high at the Penn, getting close to $26,000 in nine days and showing sufficient strength at this point to send the picture to the Warner for a continuation of its downtown run.

At the present time, the latest first-run house, the Casino, formerly the Harris, made an auspicious debut under its new operator, George Jaffe, formerly burlesque impresario here, collecting a remarkable $10,000 with "Crime and Punishment" and the Cummins "de Paree" revue. A production appearance of Phil Baker, with "The Lady Consents," took $15,000 at the Stangl. "Over Time We Love" at the Fulton, heading a double bill that also included "Dancing Feet," managed $16,500.

The other two double feature houses didn't fare so well, however, "The Invisible Woman" and "Hunting Matthew's" sunk the Alvin to $3,500, while the Warners had a difficult time picking up $3,850 with "Tough Guy" and "Frisco Bulette." Total first run grosses were $66,850. Average is $5,000.

Estimated takings for the week ending Feb. 13:

- **THE INVISIBLE RAY** (Univ.)
  - **THE LADY CONSENTS** (Radio)
  - **NEXT TIME WE LOVE** (Univ.)
  - **MUSSE EM UP** (Radio)
  - **ROSE MARIE** (M-G-M)
  - **TOUGH GUY** (M-G-M)

**Cinodagrohaph Move**

Stamford, Feb. 17.—The Chamagrophy Corp., of Long Island City, manufacturer of photographic materials for the industry, has leased No. 1 plant of the Petroleum Heat & Power Corp., 41-37 Broadway, transferred to this city starting May 1.

**Seiler Back to Wurtzel**

Hollywood, Feb. 17.—Sol Wurtzel has signed Lew Seiler to direct "The First Baby" for Twentieth Century-Fox. The story in "Twentieth Century-Fox" is by Lumar Troiti. Seiler had left the lot after directing "Here Comes Trouble" for Wurtzel.

**Gerald Hoyt to St. John**

Toronto, Feb. 17.—Gerald Hoyt has been in charge of the St. John, N. B., branch of Empire Films, Ltd., by A. W. Perry, general manager. He succeeds Harold D. Buckley.
"Rose" New Haven Leader at $11,500

NEW HAVEN, Feb. 17.—"Rose Marie" at Bully’s hit the high spots in a week of bad weather, reaching $11,500, or $4,00 over normal.

"Milkerry Way" and "Remendover Last Night" opened two days early at the Paramount, and garnered $7,000, up from the seven-day average by $2,200. The Roger Sherman, with "Petroleum Forest" and "Freshman Love," reported a steady take which added to $7,500, as compared to the usual $4,700. The College went $400 down from the scale normal with "Sylvia Scarlett" and "Seven Keys to Balldoor," grossing $2,400.

Total first run business was $26,000. Average is $19,500 Estimated takings for the week Feb. 14.

"SYLVIA SCARLETT" (Radio) SEVEN KEYS TO BALDORAY (Radio) COLLEGE (1,409), 26-35c. 7 days. Gross: $2,800. (Average: $2,500)

"THE MILKY WAY" (Para.) REMEMBER LAST NIGHT (Univ.) PARAMORI XI-12,000, 26-35c. 9 days. Gross: $7,000. (Average: $800)

"ROSE MARIE" (M-G-M) POLI-004, 35c-8c. 7 days. Gross: $1,500. (Average: $214)

"THE PETRIFFED FOREST" (W. B.) "FRESHMAN LOVE" (W. B.) ROGER SHERRIM (2,400). Gross: $1,500. (Average: $428)

"MILKY WAY" (Para.) BIALTO-000, 26c-46c. 7 days. Gross: $3,500. (Average: $500)

"NEXT TIME WE LOVE" (Univ.) BREAKING POINT (Col.) 1,200, 26c-46c. 7 days. Gross: $3,500. (Average: $500)

"EVERGREEN" (G. B.) "TANGO" (Columbia) NATIONAL-1,400, 26c-46c. 7 days. Scenic Vanderlinde, 4 days. Old Time Film Studios Contest, 7 days. (Stage: Fred Fleisch and Jack and Jill and Sam, Gil and Hose). Gross: $500. (Average: $71)

"ESCAPE FROM DEVIL'S ISLAND" (Col.) (This picture was first shown in Manhattan, and has been very successful. The Troupe. Gross: $500. (Average: $71)

"SKY DEVILS" (U. A.) "TO STRIKE THE BAND" (Radio) ALAMO-1000, 26c-35c. 7 days. (Stage: Fred Fleisch and Jack and Jill and Sam, Gil and Hose). "THE MELODIES LINGER ON" (U. A.) "THE CALLING OF DAN MATHEWS" (RKO) BROWN (1,409), 16c-46c. 7 days. Gross: $3,000. (Average: $430)

"ROACH SIGNS 2 WRITERS"

Hollywood, Feb. 17.—Hal Roach has signed Richard Flournoy and Bert Granet, writers, to term contracts. Flournoy is working on the script of "Once Over," a feature which will star Jack Haley, and Granet has not been assigned. Roach also has signed Milton Krausen to a term contract as cameraman.

Warner Offices Moved

Boston, Feb. 17.—Warner theatre offices have been moved from the Warners exchange to the Hotel Statler, adjacent to the film district.
$10.00 Preview Auspices
Adventure Society, Ritz Carlton Hotel, New York, February 19th

WORLD PREMIERE ROXY,
NEW YORK, FEBRUARY 28th

WALTER HUSTON as

RHODES

DIAMOND MASTER • EMPIRE BUILDER • JUNGLE CONQUEROR

TYPICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD.
**“Rose Marie”**

**Minneapolis**

Top, $13,000

**Fang on a Dual**

At $3,900, Omaha

Omaha, Feb. 17.—Twenty-two days of sub-zero weather have slowed the theatre attendance somewhat, but the first run film—"Fang on a Dual"—on the personal days.

"Fang and Claw," topping a dual bill with "Two in the Dark" at the Warner, was $500 over the line on a take of $3,900 for six days.

Anything Goes" and "The Great Impersonation" at the Omaha earned $1,500, and "Dangerous Goods" and "Great Salute" at the Orpheum were good for $1,850. The first run first business was $16,150. Average is $16,400. Estimated takings:

**Week Ending Feb. 12:**

**FANG AND CLAW** (Radio)

"TWO IN THE DARK" (Radio)

"ANYTHING GOES" (U.W.B.)

"GREAT IMPERSONATION" (U.W.B.)

**Capital Stock Par**

**Franchise Tax Base**

**New Orleans,** Feb. 17.—Corporations of Louisiana must pay their state franchise taxes on the par value of their capital stock, with the exception of any deficit for operating losses and the like in any given year, according to a four-to-three decision of the state Board of Tax Appeals.

The decision broke a three-to-three tie through the vote of Justice-elect A. L. Pettibone, who was called in to give the deciding opinion, in the case of the state against the Bissi Realty and Investment Co. The company had sought to deduct $108,000 of operating losses from its $276,000 of capital stock.

**Burroughs' Second Ready**

**Hollywood,** Feb. 17.—Burroughs- Prior Pictures will work on their second feature, "City Pavements," immediately after completion of "The Drag Net." The producers plan to complete three features before they choose exchange affiliates to handle distribution. Ben S. Cohen, president, and Harry Ratner, sales manager, will visit the key distributing centers, and award franchises to exchanges.

**Takes Canadian House**

**Vancouver,** B.C., Feb. 17.—Famous players Canadian has taken the old Starland at Nelson, B. C., on a long term lease, and after extensive work will reopen it as the Strand. The house has been dark for several years.

**Theatre Firm Chartered**

**Greenwood, S. C., Feb. 17.—Greenwood Theatres, Inc., has been chartered to operate theaters. H. F. Kinney is president.

**Taube Joins "U" Staff**

**Detroit,** Feb. 17.—Sid Taube has succeeded Frank Stuart as state salesman for the Universal exchange. Taube formerly handled state right showrooms productions here.

**Police Aid Shows**

**Bethel, Conn., Feb. 17.—**The Methodist Church here has had to call in the police department to help it with its sound film showings. At the first showing sound effects and street noises prevented a large part of the congregation from hearing what was going on.

The police will try to control some of the traffic movement.

**Bans All Giveaways In County in Maine**

**Portland,** Me., Feb. 17.—All cash giveaways have been banned in the county by order of County Attorney Walter M. Tapley, following the conviction of three former employees of the Keith's, of consisting to deliver a cash award in the theatre's Greyhound Derby game.

**Curtain Dubs Derby**

is presented by Meyer Gruber and Harry Bloomberg of Boston, who, in connection with their handling of Parlay Cash Night, are allowed for all advertised money by Bank Night which is particularly hit by the order, inasmuch as it was believed clear in Maine following a refusal of the state Supreme Court to declare it illegal. County Attorney Ralph O. Dale of Sagadahoc said he would not press charges further.

**Western Houses Now Using Presentations**

**Lincoln,** Feb. 17.—Several houses in this territory have begun to use vaudeville, notably the Wilbur Cush-

**Hubs Gets Novel Booking**

**Boston,** Feb. 17.—An unusual booking arrangement here is the spotting of a 20th Century-Fox feature day-

**Beery in Chicago Deal**

**Chicago,** Feb. 17.—Wallace Beery arrived here today via a TWA plane and proceeded to put his signature on a contract for a personal appearance at the Chicago for one week starting March 6. Beery will get $7,500 for the engagement, it is reported.

**Pickford-Lasky on Next**


**Warners Change Title**

**Hollywood,** Feb. 17.—We have changed the title of "Men on Her Mind" to "Hard Luck Dame." The cast is headed by Warren William and Bette Davis.

**“Rose Marie”**

**Smash Hit in Two Hub Spots**

**Boston,** Feb. 17.—This town turned out big for "Rose Marie," playing day and date at Loew's Orpheum and State. The $20,500 take at the former was $7,500 over par while the $18,000 gross was $6,000 over normal. This makes a total of $30,500 for the two shows.

"Seven Keys to Baldpate" also was in the big money, with Gene Ray-

"MOTION PICTURES DAILY" Tuesday, February 18, 1936
ITOIA Denied
Injunction on
City Sale Tax

Brooklyn Court Refuses To Pass Upon Levy

The I.T.O.A.-sponsored motion for a temporary injunction against the
leving and collection of the city sale tax on film rentals was
struck down yesterday by Justice Callahan in N. Y. Supreme
Court.

In its opinion the court pointed out that while "it may be that as to some
transactions involved in the rental of films so tax is collectible, such ques-
tions should not be passed on at this time or in this proceeding" and denying
the motion without prejudice to any real action directed against the
legality of the tax as applied to film rentals.

The suggested procedure of contesting the legality of the tax as applied
to film rentals is the course being
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Hollywood, Feb. 18.

CONSIDERABLE of the noise now emanating and to come, no doubt will pivot around the selection of the Cast and Trail of the Lonesome Pine” is the first essentially outdoor melodrama in Technicolor’s new three-way bluffs. But, merchants have faith that the white good deal more to be said about this picture of Walter Wanger’s, made for Paramount release.

Based on the John Fox, Jr., opus and whipped into script by Grover Jones, this is a combination and an adroit fulfillment of the fundamental situations which have done valiant service for the industry over a long period of years. Love interest and conflict, and the two-fisted man-formula are mixed with comedy relief played off against nature in colors which are usually extreme even and sometimes make for rate, there is plenty of it.

It’s all about hill-billies, the Blue Ridges and the onslaught of civilization in the form of a coal mining company which wants to get the land owned by the traditional enemies, the Toliilvers and the Falins. Fred MacMurray represents the friendly invaders. He saves Henry Fonda’s life by an emergency operation on a gun wound gone to pot and so ingratiates himself to a point where the Toliilvers head up Fred Stone and of which Fonda is one, sell. Sylvia Sidney, not entirely believable, plays the mountain girl whom everyone expects to marry Fonda. Only she does not and in the end finishes up in MacMurray’s arms, where she wanted to be all along.

The feud is pretty much dominant through-out. There is Bela Baldi, as Melissa Tolliver, who wants it stopped. By the time Miss Sidney returns from Louisville where her courting of civilization is being applied by MacMurray’s sister, little Spunky McFarland, her brother, dies when the Falins blow up their house. A horse and buggy are shovelled up against the tracks. Sylvia seeks revenge in the only way she knows, and that’s the rifle ritual of the feud. MacMurray, however, is brought to the settle the score when Fonda, having learned Miss Sidney loves the other fellow, does the many thing and goes alone, minus gun, to patch the germa-

tion-old argument with his enemies. It works out, but not before Fonda is plugged in the neck by a scurrilous Falin who, in turn, is shot to death by his own father. Fonda dies, the MacMurray-Sidney match is thereby sealed and peace returned to the hills.

“The Trail of the Lonesome Pine” is, therefore, rousing melodrama in its final reels and leisurely in its early one. In spite of its present 100 minutes, it is this space’s idea, would tighten matters and make what is built well in the popu-

lar run. One thing for sure, Mr. Gedney, a film is not necessarily in order of merit, Stone, Miss Bondi, Fonda, Fuzzy Knight, as a singing troubadour. MacMurray, Nigel Terry, Spanky Barratt and Sam Hinds.

About the color. Generally it makes the picture right and many performances show obvious benefit. Howard Greene was at the camera with Robert C. Bruce in general charge of that department on this job. It seemed to be that “F’’s” handled with something even better. The producer, however, advises the picture is ready to go as is. The array of sterling performances here and the film is a formidable one for ten or not necessarily in order of merit, Stone, Miss Bondi, Fonda, Fuzzy Knight, as a singing troubadour. MacMurray, Nigel Terry, Spanky Barratt and Sam Hinds.

While all of this concerns Wanger, this seems to be the point out that his deal with United Artists, effective with next season, created a stir in Hollywood and leaves Paramount with a hole to plug in its production schedule. Wanger has under direct contract a number of important players, their number including Miss Sidney, Fonda, Stone, Miss Sidney, Charles Boyer, Madeleine Carroll and Bennett, for the span of the next three or four years—and Frances Langford. His writing crew, now that Misses Sidney and Baldi, are no longer with us, is: Dorothy Parker, Alan Campbell, Gene Towne, Graham Baker, Ed Chodorov, who once was a press agent in New York for the Giant, takes to Hollywood, and Lynn Starling.

Spear Quits on Suit Quashed in Chicago

CHICAGO, Feb. 18.—Spear’s suit for $1,000,000 against Pathé News charging the defendant with inducing Little Fuzzy Knight to enter into a contract to breach an exclusive contract he said he held for the rights for theatrical use of the copyrighted song “Spanky Barratt,” has been dismissed in Federal Court here. In dismissing the action, the court held that the complaint failed to state the essential facts needed to sustain a claim for breach of contract with the father of the plaintiff was against public policy. Also named as defendants were Kenton Woolworth’s, NEA, Scripps Howard, a number of radio companies and organizations.

Pathé, in defending the suit, contended it never made a contract with the father, but instead entered into a deal with the guardians of the babies.

Spear also alleged the various defendants conspired to freeze him out. His complaint also named a contract with the father of the appearance of the babies at the World’s Fair, but Allen Dafoe would not permit the quintuplets to leave Callander, Ont.

RKO Building Men In New Lunch Group

About 30 employees and executives of Qulquigley Publications, Inc. and RKO所有人都 meeting at Jack’s restaurant and moved to make this eatery a central gathering place for film and theatre companies located in Radio City.


The next get together will be Monday.

Asks Delay on Loew Issue

WASHINGTON, Feb. 18.—An amendment to its application to SEC in connection with the offering of its proposed issue of $15,000,000 3 ½ per cent debentures has been filed by Loew’s, Inc. The company seeks a delay in the date of the offering to Feb. 25.

Warner Meet Postponed

The regular monthly meeting of Warner directors, scheduled for yesterday, has been postponed for three weeks until Harry M. Warner returns from the coast. Warner left with Edward G. Robinson on Monday.

Lichtman Reaches Coast

Hollywood, Feb. 18.—Al Lichtman arrived here after some delay. His trio by air required 43 hours. J. Robert Hindt of Friedman leave for the east tomorrow.

Kent to Go South Today

S. R. Kent today will leave for Boca Raton, Fla., for a vacation. He returned last week from the coast.
An appeal by RKO Pathe Pictures, Inc., on a motion to dismiss a plagiarism suit for $2,000,000 filed by James Young, estate of husband of Clara Kimball Young, in the N. Y. Supreme Court, is scheduled for hearing in the Appellate Division next month. The complaint, originally brought on Oct. 3, 1933, at first was dismissed on grounds of insufficiency and then was re-filed. RKO Pathe attorneys contend the suit involves a copyright and as such should come within the jurisdiction of the Federal courts. The court has held that the manuscript involved was submitted in this city and denied the dismissal. W. S. Savage, counsel for the defendant, will argue the appeal before five judges.

Young alleges in his suit that the picture "What Price Hollywood?" which was made with Ann Harding, is an infringement on his book "What Price Sex in Hollywood?"

The annual meeting of United Artists stockholders is scheduled for early in April at which time a new board of directors will be elected. The vacancy created by the resignation several weeks ago of Dennis F. O'Brien, United Artists general counsel, is expected to be filled at that time.

O'Brien's resignation was tendered to the company when it was made apparent that O'Brien would not accept an offer to become a representative of the new Pickford-Lasky production organization. O'Brien continues as Miss Pickford's chief counsel and his firm, O'Brien, Driscoll & Raftery, continues as counsel for United Artists. Ed Raftery of the same firm continues on the board as a Douglas Fairbanks representative.

Brute (Cromwell, Feb. 18) is the Hartman, recently acquired by Charles F. Boda as a legitimate house, has swung into the picture column, with a first run policy. Matinee rates are $1.50, with evening tariff $1.75 and 42 cents. The house, originally a legitimate seat, was taken over by Boda a number of years ago and operated with various policies until recently. Boda, legitimate attractions will be played occasionally.

The Dartmouth College Arts and Sciences has announced that the Hopeman, Inc., a subsidiary of the Hopeman, Inc., has contracted for exclusive distribution of the film "The Moon's Our Home." The film will be distributed in the New England area. The Hopeman, Inc., is a subsidiary of the Hopeman, Inc., a subsidiary of the Hopeman, Inc., a subsidiary of the Hopeman, Inc.

Appeal Upon Young Action Set in May

MOTION PICTURE DAILY

CAESAR ASKS WARNERS TO RETURN TO ASCAP

WARNERS WERE URGED TO RENEW THEIR MEMBERSHIP IN ASCAP BY IRVING CAESAR, MUSIC PUBLISHER AND ANGEL OF THE RKO-PARAMOUNT PUBLISHERS, AS ANNOUNCED BY WARNER MUSIC SUBSIDIARIES. IN A LETTER TO THE COMPANY MADE PUBLIC YESTERDAY.

COMMUNICATION WAS IN REPLY TO A LETTER FROM THE WARNER MUSIC COMPANY'S LEGISTS AND AMUSEMENT ASSOCIATES, WHICH SHOWED THE COMPANY'S INTENTION TO WITHDRAW FROM ASCAP. THE LETTER WAS NOT OFFICIAL AND WAS NOT KNOWN TO THE WARNER MUSIC COMPANY'S LEGISTS AT THE TIME OF THE COMMUNICATION.

SUITE AMOUNTS TO HALT SHOWING OF "PINE"

IN AN ORDER TO SHOW CAUSE WHY A STAY SHOULD NOT BE ISSUED TO HALT THE EXHIBITION OF "THE TRAIL OF THE LONESOME PINE" AT MOUNTAIN HOME, I, A SIGNAL 1,000,000-POINT TWIN FALLS AND WELLS, NE, A ROAD BLOCKED BY SNOW, THE LINCOLN HIGHWAY EAST OF EVANSVILLE IS CLOGGED WITH SNOWDRIFTS.

IDAHO QUARANTINE ENDED

WILL OPEN BRONX HOSPITAL

CONSOLIDATED AMUSEMENTS ON FRIDAY WILL OPEN THE NEW EARLE, SITTING AT 1,000, AT 61ST ST. AND RIVER AVE. BRONX. THIS IS THE GROUNDS FOR THE CIRCUIT IN THE SECTION OF THE CITY.
Circuits Here Move Swiftly To Get Houses

(Continued from page 1) regarded by the unaffiliated theatre men as "self-preservation." Others are held to be expansion moves.

The theatre men mentioned have made substantial acquisitions in the last year. Consolidated, which has built three new theatres in the west Bronx during the past few months, has no plans for the new season, but circumstances which may be brought about by moves of other independents, principally invasion into Consolidated zones, will be met by Laurence Bolognino, vice-president of Consolidated.

Harry Shifkin, president of Idle Theatres, has a deal on for a number of theatres; Max A. Cohen and Jack Hagedorn are in the market for a few houses; George Slouros is after the Majestic, Jersey City; Randorf may build or take over a handful of Brooklyn projects. Cohen, however, told that he was independent of his joint circuit with Springer, has acquisition and building plans in work. Springer has a deal in the States.

Century and Prudential, two circuits which usually build their own theatres, are now building, principally in Brooklyn and Long Island, as well as adding a new unit here and there.

Century Files Plans for Two
Century circuit, with 25 theatres, has filed plans for two new structures in Brooklyn and one Saturday will take over from Randorf the Parkside, also in Brooklyn, a 600-seat house.

The two new units will each cost around $200,000 and will be put up approximately four months to build. Construction will begin as soon as the weather permits. Both will open in October.

One of the new theatres will be erected at Queen St. and 12th St., the other at 19th St. and Ave. M.

Goldwyn Says B & K Split Lifts Returns

(Continued from page 1) don't have to have palaces to show pictures. Make your picture the palace. The independent exhibitor should have a chance to live and fun giving him that chance. No combination ever won out in the picture business.

"Pictures that cost a million can't be sold for a nickel. For example, in a downtown town here we have no place to rent for $100 flat rental. The last picture we played there under the new release arrangements didn't do as well as the 'The Barons.' It had the good friends of mine—grand people, good showmen—but they have an exaggerated idea of the importance of their theatres."

Goldwyn said he was planning to make the "Goldwyn Follies" next fall, with an eye on the place of every state in the union. He also said he would make "Hurricane" in Technicolor, sending Howard Hawks to the South Seas for scenes.

MOTION PICTURE DAILY
Wednesday, February 19, 1936

RKO Rent Suits End; Subsidiaries Moved

Following a settlement reached with landlords whereby RKO will pay a new 10-year lease at the expiration of a 10-year lease, all subsidiary companies which have been in the Bond Bldg. yesterday moved to the RKO Bldg., in Radio City.

RKO originally held a 20-year lease in the Bond Bldg. At an annual rental of $100,000. With the removal of the parent companies some time ago, the landlords filed a number of suits which had been in the courts until a settlement of the lease was reached.

Dvorak Action Resumed

LOS ANGELES, Feb. 18.—Annu Winters, owner of the L.A. Dvorak, who was present at the clari- fication of her Warner contract was resumed here today before Judge Irr. W. Hild. Miss Dvorak's physicians testified that her physical condition was good at the time of the presentation. J. R. Files, Warner attorney, announced that the singer was ready to restate the actress as soon as her physical condition was such as to warrant the action.

Warner Stock Hits 14
Wamers' common stock yesterday hit a new high for the year on a turnover of over 30,000 shares for the day. Up ¾ a point, the issue closed at 14, the top figure of the five-hour session. The previous high of the same exchange was off ¾ on the day. On the bond market, Warners' 6½ 39 wil gained a half point.

Pantages Rites Tomorrow
LOS ANGELES, Feb. 18.—Funeral arrangements for Alexander Pantages, who died here recently, have been arranged for tomorrow at the Wessell Kirk of the Heathen Forest Lawn. Interment will be at the Forest Lawn Mausoleum.

Censorship Pioneer Dismissed in Penna.
HARRISBURG, Pa., Feb. 18.—Joseph A. Berrier of this city, one of the most important figures in the history of the Pennsylvania State Board of Censors since its establishment in 1914, was dismissed yesterday from his post as administrative assistant to the board. The dismissal is thought to be of purely political origin.

Berrier was appointed by Governor John K. Tener 22 years ago, since which time more than 1,000,000 films have passed through Pennsylvania hands.

He has served as consultant to the boards of numerous states upon their inauguration of censorship in one form or another.

John C. Gore, of Unionsdale, suc- ceeds to the office.

Injuction Denied On City Sales Tax

(Continued from page 1) plaintiffs argued that the imposition of the sales tax on film rentals placed an undue burden on interstate commerce, involved the taxing by the city of a Federal instrumentality and was injurious to exhibition and might force the closing of theatres.

Judge Callahan also pointed out in his decision that I.T.O.A. had failed to advance any reasons to show that the comptroller has no jurisdiction to assess the tax.

Local exchanges will resume the collection of the tax as a result of this order but this will be returned to exhibitors if and when the tax is shown to be illegal.

 Adds Ballet Sequence
Hollywood, Feb. 18.—Columbia has added a new ballet sequence to the Grace Moore picture, "The King of Kings." Fred MacMurray is training the troupe.

MacMurray in Raft Role
Hollywood, Feb. 18.—George Raft has been replaced by Fred MacMur- ray in the Paramount production now in preparation which was to have starred Raft.
FIRST RUN

BOOKED FROM COAST TO COAST

DANCING FEET

REPUBLIC'S GRAND GAY MUSICAL

with

EDDIE NUGENT

BEN LYON

JOAN MARSH

ISABEL JEWELL

"Entertainment that will appeal to all types. Highly romantic, has good comedy, fine dance routines and tap dancing, good singing and hit songs."

—Showmen's Trade Review

"Nice fare all around . . . high spot specialty dances plus catchy tunes."

—Film Daily

"Lively comedy . . . sprinkled with sprightly lines and played with verve."

—Hollywood Reporter

Adapted from the Novel by ROB EDEN
Directed by JOSEPH SANTLEY
Supervised by COLBERT CLARK
Story by DAVE SILVERSTEIN
Screenplay by JERRY CHODOROV

OLIVE COOPER • WELLYN TOTMAN

A REPUBLIC PICTURE
Chicago, Feb. 18.—Bitterly cold weather continued to last another week, but the holiday stirred up some excitement with the result that "Anything Goes," with Fred Waring on the stage of the Chicago, piled up to $46,000. This was $14,600 over normal.

"A Lady Convents" at the Palace, with Ruth Etting and a revue on the stage, managed to get slightly over par at $20,500. "Kind Lady," helped by Jackie Coogan and Betty Grable, was $1,000 up on a take of $16,000 at the Oriental. "King of Burlesque" and "Professional Soldier," at the Garrick and Apollo, respectively, were on the profit side of the line, but all other houses were in a bad way.

Total first run business was $128,800. Average is $17,000.

Estimated takings:

**Week Ending Feb. 11:**
- **SHOW THEM NO MERCY** (20th-Fox) 2,800, 38c-40c-60c
- **HE PESKIE** (Radio) PALACE—G-250, 25c-35c-50c
- **THE BANDIT** (Radio) M-G-M
- **THE MERRY WIDOW** (M-G-M) GARRICK—000, 25c-35c-50c

**Week Ending Feb. 15:**
- **A LADY CONTENTS** (Radio) PALACE—G-250, 25c-35c-50c
- **THE TAMING OF THE SHREW** (Radio) M-G-M
- **THE DECAMERON** (19th-Fox) GARRICK—000, 25c-35c-50c

**Week Ending Feb. 11:**
- **PROFESSIONAL SOLDIER** (20th-Fox) 2,800, 38c-40c-60c
- **THE GHOST GOES WEST** (U. A.) UNITED ARTISTS—G-250, 35c-40c-60c
- **STATE LAKE—**2,725, 35c-40c-60c
- **THE LADY IS ENFORCED** (20th-Fox) GARRICK—000, 30c-40c-60c

**The Music Goes 'Round**

Hollywood, Feb. 18.—Relaying principally on that infectious, tantalizing and ubiquitous tune, "The Music Goes Round and Around," Victor Schertzinger has bundled all the action into the last few reels of the musical. Up to the time Harry Richman introduces the rippy number in an extravaganza in which he is interested vitally, the pace unfortunately is slow. However, as soon as the first strains of the popular melody are heard, the picture takes on life.

To bring out variations effectively, Schertzinger has Bruno Bing singing the song in his own way, and while Michael Bartlett renders the fascinating number in an operatic vein. The composers themselves, Edward Farley and Michael Riley, join in a duet, explaining the words with the aid of an elongated cornet. Finally, Richman sings it and then he has a first night out with a woman. The opening does the same with a bang.

Lavishly produced, this film has one of the best current exploitation possibilities. Everyone knows about the song by now and it's a matter of telling the paying public that the song is a highlight of Richman's picture. Besides the star there are Rochelle Hudson, Walter Connolly, Ted Healy, and an all-star cast of hundreds in the spoof, which is designed to appeal to those who, incognito, buy an interest. He envisions big things for the troupe on Broadway.

Richman's purpose in adding to his own show the "sizzling" dramatic sketch by the troupe is to create a few laughs. Broadway doesn't receive the thespians as Miss Hudson had anticipated and this brings about discord in the romance. However, when Richman follows his fair maiden to the waterfront and sings "Rolling Along" to her a la "Romeo and Juliet," the heroine capitulates and comes a running to her Rich man with open arms. Richman has a powerful voice and it is heard effectively several times. Miss Hudson confers her talents to acting.

Production code seal, 1,900. Running time, 65 minutes. "G."

**Dancing** and Show Lead in Philadelphia

Philadelphia, Feb. 18.—One cheerful sight that still felt the sting of winter and tied-up traffic, was the Earle. With the stage combination of Bebe Daniels, Ben Lyon, Ted Healy, and a score of others, ample to lure in the customers, the house grossed $24,000 and would have hit $36,000 had the twin theatricals not met with bad weather break. The film was "Dancing Feet." Starting its grind showing on Wednesday, Chaplin's "Modern Times" got off to a good holiday start, playing to 1,941 more admissions than "The Lights," which opened at the same house (Erlanger) five years ago, on its first day. Business took a drop-off in the next few days and sleet storms, but the week should gross well.

The "Ghost Goes West" topped the house-going a trifle with $9,000 at the Aldine and was held a second week. "Every Saturday Night" took a fall at the Fox and was yanked after five days. The $11,500 taken by "The Milky Way" at the Stanley was more than anticipated.

Total first run business was $78,000. Average is $7,700.

Estimated takings for the week ending February 18:

**"GHOST GOES WEST" (U. A.)**
- 2,800, 38c-40c-60c
- Gross: $9,000. (Average: $4,100)
- **ROYD**—(2,500), 40c-55c, 7 days.
- **ROSE OF THE RANCHO** (Para)
- 2,500, 30c-50c-75c
- Gross: $6,000. (Average: $990)
- **A NIGHT SATURDAY** (20th-Fox)
- 2,800, 38c-40c-60c, 3 days.
- **STRIKE ME PINK** (U. A.)
- 1,700, 40c-60c-90c
- **THE MILKIE WAY** (Para)
- 2,500, 30c-50c-75c
- **YOU MAY BE NEXT** (Col)

**Dancing** and Show Lead in Philadelphia

Philadelphia, Feb. 18.—No fuel: Houses Close

Omaha, Feb. 18.—An acute shortage of fuel in western Iowa and many sections of Nebraska is forcing many theatres to close. With the roads blocked it is impossible to truck in coal or oil. Nebraska houses have closed at Superior, Nelson, Emerson, Filter and Loup. Similar shut-downs have been recorded in the Iowa towns of Battle Creek, Sanborn and Waverly.

Do Three for Shirley

Hollywood, Feb. 18.— Radio has three stories in "Dancing" and "Show Lead in Philadelphia," and the first complete script which receives an okay from Sam Briskin will be the first to be released. The story stars are "Mills," "Daddy and I," and "Mother Carey's Chickens."
Looking ‘Em Over

"Hair Trigger Case"
(Atlantic-Derke)

All the melodramatic incidents that make for die-hard western fans a pleasing offering are present in this picture. As wests go, however, it is an ordinary production.

Jacks Perrin, as the captain of the army unit near the Mexican border, is called back to his ranch, warned to be prepared for trouble. He encounters his foreman in a scrap with a Chinaman before he leaves and orders him to return soon. At the ranch a cowhand has been murdered and Perrin, with plenty of in-man dialogue, is soon on the trail of the man who murdered him as well as the man who himself is the murderer.

Also in the cast are Betty Mack, the feminine interest; Wally Wales, Phil Dunham, Ed Cassidy and Robert Walker.

Harry F. Harte, in a story from a Monroe Talbot, Robert Cline did the photography.

Production Code Seal No. 1,872. Running time, 60 minutes. "G."

"Two Cities" Gets
$14,000, Montreal

MONTREAL, Feb. 18.—Two outstanding engagements featured the week. The Palace soared to $14,000 on "Tale of Two Cities" despite the continued Arctic weather and the film was held over for a second week. At Loew's "Hitch Hike Lady" on the screen and a Majestic Unit on the stage brought $13,000.

"Dangers," top feature of the dual at the Capitol, registered $7,600, while the Princess touched par at $7,000 with a double bill headed by "Professional Soldier." Second week of "La Maternelle" accounted for $3,000 at the Princess after a first week of $6,000 which is the top for this house under the current policy.

Apart from hockey matches, which are drawing better than a month ago, there wasn't much opposition until Feb. 14, when St. Valentine's Day was observed with many dances.

Total first run business was $46,000. Average is $4,400. Estimated takings for the week ending Feb. 15, $4,400.

"Rose Marie" Hits
Oklahoma City Top

OKLAHOMA CITY, Feb. 18.—"Rose Marie" at the Criterion brought them out in the cold to the tune of $7,500, which was $2,500 over the house average.

The only house to make a dent in the general lethargy was the Liberty which had "The Widow from Monte Carlo" and a stage show for four days. The take was $2,200, normal for a week is $3,000.

Total first run business $15,800. Average is $14,000.

Estimated takings for the week ending Feb. 15.

"ROSE MARIE" (M-G-M)
CRITERION—(1,800), 10c-25c-35c-8c, 7 days. Gross: $2,050. Average: $300.

"CEILING ZERO" (F.N.)
MIDWAY—(1,500), 10c-25c-35c-8c, 7 days. Gross: $570. Average: $81.

"I DREAM TOO MUCH" (Radio)
CAPITOL—(3,000), 25c-35c-8c-8c, 7 days. Gross: $1,800. Average: $257.

"THE WIDOW FROM MONTE CARLO" (W.B.)

"Chatterbox" (Radio)
LIBERTY—(1,500), 10c-25c-35c-8c, 3 days. Gross: $900. Average for week: $300.

"Story" and Calloway Wow
Indianapolis

INDIANAPOLIS, Feb. 18.—Exclusive Story, plus a stage appearance of Cab Calloway and his Cotton Club Revue, shot the take at Loew's up to about $13,000 last week. Average for the house is $4,500. Prices were up for the attraction from the established 25c and 40c to 25c-35c-5c.

With this exception, the local houses continued to suffer from the tag-end of the cold wave. Ice-sheathed streets helped keep prospective customers home at night. The Apollo, showing "The Jones Family," reported the worst week in many years, with receipts about 35 per cent of average.

Total first run business was $34,800. Average is $26,500.

Estimated takings for the week ending Feb. 14:

"THE JONES FAMILY" (20th-Fox)
APOLLO—(1,100), 25c-40c, 7 days. Gross: $1,450. Average: $207.

"ROSE OF THE RANCH" (Para.)
CIRCLE—(2,600), 25c-40c, 7 days. Gross: $1,450. Average: $207.

"NEXT TIME WE LOVE" (Univ.)
INDIANA—(2,200), 25c-40c, 7 days. Gross: $6,000. Average: $857.

"EXCLUSIVE STORY" (M-G-M)
LOBWS—(3,000), 25c-35c-5c, 7 stages. Stage: Cab Calloway and band. Gross: $5,000. Average: $714.

"MURDER OF DR. HARRIGAN" (F.N.)
LYRIC—(2,200), 25c-35c-5c. 7 stages. Gross: $3,000. Average: $429.
WE COULDN'T KEEP THIS UNDER OUR HAT!

...because this picture is smashing every house record for cash and attendance wherever it has played!

NEW YORK  MONTREAL  PHILADELPHIA
BOSTON  LOS ANGELES  MIAMI  LONDON

Police reserves called out at all openings and undiminishing crowds continue to stream into all theatres from morning to midnight.

Indefinite holdovers everywhere!

Watch for the record-smashing openings in the following cities on

FEBRUARY 21st
Dayton  Toledo  Richmond  Norfolk  Houston  Detroit  Atlanta  New Orleans  Nashville  Memphis  Louisville  Akron  Canton  Cleveland  Baltimore

FEBRUARY 22nd
Chicago

FEBRUARY 27th
South Bend  Bridgeport

Released thru
UNITED ARTISTS
Long Hearings Seen Barring Copyright Law

Administration Favors April 15 Closing

By CLARENCE LINZ

WASHINGTON, Feb. 19—Efforts of Administration leaders to bring the Congress session to a close about April 15 today were seen as threatening enactment of the copyright legislation, in view of plans of Representative Sirovich of New York, chairman of the House Patents Committee, to devote a full four weeks to hearings on the measure.

Under the committee's program, the hearings could not conclude until March 19, which would leave but a month in which to draft and submit a bill, take action in the House and come to an agreement with the Senate, which passed the Duffey bill at the last session.

Members of the committee have made it clear that they will not accept the Duffey bill as it stands, one of the major points being the $25 minimum for infringement, so that it will be necessary to send the legis-

(Continued on page 6)

Bickering Resumed Over Alien Actors

WASHINGTON, Feb. 19.—Reopening of hearings by the House Immigration Committee on the Dulemba bill to bar alien actors today was marked by a renewal of hostilities between Representative Celler of New York and Kramer of California.

Celler brought to the hearing a report from the British Embassy in Washington as to England's policy with respect to the admission of alien actors, in which, he said, it was declared that no legitimate actor or actress had been barred in the past three years and that only 30 vaudeville and cabaret performers had been barred out of some 1,600 admitted.

The report was immediately challenged by Kramer, who declared he

(Continued on page 6)

No Paper Saturday

Motion Picture Daily will not publish on Saturday, which is Washington's Birthday, a legal holiday.

Long Hearings Seen Barring Copyright Law

Atlas Reduces Investment in Para-Warners

Is Practically Out of Latter Company

The investments of the Atlas Corp., in Paramount and Warner Bros. securities were appreciably reduced during 1935, the annual report of the company to its stockhold-

ers discloses.

The largest reduction in the Atlas Paramount holdings resulted from the sale of Atlas of its controlling interest in the Blue Ridge Corp., to Harrison Williams, investment operator. Blue Ridge held 300,000 shares of Paramount stock. Certificates of deposit for $454,000 of additional Paramount securities, which were listed by Atlas at the end of 1934 were exchanged for securities of the reorganized Par-

amount during 1935. The new Para-

mount securities are still held by the company. Atlas disposed of $800,000 of Warner Bros. Pictures debentures during 1935. It is reported that this practically eliminates Atlas as a Warner investor.

The most appreciable Atlas gain in

(Continued on page 7)

New RCA Recording Is Shown to SMP.E

Features of RCA's latest development in recording by use of ultra violet rays instead of white light were described last night by Glenn L. Dim-

nick at a meeting of the New York section of the SMP.E. A demonstration also was given with Laura Lee singing "It's Sleepy Time Down South," Joseph Lilly giving a piano rendition, and a symphony orchestra playing Kurt Weill's score for Max Reinhardt's "Eternal Road." Clarity of tone and elimination of hissing and hissing effects effectively contrasted the new development with the old.

None of the producers have put the new system to use, it was stated.

(Continued on page 7)

Government Settles Warner Tax Claims

WASHINGTON, Feb. 19.—The Federal Government today compromised for $95,000 deficiency taxes totalling $81,839 against the three Warner companies which had been received in the sale of securities inherited from the estate of their father, the late Sam Warner. Each

(Continued on page 13)

Boys on Girders

Indianapolis, Feb. 19.—Police uncovered a Lair floored with planks laid over girders high in the flies of the Tower where half a dozen street urchins have been liv-

ing since October. The house formerly was the Rialto, a burlesque spot, and the lads have been undisturbed since it was switched to films and no one took occasion to look back stage.

Rugs and properties had been carried aloft by the boys. Entrance was through a skylight. Louis Goulden, manager, says he'll nail the skylight shut.

K.C. Independents

End Giveaway Pool

KANSAS CITY, Feb. 19.—The 14 inde-

pendent exhibitors who have operated a Sweepstakes pool for several weeks have discontinued the promotion for several reasons, according to E. Rol-

sky, president of the I. T. O.

One was a belief that such promo-

dions lose their pull if used every night. While the venture had been fairly successful, near-zero temperatures the past 35 days have prevented the plan from accumulating the effect expected. Another factor was the ruling of Attorney General Roy McKinley's office last week that Bank Night was a lottery.

Independent exhibitors have been moving force behind the effort to get all give-

aways, cash and premium, eliminated in the city, and they felt that discon-

tinuing their chief offering might help to get the move toward elimination under way.

Members of the Sweepstakes pool and backers of the promotion recently were sued by Alliedated Enterprises, Inc., Bank Night patentees, for an ac-

counting and damages.

Bernard Now Heads

All of G. B. Sales

Jeffrey Bernard is now head of all G.

B. sales, he stated yesterday upon his arrival on the Majestic. Here-

fore, his distribution activities have been limited to England, but the new duties include the United States as well.

The added duties do not mean any change in the American setup, Bernard explained. He expects to remain from four to five weeks during which he will visit Hollywood to look over produc-

tion and talent possibilities.

While here Bernard will discuss

(Continued on page 11)

Pioneer Will Make Four for U.A., Goldwyn

New Season List to Be 32-34, He States

John Hay Whitney's Pioneer Pic-

tures will add four features to the United Artists program for the new season, bringing the company's list for 1936-37 to a total of 32 to 34 pic-

tures, Samuel Goldwyn said yesterday on his arrival from the coast. Pioneer still has two to make on its current Radio deal.

Pioneer's four will be all-Techni-

color productions and a possible five additional features on the U. A. new season list will also be in color. Gold-

wyn himself will handle the John Se-

zlneck and Alexander Korda may produce one color picture each, while Goldwyn himself may contribute two. These would be "Goldwyn Folies" and "Hurricane."

The new season U. A. list, the larg-

est in the company's history, will be made up of eight from Goldwyn, four from Pickford-Lasky, five from Sel-

znick and five from the Warner-Pioneer, six from Korda, one from Douglas Fairbanks and a possible ad-

ditional feature from either Walt Dis-

ney or Disney. (Continued on page 13)

New Stay Obtained

On Sales Tax Levy

A further stay restraining distri-

butors from collecting the two per cent city sales tax on film rentals from ex-

hibitors, and the city from collecting it from distributors, resulted yester-

day from an appeal by the I. T. O. A. from Justice Callahan's decision de-

nying a temporary injunction against the city's levy on film rentals.

The appeal was taken by Harlow, (Continued on page 7)

Easy, Says Joe

Hollywood, Feb. 19.—Joe E. Brown has tonsillitis and he's predicting the doctor will be able to operate without a compass.

In fact, he predicts that after his surgery Mr. Brown predicts all his cos stars all they'll have to do is make a sweep from left to right and catch the tonsils unawares.

A PROWL through the night finally brought us to the fringe of Hollywood where one of its most colorful characters, little known and less appreciated by the film colony, resides. Before we left New York, Ali Gage had commissioned us to ferret out and interview Shobbs,#{2} which was, on what sort of a guy he was. On our own, we wanted to meet Mox anyway. One of our most ardent subscribes could not be ignored and besides paying some attention to an exhibitor, that forgotten man in Hollywood, would be different.

How does a theatre operator, even on the fringe of Hollywood, feel about Hollywood? That seemed a pertinent query. So we proceeded to find out and discovered that, as an exhibitor, Shobbs wanted to become a producer. So far the trail has failed to unearth a producer who would even talk to us, much less help him. We could help himself. We asked Mox why, since he felt the way he did, he took no action. "There's L. B. Mayer, Sam Katz, Joseph Zukor and Phil Goldstone—all were exhibitors at one time or another. Now they're producers," mused Mox.

"Some day—even with all my headaches—I'm going into production," he continued. "I've even got a name for my company and some rough ideas.

Holmes, is the name of your company, Mr. Shobbs, will be it?" I'm calling it 'The No Studios Everywhere Corp.'" he said, waxing so enthusiastic it was impossible to hear above all of his bow of conversation.

"And my pictures will be produced at 'No Place-Anywhere.'

"We won't just make pictures—make plans—y'know—blueprints. We'll hold conferences, decide on a story, cast it, get a perfect script and a final okay all around."

"When we make deals, we'll make only option deals. Fring-stinks. We hire some one to work for $500 a week the first year with an option to pay $400 the second, $300 the third, etc. So, after five years of hard work, everybody breaks even. Then we close up the studio which we never had in the first place."

"People want employment from us already," continued Mox. "A secretary in N'York wrote, saying she is willing to pay us $10 a week to work for us in the office we won't have in Carolina, or Jersey or any other place."

"I'm just getting up my prospects which I'm going to send to the States. I'm in California, from where he won't be despite any talks Joe Kennedy may have had with Governor Schlitz."

And your financial setup, Mox?

"It's already in Washington, just like Loew's debentures issue. We're going to have no stock, no bonds, and no dividends for a while. So we have no receivers and no money."

Mox has other ideas, all worth recording and reporting for future industry guidance and in-formation. He wants to bring in Clark here had been for Twentieth-Century-Fox; that Leo Spitz and Ned Denipieti for Radio; Neil Agnew for Paramount would be here in couple of days plotting and planning for next season. He was counting his days' take. "I'll make an advance from.

"But this year I'll be waiting. So here I give notice to all in writing 'No looking from fancy Montgomery Ward catalogues in Television.' I'll believe it when I see it in trade papers, maybe.

With me, when salesmen storm the citadel, it's going to be cold kissle. Make me an offer and I'll give you half."

"That's my idea of inflation."

Claims "Music" in Suit

Suit has been filed in the U. S. District Court here by William Harold Alten, 67., composer, against Eddie Farley and Mike Riley, alleging that "Music Goes Round and Around," is identical, except in title, to the original composition, "Orange Number." In addition to Farley and Riley, other defendants in the suit are: Columbia, Rockwell O'Keefe, Inc., distributors of the song, and Select Music Publications, publishers. Jack Colin, vice-president of Columbia, last night stated he had heard nothing about the suit.

"Times" Big in London

LONDON, Feb. 19.—"Modern Times," which has just ended its first week at the Astoria in Chicago, all of the house records with a gross of $40,000, it was stated by G.B. officials. The Tivoli, a 2,000-seat house, is one of the G.B. string.

Shearer in Los Angeles

Hollywood, Feb. 19.—Ben Shearer, who runs the B. F. Shearer theatre company is here in connection with opening of a Los Angeles office. A. H. Pugh will be the manager.

New Dramatist Pact Ready in a Few Days

The contract committee of the Authors' League will complete the drafting of its new basic agreement for playwrights, incorporating the provisions for the control of film rights to stage plays, within the next few days. The views of managers on the new film provisions were heard by committee members at a meeting with the League of N. Y. Theatres on Tuesday. A joint session in advance of the drafting of the new agreement. The contract committee advised the managers that their views would be given consideration in the drafting of the pact.

On its completion the new agreement will be submitted to the Authors' League council at a meeting early next month and will then be offered to the membership for ratification. A final meeting with managers late next month may be held in advance of the effective date of the new agreement, March 1. The draft of the new pact will call for drastically increased participation by authors in film rights to plays. The full text of the new financial interest of a film company in the play's ownership. Competitive holding of film rights is considered, the authors claim, by the increasing appearance of film companies as play sponsors.

Standard Contract Upheld in Illinois

Chicago, Feb. 19.—The Illinois Appellate Court has given a sweeping decision in favor of Paramount, which upholds the standard exhibition contract in an action against George and John T. Gehl, operators of the Rosewood, for alleged breach of three contracts.

Paramount had appealed from the Municipal Court decision in the consolidated case.

The opinion was handed down by Judges Scanlan, Friend and Sullivan. It is said to be the first ruling on a damage clause of the standard contract. The case may go to the Supreme Court.

Studio Honors Laemmle

Hollywood, Feb. 19.—More than 200 Universal studio executives, players and directors, ten employees, past and present, will attend the annual luncheon to be tendered Carl Laemmle on Monday in observance of his 30th anniversary of his trade. The luncheon will be the high spot of the annual observances of the studio and is planned in by many industry executives.

"Shark Island" $21,000

"The Prisoner of Shark Island" at the Center tallied a profitable $21,000 this week and is still holding up nicely. The second stanza of "Anything Goes" and Islam Jones and his band at the Paramount tapperd off to a mild $2,000.

George Dembow on Coast

Los Angeles, Feb. 19.—George F. Dembow of National Screen Service is in from New York.
Sweeping across the screens of the nation this week, with an impressive record of pre-release triumphs already behind it, comes 'THE STORY OF LOUIS PASTEUR', unanimously acclaimed by the premiere reviewers as 'a towering landmark in screen drama.' PAUL MUNI, painting an 'immortal portrait' of a famous hero of humanity, Josephine Hutchinson, Anita Louise, Donald Woods, and Director William Dieterle, all contribute brilliantly to the acknowledged importance and success of this great new Cosmopolitan Production. Presented by Warner Bros. Released by First National Feb. 22nd.
**NEW YORK**  
Third week at Capitol and still going strong!

**BOSTON**  
Day-and-Date State and Orpheum, second week in both!

**LOS ANGELES**  
Additional week at United Artists after sensational Day-and-Date extended run at State and Chinese.

**ATLANTA**  
Second week

**HOUSTON**  
Second week

**HARRISBURG**  
Second week

**ST. LOUIS**  
Second week

**TOLEDO**  
Second week

**WILMINGTON**  
Second week

**CLEVELAND**  
Second week

**CINCINNATI**  
Second week

**HARTFORD**  
Second week

**NEW HAVEN**  
Second week

**PHILADELPHIA**  
Second week

**PITTSBURGH, PA.**  
Extra days

**BRIDGEPORT**  
Extra days

**CHATTANOOGA**  
Extra days

**FORT WORTH**  
Extra days

**DENVER**  
Second week

**PORTLAND**  
Second week

**SPOKANE**  
Second week

**NORFOLK**  
Second week

**PROVIDENCE**  
Second week

**PITTSBURGH, KS.**  
Extra days

**MINNEAPOLIS**  
Second week

—and that's just the beginning!
AMERICA'S SINGING SWEETHEARTS!

Jeanette MacDonald
Nelson Eddy
Long Hearings Seen Barring Copyright Law

(Continued from page 1)

tion to conference if the House passes a bill.

In planning for April 15 adjournment, Administration leaders have indicated that no controversial legislation will be permitted to come up on the floor unless it is part of the President's recommendation. If this attitude is adhered to, difficulty will be encountered in securing House consideration for any measure reported out by the committee.

The hearings will open Feb. 25 and carry through the following two days, during which representatives of Ascap will present their views. Hearings on March 5 will be devoted to the Authors' League, dramatists, newspapers and other writing and publishing interests, and the hearings March 10-12 and 17-19 will give opportunity for testimony by film producers, distributors and exhibitors and minor interests such as hotels.

Bickering Resumed Over Alien Actors

(Continued from page 1)

knew of many cases of American actors who had been refused admission to England and read a telegram from Buenos Aires declaring that in 1934 he was "forced out of Hollywood because aliens are given work in preference to American citizens," and went to England where he obtained a year's contract in films, but was immediately thrown into Brompton Jail and deported "for daring to work there."

Celler declared that the proposed reciprocal arrangement provided in the bill would merely "build a wall" in retaliation for which England would build a higher wall. "The acts of other witnesses for and against the measure, Martin Beck asserted that it would be impossible to cast American actors for all parts now given to foreigners because while the latter may not be of "distinguished merit" they have the particular qualities required for a particular role.

James Palser Passes

Los Angeles, Feb. 19.—James Palser, a theatre veteran of London, New York and the west coast died here Tuesday after a long illness. He was 76.

Palser started as an usher and rose to manager and executive, later becoming associated with Lily Langtry, Edgar Kennedy, Aggie Wood and Ralph Morgan. He is survived by his widow, Mrs. Eleanor Wilkins Palser and his daugther, Mrs. George B. Brennan.

Borrow Rochelle Hudson

Hollywood, Feb. 19.—Paramount has borrowed Rochelle Hudson from Twentieth-Century-Fox for the romantic lead in "Poppy," the next W. C. Fields picture. Wadsworth Cromwell will play opposite Miss Hudson. Edward Sutherland will direct.

"Rhodes"

(Continued from page 13)

Painted on the broad canvas which was South Africa in the 1880's, this picture portrays the highlights in the life of one man, Cecil Rhodes, who, almost alone, and in an incredibly short space of time, carved out for Great Britain a country of fabulous wealth. That one man, whose entire picture this has been personified with all the power that is inherent in the role by Walter Huston, whose unquestioned ability in just such roles has never been equalled, has given the picture a measure of dramatic and historical interest that makes it a fitting subject for the screen.

The fact that the picture was produced in England, with English performers, with the exception, of course, of Huston, should make no difference whatever for any audience in this country. The force of Huston's dramatic, wholly human portrayal may be expected to carry to any audience. The performances are uniformly excellent.

Filmed in South Africa, the background scenes are an impressive adjunct to the action, which in itself adds much to the entertainment value of the picture as a whole. Perhaps the strongest portrayal in the entire production is that of the controversial, stern old president of the Transvaal, Paul Kruger, who alone stood in the way of Rhodes' dream of a united South Africa.

Rhodes, a young man, given only six months to live by Basie Sydney, who, as Starr Jameson, becomes Rhodes' physician and lifelong friend, is a diamond digger in Kimberley. Infected by the dream of empire in South Africa, Rhodes, in a genius in his ability to make reality of his dream, obtained control of the Kimberley diamond fields. Driven on by his ambition, he obtained concessions from the native king of the Matebeles, north of the Transvaal, formed the British South Africa Co., and became prime minister of the Cape Colony. A battle with the Matades, his effort to avoid war with the Boers in the Transvaal, his parting with Kruger, Jameson's invasion and capture, and Rhodes' surrender of his prime minister's post and his company direction, to save his friend, Jameson, from death, form interesting, often exciting episodes. Rhodes dies before the Boer War and a nation's future is demonstrated in the fulfillment of his ambitious dream, a united South Africa under the English flag.

A strong picture of a strong man, the picture should be sold without difficulty, and with the cooperation of groups interested in better pictures, will be reviewed without production code seal. Running time, 95 minutes. "G."

"Second Bureau"

(Dw-World)

While the story lumbers along on heavily emphasized sequences which lead to the climax, this account of the activities of the French military intelligence bureau registers as another commonplace spy drama. The vital elements of an espionage film—poisonings, Mata Hari flirtations and disguises—are all present and the Gallic humor helps out somewhat.

The plot involves the counter espionage activities of the German and French governments. The former enlist the aid of Erna Flieder, who is a sort of Mata Hari as she disposes of a Count Broslow, who has been selling information to both sides, Captain Benoit, of the French office is commissioned to destroy the German airplane engine. With a disguise and the help of Dorothy, a German postoffice clerk, he accomplishes this end. Discovered, he heads for Paris taking Dorothy, who will be implicated, along with him. Their love grows after they reach their goal. Erna is ordered to get rid of Benoit, but she falls in love with him and prevents his murder, to be killed herself. The finish manages to achieve a few thrills, which are few and scattered in the rest of the film.

Jean Murat does well as Benoit and Vera Korene of the Comedie Francaise handles the Erna Flieder role expertly. Jeanne Crispin, as Dorothy, is excellent as the blonde trapeze who loses her heart to Benoit. Jean Max is the man of the world, Broslow. Pierre Billon directs.

Adequate English titles interpret the story intelligently and most any reader will be able to follow it.

Reviewed without production code seal. Running time, 105 minutes. "G."

"Three Women"

(Ambrosia)

In the expected tradition of the Russian film, this glorifies the activity of women in the revolutionary era, personified in the work of three women. They are carried through by the story from the pre-war Czarist conditions of early 1914 to 1919 and the Revolution. The result is

Jap'ns Film Shows Cut by Regulations

By TETSUYA MORI

Tokyo, Feb. 19.—One of the first moves of the Japan Ass'n of Motion Pictures formed in January has been to bring about a shortening of shows in many parts of the home islands and in overseas towns. Under the new regulations, soon to be issued, key city shows will be limited to three and one-half hours, a cut of a half hour, and small town programs will be cut to four hours, a reduction of a full hour.

Footages will be reduced from 6,000 to 5,000 metres.

The regulations were agreed upon at a joint meeting of members to the Home Office. * * *

Maintenance of production schedules for the double purpose of cutting costs and meeting release dates are now a topic of discussion among producers here.

In recent months schedules have not been laid out to provide for bad weather or delays. As a result pictures have been presented to the censors for review on the day they have been scheduled for release. In others, release dates have not been kept and delays have been consequent.

The Shochiku and Shinko Co's are bringing pressure to bear on their studio organizations for the purpose of doing a better job without sacrificing box-office values.

Increasingly close relations between Japan and Manchukuo have raised a number of problems in connection with duties on films and the use of Manchukuan locations.

Conferences are under way to get some kind of an agreement worked out. Some argument was stirred recently when J. O. made "Fa Taitin" in Manchukuo. When the film was brought back to Japan the Kure customs insisted that the film was not raw material, but finished product. It was threatened to destroy possible profits.

Operate on A. H. Blank

Des Moines, Feb. 19. — A. H. Blank, president of the Tri-State Theatre Corp., vacationing the past three weeks at Miami Beach, suffered an attack of acute appendicitis and was operated on at St. Francis Hospital.

His condition following the operation is satisfactory, according to a report received here by his son, Myron Blank.

Plan Show for Lovett

PROVIDENCE, Feb. 19. — Theatrical associates of the late J. Fred Lovett, manager of various Rhode Island theatres during the past 20 years, will hold an open house memory at the Carlson, Feb. 27. All of the resources of the profession in Rhode Island have been pooled in the undertaking.

Wells Film Opening Set

LONDON, Feb. 19.—"Things to Come," produced by Alexander Korda of London Films, from a story by H. G. Wells, will have its premiere at the Leicester Square here Friday.
New RCA Recording Is Shown to SMPE

(Continued from page 1)

is expected that the companies employing RCA’s sound-on-film device shortly will adopt the new method, it was said.

Dinnick told the engineers “the tendency for the high pitched voices of some screen celebrities to sound sharp-edged, especially in the sibilants, has long presented a difficult problem to sound engineers.

“Ordinary white light,” the RCA engineer explained, “is composed of a great many different wave lengths. Since it is impractical to focus all of these wave lengths exactly at one time, those of them that are even slightly out of focus blur the edges of the sound pattern on the negative and introduce distortion in reproduction. Additional distortion of the sound results when the light penetrates too deeply into the film emulsion. “The new ultra-violet method involves only a few simple adjustments in existing High Fidelity sound recording systems, consisting in the main of an adjustment of the lenses in the optical system for sharper focusing, and in the use of a light filter over an ordinary incandescent lamp, which limits the radiant light energy focused on the film to a narrow band, invisible to the unaided eye. The same method permits a much wider latitude in the process of making accurate positive prints for the theatres,” Dinnick said.

Sacramento Getting Ready for “Sutter”

SACRAMENTO, Feb. 19.—The Joe Blumenfeld circuit has leased the Alhambra from F. W. C. for one night for the premiere on March 25 of “Sutter’s Gold.” After the opening, which is set for $1.65, the film will move to Blumenfeld’s Sierra for a continued run. Regal for holding the opening at the Alhambra is that extensive space around the theatre allows for a colorful parade in which city officials will appear in the dress of forty-niners, and for a reconstruction of Sutter’s Fort in front of the house, as well as seating accommodations for the crowd expected.

The Chamber of Commerce requested the premiere from Carl Laemmle, since much of the action of the story took place near Sacramento.

New Stay Obtained On Sales Tax Levy

(Continued from page 1)

Inc., and Quinna, Inc., Brooklyn theatre operators by whom the original application for the injunction was made. The stay was obtained from Justice John McAvoy by Weisman, Quim, Allen & Spelke, F. H. A., attorneys, yesterday and remains in effect pending a hearing, March 6, on the hearing on the appeal in the Appellate Division.

SIOUX CITY CUT OFF; GETS FILM BY PLANE

SIOUX CITY, IA, Feb. 19.—Isolated from the world this city and its 12 theatres faced a film shortage last week. Trucks and trains were at a standstill for three days. Theatres played same films over, unable to get new ones or old ones out.

Tri-State solved the problem for the Capitol, the A home, by sending Paramount’s “Anything Goes” by plane. The pilot unable to make a landing, had wrapped the films carefully in heavy sacks, dropped them overhead by long ropes until he could safely unload them in snowdrifts. Other houses are still hoping for break in the fierce cold.

TORTURE STRIKERS ADVANCE ON N. Y.!

Desperate Rioters Defy the Law

MOB RULE THREATENS

Hundreds of Torture-Crazed Convicts At Large After Blazing Revolt

DUE HERE SATURDAY

They Are Fugitives From a

ROAD GANG

A First National Picture • Presented by Warner Bros.
TODAY'S THE DAY!... Blazing a Box-office Trail

THE MUSIC MAN

AND TOMORROW IN NEW YORK! Loew's lalapalooza campaign brings the wonder show Thundering into the CAPITOL!

HARRY RICHMAN
WALTER CONNOLLY - FARLEY
Directed by VICTOR
The Big Show Begins! cross the Nation!

Goes Round

ROCHELLE HUDSON & RILEY and their 'Round and 'Round Music!

COLUMBIA'S NEW IDEA IN MUSICALS!

MY! MIAMI!
How they jammed and cheered the world premiere last night!
HOLD YOUR HATS
Here we go again

MAE WEST in
"Klondike Annie"
with VICTOR MCLAGLEN
Directed by Real Walsh
A Paramount Picture
BOYS in!

O. K. Turn 'er Over
"Adolph Zukor presents
MAE WEST in
"KLONDIKE ANNIE"
with Victor McLaglen
Directed by Raoul Walsh

"KLONDIKE ANNIE' OPENING AT THE COLONY HERE SATURDAY FEBRUARY 15
BUSTS ALL RECORDS...CROWDS JAM STREETS TO GRAB LOOK-SEE AT
MAE WEST AND VIC McLAGLEN OPUS...
BOX OFFICE CASH REGISTERS GOING LIKE MACHINE GUNS AS SECOND DAY
SEESE CROWDS STILL MOBBING INTO COLONY...SUNDAY OPENING AT
COMMUNITY ALSO A WOW. PICTURE TERRIFIC...ALREADY BROKEN ALL TIME
OPENING AND SECOND DAY RECORDS FOR MIAMI. IT'S THE HIT OF THE YEAR."

ERNEST MORRISON, MANAGER
PARAMOUNT ENTERPRISES

It Pays to Play a Paramount Picture!
Pioneer Will Make Four for U.A., Goldwyn

(Continued from page 1)

ne or Charlie Chaplin. Goldwyn said that no picture on the list would be budgeted at less than $500,000 and at least one of the pictures would be budgeted at $1,000,000. He said he was confident that pictures of this classification, supplied in advance, would provide the answer to double features, low admissions and other cut-rate exhibitions. In some practices, he said, a motion-picture program strength to be played alone for good returns.

Goldwyn also extolled the individually-owned producer organization and made the prediction that the future will see this type of organization contributing all of the industry’s important product.

“The factory method of production is on the wane,” he said. “Salaried producers will soon be a thing of the past. The bulk of the production must come from those who have their own organizations and who stand or fall by their own efforts. The man of ability working for his own company has a greater stake than the same man who has no other interest in a company than his salary.”

Goldwyn said that while a new U. A. contract with Disney had not yet been signed, an agreement had been reached and there were “no differences” between the parties. The current Disney contract expires in about a month. He said that while he had received no report of the banning of Chaplin pictures by Germany he was sure that none of them would be banned because “they are not good pictures.”

The producer said that the present U. A. executive, regarded as “essentially permanent” and intended that the post of president might not be filled for some time to come. The present executive, occupied by Mary Pickford following the resignation of Al Lichtman some time ago, remains unchanged, and vice-president, handles all the top home office executive functions.

Goldwyn will be here until March 4, when he will depart for London. He will be there approximately two months on a talent and story hunt and for conferences with Korda.

U. A. Seeks Speedup Of British Release

LONDON, Feb. 19—Alexander Korda and United Artists have started talks in England the present clearance arrangements between pre-release and general release houses by from three to six months, officials of the company stated here today.

Crediting Korda as the sponsor of the idea, a company official, managing director here, said that the new release system could be adopted through the cooperation of the Odeon circuit theatres and the 50 C. J. Doneda houses in which U. A. now has a substantial interest.

“In the future,” Silverstone, said, “all the big films we handle will go to the provincial centers immediately

Looking ’Em Over

“Three Women”
(Continued from page 6)

occasionally moving drama, but on the whole the film offers comparatively little to the average American patron, having its greatest appeal to those in sympathy with the Russian situation. Superimposed dialogue translations make for ready understanding of the story.

For the followers of Russian film work of Boris Baboichkin and Boris Chirkov, who played in “Clouapey” and “Maxim,” respectively, may be of selling value for those metropolitan houses which may have an audience receptive to the picture by reason of its origin.

The three girls suffer in the Russia of 1914, form an inseparable friendship, and, believed in the revolution breaks out. They serve throughout the campaign against the White Russians, until one of them is killed by White soldiers. Romance enters in the reuniting of the three with a Red soldier they played with as children, who falls in love with one of the girls. The performances are uniformly good.

Reviewed without production code seal. Running time, 91 minutes.

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

“You May Be Next”
(Columbia)

Hollywood, Feb. 19.—Dealing with a new form of racketeering, this picture builds excellent suspense and holds the interest throughout.

The novelty of the theme is an attempt by Douglas Dumbrille and M. I. to engage in hijacking on the air by creating static to interfere with commercial programs. When one network buys him off, Dumbrille’s gross spurs him onward to try further. In the course of these efforts he inadvertently jams navy signals. This almost results in the sinking of a battleship and brings the wrath of the Government upon his activities.

Meanwhile, an interesting romantic plot is introduced involving Ann Sothern and Lloyd Nolan, an assassin kidnapped by the mob and released by the efforts of Miss Sothern and John Arledge.

Fred Niblo, Jr., and Ferdinand Reyher did the screenplay from a story by Henry Wales and Reyher. The direction of Albert Rogell blends comedy and drama deftly. First rate support is given by Berton Churchill, Nana Bryant, Robert Mullen and Clyde Dilson. This Sd Rogell production offers several real good flashes and is always in the best of taste. As an action and novelty picture it should please all general audiences.

Production Code Seal, No. 1,786.

Wall Street

Most Off Slightly, Warner Gains

5,

Walker Shifts Men
In Cortember Units

Scranton, Feb. 19.—Frank C. Walker, general manager of the Citizens Interests, has appointed William J. Cosgrove, former manager of the Strand here, as the firm’s representative in Wilkes-Barre.

Cosgrove has been associated with the Cosgrove theatres for the past 22 years.

Other changes follow:

J. M. Blanchard, manager of the Strand, Scranton, was promoted to manager of the Strand, Scranton.

Lloyd House, manager of the Strand, Scranton, to the Strand, Sun-

M. J. O’Keefe, manager of the Causeway, Scranton, to the Riviera, Scranton.

Thomas Killeen made manager of the Riviera, Scranton.

Mr. John Robert, manager of the Riviera, Scranton, to the Penn, Wilkes-Barre.

Quotations at close of Feb. 19.
Amendment Filed  
In the F.W.C. Case

LOUISVILLE, Ky., Feb. 19.—William H. Neblett, attorney for T. L. Tally and Corbar Corp., today filed an amendment to the Tally-Corbar petition to seek a lower West Coast bankruptcy adjudication set aside. The amendment alleges that Samuel Mc- Nab, the referee in the original proceedings, received a fee of $75,000 from National Theatres and split it with referees Earl Moss, Charles Albin and Russell Darnell.

A copy of the new complaint was forwarded to Federal Judge James O. Bledsoe to consider and advise on the matter.

Special Session in 
Missouri is Denied

KANSAS CITY, Mo., Feb. 19.—Although opposing a special session of the Mis-
souri legislature ever since talk of one became current some weeks ago, it was not until last week that Governor Henry H. Park decided definitely that he will not call one to appropriate addi-
tional funds for relief.

A number of members of the legis-
lature believe such a session would not accomplish its purpose.

The plan now is to turn back to counties and cities the responsibility for relief after April 1, when the $60-
000 appropriation for such purposes by the last legislature shall have been spent.

"Music" Opens at Miami

MIAMI BEACH, Feb. 19.—Before a sell-out crowd which comprised stage and screen stars, society folk and film executives, "The Music Goes Round," had its premiere here tonight at the Lincoln. Among those present were Albert Warner, Joseph P. Widener, Nat Spingold and N. L. Nathanson.

Morros Re-Signed

HOLLYWOOD, Feb. 19.—Boris Morros today had his contract extended as general director of Paramount's musical department. Morros will also produce a number of musical pictures on the studio's schedule, although it was announced here that the exact number is still indefinite.

Jean Arthur to Radio

HOLLYWOOD, Feb. 19.—Jean Arthur has borrowed Jean Arthur from Columbia for the feminine lead in "One to Two," opposite William Powell.

Stephen Roberts will direct under the supervision of Edward Kaufman.

St. Louis Shows Back

ST. LOUIS, Feb. 19.—Stage shows will be returned to the Ambassador Friday and admissions will be cut to 25c-35c-40c.

Hold "The Milky Way"

SALT LAKE CITY, Feb. 19. — "The Milky Way," Harold Lloyd comedy, has been held over for a second week at the Paramount here.

Charter Tramom Corp.

ALBANY, Feb. 19. — Tramom Corp. has been formed here by Daniel H. Stone, Jacob Klein and Edward Cohn.
Chaplin Film Proves a Gold Mine on Coast

Los Angeles, Feb. 19.—“Modern Times” is just about the biggest sensation here since gold was discovered. In the first seven days, it went to $20,000 at Grauman’s Chinese, over normal by $14,500, and in Warner’s Downtown. “Next Time We Love” and “The Invisible Ray,” on a dual at the Pan-
tages, grossed $7,500, over par by $2,300.

Total first run business was $106-
600. Average is $80,150.

Estimated takings for the week end-
ing Feb. 19,

“MODERN TIMES” (U. A.)
CHINESE—$2,500, 10c-
7ojc. days.
Gross: $30,000. (Average, $12,500)

“SOAK” (21st)
PILMART—$1,500, 30c-
40c. 7 days, 2nd-
week. Gross: $1,500.

“THE GHOST GOES WEST” (U. A.)
STAR—$2,000, 7c.
3rd week.
Gross: $2,000. (Average, $1,000)

“MARIA'S MARRIAGE” (Franco-American)
GRAND INTERNATIONAL—$750, 2c-
40c. 7 days.
Gross: $1,500. (Average, $250)

“THE INVISIBLE RAY” (Univ.)
HILLSTREET—$2,700, 29c-
40c. 7 days.
Gross: $5,700. (Average, $1,000)

“MODERN TIMES” (U. A.)
LOEW’S STATE—$2,500, 10c-
7jo. 7 days.
Gross: $20,000. (Average, $2,857)

“NEXT TIME WE LOVE” (Univ.)
PANTAGES—$1,500, 29c-
40c. 7 days.
Gross: $5,000. (Average, $1,000)

“LADIES ON THE LOOSE” (Col.)
HER MASTER’S VOICE (Para)
PARAHOUNT—$500, 3c-
45c. 7 days.
Stage: F. M. revise, A. Lyons and or-
gers. Gross: $1,500. (Average, $250)

“The Petrified Forest” (W. B.)
WARNER BROS. (HOLLYWOOD)—$8-
000. 25c-40c. 7 days. Gross: $14,200. (Average, $2,000)

“The Petrified Forest” (W. B.)
WARNER BROS. (DOWNTOWN)—$3,400, 29c-
40c. 7 days. Gross: $17,200. (Average, $2,457)

Schultzes Go to Coast

Kansas City, Feb. 19.—Clarence Schultze, head of Commonwealth Upholstering and Upholsterers, has been in Mexico City with Mrs. Schultze for a short vacation, went to Los Angeles early this week from Mexico City in order to return to Kansas City with Elmer C. Rhoden, head of Fox Mid-
west, who has been in Honolulu on vacation with Mrs. Rhoden. They’re due here Friday.

Weiner Made Salesman

Boston, Feb. 19.—Alie Weiner, office manager for United Artists here, has been appointed to the sales force of the exchange. He succeeds Louis Wechsler who went to New Haven as exchange manager there.

Chase to Buffalo Post

Buffalo, Feb. 19.—Maurice Chase, formerly in the Cincinnati exchange, has been named First Division branch manager here, replacing Basil Brady.

Bay State Enforces Old Billboard Law

Boston, Feb. 19.—Billboard laws passed in 1924 are now being enforced here for the first time as a result of the withdrawal of the U. S. Su-
preme Court from an appeal from the Supreme Court of the State Supreme Court up-
holding the regulation. The regulation will impose an estimated $5,000 a year to the cost of outdoor advertising in the state.

An injunction against the State Public Works Department had pre-
vented this department from enforcing the law on the grounds that the state court’s order concerning the location, construction and condi-
tion. The attorney general will be brought in on a number of direct and recent violations, Commissioner of Public Works W. F. Callahan says. Many billboards and other ad-
vertising devices up to within 300 feet of public highways will be removed, Callahan states.

Applications for inspection of bill-
boards and advertising devices within 300 feet of highways must be made at once in writing. The fee is $20.

Warsaw Benefiting From Hartford WPA

Hartford, Feb. 19.—Warsaw is receiving a direct benefit from the WPA Federal Theatre program. Many theatre owners are being paid $200 a week to keep a 4,000-seat house closed. They figure they save money, because when the theatre is open it sells business in nine other Warner houses. Sundays are the only time the city can stand the extra seats provided at the State.

The WPA, having been unable to wrest the Parsons from the wreckers, will use the State at about $400 a week on Wednesdays, Thursdays, Fridays and Saturdays.

With only 1,000 seats being offered for sale, Warners figure they can run it on Sunday nights for $50 and take the other $400, erasing entirely an $800 expense item.

Selznick Is Honored

Hollywood, Feb. 19.—David O. Selznick has been awarded the January Blue Ribbon of the National Screen Council for “A Tale of Two Cities.” The Council includes 200 screen editors of newspapers, film chairmen of state federations of women’s clubs and state chapters of the International Federation of Cath-
olic Alumnae.

Bay State Vaudeville Shut

Boston, Feb. 19.—“There are too many bells and whistles on the vaude-
ville stage,” declared Senator William McSweeney today at a hearing before the Legislative Affairs Com-
mittee of the House on a bill pre-
sented by Rev. Robert Watson of the Lord’s Day Alliance to bar obscene language, the stage, and to end the Sunday vaudeville showings before 7 P. M.

Try Out Color Stills

Hollywood, Feb. 19.—Pioneer Pictures has contracted for 20 to 40 color negatives from the still pho-
tographers of W. W. Walls, Claude and Sten Lindeberg Hansen, who are using a newly perfected camera of their own design as well as specially treated film for color stills.

Midwest Snow Cuts Grosses

By Over 50%

KANSAS CITY, Feb. 19.—Near-zero temperatures, snow, ice and wind, which have held steadily for 35 days in this area, have cut grosses more than 50 per cent for all houses.

W. L. Norris, head of the Consoli-
dated Film Exchange, has just re-
curred from a trip through Kansas and southern Missouri. He found that in almost every case grosses were off more than 50 per cent.

However, Norris reports, crop con-
ditions are better in the territory than in some years, particularly in west-
era Kansas, and exhibitors actually are optimistic. Their only worry now is how long the cold will hang on.

Many theatres are closing tempo-
rally. Few, if any, are making ex-
"penses; some aren’t even making film rentals, where the snow has been par-
ticularly bad. This is especially true north of Kansas City—northern Missouri and Kansas and in Iowa and Nebraska. Most of the temporary closings have been in that area.

A number of isolated towns are fac-
ing fuel shortages, and theatres have been placed on fuel rations. An instance of this is Maryville, Mo., where Doc Cook reports his boxoffice was placed on rations of 500 to 1,000 pounds at a time last week.

Train schedules have been inter-
ruped in many instances, and in some abandoned altogether.

Sam Abem of Film Delivery re-
ports that Ridgeway, Mo., couldn’t be served by trains last week. The ex-
hibitor there called the express agent at Laclede, Mo., who told him that there was no train service, but that a Film Delivery truck had just gone through.

The delivery has been getting through and delivering film to cus-
tomers, although it has required heroic efforts in some cases. All trucks going north now are equipped with shovels, and are moving in con-
voy. In some cases the number of trucks have been increased simply to supply more manpower for shoveling. It required five hours for the truck to go from St. Joseph to Maryville, Mo., 40 miles, Feb. 9.

The company has accepted all or-
ers turned down by the express com-
pomies, and so far has been able to deliver them.

Seek Reorganization

For Sioux City Film

Des Moines, Feb. 19.—The Fran-
ces-Orpheum Building Co. has asked Federal Court permission to reorgan-
ize the Orpheum theatre structure at Sioux City under the amended bank-
ruptcy act. Pending a hearing Mar. 10 Federal Judge George C. Scott has granted an injunction restraining creditor interference with operation of the building.

Bonds now outstanding total $973-
000, with no interest paid since June 10, 1932. Of the first mortgage bonds secured by a trust deed agreement, $37,000 has been paid.

Get an Extra Box Office! Universal’s “Sutter’s Gold” is Coming!
FRED ASTAIRE
GINGER ROGERS

"FOLLOW THE FLEET"

WITH RANDOLPH SCOTT, HARRIET HILLIARD, ASTRID ALLWYN
Directed by MARK SANDRICH
A PANDRO S. Berman Production
Founded upon the play "Shore Leave" by Robert E. Sherwood

RKO-RADIO PICTURE
AY • THE BIG MIGHTY SALVO OF SINGING, LAUGHTER, GAYETY . . . AS THE RS AT RADIO CITY MUSIC HALL

LYRICS AND MUSIC BY RVING BERLIN

FIRES A BROADSIDE OF SEVEN NEW HITS: “Let’s Face the Music and Dance” — “Let It Go,” America’s ballroom sensation, “We Saw The Sea” — “I’d Rather Lead a Band” — “Here Am I, But Where Are You?” — “Get These Behind Me, Seizm” — “I’m Putting All My Eggs In One Basket”
CINCINNATI, Feb. 19—Five out of the nine local first runs showed up on the profit side last week, with “The Milky Way” at the RKO Palace, where it delivered $4,500 at the box-office, a plus figure of $4,500. It was shifted to the RKO Capitol.

“Rose Marie” continued to demonstrate its drawing power at the RKO Capitol, where its seven day downtown week of $1,100, or $150, for the RKO Albee, “Petried Forest” garnered $1,450 at the RKO Albee, where the normal figure is $1,300.

“The Lone Wolf Returns,” aided by a stage show, headed by Lottie Meyer and dancing girls, did $1,000 better than average on a $1,300 take, while “Philadelphia”, a regular radio show for one night at the Strand, was $250 to the good on a $1,750 week. The weather, although not spectacular, was well above near zero most of the week.

Total first run business was $63,200. Average was $7,022.

Estimated takings:

Week Ending February 11:

“FORCED LANDING” (First Div.)
RKO-1,950, $1,210; 7 days, Gross: $7,940. Average, ($1,020.)

“PETRIED FOREST” (W. B.)
RKO-1,150, $595; 7 days, Gross: $4,165. Average, ($1,200.)

“The MILKY WAY” (Para)
RKO-1,850, $700-725; 7 days, Gross: $4,150. Average, ($1,030.)

“The LONE WOLF RETURNS” (Cola)
RKO-SUBURB-1,100, $350-375; 7 days, Stage: Lottie Meyer and Dancing Girls, and Howard Fine & Howard, Gross: $1,000. Average, ($125.)

“MARY WILSON” (M-G-M)
RKO-CAPITOL-1,925, $425-475; 7 days, Stage: Lottie Meyer and Dancing Girls, and Howard Fine & Howard, Gross: $1,000. Average, ($125.)

“The LAST of the FAGANS”
RKO-LYVICH-1,040, $350-400; 7 days, Gross: $1,000. Average, ($105.)

“CEILING ZERO” (W. B.)
RKO-GRAND-1,950, 7 days, Stage: Lottie Meyer and Dancing Girls, and Howard Fine & Howard, Gross: $1,000. Average, ($125.)

“LADY of SECRETS” (Cola)
RKO-GRAND-1,000, 7 days, Stage: Lottie Meyer and Dancing Girls, and Howard Fine & Howard, Gross: $1,000. Average, ($125.)

“FLY Epidemic Bumps San Francisco Trade

SAN FRANCISCO, Feb. 19.—This city has a good sized influenza epidemic scare of its hands, with something like 1,000 cases reported. It is one of the schools closed as a result. Last year this time some 3,000 schools were closed from examples.

Warnings have been issued by health authorities to avoid crowds. With the weather soaking wet for the past 10 days, as the result of several gales, some of the theatres have been badly hit. Down the peninsula and in the surrounding regions it is the same with many of the theatres taking it on the chin. However, all is normal across the peninsula and the situation is expected to clear up shortly.

Interstate Refuses Offer

SAX ARTHUR, Feb. 19.—Interstate Circuit, Inc., has rejected the proposal of Mayor C. K. Quinn that it lease the Municipal Auditorium one night weekly to provide for large crowds that have been drawn to theatres operated here by the company. Interstate officials, in declining the Mayor’s offer, said it would cost them $22,000 to wire the auditorium for sound pictures.

“Hands” Cast Is Shifted

Hollywood, Feb. 19.—Unatters, one night in the hands of the “The Law in Her Hands.” Warren Hull has replaced Craig Reynolds, who is ill, with Golden Arrow, and Matthew Fain has replaced George E. Stone, who is ill. Al Shehan has been added to the cast.

McLean New Censor

WINNIPEG, Feb. 19.—C. M. McCane, the managing director of the Manitoba Board of Censors, was recently in the capital and reported the following:

The Wolf’s Terror, starring Renée Adoree, was released by Goldwyn and McKee in British Columbia, after it had been previously refused by the Board of Censors.

Xenia, ten days at the Opera House, last week, grossed $1,500. Average was $150.

FLACHY McNEAL, who has been private secretary to Premier John Bracken. McCann was formerly civic service commissioner in Mani-
Tickets now ready for A. M. P. A. Naked Truth Dinner Dance

Call Paul Benjamin at National Screen Service for Reservations
Tops the Industry's Tops!

$11,000 ABOVE NEAREST COMPETITOR in the worst weather of the year!

GROSS: $24,000  AVERAGE: $14,000

"Dancing Feet" and Show Lead in Philadelphia

PHILADELPHIA, Feb. 18.—One cheerful spot in a dull week still felt—

the Mang of winter and tied-up traffic—was the Earle. With the stage car-

tition of the Earle, Daniel, Ben Lyon, Toby Wing and Sammy Cohen, to

the customers, the house grossed $24,000 and would have hit

higher were it not for the continued

bad weather break. The film was

"Dancing Feet," starring its

grace, showing on

Wednesday. Claudette Colbert's

"Modern Times" got off to a good holiday start,

pulling to 1,041 more admissions than

"City Lights," which played at the

same house (Empire) five years

ago, on its first day. Business was

a positive yesterday in face of snow

and sleet storms, but the week should

cross 40.

"The Ghost Goes West," topped the

house average a trifle with $9,000 at

the Earle and was held second in a field at the Fair and was yanked

after five days. The $11,500 taken by

"The Milky Way," at the Stanley

was only so so. Total first run business was $76,800.

Estimated takings for the week ending Feb. 13:

"THE GHOST GOES WEST" (U.A.) 2 days.

Gross: $9,000  Average: $4,500

"SATURDAY NIGHT" (M-G-M) 3 days.

Gross: $11,500  Average: $3,833

"ROCK OF THE RANCH" (Par) 2 days.

Gross: $6,200  Average: $3,100

"DANCING FEET" (R.C.M.) 7 days.

Gross: $6,400  Average: $914

With: EDDIE NUGENT  BEN LYON  JOAN MARSH  ISABEL JEWELL

Directed by Joseph Santley. Supervised by Colbert Clark. Story by Dave Silverstein.

SCREEN PLAY by Jerry Chodorov, Olive Cooper and Wellyn Totman.

PUBLIC PICTURES

A REPUBLIC PICTURE
Warners Plan Expansion of Coast Houses

Bernhard, Sears Leave to Study Situation

WARNERS PLAN

Bernhard, Sears leave for study situation.

Warners is planning to expand its western branch. Joseph Bernhard, general manager of the circuit; and Gradwell L. Sears, southern manager, have left for the west coast to study the situation with a view to the circuit's next move in an effort to fill the gaps in the theatre holdings in strategic locations on the coast.

Operating in approximately 23 states, there are some 450 theatres in the circuit, although the greatest strength lies in California, Oregon, and Washington, where there are more than 130 houses, or approximately one-third of the total.

On the coast the circuit has comparatively few theatres, the most recent list, showing one in Washington, two in Oregon, and 12 in California. Practically all the California theatres are located in the neighborhood of Los Angeles, with three in that city, three in Santa Barbara, and each in Beverly Hills, Fresno, Hollywood, Huntington Park, San Bernardino and San Pedro.

Grainger Successor Up at Chicago Meet

A successor to E. C. Grainger, who resigned recently as eastern division sales manager for Twentieth Century-Fox, may be named at the company's Chicago sales conference this week-end. John D. Clark, general sales manager, said yesterday on his return from the coast, that Clark and Grainger, with other Twentieth Century-Fox eastern sales executives, will leave for the meeting today. Grainger's resignation will be effective April 12, when he becomes general manager of the New York and eastern division.

No Paper Tomorrow

Motion Picture Daily will not publish tomorrow which is Washington's Birthday, a legal holiday.

MOTION PICTURE DAILY

NEW YORK, FRIDAY, FEBRUARY 21, 1936

TEN CENTS

COURT FINES FOX $235,082

As Penalty for Contempt

William Fox yesterday was fined $235,082 in connection with a contempt motion for contempt of court signed by Federal Judge William Bondy, who directed that the former film executive be taken into custody by a U.S. marshal and held until the fine was paid. Judge Bondy also assessed Fox $10,000 court costs which he directed should be paid by Feb. 28 to Cravath, de Gersdorf, Swan & Wood, attorneys for the Capital Co., plaintiff in a judgment action against Fox out of which the contempt was sworn.

Hiran, Newman, Rees & Becker, Fox's attorneys, obtained an immediate stay of Judge Bondy's order pending an appeal to the U.S. Circuit Court of Appeals. A hearing of the appeal probably can not be had before late in March.

The $235,082 fine would be paid to the Capital Co. In satisfaction of the unpaid balance of what was originally a $285,000 judgment obtained it against Fox for the latter's alleged liability on a defaulted lease on the Fox, San Francisco. Samuel B. Stewart, of Standard's counsel, sought to examine Fox last fall on his asserted inability to satisfy the judgment and when Fox failed to answer questions concerning the examination originally cited was for contempt. The former film executive was reported receiving medical attention in Toronto at the time.

Rift Indicated on Copyright Measure

By CLARENCE LINZ

WASHINGTON, Feb. 20.—Indications of a serious rift among members of the House Patents Committee arose today observers here in the remarks on copyright made by Congressman Dean of Georgia, a member of the committee.

Calling for a speedy enactment of the Duly Bill, Dean criticized its committee for its failure to take action. He made no mention of the four weeks of hearings announced yesterday by Chairman Sirovich, possibly seeing in the long drawn out consideration the possibility that the measure may be talked to death.

The Georgia Congressman attacked Acaep for its pyramiding of fees and assessed the $250 minimum penalty for infringement as entirely out of proportion to the damage which may be occasioned.

Report $111,355 as Six-Month Roxy Net

Operation of the Roxy for the 29-week period ended Jan. 2 showed a profit of $111,355 on interest on funded indebtedness, arrears on taxes and depreciation, it was indicated in a report filed yesterday with Federal Judge Francis C. Caflrey by Howard S. Cullman, trustee.

Approximately $909,000 in back taxes and penalties have been paid since June 14, 1934, the report adds. All current taxes have been paid in full. Remaining back taxes and penalties to be paid total $45,143.12. A rise of 14 per cent in attendance for the 29-week term is also noted.

M-G-M Seeks Eliminations Of Holdovers

Obligation Limited to Actual Releases

HOLLYWOOD, Feb. 20.—A new M-G-M talk motif under which the company's obligations in deliveries to exhibitors will be what it actually releases will swing into effect for the new season.

The change in policy is designed to eliminate hangover product and keep M-G-M complete with the product. In paying the way for the change, the company is revamping its releasing program for the remainder of this season and is asking exhibitors to conform. M-G-M says the changes are slight and exhibitors generally are agreeing to them.

For years M-G-M has steadily fallen behind on releases, although it has occasionally regained ground. Fifty-seven pictures, or the company's greatest number in any one year, are scheduled to be released from last July to next August. Changes in star values and material, thereby necessitating changes in plans, plus the intention of clearing the decks from now on.

Industry Heads at Coast on Product

HOLLYWOOD, Feb. 20.—New York executives are arriving here on masse for discussions on next season's programs. Leo Spitz and Ned De pin of RKO arrived today to confer with Sam Brinn, and Harry M. Warner arrived for conferences with Jack L. Warner.

John D. Clark, Twentieth Century-Fox sales chief, will return here from the Chicago divisional sales meeting today. Neil Agnew of Paramount is expected momentarily. Edward G. Robinson was another arrival here today.

Sheehan Completing Product Plans Here

Winfield Sheehan will complete arrangements for his new Paramount production affiliation during an indefinite stay here, he said yesterday on his arrival from the coast. No definite production plans have been made yet in connection with the four pictures he will make this year. According to reports, however, Maria Jeritza, his wife, who accompanied...
**Insiders' Outlook**

By RED KANN


ERNST LUBITSCH is as close to a free soul as any mortal man might hope to be. The unvarnished truth of the change of administrations at the Paramount studio is that he is glad to be relieved of a post which, he now says, he never should have undertaken in the first place. The reshuffling takes him down from the job dubbed managing director of the 1932-33 season and reduces him without protest to a unit producer charged with four pictures a year. He's openly glad of the change.

Hollywood is rampant with speculation about the Paramount situation. Costs on that lot have been and are high, very high. It's one of the open secrets which everyone up and down the line in that studio and in all others knows about. But Lubitsch, on the defense, says they have nothing.

"You know, I made it clear at all times that I was not a business man and that I would not undertake the financial responsibility for running the studio."

Frank Borzage directed "De sire," the new Dietrich which is supposed to have cost $1,400,000. Lubitsch, however, supervised and, so declares, willingly accepts the responsibility for it. If, however, that were the only one in which the company ever ran to fancy figures, he adds this would be an indictment of his regime. There are, on the other hand, "Kondike Annie," the West film, down for over $1,000,000; "Any thing Goes," talked about in the $800,000 class; and "Rose of the Rancho," another million dollar baby. That's his story. You take it or leave it.

Once operator of the publix de luxe theatres and later a partner in Monarch Theatres, the Sam Katz-financed circuit in the Middle West, Mr. H. Feld today bulks large in a small cubicle on the Twentieth Century-Fox lot in the Westwood Hills. By search ing diligently, he may be fortunate enough to have his lot cleaned of agents. His story is of paramount importance in connection with the proposed move to the new studio, which may be located on the other side of his window. Feld is learning production via the story route. Directly responsible to Darryl F. Zanuck, who is giving him his chance, this ex-theatre operator, his song un sung and his presence little known to the rest of the studio, is finding life among the palms a thrill in itself, a joy. Nothing, he says, can take him back to exhibition.

Mervyn LeRoy finished "Anthony Adverse" the other day and is now trying to piece it together; quite a job. Completion of the shooting schedule almost simultaneously with becoming a director with Warners. Pending is a deal whereby he will become a producer, perhaps at the company's Sunset Boulevard plant.

The "Adverse" gags are mounting. Only this one is true. LeRoy recently sent wires to a number of Hollywood critics and columnists. The text:

"This is to advise I have just completed Anthony Adverse." An unsigned reply, also by wire:

"You're the only one who has." . . .

Bernard's Wife Dies

London, Feb. 20.—Mrs. Jeffrey Bernard, wife of the general manager of distribution for G. B., was taken to the hospital last Friday, when she was suddenly taken ill. Bernard is in New York.

Jeffrey Bernard, here to confer with G. B. officials and look over production in Hollywood, had not noted last night whether he would sail immediately for London, where his wife died yesterday. He did not sail last night on the outgoing Majestic, on which he arrived on Wednesday. He said then that the ship's head, had informed him Friday of his wife's sudden illness, when the ship was one day out en route to this country.

**Speed Distributing Deals**

With three territories closed within the past few weeks, Chesterfield and Invincible are speeding up plans to complete national distribution tie-ups within the next six weeks.

 Territories closed recently have been with Charles Trampe for Milli
dane, Lee Goldberg for Indian
apolis and David Komn of Majestic Pictures in St. Louis.

**Censors No Aid to Pictures—Barrett**

Censorship problems facing the industry were discussed yesterday by Wilton A. Barrett, executive secretary of the National Board of Review, at the Ama.

"Neither the Legion of Decency nor any other organization have a right to stand aside and let the studios make as many films as they choose;" Barrett stated. "What accounts for the fine lineup of films is the fact that the studios have learned that the finest pictures they can make can pull the patrons into the box-office.

"All attempts to hamper the industry have failed. I am eager to see the fine pictures this year," he added. He ridiculed the theory that all artistic productions have been "ruined financially."

Barrett stressed the importance of producing films appealing to juveniles who, he said, are the adult audience of the movies.

Joseph Hanson, an advertising executive, discussed promotional tips used by the industry to attract patronage. He declared that the Non-commercial part of the new studio practice of department stores, but had been discontinued long ago.

On the entertainment program were Peggy Fields, who sang two numbers and Roy Sneek, who played an electric Hawaiian guitar and gave an imitation of Bill Robinson tap dancing with the use of a ukulele, and the Kite Quartet.

LeBaron Now Heads All Para. Production

Hollywood, Feb. 20.—William LeBaron has been placed in permanent charge of all Paramount production, and his contract extended for a number of years. He was appointed by William Fox, head of the Bamberger company. He deplored the elastic use of adjectives in advertising, and stated that the old practice of department stores, but had been discontinued long ago.

On the entertainment program were Peggy Fields, who sang two numbers and Roy Sneek, who played an electric Hawaiian guitar and gave an imitation of Bill Robinson tap dancing with the use of a ukulele, and the Kite Quartet.

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ALREADY
THE STAMPEDE FOR
PLAYDATES IS ON
FOR
THE FIRST
FIVE-STAR
PICTURE!

Yvonne  Cecile  Marie  Annetta  Emelie
EVERY NEWSPAPER IN THE COUNTRY

For two years each gurgle of the

THEIR FIRST FULL-LENGTH FEATURE PICTURE!
Heart-wallop drama, appealing romance, side-shaking comedy... thrillingly enacted by a brilliant Hollywood cast... with the greatest youngsters in the world highlighting a story as extraordinary as their fame!

Copyright 1936 by NEA Service, Inc.

THE Dionne

Yvonne  Cecile

in

THE
Is a Broadside for This Show!

Quints has been red-hot news!

Quintuplets

Marie  Annette  Emelie

Country Doctor

With Jean Hersholt

June Lang  Slim Summerville
Michael Whalen  Dorothy Peterson

Photographed under the technical supervision of Dr. Allan Roy Dafoe

A Fox Picture

Darryl F. Zanuck in Charge of Production
Associate Producer Nunnally Johnson
Directed by Henry King
Screen play by Sonya Levien
Story idea suggested by Charles E. Diako

The Keystone of Your Future
IT'S A PUSH-OVER FOR HOLD-OVERS!

Box-office stands out all over "The Country Doctor"... with its 5-star cast and their unparalleled news-value... with its brilliant supporting cast... with its tremendously human story... and with its myriad of sure-fire exploitation angles to sparkle the eye of every showman! Pencil it in for extra playing time!
M-G-M Seeks Eliminations Of Holdovers

(Continued from page 1) on are background reasons for the new setup.
Of the 50 sold this season, M-G-M sales forces are acting theatre owners to cancel the following 10: One Clark, Gable, two Joan Crawford, two Jean Harlow, one Grace Moore, one musical, "The Great Ziegfeld." The Forty Days of Musa Daugh" and one Jeanette MacDonald.
In place of this group, the company is offering: "Captain Courageous," with Freddie Bartholomew; "The Unppard Hour" and "His Brother's Wife," with Franchot Tone; "The Lady Comes to Town," with Joan Crawford and William Powell; "Downtown," with Robert Beatty and Rosalind Russell; Madge Evans, Roland Young, Chester Morris and Ted Healy in "Speed"; Myrna Loy and Robert Montgomery in "Love on the Run," and "Night in Gengeloe."
"it SIMPLY CAN'T MISS!"

Carole LOMBARD

Featuring PRESTON FOSTER

with Cesar Romero, Janet Beecher, Bert Roach, Joyce Compton, Richard Carle, Forrester Harvey, Betty Lawford, John King, Priscilla Lawson
One long howl from start to finish, Universal has a smash box-office comedy in "Love Before Breakfast." . . . It simply can’t miss.

. . . should be a panacea for any head condition . . the picture is top notch entertainment, headed for good returns in anybody’s theatre . . . Miss Lombard does the best work she has done in some time.

ARL LAEMMLE presents UNIVERSAL’S EXT BOX-OFFICE SWEETHEART!

LOVE BEFORE BREAKFAST

From FAITH BALDWIN’S Novel "Spinster Dinner" Directed by Walter Lang
An EDMUND GRAINGER production

The picture with the punch!
Sid Meyers, ace exhib, flashes stirring news of record take!

COLUMBIA PICTURES CORP.
729 SEVENTH AVE N Y C-

MUSIC GOES ROUND SMASHED ALL RECORDS NEW LINCOLN DELUXE PREVIEW
STOP PILED UP AMAZING TWENTY SEVEN HUNDRED DOLLARS FOR SINGLE
SHOW UNHEARD OF HERE STOP MOST BRILLIANT OCCASION MIAMI'S BIGGEST
SEASON STOP AUDIENCE CHEERED SHOW AND JOINED IN SINGING STOP IT
IS A WORLD WHAMMING MUSICAL LOVE DRAMA AND SHOULD MAKE EVERY
BOXOFFICE GO ROUND AND AROUND WITH MONEY MUSIC REGARDS

SIDNEY MEYERS 300P
Golden Gale of Song and Story Blows Amazing Gross Into New Lincoln Box-office! Front-page celebrities... premier showmen... merchant princes... and clamoring fans jam-pack house for gala preview!

World Premiere Today
Loew’s N. Y. Capitol
Cantor Is $13,700 Leader in Buffalo

BUFFALO, Feb. 20.—The above-zero weather in the first week of the Great Lakes, drew $13,700, breaking par by $6,300.

A dual, "First a Girl" and "Atlantic Adventure," topped average at $4,000, with a tale of $10,000 at the Lafayette.

The first run business was $48,400. Average is $42,000.

Estimated takings for the week ending Feb. 15:

"PETRIFFED FOREST" (W.B.)
BUFFALO, $1,000, 75c-85c, 7 days, Gross: $4,400, Average: $614

"LADY KING" (RKO)
BUFFALO, $750, 50c-60c, 7 days, Gross: $3,100, Average: $443

"STRIKE ME PINK" (U.A.)
BUFFALO, $600, 50c-60c, 7 days, Gross: $3,400, Average: $486

"THE FIRST A GIRL" (G.B.)
BUFFALO, $700, 50c-60c, 7 days, Gross: $3,400, Average: $486

"ATLANTIC ADVENTURE" (Col.)
BUFFALO, $700, 50c-60c, 7 days, Gross: $3,400, Average: $486

"MORALS OF MARCUS" (G.B.)
BUFFALO, $800, 75c-85c, 7 days, Stage: vanvillle. Gross: $5,800, (Average, $830)

N. E. Allied Names Executive Council


Hollywood, Feb. 20.—John J. Bolon and Richard Flora have been elected to represent Maine, J. E. Charbonneau and Warren Nichols for New Hampshire, Allard M. Graves and Audronis Varmont, and John D. Findley and Martin Tschoy for Rhode Island.

Cayuga King, Howard continues as the New England business manager.

Goldwyn Re-Signs Espy

Hollywood, Feb. 20.—Samuel Gold- wyn has exercised an option on the contract of Reeves Espy, his production assistant. Espy, formerly with F. W. C. as an assistant, Charles S. Storrs has been with Goldwyn for the past year.

Re-title Davis Picture

Hollywood, Feb. 20.—The Betty Davis film, which has been shooting under the title "Men on Her Mind," will be released as "Dame." The latter title was used for a while during production on the film, which later was released as "Dangerous."

Set Stromberg's Next

Hollywood, Feb. 20.—Before he leaves for his European vacation, Hunt Stromberg will produce the next Paul Crawford-Clark Gable picture, "A Lady Comes to Town," for M-G-M. No other cast assignments have been made.

COURT FINES FOX $235,082 AS PENALTY FOR CONTEMPT

(Continued from page 1)
time and was offered an opportunity of purging himself of the contempt and then going to the box in the courtroom. When he failed to do so, the order fixing his punishment was signed by the court.

Under Judge Boyd's order Fox was to be held in custody either until the fine and court costs were paid or until the property held by the corporation was conveyed to the corporation and submitted to the original order for examination concerning his resources. He was ordered to query Fox concerning the disposition that had been made of $3,600, allegedly received by Fox in 1930 for his Fox Film holdings.

Daniel Rosenblatt, of counsel to Fox, said that the latter is now under a summons by the corporation to specify the physical condition of the City and too ill to testify. He stated that Fox contends that the Capital Corporation has been more than paid in full.


WASHINGTON, Feb. 20.—Admission tax collections in January declined from $300,000 from their December level, but were approximately $130,000 above the receipts in the corresponding month last year, the Internal Revenue Department recently stated.

January collections totaled $1,459,049, against $1,328,884 in January, 1934. Analysis of the figures shows that collections from admissions sold during 1935 totaled $16,039,728, an increase of $1,054,834 over the 1934 total of $15,984,892. This would indicate that business during 1935 was approximately at the same level as in 1934, as far as houses charging more than 40 cents are concerned, the $100,000 increase reflecting an increase of only $1,000,000 in ticket sales.

Christie Novel to M-G-M

Hollywood, Feb. 20.—M-G-M has acquired the film rights to Agatha Christie novel, "The A B C Murders," and has taken an option on the entire detective series centering about the character, Hercule Poirot. Jean Hersholt is being considered for the lead.

Vacation Upset

BRAZIL, Ind., Feb. 20.—Stanley Cooper, manager of the City Theatre Co. and general manager of the Mrs. Cooper discovered a perfect way to ruin a Florida vacation.

They left all their luggage parked in their car at Birmingham. Then they reported the loss to the police.

Second Quota Act Is Passed in Australia

WASHINGTON, Feb. 20.—With the passage of the Victorian legislation, and the fact that New South Wales has already acted, a substantial percentage of distributors throughout Australia will be compelled to use Australian features as soon as the quota can be supplied, according to a report to the U. S. Department of Commerce from Trade Commissioner E. C. Squire, at Sydney.

New South Wales production plans are well under way. Under the new "Quota Act," a Films Advisory Board was appointed, consisting of the Commonwealth film censor, the chief of the Film Division of the Attorney General's Department, and F. W. Marks, who made an industry study and upon whose recommendation the Quota Bill was made. Australian-produced pictures, before being eligible for showing as quota films, have first to be passed by this board. It is stated that three out of eight which have so far been submitted have been rejected.

World Production Pty. Ltd., has purchased the rights to a few films from Melbourne. More than $75,000 will be spent in converting the production of film district. World Produc- tion with a capital of $500,000 will be organized to finance the enterprise. The new company will take tickets that studios are willing to accept and the company secures the rights of World Productions and erect theatres in Melbourne and Sydney.

Copenhagen Grosses Up

WASHINGTON, Feb. 20.—In Copenhagen, Denmark, during the first 10 months of 1935, 8,263,245 tickets were sold by the 36 film theatres, according to a report to the U. S. Department of Commerce by Trade Commissioner Paul H. Pearson in Copenhagen. Box office receipts at these houses aggregated 9,789,625 kronen over the period, as against 9,283,418 kronen during the corresponding months of 1934.

Ratoff Will Co-Direct

Hollywood, Feb. 20.—Gregory Ratoff will co-direct "Job" with Otto Preminger. Preminger and MacGowan at Twentieth Century-Fox. Ratoff has an acting and writing role, but his name is not published. This will be his first directorial job with this company. Jean Hersholt will play the leading red. Sam Engcl is scripting the part.

Varity Club

DETROIT, Feb. 20.—The annual ball of Variety Club has been postponed over the interesting fact that the former date is in Lent. It will be held in the three ballrooms of the Book-Center, and the committee are going to bring a "name" band and several stage and screen stars here for the occasion. The club is holding its second annual party of the season in the main ballroom of the Book on Saturday night. Care. Burnikale is chairman of the committee, which includes cakes. Irwin Pollard and Charles Perry, proceeds go to the club's welfare fund.

First of a series of film shows to be given by the club for children in cold, can't figure out how which resulted for 60 inmates of Children's Hospital. Alex Schreiber, head of the welfare committee, and Lew Wisser and Thomas F. O'Brien, are among the exchanges furnished film and Harman Hunt, manager of National Theatre Supply Co., the theatre equipment. The operators' union supplied an operator. Against two of the eight prospective Barkers will be act at a meeting of the membership committee Feb. 29.

KANSAS CITY

KANSAS CITY, Feb. 19.—ARNOLD COLK, general chairman for the fifth annual Variety Club-Film Industry Charity Ball, which went off hilarious and was one of the best story of this year's effort.

The day of the ball, a man came in at the last minute and, which had lain, clapped to a notation, in his desk ever since. Cold, can't figure out how which resulted for 60 inmates of Children's Hospital. Alex Schreiber, head of the welfare committee, and Lew Wisser and Thomas F. O'Brien, are among the exchanges furnished film and Harman Hunt, manager of National Theatre Supply Co., the theatre equipment. The operators' union supplied an operator. Against two of the eight prospective Barkers will be act at a meeting of the membership committee Feb. 29.

Lehman Sees 'Fauntleroy'

Hollywood, Feb. 20.—Robert Lehman, of Lehman Brothers, in from New York, attended the preview here tonight of "Little Lord Fauntleroy," production of Selznick International Pictures, of which he is a director. Thomas Hitchcock and A. C. Schwartz and Mrs. Schwartz accompanied Lehman.

Acquires Detroit House

PITTSBURGH, Feb. 20.—Manuel Green-wald, who operates the Art Cinema here, has just taken over the small Eumora in Detroit, which he will open Feb. 26 as a foreign picture house.

It is reported that Greenwald and he has several strings of such houses in key cities.

Bill Pine on Campaigns

Hollywood, Feb. 20.—Bill Pine, one of the producers, is working this week to get out the advance shows of "The Trail of the Lonesome Pine" through the Midwest.
Sanctions Big Help for U.S. Film in Italy

Governmental nursing of the film industry in Italy, which included a 75 per cent reduction in the film imports allowed, might have worked out disarmingly for American distributors had it not been for the appearance of the sanctions against Italy and the non-appearance of the United States among the non-sanctionist nations.

An interview yesterday with Mario Luporini, United Artists' distribution representative in Italy, and a producer in his own right, who is here for home office and Hollywood visits, resulted in this impression. Luporini related that Italian film imports, since the sanctions, are limited to 25 per cent of the footage formerly permitted and that the entire 25 per cent, naturally, must be obtained from the non-sanctionist nations. Inasmuch as, for film importing purposes, these include only the United States, Germany, Austria and Hungary, the source of supply is pretty well centralized.

Sound Track Part of Quota

Even this circumstance, however, might have resulted in an appreciable reduction in the purchases of American films had it not been for the ingenuity of the Italian importers, of whom Luporini is one. With the film footage imported, the Italian government measured and counted as part of the quota, the sound track—entirely apart from the film itself. Now the importers re-record the sound in Italy, eliminating the importation of sound tracks and thereby enabling themselves that much additional footage to cover the actual importation of film. Needless to say, the bulk of the footage is of Hollywood origin.

Luporini reported that the Government's ministrations to the native industry are proving successful and greatly stimulating home production. Italian producers will make about 50 features this year, he said, as compared with 32 last year, and a smaller number the year before. Producers may obtain financing from a Government approved bank, but their scripts, casts and other essentials must first be approved by the Government overseer for the industry, one Commendatore Fredi. Italian exhibitors, of whom there are about 3,000, are required to play all of this native product. Much of it is "surprisingly good," Luporini said, and some of it good enough to be purchased by Joe Brandt for distribution here. About the remainder of it Luporini was non-committal. He observed, however, that there were occasions on which patriotic exhibitors admitted patrons solely for a contribution of valuable or useful metals, such as gold. These are turned over to the Government by the exhibitor, who neither receives nor expects reimbursement.

Renovation Widespread

Luporini declined to answer when asked if this practice was permitted when United Artists' pictures were playing a percentage engagement.

The effects of the Government's film policy are being evidenced in the remodeling of theatres throughout Italy and the conversion of auditoriums into film houses. Also, he reported, construction has begun on an 11-stage studio in Rome. Italy's objections, he said, are to bring home production up to about 100 features annually, leaving playing time in the theatres there for only the best foreign-made product.

Luporini protested against what he said was an increasingly insistent demand by American home offices for economies in dubbing costs in Italy. He spied the policy as a dangerous one and said it might, if pursued far enough, drive Italian patronage away from American pictures there. He pointed out that the economy demands were resulting in a standardization of dubbing practice which was bringing the same voices into everyone's pictures and, even now, some of the voices were recognizable from one end of Italy to the other, whether they were speaking from the screen for Wallace Beery or Shirley Temple. If the practice continues, he said, the same voice ultimately may be utilized for those two, or for Garbo and Victor McLaglen.

"Who are the most popular American stars in Italy?" Sam Cohen of the United Artists foreign publicity staff prompted Luporini.

"Will you give me a list of our stars?" Luporini smiled, as the reporters arose to leave.

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**CHAINED LIKE DOGS**

SAY TORTURE-STRIKERS

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Charge Convicts Were Literally Whipped To Rebellion

MOB TAKES LAW IN OWN HANDS

Rioters To Descend On New York Soon

EXPECTED TO INVADE CITY SATURDAY

They Are Fugitives From a "ROAD GANG"

(As Advertised in yesterday's New York papers)

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"I'VE GOT ENOUGH ON THESE GUYS to smear their names across every front page in the country," says Jim Larabee, not leader.
**MOTION PICTURE DAILY**

Friday, February 21, 1936

"Our Gang" to Be Cuts to One Reel

**Hollywood**, Feb. 20.—Hal Roach will reduce the footage on his "Our Gang" comedies to one reel instead of two when his new program begins in September. Five of the comedies are scheduled for the season, with the balance of the program consisting of features.

Definite announcement on the new program is awaiting the signing of a new contract with M-G-M.

Bank Night Appeals By Mass. Managers

**Boston**, Feb. 20.—A bill of exceptions has been filed with the clerk of the State Supreme Court by attorney George S. Ryan as a step in the appeal of the conviction of James Wall, manager of the Fellsway, Medford, on anti-lottery charges. A decision on the appeal of George Wilson, manager of the Hamilton, Dorchester, is still being held under advisement by Judge James Sisk. The two are parallel Bank Night cases.

Rites for Mrs. Fraizer

**Kansas City**, Feb. 20.—Mrs. Ed Fraizer of Pittsburgh, Kan., wife of the former operator of the Grand there, was buried Feb. 18.

R. R. Biechele and George Hartman, attended the funeral. Mrs. Fraizer was as widely known among exhibitors and film men as her husband. Fraizer sold the Grand several years ago to M. B. Shanberg.

Seek Examination in Film Financing Suit

A motion for examination before trial of Benjamin W. Solomon, assistant-secretary of Academy Pictures Dist. Corp., was filed yesterday in City Court in behalf of Amusement Securities Corp. in connection with a breach of contract action brought by the latter.

The complaint sets forth that Amusement Securities Corp. and Academy entered into a written agreement on Oct. 22, 1935, by the terms of which Amusement Securities Corp. agreed to lend the defendant $15,000 for the production of "The Thrill of the Century," and the defendant agreed to pay the plaintiff the financing charge of $1,666 and that the plaintiff would have the exclusive right to furnish release prints. The plaintiff also charges that the defendant refused to accept a loan, to pay the financing charge and refused to deliver the negative to the plaintiff for the purpose of making positive prints.

The defendant has entered a general denial and asserts that the alleged agreement was never executed.

**F. D. Ads Salesmen**

Sidney Meslov has been added to the First Division sales staff in Philadelphia. Ben Oletsky has joined the Washington office.

Republic Changes Title

**Hollywood**, Feb. 20.—Republic has changed the title of "Tiger Valley" to "The Girl from Mandaly."
BLIZZARDS

can't hold up this hold-over natural . . . Best business in years, in the worst weather in years

KING OF THE DAMNED

with

Conrad Veidt
Helen Vinson

FIVE IN A ROW

MISTER HOBO . . . GEORGE ARLISS
FIRST A GIRL . . . JESSIE MATTHEWS
TRANSATLANTIC TUNNEL • Eight Stars
THE 39 STEPS . . . ROBERT DONAT
KING of the DAMNED . . . VEIDT, VINSON

Physical Distribution • Fox Exchanges • Canada, Regal Films, Ltd.
**Radio Buys Original**

Hollywood, Feb. 20.—Radio has purchased "Twinkle Twinkle," an original story by Edward Hartman, and set it for early production. Leigh Jason will direct under the supervision of Lee Marcus. Gertrude Purcell is now working on the screen play.

**“Gram” Full of Music**

Hollywood, Feb. 20.—M-G-M will use 27 musical sequences in "Gram," the Kathleen Norris novel which will costar Mme. Schumann-Heink and May Kolson. The cast will also include Harry Stockwell and Frances Langford. Richard Thorpe will direct.

**Riggs Joins Republic**

Omaha, Feb. 20.—Jack Riggs, who owns the Sun at Central City, Neb., has joined the sales force of Republic-Midwest and will handle the Nebraska territory. Mrs. Riggs will continue to operate the theater. Riggs is a former film salesman.

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**BARREL TORTURE BLAMED FOR "BREAK"**

Convict Rioters On Way Here Charge Inhuman Punishment

**MEN “HANGED” ALL NIGHT ON INQUEST BARREL**

Desperate Mob Menaces Officials

REVOLT TO REACH CRISIS HERE SATURDAY

Warner Bros. Hand America Its Greatest Dramatic Shock Since “I Am A Fugitive”

---

**“IT’S A SWELL BREAK WHEN YOU DIE QUICK,” rather than suffer agonies like this, say the “torture strikers.”**

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**“ROAD GANG”**

A First National Picture

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**BARREL TERROR.”**

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**“Two in Dark”**

Top as Boston
Does Nosedive

Boston, Feb. 20.—With another snowstorm piling snow on the city's accumulation of old snow and ice, business went into the doldrums last week. The only house to go over normal was the RKO Boston with "Two in the Dark" on the screen and Wayne King and his orchestra on the stage. The take was $18,000.

The Metropolitan took a heavy decline to $4,500. Par is $22,000.

"The Story of Louis Pasteur" was the screen attraction with John Boles on the stage. "Rose Marie," in its second week, took $15,000 at Loew's Orpheum and $12,000 at Loew's State. Total first-run business was $66,500. Average is $6,550.

Estimated takings for the week ending Feb. 21:

"FRESHMAN LOVE" (W.B.)
"MY MARRIAGE" (20th-Fox)
FENWAY—$4,000. (Average, $4,000)
"THE LADY CONSENTS" (Radio) KEEF'S MEMORIAL—$1,800. (25c-50c, 8 days)
Gross: $9,000. (Average for 7 days, $1,286)
"ROSE MARIE" (M-G-M)
LOEW'S ORPHEUM—$2,700. (25c-50c, 7 days, 2nd week).
Gross: $15,000. (Average, $2,143)
"ROSE MARIE" (M-G-M)
LOEW'S STATE—$1,317. (25c-50c, 7 days, 2nd week).
Gross: $12,000. (Average, $1,714)
"THE STORY OF LOUIS PASTEUR" (F.K)
METROPOLITAN—$3,100. (75c-50c, 7 days, Stage: John Boles headlining lesser stage show).
Gross: $4,500. (Average, $643)
"FRESHMAN LOVE" (W.B.)
"MY LOVE" (20th-Fox)
PARAMOUNT—$1,700. (25c-50c, 7 days, 2nd week).
Gross: $12,000. (Average, $1,714)
"TWO IN THE DARK" (Radio)
RKO BOSTON—$810. (25c-50c, 7 days, Stage: Wayne King and Orchestra, Edward Rosenwald.
Gross: $18,000. (Average, $1,500)

**Cold Hits Midwest**

Portable Circuits

KANSAS CITY, Feb. 20.—The long cold weather has forced the closing of some of the portable jackrabbit circuits in Kansas and Missouri.

However, several are continuing to stick it out, including H. A. Parker, who operates four small towns with headquarters at Weston, Mo.; Floyd F. Hill, operating six out of Drexel, Mo.; Shannon Jones, with five out of Horton, Kan., and Elmer C. Carpenter, with six starting at Clarkeville, Mo.

**Six More Join CAPA**

CHICAGO, Feb. 20.—At the last meeting of the Chicago Amusement Publicist's Ass'n., six new members were named. They are: Jack McPherson of National Screen, Irving Mack of Filmack, Sydney Stern of General Film Co., Harvey Olsen, of the Chicago Daily News, Jim Luntzel of the Oriental, Mitchel Linder of the Harding and Frank Ward of the Chicago Herald and Examiner.

**Pick Two Leading Men**

Hollywood, Feb. 20.—Kay Francis will have two leading men in "Angel of Mercy." Florence Nightingale story she will make for Warners. They are Ian Hunter and Donald Woods.
RKO Lawyers See Big Slash in Rent Claim

Hold Hope of Two-Thirds Off Rockefeller Item

Possibilities of reducing the $9,100-600 Rockefeller Center claim against RKO to less than a third of the total amount are seen by counsel to the RKO trustees in the event opposition to the claim is forced into court through the failure of settlement negotiations.

The settlement negotiations are being continued, however, and pending their outcome, hearings of the trustee's exceptions to the allowance of the claim in the amount recommended by Special Master Thomas D. Thatcher are being deferred. The hearing which was scheduled for tomorrow has been postponed to March 3 as a result.

The exceptions to the allowance of the claim would be made to the Federal court by Donovan, Leisure, Newton & Umbard, counsel to Irving Trust Co., the RKO trustee. Among other grounds for opposing the allowance of the claim will be an effort to show that the three-year rent liability (Continued on page 16)

Court Ruling Bars Zinn's Para. Suits

Suits pending in the New York state court against 12 banks formerly identified with Paramount financing will have to be withdrawn as a result of a denial by the U. S. Circuit Court of Appeals of a motion for an appeal by Samuel Zinn, attorney for former Paramount Publics bondholders, from a U. S. District Court order directing Zinn to withdraw the state court action or be held in contempt of court.

A cross motion brought by Beken, Bogue, Leake, Stephens & Black attorneys for the defendant banks, for a dismissal of Zinn's action was granted by the appeal court.

Zinn instituted his action on behalf of independent bondholders against (Continued on page 10)

"Pasteur" Gross in Boston Was $44,385

Due to an error in transmission of figures the Metropolis, Boston, gross on "The Story of Louis Pasteur" was printed on Monday Picture Daily as $4,500 for the week ending Feb. 21. The figure should have been $44,385.

N. Y. Theatre Giveaways Up To 3 Million

Annual Cost in Greater City Is Computed

More than $3,000,000 is spent annually by Greater New York exhibitors on giveaways and games, it has been indicated by an important independent circuit operator. This is in addition to service charges theatre men have to pay distributing agents of games. At the estimated rate of $10 a theatre the service fee total for the 12 months is figured at $1,500,000.

Of the 650 theatres in the local area, more than half are either leasing or renting their theatres, which means they cannot distribute their own goods. Many thousands of dollars are spent for games and prizes for theatre patrons.

About $400 in cash is said to be given away every week by Greater New York exhibitors. This is exclusive of giveaways which run into (Continued on page 16)

ITOA Members for M-G-M's New Plan

Members of the I.T.O.A., at their last meeting endorsed M-G-M's plan to cancel 10 features of this season's group in line with the distributor's intention to eliminate seasonal hangovers. While no resolution was passed, the majority of the exhibitors present approved the action.

John Benas, a member of the association's buying committee, told the members M-G-M was entitled to the concessions as the distributor from time to time has granted adjustments where complaints were justified. He (Continued on page 10)

Dietz Balks

Hollywood, Feb. 23.—Howard Dietz won't turn actor to resume work on his ping pong short after all. Dietz, wise to Hollywood ways, says he doesn't like the part.

Rebuilding of Many Theatres Goes Forward

Theatre changes are numerous in various parts of the country, with the greater portion of the activity concerned with remodeling and construction work. Many houses have reopened recently.

Among the changes in the south have been the following: The Martin circuit has opened the New Grand at Fitzgerald, Ga., a 1,600-seat house replacing the old Grand destroyed by fire last fall. The Beugnot Building at Mt. Vernon, Ga., is being remodeled for the new Metro, to be operated by F. L. Liggert. The new Bonifay at Bonifay, Fla., is near completion.

Many changes in the north have included: The RKO theatres have been remodeled at Bangor, Maine, and at Scranton, Pa. South Carolina Theatres, Inc., has purchased the Purcell Hotel in Wilmington, N. C., for a reported $40,000, and plans a new house to cost $135,000.

The Miami Valley Amusement Co. has been incorporated by Joseph G. Ashbury and others at Dayton, O. Interstate circuit plans a new theatre in Houston. S. L. Taylor plans to rebuild the Kozy at Pass Christian, Miss., which was destroyed by fire.

Wheeling Theatres, Inc., has been formed at Wheeling, W. Va., by Charles P. Mead, Helen B. Shaw and (Continued on page 10)

Pathe Natan Delay Stirs Speculation

By PIERRE AUTRE

PARIS, Feb. 23.—The impression is current in film circles here that an effort is being made to delay the reorganization of Pathé Natan, now in receivership, and to prevent Robert Dior, representing the Pathé Natan stockholders, from obtaining control of the company through the reorganization.

Court approval was obtained for an extension of the receivership for two months, on the request of Banque de Paris et des Pays-Bas, said to be a Government affiliated bank. This has given rise to the speculation that the action relative to the receivership may be a step in the direction of Government control of the film industry.

Sussman Made Eastern Sales Head for Fox

Named by John D. Clark To Grainger's Post

CHICAGO, Feb. 23.—William Sussman, for years assistant to John D. Clark, has been named as eastern division sales manager succeeding E. C. Grainger, whose resignation will take effect April 15.

Announcement of this effect was made by Clark today at the closing of the three-day meet of home office representatives and district and branch managers at the Congress Hotel which ended tonight.

Sussman's first film experience was with the old Famous Players-Lasky Corp., which he joined in 1920 when he joined the sales statistical department. In 1929 Sussman was assigned to the New York Paramount Exchange as office manager and salesmen. In 1925 he returned to the home (Continued on page 10)

Decision Upon "U" Option Next Week

A decision on the exercising of Standard Capital Co.'s option to acquire a controlling interest in Universal is not likely to be made earlier than the latter part of next week, it was learned on Saturday.

Standard officials said that some additional required study of Universal's operations would delay the decision for at least a week or 10 days longer than had been expected at the time of the return from London of J. Cheever Cowdin, Standard president. The option continues in effect through March 14.

"Fleet" Heads for Gross of $100,000

Starting with a first-day gross of approximately $16,800, "Follow the Fleet" at the Music Hall did fair to hit $100,000 or better for the first week. The musical is set for a second week.

The Capitol on the second week of (Continued on page 10)
Hollywood, Feb. 23

The wheels go 'round and around merrily and with much precision on the Fox lot, snugly nestled in the Westwood Hills. There, in the short space of six months which have elapsed since Twentieth Century merged with Fox, a producing organization has been born to David P. Zanuck's liking and method of doing things, has taken on form and such pictures have bounced through as "Thanks a Million," "Metropolitan," "The King of Burlesque" and now "The Prisoner of Shark Island."...

On the Twentieth Century-Fox lot, where you might expect it, the tales told of this phenomenally successful young producer's energy and horsemanship have been many. But off the lot, in a community where jealousies run rampant and praise is often grudgingly handed out, much of the Zanuckian prevailed as well. There is told of his story with green writing and producing talent; how, when he did not have to, he stopped more important matters to explain by lengthy memo, his favorite, as well as usual, method; why this and that were wrong and what to do.

There is the story that he is quick to praise, as well as to damn, and how there is inherent in him the ability to pass on the vise and enthusiasm which apparently are essential parts of his makeup. . . .

So we talked to Zanuck. "I once said I would never return to production in large numbers, but now I am back in the game and de-ming it a bit," he stated.

"You know we've done what I think is quite a job here when you consider the circumstances. It's only about six months since we actively stepped into production and already we have turned out 20 pictures. When Will Rogers died, the word was most emphatic than is perhaps generally realized. Rogers was good for $4,000,000 profit a year, or $1,000,000 on each of his pictures. But along came 'since a Million' which stop-grapped the loss with $1,000,000 in the black in this country and plenty to spare abroad where we were not fully appreciated because he was not understood." . . .

Zanuck seemingly blossoms on work and considerable of it. In the next six months, he expects to have his organization further rounded out to a point where the pressure won't tax him heavily. In the offering is a six weeks' vacation, but by the time the holiday comes along he will have readied at least eight on the home screen schedule 1936-37. As a matter of fact, he moves with such steam that, sandwiched on its own. With the heavenly kids, his descriptive power plant slows down. There's a preview looming on this one quickly now. This arises out of here will tell you more on this score later.

"Little Lord Fauntleroy." David O. Selnick's first for United Artists is a hilarious and charming version of a sentimental potboiler of the sunshine and honey epoch, but in all departments it is handled with due deference to and understanding of its tear-jerking ingredients.

Freddie Bartholomew is excellent and vastly appealing in the title role. Dick Archibald, who still uses the Barrymore name professionally, is gentle and suffering. C. Aubrey Smith as the crusty old earl does his part in the accepted tradition with verve and it is extremely well at that. The long cast, including Guy Kibbee, Mickey Rooney and Henry Stephenson, is fine, and the entire production is well in keeping with the vast sentimentalities of the story. Where sweetness and saccharinity continue to be appreciated, "Little Lord Fauntleroy" should register substantially.

in between the handful which have yet to be made in the washup of the current season, will be three or four of next season's. These will get under way in the next couple of weeks, . . .

Looming large in Twentieth Century-Fox's scheme of things, with results to be demonstrated, of course, is "Under Two Flags," which already costs over $1,000,000, and which, when it is ready, may be worth $1,500,000 mark before the final scene is shot. The cast which numbers about fifty principals, all of them in the money, is topped by Claudette Colbert, whose stipend for this job is a mere $150,000; Ronald Colman, Rosalind Russell, generally accepted here as ready to star, and Victor McLaglen. A cool half million, that's the charge for players alone in this one picture which Frank Lloyd is directing for the current year's schedule.

This lot is gagga over "The Country Doctor," starring the Dionne quintets and for which the sales force is lining up a smash day-and-date run across the nation, totalling perhaps by this time as three hundred and fifty theatres. Zanuck says of it the material built around the babies, telling the story of Dr. D'Urso as it does, would make for an ace attraction over the $1,000,000 mark and that his sales force is counting on a most successful season.
Samuel GOLDWYN presents

"These Three"
Samuel Goldwyn chose 3 outstanding stars to portray the difficult major roles in this powerful dramatic theme which shows how one malicious lie almost destroyed the lives of 3 innocent people.

These Three

Miriam Hopkins • Merle Oberon • Joel McCrea

Directed by William Wyler
Screenplay by Lillian Hellman

Thousands of lines of publicity have already appeared on this picture... it is the most-talked-about story of the year.

Released thru United Artists
Authors Draft New Basic Pact Details

The contract committee of the Authors' League met yesterday to draft the new basic agreement for the benefit of the writers and managers, which will include new provisions for the disposition of film rights to the authors. The new pact will become effective March 1 and will be operative for two to five years. The definite term of the agreement has not yet been decided by the writers.

The completed draft will be submitted to the committee of the league, which will have a meeting today for approval, and following possible revisions as a result of the meeting. It was also for a general membership meeting on Thursday for ratification. Several suggestions for new provisions covering the disposal of film rights are under consideration by the contract committee and may not be definitely determined until the council passes on them today.

Detroiters in South

Detroit, Feb. 23—Ben Cohen, of the Ben Cohen & Company, and Mac Krim, of the Krim circuit here, have gone to Miami to spend several weeks. Mr. Cohen is with the Advertiser Co., and Harry Lush, Northville exhibitor, have returned to Detroit after spending several weeks in Miami and Havana. Other Michigan sojourners in Florida include W. A. Casady of Midland, who is at Miami, and Roy E. Moon, general manager of Co-operative Theatres of Michigan, who is spending a month at Palm Beach.

Television for Germany

Berlin, Feb. 23.—This country's first combination long distance telephone and television line will be put in operation March 1 on an experimental basis as a feature of the Leipzig Fair. The line will run from the capital to Leipzig, and four booths for users will be provided at each end.

Ginsberg to Selznick

Hollywood, Feb. 23.—Henry Ginsberg, former member of the Hox Roach Studios, joins Selznick International Pictures tomorrow in the same capacity. The deal was negotiated by Selznick and John Hay Whitney.

Juddell Back from Coast

Chicago, Feb. 23.—Ben Juddell, local independent exchange operator, returned over the week-end from a regular tour to the coast to the state during which he took up matters pertaining to his distribution activity.

Fire at Parkersburg

Parkersburg, W. Va., Feb. 23.—The Palace has been destroyed by fire. Manager Peter Thomas said the loss in furnishings and equipment will aggregate $10,000, and four booths valued at $3,000. The theatre will be rebuilt, it was stated.

Withers Titled Channeled


MOTION PICTURE DAILY

PAT SCOLLARD, Edward Gold, Bob Madden, Edward Ezel, Al Howell, William Feitelson, Charles Palen, Laurence Stalling, Lew Lehr, Truman Talley and a host of other popular men met at the Tavern on Friday, while Sidney Samuelson, Roy H. Haines, Harry Shipman and Mitchell Klupp gathered at Dinny Moores.

ARThur Lore, head of the M-G-M foreign department, arrives in Rio de Janeiro for a tour of the world.

JACK JOSSEY, Republic franchise holder in Cleveland, leaves today for home after several days here conferring with Herbert J. Yates.

JEAN MADDEN, 18 year old singer, has been signed by Warners. She will leave for the coast Wednesday.

Bob Wolff, RKO Radio New exchange manager, leaves for Key West and a fishing trip this week.

J. Robert Rubin, Leonold Friedman and Howard Dietz are due back from the coast today.

SAMUEL SPRING’S son is stricken with pneumonia last week.

Arthur Lee sailed Saturday for Bermuda and will return tomorrow.

Gary Cooper got into town Saturday. It’s a vacation.

Roy Heffner of Boston was in town over the weekend.

Walter Reade is due back from Miami either today or tomorrow.

DENVER

Dade Cockrill is in the east scheduling some stage shows for the Denver circuit.

JOHN CONSENTIA, auditor for Amity Film, has just made one of his periodic visits to Denver. Claude Klein, president of the Black Hills Amusement Co. of Deadwood, S. D., is a grand-daddy. A son was born recently to Dick Klein and Mrs. Klein, of the Pac, Chadron, Neb.

Dr. U. Vagner and Mrs. Vagner have left for a three-week vacation in California. M. S. Cooper, local manager of the National Theatre Supply, conferred recently with Walter E. Green, president, and OSCAR Oldknow, manager of the southern and western divisions.

Wires Throb with the Amazing Story
By Showmen Who Lay It On the Line!

SPRINGFIELD, MASS.
Temperature plunging to 12 below zero opened to biggest business of year!

SALT LAKE CITY
Holding over second week—fifty per cent better than average—weather awful.

FRISCO
Audience reaction great—expectations more than realized—terrific rain storm!

OMAHA
Sub-zero weather failed to halt march of "Music Goes 'Round"!

PROVIDENCE
Opened with a bang despite zero weather!

MIAMI
Smashed continuous show record after breaking single show figures for opening!

LOS ANGELES
Have not heard audience reaction like it in months—Columbia hit!

Dozens More From America's Ace Showmen!

THE MUSIC

HARRY RICHMAN • ROCHELLE HUDSON
Michael Bartlett • Douglass Dumbrille • Lionel Stander
Screen Play by Jo Swerling • Story by Sidney Buchman
TO TRIUMPH!

Columbia's Wonder Show
In a Thundering Cavalcade
of Smashed Records and
Audience Acclaim As It
Outrides the Most Atrocious
Weather in a Generation!
THE BIG SHOW ROARS IN!

GOES 'ROUND

WALTER CONNOLLY • FARLEY & RILEY and their 'Round & 'Round Music

Directed by VICTOR SCHERTZINGER • A COLUMBIA PICTURE

Music and Lyrics by Lew Brown, Harry Akst and Victor Schertzinger
Yassin, the Show Went On!

By SCOTT LEslie

Tampa, Feb. 23.—The Victory brought in one of the Major Bose matinee's for a two-day frolie, five frolics daily, and at advanced prices—yassin! Well, they induced the Mayor to proclaim the said two days as “Major Bose Days” and you know how fast you are going to be for a plug over the radio. Curious! The Mayor never mentioned Tampa a-tall.

But, what I started to tell you was—the first show was on, when "phlop", just about the time someone hit a patent or so—and there was a stage show where Moses was when the lights went out.

Then someone got a bunch to sing songs and have the audience join in, so that popped things up and kept the audience good natured until another bunch came to bat. This bunch was a couple of auto headlight hooked up to an auto at the stage door, and they must have lit the hour required to repair the transformer and get the juice flowing again.

Pickets Protesting "Riffraff" Showing

With the opening of "Riffraff" at Loew’s State on Friday, an allied union group started picketing the house and distributing handbills in protest against the showing of the picture.

In fact, the picket’s sign was inscribed: “Organized labor is not ‘Riffraff.’”

The handbills were headed “Boycott Riffraff!”

The handbills further said: “175,000 members of organized labor and 250,000 Anti-Fascists in New York City protest the showing of ‘Riffraff’ in Loew’s Theatres.”

It is signed: “Auspices: Trade Union Committee, American Legion Against War and Fascism, New York Committee, 155 Fifth Ave.”

Allied Sets Dates For Cleveland Meet

Cleveland, Feb. 23.—The annual convention of Allied will be held at the Hotel Chatelain, with Jules Catley, president of the Allied General convention chairman.

Levy on Coast Feb. 22

Los Angeles, Feb. 23.—Jules Levy, general sales manager for RKO Radio, will arrive here from Honolulu, Feb. 25, and members here are invited to confer with Ned E. Depinet and Leo Spitz on current and new product.

Cresson E. Smith, southern and western division sales head for RKO Radio, returns today from a tour of exchanges under his supervision.

“Dark Victory” in Color

Hollywood, Feb. 23.—“Dark Victory,” Richard Dix’s Technicolor drama, will be made in Technicolor. Lenore Coffee is writing the screenplay from the play by George Brewer and Gertrud Bloch. Merle Oberon will star.

5500 South Figueroa Street

"Rose Marie" Hit Despite Seattle Cold

Seattle, Feb. 23.—“Rose Marie” was a smash hit in spite of extreme cold which sent all other first runs skidding below par. The take at the Fifth Avenue was $11,250, over normal by $4,250. The picture was moved to the Music Box for an extended run. The play is only other first run left in Seattle making a slight dent in the general lull which was “Ceiling Zero” and “Oh, Doctor!” at the Biograph, and a small deal at the Blue Mouse. The $3,100 there was $900 below par.

Total first-week business was $31,600. Average for $3,350.

Estimated takings for the week ending Feb. 21:

“CEILING ZERO” (F.N.)

“YOUR UNCLE DUDLEY” (2nd-Fox)

“WINDMILLERS” (Col.)

“THE INNOCENTS” (Col.)

“MURDER ON THE ROCKS” (Col.)

“A DAMNED THIEF” (Paramount)

"EXCLUSIVE STORY” (M-G-M)

"GAMBLER," "19TH AVE." (Allied)

“THE LONE WOLF” (Allied)

“REX” (1,500), 6 days. Stage: Fred Dooley and others. Gross: $2,590. (Average, $3,350)

Transfer R. E. Catley

San Francisco, Feb. 23.—Robert E. Catley, formerly stage show booker for F. W. C. here, has been made assistant manager of the California. Henry P. Franklin is manager.

Wall Street

Universal Best Gain on Board

Universal Pictures Co., Inc., and subsidiaries report a net loss of $677,185 for the 33-week fiscal period ended Dec. 31, 1935. The net loss is after all charges, including amortization and depreciation of fixed assets, totaling $474,052.74. This compares with a profit of $258,791 for the fiscal year ended Oct. 27, 1934.

The 1935 figure is subject to the accountant’s audit, which is expected to be completed in a few weeks. However, the company indicates no substantial change in the figure is anticipated.

To Retire Loew Issue

Dillon, Reid & Co., sinking fund agents for Loew’s, Inc., has called $247,500 principal amount of the company’s 15-year six per cent sinking fund mortgage notes for redemption April 1 at 101.

Rebuild Portland House

Portland, Me., Feb. 22.—The Strand and the building it occupies are being put back into condition following a $25,000 blaze. The house is owned and operated by Abraham Goodside, owner of the Empire.
Now You Can Be Sure
You Won't Bore Them!

BOREDOM is the worst enemy of the Box-office. Even your best friends
will stay away in crowds when you become tiresome. The first prin-
ciple of showmanship ought to be to avoid putting the customers to
sleep. To keep them awake, eager, and coming back for more, get
variety, sparkle, laughs, thrills into your program. And here’s how.

B’s Worst Enemy... Laughter is the strongest
antidote to boredom. Nothing chases the glooms
faster than a BUSTER KEATON Comedy, And
Buster never did a better job than in “GRAND
SLAM OPERA.” Film Daily says it’s “The best
comedy Buster Keaton ever delivered.”

Giving 'em the Air... There’s a breeziness
added to your program that gives the air to mo-
notony whenever JOE COOK goes on your
screen. Hilarity is hitting on high in “GIV IM
AIR!” with a laugh for every man, woman and
child who ever turned on a loudspeaker.

Melody with Their Mirth... For songs and the
spirit of youth, look to Educational’s Musical
Comedies, such as “THANKS, MR. CUPID!”
with NIELA GOODELLE, FRED LIGHTNER
and NELL KELLY, and the Young Romances,
such as “BEWARE OF BLONDIES,” with
MARLYN STUART, ACKLAND POWELL.

New Star Names... Educational’s star line-up,
already the biggest in short subject history, keeps
bringing you new big ones. Now it’s BERT
LAHR. Watch for his first one, “GOLD
BRICKS!” He’s struck it rich in laughs. And
another one to watch for is TIM and IRENE in
a real button-buster, “JUST PLAIN FOLKS!”

Human Interest... There’s not a heart in your
audience so hard that it can’t be touched with
“THE SEEING EYE” This “very human docu-
ment” (Film Daily) will, according to Box-Office,
“stimulate the emotional instinct of the most hard-
ened movie audience” and bring the exhibitor
“the gratitude of his community for showing it.”

Sports Thrills... Imagine anyone sleeping
through a hand-to-fist battle with a fighting sword-
fish! They’ve just got to sit up and thrill when
you play “FISHERMAN’S LUCK,” and “THE
GAME OF JAI ALAI” shows all the terrific
speed of the world’s fastest game. Two more gems
from The Treasure Chest.

Cartoonies... For good old, down-to-earth fun
for the whole family, depend on Paul Terry-Toons.
“THE 19th HOLE CLUB” is better than a high-
ball after a hard game. And “HOMETOWN
OLYMPICS” is a timely subject with a special
appeal while the big games are on. Check two
more winners for Frank Moser and Paul Terry.

Color... Get a touch of beauty on your screen
that will waken admiration. “MANHATTAN
TAPESTRY” catches the beauties of Bagdad on
the Subway in all their natural colors. “THE
LEGEND OF THE LEI” is colorful Hawaii at
its best. They’re Treasure Chest Productions.

Presented by E.W. HAMMONS

Distributed in U.S.A. by 20th Century-Fox Film Corporation
Rebuilding of Many Theatres Goes Forward (Continued from page 1) T. H. Duval, C. F. Fain places a $25,000 house at Livingston, Tex., and will remodel the present theatre in the town. The Clarendon at Clarendon, Ark., has been recently completed after extensive remodeling.

In New England, A. C. Barwood has taken over the Woodstock, Woodstock, Vt., from W. Lamere, W. D. Lord has reopened the Star in West Pembroke, N. H. The Star in South Portland has been remodeled and has been renamed the Seville by R. E. Curran.

The St. Louis Amusement Co., will remodel the Lafayette in St. Louis at a cost of $10,000. Other changes in the week were:

W. G. Thick will convert the old post office building in Marshall, Mich., into a 400-seat house, to be known as the Sun. Simon Greatal is remodeling the Princess at North Tepoka, Kan. The Kaw, new 350-seat house in the same town, has been opened by W. G. McKinney. Otto Motrice and James Warha shortly will reopen the Lyric at Tiffany, O., following extensive remodeling.

Young& adds a Third W. G. Young& has added a third house to his group, taking over the Comet at Shelton, Neb., from Mrs. E. A. Philips. The theatre will be remodeled, and the name changed. Young& has remodeled the Empress at Grand Island, R. H. Montgomery has opened his new 400-seat house, the Cozy, at Ottawa, Kan. The Sosna Brothers shortly will open the Sosna at Moberly, Kan., after remodeling. Hardwick & Tuggle are building a 500-seat theatre at Neosho, Mo.

TOCC-TOA Merger Predictions Current Reports of a merger between the T.O.C.C. and the I.T.O.A. are going the rounds again. Latest indications are that as soon as Harry Brandt returns from Florida he will confer with Charles L. O'Reilly, president of the T.O.C.C. on the amalgamation.

For a number of years the T.O.C.C. held sway in the local area until Brandt and a number of other independent exhibitors formed the I.T.O.A. The latter organization grew up to a membership of about 400, while O'Reilly's followers dwindled from the ranks.

With the I.T.O.A. membership reportedly between 30 and 50, some minds have figured that it's about time the two units got together and united into one solid independent organization.

O'Reilly, who has been devoting most of his time to his candy vending business during his absence, has been charging that the merger talks is said will be an active factor in the combined association. Brandt, although he has been too busy to talk, will, it is said, most likely continue on the board of the new setup.

Negotiations for a merger of both exhibitor groups has been held some

Sussman Made Eastern Sales Head for Fox (Continued from page 1) office as assistant to George J. Schaefer, who at that time was eastern division sales manager. In 1926 he became personal assistant to Clark, who was then the division sales manager. When Clark went to Fox in 1932 Sussman went with him as assistant. No successor to Sussman has been named as yet.

I.T.O.A. Members for M-G-M's New Plan (Continued from page 1) further added that the company this year cut the list of percentage pictures to four and held that the general sales policy of M-G-M was fair. As a result, he said, independent exhibitors should be fair with the company and fall in line and cancel the films. In the case of Universal, Basu added that exhibitors will receive additional charges bought by the company on "Magnificent Obsession." He also recommended giving Universal extended playing time on the picture.

It is likely that the same topics will be brought up by Allied of New Jersey when the organization convenes. No meetings have been held within the last few weeks because Lee Newbury, president, is out of town.

A number of independent circuits in the local area already have signed cancellation deals with M-G-M, it has been learned.

RKO Completes Plan For 13-week Drive Plans for a 13-week international sales drive under the heading of The RKO Foreign Legion Olympics were completed last week prior to the sailing of Phil Reisman, vice-president of RKO Export Corp., on the Ile de France. The drive will start March 15 and end June 13 with 39 foreign countries participating. Ned E. Depinet, Reisman and E. D. Leishman will act as judges. Field captains in charge of various territories will be Ben V. Cammack, Reginald Armour and Harry W. Lemay. Home office captains will be E. B. Smith, B. D. Ligon and R. K. Hawkins.

Lubitsch Due Wednesday Ernst Lubitsch is slated to arrive from Hollywood Wednesday evening for Europe where he will vacation and at the same time look over the talent market. The director has booked passage on the Berengaria for March 4. He is expected to be abroad several weeks.

time ago, but fell through. With the exhibitors being nettled with a two per cent sales tax, a new children's department store, there are some important independents hold that it would be propitious to get the two groups together for solid support in fighting the various bills.

"Story" with Waring Leads Detroit Takes

Detroit, Feb. 23.—A combination of "Exclusive Story" and Fred Waring and his clars turned out to be the best draw of the week here with a take of $23,500 at the Michigan. This total was $19,500 more than the $4,000 paid on "It Had to Happen," with a vaudeville bill, came in with second honors on a gross of $15,400 at the Fox. All other first runs were below par.

Total first run business was $64,100. Average is $6,050.

Estimated takings for the week ending Feb. 20:

CRIME AND PUNISHMENT (Cal.) $5,500. (Average, $600)

AMADYS (1,770), 36c-46c, 7 days. Gross: $10,000. (Average, $1,429)

IT HAD TO HAPPEN (20th-Fox) $10,000. (Average, $1,429)

EXCLUSIVE STORY (M-G-M) $12,500. (Average, $1,857)

MICAHAN—(4,300), 36c-46c, 7 days, Fred Waring's band. Gross: $23,500. (Average, $3,429)

CEILING ZERO (F. N.) STATE—(3,000), 36c-46c, 7 days, run: $6,000. (Average, $1,667)

THE GHOST GOES WEST (U. A.) UNITED ARTISTS—(4,000), 36c-46c, 7 days, run: $6,000. (Average, $1,667)

THE INFORMER (Radio) DOWNTOWN—(2,960), 15c-65c, 7 days. Gross: $5,800. (Average, $1,667)

"Fleet" Heads for Gross of $100,000 (Continued from page 1) "Rose Marie" garnered $25,700, while the Rivoli on the second stanza of "Modern Times" talked slightly over $35,000, "Bohemian Girl" at the Rialto ended with about $8,500 and the Palace with a twin bill of "Next Time We Love" and "Professional Soldier" got about $7,000.

Major Bowes' amateurs at the Roxyl will probably hit the gross to around $50,000 this week.

Lesser May Produce Two for 20th-Fox Hollywood, Feb. 23.—Sol Lesser, who has just landed a new deal for the release of six through Twentieth Century-Fox, may become a producer on the same if negotiations for a two-picture deal materialize.

Lesser's plan provides that he personally supervise two features of the next season's lineup for Twentieth Century-Fox.

Brandt to Add Spots Following return of Harry Brandt next month from Hollywood, Fla., several theatres are expected to be added to the Brandt circuit. Because of the heavy bookings already being added to the circuit, Brandt refused to continue as president of the I. O. A.

The acquisitions will be in Brooklyn and Manhattan. The Brandt brothers are now interested in about 45 theatres in the local area.
REVIEW—NO. 2 FOR 1936—U. S.

NEW YORK SUN—The current MARCH OF TIME deserves applause. This edition is certainly the best, a remark I’ve probably made when reviewing each issue, so surely and rapidly does this editorial newswheel improve.

NEW YORK DAILY NEWS—Progress of Russia’s second Five Year Plan... Hartman’s Solution delightfully demonstrated... and amazing scenes of Father Divine’s No. 1 heaven in Harlem... comprise the three interesting and graphic episodes in the new MARCH OF TIME.

MOTION PICTURE DAILY—Extremely good, with expert use of the camera, is the sequence on Father Divine... who dominates a vast group of disciples centered in New York’s Harlem.

REVIEW—GREAT BRITAIN

GLASGOW SUNDAY MAIL—MARCH OF TIME... almost yanked me out of my seat. Terrible is just a mild way of describing this strong and meaty fare.

NEWCASTLE SUNDAY SUN—MARCH OF TIME... cuts a new path through the jungle of everyday subjects and ideas. No rush to report weddings, sports, parades and floods, but a leisurely reconstruction of some outstanding events with the argument clearly pointed.

MANCHESTER EVENING CHRONICLE—When the first issue was shown... the management received hundreds of letters asking when the next issue would be shown.

DAILY DISPATCH—THE MARCH OF TIME, certainly the most sensational short feature ever seen on the screen.

EXCLUSIVE EXPLOITATION

Each month more than 4500 theatres show a new issue of The March of Time. Backing up their local effort is a powerful selling campaign that reaches millions—costs these theatres nothing. This month for an example:

1—Double page in Fortune Magazine. 2—Page in Time. 3—50,000 gummed posters, “stills” from Russian episode by Licea. 4—Page in color in 2 largest weekly magazines and in 5 other national magazines by International Truck (M.O.T. Camera Car). 5—American Dental Society informs its 60,000 members of the Hartman episode. 6—March of Time’s own advertising (this month 500 advertisements in 125 newspapers in 35 key cities). 7—Five nights a week, over the Columbia network, March of Time on the air.

NOW IN MORE THAN 4500 THEATRES

No. 2 for 1936

LIFE BEGINS IN RUSSIA—THE 2nd FIVE YEAR PLAN
HARTMAN DISCOVERY—NEW DENTAL PAIN KILLER
FATHER DIVINE—ENTERS ’36 U. S. POLITICS
"Important News" (M-G-M)

The work of Charles (Chic) Sale in another of his excellent characterizations is due for mention. Herein, Sale is the small town editor of a very small town newspaper. Although he believes the arrival of twins is real news and the warning of an approaching snowstorm makes first material for the farmers. When a man from the big city walks into town, Sale gets his fingers burned and takes the frost warning off the front page. He is ridiculed until a vacationing newspaper editor hears his compliments on him. Production Code Seal No. 1,300. Running time, 10 mins. "G."

"Airhoppers" (M-G-M)

With Pete Smith afforded occasional amusing in his handling of the accompanying dialogue, this number of the Sports Parade series pictures the thrill-seeking enthusiasts of the glider, as they soar aloft in motorless planes, relying on the wind, and taking their lives in their hands. There is entertainment and often a thrilling thrill in the various and brilliant maneuvers of the pilots. An effective subject. Production Code Seal No. 1,942. Running time, 10 mins. "G."

"Vamp Till Ready" (M-G-M—Roach)

Charlie Chase's antics are often amusing, but when he is unable to play a neat trick on him, the Chase fans especially should find the subject entertaining. His wife is old-fashioned, and when she suddenly buys a modern gown, Chase, coming home, mistakes his wife for her twin sister, and tries some of his well-known gags. Eventually she tells him the truth, at which point the twin sister actually arrives to completely bewilder Charlie. Production Code Seal No. 1,888. Running time, 20 mins. "G."

"The Lucky Corner" (M-G-M—Roach)

There are numerous laughs in this Our Gang comedy, in which the always infectious kids seek to kid the poor lemonade vendor who is ruled off a good corner by a greedy stand owner. Their ingenious scheme and its laugh-provoking execution as they beat the competitor at his own game, after a bit of slushing, a narrow escape from death and the arrival of the Rangers to settle accounts, the piece ends with Lewis and his sister, Margaret Nearing, in the Rangers as the cowboys sit around the campfire and sing. There is a bit of humor injected into the narrative when the gang members decide to take Miss Nearing in. Miss Nearing recites her lines quite amateurishly. Tyler rides and fights in good style and Lewis handles his role well. Al Bridges is also in the cast. Henri Samuels directed and Pliny Goodfriend photographed. Reviewed without production code seal. Running time, 60 mins. "G."

"Yellow Dust" (Radio)

It's a western—or an outdoor drama, as they call them nowadays—with only one stagecoach holdup and no cattle rustling. That sets it apart for this type of film. It is a lighthearted film with a very good looking girl, Lelia Hyams, who makes her role seem real in an effortless, competent way, and Richard Dix does his stuff with a nonchalant freedom from heroics that is refreshing. Any western that can stir up scattered applause from a Times Square audience when the hero escapes from having achieved something is called "Yellow Dust." Did this at the opening show at the Rialto.

The story, by Cyril Hume and John Twist, is based on the play "Mother Lode," by Dan Totheroh and George O'Neil. Just how much it is based on it this reviewer can't say, but it's enough to make for a series of tense scenes and a good Laughing of sorts, most of which are contributed by Andy Clyde, as an old prospector, and Moroni Olsen as a western brigand who is willing to reform.

Dix and Clyde discover a gold vein together, and then interrupt a stagecoach holdup while on their way to register their claim. Dix's infatuation for Miss Hyams is excused with a bottle at the bar, interrupt their plans for filing the claim. Dix winds up in the jug and Miss Hyams file the claim in her own name to Onslow Stevens, a crooked hotel proprietor, who intends to get both the gold and the young woman.

The story is some smart riding, a tense scene when Dix seems about to be hung, and another exciting moment when Dix interrupts Stevens' efforts to marry Miss Hyams. Some of the photography by Edward Cronjager is splendid. Wallace Fox directed.

Production Code Seal No. 1,799. Running time, 68 mins. "G."

Dvorak Row in Court

Los Angeles, Feb. 23—Judge Harry R. Archbald has taken under advisement the contractual dispute between Ann Dvorak and Warners. The star contends she has been suspended from the studio payroll and has been unable to work while studio physicians said her health would not permit strenuous dancing.

Warners-Wanger in Deal

Hollywood, Feb. 23—Warners and Walter Wanger are exchanging talent. Ann Dvorak, who has recently returned from New York and Henry Fonda, have been borrowed by Warners from the Columbia lot to make a picture for George Brent and others.

"Pine" Hearing on Today

Hearing is scheduled today in the New York Supreme Court on agreements concerning ownership of the rights to "Pine of the Lonesome Pine." Louis Phillips will represent Paramount.

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"Things to Come" Is Given London Start

By BRUCE ALLAN

LONDON, Feb. 23—"Things to Come" will be shown at the London Empire here Friday. It was previously shown at a press preview the day before the opening.

The film deals with a world of the future, after H. G. Wells, a world that is replete with the last word in modernism, from the modern airship to the modern television which permits leaders to command the whole world on screens thousands of feet high in the public square. The film involves the world's collapse to barbarism through war and its regeneration by a group of scientists. Formed by the members who have over-shadowed present skyscrapers, helicopters, tankers landing and taking off in the sky, the area projected television which permits leaders to command the whole world on screens thousands of feet high in the public square. The film involves the world's collapse to barbarism through war and its regeneration by a group of scientists. Formed by the members who have overshadowed present skyscrapers, helicopters, landers and taking off in the sky, the area projected television which permits leaders to command the whole world on screens thousands of feet high in the public square.

"Things to Come" is given London start.
MOTION PICTURE DAILY

Monday, February 24, 1936

Cummings Applies for Order on "Ecstasy"

Samuel Cummings on Friday in state Supreme Court applied for a show cause order preliminary to seeking an injunction restraining Intimate Theatres, Inc., Metropolis Film Exchange and the officers of the two companies from exhibiting any picture using, in whole or in part, the title, "Ecstasy." The action followed the advertising for showing at the 55th St. Flap house, operated by Intimate Theatres, of "Ecstasy of Young Love."

Cummings, through his attorney, Henry J. Pearlman, charged unfair and fraudulent practice, claiming that he owns the rights to two pictures, "Ecstasy" and "Young Love," both produced in Czechoslovakia, and that these two titles were combined into one by Intimate Theatres. The action, in addition to the two companies, names Max A. and William Goldberg, president and treasurer, respectively, of Intimate, and Martin J. Lewis, president of Metropolis. Max Goldberg said late Friday that it had been decided not to run the picture at the theatre, but Cummings indicated that the injunction action would be pressed in any case.

The film "Ecstasy" was involved in considerable controversy some time ago when the Government refused it admittance to this country.

Raise Ohio WPA Wages

COLUMBUS, O., Feb. 23.—More than 18,000 WPA workers in Ohio have been granted a 10 per cent increase in wages, meaning an expenditure of at least $1,000,000 additional each month to meet the payrolls.

The present payroll varies between $10,000,000 and $11,000,000 monthly. The State WPA has an aggregate $31,000,000 budget for operations up to July 1.

Michaels Buys Control

BUFFALO, Feb. 23.—Dewey Michaels, co-owner and operator of the Gayety and Palace, has bought out his partner, Nathaniel Boasberg. He will book stage shows at the Gayety.

The Palace is a burlesque euripusium. Nate Boasberg is a brother of Al Boasberg, Hollywood gag man and script writer.

Olmstead Drops Name

HOLLYWOOD, Feb. 23.—Ray Olmstead, owner of Principal Pictures Exchange, has dropped the name, and from now on will operate under his own name. Olmstead started using the name Principal Pictures Exchange some years ago when the Sol Lesser Principal Pictures were his best product.

U. S. Seeks Maloy Tax

CHICAGO, Feb. 23.—A claim for $99,255.87 has been filed against the estate of the late Thomas E. Maloy, on behalf of the U. S. Government for unpaid income taxes by Carter H. Harrison, collector of internal revenue.

When letters of administration were issued Maloy's estate was estimated at least $25,000.

Broadcast Twice Daily

NEW HAVEN, Feb. 23. — The Whalley, a suburban end now broadcasts twice daily over WELI with organ programs, in addition to broadcasting its amateur contest from the stage of the theatre.

As Advertised!—Another Extra-Profit Show from Warner Bros.!

ELECTROCUTION ON "DEATH FENCE" SPURRED REVOLT

Burning of Buddy On "Wired" Barricade in Escape Attempt Incited Mob

"Torture Strikers" Invade Broadway

RIOTERS HEADING HERE

WILD DEMONSTRATION SET FOR SATURDAY

Just when you thought you had tasted the greatest thrills the screen could give—along comes "ROAD GANG"

A First National Picture & Presented by Warner Bros.

25c to 1 P. M. • STRAND • B'way & 47th St.

Plans Two in St. Louis

ST. LOUIS, Feb. 23.—The Aubrey Realty Co., a holding company controlled by Eugene A. Freund, plans to build two houses here, which will be leased to the St. Louis Amusement Co. Construction will begin about April 1, both to cost about $150,000.

Town Votes Sunday Film

DENTON, Tex., Feb. 23.—Citizens of Denton voted 983 to 962 in favor of Sunday films in a special election recently. Sunday shows had been banned for several years as the result of a previous vote.

Brood Made Supervisor

HOLLYWOOD, Feb. 23.—Sid Brood, formerly production assistant on Harold Hurley's staff at Paramount, has been made a supervisor. Brood has been with the company for 10 years, and was an assistant director before joining the Hurley staff.

Greenberg Joins Capitol

OMAHA, Feb. 23.—Meyer Greenberg is the new western Iowa representative for Capitol Pictures. He succeeds Joe Zwieback, resigned. Greenberg was with Capitol in 1930, but resigned to go into insurance.

Menches Is Reelected

AERON, Feb. 23.—Robert Menches has been reelected president of the Akron I. T. O. A. Other officers are: First vice-president, W. P. Hart; 2nd vice-president, Charles Stalder; secretary, J. G. Deetjen; assistant secretary, Robert Paulus; treasurer, Al Ploenes; directors, Melches, chairman; Deetjen, Ploenes, Stalder and Park Belden.

Arthur at Salt Lake

SALT LAKE CITY, Feb. 23.—Milton Arthur, Western representative for F. & M., is in town for conferences.

(As Advertised!—Another Extra-Profit Show from Warner Bros.!)
Another RCA First

ULTRA-VIOLET RECORDING

Newest box office draw

Not since High Fidelity sound in 1932 have theater owners had such a chance for increased profits as now. Sound that you've never before listened to is being recorded by RCA Photophone's new Ultra-Violet process. You'll be amazed. Your audiences thrilled, and your attendance increased!

But don't miss your share of profits. Use RCA Photophone equipment, whose sound head, amplifiers and speakers can handle without loss or distortion the higher frequencies recorded by the new, exclusive Ultra-Violet method.

Fleischer Awarded $5,500 On Doll Suit

Special Master Theodore S. Kenyon, appointed by Federal Judge John Woolsey to determine the amount of damages from the copier and infringe-

ment suit by Fleischer Studios, Inc., and Fleischer Art Service, Inc., against a firm in which a doll manufacturer, has awarded $5,500 to the plaintiffs. This is exclusive of $2,000 for costs and attorneys' fees to be decided by Judge Woolsey.

Louis Nizer of Phillips & Nizer originally tried the case for the plaintiffs before Judge Woolsey, who held there had been an infringement of the Max Fleischer cartoon of Betty Boop by the doll manufacturer. The decision was then appealed to the U. S. Circuit Court of Appeals and the U. S. Supreme Court and in both instances the determination was affirmed.

To Investigate Storage

DEERFIELD, Feb. 23.—An investigation of film storage in the city will be started as a result of a $7,500 fire at the Filmcraft Laboratories, in which five Venetian drapes were burned. Careless handling of film caused the blaze, which necessitated closing the plant temporarily. City ordinances prohibit the storing of more than five reels outside a storage vault.

Charter Kirby-McLeroy

WINNSBORO, Tex., Feb. 23.—KirbyMcLeroy Theatres, Inc., has been granted a state charter. J. G. Kirby, Jr., Karlye Kirby and Raymond Mc-

leroy are the principals.

G. B. Names Booth

CINCINNATI, Feb. 23.—Herman L. Booth has been named G. B. branch manager here. Rudy Koepke will leave the local exchange for a new assignment, not yet decided.

Shift Dallas Managers

DALLAS, Feb. 23.—Ainsley G. Wood has been appointed manager of the Melrose here. He succeeds W. M. Pink, who will manage the Palace.

So. Norwalk Gets Shows

SOUTH NORWALK, Feb. 23.—The Empress is now using stage shows one night a week.

Decisions Are Made On Technical Awards

Hollywood, Feb. 23.—The board of judges for the Academy scientific or technical award has completed consider-

ation of the nominations. Announcements will not be made until the Academy dinner March 5.

All Academy members will attend a final short subject showing at Warners Hollywood tomorrow night and cast ballots for the best achieve-

ments.

Form Two New Firms

ALBANY, Feb. 23.—Two new film companies formed here are: Alto Theatres Co., Inc., New York City, by Nicholas De Pasquale, Edith Kahn and Samuel Wollan, and Plio Corp., also New York City, by Anna Eichel, Betty Black and Florence L. Levy.

Charter Two Companies

ALBANY, Feb. 23.—French Motion Picture Corp. has been chartered here by John S. Tapernoux, Napoleon Vaillicourt and Sylvia Shafran.

Epitonic Films, Inc., has been chartered by Moss Fym, Adela Hella and Bertha Twerie.

F. M. Witte to Crosley

CINCINNATI, Feb. 23.—Fritz M. Witte, former exhibitor, has been appointed director of publicity for Crosley Radio Co., operating stations WLW and WSAY here. He succeeds Barley Schroeder, who has become resort promotional director of the Duluth, Minn., Chamber of Commerce.

Turner to Pittsburgh

PITTSBURGH, Feb. 23.—Charles N. Turner, Jr., of Atlanta, has been brought to Pittsburgh by George Jaffe to man-

age the new Casino, formerly the Harris. He'll have his associates Ben Jaffe and the proprietor, Dick St. Martin is house treasurer.

U. A. Promotes Carroll

BOSTON, Feb. 23.—Joseph Carroll, formerly Manager for United Artists here, has been named office manager of the exchange. He replaces Abe Weiner, who has been promoted to the sales force.

Greater Union Sets Modernization Plan

WASHINGTON, Feb. 23.—At the begin-

ning of December, 1935, Greater Union Theatres of Australia launched a reorganization policy, starting work on the Brisbane Tivoli, according to a report from Trade Commissioner E. G. Jones in Sydney. About $20,000 is to be spent in modernizing the Tivoli. The entire circuit of Greater Union Theatres is to be modernized during 1936, and work is to begin immediately on four other theatres at Brisbane and New-

castle, one in Sydney and one in Mel-

debourne.

What is claimed to be the highest price paid for any theatre site in Sydney for many years is that on which a new $25,000 theatre and shopping arcade will be erected. The theatre is being built for Packer, Nacard and Packer, and is expected to open in March. A new theatre which cost about $19,000, was opened recently at Manly, a suburb of Sydney.

Bangor Reelects Pierce

BANGOR, Me., Feb. 23.—Albert E. Pierce has been reelected president of the Local 198, I. A. T. S. E., which has celebrated its 25th anniversary here. James E. McGuigan, the new recording secretary, Louis Rice and Fred Aia have been returned as financial secretary and treasurer, re-

spectively. Everett Bickford has been elected sergeant-at-arms.

MacDermott Transferred

SPRINGFIELD, Mass., Feb. 23.—Will-

liam MacDermott, formerly assistant manager at Loew's Poli in Worce-

ters, has been transferred to his new position at the Poli here. MacDerm-

ott replaces Walter Kessler, who has been shifted to Jersey City.

Bucyrus State Closed

BUCYRUS, O., Feb. 23.—Schine's State has been closed until damage by smoke from a fire originating in the heating plant can be repaired. The building adjoining the theatre was de-

stroyed.

Ferrara to New Orleans

JACKSON, Miss., Feb. 23.—Marion E. Ferrara of New Orleans, artist, has opened a new art studio, has been made manager of the Istrione here. Placing of Ferrara as manager per-

mits A. M. Jacobs to spend the entire time to management of the Century.

Theatre to Be Church

TAMPA, Feb. 23.—The Risulo, started as a stock company theatre 15 years ago and closed for the past three years after films had failed there, is to be remodeled into a church. The property has been deeded to the Tampa Welfare Home.

Form United Exhibitors

ALBANY, Feb. 23.—United Moving Picture Exhibitors, Inc., has been formed by George Hoffman, Gertrude M. Conroy and Mary K. Stratman.

Remodel Provo Theatre

PROVO, Utah, Feb. 23.—F. S. Levine of the Paramount is remodel-

ling and modernizing. C. B. Schultz opened a new 300-seat Orpheum in Tremonton shortly.
STAR PERFORMER

SUPER X delivers unparalleled photographic quality to the screen. That is why it continues to hold its position as star performer among negative motion picture films. That is why it plays a part in most of the feature pictures released in the world's leading movie-producing country. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
OUT HOLLYWOOD WAY

Hollywood, Feb. 23.—Max West's current trip cast is her first since she came out here to make pictures....

December report indicates to go to Honolulu for a vacation, but is waiting to see whether Warners assign her to "Mary of Scotland," Hecht-Sherman project, under new contract at Warners. ... Traves Banton, costume designer, re-signed.

Milt Howe of Twentieth Century-Fox publicity department buys five-acre farm. ... Intends to build....

Hollywood's "Maid in the Big House" to have Carlos Hughes and Edgar Acuff, ... Craze Ruby Travis playing for leads... 

Hogan, first "Rooftop Bride" being shot at Warners' two against the Lord of the Rings are also slated for a Warners vehicle as yet unnamed.

Helen Boyd to be named in one of their star productions for the sea.

Radio's Travis, former T.V. announcer, is now playing a supporting role in "The Girl from Manderson." +

Director—George Marshall, who has just finished "A Message to Garcia." M-G-M. 


SUITES POSTPONED IN BRONX

Hearing on two cases against Loew's for alleged violation of the lottery laws as a result of the use of Screeno in the Elsmere and Grand was postponed Friday to March 17 in Special Sessions, Bronx. Continuation of the cases was sought by Irving Greenfield, Loew attorney, because of an appeal pending on a decision of the Appellate Division of the Brooklyn Supreme Court.

Another hearing is set for Feb. 28 involving the Paradise on a similar matter. A request for an adjournment likewise is expected to be granted.

BROOKLYN OPERA HOUSE was put under police control until time in March. Although District Attorney Foley is anxious to have the various cases heard by the bankruptcy court, this was denied by a defense counsel for the reason that the matter is pending in the higher courts.

DENVER INSURES PRICES

Denver, Feb. 23.—The Theatre Guarantee Corp., which has just opened offices in Denver, is an insurance company for bank nights. This company will insure one against losing if his name is called at a Bank Night and he is not present.

BRIDGEPORT HITS PRICES

Bridgeport, Feb. 23.—Police here who have forced the operators of Bingo games to abolish cash prizes will next turn their attention to the large gambling ring here. This will be the first city in the state where police have taken action against the Bingo, Bank and other cash giveaways in theaters.

REOPEN IN PROVIDENCE

Providence, Feb. 23.—The Modern Theatre, erstwhile home of burlesque and stock, has reopened as a second-run feature house, with three change of programs weekly. "The Lives of a Bengal Lancer" and "Robertra" are booked for the first week.

MOTION PICTURE DAILY

February 24, 1936
Swedish Group Plan Producing Company

WASHINGTON, Feb. 23.—A new Swedish producing company, which will be capitalized at between 100,000 crowns and 300,000 crowns, will be established in the near future by a small group of distributors and theatre owners, it was reported to the U. S. Department of Commerce by Trade Commissioner Basil D. Dahl in Stockholm.

The studio will be located in or near Goteborg and a number of the actors and actresses of Goteborg’s Stads-teater (the Goteborg City Theatre) will be employed by the new company. Production will be started in three or four months, according to present plans, the report stated.

Small in New Concern

William Small, formerly executive secretary of the I.T.O.A., has joined with his brother, Fred, in the formation of Theatre Advisory Service. William is president.

The company will finance construction and reconditioning of theatres as well as render special advisory service on advertising and other matters.

Paris, Ill., Spot Burns

PARIS, Ill., Feb. 23.—The Opera House building here, owned by Mrs. Phillip Bibo, was destroyed by fire at an estimated loss of approximately $100,000. Mrs. Bibo states the building will be rebuilt and used for other business purposes.

Cincy House Gets Organ

CINCINNATI, Feb. 23.—The Rialto, neighborhood, operated by Charles Fine, has installed a Hammond pipeless organ. Hy C. Feis and Pat Gallick are organists, the latter being a member of the WLIW radio staff.

N.O. to Get Art Films

NEW ORLEANS, Feb. 23.—The Modern Film Society of New Orleans has been formed here for the purpose of bringing so-called art films and imported film to the city. Showings will be at the Happy Hour.

Carlyle Biggs Resigns

LUMBERTON, N. C., Feb. 23.—Carlyle Biggs, manager of the Carolina, has resigned and has been succeeded by J. B. Jones of Lexington.

Garrity to Lowell

BOSTON, Feb. 23.—Edward Garrity has been named manager of the Victory at Lowell, recently taken over by Michael Daly. Garrity formerly managed the National here for E. M. Loew.

Ackerman in Keady Job

PORTLAND, Feb. 23.—George Ackerman, long associated with the J. J. Parker theatres, has succeeded Victor Keady as house manager at the Broadway.

Bill Hits Holiday Shows

BOSTON, Feb. 23.—The latest bill aimed at theatre owners in appearance in the House is one introduced by Thomas A. Flaherty to put Sunday restrictions on holiday shows.

WARNERS SIGN UP COXE

Hollywood, Feb. 23.—Warner’s have signed Harold Coxe, cartoonist to make a special series of drawings to exploit "The Green Pastures." The work of Coxe is well known particularly in Chicago and New York.

OPEN LAS VEGAS HOUSE

Los Angeles, Feb. 23.—The Kent Corp. has opened the Palm Gardens at Las Vegas, Nev. K. K. Comstock is president.

NAME EXAMINERS’ BOARD

NEWPORT, R. I., Feb. 23.—Harold McClain and Winfield White, Jr., local projectionists, have been appointed as a board of examiners to pass upon prospective operators in this city under the provisions of a new city ordinance.

FORM LABORATORY FIRM

ALBANY, Feb. 23.—Cinqui Laboratories, Inc., has been chartered by Jean Gross, Sol Brown and Sarah Anders.

LaMarre Gets New Post

SAN FRANCISCO, Feb. 23.—Rene T. LaMarre, advertising manager for Harvey Theatrical Enterprises, has been made manager of the Victory in San Jose.

Another change in the Harvey personnel is the appointment of Ray Kellsall to the main office, where he will act as assistant to Julian Harvey. Kellsall has represented the circuit in southern California.

AS ADVERTISED!—ANOTHER EXTRA-PROFIT SHOW FROM WARNER BROS.!

IT’S HARD TO BELIEVE...BUT!

A MAN CAN ENDURE JUST ABOUT TWELVE HOURS ON THIS "TORTURE BARREL" BEFORE BREAKING UNDER THE STRAIN

ON A FENCE WIRED WITH CRACKLING DEATH WAS THE PAIN OF THIS DESPERATE "TORTURE STRIKER!"

A BOY WAS RAILED TO A CONVICT CAMP BY HIS OWN SWEETHEART’S FATHER—TRYING TO EXPOSE A POWERFUL "RING OF POLITICIANS"

CONVICT RIOT LEADERS CLAIM THAT MEN ARE WHIPPED LIKE ANIMALS WHEN THEY FALTER AT GRUELING FORCED LABOR

All Shown in Warner Bros.' Most Dramatic Revelation Since "I Am a Fugitive"

ROADGANG

A Pictorial Feature

EXTRA! All those great names in a record program of Telephone Shorts!

YACHT CLUB BOYS

RADIO RAMBLERS

HENRY ARMETTA

Now STRAND—25c to 1 P.M.

* MIDNIGHT SHOWS * B’WAY and 47th STREET
Honest, mister

You can have the shirt off my back... but it takes National Screen Trailers to keep your "coming attractions" in the minds of your patrons...
That's why exhibitors everywhere use NATIONAL SCREEN SERVICE
Long Session
On Copyright
Begins Today

Sirovich Declares New Measure Ready

BY BERTRAM F. LINZ
WASHINGTON, Feb. 24.—Members of the House Patents Committee to
morrow will begin a four-week ses-
sion on copyright legislation, with a
promise from Chairman Sirovich of
New York that he will have a new bill to put before them. Sirovich in-
troduced a general copyright measure
in the House last week, but withdrew it before he was apparently with a view to making some last-minute changes. It is expected to be ready for the committee tomorrow.

For three days, beginning tomorrow, the committee will hear representa-
tives of the Copyright Committee, the
which then opens hearings on block
booking, and possibly with a sub-
committee of the House Interstate
and Foreign Commerce Committee,
which may hold hearings on the same
subject at the same time.

Next week, for three days, the
(Continued on page 7)

Pettengill Heads
House Film Group

WASHINGTON, Feb. 24.—Congress-
man Pettengill of Indiana will head the
sub-committee of the Senate
Committee for Interstate and Foreign
Commerce, the personnel of which was
named today by Representative Ray-
burn of Tennessee, chairman.

The sub-committee includes: Repre-
sentatives Sadowski of Michigan,
Peyser of New York, Terry of Arkan-
sas, Democrats; and Wolverton of
New Jersey and Cooper of Ohio, Re-
(Continued on page 7)

Moss Offer on Roxy
Denied by Israelis

Reports current yesterday that Ben
S. Moss had submitted a bid for the
reorganization of the Roxy were de-
riled by Charles Israels of White &
Case, attorneys for the first mortgage
holders’ committee.

Israels stated he had heard Moss
consulted his attorney on a bid but the
committee hasn’t heard from either
Moss or the lawyer.

Standard Capital Deal
For “U” Definitely Set

All Theatres
In Bridgeport
Cease Games

BRIDGEPORT, Feb. 24.—Following a
decree passed by Bridgeport City
Council last week, all theatres in the
City have been temporarily closed.

The move was initiated by the local
theatres owners and managers in re-
sponse to the recent increase in box
office receipts.

Production Gains
With 37 in Work

HOLLYWOOD, Feb. 24.—Continued
had weather failed to hold down pro-
duction here last week. Studio activity
showed an increase over the preceding
week with 37 features in work. The
previous week showed 35 features
being shot.

M-G-M recorded the greatest activ-
ity, replacing Warners, which had
been the leader for several weeks. The
Culver City plant had nine features
working on the sound stages.

Columbia had four features shoot-
ing, three in preparation for filming
within the next two weeks and four
in the cutting rooms. M-G-M had
nine, one and 12; Paramount, five,
six and 14; Radio, two, four two and
Roach, one, zero and zero; Twentieth
Century-Fox, five, three and seven.

(Continued on page 7)

Mae West Hurrying
Back to the Coast

CHICAGO, Feb. 24.—Mae West’s
stay here was short. She arrived
yesterday and didn’t even take

(Continued on page 12)

Music Society Hit
In Canadian House

OTTAWA, Feb. 24.—The 1936 ses-
sion of the Canadian Parliament had barely
swung into its full stride before the
Canadian Performing Rights Society
was mentioned. Speaking on the floor
of the House of Commons, William
Eising, member for Kootenay West,
described the operations of the society
as a “pernicious racket” and said the
country was suffering a great deal
from its excursions. He demanded
legislation to restrict the scope of the
society which, he declared, did not
protect Canadian authors and com-
posers but only foreigners.

Eising asserted that the fees de-

(Continued on page 7)
Hollywood, Feb. 24

A DDING significantly and at large to the inanities of press agentry, although not necessarily Hollywood style by any approach, is this picket line that has been on the Los Angeles Examiner:

"A man with 'zwp' is a much better sweetheart than a man with a beard," says blonde Bette Davis, co-starred with Leslie Howard in "Terrified," to the Examiner at both Warner Bros. Hollywood and Downtown theaters.

"Zump," according to Bette, is that he-man quality which any red-blooded male can acquire, with big biceps, day-old whiskers and rough-and-ready mannerisms predominating.

"Zwp," on the other hand, is a tender, almost aristocratic, quality which few men have.

"Or didn't you know?"

Nina Skolsky is the three-and-a-half-year-old daughter of Sidney, Hollywood columnist for the New York Daily News. Nina, tender years notwithstanding, is a regular visitor to the studios. Just as regularly she collects bags of candy. Back home the other afternoon when papa was busy tickling the typewriter keys, she handed papa a bag.

"Why, it's empty!" said Skolsky.

"I know, but I brought it home for your pills."

Perhaps it's necessary to point out Skolsky is one of the colony's leading hypochondriacs.

The rumor is that Nina writes the Skolsky column on some sort of constitutional rights and refuses to confirm or deny.

Maxie Rosenbloom is a pug and once the world's light-heavyweight champion. Radio signed him for a part. That brings the tale to a Vine Street eatery and an enthusiastic seeking an autograph.

"How do you want it?" asked Rosenbloom. "As a fighter or an actor?"

A Walter Wanger nifty, and scene place; The Pink Derby on Wisconsin Avenue.

A streamer in the Examiner read: "Mother's Kiss Smuggles Dope to Convict."

Wanger: "I'll bet Zanuck has a picture out on that in the morn- ing."

One from Leonard Goldstein:

"I just ran into a fellow who works for Republic. They're going to rename it the S. S. Studio."

"Sunrise."

"Sundays."

Boris Morros, whose shirts used to scream louder than the lobbies at the Paramount in New York, by his own word has gone conservative.

He was wearing a deep ruby red at the time.

Back to Skolsky for a minute.

He's writing a takeoff on Cliff Odets' "Waiting for Lefty."

"Waiting for Thalberg" is the title and Odets the central character.

Description of Hollywood, courtesy of cavedropping:

"This isn't a city. It's not even a town. It's a hamlet. Accent on the first syllable."

Los Angeles, Feb. 24—With some 300 citizens of the Charlie Chaplin world present gathered at luncheon today in the Universal studio to honor Carl Laemmle, a former exponent in the motion picture industry. The gathering included such past celebrities as King Baggot, William Seltz, J. Stuart Blackton, Hobart Bosworth, Grace Cunard; also such present-day tycoons as Hal Roach, Cecil DeMille, Herman Cohen, and Jesse Lady, as well as a veritable galaxy of current screen stars. Paramount and Republic Newsreels recorded the event.

Rupert Hughes acted as toastmaster. Among the guests were:


Hirman.

Irene Dunne, May Robson, Edward Arnold, George Brent, Ray Collins, Dor-


James Cruze, Priscilla Lawson, Eugene Lee, Louis Lamour, John Boles, Lloyd Hughes, Lon Chaney, Robert Lowery, Lodien Hubbard, Elsa Han, Edward Ever-

ett Horton, Julius Klein, Jack Smiley, Elizabeth Wilson, Elizabeth Vanaman, Flem-

ley Lewis, Morton Riba, Ted McCoo, Harrison Carroll, Hubbard Keavy, Ronald Wagner, Wallace X. Rawls, Albert M. Good.


To Confer with Laemmle

Joseph Pasternak, Herman Koster-

litz and D. Rabepovitz, who have been coming together on several foreign production activities, leave for Hollywood today to confer with Carl Laemmle on making pictures on the West Coast.

Universal is endeavoring to inject international angles in pictures to be made abroad and will have the trio work at the coast studios for a while. They arrived last week on the Ile de France and are working on a foreign film, with Nate Manheim, head of the company's foreign department.

To Reopen Sabath Probe

Murray Garson, attorney for the Sabath Congressional committee for the investigation of real estate bond racketeering, yesterday on the coast yesterday after hearings on the Fox West Coast reorganization. Garson said that additional hearings on film company reorganizations may be held in Washington before the full committee in the near future.
"TRAIL OF LONESOME PINE" A WOW!

Paramount Technicolor Picture Smashes All Records in Miami Beach and Broadway Openings.

Within a single week, "The Trail of the Lonesome Pine," first big film drama in color, has smashed all time records in two key spots on the Atlantic Seaboard. Opening Monday in Miami Beach, the big Walter Wanger production had mobs fighting for admission to the high hat Colony Theatre. And Wednesday morning saw Broadway jammed as the New York Paramount gave New York its first glimpse of the Technicolor opus.

Critics joined with Florida society, with celebrities of the theatre, of the sports world, of the writing business, and with Mr. and Mrs. Fan to tell the world Paramount had a winner. And exhibitors all over the country had the home office haywire begging for prints. Follow up business at both houses continues strong. And it looks like Paramount has added another to the Paramount list of box office aces.

(TURN OVER PLEASE)
HURRICANE OF APPLAUSE HITS MIAMI BEACH AS “TRAIL OF LONESOME PINE” TAKES FIRST BOW

Miami Beach, Fla.—Feb. 18—There may have been a Moon over Miami last night. If there was, nobody noticed it. They were too busy fighting their way through the mobs on Lincoln Road, trying by a little straight arm stuff to muscle their way into the biggest picture opening this winter resort has ever seen . . . the world premiere of Paramount’s all-color drama, “The Trail of the Lonesome Pine.”

The big shots of the sports world, the theatre, high society, not to mention a few hundred ordinary muggs like your reporter wrinkled their stiff bosoms, k’d their straw killeys and had themselves a brawl of a time but it was worth it . . . as everybody from the moneyed top kicks to the little fellows voted without a single dissenting opinion that this big time action picture in color was aces, and set up a mark for the other boys in the picture business to shoot at.

Miami Beach—Feb. 18—“Tonight’s premiere brought me back to the day when we made the first talkie,” said Major Albert Warner, interviewed at “Lonesome Pine” opening. “They said it could not be done. They predicted the public would never take to it. But the skeptics have been proved wrong. The Trail of the Lonesome Pine’ is a magnificent production in color. It marks an epoch in pictures.”

Celebrities at “Trail” Opening Praise Color Picture as Tops

“The color was really wonderful. It was well presented and well acted.”
—George Ade

“It is the most beautiful thing I have ever seen on the screen.”
—Paul Block, Publisher

“The natural coloring is the most beautiful thing I have ever seen.”
—H. I. Phillips, New York Sun columnist

“The screen has found a new medium.”
—Gar Wood, speed boat racer

Mr. and Mrs. Du Bose “Porgy” Heyward with Mr. and Mrs. Hervey “Anthony Adverse” Allen at “Trail” opening, Miami Beach

“Magnificent beyond compare.”
—George F. Getz, Treasurer, Republican National Committee

“Enjoyed every minute of the picture.”
—Daniel Frohman, dean of Broadway producers, at “Trail” opening, Miami Beach.

“Never have I been so touched with a motion picture.”
—Henry Horner, Governor of Illinois

“Great box office picture. Never have seen anything so beautiful.”
—E. J. Sparks

Daniel Frohman, dean of Broadway producers, at “Trail” opening, Miami Beach.

Major and Mrs. Albert Warner with Mr. and Mrs. Al Levy at “Trail” opening, Miami Beach.

Miami PIC Critics Write Raves After First Look-See at “Trail”

“In a good many years of show-going, we do not remember having sat through an hour and a half of anything quite so beautiful as this film.”
—Miriam Bell, Miami Daily News

“The most important picture in nearly a decade—since The Jazz Singer made the screen articulate.”
—Edgar Hay, Miami, Fla., Herald

Miami Beach, Fla.—Feb. 18—It was a wonderful evening. It was well presented and the colors were beyond compare.”
—George Ade, famous humorist, at “Trail” premiere, Miami Beach.
CROWDS BRAVE WEATHER, MOB BROADWAY FOR "TRAIL OF THE LONESOME PINE" OPENING

New York, N. Y.—Feb. 20—Old Weather Man slipped over a fast one and hauled the temperature down to the zero line yesterday. But the New York fans just buttoned up their overcoats, held their mitts to their ears and stood in line until they got what they wanted ... and what they wanted was to see the world premiere of the first color drama, "The Trail of the Lonesome Pine."

Before noon the New York Paramount had chalked up a new record for attendance and the fans were still streaming in. And did they like it? They did. As far as New York is concerned Paramount has topped off its recent series of box office successes with an even bigger winner.

New York Critics Praise Color Picture as Real Triumph for the Picture Industry

"The beauties of nature and those of Miss Sylvia Sidney are brought in realistic hues to the screen of the Paramount in this handsomely Technicolored production. Each scene is a painting wrought by the hand of the Master."—Regina Crewe, New York American

"A tremendously advance in color photography. It is beautiful enough to shine as a milestone in the movies' technical march of progress."—Bland Johaneson, Daily Mirror

"The picture that opened at the Paramount Theatre yesterday before a record early morning audience marks the beginning of a new epoch in films. Henry Hathaway, the director who handled 'Lives of a Bengal Lancer' so expertly has kept the story moving at a lively pace."—Kate Cameron, Daily News

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N.Y. Paramount warms frost bitten fans with sinkers and coffee.

"Accurate reporting compels the reporter to write that the audience love it."—William Bochel, World Telegram

"Utterly lovely are the colors in 'The Trail of the Lonesome Pine'. As a demonstration of outdoor photography in color it is an outstanding achievement."—Rose Pelswick, New York Journal
Sure Fire Mass Entertainment With Strong Appeal in Story, Fine Cast and Color That Is Best Yet

With or without color, this production has been so effectively done from screenplay and casting to direction and editing that it can't miss... action, suspense and heart interest all dovetailed together and carried to a strong finish that will send the fans home with wet handkerchiefs but a satisfied feeling.

--FILM DAILY

Wanger's Production Would Be Box Office Even Without Color Novelty; Hathaway, Sylvia Sidney, Writing Splendid

Color is here. And prosperity too, for the theatres booking Walter Wanger's "Trail of the Lonesome Pine." You don't have to be a veteran in the business to remember what Irving Cumming's "Cisco Kid" did at the box office. That picture was the first outdoor talking picture. It gave the producers confidence that talking pictures were here to stay. Now comes "Lonesome Pine"... the first major outdoor talking feature in color... to prove that color is here to stay. ... The picture would be a hit even in black and white, due to the uniformly high quality of its cast, direction and story.

--HOLLYWOOD REPORTER

"Trail" Proves Film of Magnificence Great Entertainment; Box Office Smash

"The Trail of the Lonesome Pine" is a film of dramatic and artistic magnificence, a great piece of entertainment for all classes and a box office smash by every sign.

Picture is a directorial triumph for Henry Hathaway. The players score solidly, man, woman, and child. Supporting the whole pyramid of outstanding excellence is the courage, the vision, the imagination and showmanly intuition and shrewdness of Walter Wanger paving a further way into the realm of screen color on firm commercial ground."

--DAILY VARIETY

"Trail of the Lonesome Pine" should blaze a new trail to the Box Office for new records. It is an outstanding triumph in the field of natural color, portrayed by an excellent cast, and the last word in scenic beauty.

--BOX OFFICE
All Theatres In Bridgeport Cease Games

(Continued from page 1)

Study Bank Night Insurance

Denver, Feb. 24.—Bank Night Insurance companies are being studied by the state. Assistant Attorney General J. G. McDonald has ordered two companies here, and invited theatre managers to attend a hearing to be held at the statehouse in an attempt to determine the legality and whether the state insurance laws govern.

If insurance laws govern, the companies must post large cash bonds. In Arizona the attorney general ruled the insurance laws applied and the Bank Night insurance there quit because of inability to post the $100,000 required. The theatre managers, Corp., of the Denver companies to sell Bank Night insurance, says it will post whatever bond is necessary. A second company, backed by a large drug chain, and ready to start operations, has postponed action until a state ruling is made.

The Theatre Guarantee Corp. operates through agencies, having more than 30 in the theatre guarantee business. New York, special agent. One held that since the theatre asked "no cash or other valuable consideration" from customers purchasing Bank Night tickets, the state law had not been infringed.

MOTION PICTURE DAILY

Copyright Session Will Begin Today

(Continued from page 1)

Patents Committee will hear the witnesses and published other interested, and for three-day periods during the following weeks representatives of the film industry and others affected will testify.

Mae West Hurrying Back to the Coast

(Continued from page 1)

April 1, and are thought to be acceptable to the star since Ernest Lubitsch is no longer production head. She had frequent disagreements with Lubitsch, it was stated here.

Miss West refused to discuss her plans today, saying that she had come to Chicago for a shopping trip and that she had not intended to go through New York.

Picketing Law Upheld

Montgomery, Ala., Feb. 24.—Alabama's anti-picketing law has been upheld by the Court of Appeals in a test case review of the conviction of John M. O'Rourke, charged with picketing the Ritz with a placard declaring the star hands non-union men. The court held the statute was not in conflict with the constitutional guarantee of free speech and affirmed the lower court's sentence of $1 and costs.

Music Society Hit In Canadian House

(Continued from page 1)

mood of small amusement owners was excessive. During the investigation of the society last year by Judge James Parker of Toronto, the society was claimed, sent agents about the country to collect all possible fees in advance because of the fear of adverse legislation. He said he hoped the Government would take early action to compel the society to publish the list of compositions on which it claimed copyright, at least.

All Theatres Covered in the permanent injunction and also started using them in the Forest, Garden and Blackstone, in most instances every night but Saturday and Sunday. Judge Merriam's order followed.

Schreiber declared he would continue with the cash prizes until the contempt action and the Supreme Court ruling were settled.

Missouri Test Case Near Kansas City, Feb. 24.—G. E. McKean, St. Louis distributor for Affiliated Enterprises, Inc., patentees of Bank Night, was arrested last week for the sale and promotion of a lottery, at Fredericktown.

McKean immediately filed a habeas corpus suit with the Supreme Court of Missouri, in which it was asserted that Bank Night does not violate the state's anti-lottery law because the promotion does not involve "consideration." This is the state Supreme Court test on the strength of which Attorney General Roy McKittrick last week withdrew his department's "premature" decision pronouncing the promotion illegal.

Birmingham Houses Warned

Birmingham, Ala., Feb. 24.—Local theatre owners were warned by the police department that Jackpot Nights or any form of lottery contest will not be permitted. Commissioners, under the orders of Police Chief Luther Holmes, are violation of a city ordinance.

Pettengill Heads House Film Group

(Continued from page 1)

publicans. While Pettengill said last week he would not accept the chairmanship of the sub-committee, he explained today that all Democratic members senior to him are either ill or engaged on other matters.

The sub-committee will hold a meeting within the next day or two and may have a hearing on block booking legislation at the same time as the Neely sub-committee of the Senate Interstate Commerce Committee on Feb. 27 to accommodate witnesses here for the latter hearing, who do not wish to make another trip. It was stressed, however, that this will not be the only hearing to be held on the subject, and that those who do not wish to appear this week, if a hearing is held, will be given a later opportunity to be heard.

Production Gains With 37 in Work

(Continued from page 1)

Universal, two, one and two; Warners, seven, zero and seven; independent, two, two and three.

In the short subjects lineup were Columbia with none shooting, two in preparation and three editing: M-G-M with zero, five and four; Radio, zero, two and two; Roach, one, zero and three; independent, zero, two and zero.

Music Society Hit In Canadian House

(Continued from page 1)

mood of small amusement owners was excessive. During the investigation of the society last year by Judge James Parker of Toronto, the society was claimed, sent agents about the country to collect all possible fees in advance because of the fear of adverse legislation. He said he hoped the Government would take early action to compel the society to publish the list of compositions on which it claimed copyright, at least.

Morros Coming East

Hollywood, Feb. 24.—Boris Morros, recently elevated to Paramount producer in addition to his duties as general manager of the music department, enthused for New York tonight. He will issue on for the first musical production on his new contract.

To Re-Release Rogers

Twentieth Century-Fox will re-release the pictures of the late Will Rogers, beginning with "A Connecticut Yankee" in April.
WALTER HUSTON

DIAMOND MASTER
EMPIRE BUILDER . . .
JUNGLE CONQUEROR

The Kimberley Diamond Fields . . . land of romance, adventure and buried treasure . . . where men became millionaires overnight . . . and women were scarcer than diamonds.
DIAMOND MASTER

His diamonds bought women's hearts . . . conquered the jungle . . . built an empire . . . changed the map of the world!
Remick Shifts WOR Actions to Newark

Remick has withdrawn two copyright infringement suits filed against the Bamberger Broadcasting Co. in N. Y. Supreme Court and yesterday filed the same suits in Newark where station WOR is located. The Warner music subsidiary is seeking $10,000 damages for the use without permission of "My Isle of Golden Dreams" and "I Want to Bounce Around With You."

In addition to these suits, Harris yesterday filed an action in Newark against the same station for $5,000 for the broadcast of "Chansonnette." In Jersey City, Harris has filed suit against WHOM for the use of "I Want to Woo," claiming damages of $5,000.

Papers have been sent to Philadelphia and New Orleans where actions will be filed against WPEN by Wikmark & Sons in the former city for the use of "Mother Macrheree" and by Harris against KSO in New Orleans for using "Three Little Words."

Conn. Group to Hold First Meeting Today

New Haven, Feb. 24.—Approximately 45 independent exhibitors are expected to meet here tomorrow in the Film Building, in the first meeting of the group of unaffiliated exhibitors who are attempting to form a new independent exhibitor association, in a feud against the Connecticut M. P. T. O.

Future policies of the group and a possible affiliation with Allied are to be discussed. The meeting place is expected to be made the permanent headquarters of the group.

We're Laughing

When we think of the surprise exhibitors have coming

You'll be laughing, yes and singing too.

Motion Picture Daily

Motion Picture Daily's Hollywood Preview

"Little Lord Fauntleroy" (Selznick Inter-L-United Artists)

Hollywood, Feb. 24.—There is substantial merit in David O. Selznick's initial picture under his own banner for United Artists release. Strictly in the mood which has characterized all of his recent pictures, such as "A Tale of Two Cities," this young producer has turned to the sticky and minor classic of Frances Hodgson Burnett and, by dint of considerable ingenuity and intelligence, has fashioned an attraction which should send parent-teacher associations out cheering and clubwomen into ecstatic raves over this celluloid exploration into motives pure and chivalry unarnished.

Rarely has there been such a set of unblemished characters and ineflectually a group of individuals who have thought well of their fellow man. The story tells of Freddie Bartholomew, son of the Earl of Dorincourt, who married Dorellas Costello and into an estate so beneath him parental forgiveness failed to be forthcoming. Comes the day the boy, Ceddie, and his mother, "Dearest," are called from Brooklyn of the '80s to England, where the last of the Dorincourts is waiting to induct the youngest, now Lord Fauntleroy, into the magicfidence of the landed gentry. The condition is "Dearest" cannot live in the great castle.

Freddie, who plays Ceddie, goes and at once captivates the earl, played gruffly and with much bellowing by C. Aubrey Smith, to a degree he undergoes a heart-warming change. The only mening impacts in the picture is the rally card claim set up by a woman representing herself to be the wife of another son and mother of their offspring, who, therefore, is legitimate Fauntleroy. But Freddie's pals in prosaic Brooklyn recognize the fraud from the newspapers and prove instrumental in puncturing the trumped up charge. Serenity returns to the countryside and "Dearest" into the household.

John Cromwell's direction is sympathetic and intelligent. Young Bartholomew's performance is expert and impressive far beyond his age. Miss Costello, returning to pictures after a lengthy absence, bears the mark of the years lightly and remains lovely to look at and pleasant to hear. Smith makes a very good job of the grumpy nobleman in the style perfunctorily with a role of the type. Others who do well include Henry Stephenson, Mickey Rooney, Una O'Connor, Guy Kibbee, E. F. Clive, Constance Collier, Jackie Searl, Jesse Ralph and Helen Flynn.

"Fauntleroy" has a definite mid-Victorian flavor reeking from it and that, of course, is traceable to the story which is quite light and nostalgic. If the public will take any "Little Lord Fauntleroy," it will take this one in sizable gobs.

Production Code Seal No. 1,959. Running time, 106 minutes. "G." K.

"The Walking Dead" (Warners)

Hollywood, Feb. 24.—Karloff here delivers an interesting and sinister characterization though the weak story motivation holds the picture to fair entertainment classification. Edmund Gwenn, a scientist, restores life to Karloff after his electrocution (Continued on page 11)

Rossassy Joins Schwartz

Ben Rossassy, operator of the Adelphi, Brooklyn, has joined a partnership with Lulu Schwartz. The new team plan to build a new 600-seat theatre in Woodhaven, L. I., on the site of the Forest Park. Cost of the structure is estimated at $50,000, with work to start next week.

Grainger Closes Deal

New Orleans, Feb. 24.—James R. Grainger has closed a three-year franchise deal for Universal product with the Jefferson Amusement Co., which operates in 21 east Texas cities. Grainger is due to arrive in New York Thursday.

Tracy in "Courageous"

Hollywood, Feb. 24.—M-G-M has assigned Spencer Tracy to the leading role in "Captains Courageous," which Jack Conway will direct. Tracy is also appearing in "San Francisco" and "Mob Rule," and there is a strong possibility that shooting schedules on these three pictures will overlap.

Reserves Dvorak Ruling

Hollywood, Feb. 24.—Judge Harry R. Archibald has taken under advisement testimony given in the suit of Ann Dvorak for the legal interpretation of her Warner contract. Miss Dvorak was suspended by the studio last Nov. 1.

Short Subjects

"Down the Ribber" (RKO)

Building up to some humorous moments, this comedy starring Leon Errol is entertaining. While the plot is not novel, the treatment is what will put it over. Errol, having quite a reputation as a practical joker, is planned a comme. Appearances by his brother-in-law and his friends. He arrives in town and joins an automobile club and there his troubles begin. His car is stolen and when he reports the theft he is referred from one department to another. The dialogue is peppered with comic effect with the dumb answers and incompetent acting principals. At the conclusion, after much exasperation, he is inducted into the Ribbers Club and given his badge. Production Code, 1,262. Running time, 21 mins. "G."

"The Goose That Laid the Golden Egg" (RKO)

This is a good entertaining color cartoon which is also of Felix the screen. Felix has the Golden Goose and is solving the de-perting of gold to the needy. However, a villain, Captain Kidd, breaks into the house and makes off with the goose. Felix, ingeniously, after the fashion of cartoons, gets on board Kidd's ship and with a good amount of animal action sequences turns the tables and returns a hero. Production Code Seal, No. 0,899. Running time, 7 mins. "G."

"Framing Father" (RKO)

A standard comedy plot gives this film a bit of interest. Ford Sterling, a hoywire manufacturer, breaks into print in a Broadway column and must answer to his wife, Marjorie Gateson, and4 Edmeston Powell, is really to blame and the triangle revolves about this end, with Dorothy Kent the love interest. Sterling is against his son's wish to marry Miss Gateson, and by a bit of smart trickery they obtain his consent and all ends well. Production Code, 197. Running time, 106 mins. "G."

"Winged Pageantry" (RKO-Fan Beaver)

Remarkable, close-ups of various sea birds and beautiful photographing of aerial patterns as the birds take wing together with an intelligently spoken accompaniment should put this over with most audiences. The film, after the fashion of natural history efforts, shows the migration, breeding and habits of gulls, cormorants, sea parrots, gannets and the penguin-like murres, runs 1,917. Running time, 10 mins. "G."

"Garcia" Plans Halted

San Francisco, Feb. 24.—Plans for a special premier performance of "A Message to Garcia" in honor of Lt. Col. Robert C. Garcia, of the Spanish War incident on which the picture is based, are being held up because of the colonel's illness at his home here, where he lives in retirement.
CHICAGO, Feb. 24.—Bitterly cold weather held down grosses generally, but "Ceiling Zero," with Horace Hodt and Leslie Brook, on the stage at the Chicago, garnered $38,000, over the line by $6,000, for the best downtown showing.

"A Tale of Two Cities," at the Roosevelt, was good for $17,000, which together with its Boston and Buffalo take on the crook, capped $65,000, over the line by $3,000, with a stage show, at the Oriental.

Total first run business was $119,200. Average is $109,900.

Estimated takings:

Week Ending Feb. 18:

"TALE OF TWO CITIES" (M-G-M) Roosevelt—$1,591, 3x-26c-60c, 7 days. Gross: $11,200. (Average, $1,600)

"CEILING ZERO" (W. B.) Chicago—$2,800, 2x-26c-60c, 4 days. Stage: Horace Hodt and his Brogadiers. Gross: $9,500. (Average, $2,375)

"MISS PACIFIC FLEET" (W. B.) Ogroeg—$3,000, 2x-26c-60c, 7 days. Stage: Continental Cavalcade. Gross: $21,000. (Average, $3,000)

"ANYTHING GOES" (Param.) Garrick—$6,000, 2x-26c-60c, 7 days. Gross: $42,000. (Average, $6,000)

"THE GREAT IMPERSONATOR" (Univ.) State-Lake—$2,750, 3x-26c-50c, 7 days. Stage: Fidd L'Orsay and Paul A. Gross: $13,000. (Average, $1,850)

"Petrified" Pulls $6,200, Milwaukee

MILWAUKEE, Feb. 24.—The "Petrified Forest," on a dual bill with "Chatterbox," copped high honors at the Warner, grossing $6,200, or $1,200 above par. A premium performance of "Petrified" opened the new program on a Wednesday night.

"The Milky Way" and "Timothy's Quest" ranked second with a $5,800 take at Fox's Palace, just $800 above par. Other business was average or below. Feb. 18 brought to a close the coldest 30-day period in the city's history. Since Jan. 19, the average temperature here has been 1.5 degrees above normal.

Total first run business was $22,700. Average is $2,200.

Estimated takings:

Week Ending Feb. 19:

"THE PETRIFIED FOREST" (W. B.) "CHATTERBOX" (Radio) Warner—$2,400, 2x-50c, 7 days. Gross: $16,800. (Average, $2,400)

"THE MILKY WAY" (Para.) "DANGEROUS INTRIGUE" (Col.) Riveria—$2,500, 2x-50c, 7 days. Gross: $18,000. (Average, $2,571)

"PROFESSIONAL SOLDIER" (M-G-M) Wisconsin—$3,000, 2x-40c, 7 days. Gross: $21,000. (Average, $3,000)

"Suttons and Chicago Conferences Get Back"

William Suttons, newly appointed eastern division manager in this territory for Twentieth Century-Fox, arrived yesterday from Chicago after attending a two-day mid-winter conference with John D. Clark, general sales manager. Clark left yesterday for Hollywood from the Windy City.


"Jane Withers on Tour"

HOLLYWOOD, Feb. 24.—Jane Withers, accompanied by her mother, has left here for Chicago for personal appearances with Oriental. From there she will go to Detroit and Cleveland. The trip will last a month, after which the younger returns to do "Public Nuisance No. 1" for Twentieth Century-Fox.

"Bartholomew Invited"

Freddie Bartholomew, star of "David Copperfield" and "Little Lord Fauntleroy," will be one of the guests of honor and possibly a speaker at the regular Amra luncheon to be held Thursday at the Astor. Robert M. Brinkerhoff, cartoonist, is also scheduled to speak.

"Surrender," Show Top in Louisville

LOUISVILLE, Feb. 24.—"Surrender" played to a stage show headed by Lottie Mayer's water ballet for four days, led the first runs last week, and contributed the bulk of the $5,400 gross at the National. "The Crime of Dr. Crespi" and "Lover Divine" formed the film fare for the smaller houses.

"The Lady Consents" took a strong $3,400 at the Brown in its second week. This was over normal by $500. "The Petrified Forest" was $100 up on a take of $3,500 at the Mary Anderson.

Total first run business was $26,600. Average is $24,200.

Estimated takings for the week ending Feb. 20:

"TOUGH GUY" (M-G-M) LOEW'S STATE—$5,000, 1x-26c-40c, 7 days. Gross: $34,900. (Average, $6,500)

"IT HAD TO HAPPEN" (Radio) "EVERY SATURDAY NIGHT" (Radio) Rialto—$1,000, 1x-26c-40c, 7 days. Gross: $6,000. (Average, $850)

"ANYTHING GOES" (Param.) Strand—$5,000, 1x-26c-40c, 7 days. Gross: $37,000. (Average, $5,290)

"THE LADY CONSENTS" (Radio) "IT'S A WAY OF LIFE" (M-G-M) Mary Anderson—$1,000, 1x-26c-40c, 7 days. Gross: $5,000. (Average, $715)

"LONELY LOVER" (Col.) "MISSISSIPPI" (Para.) Alamo—$900, 1x-26c, 7 days split week. Gross: $1,200. (Average, $164)
12

Tuesday, February 25, 1936

“Pine” and “Fleet”
Big Over-Week-end

(Continued from page 1)

Hatt’s following this week. At the Stanley, Philadelphia, a new record opening day was established, it was said. The Memorial, Boston: Hippodrome, Cleveland: Orpheum, Minneapolis; Colony and Unity, Miami Beach; and in Albany and Cincinnati are also showing grosses on the musical which indicate the picture will exceed “Top Hat.”

The Rivoli with “Modern Times” continues at a steady pace and will probably end the third week with over $50,000, or better.

Wisconsin and box office records for several houses in widely separated sections of the country are reported for “The Music Goes ‘Round and Around” in wires received at the Columbia home office yesterday. Houses reporting exceptional business for the niceties of their own packages, include Brandeis, Omaha; Grand, Evansville: Bijou, Rochester, and Orpheum, Terre Haute.

“Pine” Suit Hearing
Postponed by Court

The scheduled hearing yesterday on an order to show cause why a stay should not be issued against the exhibition of “The Trail of the Lonesome Doll” was postponed Wednesday by Justice Collins in N. Y. Supreme Court.

The show cause order was obtained by Gustavus Simons, attorney for the Trail Co., which claims ownership of certain dramatic and film rights to the work, to which content has not been obtained by Paramount.

Wilk Goes to Coast

Jake Wilk, eastern story head for Warner Bros. for a couple of days last week to confer with production executives on next season’s output, Harry M. Warner already is in Hollywood and Joseph B. Bernard, Gradwell Sears and A. W. Smith arrive at the studio today.

Hammond Fisher, creator of Joe Palooka, has been signed to turn out a series of six two-reel cartoons for three years. The company also has signed Rosalind Marquis, a singer who left for the studios yesterday, and Jeanne Madden, another singer, who is en route to Hollywood.

Walk Out at Saenger

New Orleans, Feb. 24.—The engineers walked out of the Saenger here Saturday afternoon, demanding 42 hours weekly instead of 37. V. R. Richards, circuit executive, who had been out, surprised employes by appearing at his office in a wheelchair.

Wyler Heading East

Hollywood, Feb. 24.—WILLIAM Wyler, director of “The Fighting 69th,” will join Sidney Howard and Samuel Goldwyn on “Dowdensch,” which will direct for Goldwyn. Joe Lawrence, Goldwyn publicity director, will leave here for the east on Wednesday.

“Purely”

DON J. RABBEGER, ED MCAVAY, LILLY MARSHALL, FRED SCHAEFFER, DAN FRANKEL, ED FINNEY, F. J. VOLK, JAMES CHOW, RAY GALLAGHER, ROBERT HAR- RISON, JAMES CUNNINGHAM and AL LEWIS, were among the film group from the RKO Building seen yesterday destroying lunches at Jack Lyon’s Chop House.

DOROTHY SPERO, secretary to Arthur Greenblatt, branch manager of the local G. B. exchange, has just returned from ten days in New York. She is Mrs. William Goldberg.

J. ROBERT RUBIN and LEOPOLD FRIEDMAN arrived yesterday from Hollywood. Howard Dietz did not accompany the lawyers. He’s still on the coast.

CRESSEN E. SMITH returned from a month’s tour of Radio exchanges. He spent the last 30 days in bed with a bad cold.

EME RUBEN, who has the Paramount, Minneapolis, and Granada, Sioux Falls, is in town for a few days.

M. H. AYLESWORTH planned to go to the coast over the week-end for an indefinite stay.

EDWARD G. LEYV, general counsel for the M.P.T.O.A., was a week-end visitor.

MAX KRATZ, who handles independent production deals, is in from Hollywood.

JOHN E. OTTENSON is due back from the coast today.

“Personal”

IRVING LEESER is all excited about the business reported at the RKO Board yesterday. It was the last day’s preliminary four-year, lesser status, the receipts topping everything since the popular price schedule was placed in effect.

DAVID PALMPREY left yesterday for Washington and will proceed from there to the annual meeting of the Carolina M.P.T.O. at Pinehurst, March 1 and 2, and the M.P.T.O.A. board meet at Miami March 4 and 5.

ERNST LURTSCH, accompanied by Vitamin GAYE, English Actress, will arrive tomorrow on the Century. He is en route to Europe for a vacation.

ROBERT YOUNG, having completed two pictures in England, will arrive on the Miss Young in the Antarctic. He will leave for the coast in a few days.

OMAR KIAM, who recently completed designing the costumes for “These Three,” is in New York on a short vacation.

S. KELLEBORG is due back from a week of iceburg hauling at Montreal today.

LOUIS ROME, Baltimore exhibitor, is in town for a short stay, having just returned from his Nassau vacation.

PAT GARY leaves today for a three-week vacation at Miami.

OSCAR DONNEL returns today from a two-weeks vacation in Miami.

ARNOLD VAN LEER is back at Columbia again.

MIRIAM HOPKINS is due today from California on the Santa Elena.

Dratamats Present
Draft of New Terms

The first completed draft of the revised minimum basic agreement between the motion picture industry and theatre managers, which was drafted by the guild’s contract committee at a meeting on Sunday, was submitted to the council of the guild yesterday and approved by it.

The revised agreement, which is scheduled to become effective March 1, will not be valid, however, until it has been ratified by the guild membership. Ratification is expected at the general membership meeting to be held on Thursday.

Details of the changes covering new methods of bidding for film rights to stage plays, which are covered in the revised agreement, were disclosed following the council meeting yesterday because of the awaited ratification by the membership.

“Times” Big in Chicago

CHICAGO, Feb. 24.—“Modern Times” opened yesterday at the United Artists here to sensational business. The house has run 42 days, and this is the first time in its history, and is running 10 shows daily. The opening day gross was claimed to be the greatest since the last Chaplin film ran at the house.

Bandits Get $12,500

Boston, Feb. 24.—Three armed bandits held up the cashier’s office of the RKO Boston here last night, and escaped with the day’s receipts, $12,500. The hold-up in front of RKO’s announced theater, which is in the rear of the house, is always locked, the three gaining admission by a bold use of the buzzer system.

Robbery Suspect Caught

BOSTON, Feb. 24.—Charles Mal-Kewicz, a local resident, has allegedly confessed to participation in the $12,500 RKO Boston robbery last night. The $3,500 found in his room and tentatively identified as part of the theatre‟s-week-end receipts.

“Obsession” Dallas Hit

DALLAS, Feb. 24.—“Magnificent Obsession” has just completed an unusual run here, with one week at the Palace and three at the Rialto. It was indicated at the Dallas Public Library that the showing of the film stimulated exceptional interest in the novel.

To Play “Times” Feb. 27

NEW HAVEN, Feb. 24.—The Vuono Players of this city have selected “Modern Times” for their February offering. They have booked the play for the first time in its history, and is running 10 shows daily. The opening day gross was claimed to be the greatest since the last Chaplin film ran at the house.

Grants Examination
In Pathe-Casey Suit

Justice John E. McGann in N. Y. Supreme Court has ordered a preliminary examination of the application of the Pathe Studios, Inc., for an examination before trial in connection with its suit for breach of contract against Pathe. J. Casey. Also named as defendants were E. B. Derr, Charles E. Sullivan, Clinton J. Scott and Pathe’s East Coast Properties.

The complaint alleges that Casey was appointed agent of Pathe Studios to operate a theatre in his name for Pathe’s account and with funds provided by Pathe the film dialogue and music rights to “Wives and Wives” and “The House Glass.” It also charges that Casey, without Pathe’s consent and contrary to every reaction, took title to the properties in the name of Pathe Casey Enterprises as a consignee to defeat the plaintiff. Pathe claims it paid Casey $58,250 and he failed to hand over the rights to the material.

Hoffman Quits Selznick

Hollywood, Feb. 24.—Reuel Hoffman today tendered his resignation as business assistant to David Selznick. Hoffman has been taken on by Henry Ginsberg, general manager of Selznick International.

Awards Dinner Sellout

Hollywood, Feb. 24.—The Academy has announced a record sellout for the annual Awards dinner, with all reservations sold out two weeks in advance.

Wall Street

Fox Issues Best Board Gain

Net

High

Low

Change

Columbia, v..... 48 41 48 49

Columbia, pid... 49 37 49 49

Consolidated, v.. 19 18 19 19

Consolidated, pid 16 16 16 16

K-A-O, pid 85 85 85 85

Low’s, Inc., pid. 106 106 106 106

Loew’s, Inc., pld 106 106 106 106

Paramount 166 166 166 166

Paramount 106 106 106 106

Paramount 2 pld 116 116 116

Pathé Film.... 85 85 85 85

RKO... 85 85 85 85

20th Century-Fox. 221 221 221 221

7th Century, pid 35 35 35 35

Warner Bros. 135 135 135 135

Little Carb Activity

Net

High

Low

Change

Sentry Safety... 315 315 315 315

Scootone... 315 315 315 315

Technical... 257 257 257 257

Trans-Lux... 49 49 49 49

Keith Best Gain in Bonds

High

Low

Change

General Theatre... 34 34 34 34

General Theatre... 34 34 34 34

Keith B. F.... 96 96 96 96

Loews 46 46 46 46

Paramount Bway.. 102 102 102 102

Paramount Bway.. 102 102 102 102

Paramount Bway.. 102 102 102 102

Paramount Bway.. 102 102 102 102

Paramount Pict. 94 94 94 94

RKO 46 46 46 46

Warner Bros. 95 95 95 95

(Quotations at close of Feb. 24)
Big 20th-Fox Stock Shifts Shown by SEC

Chase Active; Kent Cuts Holdings; Gotetz Gains

WASHINGTON, Feb. 25.—Extensive shifts of Twentieth Century-Fox stock holdings were revealed in the semi-monthly report of the Securities and Exchange Commission. S. R. Kent's Berkshire Finance Corp. in September disposed of 2,842 shares, reducing its holdings to 100 shares. Chase National Bank in August acquired 307,377 shares of common and disposed of 1,549,507 shares of A common. Chase National also acquired 27,746 shares of $1.50 cumulative, preferred, and at the close of the month held 7,381 warrants for old Class A preferred.

Holdings reported for August showed William Gotetz, Beverly Hills, to have 214,653 shares of Twentieth Century-Fox common and 5,284 shares of $1.50 preferred, while Darryl F. Zanuck was shown to hold 183,980 shares of common and 21,546 shares of preferred. Other details of the Twentieth Century-Fox report showed that in November Seton Porter, New York, acquired one share of common, bringing his holdings to 251 shares, and dishonored 800 shares of common. (Continued on page 4)

Censorship Measure Introduced in Jersey

Trenton, Feb. 25.—A motion picture censorship bill was introduced in the Senate today by Senator Horace G. Pratt, Republican, of Hunterdon. The bill would create a state board of censors consisting of two men and a woman appointed by the governor with Senate confirmation.

Wide powers are given the censors. It would be unlawful to sell, lease, exhibit or lend any film until approved by the board. The board is further empowered to prevent distribution and (Continued on page 9)

Not Strong Enough

Chicago, Feb. 25.—That Albuquerque dispatch to the effect Ernest Lubitsch "pushed Mae West around" is all wrong, Lubitsch insisted here today en route to New York. "It's ridiculous," says Lubitsch; "I'm not strong enough."

Hearing Split Hinders Bills On Copyright

Gene Buck Only Witness As Sessions Open

By HERBERT F. LINZ
WASHINGTON, Feb. 25.—Disenchantment with Gene Buck, the composer, was shown by the House Committee on Patents as hearings opened today on copyright measures, threatened to make impossible any action on the legislation at this session of Congress.

The hearing, set for the full day, came to an abrupt end shortly after noon when Congressman Churchill of Illinois criticized Chairman Sirovich for reversing the usual committee procedure of first hearing proponents of legislation, and called attention to the fact that the previous session had been obtained from the House to sit during its sessions. Under that rule, Sirovich was forced to adjourn the hearing until tomorrow morning.

A rooomful of creative talent greeted Sirovich as he opened the hearings with the announcement that in addition to the Duffy and Daly bills, the committee would consider a measure which he had introduced yesterday. After posing with Ruby Vallee, Irving Berlin and George Gershwin, (Continued on page 9)

Sabath to Resume Hearings Mar. 11

Open hearings on the RKO receivership and reorganization proceedings will be held before the Sabath Congressional committee in Washington beginning about March 11, Murray W. Garsson, attorney for the committee, said yesterday.

Garsson discredited what phases of the proceedings would be subjects of the committee's study, but indicated that the acquisition by Lehman Brothers and Atlas Co. of one half of RACO's holdings of RKO securities and an option to purchase (Continued on page 9)

Heard Papers Make Attack on West Film

SAN FRANCISCO, Feb. 25.—The Call-Bulletin, Hearst paper, today launched a heavy editorial attack against "Klondike Annie," playing at the Warfield.

The editorial, among other things, said: "Mae West's 'Klondike Annie' is a disgrace to everyone connected (Continued on page 11)

U. S. EQUITY SUIT IS FILED IN N. Y.

Grounds Broader Than in St. Louis Action; Ten Corporations and 30 Individuals Are Named—To Seek Early Trial

Carrying out plans he made known when he withdrew the civil action against Warners, Paramount and RKO in St. Louis 27 days ago, Russell Hardy, special assistant to the Attorney General, yesterday filed a similar equity suit, this time in U. S. District Court here.

That the Government was anticipating shifting the scene of the new action from St. Louis to New York was exclusively reported to Motion Picture Daily on Feb. 10.

All the acts complained of in the original equity action are the same in the New York suit, according to a source connected with the case, except that papers filed yesterday are "technically broader, based on more of the statutes involved. In addition to the industries involved, the charges also state the contracts for product for the Shubert-Rialto and Orphenon are in restraint of trade. In the suit filed yesterday, 10 corporations and 30 individuals were named as defendants. One of the corporations, Paramount Theatres Service Corp., was not named in the St. Louis suit. (Continued on page 11)

Schaefer Talking Post at Universal

George J. Schaefer, former Paramount vice-president and general manager, will join Universal in an executive capacity if negotiations now in progress are consummated, it was learned yesterday.

The negotiations with Schaefer are being conducted by representatives of Standard Capital Co., which is expected to exercise its option to acquire a controlling interest in Universal within the next week or 10 days. Schaefer will probably occupy a managerial post to be created for him. Reports that he would succeed James R. Grainger as general sales manager were denied (Continued on page 11)

More Quints

Hollywood, Feb. 25.—Twentieth Century-Fox is reported negotiating with guardians of the Dionne quintts for their appearance in another talkie, probably when the children first begin to talk. "The County Doctor," their first, was previewed here at the Carthay Circle Wednesday night.
Insiders’ Outlook
By RED KANN

Hollywood, Feb. 25

Of the many good things coming out of Hollywood, “These Three” will rank with the best of the season. The film colony may borrow from the gooses that have had the general expense of Sam Goldwyn and delight in their never-ending and largely legendary flow, but this man has the re-
bless for individual treatment because he knows how to produce superior films and they know that he does.

“Original story and screenplay by Lillian Hellman,” read the credits and nowhere a reference to “The Children’s Hour” from which the film stems, with a signi-
ficant shift in the nature of the scandal. The play’s tongue wag-
ging dealt with the relations between two women teachers. The picture concerns the alleged in-
nocent between Joel McCrea and the time engaged to Merle Oberon, and Miriam Hopkins. Much of the stage dialogue, as we recall it, and certainly all other material have found their way into the film adaptation. Yet,
by a craftswoman’s twist, dra-
ma-ically and expertly impro-
vised by Miss Hellman, the one alteration leaves the per-
sonally untouched and provides the picture with the power and the impact of the New York version.

Several times in this area we have chided Goldwyn for pur-
chase of the vehicle. These were recurring evidences of our phobia about buyer-borrowers. And, indeed, only if they lent themselves to the film formula as author and playwright conceived them. The case in point now proves some-
thing. And only a dyed-in-the-wool, di-

ally she voices her own doubts. McCrea denies it in accord-

ance with the facts and leaves for Vienna, the romance blazed. Miss Hopkins immediately learns of it, attempts to convey the truth and, for the first time, voluntarily tells her chum of her love for McCrea; then she departs with her aunt by this time returned from abroad.

Conversation between them on the train imparts a clue to the

truth and back to the painful scene of the disclosures and Rossie goes Miss Hopkins. Mary Tilford’s lies are brought into the open and the situation清算ed. In a moment of sacrifice Miss Hopkins withdraws from the lives of the other two and Miss Oberon hurries to Vienna and McCrea for a happy ending to one hour and thirty-seven minutes of engrossing drama.

The performances of all principals are dignified, forceful and brilliant and the direction by William Wyler from Miss Hellman’s excellent script distinguished. Young Miss Granville, as Mary Tilford, delivers in a manner which finds us floundering for an explanation ending with amaz-
ing. In slightly lesser measure this goes for Marcia Mae Jones as Rossalie. As even McCrea and Miss Granville. On the best impression this department of a merely good-looking bohunk, acts with authority under Wyler’s persuasive tutelage. There is cheek play in the like for these years.

One note of minor criticism. When the youthful Tilford finally is tripped in the meshes of her own intrigue and is ordered to her room in open rebellion, the movement is almost too much a snatch across the cheek. Every audience that sees “These Three” will at once hope for more.

FWS Executives Visit WB Studio

Hollywood, Feb. 25—Fox West Coast executives and division man-
agers visited Warner Bros. studio today and heard Jack Warner describe sev-
eral of the 42 pictures which the company has coming out in the year.

In addition to “Anthony Ad-

verse,” “Green Pastures” and “Sing-

Sporos Skouras spoke briefly, say-
ing that the studio, which he

none announced a comparable pro-
gram. He paid tribute to the War-
ner men who had starred Errol Flynn in “Captain Blood.”

Others in the party included Ed-


Among the Warner greeters were Harry and Jack Warner, Andrew Smith, Garland Sears, Hal Wallis, Estate, Edris Hatter, Bernard Lou Halper, Jack Brower, Harry Madizh and Edward Seiler.

Aylesworth Coming East

Hollywood, Feb. 25—Merlin H. Aylesworth will leave for New York and return in a few days to present plans. It is understood that Ned E. Depinet and Leo Spitz will remain here several days longer.

Sheehan to Start Later

Hollywood, Feb. 25—Winfield Sheehan will not start actual produc-
tion activities until Walter Vanger leaves General Service Studios, it is understood here.
SOCK!

THE NEXT BOX-OFFICE HEADLINER!

Clark GABLE • Jean HARLOW • Myrna LOY

WIFE Versus SECRETARY


ROAR LION!
Big 20th-Fox Stock Shifts Shown by SEC

(Continued from page 1)

posed of one share of $1.50 cumulative preferred stock, 222 shares of common, 14,900 shares of one-dollar preferred, 500 shares of A common and to have acquired 250 shares of $1.50 preferred, while Dillon acquired one share of $1.50 preferred and the Berkshire Life

Further Details Reported

Other details of the August report show that William C. Michel acquired 311 shares of Twentieth-Century-Fox common; H. G. Place, one-fourth share, and Sydney Towell, 309 shares. Michel disposed of 1,242 shares, Place of 1,217 shares, as well as 1,221 shares. In $1.50 cumulative preferred Michel acquired $21 shares, Place one-half share and Towell 67 shares. At the close of the month Towell held 7,000 six per cent convertible debentures.

A second report, for the month of October, H. Donald Campbell was reported as the holder of one-fourth share of common and one-half share of preferred.

Cohns Reduced Holdings

Receipts of reports on Columbia Pictures Corp. covering several months was also before the commission. In a report for December, Jack Cohn was shown to have disposed of, by gift, 5,899 shares of common through voting trust, reducing his holdings to 22,544 shares, while Harry Cohn sold 300 shares, reducing his holdings to 69,238 shares.

A report for November shows that through a stock dividend, Harry Cohn received 500 shares of common and 21,170 shares through voting trust certificates, and Nathan Burkan received 12 shares of common. Still earlier reports showed that Harry Cohn disposed of 1,100 shares of common through voting trust certificates in October.

Reports on Consolidated Film Industry showed that in December the Setay Co., Inc. New York, disposed of 1,150 shares of 82 cumulative participating preferred, and at the end of the year held 2,098 shares of the preferred and 1,590 shares of common. In November, the company disposed of 2,100 shares of preferred and in October of 700 shares.

The active registration in April of Universal showed R. H. Cochran to hold 22,746 shares of common and Samuel Sedran, New York, four shares.

Columbia Sets Deal On Macfadden Shocks

Columbia yesterday completed negotiations with Macfadden Publications for production and distribution of a series of one-reel shorts to be known as "The Court of Human Rights," derived from the publisher's national radio program. Ben Blake will be producer-distributor of the deal.

The deal also gives Columbia rights for this series to all stories published in Macfadden magazines as well as the radio scripts used in the national broadcasts. Publicity cooperation for the series from the Macfadden publication is also assured, Columbia states.

Warner Executives Meet

Hollywood, Feb. 25.—The arrival today of Jake Wilk and Max Reinhardt completed the gathering of Warner executives which was held in the town for the purpose of discussing and planning future operations. Misses Lockwood and Max Duffy, executives of the St. Charles, have purchased an automobile jointly for use in promotional work.

THEO. J. PFEIFFER, president of the St. Charles Amusement Co., dicked the carnival, preferring to spend a couple of weeks in quiet Miami.

Omaha

EVERT R. COMPARRS, A. H. ELLIS’ district manager, was shown bound for several weeks—but in the district office. He's preparing for a swing around the territory with the country now thawing out.

D. V. McLUCKS, United Artists branch manager, president of the Film Booking Unit Co., is said to have been in a blizzard and delayed in Minneapolis for four days.

C. H. SKEWEBI, manager of the Capitol at Hartley, Ia., was the first exhibitor Monday to drive the highways for any distance. He made the 190-mile drive to Omaha in four hours.

BERT WALKER, manager of the Soo at South Sioux City, Neb., has gone to California for the second time, this time to close a deal for a theater out there.

Pittsburgh

RODGER EVERS, Pittsburgh, goff with the Blackstone Agency in New York, has just announced her engagement to MAX LOWENTHAL.

Mrs. IRA COHEN, wife of the 20th-Century-Fox exchange manager, is ill in the Grove Hospital, New York.

Ed SEGAL, manager of the Ritz, will become a beneficent soon. A 20th-Century-Fox man, the Fox in Detroit, was in town to catch the N.T.G. unit at the Stanley.

Harry KALMEN is back on the job again after battling bronchitis at home.

Personal

HARRY H. THOMAS is due back today from New Haven where he was attending yesterday of the new First Division exchange. Mike Thomas is in charge.

At Howell, vice-president of Century circuit, will leave Friday for Miami for a two-week fishing vacation.

... Los Angeles

JACK SCHALFRE, again with United Artists, is rounding out a stay of al- most four months in Los Angeles. He is spending his days at the Cocoanut Grove.

RAY MILLER, who runs the Robb and Bowley theaters in Pasadena, now five strong, had a narrow squeak driving in from Tucson. A tire blew out.

FRED SCHWARTZ, now on A. H., New York circuit operator, and his bride sail shortly for Honolulu for a month's honeymoon. He will reach the east about mid-April.

GEORGE DEMPSEY plans to stay on another couple of weeks.

... New Orleans

SCOTT E. CHESTNUT, division manager for Mississippi, is in the city.

Back in the done by Chestnut was a professional baseball player. He is Maj. McLean and Jack Duffy, executives of the St. Charles, have purchased an automobile jointly for use in promotional work.

FRANK, president of the St. Charles Amusement Co., dicked the carnival, preferring to spend a couple of weeks in quiet Miami.

Friends and associates of E. C. GREENWALD, former owner of the national sales head for Twentieth-Century-Fox, on March 9 will tender him a testimonial dinner at the Astor. Moore Sanders, office manager of the New York exchange, is in charge of the arrangements.

RKO Buys L. A. Building

LOS ANGELES, Feb. 25—RKO has just closed a deal with Gore Bros. for the two-story exchange building at 1,980 So. Vermont St., formerly occupied by Paramount. Remodeling starts at once and it is expected RKO will open into the new quarters in two months.

Vergeslisch to Warners

Joe Vergeslisch has rejoined the Warner sales force in Atlanta. Up to two years ago, he had been a man of the St. Louis office. He was a native of New York branch, who will not gesslich resigned this post shortly after Roy H. Haines was appointed sales head of the metropolitan area.

Sherman Re-Signs Stout

Hollywood, Feb. 25.—Harry Sherman has signed Archie Stout, cameraman, to a new one-year contract.
Hearing Split Hinders Bills On Copyright

(Continued from page 1)

the chairman called Gene Buck, president of Ascap, as the first witness.

Charging repeatedly that the "Power
Trust," which he was said to be written by an in-
terdepartmental committee after one
hour of hearing, and pointed by
Senate with 15 members present,
Buck asserted that Congress "has been
sensitized by propaganda from
the group of music," excluding exhibi-
tors, and declared that this propa-
ganda was evidenced in the telegrams
received at the Capital, and in the ef-
f Fort of Representative Zoncheck a
week ago to have the committee dis-
charged into the hands of a bill
could be brought up on the floor of
the House.

Ascap Collected $4,000,000

Buck revealed that total collections of Ascap in 1925 was not less than $4,000,000, of which some $900,-
000 was secured from film theaters, $197,000 from canteens and $2,-
000 from radio stations. His state-
ment that Ascap had never collected from hot dog stands, saloons and similar places was challenged by Repre-
sentative O'Malley of Wisconsin,
who declared that demands had been
made upon theaters in his home city
of Milwaukee.

Meeting criticisms from members of the committee that the 10-cent tax
seemed high for the small house, Buck asserted that houses playing less than
days a week were assessed only
five cents per seat.

Ascap's chief opposition to the
Duffy bill is based upon the elimina-
tion of the "reasonable" or "good faith"
clause and the provision that the
right to produce a picture includes
also the right to exhibit it, said Buck.

Referring to the latter provision,
he testified, "This means that the
creator and the author loses a right.
That will be the death of the great stum-
bling blocks in the bill for this nation
to join the Berne Convention. You
cannot take any right away from a
creator and merge it, and still be a
party to the Berne Convention.

Buck also objected to the clause
calling for a 50-year copyright term.
The 28-year term is better, he
explained, since the author can retrieve the copyright when and make new dis-
position of it.

"Congress Being Used"

The picture, broadcasting and
hotel industries, he said, are "attempting to use Congress to write their contract
with Ascap," and added that "these
same forces motivated the Department of
Justice to bring an action against us
for monopoly." The picture industry,
he said, should not favor the elimina-
tion of these clauses because it, too, suffers from infringe-
ments and bicycling.

Buck charged that the provision to
make the right to exhibit part of
the right to produce was asked by the
exhibitors "to rid themselves of pay-
ing much money for the right to ex-
hibit pictures." This, he claimed, "is
going to lead directly to the doorstep
of the power trust."

When Buck, concluding his testi-
mony, prepared to introduce Vallely as
a witness, Church criticized Sicovitch,
prompting out also Sicovitch's failure
to fix any specific time for the hearing
of particular witnesses who planned
to come from long distances, and
reminded the chairman of his own
violation of House rules. Shortly
after, the session was adjourned.

Sirovich, in an effort to speak in
the face of Church's opposition, ques-
tioned Buck on infringement suits,
and declared that in 22 years Ascap has
collected only $8,800 through such
suits. Sicovitch told the witness three
bills were pending before the com-
muggle. It is also provided that copyright shall subsist in dramat-
izations and picturizations whether or not the original works or in any work
published in the public domain, but
where based on copyrighted material
the consent of the copyright owner must
be obtained.

Infringement provisions include
injunctive relief and recovery of
monies by suit or in lieu thereof, sta-
tutory damages, which in the case of
films would be not less than $250 or
more than $500,000.

Censorship Measure Introduced in Jersey

(Continued from page 1)

sale of films if they are deemed obscene,
immoral or sacrilegious.

A fee of $2 would be charged
for examination by the board of each 1,200
feet of film, and the same charge
would be levied for each print. All
funds collected would go to the gen-
eral state fund, but also provided for
violations. Jail sentences from 10 to
30 days could be imposed for failure
to pay the fine.

The statement attached to the bill
declares that it is designed "to pro-
hibit the showing of any films im-
oral, indecent, obscene, sacrilegious,
or which tend to degrade or corrupt
moral.

The bill was signed by Senate
President John C. Barbour to the
Miscellaneous Business Committee.

It's Filmdom's Newest Tremendous Achievement!

Universal's "Sutter's Gold"!

The public offering of $15,000,000
Loew's, Inc., 3½ per cent sinking
fund debentures, due Feb. 15, 1946,
was made yesterday through an
underselling group headed by Dillon,
Read & Co. The debentures are
priced at 99 and accrued interest.
The bonds will be redeemable in whole
in part in 30 days' notice at 103
and interest if redeemed by Feb. 15, 1944,
and at lower premiums to ma-
turity.

The net proceeds from the sale will
be used for the redemption on April
1 of $7,972,500 of the company's 15-
year six per cent debentures, and
the balance will be used to reimburse the
treasury for advances made to sub-
ordinates for the retirement of debt
and preferred stock, and for additions
to the company's working capital.

20th-Fox Names Mayer

Charles Mayer has been named
Twentieth Century-Fox manager in
the Federated Malay States, with
headquarters in Singapore. He was
denamed manager in Calcutta a year
ago. This appointment follows the
promotion of L. B. Steedman, former
Singapore manager, to the post of In-
dia manager, with headquarters in
Bombay.

Pathe Board Meet Off

A regular meeting of the Pathe
board scheduled for yesterday was
postponed indefinitely because of
the absence of Frank F. Kolhe, president,
and Robert Atkins, board member,
who are vacationing in Florida.

"Fleet" Sets Record

Hollywood, Feb. 25.—"Fol-
low the Fleet" grossed $22,
000 at the Music Hall Sat-
urday for the theater's larg-
est single day take in its
history, according to a wire
received here by Ned E. De-
pliet from W. S. Van Schmus,
managing director of the the-
atre.

Pathe Seeks Ending

Of New Spear Suit

Chicago, Feb. 25.—With the filing
of a new $1,000,000 suit in the last
few days, Pathe News yesterday made
a motion to dismiss Ivan I. Spear's
claim that the newsreel company in-
duced Oliva Dione to break a con-
tract held with the plaintiff.

Operating as Century of Progress
Tour Barcan, Spear contends he had
an exclusive arrangement with
an author of the Dionne quintuplets
which was breached. Pathe moved to dis-
miss on the ground the complaint
doesn't state the cause of action.

Two previous efforts by Spear to have
this action heard in the local U. S.
District Court have failed.

In addition to Pathe, respondents
include S. Krege, F. W. Wood-
worth, NEA, Scripps Howard, Dr.
Allen Royle Dale and others.

David W. Kalane, brother of B.B.
and local legal representative for
RKO, will represent Pathe with
the assistance of William Savage of
the New York office. Luis Kutter is at-
torney for Spear.

Loew's $15,000,000
Debentures Offered

After being out of the situation
for two years, Warners have sold
Samuelson for the Newton, Newton,
N. J. The deal was closed by Roy
H. Haines, metropolitan manager for
Warners.
**Wall Street**

**Eastman Best Stock Gain Net**

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(Quotations at close of Feb. 25)

**Miriam Hopkins Returns**

Hollywood, Feb. 25 — Miriam Hopkins changed her plans in Guatemala when the Santa Elena arrived there from California, and went to Mexico City, whence she flew back here.

**Donald Duck New Editor**

There has been an editorial shake-up over at the offices of the Mickey Mouse comic strip. Donald Duck, that bland cartoonist who boasts that he is one of Richard Watts, Jr.'s favorites, has been made editor-in-chief, succeeding Mickey, heckled by newspaper reporters, Donald, according to the Horace publicity, broke down and admitted that his unquenced ability that brought about his appointment.

**Young Suit Is Delayed**

Argument is scheduled for March 13 when the *Young v. N. Y. Supreme Court on the plagiarism suit for $200,000 filed by James Watt against RKO Pathé Pictures. Meanwhile William Slattery for RKO Pathé has filed briefs in support of a motion for dismissal. Young contends that the picture "What Price Hollywood?" is based on his book "What Price Sex in Hollywood?"
U. S. Equity Action Filed

In New York

(Continued from page 1)

Louis case. All the individuals are new, the former action having been
limited to nine companies, six of which were prints.
The action is an application for temporary and permanent injunctions
to restrain Warners, Paramount and RKO from releasing a product from the Ambassador, Mis-
souri and New Grand Central in St. Louis. F. & M. operates the three
houses.

Para. Contracts Specified

In addition, the complaint points out that Paramount "has been enter-
ing into contracts with corporations affiliated with the lessees of the Amb-
assador, Missouri and New Grand Central for films at the Manchester
and Balboa, Los Angeles; the Strand, Long Beach, and the Studio-Phoenix,
Arliz. Warners, the papers state, have been doing business with the Roxy,
New York, which was an alleged member of the alleged conspiracy, neither
Paramount nor Warners will sell the theaters mentioned.
The 10 defendant companies are: Warner Bros. Pictures, Inc. The Vitaphone Corp., First National Pic-
General Theatrical Corp., Paramount Pictures Distroributing Co., Inc.,
Paramount Pictures Distributing Corp., Paramount Theatre Service Corp.,
and RKO Distributing Corp.
The 30 individuals are: Harry M. Warner, Albert Warner, Herman Snaer,
Abel Cary Thomas, Gradwell Sears, Joseph Bernhard, Maurice Silver,
Andrew W. Smith, Jr., Leder Kriegman, John Bond, Robert H. Haines,
Nat H. Brown, Robert Hicks, Byron F. Moore, of Warners; Adolph Zukor,
Fred F. Agnew, Charles M. Reagan, Ralph LiBeau, Maurice Schweitzer,
Carroll Peacock, Myke Lewis, of Paramount; George S. Schaefer,
Ralph Kohn and Samuel Denbow, Jr., formerly of Paramount; Neil E.
Depinet, Jules Levy, Cresson E. Smith, Bernard J. McCarthy and Louis Ellman, of RKO.

Subpoenas to Be Served

About 45 witnesses will be called by the Government, it was said, and
it is estimated the hearings will not run longer than a month.

Walter Rice, assistant to Hardy, last night was here for serving the complaints and sub-
poenas. Hardy, who arrived Monday afternoon, returned to Washi-
ington last night. Rice will go back today.
Both plans to return here next week.

Representing the Government in the new hearings will be Hardy,
Rice, Harold L. Schitz, William Benham, John Depinet, S. O. Patterson,
Bobber and Grant Kelleher. Paramount will not bring on Samuel W. For-
dyce or Watson Moore. Louis. Louis Phillips of the Par-
amount home office legal staff will most likely serve the case for his
company alone. Both Fordyce and Gentry represented Paramount in the

"Looking 'Em Over"

"The Farmer in the Dell"

(Rev)

A wholly human, and often highly amusing story of the farmer who
landed in Hollywood and pictures, and thereby almost lost his home
and happiness, interwoven with a younger romance and a measure of
drama, this picture should be found engaging entertainment almost
wherever played.

The yarn of one central character, and the player, Fred
Stone, by this production, should considerably enhance his popularity
with picture-goers. Comparisons with Will Rogers here are inevitable,
and it cannot be said that Stone suffers particularly by such a com-
parison.

Taken from the novel by Phil Stong, the story has Stone selling his
Iowa farm and with his wife and daughter, Jean Parker, moving to
Hollywood, an idea entirely his wife's. Frank Albertson, Miss Parker's
fiance, follows them on a hint from Stone that he did the same when
he was a youngster. There is considerable of Stone and his daughter to a studio, the purpose of their move
to Hollywood, a career for their daughter, suddenly becoming clear
to Stone. Accidentally, on the set of a farm picture, Stone is drafted
to help, and is given a large contract as a result.

His life, however, is changed, and during his absence on location,
she fits out the family like millionaires, and Albertson is in danger
of losing his sweetheart, who is taken with a hogsus Russian nobleman.

Stone's bewilderment on his return home is a highlight of the film,
but, thoroughly mad, he straightens out his household and happiness
problems, and Ben Holmes directed.
Production Code Seal No. 1,991.

Running time, 68 minutes. "G."

"Pasteur" at $24,000

"The Story of Louis Pasteur" in its second and final week at the Strand
grossed approximately $24,000.

The Paramount garnered slightly over $39,000 for the opening week of
"Trail of the Lonesome Pine," while "Modern Times" in the third sta-
za at the Rivoli chalked up about $38,000.

Hearst Papers Make Attack on Mae West

(Continued from page 1)

with it. Paramount and Will Hays' office should be ashamed to allow it to
be shown to the public."

Both the Hearst papers here, the Examiner and Call-Bulletin, are re-
fusing to accept advertising on the picture.

A. M. Bowles, F. W. C. head here, is now in Los Angeles, and George
Smith, manager of the Paramount ex-
change, refuses to make any state-
ment.

Bay State Sets Back

Vote on Beanos Bill

BOSTON, Feb. 25—The House has recommitted the bill to the Committee on Legal Affairs.

It was felt in some quarters that the bill should return to the floor and
strict the game to churches and charitable agencies.
An amendment to limit prizes to a
$100 top was proposed by Representa-
tive Lawrence Curtis.

Schaefer Talking
Post at Universal

(Continued from page 1)

manager of the company were author-
atively denied. It was stated that
Graninger had been asked to remain with Universal following the change
in control.

West coast reports that official no-
tice of Standard's intention to exer-
cise its option had been given Uni-
versal already were denied by offi-
cials of both companies yesterday.

Little doubt remains, however, that
the option will be lifted in advance of its expiration date, March 14.

Gardner's Mother Passes

COLUMBUS, Feb. 25—Marie E. Gardner, 67, mother of John Bernard
Gardner, local Paramount salesman, died at the St. Francis Hospital after
an 18 months' illness. Burial was at Sagamaw, Mich. Gardner's father died
Jan. 31.

Mrs. Emma Boyd Dead

CINCINNATI, Feb. 25—Mrs. Emma
Boyd, mother of Cliff Boyd, manager of the RKO Shubert, died last night.
Burial will be at Fort Thomas, Ky.,
tomorrow. Boyd and a daughter sur-
vive.

"Pasteur" at $24,000

"The Story of Louis Pasteur" in its second and final week at the Strand
grossed approximately $24,000.

The Paramount garnered slightly over $39,000 for the opening week of
"Trail of the Lonesome Pine," while "Modern Times" in the third sta-
za at the Rivoli chalked up about $38,000.

Hearst Papers Make Attack on Mae West

(Continued from page 1)

with it. Paramount and Will Hays' office should be ashamed to allow it to
be shown to the public."

Both the Hearst papers here, the Examiner and Call-Bulletin, are re-
fusing to accept advertising on the picture.

A. M. Bowles, F. W. C. head here, is now in Los Angeles, and George
Smith, manager of the Paramount ex-
change, refuses to make any state-
ment.

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THE GREATEST SINCE "THE BIRTH OF A NATION"

QUINTUPLY YOUR PLAYING TIME!
**Copyright Is Barely Heard In Wrangling**

**Legion of Decency Opposes Law Against Block Booking**

WASHINGTON, Feb. 26.—Opponents of block booking legislation today were given the support of the Legion of Decency, which sees in the measures pending in Congress "grave danger of political censorship."

In a formal statement by the administrative board of the National Catholic Welfare Conference following its midyear meeting, it was held that block booking has a business as well as a moral side and that it is of no concern to the organization. As far as the moral side is concerned, the Legion is interested, it was said and will continue to work, as in the past, through public opinion. Commenting the producers for their cooperation in elevating the moral tone of the screen, the board warned against legislation in which "one law may lead to another" and result in the Opa-locka a "The Legion of Decency sees in legislative measures not a means of securing a wholesome screen but rather a greater danger of political censorship," it was declared. "There would be danger also of appointees being influenced by political pressure in their interpretations."

The Legion of Decency has had one simple, clear objective, to insure for the public, as legitimate recreation, a (Continued on page 6)

**Standing Room**

Youngstown, O., Feb. 26.—An attacker of a fire extinguisher on which he was standing. The discharged contents struck a female attendant, resulting cloud of steam caused other boys nearby to raise the "fire" cry. Fire officials have been summoned to investigate. The show continued without interruption.

**Independent MPTO Is Formed in Conn.**

NEW HAVEN, Feb. 26.—The Independent M.P.T.O. of Connecticut was organized yesterday at a meeting of exhibitors seeded from the Connecticut M.P.T.O. Joseph A. Davis, acting chairman, appointed committees on by-laws, nominations and membership, which will report to the group at the first regular meeting in the newly-leased chaloune in the film building on March 10. It is expected that at that time about 50 exhibitors, or 75 per cent of the total number of independent exhibitors in the state, will elect officers and draft by-laws for the organization.

**Schaefer Calls "U" Reports "Premature"**

George J. Schaefer, former vice-president and general manager of Paramount, yesterday declined to comment on the possibility of his appointment as an executive post-Universal other than to describe the story as "premature." Discussions looking toward such an appointment when Standard Capital Co. exercises its option to purchase a controlling interest in Universal have not been concluded yet.

Schaefer arrived yesterday from Florida and left last night for Washington where he will spend a few days. He will return to New York before he goes back again to Florida.

**K.C. Indies Take Zoning Row to Court**

KANSAS CITY, Feb. 26.—Local independents have filed suit in Federal court here against a permanent injunction to prevent the operation of the zoning schedule set up by Fox Midwest, Inc. The defendants are Fox Midwest, with 12 local houses, and Paramount, Universal, Twentieth Century-Fox M-G-M, Columbia, Radio, United Artists and Vitagraph.

Based on the anti-trust law, the petition alleges that the arbitrary zoning eliminates the competition of the plaintiffs with the circuit's houses, which have the choice of running every zone. Restrained from buying until Fox had its choice of pictures and flexibility, the complaint says the independents were forced to take contracts Fox and the distributors had determined for them, thus preventing (Continued on page 8)

**Chaplin Film Pulls $167,000, 3 Weeks**

For the three weeks ending last night, "Modern Times" grossed a total of $167,000 at the Rivoli. For the first week, the take was $65,000, exclusive of $5,000 checked in for the opening night. The second week's tally approximated $55,000 and for the third week, ending last night, the gross was close to $42,000.

Indications are that the Chaplin film will run another three weeks, following which it will be booked into the Loew metropolitan circuit.

**Papers Are Served In Equity Action**

William P. Sears, deputy marshal, yesterday began serving the 40 corporate and personal defendants in the Government's civil suit against the Warners, Paramount and RKO for allegedly withholding product from the Ambassador, Missouri and New Grand Central in St. Louis.

The papers served yesterday were copies of the original complaint filed in the U. S. District Court here Tuesday. Subpoenas for about 45 witnesses will not be issued until a hearing date has been set by the court. Respondents in the action have until March 16 to file answers. Although attorneys for the 10 companies have accepted service in (Continued on page 6)

**Hunt Stromberg Has New 5-Year Ticket**

HOLLYWOOD, Feb. 26.—With two years still to go on his current contract, Hunt Stromberg has been signed by M-G-M to a new five-year deal, giving him a seven-year term as producer.

Metro's action is recognition of Stromberg's work on such outstanding productions as "Naughty Marietta," "Rose Marie" and "The Great Ziegfeld."
Looking 'Em Over

"The Country Doctor"
(Twentieth Century-Fox)

Even without the quintuplets this would be an exceptional picture—a fine, human story, balanced to a nicety between tears and laughter. With the five babies it is a screen masterpiece. The word is used advisedly.

It is a picture that will linger long in the memory—meaning the memories of exhibitors as well as audiences. For theatre men everywhere, it will be one of those monumental money-pushers they like to look back upon year after year with fond hopes of playing another like it.

The story is as dramatic as life itself. It is shrewdly based on the element of sacrifice in the life of a country doctor, with little material reward in prospect, who ushers babies into the world under the most trying conditions; fights to preserve their lives with contagion spreading under the overwhelming menace of a northern winter with communication blocked and medicine running low; fights again for proper hospitalization when he visits Toronto, and finally in a supreme achievement brings the quintuplets into the world. Dr. Dafio is almost a defied figure in the hearts of millions today, and Jean Hersholt does a masterly job in presenting his conception of the doctor's finer qualities on the screen.

The characterization is a blend of gentle humor, modesty, intense devotion to duty. He seems to be what the world thinks Dr. Dafio is—known without fear, just the gentle shadings of his voice bring tears to the eyes at times.

As the long winter sets in and the lumberjacks have gone, the doctor battles a diphtheria epidemic almost hopelessly until a crippled lumberjack gets in touch with Montreal over his amateur radio. The doctor's nephew, Michael Whale, responds by phone, thereby introducing a new problem when he falls in love with June Lang, daughter of a village functionary, who has volunteered as nurse. Through these dark days Dorothy Peterson is the only nurse available. Her portrayal is unforgettable.

The Doctor incurs the enmity of the heads of the lumber company which controls the village when he makes a public appeal at a medical banquet. A young doctor is sent in to take his place and he is about to leave his beloved countryside when the father of the quintuplets appeals to him for help. In the meantime it has been learned that the doctor has no heart, and Sydney Greenstreet, the noted doctor, but stays at the birth. This scene will live as a classic. It has tremendous suspense, heart-warming humor, tenderness. It is extraordinary.

The story is credited to an idea suggested by Charles E. Belden, with the screen play by Souya Levien. Darryl Zanuck and Norman John son, the former as production head and the latter as associate producer, undoubtedly had a hand in the wise blending of its elements. All concerned deserve credit.

Henry King's direction is superb. The world has been told of the problems he encountered. Unquestionably the world—especially the public—of which devotes its attention to production—will applaud the results.

The quintuplets appear only in the closing sequence. They are remarkable. They have personality, beauty, childish abandon in the presence of strange.

Production Code Seal No. 1,976. Running time, 95 minutes. "G."

20th-Fox Sets Dividend

The board of directors of Twentieth Century-Fox yesterday declared a quarterly dividend on the preferred stock at the rate of $3.00 per share, payable May 31 to stockholders of record March 14. The preferred stock was issued in 1925, and carries an annual dividend of $1.50 cumulative from Jan. 1, 1936.

Ampa Truth Dinner In Studio Setting

The Ampa will hold its annual Naked Truth Dinner on March 14 at a film studio setting in the main ballroom of the Astor. Lights, cameras, and all the rest of the paraphernalia will decorate the room, and Naked Truth sketches will be shown on the studio stages spotted all over the floor.

A hidden newsreel camera will be placed in the audience and the result will be shown at a special midnight screening. Ralph Stone and his orchestra will play, and Ampa authors andpour and declare there will be absolutely no speeches.
"The Singing Cowboy", DICK FORAN, gallops to the fore again in 'SONG OF THE SADDLE', the second of Warners' new western series which has had such an enthusiastic reception from the trade. This is a melodic thriller designed for action fans who like their villains bad, their heroes musical, and ever the twain shall meet. Alma Lloyd supplies the charm, Addison Richards the drama, Charles Middleton and Eddie Shubert the villainy, and Louis King the colorful direction that go to make this film noteworthy in its field. A First National Picture. Released Feb. 29th.
"A box office knockout in the first round. It will delight all manner of audiences, critical or casual, with its high comedy, effective pathos, genuine feeling and fine dramatic unfoldment, and will clean up financially from the acers to the subsequents because of its sheer merit and irresistible human appeal."
—DAILY VARIETY

"The most charming motion picture I have ever seen. It will be a sweeping triumph everywhere. David O. Selznick again shows the way."
—Jerry Hoffman, UNIVERSAL SERVICE

"The picture is refreshing and brilliantly accurate. Freddie Bartholomew and C. Aubrey Smith should be contenders for the 1936 Academy Award."
—Grace Wilcox, DETROIT FREE PRESS

"This is a notable production. Freddie Bartholomew's 'Little Lord Fauntleroy' is truly marvelous. A perfect screen story, rich sets, beautiful photography, stunning costumes, colorful music, fine sound, a grand cast and superb direction of John Cromwell."
—Robb Wagner, SCRIPT

"David O. Selznick has given an incomparable production that would wring the heart of a stone image. It is the perfect picture for Dolores Costello Barrymore’s come-back. Freddie Bartholomew tops his 'David Copperfield' appearance."
—Alice Tildesley, PUBLIC LEDGER SYNDICATE

SELZNICK INTERNATIONAL presents

Little I

FREDDIE BARTHOLOMEW

with C. AUBREY SMITH

RELEASED
"'Little Lord Fauntleroy' is greater than 'David Copperfield'. I have never been so thrilled by the performance of any human being as by the portrayal of 'Ceddie' given by Freddie Bartholomew. David O. Selznick again shows the way to the rest of the film world. —Jimmy Starr, Los Angeles HERALD-EXPRESS

"David O. Selznick's initial production for his own Selznick International puts that organization in the production front rank at one bound. A picture of the widest audience appeal. It is box-office of large proportions and should spell prosperity for all concerned." —HOLLYWOOD REPORTER

"'Little Lord Fauntleroy' is another triumph for David O. Selznick. Laughs and tears are expertly woven into a cinematic fabric that resolves itself into magnificent entertainment patterned for both mass and class appeal." —BOX OFFICE

"A picture of such surpassing excellence that it must be rated as one of the finest achievements in screen history. —Carl Schroeder, SCREEN BOOK

"A four-star plus picture in which every member of the cast excels. —Marion Rhea, SCREEN PLAY

"One of the most charming, heart-warming pictures of the year, with Freddie Bartholomew at his ingratiating best." —Ruth Waterbury, PHOTOPLAY

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Legion of Decency Opposes Law Against Block Booking

(Continued from page 1)

merely by protest, but in any legal action that may be brought. "The Legion urged the producers to allow a cancellation of pictures produced prior to July 15, 1934, when there was a protest on moral grounds. Such cancellations have been authorized. Before the opening of the campaign of the Legion of Decency it is said there were few if any complaints against block booking by exhibitors and, in any case, pictures which are financially profitable. The producers have invited such action and have been offered a means of escape. This action is in the interest of the public which seeks entertainment in films. There has been a marked improvement in the moral tone of pictures expressed through public opinion by the Legion of Decency and it is hoped that the good work will go on. The Legion of Decency will continue to be vigilant and to urge that all groups maintain an active interest in the moral significance of pictures."

Independent MPTO Is Formed in Conn.

(Continued from page 1)

tigation of the new body. The purpose of the organization is defined as "pro-

ing the interests and welfare of the strictly independent and unaffiliated

in the motion picture industry." Committees appointed are: by-laws, Harry L. Lavietes, chairman; Joseph Reol, Joseph Schulman, Samuel Friedman, Ralph Pasco, chairman; George Condon, Barney Calechman, and Michael Torransia; membership, Al Schuman, chairman; Lavietes, Leo Schapiro and Morris Schulman. Davis serves ex-officio on all committees.

Professor Predicts Early Stereo Films

Boston, Feb. 26.—Professor Clarence Kennedy of Smith College in Northampton released a statement that he believes stereopho-

nography will make its appearance in the motion picture field within the next 12 months. Professor Kennedy is now making three-dimensional still photographs for college use. More than 500 views have been taken to date. He is using polarizing apparatus developed in co-

operation with Edwin H. Land of this city, the inventor.
"FLASH GORDON" ROCKETS WAY TO SCREEN IN STIRRING ADVENTURES ON STRANGE PLANET!

Flash Gordon has risen to the third plane of his colorful existence. First he made his way from Alex Raymond's mind and burst into the newspaper strip read by millions of people. Then he rocketed to make a mysterious planet of Mongo, and he has hurled the adventure hours orbit to motion picture screens across the entire country.

"Flash Gordon" has been reduced to the proportions of a living person in Universal's chap booking of the same name. The character being portrayed is Charles Middleton, and the company has agreed with the studio's use of the name and likeness of the man who created the strip.

According to advance information from Hollywood, the sequence retains the visual splendor of the original narrative. The production makes its dangerous trip to the strange planet, Mongo, in one of the special effects for the film. Buster Crabbe plus Jerry Ash equal the illusionist. It is Ash who devised the method of showing planets hurtling through space as if they were really driven by a schoolboy, to jolt the audience into the special effects for the film. Stated as a scientific formula, it is 'Flash Gordon' versus Dale Arden, Charles Middleton as Flash, John Lipton as Dr. Zarkov, Barbara Pepper as Dale Arden, Charles Middleton as Flash, and John Lipton as Dr. Zarkov. The camera, astronomer and ex-electrician of this country.
Copyright is Barely Heard in Wrangling

(Continued from page 1)

wired, according to the organization that you get in the reception of the artist.

In wired radio, he explained, the programs are recorded, for the fee paid to the creator of the composition receives a royalty of two cents, which must be split with the producer. A similar extension of copyright to television would not result in unemployment among artists and musicians, he said, it would parallel the situation in film theaters. "There is unemployment in theaters outside the metropolitan cities because producers are not taking the films," he declared. "The basic interest of the power companies is to sell more power."

Questioned by Representative O'Malley of Wisconsin as to his salaried as president of Ascap, Buck said he had promised to furnish the record copies of contracts for the use of Ascap members. He added that for many years he did not get anything.

Pressed by the Wisconsin Congressmen to explain the form of contracts which Ascap uses, Buck promised to furnish for the record copies of contracts for similar companies, if he was permitted to introduce copies of contracts, promising them to the congressional committees and exhibitors and between the electric companies and the broadcasters.

Burkan and O'Malley Clash

Today's fireworks began when Nathan Burkan, Ascap counsel, took the stand and delivered an oration which O'Malley said was a lecture aimed at him. Burkan bitterly criticized conditions in Wisconsin and said a Federal judge had thrown out 17 cases brought by the organization and threatened the Ascap attorney if he did not withdraw the cases. Representative Daly of Pennsylvania thereupon assaulted any judge who acted improperly and promised to bring the matter upon the floor of the House. O'Malley said Daly had misquoted him and a general squabble ensued.

Reverting to his charge of yesterday that small tavern keepers in Milwaukee had been misused by Ascap, O'Malley asked Burkan to explain and the Ascap counsel challenged the Congressman to produce the alleged victims, promising to pay their expenses if they were brought to Washington. These allegations, he explained, are part of the "fabricated, false, malicious charges" which have been injected into the issue.

Burkan also went into the history of the Government suit 600 cases have been brought by Ascap, he said, and the Ascap counsel challenged the Congressman to produce the alleged victims, promising to pay their expenses if they were brought to Washington. These allegations, he explained, are part of the "fabricated, false, malicious charges" which have been injected into the issue.

Ascap-Shearer Test New Sound Devices

Hollywood, Feb. 26—Lester B. Isaac, in charge of sound and projection for the Loew circuit, in connection with Douglas Shearer, recording director at M-G-M, in a series of demonstrations and experiments with the new Raven screen in connection with the push-pull system of recording and the Shearer horn.

The Raven screen is of metal. It has tiny louvres, similar to the vents on the sides of an automobile hood. It allows the sound to come through the screen without distortion and also without dimming the picture.

Pick Joe E. Brown's Next

Hollywood, Feb. 26—Joe E. Brown will appear in "Earthworm Tractors" as his next picture for Warners, with production scheduled to start late in March. June Travis and Carrol Hughes have been cast, and Ray Enright is directing under the supervision of Sam Bischoff.

Koenig on Serials

Hollywood, Feb. 26—Don Koenig, former film board secretary in Milwaukee, and one time attorney for the M.P.T.O. of Wisconsin, is now head of the serial department at Universal, where his brother, William, is studio general manager.

170A Men to Study Diesel Generators

Following unsuccessful efforts to secure reductions in theatre rates from the New York Edison Co., the board of directors of the L. T. O. A., yesterday authorized David Weinstock to make a survey of local theatres for the installation of Diesel engines in a number of houses.

An official of the exhibitor organization stated that theatre men installing Diesel engines will be guaranteed the cost of light and power will not exceed one cent a kilowatt hour. This compares with five and six cents a kilowatt which now prevails. The Edison company, it was said, promised a new schedule of rates for the theatres which would effect savings, but when the plan was announced exhibitors found bills increasing.

Maurice Fleischman, chairman of the board, presided. Leo Brecher, who is in Florida, and Ben Roman were the only board members absent from the meeting.

Boston Arrests Made

Boston, Feb. 26.—The arrest to-day of Edward Leland, James Stunkel, Ritch Stunkel and George Stockman is believed to have cleared up the robbery last week-end of the RKO Boston, when $12,500 was taken by armed bandits.

Charter Kentucky Firm

Louisville, Ky., Feb. 26.—Ritz Theatre, Inc., capitalized at $10,000; has been incorporated by J. Dee Henry, E. B. Wiley and Joe Wiley.

K.C. Indies Take Zoning Row to Court

(buying in an open market. Independents in practically all zones must play behind the circuit house's with the same admission, it is charged. The complaint details specific instances of the alleged unfair zoning schedule. It is charged also that prior to the time the zoning was set the distributors informed the independents that they would not be able to furnish them with product except under the terms of the schedule. The independents as a result were forced to agree to the plan, complaint states. The plaintiffs and their attorneys are: Emmanuel Rosohn, St. John and National; Edwin S. Young, Rosamole and Central; Charles Esterly, State and Prospect; Frank T. Mountjoy, Circle; H. F. Paust and H. C. Rhod, Sun; Abc and Rosamole; Linderberg; Saline Theatre Corp.; C. H. Potter, Baltis and Admiral, and Murray and H. B. Barrett, Ritz.

Set Play in Portland

PORTLAND, ORE., Feb. 26—J. Parker Theatres on Feb. 29 will open a 12-scene stage play, "Life Begins at Sixty," at the Mayfair here, dropping pictures temporarily. The play, written by Will Maylon and George Stone, and based on the Townsend Plan, will be presented by the Maylon and Stone Road Co.

AS MIGHTY AS ALL AMERICA! UNIVERSAL'S "SUTTER'S GOLD"!
Proponents of Block Booking Bill Have Say

Ascap Pleads For Retention Of $250 Fine

Raise Cry of “Big Eight” Domination at Hearing

By BERTRAM F. LINZ

WASHINGTON, Feb. 27.—Raising again the cry of “Big Eight” domination, representatives of social organizations and independent exhibitors today launched a concerted attack at block booking and blind selling before the Neely sub-committee of the Senate Interstate Commerce Committee.

Because of block booking, it was asserted, bad pictures are being launched in communities which do not want them, exhibitors are receiving no assistance from distributors in meeting competition, and the number of pictures produced annually has been cut, and the number of producers has been reduced.

Today’s hearing, running until late in the afternoon, practically disposed of the testimony of the advocates of the Neely-Pettengill Bill, and tomorrow, after hearing two or three women’s organization representatives, the committee will call upon opponents, headed by Charles C. Petty.

(Continued on page 6)

Fairbanks, Jr., Not to Produce “Table”

Douglas Fairbanks, Jr., has indefinitely postponed production plans for “Knights of the Round Table,” he stated yesterday, because M-G-M has claimed prior rights on all the King Arthur stories. He is now negotiating for another story which he expects to announce prior to his sailing for England in three weeks.

Douglas Fairbanks, Sr., who sailed Wednesday for London to attend the Grand National races at Aintree, is slated to return immediately after the big event.

"Fleet" at $105,000 For Its First Week

“Follow the Fleet” chalked up a swell take of $105,000 for its first week at the Music Hall. Preliminary estimates indicated the Astaire-Rogers musical would garner from $100,000 to $110,000. The second week of “Prisoner of Shark Island” at the Center ended with about $9,000. "Bohemian Girl" at the Rialto was good for around $7,500.

To Bring Back Hits

Indianapolis, Feb. 27.—First run managers have one means of ouitting the weather. They’ll bring in several attractions which played during the recent record-breaking cold spell to mild weather to insure more generous takings that were possible during the storm. Included will be "Rose Marie," "Ceiling Zero," "Captain Blood" and "Anything Goes."

Advance Sales Get Approval In New Pacts

The sale in advance of motion picture and stage production rights to plays, when consummated simultaneously, is permitted in the new basic agreement between playwrights and producing managers, which was approved unanimously by the Dramatists’ Guild at a meeting at the Shelton Hotel yesterday. The agreement will be effective March 1 and will run for two years.

The guild has forbidden the sale in advance, heretofore, but under the new agreement, if the film and stage rights to an unfilmed play are disposed of simultaneously, and with the knowledge of the producing manager, it now becomes an approved practice. If both play and picture rights are sold by the author to a film company, it must be in accordance with a new form of standard contract to be devised which, however, would give the author a percentage of the earnings of both the play and picture.

The new agreement revises the manager’s participation in the sale.

(Continued on page 11)

Merian Cooper Back; Will Supervise Four Films

Returning with his wife, Dorothy Jordan, from a four-month trip abroad, Merian C. Cooper, executive vice-president in charge of production for Pioneer Pictures, yesterday stated he will supervise the four all-color Technicolor films the company will produce for United Artists’ release next season. He also added he might make one in England, but this was indefinite.

Cooper said he could not tell what would be his first upon his return to the coast until he had conferred with the executive of the U. S. District Court.

Legion’s New List Passes 128 Films

The National Legion of Decency, in its second nationwide list of classified pictures, notes as unobjectionable for general patronage 128 of 225 films listed. Fifty-seven are called "unobjectionable for adults," 37 as "objectionable for children" or "condemned.

The list is prepared under the direction of the New York Archdiocesan Council of the Legion of Decency, with the cooperation of the M. F. Bureau of the International Federation of Catholic Alumni.

Additional complete lists, published in Motion Picture Daily on Feb. 5, and divided into classification categories, follow:

Class A, Section 1, Unobjectionable for General Patronage— "The Crime of the Century." (Continued on page 5)
Insiders' Outlook

ROY RED KANN

Hollywood, Feb. 27.

SAM GOLDYN gets his finances from "Doc" Goldberg; John C. Higashi from Jack Whitney, Brother Myron and the Bank of America; Pioneer from Whitney who, in case you didn’t know it, has more than that knows what to do with, notwithstanding Technicolor, "Jumbo" and horse racing; Mary Pickford and Jesse Lasky from the April 1st to Chaplin out of his own sock; Alex Korda from Prudential Life Assurance of London; Doug Fairbanks, if and when he makes another, has the means available.

Now Walter Wanger has joined up. This producer has done well in his first year as an independent distributing through Paramount as the film colony has been quick to recognize. Financing under his United Artists deal would have been easy to arrange, if they had the money, but it’s coming from within. It is understood the surplus rolled up by the United Artists Distributing Corp. is being converted into a financing fund and that the one to debut under this new development will be Wanger.

Even in those years when United Pictures had a hard-nosed releasing schedule, sales operations were handled so well and so economically that profits were in sight. With pictures coming through with far more regularity and in the last couple of years, that profit has grown into a handsome surplus, part of which now will go to Wanger for production. Chaplin, Pickford, Fairbanks and Goldwyn are on the financial side of the deal personally, to boot, as is Nathan Burkan, a very active personality in L. A. since Joe Schenck and Al Lichtman stepped out. That makes Burkan one of Wanger’s partners as well as his attorney.

Arthur W. Kelly, former vice-president in charge of foreign sales, and since Lichtman’s withdrawal, the general manager in all sales, no matter where, stands aces high with the owner-members. Where once consideration was seriously turned toward a new sales man, today Kelly is the tops largely because of the record he is rolling up on "Modern Times." Yet the value of added manpower in the selling machine is an important something which the U. A. group is not overlooking. This may lead to something or nothing. If it should prove something, you might have time to recall it was mentioned here today.

Although the direction is charged to Frank Borzage, the oft-mentioned Lubitsch touches and that director’s influence are markedly evident in "Desire," the new Marlene Dietrich attraction on which Paramount spent $1,400,000, including production trouble. Highly sophisticated and with sex implications always delicately handled, the film is completely charming in its mood, its performances, its story and its backgrounds. International jewel robbery is its issue with Marlene, the beautiful criminal, reforms, quite naturally—Gary Cooper—he’s immense—as the heart throb, and Jack Haley as the conveniently manly who tries to keep Dietrich on the crooked path, but loses out to love. "Desire" is typically Lubitsch and that, of course, stamps it as fun and fare for the more intelligent among audiences.

The scene: The Beverly-Wilshire.
The time: Breakfast.
The cast: Lep Friedman, Howard Graham and yes siree. A truck passes along Wilshire Boulevard and the coffee thermos quivers over so gently. "What a tax!" asks Lep. "An earthquake?"

From the divan where Howard is pulling himself together: "Don’t mind it. The place is just naturally restless."

Max Shobbus spoke to Eddie Alperton over the telephone the other night. Details later.

Selznick Buys "Allah"

Hollywood, Feb. 27.—"The Garden of Allah" now will be based on this time by David O. Selznick, in Technicolor. Merle Oberon will be featured.

Asks New Tax on Films

Albany, Feb. 27.—Bernard J. Moran, Brooklyn Democrat, has introduced a bill in the Assembly imposing a tax of one mill per foot on negative films or prints.
WHAT A LINE-UP!
The posters tell the story

THE PRISONER OF SHARK ISLAND
Warner
BAXTER
Gloria Stuart
Darby
Stanwyck
Griffith

THE DIONNE QUINTUPLETS
In
THE COUNTRY DOCTOR
Jean HERSHOLT
Dorothy PEOP ISON
Dorothy WHITELAND
Rex LAMING
 Lal SUMMERVILLE

WALLACE
BEERY
A MESSAGE TO GARCIA
John
ALAN HALE
Mona BARRIE
Herbert Mundin
Barry CLARK

SHIRLEY TEMPLE
CAPTAIN JANUARY
And every other opening brings new box-office glory to "The Prisoner of Shark Island"... the Fox, Philadelphia, with the first two days equal to a full week's business... New Theatre, Baltimore, with the year's biggest opening out-grossing even "Littlest Rebel"... and we could go on, and on! 20th Century-Fox sure makes the big ones BIG!
Purley Personal

NATE BLUMBERG yesterday left for a tour of RKO theatres in Chicago, Milwaukee, Cleveland and Kansas City. Accompanying him as far as Chicago will be Max Blumberg.

LOS RAYE, radio find now on the NBC network, will make her stage debut at the Paramount following the successful run of "The Trail of the Lonesome Pine."

ALFRED BATSON, author of "African Intrigue," recently purchased by Walter Wanger, will leave shortly for a South American jaunt in search of book and screen material.

JOSEPH S. HUMEL, general foreign sales manager for Warners, left Rio de Janeiro yesterday and is scheduled to arrive in New York March 12.

LESLIE HOWARD, who has been detained on the coast for reatkes, is slated to arrive about March 8. He may do "Hamlet" on the stage here.

M. I. MARKSTEIN, president of Scurio, has been in town for the last few days and left yesterday for Atlantic City.

I. BLUMER has been engaged by George Orth for the Hamman department of the J. H. Hofeberg Co. and leaves today on a sales tour.

MARGARET SULLAVAN, Universal player, is due to arrive from the coast in 10 days.

FREDIE BARTHOLOMEW was ill yesterday and couldn't attend the Aampa luncheon, as scheduled.

FRANK HENRY of the Hildinger circuit in Trenton spent a few days in town this week.

RUBE JACKER is back from Miami with a complexion like chamber of commerce propaganda.

GEORGE BROWNE, I. A. T. S. E. president, is expected here from the coast within the next few days.

GERGAR RABINOWITSCH, Universal foreign producer, leaves today on the Century en route to the coast.

J. R. GRAHBERG returned yesterday from New Orleans.

FRANKLYN UNDERWOOD will return from Miami on Monday.

... Lincoln

CARL ROSE, city manager of RALPH BLANK'S York, N. Y., brothers, is in the hospital recovering from an operation. T. B. NOBLE, Westland Theatres general manager, is in Denver conferring with CAL BARD, Bon Livingston, and his city manager, MILT OVERMAN.

G. A. RUTH, manager of the Military, Omaha, got stuck in a snowdrift near here with a carload of chorus girls. Along with 40 others they took refuge in a roadside cafe, and had the girls dance for the unfortunates.

Twin "Doctor" Runs

Des Moines, Feb. 27.—Two downtown spots are going to play "The Country Doctor" day and date here—the Des Moines and Roosevelt theatres. One of the promotion stunts includes prizes for the best scrapbooks on the Dionne quintuplets.

St. Louis Theatres Awaive Game Ruling

(Continued from page 1)

submit the test case on briefs. McKittrick has not yet issued a definitive opinion on the legality of Bank Night. Local Circuit Attorney Franklin Miller has threatened to proceed against any house using giveaways. Temporarily local theatres have dropped the games, but it is expected that they will rush to revive them if the Supreme Court rules they are not in violation of the lottery laws.

Asks More Particulars

NEW HAVEN, Feb. 27.—Motion for more particulars has been filed in Federal court here by defendants in the Bank Night infringement case. Defense has asked for the filing by Bank Night, or Affiliated Enterprises, Inc., of copies of certificates and other alleged copyright material in connection with the plan, including form of license agreements and advertising trailer-registration book.

The complaint is against A. Fishman, J. B. Fishman, Dixwell Theatre Co., Lawrence Theatre Co., Howard Operating Co., Jadams Amusement Corp., Michael Tomasino, New Haven Amusement Corp., Whately Theatre Co., Inc., and B. S. Myslivec. The plaintiff asks that the defendants be required to render a full account of all profits derived from cash nights, that a temporary restraining order be issued against the theatres, and that damages be paid by them.

To Investigate Beano

BOSTON, Feb. 27.—The City Council, moving against Beano, has ordered its public welfare committee to launch a sweeping investigation of the game, which has been termed a lottery by the Massachusetts Supreme Court.

Merian Cooper Back; Will Supervise Four

(Continued from page 1)

John Hay Whitney, president of Pioneer, the Cooper's leave for Hollywood.

While abroad, Cooper spent two months at St. Moritz. During the other two months he said he looked over a number of players and players. Among the cities visited were London, Paris, Vienna and a number of other European capitals. He returned on the Conte di Savoia.

Horwitz Troupe Touring

HOUStON, Feb. 27.—Will Horwitz has a troupe of radio amateurs on tour in much the same way the Major Bowes units have been making the rounds. They're all winners in his broadcasting contests and will make most of the east Texas towns.

Legion's New List Passes 128 Films

(Continued from page 1)


Class A, Section 2, Unobjectionable for Adults—"The Bridge of Sighs," "Die Frauen vom Tanzhof" (German), "I'll Name the Murderer," "Jaws of the Jungle," "Leichte Kavallerie," "Three Women" (Russian).


No additions were made to Class C. Condemned, which includes "Gusy Parents," "High School Girl" and "Java Head."

Vidor on "Grand Jury"

HOLLYWOOD, Feb. 27.—Charles Vidor has been assigned to direct the "Grand Jury" at Universal. It is an original by Tom Lennon, and the screen play is by Lennon and James Edward Grant. No cast assignments have been made as yet.

Television Cable Is Approved by F. C. C.

WASHINGTON, Feb. 27.—The Federal Communications Commission yesterday authorized the A. T. & T. and the New York Bell Telephone Co. to construct a coaxial cable between New York and Philadelphia for use in experiments in radio television. Actual construction must start before July 1, under the permit. It is stipulated that the cable should be open to those radio companies interested in experiencing.

It is not certain that the two companies will accept the terms, but the F. C. C. in the new permit removed many of the restrictions to which the companies object in a previous order from the commission on the cable. The petitioners are required to file with the commission in writing within 30 days, acceptance of the conditions imposed.

Pickford-Lasky in Lull

HOLLYWOOD, Feb. 27.—The Pickford-Lasky studios will undergo a virtual shut down for the next few weeks, with staff reduced to skeleton until the unified Nitro Martini picture is started before the cameras. "One Rainy Afternoon," now finished will be a few weeks in the editing, and preparations of the Martini film will occupy part of the staff in the intervening weeks.

Shapiro to Coshockey

COSHOCKET, O., Feb. 27.—Allen Shapiro of Warners' poster department, Cleveland, has been named manager of the Pastime here.
Proponents of Block Booking Bill Have Say

(Continued from page 1)


With the completion of the Senate hearings, the two sides will have a breathing spell, but will meet again in Washington on March 9 to appear before the Pentegill sub-committee on the House side.

A feature of today's hearing was the feature of Congressman Shriver Chase, for years the spearpoint of the attack on block booking, to make his usual appearance in the hearing legisla-
tion. Although present, the Canon remained quietly in the background for most of the time in eight days during which the matter has been before Congress.

The subject before the sub-committee was introduced by Stephen P. Ca-
bot, representing the M. P. Research Council, but the bulk of the attack on block booking was carried by Abram F. Myers, general counsel for Allied, and his associates.

Code Adoption Called Futile

Referred to repeating to statements and letters of various officials, both American and foreign, regarding the effect of the Code on the pictures of the youth of the world, Cabot told Senator Needey's group that the industry has repeatedly adopted "codes" of various types, but has failed to live up to them.

Declaring that as a result of block booking "the public are faced with a moun-
terious pictures which may not be among those bought, he declared "if all the time is filled up there is no way of getting independent produc-
ters to make pictures." The bill, he said, "would open the field to in-
dependent and experimental produc-
tion."

"We believe this bill will restore free competition and in the long run it will remove the constantly threatening danger of this powerful industry in Hollywood dictating its will as to what communities $300 miles away shall see. Under the present trade practices it is practically a dictator-
ship," he said.

Questioned by Senator Needey as to the situation now as compared with 1927, Cabot admitted there has been "tremendous" improvement and "there are some very beautiful pictures and fewer hateful pictures being shown today." But, he added, "there is no guarantee that this situation will continue."

Asked whether the bill deals only with the relationship between producer or distributor and the exhibitor, Senator Needey asked the witness where the public comes in. Cabot replying that it would permit the public to make their own judgment of the community in aiding the exhibitor to select list programs.

"Would it not be a rule that the exhib-
itors more usually select pictures that they thought would produce the biggest house and the community would not have any more to say about it than it does now?" Barkley asked.

If two theatres are located in a community and one refuses to show a picture how can you prevent the other house from exhibiting it?" Cabot was asked by Senator Davis of Pennsylvania.

"There would be no way to prevent this under the bill," the former ad-
mited.

Bill Drawn at Columbia

The Neely bill was drawn up by the Legislative drafting office of Col-
umbia University, and the original block-
ning clause was lifted from the cease and desist order of the Federal Trade Commission in the Paramount case, was divulged by Thomas E. Ervin, associate on the Universal legal staff, who explained the various provisions of the new code and was prepared to submit a brief should the constitutionality of such legislation be questioned. Senator Neely introduced for the record amendments offered by the witness. Columbia said, but the witness refused to give any opinion as to their desirability. Briefly, the council demanded the inclu-
dion (Continued on page 11)

On the Sidelines

By JAMES P. CUNNINGHAM

A scene like the crowded chamber in the Senate Office Building with five sen-
ators and 100 legislators, producers, distributors and representatives of public library interests testifying to a witness on a proposal exolling the virtues of a film business without block booking.

The supply of product has been cut down from 800 features yearly in 1921 to 500 in 1936," the witness said, and he was of the charge that he had made that compulsory block booking created monopolies. "And the num-
ber of national distributors has been reduced by the practice from 22 to eight," he added.

"But how much have box-office results been cut as a result?" queried Senator Davis.

That stumped witness Sidney Sam-
elson.

Aram Myers advised the senators that the bill would compel distributor law on a unit basis, in which he said was a practice of labeling products much the same as the general rule of other countries that caused Joseph Unger, Edmund Granger, Jack Connolly, A. C. Reaves, George S. McAnulty, William Kupfer, Will-
iam Sussman and other distributor representatives to squirm in their seats.

The hearing started at 10:30 a.m.
with all the earmarks of a Hollywood premiere. Flash lights and reporters were as thick as Ed Fay's hair.

The day was unreasonably muggy, which explains why Senator Neely, chairman, fell asleep while Myers explained the intricate machinery of the business.

Two hearts—belonging to Ed Kuy-
kenball and M. A. Lieghtman—beat in the halls when the Senate confirmed its plan to hear the case continued for the week. Both envisioned a compulsory trip to Miami and the M.P.T.O.A. directors' meeting, Dave Palfreyman felt none too well at that moment.

Charles C. Pettijohn led a Hays
brigade consisting of Tony Terry, Burt New, Tom Petty, Palfrey-
man and Gabriel Hess who found the hearing more to his liking than the copyright bill hearing not far away.

Ed Levy, M.P.T.O.A. general counsel, tried hard to bring in an address of prosperity Irving Jacobs, new president of the Connecticut M.P.T.O., who weighs 380 pounds, and runs a 40-seat house in Bran-
ford, Conn.

The hearing room resembled a Quaker meeting place, what with all the women on one side and all the men on the other. Glimpsed among the gallery was Josephine Caruso, Treasurers division manager; Oscar Lam, Georgia exhibitor; Sidney Lust and Julian Brylawski, both on their home grounds; George Abons, Philadelphia exhibitor lead-
er, William Hessner, Lebanon, Pa., exhibitor, and Joseph Brennan of Boston.

Statistical experts were put to shame by the manner in which Pettij-
john, Myers, Kuykendall, Sam-
elson and others quoted figures on attendance, receipts, feature produc-
tion, the number made by each pro-
ducer, the number of theatres and their seating capacity.

Raft and Paramount Settle Grievances

Hollywood, Feb. 27.—George Raft and Paramount have reached an agree-
pmate which arose when Raft walked out during the filming of "Princess Come Across" with Carole Lombard.

The actor was put back on the payroll and assigned to "The Duchness," which Louis Gasnier will produce. Filming will start March 23.

Plan Film on John Law

Hollywood, Feb. 27.—Warners are planning a picture based on the life of John Law, Scotch economist, re-
 sponsible for the "Mississippi Bubble," a financial system which caused a monetary crisis in the 18th century. Errol Flynn will have the title role.

Mary Pickford Coming

Los Angeles, Feb. 27.—Mary Pickford plans to leave here for New York next Tuesday for home office work and to attend the Los Angeles trial involving the release of "One Rainy After-
noon."

Free WPA Films Shown

Bridgeport, Feb. 27.—Free films under WPA supervision are now be-
held one night a week in the three recreation centers at Fairfield.

Ascap Pleads For Retention Of $250 Fine

(Continued from page 1)
downtown houses by demanding costs of the hearing.

Buck sought to defend the seat charge, declaring producers acquire it through direct negotiation with writ-
ters, while the exhibitor tax is for performance and profit and does not constitute a double levy.

Declar ing that if $250 is a good pen-
alty for infringement the same sum should be charged for from infringement suits and asked for $250 when the provision brings in no money, the organization is so organized that it loses money.

The statute discourages piracy, by asking that an applicant for a trade want not be considered in the same breath with one that will last a cen-
tury. Urging that the committee scrap the Dufly Bill, Buck and Bur-
kan asserted that if the courts were left to determine the damages, in-
gredient pool for theater would allow as low as four cents.

" Tried to Destroy Ascap"

"Thousands of infringements are going on now," Burkan told Repre-
sentative Deen of Georgia. They are "being kept in a state of i:

The man who is not a pirate has nothing to fear," he charged, as the broadcasters sought to wreck Ascap by trying to buy the Warners library to set up an independent pool and wipe down, Buck explained that Warners' music firms pulled out because the association refused to increase licenses.

"Walters wanted more money and we told them we are not out for all that," he said.

"These gentlemen thought that this society could be utilized and they could move in on the writers and the influence they possess. They felt they should be getting millions and millions of dollars. This society has never tried to be decent with the broadcast-
ners of this nation and is furnishing them with service they cannot buy. They are not members of their own so-

but didn't do it with a million dollars. When Warners found they couldn't exert pressure they withdrew."

With the conclusion of Ascap's presentation the hearings were sus-
pended until March 3, when the writ-
ing crafts will present their views.

Swarthout, Boles Meet

Dallas, Feb. 27.—This town got itself wound up to attend another hear-
ing the other day with Gladys Swarthout and John Boles both here at the same time to hear on a special call to the opera singer at her hotel, ac-
accompanied by a flock of photog-
ographers.

He came here to attend the funeral of his mother, accompanied by Mrs. Boles and left later for New York. Miss Swarthout is on a concert tour.
It's
Another
'STORY'
At The
N.Y. Strand!
Matching "The STORY of Louis Pasteur" Almost Dollar for Dollar . . . . .

ROAD GANG

Shows Sensational Strength in Ace House Pre-Release Premiere . . . . .

PROVES REAL MONEY PICTURE IN SPECIAL TRYOUT RUN TO TEST EXTRA-PROFIT POSSIBILITIES . . . . .

Steps Into Line with "Captain Blood" and "Ceiling Zero" In N.Y. Strand's 1936 Hit Parade . . . . .

The Winning Campaign Is At Your Service

The complete ad lineup and other special promotion that turned the trick in New York will be available to you in the press-sheet—out soon!

"ROAD GANG" For April Release Set Back So You Can Set It Up For EXTRA PROFITS from WARNER BROS.
FIRST 2 DAYS ACTUALLY TOPPED SUCH SHOWS AS 'Shipmates Forever'... 'Page Miss Glory'... 'The Irish In Us' 'Bright Lights'... 'In Caliente'... 'Broadway Gondolier'... 'Oil For the Lamps of China'

FIRST REVIEWS SAY "More shivers than the cold spell... graphic, melodramatic shocker... gripping!" (N. Y. American)—"Raw meat, red-blooded, rousing. Pulls no punches!" (Mirror)—"Striking... effective indictment!" (Herald-Tribune)
Goldwyn Purchases "Dead End" Rights

Samuel Goldwyn has purchased the screen rights to the current Broadway stage success, "Dead End," by Sidney Kingsley, for production on next season's program. This will incorporate Goldwyn's contribution to the United Artists schedule for next year to nine. It is reported Goldwyn paid $15,000 for the play. No cast assignments have been set as yet.

Goldwyn recently bought the screen rights to "Dowdosh," which will star Walter Huston and Ruth Chatterton. William Wyler, who will direct "Dowdosh," is in New York for conferences on the film with Sidney Howard, who will adapt the play for the screen. Wyler will be here for three weeks, then will return to the coast.

This "Goldwyn Folies" will be an international revue featuring talent of the present and future stage and screen. Goldwyn said yesterday at a luncheon given in his honor by the Assn. of Foreign Press Correspondents at the Hotel Lombardy.

Goldwyn stated that he would visit France, Vienna and Russia that "whenever I see interesting personalities or beautiful girls, I will sign them." His contention is that such a picture will have added interest value in every country from which the members of the cast have been drawn.

Goldwyn will sail March 4 on the Bremen, accompanied by Mrs. Goldwyn and Samuel Jr.

C. E. Williams to Midnite

OMAHA, Feb. 27.—Goldwyn Pictures, headed by William Goldwyn, president of M. P. T. O. and N. I. D. E. A., was ill at his home throughout the four weeks of the extra sub-zero weather that plagued this territory. He has left for Miami where the board of directors of the M. P. T. O. A. will hold its sessions.

Wall Street

Substantial Gains Reelce Board

High Low Close Change

Columbia... 47 46 47 1

Columbia, pfd... 47 46 47 1

Loew's, Inc... 47 46 47 1

Loew's, pfd... 47 46 47 1

Paramount... 47 46 47 1

Paramount pfd... 47 46 47 1

Bachrach... 47 46 47 1

Eastman Kodak... 47 46 47 1

K-A-O, pfd... 90 90 90 0

Warner Bros... 47 46 47 1

Monte on Carb Up

High Low Close Change

Sentry Safety... 20 20 20 0

Sentry Safety, pfd... 10 10 10 0

Technicolor... 25 20 25 0

Technicolor (N) pfd... 10 10 10 0

Trans-Lux... 25 20 25 0

Trans-Lux (N) pfd... 10 10 10 0

General Theatre Roads Rise

High Low Close Change

General Theatre... 22 21 22 1

General Theatre pfd... 11 11 11 0

National... 25 24 25 0

French's... 25 24 25 0

RKO... 25 24 25 0

RKO (N) pfd... 10 10 10 0

Noma... 25 20 25 0

RKO (N) pfd... 10 10 10 0

Armour... 25 20 25 0

Armour pfd... 10 10 10 0

Warner Bros... 39 39 39 0

Warner Bros, pfd... 19 19 19 0

(Quotations at close of Feb. 27)

Motion Picture Daily's Hollywood Preview

"Give Us This Night" (Paramount)

Hollywood, Feb. 27.—Top heavy with music, this picture is apt to have an appeal only to class audiences.

The story is constructed on the backstage opera formula with Jan Kiepura cast as a singing fisherman who is released from jail through the rascally deeds of his father and Philip Merivale, a composer, to replace Alan Mowbray as the tenor with whom the Kiepura leaves the troupe upon learning that Merivale is his rival for Miss Swarthout but returns melodramatically to his job after learning that he is the object of her affection.

Alexander Hall, who directed, strove to inject comedy relief but succeeded only rarely. Benny Baker, a first rate comedian, is practically lost in the shuffle and the laughs are drawn only by the antics of Mowbray. The musical score by Erich Wolfgang Korngold with lyrics by Oscar Hammerstein is good but offers no time to capture the popular mood.

Production Code No. 1,896. Running time, 68 minutes. "G."

"The House of a Thousand Candles" (Republic)

Hollywood, Feb. 27.—A drama of international espionage, this offers everything new but the title. Well produced, with romantic love interest and comedy balancing the suspense of the motivating plot, this film has that quality which should interest general audiences.

The story concerns the efforts of an arch conspirator, Irving Pichel, to intercept a secret message carried by a courier, Phillips Holmes. Using modern methods, sending code messages by radio to his agents, Pichel causes Holmes to fall into the hands of beautiful Rosita Moreno. Holmes and his sweetheart, Mace Clarke, who has followed him in a chase across Europe, are trapped in Pichel's "house of a thousand candles." With death staring them in the face, Miss Clarke gets a message to Holmes' valet, Fred Walon, who, with Michael Fantaurance, orchestra leader, frees Holmes. An exciting auto chase across the mountains follows, ending in Pichel's death and Holmes' recovery of the message in time to avert a new world war.

The character of Holmes, one of the names given the exhibitor a fair opportunity to develop an interest-creating campaign emphasizing the novelty of the adaptation. Based on the novel by Meredith Nicholson, the modern screen play by H. W. Hanemann and Endre Bohem is an intelligent departure from the original. Arthur Labin's direction is good.

Production Code No. 1,982. Running time, 70 minutes. "G."

"The Walking Dead," opening tomorrow morning at the Strand, was reviewed by wire from Hollywood on Feb. 25.

"Rhodes," previewed last night at the Roxy, was reviewed on Feb. 20.

"Wife vs. Secretary," previewed by wire from Hollywood on Feb. 14, opened tomorrow morning at the Astra.

"The Garden Murder Case," this evening's preview at the Rialto, was reviewed from Hollywood by wire on Jan. 30.

"The Voice of Bungle Ann," now current at the Center, was reviewed by wire from Hollywood on Feb. 25.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ants in the Pantry" (Columbia)

A sure fire comedy containing the ingredients that makes for the Three Stooges and Laurel and Hardy, this picture should certainly be found enjoyable. The boys are employed by an exterminator to fumigate a house and suddenly become ambitious and set forth to drum up some business. They break into a lonely house and break into it setting various vermin all over the place. They go around to various houses for their timely arrival and instruct the owners to clean up the place. From this point on the sky, as usual, is the limit and their novel enterprises give the public a good laugh for whatever humor comes out of the piece. It ends on a funny note with the capture of a skunk while they are on a fox hunt. Clara Kimball Young is seen again as she plays the foil for Stooges. Production Code No. 1,846. Running time, 18½ minutes. "G."

"Just Speeding" (Columbia)

Monte Collins and Tom Kennedy play a couple of goofs who run amuck with a dummy and think they are the police, continue their harum-scarum flight from the law through a hospital where the usual slapstick antics prevail. After eluding the operating table and the dissecting knife Collins and Kennedy escape, only to be confronted by the lawmen, followed, rather than go through it all again, which Kennedy is in favor of, Collins takes a stone ax out of a head with a wrench and prefers jail. The comedy is of the standard grade and should entertain. Production Code Seal No. 1,892. Running time, 18 minutes. "G."

"A Clean Shaven Man" (Paramount)

Popeye and his man mountain friend, Bluto, hear Olivia to the point about how she could go for a clean shaven man and promptly set about cleaning up. His story is told to win her favor, Bluto is well fixed by Popeye and he slices up Popeye's countenance so that he is unrecognizable. Unfortunately, the fire is being dragged out for the comparison the spinach comes into action. With usual roughhouse, the tables are turned and they both meet Olivia's walking arm-in-arm with a very hairy soul bearded fellow, whereupon they fall to kicking each other. If the audience likes Popeye, it will go for this one. Production Code Seal No. 1,946. Running time, 8 minutes. "G."

"The Collie" (Paramount)

This is a good number that will find favor among those folks who enjoy that like dogs—and who doesn't—and there is interwoven a bit of sportspersons and the field trials of a sheep dog. It begins with a boy who is seeking a canine companion and his selection of a dog from a kennel. It goes on with some fine camera portraits of thoroughbred collies and the evolution of the species through their ancestry. A collie is given over to the roundup of a flock of sheep by a finely trained beast and is something that is better seen. Production Code Seal No. 1,957. Running time, 10 minutes. "G."

Short Subjects

Buys 7 Beach Stories

Hollywood, Feb. 27.—Harry Sherman has concluded a deal with Rex Beach for seven stories, three of which he has already released. These pictures will be produced outside of his current Paramount contract. First probably will be "The Ne'er-Do-Well." Sherman is now negotiating with two majors, he said, one of which is said to be Paramount. According to present plans, Sherman will do "The Barrier" in color.

Seek New Premium Laws

NEW ORLEANS, Feb. 27.—Both sides to the controversy as to whether compensation for injuries allowed in the state are making preparations for a movement in the Legislature to allow or to prohibit.

Takes French Film

Guaranteed Pictures has acquired the distribution rights in this country and Canada on "Jeanne," French film, which will be released shortly with English titles.
Proponents of Block Booking Bill Have Say

(Continued from page 6)

sion of a minimum penalty for a vio-
lation, the bill was sponsored by the Presi-
dent of a Federal M. P. C. Commission to
make rules and regulations to carry out
the principles of the fair trade legisla-
tion passed by Congress. The subcom-
mittee was instructed to be chartered
with the duty of instituting equity proce-
dings to prevent violations of the bill and
that finally, unless the bill is so amended,
it be scrapped and the Culk-
ing Bill, providing for the creation of a
commission, substituted.

None of the persons engaged in the
drafting of the measure ever had an
experience in the production or dis-
tribution of pictures or as a director, Ervin
admitted in response to questions by
Pettijohn. He also admitted news-
reel had been left out because, as
Pettijohn phrased it, "you cannot tell
the exhibitors a year in advance what the
newswr will be." Pettijohn also ac-
cur from the witness an admission that the
block booking provision of the Federal
Trade Commission, which he had incorporated in the bill, had
not been upheld by the courts.
The economic side of the pictures is the
one that interests exhibitors, Myera
told the sub-committee in opening his
presentation.

"These practices are the proper sub-
jects of regulatory legislation because
first, they permit monopoly; sec-
ond, they dominate the business practices; and third, they
compel the showing of undesirable pictures
and prevent the showing of de-
sirable films," he said.

Law Violation Charged

"There is no industry in the United
States that has more persistently and
flagrantly disregarded the anti-trust
laws than the motion picture produ-
cers and distributors."

Asserting that the present form of
contract shows nothing which can be
used to identify the pictures covered
by the ordinances, Myera declared it thus impossible for
distributors to classify features as
they without violating contracts from
straight to percentage basis and vice
versa and withhold for later distribu-
tion under a new contract pictures
which showed extraordinary book-office
potentials.

It is impossible for an exhibitor to
book a picture a producer or director,
signing a letter from F. J. McWilliams
of the Porthca, Portage, Wis., in
which it was explained McWilliams
made an offer to "theclamor for
Obesion," which had been offered to
him in block for $20, but was re-

Myra held that if block booking is
abolished blind selling also must be
eliminated if there is to be any im-
provement in the business. If the bill
is in no sense an attempt at censor-
ship; on the contrary, he told the sub-
committee, would have no chance of
the bill must studiously have tried to
arrive at the very minimum of
Government control.

Attempting to forestall arguments
which might be offered by the distrib-
utors, Myera declared there could be
no truth to the contention that if
the producers cannot secure a market
for their poor pictures they will go
broke. On the contrary, he asserted,
they will in the end make more money
than they have in the past because of
the longer runs. The independents are not
trying to put the producers out of
business; they are trying to save the
costly boxoffice and that the producers
at absolute dependent upon the producers
for pictures, it would be foolish to
consider the theaters as going out of
business.

Myra exhorted exhibitors to look
singly as he desired to secure
blocks, he said.

Nathan Yamin Testifies

Myra was followed by Nathan Ya-
mins, president of Allied, who de-
clared the independent exhibitors is in favor of
this bill.

"The independent opposed to block booking because it forces us to buy bad. The annual feature production has been reduced from 800 to about 500." Also he declared, the theater is placed in a position of
cuing that the elimination of this
monopolistic practice will restore to
the exhibitor of the local Majestic
Pictures Corp. office.

Taylor Leaves Radio

St. Louis, Feb. 27.—Robert Tay-
lor, for five years office manager and
booker for Radio here, has reentered the independent field, taking over the
management of the local Majestic
Pictures Corp. office.

John Felloney Married

Boston, Feb. 27.—John Felloney,
salesman at the Twentieth Century-
Fox exchange has been married to
Mildred Sell of the M. & P. home
office here.

Koenig burned by matchbox flareup. In Minneapolis, Minn., applied for U.S. citizenship. Born in Germany. Marvin Ash back from Palm
Springs. Jesse L. Laskey, Jr., from London and a six-month writing job for Gaumont British. S. W. B. Cone resigns as publicity
head for Warner Bros., New York. To be succeeded by Fred Purmer, who has been handling publicity at the Santa
Monica office for five months. Betty Grable and Jackie Coogan extended five weeks by F. & M. Ben Fish, district manager for U. A.
back from a five-week trip through
northwest. Eleanor Whitney, Paramount tap dancing expert, re-
signed for new formula for "Three
Cheers for Love." Alexis Arch-
angelsky signed by Twentieth Cen-
tury-Fox to do music for "Johns.

Grace Goodall, Rosina Lawrence
and Jack Clifford signed for next
Kelly-Kelton short by Hal Roach. Reay
is to be cast of "Mob Rule," M-G-M.
Russ Powell to have role of grand
opera singer in Walter Wanger's
"Brazen.

Directors—E. A. Dupont, who will
direct "Something to Live For" for
Paramount, is working on the script.

Tale Change—Warners change title
of "Angel of Mercy" to "Florence
Nightingale.

Advance Sales Get Approval
In New Pacts


Hollywood, Feb. 27.—Alida Dei
Pieti, with her associates, picked
Top Row at win that big
race about which they're still talking
here. She wants New York to know
about it. William McKay in particu-
lar. Joe Bernhard expects to
start early at the end of the week. 

A Abe, a young man who traveled
from Hollywood to New York to
Chicago to New York to Hollywood again
in a Twenties, is among the
Fox sales powwow in the Windy
City in between, says he's here to stay until
plans for the new season are set.

The Beverly-Wilshire grooming un-
der the flock of New Yorkers residing
there. "Doc" Giannini over his
cold. Was out for about a week.

Carl Laemmle Jr. got it again in the
times to remember what Paul
Brunet said 15 years ago when he
traded REEOY here from New
York. Abe Meyer hasn't been
East in five years and says he
does not miss it. 
He's making
Europe when he
finishes his Paramount contract. That's
four pictures away... .

Herman Cabot broke the
distributor, the latest Los Angeles news
now that Clark has returned.

SOG. Wurtzel, the Henry Gensberg,
Raoul Walsh, Abe Meyer, and Delphine
Myer, seen at the Clover Club.

Warners to release "Anthony Ad-
AMS" in 12,500 feet for roadshowing.

... MaryAstor, recovered from influ-
enza, back in cast of "Bless Their
Hearts," Columbia. 

William

Hollywood, Feb. 27.—Nate Levine
designs 'Fanchon Royer' as produc-
ction head. Miss Royer recently
completed production of a series of
Spanish pictures for the Mexican
Government, and prior to that had
produced pictures of her own.

Levine Signs Miss Royer

Hollywood, Feb. 27.—Nate Levine,
who signs Fanchon Royer as produc-
tion head. Miss Royer recently
completed production of a series of
Spanish pictures for the Mexican
Government, and prior to that had
produced pictures of her own.

C. H. Badger Injured

Kansas City, Feb. 27.—C. H. Badger,
former theatre operator in this city,
has been taken to the local Missouri
Hospital after being injured in an
accident in his home.

To Open in Hollywood

Hollywood, Feb. 27.—George
Shaffer, former theatre operator in
Pittsburgh, will open the Hollywood
Playhouse tomorrow, with a combined
stage and screen show. Shaffer will
use independent film producer

Advance Sales
Get Approval
In New Pacts

(Continued from page 1)

film rights to stage plays so that
advance sales bidding for these
rights is reestablished, according to
Sidney Howard, guild president. The
elimination of producers and
exhibiting managers of stage plays in
recent years curtailed the competi-
tion among producers of plays and
was one of the principal reasons for
drafting the new agreement, the guild says.

Under the new minimum basis pact
manager and author continue to re-
ceive 50 per cent each of the pro-
ceeds of sales of film rights up to
$15,000; the participation of the
author is increased by one-third on
the second $15,000, and on a gradu-
ated scale on amounts above $30,000,
so that if the film rights to a play sold
for $50,000 the author would receive
65 per cent, or $32,500, and the
manager 35 per cent, or $17,500, and if
sold for $100,000 the author would receive
70 per cent and the manager
30 per cent.

Bidding for film rights will be
through the guild-appointed arbiter.

The terms of the pact as approved
yesterday were declared to be final
despite some dissatisfaction on the
part of managers. Guild officials
stated that they believed a majority of
managers approved the new pact.

McConnell Rejoins Col.

Fred McConnell has returned to
Columbia's short subject sales de-
partment, has announced. McConnell
to become associated with The March of Time. McConnell was also
recently appointed to the direct sales for
Universal at one time.

To Open in Hollywood

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Shaffer, former theatre operator in
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Playhouse tomorrow, with a combined
stage and screen show. Shaffer will
use independent film producer

(Continued from page 1)
Green "GO" MEANS "GO" TO TOWN WITH "LAUGHING IRISH EYES"

WITH A SONG IN HIS HEART... A TWINKLE IN HIS EYE...!

A REPUBLIC PICTURE
WITH PHIL REGAN
WALTER C. KELLY
EVALYN KNAPP

Directed by JOSEPH SANTLEY
Supervised by Colbert Clark
Screen play by Olive Cooper-Ben Ryan-Stanley Rauh
Original story by Sidney Sutherland-Wallace Sullivan
Industry Men Defend Block Booking Use

Kent, Pettigjohn Attack Senate Measure

By BERTRAM F. LINZ

Washington, Feb. 28.—Resorting to a night session to clean up the hearings on block booking, the Noisy Senate sub-committee today heard representation of the industry defend block booking as the only economic method yet devised, dating back almost to the inception of the industry. Members of the committee showed little interest in the testimony, apparently planning to read the printed record of proceedings in the hearings. Senator Davis of Pennsylvania, to whom Senator Neely handed over the hearing as he left for West Virginia last night, was in constant attendance; Senator Benson of Minnesota made a short stay; Senator Barkley of Kentucky did not appear.

Psychological studies of the effect of films upon youth in the Payne reports were discussed by Dr. Henry James Forman, author of "Our Movie Made Children."

Denmark has outlawed block booking.

(Continued on page 3)

Carolinas Exhibitors

Will Meet Tomorrow

PINEHURST, N. C., Feb. 28.—The Theatre Owners of North and South Carolina will hold their annual mid-winter convention at the Hotel Carolina here on Sunday and Monday, with C. W. Picquet, president, presiding.

The list of speakers is as follows:

Ed. Knudson, president of the M. P. T. O. A.; Dave Paleyman, M. A. Lightman, H. F. Kiefer, Robert Wilby and a number of distribution executives.

Following the business session on Monday, a banquet and dance will be held.

A number of M. P. T. O. A. directors were present.

(Continued on page 4)

Pizor Action Halts Segall’s MPTO Use

PHILADELPHIA, Feb. 28.—It has been revealed here that Lewon Pizor, president of the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, has acquired a Delaware charter for the Independent M. P. T. O. What at first appeared to be an incorporation by Charles Segall, president, of the new Independent MPTO

(Continued on page 4)

New Optimism Stirs Mexican Film Industry

The New 

is largest definitely which

held.

executives. 

Theatre 

tendance 

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hearing 

on 

A.; 

N. 

Leonia, 

(Continued 

on 

page 3)

End of Strike, Cuts in Import Tax Help

By JAMES LOCKHART

MEXICO CITY, Feb. 28.—There is more optimism along Film Row here now than has been in many months, following the settlement of the four-month strike against eight major American distributors, the reduction of 45 per cent in import duties and the fixing of a non-progressive tax on distributor's gross incomes.

Distribution is moving much more smoothly, exhibitors are seeing five pictures, and five new houses are being rushed to completion, following building delays. All will open within a few weeks. Mexican producers have received a new incentive with the expectation of revenues from income taxes. Six features are in work, and companies are attempting to draw the best stage and radio names for their productions.

Cine Alliance, a German enterprise.

(Continued on page 4)

Studio Men Define Cameraman Status

HOLLYWOOD, Feb. 28.—A group of studio managers met here yesterday with Pat Casey for the final clarification of first cameramen's status under the I. A. T. S. E. closed shop.

In defining the clause stating that all cameramen other than the first shall be members of the I. A. T. S. E., the statement clarified first cameramen as those who operate cameras either in process of production or more than 25 per cent of the working period in

(Continued on page 4)

Action Delayed on Arbitration Cases

Two cases, scheduled for arbitration at the New York Film Board of Trade yesterday, were defaulted when the respondents failed to put in an appearance. Both were for breach of contract.

The first complaint was that of Paramount against Nick Paley of the Bronxville, Bronxville, N. Y. The second was filed by RKO against the Adams Brothers and involved the Leonia, Leonia, which they recently took over from Julius Charnow.

(Continued on page 4)

Daily on Hand

Washington, Feb. 28.—Motion Picture Daily was the only trade paper circulated here today at the hearing on block booking legislation in one of the large committee rooms of the Senate Office Building.

Para. Board Hears Report on Studio

A report on Paramount studio plans and operations was presented to the company's board at its regular monthly meeting yesterday by John E. Osborn, president, who returned early in the week from a lengthy studio stay.

It is definitely set to build the merger of Paramount Pictures Distributing Corp., Paramount International Corp., Penates Trading Corp. and Paragon Corp., with Paramount Pictures, Inc., the parent company. The move was taken to simplify the company's organization and to effect tax economies through the elimination of non-essential subsidiaries.

No action was taken on the company's new contract with Winfield Sheehan, recently signed as an independent producer. It is understood that this matter is to be followed up at the next meeting of the full board. Floyd B. Oldman, H. A. Fortington and other members of the board are away from the city at this time.

"Pine" Injunction

Is Denied by Court

An application for an injunction to prevent exhibition of "The Trail of the Lone Pine" was denied Thursday, which claimed ownership of certain dramatic rights to the production, by Justice Collins in N. Y. Supreme Court yesterday. The injunction was sought by the plaintiff pending trial of its action against Paramount for an accounting.

In denying the application Justice Collins said, "Although the plaintiff's claim to the exclusive dramatic and dramatization rights to John Fox.

(Continued on page 4)

M-G-M Set to Build Two in South Africa

JOHANNESBURG, Feb. 28.—M-G-M has started construction of two theatres in South Africa in line with recently announced expansion plans. Neither of the new houses will be erected in this city where the company operates the Metro.

Arthur Loew, head of M-G-M foreign activities, is conducting negotiations.

(Continued on page 4)

RKO Has Net Of $665,297

For the Year

The consolidated net profit of RKO for the year 1935, was $665,297, it was disclosed in a preliminary statement completed yesterday by Irving Trust Co., as trustee for RKO, in its report to the U. S. District court on results of operations for the year.

While the consolidated statement is subject to an audit now being conducted by Price, Waterhouse & Co., the results of this audit are not expected to affect the report in any material respect. The year's earnings return RKO's consolidated operations to the black for the first time since 1930. The company's consolidated loss for 1932 was $101,951, for 1933 it was $4,384,664, and for 1934 a net loss of $310,274 was incurred.

Consolidated income for 1935 amounted to $44,879,837, of which $42,708,192 was from film rentals and admissions. Additional income from dividends received on investments, interest earned and other sources amounted to $259,915. Operating expenses aggregated $39,807,263, of which cash sales and service costs of $17,355,582 comprised the largest part.

(Continued on page 4)

K-A-O Profit of $700,000 Is Seen

An indicated profit of more than $700,000, before taxes and deductions for non-recurring expenses, is anticipated for Keith-Albee-Orpheum Corp., for 1935, directors of the company were informed yesterday at a regular meeting of the board. A net profit of $200,000, after all charges, is predicted, subject to an audit now under way.

The earnings report compares with

(Continued on page 4)

"Follow the Fleet" May Move to Center

"Follow the Fleet" may be switched to the Center after a two-week run at the Music Hall, it was learned yesterday.

The Astaire-Rogers musical garnered $105,000 in the first week, and $80,000 in the first two days of the second.

The Rocky with "Don't Get Personal" and Major Bowes' Amateurs

(Continued on page 4)
Insiders’ Outlook

By RED KANN

Hollywood, Feb. 28.

No Hollywood exploration trip could be complete without a visit to Paramount Pictures, 5240 Sunset Boulevard, the scene of the studio. It was promptly today, however, and after twenty-six years in the business Schuberg’s opinions are always interesting.

The chance meeting for some reason or other livened our memory. In mentallyreviewing his years it was a surprise to check into the number he has spent with Paramount. It all began in 1912 as publicity manager and scenario editor combined. Four years later he became general manager of Paramount Distributing Corp., under Hiram Abrams.

Preferred was born in 1918 with Al Lichtman and Jack Bachmann as partners, if you remember that back. It was an independent venture, founded in 1925 by an invitation for Schuberg to head Paramount production here. For seven significant years, including 1928, when the company returned an $18,000,000 profit, or the biggest rolled up by any one company in any one year, he held the post, resigning in 1932 to form his own company but again with a Paramount hookup in distribution.

Three years later found that arrangement washed out and Schuberg at Columbia, where he is now completing the last four of a series of eight. This carries him to May 1. Then what? Nobody knows, but his head is held high and the Paramount lot and what makes it go suggest a resumption of the old association might not be amiss or too screwy to contemplate.

Well down front on the Metro lot is a large hole in the ground. Sam Katz can hear the noise of construction from his office, which rises a couple of stories above it in a nearby building.

“What’s it for?” asked Howard Dietz.

“For rejected scripts,” replied Larry Weingarten.

“Rejected scripts? You mean only those on ‘Good Earth,’ don’t you?” commented a third. 

Louis Sobol, columnist, of the New York Evening Journal, is on the Paramount studios. It’s a two-month jaunt.

The other day the sun peeled

from out of the hills for a minute. Look at that,” he remarked.

“Pay no attention,” he was urged. “Merely a production touch.”

One of the studio secretariat was presented with a copy of “Boy Meets Girl” the other day. Does he think it funny? she was asked.

The answer was in the negative.

“And why not?”

“Because it’s too much like what we get around here every day in the week.”

Studio shifts create excitement in these parts. Thus, when Gabe Yorke succeeds Bill Pine at Paramount, the legend goes, the next day brought a letter reading:

“If you can find jobs for these fellows in the next week or so, a lot of your friends would be happy.”

Attached was half dozen pages torn from the Los Angeles telephone directory.

“How are you?” Yorke inquired.

“Not so good. Chills had back and a couple of grippe symptoms thrown in.”

“What picture did you see last night?” asked Gabe.

Max Gordon, whose New York season has been a buzz with “Pride and Prejudice,” “Jumbo,” et al., is here working on the Metro lot.

“They keep on sending me clippings from New York, telling me what a genius I am. But a couple of flops will set them straight,” he remarked.

Up from nothing plus, a small producer here now uses an English valet. Every night he loads his man with scripts and these instructions:

“Read them and tell me whether the language is correct.”

In which, cheerfully and sans request, an error is made aright. This space’s comment on the color results in “Trail of the Lonesome Pine” criticized Technicolor on the hue of its blues. It did not seem natural. Yet it is in this part of the world, at any rate. We’ve seen with our own optics.

M-G-M, Loew Heads On More Everywhere

M-G-M and Loew executives are keeping the various transportation companies on their toes with a number of them either on, returning or planning trips.

Cecil B. DeMille leaves tomorrow for Miami on an extended vacation. Judge Isadore Frey will get away for the same resort some time next week and Leon K. S. Hecht plans a trip leaving about March 15. Oscar Doob returned earlier in the week and F. M. Schaffner will be back in about 10 days.

Fred Quimby returned yesterday from a six-day trip to Broadway and back. Anthony Lichten is scheduled to return next week. The latter arrived in New Orleans yesterday and from there proceeds to Atlantic and a few other points before hitting New York. Felix Feist is due from Hot Springs, Ark., in another couple of days. Fred Rogers will return Monday from Cleveland.

Lundey Lawrence, who will sail from Paris shortly, will time his arrival with that of Arthur Loew, who will sail Monday from Rio de Janeiro and return about March 15.

Nicholas M. Schenck and Howard Dietz are scheduled to leave the coast, respectively, for George Robert Rubin and Leon Fuldman returned from their a few days ago.

Fabian Takes Over Two at Middletown

Si Fabian, who operates the Paramount Theatre in Fox is quite likely as well as a number of upstate New York theatres, tomorrow will take over the State and Stratton in Middletown, N. Y., from the Hathaway Brothers.

Joseph Shure, manager of Proctor’s, Schenectady, has been transferred to Middletown to handle both houses under the Fabian management. George Van Meter, Paramount has made several efforts to pool the two Hathaway houses with the Paramount in the same town, but neither has gone further than the preliminary stages of negotiation.

Arrest II Pickets

Eleven men, arrested in front of Loew’s 11th and 12th Street, D.C., while they had been picketing against “Ruffian,” were held in total bail of $20 yesterday. They will be given a hearing in West Side Court on March 3.

“Melody” Is Berlin Hit

Berlin, Feb. 28.—“The Broadway Melody of 1936,” which opened at the Marmoraust the other night, received a pronounced boost from both the critics and public. German titles are superimposed.

RCA Declares Dividend

The RCA Corp. of America has declared its regular quarterly dividend on the “A” preferred stock. This dividend amounts to 2½% cents a share payable to stockholders of record Mar. 11.

Kent Opens at Clinton

M. Kent, former husband of Bland Johnson, film critic of the Mirror, Clinton Point, Clinton, N. Y., with C. E. Smith acting as general manager.
Industry Men Defend Block Booking Use

(Continued from page 1)

ing and has prohibited producers from having an "exclusive". "Two views of the committee," he declared. Making way briefly for Mrs. John E. Sullivan, International Federation of Catholic Alumnae to read the statement issued Feb. 26 by the Legion of Decency, Mr. Pettijohn paid high tribute to the work which has been accomplished by that organization in improving the morality of pictures.

Pettijohn stressed that the problem of the industry is distribution, it being estimated that the industry must average 30,000 miles of film a day, and referred to the efforts that must be made to keep the production of pictures up to that level. As an evidence that the industry is not entirely hard boiled he called attention to the free shows for the inmates of 8,853 institutions throughout the country.

A striking explanation of the difficulties of the industry was given by Sidney R. Kent, president of Twentieth Century-Fox. Far from forcing blocking 100 per cent, said, 40 per cent of his company's contracts are for less than all.

The disagreement among the exhibitors themselves on the question of block booking is illustrated by the appearance in opposition to the bill of Ed Kinykendall, president of the P.T.O. He opposed compulsory booking and asserted there are other trade practices which the industry would not like, but which the average exhibitor feels are questions to be ironed out in the industry and not in public.

Several women leaders spoke in opposition to the bill.

"Film Morals High," says Cochrane

Characterizing the bill as old fashioned, Robert H. Cochrane, vice-president of Universal, said that if the need for the legislation ever existed it no longer does from the standpoint of morals.

Mrs. Pettijohn, who charged he was forced to pay for "The Devil Is a Woman" and "Four Hours to Kill" and that cancellations were made, and who was criticized for monopolistic practices by Pettijohn and made a heated rejoinder, found herself attacked by Herman L. Schaefer, formerly of Paramount, produced contracts and records to show his side of that controversy.

Yamins, he said, sought to cancel the pictures on the ground they were put in Class C by the Legion of Decency, whereas, in fact, one of them was in Class B and both had been passed by Massey for all territories for Sunday showing. He played and paid for one, but did not play or pay for the other, which was withdrawn.

Schaefer also went into Yamins operations, winding up by saying that Yamins demanded a selective contract at prices less than the average he paid for full blocks and Paramount refused to sell him. He said Yamins demanded a contract to play for four days; made a new contract giving him seven days, and then asked for another. He spoke of the evils of block booking at a New Bedford cleanup rally and said that "block booking" was the production of pictures.

The former Paramount executive presented figures on cancellations during the code period. Many of these, he said, were because the pictures were on percentage.
RKO Has Net Of $665,297 For the Year

(Continued from page 1)

Studio Men Define Cameraman Status

(Continued from page 1)

K-A-O Profit of $700,000 Is Seen

(Continued from page 1)

single charge. Artists' salaries amounted to $1,335,418; other salaries amounted to $3,732,000. General and office service and production expenses were $3,077,996; film selling and general expenses, $3,986,880, and other operating expenses, $2,763,835. Other charges aggregating $4,619,434 are listed, including interest and discount, provision for capital assets and amortization of leaseshold, amounting to $1,470,864.

In addition, the trustee's individual account for the period from July 1, 1934, to March 31, 1935, showed a receipt of $599,167 and disbursements of $472,858. The report notes that during the same 18 months period the average daily receipts of RKO subsidiary companies increased from $4,096,904 to $5,287,893, while the inventory value of film negatives and supplies increased almost $2,000,000, fixed indebtedness was reduced by $2,362,672, and interest on indebtedness was paid in amounts of $1,229,055.

Theatre Operators Gain

The earnings of RKO Radio Pictures, Inc., and its film producing and distributing subsidiaries, had an indication of strength during the quarter ending March 31, 1935, as compared with a net profit of $570,378 for the preceding year. The report notes that theatre admissions, exclusive of Orpheum Circuit, had an indicated profit of $69,348 in 1935, as compared with a loss of $74,718 for the preceding year. The report notes that theatre admissions last year increased $1,124,844 over 1934, while operating expenses decreased $73,269.

An improvement in ordinary operations of Orpheum Circuit of approximately 33% during 1934 was shown last year over 1934, the report states.

RKO Pathe Pictures, Inc., and subsidiaries showed an unaudited net loss of $270,793, as compared with a loss of $270,477 in 1934. Pathe News, Inc., had an indicated profit of $512,971 for the year, against a net loss in 1934 of $48,646.

The trustee's report notes that the $55,104,721 in claims filed against RKO in its reorganization proceedings have been reduced to approximately $33,000,000, with further substantial reductions still probable. Of the remaining claims, the secured debt amounting to $13,758,50 and the Rockefeller Center claim of approximately $9,000,000 account for the largest portion of the claims.

It was learned unofficially that little progress has been made in the preparation of a plan of reorganization, although the report notes that the trustee has conferred "from time to time" with representatives of RCA, Atlas Corp., Lehman Bros., and RKO officers on data pertinent to a plan.

Youmans Is Bankrupt

DENVER, Feb. 28.—A voluntary petition of the form of bankruptcy was filed in U. S. District Court for Vincent Youmans, orchestra leader and composer. The petition listed liabilities at $511,306 and assets, patents and trademarks with "value unknown."
Free Lancing Seen Helping Japan’s Films

Fanck Plan, Fewer Small Firms Also Factors

By TETSUYA MORI

Tokyo, Feb. 13.—Production in this country is now undergoing a definite impetus through three important recent developments: First the increased tendency to use free lance players; second, the plan of Dr. Arnold Fanck to produce films here, using Japanese players, and designed for world sale, and third, the production in the number of small companies.

Until recently only a few of the more progressive producers used free lance players, considering their contract talent too important to risk, but all producers today are coming to realize the importance of using in each film those players who are best suited to the roles. An increasing number of players are turning free lance at the expiration of existing contracts. P. L. C. is one of the important companies which has formed a definite policy of going ahead with the most suitable players, and others are following the example.

(Continued on page 4)

Says 920 Theatres Are Using Screeno

Approximately 920 theatres throughout the country are now featuring Screeno, J. S. Markstein, president, stated prior to his departure yesterday for Detroit after spending a week here, in conferences with George West, eastern representative.

Chicago is the biggest territory for Screeno, Markstein said, and greater New York is second with 110. The Windy City has a high of 170 accounts at one time but B. & K. has reinstated stage shows in a number of houses, games have been discontinued in about 25 units. In N. C.

(Continued on page 4)

Bank Fees Approved In Paramount Case

An order approving the payment of compensation to the National Bank of New York, National Bank of Commerce and Commercial National Bank for services as depositaries in connection with the reorganization of Paramount Publix was signed on Saturday by Federal Judge Alfred C. Coxe.

The order provides for $32,615 and expenses of $2,344 for N. Y. Trust and compensation of $24,582 for Commercial National.

Cold Continues to Depress Nation’s Key City Grosses

Snowbound areas all across the northern part of the country and exceptional cold fell into southern spots that are not accustomed to it continued to keep a damper on the nation’s key city box-office returns for the week ending Feb. 27-28.

This was the 30 cities reporting to Motion Picture Daily was $1,585,185.

Several theatrical companies are contem- plating a change in the opening of the circuit houses in Utah and Idaho. Further acquisitions are contemplated.

One of the most active exhibitors has been promoted from the management of the Capitol here to the post of assistant general manager of the circuit. Kevin McLeod of the Orpheum in Twin Falls, Idaho, will replace Hendry at the Capitol.

Earl H. Toomey has been named manager of the City and Or- pheo in Twin Falls.

(Continued on page 2)

No “U” Move Seen Before March 10

Although satisfactory progress has been made toward completion of Standard Capital Co.'s study of Universal operations and financial requirements is being made, there is little likelihood of any formal action being taken before March 10. According to E. C. Leonard, an attorney for the company, a controlling interest in Universal was stated authoritatively on Monday.

The option, which was renewed for six weeks from Feb. 1, expires March 14. There is no indication at this time that a new extension of the option will be required to complete the work now under way. Developments during the next 10 days are expected to determine this.

Heast Scores West Film in Paper Here

Continuing the attacks of the Hearst newspapers throughout the country against Mae West's "Klondike Annie," the New York York American on Saturday published a lengthy editorial, under the title "Stop Lewd Films," in which Paramount and the Hays office were scored sharply. Previous attacks have been registered in San Francisco, Chicago and Baltimore, where the Hearst papers also refused all advertising on the film.

The editorial concludes: "It is to be hoped that the churches of the country are awake to the necessity of sympathizing in the case of "Klondike Annie" and denouncing its producers.... The public should bring its influence to bear—by showing through non-patronage of such productions that pandering to the lewd elements of the community is not profitable."

The film is scheduled to open shortly in Chicago.

Booking Bill Called No Aid To Little Man

Lust Tells Senators It Would Help Big Spots

By BERTRAM F. LINZ

Washington, March 1.—The proposed block booking measure "would rob the big theatre of the little men," Sidney B. Lust, Washington exhibitor, told the Neely Senate sub-committee at a night session which concluded hearings on the bill here. Lust was one of a number of witnesses who testified in opposition to the abolition of block booking.

Lust denied that distributors demand big cuts on box-office attractions by claiming that pictures are the big percentage pictures. He declared that none of his houses runs any percentage for pictures and that he could not accept any company's entire output. The witness said exhibitors know well in advance what a picture is, submitting a copy of Motion Picture Herald as an example of how the trade papers carry criticisms long before films are in general distribution. "I go by the trade papers and plan my programs on the basis of their report," he said.

Picturing himself as an exhibitor who bought 100 per cent block with- (Continued on page 5)

Poster Ass'n. Meet Is Set for Chicago

Members of the National Poster Service Ass'n., Inc., will hold their annual convention in Chicago the last part of April, it was decided at a meeting of the board last week. The date and hotel will be set later.

Attending the meetings were Louis Weinstein of Progressive Service, E. Behrens of Behrens Supply, Harry Schiltz of Exhibitors Poster Service of New York; Simon Libros of National-Kline Poster, Philadelphia, president of the organization, and George Aarons of Philadelphia.

M. Levin of Exhibitors Poster, Omaha, did not attend, but was notified of the developments by long distance telephone.

J. A. Clark Resigns From 20th-Fox Post

James A. Clark, in charge of Twentieth Century-Fox accessories, has resigned. The post has been taken over by Lee Balsley, who had been at the head of the department prior to Clark.
HOLLYWOOD, March 1.

HOLLYWOOD'S spots have not changed. Somehow, somehow, somebody dubbed production the life stream of the industry. Suffice it to say, in the assertion to make acceptance of the observation widespread. There is no gaining the fact that attractions are what make the industry, and that the industry, dizzyly, revolves on its axis. All the rest of the paraphernalia— the mystery which surrounds the job, the social, and caste, systems, the political rivalry, the empire complexes, the cock-eyed ideas which mix so freely with the good—are part of the warp and the weft of the conglomerate mesh which spells out Hollywood.

A truth of this tour of inspection is the indisputable fact that the studios are trying hard and spending millions in improving production. Whether or not the money are spending on the "A" stuff, which means the big pictures, it is evident in the cards is another story. This is the day in Hollywood where those pictures designed as big pictures run close to and over the million dollar mark. The procedure is getting to be quite a regular affair now. So much so that one of the better manufacturers of celluloid ironically tells me anything costing less as a trailer.

Hollywood at large agrees on at least two points of view. More may come to light later, but these are the two which spring back and persist in its age-old opinion that New York continues to misunderstand what goes on here. Because it does and because, aside from the Mayers, the Thalbergs, the Zanuckes, the DeMilles, the Wangers, the Goldwyns—when one has had the training on their returns, it is a rare few who know or bother to learn what happens after the print goes East. Hollywood is a little cut off from the world beyond its mountain and sea embowered boundaries.

The other slant, widely concerned in, is that, as high as negatives have been, they are going higher. The reason, as purported here, are several. The astute makers of pictures maintain there is an alarming shortage of genuine personali- ties. This is true, but fails to realize the day when an identical situation had not prevailed. The handful or more of men and women who actually command tickets are in constant demand. Thus, Freddie March is getting $125,000 flat for his role in "Oliver Twist" and the movie itself. There are others and many. The key to all this is right here. No one can forecast to what figure his next job will rise.

The drift now is to cluster big names in one picture. Thus Darryl F. Zanuck has combined Claudette Colbert, Victor McLaughlin, Ronald Colman and Rosalind Russell and a string of fifty names players in the support of "Under Two Flags." At a cost of something over $500,000, Producers, certainly, conscious and honest enough in putting forward their best foot, often get a fixation, couple it with determination, and try to nab the player they envision for a particular role and worry less about the price. At the same time, they are constantly establishing new price levels which fellow producers—and they as well—will have to meet somewhere along the line.

There must be included in this discussion the situation which concerns the public. There is the shyness of name players and bids for them in the open market under heavy penalties. Universal is a case in point. But there are others with the sole exception of M-G-M. Agents, clever and well-informed players, know what's going on. They know the great week at the Music Hall or now at the Asta-Rogers musical to the Center on Thursday.

The theatre operator will howl of course. The buyer always has his say. Yet what to do is another thing. One segment of substantial Hollywood opinion thinks it sees the answer in a general hike in admissions. This is a false solution and the obvious suggestion. Whether or not exhibitors can be dependent upon local conditions. Business, taken as a whole, is down. But has it recovered to a point where admissions can be boosted up the line? The persistence with which double features hang on strikes at all points, the public continues in a bargain-buying mood. For some time now it has been getting plenty for little money and patiently finds the buy an attractive one. Will it, if the cost is hiked? If not, where do Hollywood and the business get off?

**Divide Schnitzer Job**

Irv Werners and Sol Trauner have taken over the sales duties formerly handled by Edward M. Schnit-zer prior to his resignation from the Columbia Sales offices.

Bernard Woodruff Haddon is in charge of sales for northern New York. Long Island and Unstate M. case and sales offices are under the direction of H. Hatman and Brooklyn. Both are reporting to Nat Cohn, district manager.

**Bernard on Way to Coast**

Jeffrey Bernard, supervisor of all G. B. sales, left Saturday for the coast on a three-week trip. He plans to visit clients in New York and Los Angeles. All though he will look over production activities, Bernard is not expected to sign any talent while in Hollywood.

**Decide on "Fleet" Today**

RKO executives today will decide whether to hold "Follow the Fleet" and the Asta-Rogers musical to the Center on Thursday.

**Intermountain Adds Two; Plans Changes**

Leavenworth, Kansas—Sister Leavenworth is now a twin city. The new city is in some ways different than the old city.

**Shoveling Foreign Films**

Bozeman, March 1—Howard Leavitt, local office theatre manager, has been opened for the showing of foreign films.

**Scheduling Leaves Coast**

Los Angeles, March 1—George Brown is scheduled to sail here on the SS Olympic boat for New York where he will confer with Dan Tracy, B.E.W. head, in the arbitration of the I.A.T.S.E. strike. The Olympic, short in the Canal is considered a vacation trip to the pending meetings.

**Delay Loew Bronx Case**

The complaint against Loew's Paradise for violating the New York lottery laws by featuring Scrennie has been postponed in Special Sessions, Bronx, until April 6. Previously, similar complaints against Loew's Grand and Elsmere have been continued until March 17.

**Browne Leaves Coast For IA Confab Here**

Los Angeles, March 1—George Browne has left for New York to confer with Dan Tracy, B.E.W. head, in the arbitration of the I.A.T.S.E. strike. Browne's trip by way of the Canal is considered as a vacation trip to the pending meetings.

**Cecilia Parker Loaned**

Hollywood, March 1.—S. L. Lesser has loaned Cecilia Parker to M-G-M for the leading role opposite Richard Arlen in "The Mine With the Iron Door." Parker was "The Siren" in last year's "Harold Bell Wright stories which Lesser is producing for Columbia release. David Howard is directing.
GIVE THEM PLENTY OF PLAYING TIME*

Cecile

Marie

Annette

Emelie

Yvonne

*AND QUINTUPLY YOUR PROFITS
PURELY PERSONAL

NORMA GARE, secretary to HARRY EGERT of Progressive Poster Service and niece of Louis Whittemore, Egert's partner, will be married to Dr. I. Edward Cohen of Brooklyn on April 3.

HARRY KING, the quintuplets’ director, flew to Washington the other day to meet Mrs. King returning from Florida. They came back here over the week-end.

DOUGLAS FAIRBANKS, Jr., and DOROTHY DURGES exhibited the finer points of a rumbla at El Morocco the other night.

GENE RAYMOND is on route to Palm Beach with his mother and brother for a week’s sojourn before returning to the coast.

SAM MORRIS won’t be able to anticipate Florida trip before sailing for Europe on March 18. Too busy.

J. J. McCARTY has been confined to his bed for the past few days with a cold.

MARGOT HELLER, the German actress, left on the Hanna Saturday.

JACK and MRS. COHN left Saturday on the Santa Elena for a Central American cruise.

LILY PONS left Saturday on the Conte di Savoia.

WILLIAM S. HART is in town from the coast. He is at the Astor.

C. W. BUNN, Erpi general sales manager, has returned from the coast.

MILTON C. WILSON returns tomorrow from Miami.

...DENVER

A. P. ANDERSON, his successor as president of Foto Films is Charles U. VAECER, Bank Night owner. Archer remains with the company as vice-president. DAVE DAVIDSON is secretary and RALPH WHITTER, treasurer.

CLAUDE GRAVES, who formerly managed the State at Boulder, but sold out to FOX, was on the row recently selling automobiles.

T. B. NOBLE of Westland was in Dallas last week. Business and pleasure combined.

ALEX DAVIS is spending some time in Denver. He manages the Mercury Film Exchange in Salt Lake City.

PAUL HOPPIN is modernizing his equipment.

ROLAND LUTZ of the Denver Post-er exchange has returned from Salt Lake City where he was engaged in business of the Denver office. He plans to return there soon.

BOOKING BILL CALLED NO AID TO LITTLE MAN

(Continued from page 1)

out cancellation privileges, Stanley Summer of Cambridge, Mass., told the sub-committee he considered any difficulty making changes under such contracts and that passage of the bill would be such that he might lose the advantages he now has as compared with the affiliated competitor directly opposite.

A similar situation was detailed by M. A. Lightman, Memphis, who pointed out that as he has 45 houses he has "probably 45 times as much interest in the matter as some of the exhibitors who have 4 houses. Lightman brought out a phase of the problem which had not been discussed previously, asking the sub-committee to consider the effect on the theatre owner by the fact that he is required by the law to show the same pictures as a competitor.

"This, added, would bring about a tremendous expansion in the number of houses catering to that type of people.

Enforcement Discussed

Disatisfaction with the provisions of the bill was indicated by Senator Davis of Pennsylvania, who asked Lightman, "How many inspectors do you suppose would be necessary to enforce this bill if it was passed?"

Lightman declared that he could give no estimate as to how many inspectors would be on hand to enforce the law. The true picture as to how many houses would be "banned." This, he added, would bring about a tremendous expansion in the number of houses catering to that type of people.

Freed in Milwaukee On Night Count

MILWAUKEE, March 1—William Young, manager of the Roosevelt, local neighborhood house, was found not guilty of violation of a gambling ordinance here. Young was charged with operating a Manufacturers' Gift Night.

It marked the second such verdict returned by a District Court jury here. Norman Hazele, manager of the A. T. Steinway, was acquitted on a similar charge several months ago.

Withdraws One Suit

NEW HAVEN, March 1—Affiliated Enterprises, Inc., owner of Bank Night, has withdrawn its alleged infringement suit against the producers of "The Giant," defendants named, B. S. Mylsveck, operator of the Strand, Wallingford. A settlement provides that the Strand Theatre will not show the picture within a week, discontinuing the 'Cash Night which has been running in common with the Bank Night case now pending in Federal Court here.

CROMWELL ASSIGNED

HOLLYWOOD, March 1—Darryl F. Zanuck has assigned John Cromwell to direct "To Mary With Love."" A screen record story by Ernest Haycox, soon to go into production. Zanuck has also assigned Francis Ford, Anne Baxter and Gene Reynolds to the cast of "Tartum."
GRAB IT NOW AND ADVERTISE IT BIG!

A sensational short! Nothing like it ever on the screen before! Millions have asked for it! Millions will come to see it! Tell them you've got it! Cash in on its tremendous novelty!

CARTOONIST TELLS ALL!

The secret's out!
LOWELL THOMAS gives famous screen cartoonist the third degree!
Unmasking the tricks and sounds that have mystified and amazed audiences for years!
Millions have asked "How?" What makes screen cartoons move, talk, run, jump? How many people does it take? Where is the orchestra? Who are the impersonators, singers? How are all those seemingly impossible effects obtained?
Now you can show them the whole works behind the scenes!
UNIVERSAL again scores a scoop on the industry!
SO 'PHONE, WIRE OR WRITE YOUR UNIVERSAL EXCHANGE AND ASK FOR GOING PLACES No. 18
**Short Subjects**

**Screen Snapshots No. 7**
*(Columbia)*

The Racquet Club in Palm Springs run by Charles Farrell and Ralph Bellamy opens this snapshot, and after the camera records the stars and film people who are there—there are many—it goes into awards with Walt Disney, producer of the French Legion of Honor cross and young George Breasteon receiving an autographed photo of Mussolini for his performance in "Mission to Glory." Also seen are Mary Pickford starting her first production, how they name a polo pony in Hollywood and a scene on shipboard with Victor McLaglen and the Three Stooges cut up aiding by Wynn Gibson.

The last part presents one of the jackaladacical parties in which Anita Louise does a card trick while Dolores del Rio and Gene Raymond play ping pong and then Fred and Dorothy Stone dance a bit, but nobody seems to care. This is good fodder for the rabid film fan. Production Code Seal, No. 1968. Running time, 10½ mins. "G."

**"The Voice of Experience No. 9"**
*(Columbia)*

This issue has the Voice revealing how his advice, if taken, would avoid certain problems arising in homes over trivial matters. He illustrates, before the end, the problem of balancing the budget with a young couple, how to bring up children and child psychology, and the ancient mother-in-law problem. If the audience goes to the theatre to see the silhouette that interests them on the radio rather than to forget their own problems for a brief spell, then this is their meat. Production Code Seal, No. 827. Running time, 11 mins. "G."

**"Movie Melodies on Parade"**
*(Paramount)*

With its orchestra and a choral group this short revives some of the well known hits from pictures a few years ago. The film editing is well done as the actual scene from the picture is played against the musical review. Mary Eastman is featured and she does a solo accompanied by an orchestra that is coloristically led by Andre Kostelanetz. The music is well played and the singing is of a superior grade that should pleasantly entertain. Production Code Seal No. 1074. Running time, 11 mins. "G."

**"Not Now"**
*(Paramount)*

Erbe and her dog, Pudgy, are annoyed in this cartoon by a chorus of cats that keeps them awake. Betty "Sissy" Pudgy after their thirst is whetted by some sweet卡通 adventures involving the dog with first one cat and then with the whole tribe than all the line of cats are about to strike the dog, but one effect is good for plenty of laughs and the action will more than satisfy. An entertaining bit for any program.

Production Code Seal, No. 6066. Running time, 7 mins. "G."

**Erber, Smith Dissolve**

St. Louis, March 1—Joe Erber and Joe Smith, booking agents, have dissolved their partnership.

**MOTION PICTURE DAILY**

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

"Treachery Rides the Range"
*(Warners)*

Hollywood, March 1—Offering a happy combination of good story, capable acting, excellent photography and skillful direction, this production ranks high among the current picture offerings. Dick Foran, as a scout with a cavalry regiment, gives a pleasing performance which should increase his following. His personality has definite appeal for men, women and children.

"Don't Gamble With Love"
*(Columbia)*

A marital drama with complications other than the usual triangular pattern, this should prove satisfactory entertainment. Bruce Cabot and Ann Sothern share the leading roles, supported in particular by Irving Pichel and Ian Keith.

"The Lawless Nineties"
*(Republic)*

A western yarn built around the efforts of the lawless element to control the vote of Wyoming territory when it applied for admission to the United States in 1890, and the manner in which Government agents protected the voters, this picture is fast-moving and lively action fare, good for the week-end program or on a double bill.

**Comerter Managers In Another Shakeup**

Scranton, March 1, Additional changes have been made in managers and assistants by Comerter Theatres since the first changes were announced on Feb. 15 by Frank C. Walker, vice-president and general manager.

The new changes are involved in the changes: Eugene Lynch, former assistant manager of the Riviera, Scranton, transferred to the looking department; William Mathews, former assistant manager of the State and former artist, transferred to the art department; Willard Thomas, former assistant manager of the Granada, Olyphant, transferred to the job of South Scranton, as manager; and J. C. Allen, manager of the Blue, promoted to manager; George Baldinger, manager of the Kingston, Kingston, transferred to the Capitol, Bloomsburg; Gregory Beck, manager of the Capitol, designed as assistant manager of the Capitol, Scranton and Thayer, transferred to the City, Kingston, where he also be city manager; and Frank Kovaletz, assistant manager, was transferred to his present position. Eugene Lynch promoted to manager of that house.

**Rockefeller Claim Hearing Again Off**

The scheduled hearing tomorrow of the RKO trustee's exception to the allowance of the Rockefeller Center claim of $9,100,000.00 has been postponed again, this time to March 10, before Federal Judge William H. Hale.

The claim is based on RKO's liability on its defaulted leases for the Radio City theatres and office space, the bulk of the claim being for the construction costs of the theatres. Special Master Thomas D. Thacher recommended that the claim be allowed at $9,100,000, after hearings held a year ago. Irving Trust Co., taking the trustee's position and has prepared exceptions to present to the Federal court. Mean-while, a compromise or settlement of the claim are being continued between Rockefeller Center on the one hand, and RCA, Atlas Corp. and Lehman Bros., on the other. The latter represent RKO through their controlling interest in the company.

**McCullough Gets Back**

Hollywood, March 1—R. N. McCullough, technical expert of the F.W.C., real estate department, has returned from a week in Arizona where he made studies for remodeling the Globe and decided to renovate requirements of theatres in Tucson and Phoenix. The Globe has been idle for some time due to inactivity in the copper mines which supply the payrolls of that district.

**Open F. D. Exchange**

New Haven, March 1—Exhibitors from all over the state and representative of many of the large picture houses attended the open house which marked the establishment of a First Division exchange. Richard Morrell, managing director, Michael Thomas, brother of Harry Thomas, First Division president, and the new exchange manager, was host to the gathering.
Little Lord
FAUNTLEROY
A DAVID O. SELZNICK PRODUCTION
FREDDIE BARTHOLOMEW
(of David Copperfield fame) as Ceddie (Little Lord Fauntleroy), the lovable boy who worshiped his mother with a fierce loyalty and who changed a tyrannous old man into a human being.

C. AUBREY SMITH
(gruff, grumpy and lovable) as the "Earl of Dorincourt," proud and tyrannical grandfather of Fauntleroy and sworn foe of the child's mother.

GUY KIBBEE
as the genial "Mr. Hobbs," grocer philosopher and confidante of Freddie before his departure to England.

JESSIE RALPH
as the "applewoman" whom Fauntleroy befriends when he learns of his fortune in England.

DOLORES COSTELLO BARRYMORE
(more enchanting than ever; her return to the screen has been long awaited by millions of fans) as "Dearest," mother of Fauntleroy, who sacrifices her own happiness for his.

MICKEY ROONEY
as "Dick" the American boot black and pal of the little Lord.

HENRY STEPHENSON
as "Havisham" the kindly lawyer whose deep understanding of human nature brought a bitter family feud to an end.

JACKIE SEARL
who causes all the trouble, as the false "claimant" to the title of "Lord Fauntleroy."

As his first picture for United Artists release, David O. Selznick has selected one of the world's greatest stories. Every part in this picture has been cast with infinite attention... is portrayed by finished actors... each contributing to the whole pattern of a beautiful story, the kind of performances that achieve a real and lasting triumph.

Directed by
JOHN CROMWELL
Screenplay by
HUGH WALPOLE

RELEASED THRU
UNITED ARTISTS

ONE OF THE REALLY GREAT STORIES OF ALL TIME UNFOLDS UPON THE SCREEN!
“Marie” Hits Big $24,500 In Washington

WASHINGTON, March 1—During a full in the Arctic weather, grosses shot upward all along the line. Loew’s Queen Anne Palace at “Rose Marie” got the biggest take since “David Copperfield.” It was $8,600 over average. The combination of a return engagement of “Little America” garnered $5,000 at Loew’s Columbus, to top par by $1,400.

“Scarlett” reached its Galaxy Zero” at the Metropolitan was good for $5,400, over average by $1,100. A return engagement at Belasco for eight dollars topped par by $200 for a take of $3,200.

Total first run business was $88,100, Average $11,000 per week.

Estimated takings, exclusive of tax:

Eight Days Ending Feb. 19: "DISILLUSION" (Para—Belasco) $1,150, 9 days, Gross $3,500, Average $377. 

Week Ending Feb. 20: "THE BRIDE COMES HOME" (Para—Loew’s Columbus) $1,770, 7 days, Gross $2,100, Average $300.

"IT HAD TO HAPPEN" (20th-Fox—Loew’s) $1,900, 5 days, Gross $3,800, Average $760.

"CEILING ZERO" (F. N.) $1,500, 9 days, Gross $1,500, Average $166.

"THE LADY CONSENTS" (Radio) $1,300, 5 days, Gross $3,000, Average $600.

Center Is Denver’s Seventh First Run

DENVER, March 1—For the first time, Denver will have seven first runs with the opening here of the Center, formerly the Empire. It also will mark the first time an independent company had a regular first run outlet here. George A. Allen, formerly with the Playhouse in Salt Lake City and franchise director for Republic Pictures with J. T. Shiefeld, made a trip here from Seattle to sign the contract. The opening picture is “$1.00 a Minute.”

The house will have stage shows, with three or four acts of vaudeville each week, and a regular first run picture run by W. Rex Jewell. A new feature, marquee and improvements in front, side marquee and improvements in the house. A top price of 35 cents has been set.

Starts Double Bills

SALT LAKE CITY, March 1—The Capitol, Intermountain Theatres house here, starts double bills tomorrow.

“Modern Times” Is Montreal’s Leader

MONTREAL March 1—A crackup of the Teddy boy’s developing romance resulted in a broken tooth. Outstanding was the first week of “Modern Times” on a double bill at the Princess for a take of $12,500. It set a season’s record at this house.

Second week of “A Tale of Two Cities” at the Princess, after a first week at $4,000. “King of Burlesque,” heading the screen diet at the Capitol, was responsible for $1,000, well above average, while the same figure was found at Loew’s on Sylvia Scarlett” and a stage show. The principal opposition was the hockey with the two local teams in a battering mood going into the season’s home stretch.

Total first run business was $46,500, Average $11,500 per week.

Estimated takings for the week ending Feb. 22:

“KING OF BURLESQUE” (20th-Fox—Loew’s) $1,300, 25c-65c, 5 days, Average $260.

“ACCHINO” (Pacific) $1,100, 25c-60c, 5 days, Average $220.

“FRISONI-TERETTINO” (M-G-M) $1,100, 25c-65c-66c-70c, 5 days, Average $220.

“SYLVIA SCARLETT” (Radio) $1,000, 30c-65c, 5 days, Average $200.

“TWO CITIES” (G-M-M) $1,000, 25c-65c-66c-70c, 7 days, Average $143.

“GUARD THAT GIRL” (Col.) $1,000, 30c-65c, 7 days, Gross $1,250, (Average, $175.)

“Modern Times” Beats Out Indianapolis Cold

INDIANAPOLIS, March 1—“Rose Marie” crashed through a return engagement of the zero wave here to pull a total of $14,000 at Loew’s. It was the only one to make an outstanding showing in the teeth of the new cold wave, which chilled receipts of everything in its path.

“The Petrified Forest” did but $4,000 at the Indianapolis, a marked drop from its grosses since the Indiana has always seemed sympathetic toward Leslie Howard, however.

Total first run business was $51,500. Average $730 per week.

Estimated takings for the week ending Feb. 21:

“IT HAD TO HAPPEN” (20th-Fox) $1,560, 25c-65c, 5 days, Gross $3,120, Average $624.

“The Petrified Forest” (Radio) $1,200, 25c-65c, 7 days, Gross $1,750, (Average, $250.)

“THE LADY CONSENTS” (Radio) $800, 25c-65c, 7 days, Gross $1,250, Average $175.

“ROSE MARIE” (Radio) $800, 25c-65c-70c, 7 days, Gross $1,500, Average $214.

“MY MARRIAGE” (20th-Fox) $750, 25c-65c, 7 days, Gross $1,500, Average $214.

“AIID Racing Opposition

BOSTON, March 1—Bills for regulation of racing were a hot item here in mutual dog racing, legalized in Massachusetts last year, were strongly opposed by a public hearing before the legislative committee on legal affairs. Theatre operators in the city, representing Thirteen of them, were to endorse a bill that would prevent their attendance dropped from 30 to 50 per cent during the dog racing season.

“Anything” Pulls $13,750 in Cincy

CINCINNATI, March 1—Business for the past week was good, with attendance up week after week, especially considering the continuance of frigid blasts. “Anything” went to the tune of $13,750 in its fourth week at the RKO Palace. The average is $10,000. It was transferred to the RKO Capitol.

The running was “The Milky Way,” playing its second downtown week at the RKO Capitol where it is being moved next week, to be replaced by a little, $9,500 take. It will probably be brought back. “Rose Marie” continued to spell box-office at the Capitol, starring Red Hodgson on the stage.

“Dancing Feet” had a $1,700 week at the RKO Palace, with “We Love We Love” was a disappointment at the RKO Albee with $6,500 compared with a $12,000 average, and the run was continued on tuesday. A wave that has not used Warner product for two weeks, resumes this week. Total first run business was $62,550.

Average was $620.

Estimated takings:

Week Ending Feb. 18:

“DANCING FEET” (Radio) STRAND—(Univ.) $3,100, 3c-25c, 7 days, Average $443.

“ANYTHING GOES” (Para—Metro) RKO ALBIE—(W. B.), 25c-42c, 3 days, Average $1,333. 

“SAME” (Radio) RKO ALBIE—(W. B.), 25c-42c, 3 days, Average $1,500.

“ROSE MARIE” (Radio) RKO ALBIE—(W. B.), 25c-42c, 3 days, Average $1,333.

“THE MILKY WAY” (Paramount) RKO PALACE—(Univ.) 25c-40c, 3 days, Average $1,333.

“FRESHMAN LOVE” (W. B.) LOEW’S KENTUCKY—(W. B.) $400, 25c-30c, 5 days, Average $80.

“NEW WILDWOOD WANDERLUST” (M-G-M) RKO PALACE—(W. B.) $400, 25c-42c, 7 days, Average $71.

“EXCLUSIVE STORY” (M-G-M) RKO RASCAL—(W. B.) $350, 25c-42c, 7 days, Gross $2,550, (Average, $364.)

“Scarlett” Strong In 3d Portland Week

PORTLAND, March 1—“Rose Marie” went third at the United Artists securing another $7,000, over average by $2,000.

“Tops and Bottoms” was predicted, for second week, annexing $6,000, over the line by Warners.

“The Lady Convent” and “It Had To Happen” brought in $6,000 at the Paramount, over normal by $1,000.

Total first run business was $30,700. Average $4,270.

Estimated takings for the week ending Feb. 22: “W. B.”

“AH, WILDERNESS” (M-G-M) BROADWAY—(F.W.) $1,000, 25c-35c, 7 days, Average $143.

“BIG BROADCAST OF 1933” (Parama—Gentleman) $700.

“ROSE MARIE” (M-G-M) RKO PALACE—(M-G-M) $250, 25c-42c, 7 days, Gross $1,750.

“ESCAPE FROM SING’S ISLAND” (Col.) $750.

“THE PERFECT GENTLEMAN” (M-G-M) PARAMOUNT—(M-G-M) $750.

“ROSE MARIE” (M-G-M) RKO ALBIE—(M-G-M) $750.

NEBRASKA Thaws Out And Theatres Reopen

OMAHA, March 1—Exhibitors began showing up on the row here this week and activity on Davenport St., where the exchanges are located, began to assume old time proportions.

Movie audiences reported delighted, even though in the smaller towns remain dark because with the snow melting on the side roads, it will not be as impassable as maybe of mud created by the thaw as they were when snow obliterated fences and other landmarks.

Takes L. A. Theatre

LOS ANGELES, March 1—J. B. Foster purchased the Gem here from the Harry Hicks estate, and will reopen it as the Mayfair, after alterations.
We accept the responsibility

The Dark Hour

Ray Walker • Irene Ware
Berton Churchill • Hedda Hoppe
Hobart Bosworth • E.E. Clive

From the novel
The Last Trap by Sinclair Gluck
Directed by Charles Lamont

A Chesterfield Picture
Bridge of Sighs

Onslow Stevens · Dorothy Tree
Jack LaRue · Mary Doran
and Walter Byron

by

Arthur T. Horman

Directed by Phil Rosen

Invincible Pictures Corporation
**“Rose Marie” Again Strong In Pittsburgh**

Pittsburgh, March 1—The weather continued to plug holes in grosses all over the downtown area. The only one to break free was the Warner, managing to come up with anything resembling par. There, “Rose Marie,” which opened six days ago at the PNC, earned $7,750, while opening with sub-titles “Escape From Devil’s Island” and “The Bandbox Revue,” fell off after a good opening week, getting only around $6,000.

Despite the fact that it has played practically everywhere in this part of the country, the Warner reviewer felt that it had played its part well and decided to move it to Pittsburgh. The Warner reviewer was impressed by the fact that the film had played at the Warner for six weeks and had made a profit of $3,500.

Total first run grosses were $94,150. Average is $6,000.

Estimated takings for the week ending Feb. 20: $12,000.

**“SOLDIERS OF THE SECRETS” (Col.) ALVIN—(1,000), 25c-35c, 7 days; Stage: 1,000, 25c-35c, 7 days; Gross: $2,300. (Average, $330.)

**“ESCAPE FROM DEVIL’S ISLAND” (20th-Fox) CASINO—(1,000), 25c-40c, 7 days; Stage: 1,000, 25c-40c, 7 days; Gross: $2,500. (Average, $350.)

**“ROSE MARIE” (M-G-M) WARNER ORPHEUM—(1,000), 35c-40c, 7 days; Stage: 1,000, 35c-40c, 7 days; Gross: $2,200. (Average, $310.)

**“Consent., “Face” Get $4,900, Omaha**

Omaha, March 1—The Lady Consent and “Another Face” at the Brackett Fox and the parade here with sub-titles have been a big hit. The Brackett Fox has a no-name cast of stars and is doing a good business.

The “Lady Consent” was opened on February 19 and has been doing well since then. The “Another Face” opened on February 20 and has also been doing well. The no-name stars are doing a good job.

The Brackett Fox is doing well with the “Lady Consent” and “Another Face”.

**“Milky” is $8,800 Providence Leader**

PROVIDENCE, March 1—Zero weather and icy highways continued to interfere with grosses here with the suburbs literally "buried in snow." The "Milky Way" did the best business of the week with a take of $8,800 at the Strand. This is $2,300 over par. "Milky Way" and "The Widow from Monte Carlo" did well for an average $7,000 at the Majestic, and "Fang and Claws" with a take of $6,000 at the Capitol.

The RKO Albee was $2,000 under its usual gross of $7,000, featuring "The Lady Consents" and "Yellow Dust." Total first run business was $36,000. Average is $4,000.

Estimated takings for the week ending Feb. 20:

- **"THE LADY CONSENTS" (Radio) ALBEET (1,200), 35c-45c, 7 days; Gross: $2,300.**
- **"THE MILKY WAY" (Para.) STRAND—(1,200), 35c-46c, 7 days; Gross: $4,000.**
- **"THE INVISIBLE RAY" (Univ.) ENTRANCE—(1,200), 35c-45c, 7 days; Gross: $1,500. (Average, $214.)
- **"THE WIDOW FROM MONTE CARLO" (W. B.) RKO ALBEE—(1,200), 35c-45c, 7 days; Gross: $2,000.**
- **"ROSE MARIE" (M-G-M) LOEWS STATE—(1,000), 35c-46c, 7 days; Gross: $1,500. (Average, $214.)
- **"DANGEROUS INTRIGUE" (Col.) PARAMOUNT—(1,200), 35c-46c, 7 days; Gross: $2,000.**
- **"DANGEROUS INTIMATES" (Col.) EMPIRE—(1,200), 35c-46c, 7 days; Gross: $1,500. (Average, $214.)
- **"THE PETERFLY FORREST" (W. B.) VICTOR—(1,200), 35c-46c, 7 days; Gross: $1,000. (Average, $143.)

**“Obsession” Hits $9,600, New Haven**

New Haven, March 1—“Magnificent Obsession” on a dual with “Tough Guy” at the Poli, turned them away over the week-end, and continued to do good business all week in spite of zero weather and icy streets. The gross was $9,000, or $1,200 over par.

The College held over “Rose Marie” at Poli prices and outdistanced the $2,500 average by $2,200. “Miss EM’S FEATHER” at the Capitol, grossed $1,000 and did a good business.

Total first run business was $29,000. Average is $4,900.

Estimated takings for the week ending Feb. 21:

- **"ROSE MARIE" (M-G-M) POLI—(1,200), 35c-46c, 7 days; Gross: $2,200.**
- **"Tough Guy" (M-G-M) POLI—(1,200), 35c-46c, 7 days; Gross: $2,000.**
- **"THE WIDOW FROM MONTE CARLO" (W. B.) RKO ALBEE—(1,200), 35c-46c, 7 days; Gross: $2,000.**

**“Happen,” $2,500, Is Top in Lincoln**

Lincoln, March 1—"It Had to Happen" made the best showing of any week, the $2,500 take at the Lincoln was over normal by $300. "It Happened One Night" is a favorite with the Lincoln patrons and the 

**“Reinhardt Confronting Hollywood”**

Reinhardt, March 1—Max Reinhardt, here from New York, has gone into conference with Warners about his next production. A definite selection has not been made as yet, though several stories are being considered.

**“Pink” Leads San Francisco With $12,500**

San Francisco, March 1—Per sistent rain bumped all grosses except the United Artists where “Strike Me Pink” ran up to $12,500, thereby topping normal by $5,500.

Theatres of Secrets managed to get slightly over the line on top of a dual bill with “Lone Wolf Returns” at the Capitol and “Fang and Claws” and “Powdermoke Range” were up by $200 on a total of $3,800 at the Embassy.

Total first run business was $73,000. Average is $7,700.

Estimated takings:

**Week Ending Feb. 18:**

- **"TWO IN THE DARK" (Radio) GOLDEN GATE—(2,800), 35c-35c-46c, 7 days; Stage: $11,500. (Average, $1,643.)
- **"TAP TAP" (M-G-M) STRAND—(1,200), 35c-46c, 7 days; Gross: $1,500.**
- **"THE LADY CONSENTS" (Radio) ALBEET—(1,200), 35c-45c, 7 days; Gross: $2,000.**
- **"THE MILKY WAY" (Para.) STRAND—(1,200), 35c-46c, 7 days; Gross: $4,000.**
- **"THE INVISIBLE RAY" (Univ.) ENTRANCE—(1,200), 35c-45c, 7 days; Gross: $1,500. (Average, $214.)
- **"THE WIDOW FROM MONTE CARLO" (W. B.) RKO ALBEE—(1,200), 35c-45c, 7 days; Gross: $2,000.**
- **"ROSE MARIE" (M-G-M) LOEWS STATE—(1,000), 35c-46c, 7 days; Gross: $1,800.**
- **"DANGEROUS INTRIGUE" (Col.) PARAMOUNT—(1,200), 35c-46c, 7 days; Gross: $2,000.**
- **"DANGEROUS INTIMATES" (Col.) EMPIRE—(1,200), 35c-46c, 7 days; Gross: $1,800. (Average, $257.)
- **"THE PETERFLY FORREST" (W. B.) VICTOR—(1,200), 35c-46c, 7 days; Gross: $1,000. (Average, $143.)

**“Milky Way” Only Draw in Oklahoma**

Oklahoma City, March 1—The “Milky Way” has the distinction of being the only one to get over par last week. It was $200 up on a $4,200 take at the Midwest. The weather was cold, but fair, so there was no way to account for a general slump.

The “Petrified Forest” was fair at the Albee, with $3,800. “Red Salute” was weak at the Capitol on a gross of $1,500. “Murder of Dr. Harriet” gave $2,600 for the Liberty for four days, managed to get $2,300.

Total first run business was $12,400. Average is $1,400.

Estimated takings for the week ending Feb. 21:

- **"THE PETERFLY FORREST" (W. B.) CRITERION—(1,700), 35c-35c-46c, 7 days; Gross: $2,300.**
- **"THE MILKY WAY" (Para.) PLAZA—(1,200), 35c-46c, 7 days; Gross: $4,200. (Average, $600.)
- **"RED SALUTE" (UA.) CAPITOL—(1,200), 35c-46c, 6 days; Gross: $3,000. (Average, $500.)
- **"BAND ME" (UA.) TOWER—(1,200), 35c-46c, 4 days; Gross: $1,500. (Average, $375.)
- **"THE THREE MUSKETEERS" (Radio) LIBERTY—(1,800), 35c-35c-36c, 3 days; Gross: $800.**
WILLIAM A. SEITER

PRODUCTIONS

"THE MOON'S OUR HOME"
With MARGARET SULLAVAN—HENRY FONDA and CHARLES BUTTERWORTH

IN PREPARATION

"THE CASE AGAINST MRS. AMES"
With MADELEINE CARROLL and GEORGE BRENT

FOR

WALTER WANGER

A PARAMOUNT RELEASE
Cold Continues to Depress Nation's Key City Grosses

(Continued from page 1)

Comparative grosses for the latest available periods:

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<th>Week Ending</th>
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<td>Feb. 13-14</td>
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Key city grosses from September to late February:

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<td>155</td>
<td>1,558,185</td>
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Orders Theatre Sold

BUCHYER, O., March 1.—Common Pleas Judge Clarence U. Ahl has ordered the Opera House sold within 30 days after proper notice. The building was partially destroyed by fire a few weeks ago, during which time the instruments of Major Boss and other properties were lost. The court has set a value of $21,000 on the property.

Consider Booth Bill

ST. LOUIS, March 1.—The Public Safety Committee of the Board of Aldermen has taken under advisement the proposed city ordinance to have one operator for each projection booth in theatres.

U. A. Appoints Beckman

BOSTON, March 1.—Louis Beckman, who was named assistant to Joseph Carroll, office manager for United Artists here, Beckman will have booking, replacing Abe Weiken, promoted to a sales post.

Another RCA First

A. C. OPERATION FIRST FROM RCA

The first permanently-installed sound projection equipment operated completely by A. C. came from RCA Photophone. This made installation much less expensive, reduced first cost and maintenance, made operation much simpler. The industry adopted A. C. operation with tremendous rapidity because it had real cash value.

This is but one of many RCA Photophone basic contributions to your profits. When equipping or modernizing your theatre, be sure to get the full RCA Photophone story.

U. S. Film Imports Show Rise in Greece

WASHINGTON, March 1.—During the last quarter of 1935, a total of 92 films were given initial showing in that country, according to a report to the U. S. Department of Commerce from Acting Commercial Attaché Don O. Bliss in Athens. By nationality these films were: American, 60; German, 12; French, seven; British, six; and Czechoslovak, one. The percentages were 71.7, American and 13, German. The percentages for the same period last year were 52 and 33%, respectively.

Removal of all import quota restrictions in January, 1935, has made it possible for American companies to compete in the Greek market on an equal basis.

Lurton Quits Favcett

Douglas Lurton, supervising editor of all Favcett magazines, has resigned after eight years with the company. No replacement has been announced as yet. William Kostka, editor of Modern Mechanics and Inventions, has been named assistant in charge of Favcett magazines.
Booking Bill Called No Aid To Little Man
Lust Tells Senators It Would Help Big Spots

BY BERTRAM F. LINZ
WASHINGTON, March 1—The proposed block booking measure would help the big theatres, not the little men, Sidney B. Lust, Washington exhibitor, told the newly Senate sub-committee at a night session which concluded hearings on the bill here. Lust was one of a number of witnesses who testified in opposition to the abolition of block booking.

Lust denied that distributors demand high-office attractions by classifying them as percentage pictures. He declared that none of his five or six runs on Saturday pictures and that he does not book any company's entire output. The witnesses said exhibitors know well in advance what a picture is, submitting a copy of Motion Picture Herald as an example of how the trade papers carry criticisms long before films are in general distribution. “I go by the trade papers and plan my programs on the basis of their reports,” he said.

Picturing himself as an exhibitor who bought 100 percent blocks with

Says 920 Theatres Are Using Screeno
Approximately 920 theatres throughout the nation have been using Screeno, J. S. Markstein, president, stated prior to his departure yesterday for Detroit after spending a week here confering with George West, eastern representative.

Chicago is the biggest territory for Screeno, Markstein said, and Greater New York is second with 110. The Windy City has a high of 170 accounts at one time but because E. 

Bank Fees Approved in Paramount Case
An order approving the payment of compensation to New York Trust Co. and Commercial National Bank for services as depositaries in connection with the reorganization of Paramount Publishing Co. was signed yesterday by Federal Judge Alfred C. Cox.

The orders authorize compensation of $32,615 and are of $24,582 for N. Y. Trust and compensation of $24,582 for Commercial National.

Intermountain Adds Two; Plans Changes
SALT LAKE CITY, March 1—Inter- mountain Theatres, here for two theatres, and plans improvements which will total $75,000. Several personnel changes have been made by Harry David, vice-president and general manager.

The Grand in Preston, Idaho, and the Grand in Brigham City, Utah, were leased from Michael Nielson, giving the circuit 18 houses in Utah and Idaho. Further acquisitions are contemplated.

Ray Hendry has been promoted from the management of the Capitol here to the post of assistant general manager of the circuit. Nevin McCord of the Orpheum in Twin Falls, Idaho, has been named manager of the City and Or-

Denver Bank Night Insurance Illegal
DENVER, March 1—The scheme to insure against loss in banks was declared illegal in an opinion by Assistant Attorney General J. Glenn Donaldson, and approved by Attorney General Paul P. Proser. The plan was brained a lottery by them.

The Theatre Guarantee Corp. had conceived the idea, charging from $100 to 25 cents for $50 insurance, to be paid if the winner was not at the theatre. More than 40 agencies were established before the plan was ruled out.

The ruling first declared the plan was not insurance, the opinion holding that “the interests must be greater than a mere hope; thus an expectation of a gift is not an insurable interest."

Cold Continues to Depress Nation's Key City Grosses
Snowbound areas all across the northern part of the country and exce- ptional cold well into southern spots that are not accustomed to it contributed to put a damper on the nation's key city box-office returns for the week ending Feb. 20-21. The total for the 30 cities reporting to Motion Picture Daily was $1,558,185.

The slump has been continuous. In spite of some of the biggest pictures of the year. It began in mid-January when the first extreme cold be- came a fact, point 1,515,300, for the week ending Jan. 30-31. During the two suc- ceeding weeks there was a pickup. For the week ending Feb. 6-7 the total rose to $1,591,350, and went up to $1,680,180 the following week, Feb. 13-14.

A general improvement is looked for now, however, in spite of Lour, because of better travel conditions. Last week's decline was fairly un- form, except in Cleveland, Denver, Los Angeles, Minneapolis, Montreal, Omaha, Philadelphia, Portland and Washington. [Comparative tabulation on page 14.]

SCHAEFER TO BE U. A. SALES HEAD
No “U” Move Seen Before March 10
Although satisfactory progress toward completion of Standard Capital Co.'s study of Universal operations and financial requirements is being made, there is little likelihood of any formal action being taken before March 10 on Standard's option to ac- quire a controlling interest in Univer- sal, it was stated authoritatively on Saturday.

The option, which was renewed for six months from Feb. 1, expires March 14. There is no indication at this time, it was said, whether a new extension of the option will be required to com- plete the work now under way. Developments during the next 10 days are expected to determine this.

Poster Ass'n. Meet Is Set for Chicago
Members of the National Poster Service Ass'n., Inc., will hold their annual convention in Chicago the last week of April. It was decided at a meeting of the board last week.

The date and hotel will be set later. Attending the meeting were Louis Weinziinner of Progressive Poster Service, E. Behrens of Behrens Supply, Harry Schiltz of Exhibitors Poster Service of New York, Simon Libros of National-Kline Poster, Philadelphia, president of the organi- zation, and George Aarons of Phila- delphia.

M. Levin of Exhibitors Poster. did not attend, but was notified of the developments by long distance telephone.

Deal with Goldwyn Set; Is Report; Will Be Announced Soon
Negotiations between George J. Schaefer, former vice-president of Paramount, and Samuel Goldwyn are understood to have resulted in agreement by which Schaefer will become vice-president with general man- ners of United Artists early this week.

It is known that Schaefer and Goldwyn have been in almost daily conference conferring on some subject in the city.

Shortly after Goldwyn reached New York Schaefer flew north from Florida. Since that time Goldwyn has consulted other United Artists shgrade, including Donald Garis, who stopped in New York on his way to Europe.

Negotiations between Schaefer and J. Cheever Cordwin aimed to put Schaefer in an executive sales post at Universal as soon as Cordwin had exercised his option for purchase of control of that company were definitely suspended several days ago.

Both Goldwyn and Schaefer refused to discuss the matter late last week. Since Schaefer's resignation from Paramount several months ago and the shift of Al Lichtman from the presidency of United Artists, an execu- tive position with M-G-M Schaefer's name has been mentioned repeatedly by the press as a possible position. Arthur W. Kelly, vice-presi- dient in charge of foreign distribution, has been handling domestic sales as well since the resignation of Lichtman.

Hearst Scores West Film in Paper Here
Continuing the attacks of the Hearst newspapers throughout the country against Mac Weil's "Little Anne," the New York and American on Saturday published a lengthy edi- tory, "Mac Weil's "Little Anne,"" in which Paramount and the Hays office were scored sharply. Pre- vious attacks have been registered in San Francisco, Chicago and Balti- more, where the Hearst papers also refused all advertising on the film.

The editorial concluded: "It is to be hoped that the churches of the country will abide to the necessity of boycotting such a picture as "Klom- dike Annie" and future dealing in its pro- ducers. . . . The public should bring its influence to bear—by showing the non-purchasing of such pro- ductions that pandering to the lowest elements of the community is not profitable.

The film is scheduled to open shortly in Chicago."
Hollywood, March 1.

HOLLYWOOD'S spots have not changed. Somewhere, somewhere, somebody dubbed production life to the studios industry. Sufficient truth was in the assurance to make acceptance of the observation widespread. One cannot say the fact that attractions are what make the industry, no matter how dizzy, revolve on its axis. All the rest of the paraphernalia, the mystery which surrounds the job, the social and caste systems, the political rivalry, the ephemeral complexes, the cock-eyed ideas which mix so freely with the good, the evil, the good and the wood of the conglomerate mass which spells out Hollywood.

The truth of this tour of inspection is the simple fact that the studios are trying hard and are generally succeeding in improving product. Whether or not the money they are spending on the "A" stuff means shifting the "B," is always in the cards is another story. This is the day in Hollywood where these pictures designed as big pictures run close to and over the million dollar mark. The procedure is getting to be quite a regular affair now. So much so that one of the better manufacturers of celluloid ironically talks about anything costing less as a trailer.

Hollywood at large agrees on at least two points of view. More may come to light later but these are the two: (1) It insists and persists in its age-old opinion that New York continues to misunderstand what goes on here. Because it does and because, aside from the Mayers, the Thalbergers, the Zanuckers, the DeMilles, the Wangers, the Goldwyns, who keep a business eye well trained on their returns, it is a rare few who know or bother to learn what happens after the print goes East. Hollywood pays little attention to the world beyond its mountain and sea bordured boundaries.

The other slant, widely concurred in, is that, as high as negatives have been, they are going higher. The reasons, as propounded here, are several. The astute makers of pictures maintain there is an alarming shortage of good screen personalities. This department agrees, but fails to recall the day when an identical situation had not prevailed. The handful or more of outstanding names that have established screen sell tickets are in constant demand. Thus, Freddie March is getting $125,000 that for his role opposite Katharine Hepburn in "Mary of Scotland." Radio having established that, figure his next job will rise.

The drift now is to cluster big names in one picture. Thus, David O. Selznick has Claudette Colbert, Victor McLaglen, Ronald Colman and Rosalind Russell and a string of five-name players in the support of "Under Two Flags" at a cast cost alone of about $500,000. Producers, certainly conscientious and honest enough in putting their money on the line, by and large often get a fixation, a set with it, and determination, and set out to nab the player they envision for a particular role and worry less about the price. At the same time, they are constantly establishing new price levels which fellow producers—bitter as they will have to meet somewhere along the line.

There must be included in this discussion the situation which confronts the studio which is shy of name players and bids for them in the open market under heavy cash deposits. The salaried is a case in point, but there are others—practically all others with the sole exception of M-G-M. Agents, clever and well determined, know what's going on. They know how great the need and how pronounced the shortage and invariably do a very good job of it for their clients and for their own ten per cent. The result is only one. It couldn't be anything else.

The current market on ticket-selling names is that they will reflect in percentage terms demanded for 1936-37 product.

The theatre operator will bowl, of course, of course. The exhibitor always does. Yet what to do is something not easily answered. One segment of Hollywood opinion thinks it sees the answer in a general hike in admissions. This is a free and easy solution and the obvious suggestion. Whether or not exhibitors can be dependent upon local conditions. But a rise in sum total is much better, but has it recovered to a point where admissions can be boosted up the line? The persistence with which the public continues in a bargain-hunting mood. For some time now it has become a nagging battle for the movie palace man and patiently finds the buy an attractive one. Will it, if the cost is hiked? If not, where does Hollywood and the business get off?...

Divide Schnitzer Job

Irving Wormser and Sol Trauner have taken over the sales duties formerly handled by Edward M. Schnitzer prior to his retirement from the local Columbia exchange. Wormser is in charge of sales for northern New England, New York State, and New York, while Trauner has Manhattan and Brooklyn. Both are reporting to Nat Colan, district manager.

Bernard on Way to Coast

Jeffrey Bernard, supervisor of all United Artists Coast films, is on a three-week trip. He plans to make several stopovers on route. Although he will look over production activities, he is not expected to sign any talent while in Hollywood.

Decide on "Fleet" Today

RKO executives today will decide whether to hold "Follow the Fleet" a third week at the Music Hall or move the Astaire-Rogers musical to Thursday on Thursday.
GIVE THEM PLENTY OF PLAYING TIME*

*AND QUINTUPLY YOUR PROFITS
Monday, March 2, 1936

BOOKING BILL

**Called No Aid To Little Man**

**By STANLEY SUMNER**

**CONTINUES PAGE 1**

For... — The sub-committee he has never had to cut... — Commission... — That... — Now as compared with the... — Directly opposite house... — A similar situation was detailed by M. A. Lightman, Memphis, who pointed out that... — The result would be, he said, that... — Would be bought by... — But would be what... — Enforcement Discussion... — Dissatisfaction with the... — Davis of Pennsylvania, who asked... — Lightman declared that he... — It was emphasized to the... — New Haven distributors have... — Alfred F. Maybey, assistant... — To explain how a consolidated group... — The school system... — The school system... — The new New... — To the distributors, he said... — The distributors... — New Haven is a double... — Although New... — Courses in play... — Which are to be adopted by... — It was said by Paul D. Mann, of the... — Of production which discouraged... — The growth in the... — It is termed one of the... — In modern education... — In an effort to save the... — The sub-committee, both sides agreed that... — Further arguments they... — The form of bids... — Personal to that... — From the... — In the coming... — The plans to... — Illuminated... — The house... — The plans... — The game... — The public tires... — The distributor... — The company... — An offer was made... — Wallack in charge... — Negotiations are under way for... — The New York office... — In the Film Center Bldg., will move to the RKO Bldg., on April 1.

**SAYS 920 THEATRES ARE USING SCREENO**

**CONTINUES PAGE 1**

York, 46 Locow houses feature the game. Markstein said.

In certain cities where... — The leaders of the... — According to the... — The Los Angeles and Hollywood units.

The company is also doing well in Kansas City and Texas, he said.

When it is played too... — The public tires... — The distributor... — The company recently opened an... — Mr. and Mrs. R. S. Wallack in charge.

The New York office... — In the Film Center Bldg., will move to the RKO Bldg., on April 1.

**FREE LANCING SEEN HELPING JAPAN'S FILMS**

**CONTINUES PAGE 1**

example, in order to add... — Recently there has been a marked... — By the formation of numerous... — Small independent producing... — By their acquisition... — It is seen in most quarters as... — In the quality of the... — A total of 450,000 yen is... — To be gathered for the... — And the big venture... — The producer and his backers are expected... — To contribute two-thirds of the... — The Government stands ready... — To the fullest cooperation... — He is understood to be planning... — And stay at not less than 15 He is to... — In distribution to... — Tokyo theatres are expected to... — Enjoy a definite increase in attendance... — As a result of the anticipated... — A film director... — In the attendance of high... — At film houses in the Tokyo... — The Government, composed of... — Last year to keep... — On the off-target... — It was held that the... — Establishing a practical ban... — Another factor of importance... — By the Education... — To produce films of... — For educational use for... — As shown at theatres... —"
GRAB IT NOW AND ADVERTISE IT BIG!

A sensational short! Nothing like it ever on the screen before! Millions have asked for it! Millions will come to see it! Tell them you've got it! Cash in on its tremendous novelty!

CARTOONIST TELLS ALL!

The secret's out!
LOWELL THOMAS gives famous screen cartoonist the third degree!
Unmasking the tricks and sounds that have mystified and amazed audiences for years!

Millions have asked "How?" What makes screen cartoons move, talk, run, jump? How many people does it take? Where is the orchestra? Who are the impersonators, singers? How are all those seemingly impossible effects obtained?

Now you can show them the whole works behind the scenes!

UNIVERSAL again scores a scoop on the industry!

SO 'PHONE, WIRE OR WRITE YOUR UNIVERSAL EXCHANGE AND ASK FOR

GOING PLACES No. 18
“The Voice of Experience No. 9” (Columbia) This issue has the Voice revealing how his advice, if taken, would avoid certain serious problems that arise in homes over trivial matters. He illustrates, before and after, and takes up the problem of balancing the budget with a young couple, how to bring up children and child psychology, and the ancient mother-in-law problem. If the audience goes to the theatre to see the silhouettes that are on the radio rather than to forget their own problems for a brief spell, then this is their meat. Production Code Seal No. 0827. Running time, 11 mins. “G.”

“Movie Melodies on Parade” (Paramount) With an orchestra and a choral group this short revives some of the well known hits from pictures a few years back. The film editing is well done as the actual scene from the picture is played against the musical review. Mary Astor is featured and she does a solo accompanied by an orchestra that is classically led by Andre Kostelanetz. The music is well played and the singing is of a superior grade that should pleasantly entertain. Production Code Seal No. 0747. Running time, 11 mins. “G.”

“Not Now” (Paramount) Betty Boop and her dog, Pudgy, are annoyed in this cartoon by a chorus of cats that keeps them awake. Pudgy is in the music hall and there follows some swell cartoon adventures involving the dog with first one and then another of the whole tribe that inhabits the alley. The sound effects are good for plenty of laughs and the action will more than satisfy. An entertaining bit for any program. Production Code Seal No. 0006. Running time, 7 mins. “G.”

Erber, Smith Dissolve Sr. Louis, March 1.—Joe Erber and Joe Smith, booking agents, have dissolved their partnership.
Little Lord
FAUNTLEROY
A DAVID O. SELZNICK PRODUCTION
ONE OF THE REALLY GREAT STORIES OF ALL TIME UNFOLDS UPON THE SCREEN!

SELZNICK INTERNATIONAL presents

Little LORD FAUNTLEROY

From the World Famous Story by Frances Hodgson Burnett

starring

FREDDIE BARTHOLOMEW

DOLORES COSTELLO BARRYMORE

As his first picture for United Artists release, David O. Selznick has selected one of the world's greatest stories. Every part in this picture has been cast with infinite attention... is portrayed by finished actors...each contributing to the whole pattern of a beautiful story, the kind of performances that achieve a real and lasting triumph.

Screenplay by HUGH WALPOLE

Directed by JOHN CROMWELL

Released thru UNITED ARTISTS

Henry Stephenson as "Havisham" the kindly lawyer whose deep understanding of human nature brought a tear family feud to an end.

Mickey Roone as "Dick" the American box black and pal of the little Lord

Gus Kibbee as the genial "Mr. Hobbs," grocer philosopher and confidante of Freddie before his departure to England.

Jessie Ralph as the "applewoman" whom Fauntleroy befriends when he learns of his fortune in England.

Dolores Costello Barrymore (more enchanting than ever her return to the screen has been long awaited by millions of fans) as "Dearest," mother of Fauntleroy, who sacrifices her own happiness for his.

Freddie Bartholomew (of David Copperfields fame) as Ceddie (Little Lord Fauntleroy), the lovable boy who worshiped his mother with a fierce loyalty and who changed a tyrannous old man into a human being.
**“Marie” Hits Big ** $24,500 In Washington

Washington, March 1.—During a lull in the Arctic weather, grosses shot upward as the Theatre Palace took $24,500 for "Rose Marie," the biggest take since "David Copperfield," which was $5,000 over average.

A return engagement of "Casting Zero" at the Metropolitan was good for $5,400, over average by $1,100. A new color feature, "Belasco" for eight days topped par by $200 for a take of $3,200. Total first run business was $88,100. Average is $76,700.

Estimated takings, exclusive of tax:

*Eight Days Ending Feb 19:
  - BELASCO—(0,050), 7 days, $3,200. Average, ($3,000)
  - "THE PETRIFIED FOREST"—(W. B.), $250, 7 days, Stage: $2,500, Average, $3,500
  - "THE BRIDE COMES HOME"—(Para).
  - LOEW'S COLUMBIA—(1,264), $1,000, 7 days, Gross: $1,000. (Average, first run, $1,260)
  - "It Had To Happen"—(20th-Fox)
  - LOEW'S FOXX—(0,450), $250, 7 days, Gross: $250. (Average, $300)
  - "CEILING ZERO"—(F. N.)$250, 7 days, (return engagement), Gross: $500.
  - "THE LADY CONSENTS"—(Radio)
  - RKO-KINGS—(1,140), $300, 7 days, Gross: $300. (Average, $100)

Center Is Denver's Seventh First Run

Denver, March 1.—For the first time, Denver has had seven first runs with the opening here of the Center, formerly the Empress. It also will mark the first time in the independent company has had a regular first run outlet here. George A. Allan, former manager of the Palace in the City, signed a franchise for five years with Republic Pictures. J. T. Shiff field made a trip here from Seattle to sign the contract. The opening picture is "$1,000 a Minute."

The house will have stage shows, with three or four acts of comedeville each week. The shows will be produced by W. Rex Jewell. A new front, middle and rear obliques, on the side have changed the appearance of the house. A top price of 35 cents has been set.

Starts Double Bills

SALT LAKE CITY, March 1.—The Capitol, Intermountain Theatres house here, starts double bills tomorrow.

“Modern Times” Is Montreal's Leader

MONTREAL, March 1.—A cracking of the long cold spade gave theater a break. Outstanding was the first week of “Modern Times” on a double bill at the Princess which set a season’s record at this house.

The third week of “A Tale of Two Cities” at the Palace held up to $900 after a first week at $14,000. “King Kong” is proving a hit at the Capitol, was responsible for $11,000, well above average, while the same figure was found at Loew’s on a first week and a stage show. The principal opposition was the hockey with the two local teams in a battling mood going into the season’s home stretch.

Total first run business was $46,500. Average is $41,500.

Estimated takings for the week ending Feb 22:

- "KINDS OF BORROWERS"—(Para.)
- "MOTHER MARRIAGE"—(20th-Fox)
- "CAPITOL"—(2,560), 25c-35c-40c-50c-60c, Average, $11,000.
- "ACHILLE"—(French)
- "FRISCO GIRL"—(Republic)
- "EUROPEAN"—(1,910), 25c-35c-40c, 7 days, Stage: $7,400.
- "SYLVIA SCARLETT"—(Radio)
- "MADMARTIN"—(W. B.)
- "THE BRIDE OF THE CÉZALLON"—(Para.)
- "DEADMAN'S CREEK"—(20th-Fox)
- "TWO MASTERS"—(20th-Fox)
- "CHERRY"—(Radio)
- "TEN AGAIN"—(M-G-M)
- "THE MYSTERY OF TWIN CITIES"—(20th-Fox)
- "ROSE MARIE"—(M-G-M)
- "THE ESTEEMED LADY"—(Para.)

“Anything” Pulls $13,750 In City

CINCINNATI, March 1.—Business for the most part continued on the up and up last week, especially considering the continuance of frigid blustery. "Anything For A Dollar" for the $8,750 at the RKO Palace, where average is $10,000. It was transferred to the Keith.

The run-up was "The Milky Way," playing its second downtown week at $200 more than the RKO Colosseum, which grossed $3,000 more than normal with $9,500 take. It will probably be brought back. "Rose Marie" continued to spell box-office at the RKO Grand, grossing $4,000 in its third downtown week. Average for this spot is $2,250. The picture was held for the fourth week. "Freshman Love" was $1,000 plus at the RKO Shuberti, registering $1,300 with the help of "Cocoman Grove Revives," starring Red Hodges on the stage.

"Dancing Feet" for the $1,700 week at the RKO Grand.

"Next Time We Love" was a disappointment at the RKO Albee with $6,500 compared to $12,000 average. "Johnny Get Your Gun" was shortened by two days. Keith's, which has not used Warner product for several weeks, continues the same.

Total first run business was $42,250. Average is $25,600.

Estimated takings for the week ending Feb 23:

- "DANCING FEET" (Republic)
- "STRAIGHT TO HELL"—(Para.)
- "ROYAL FAMILY"—(M-G-M)
- "THE MYSTERY OF TWIN CITIES"—(20th-Fox)
- "ROSE MARIE"—(M-G-M)
- "THE BRIDE OF THE CÉZALLON"—(Para.)
- "DEADMAN'S CREEK"—(20th-Fox)
- "TWO MASTERS"—(20th-Fox)
- "CHERRY"—(Radio)
- "TEN AGAIN"—(M-G-M)
- "THE MYSTERY OF TWIN CITIES"—(20th-Fox)
- "ROSE MARIE"—(M-G-M)
- "THE ESTEEMED LADY"—(Para.)

"Marie” Again Leads Parade

In Cleveland

Cleveland, March 1.—"Rose Marie," in its second week downtown, was the chief attraction, clearing $20,000, showing being the result of the continued cold. It grossed $6,000 at Loew's Stillman, which is 50 cent per average.

New product with $1,000 more was $1,000 under par at Loew's State.

"Next Time We Love" took $7,000, while "Anything For A Dollar" took $2,750 at Warners' Hipodrome and "The Widow From Monte Carlo," with a stage show headed by Joe Cook and his "Toppy Turvy Revue" failed by $2,000 to make the $15,000 house average.

"Navy Wife" and "Personal Maid's Secret" split the week at the Allen resulting in a little better than average. "Blues" average was $20,400. Average was $42,000. Estimated takings for the week ending Feb 21:

- "Navy Wife"—(20th-Fox)
- "HOUSE MOVING"—(Col.)
- "THE UNDERWORLD"—(W. B.)
- "THE WIDOW FROM MONTE CARLO"—(Para.)
- "THE MYSTERY OF TWIN CITIES"—(20th-Fox)
- "ROSE MARIE"—(M-G-M)
- "THE BRIDE OF THE CÉZALLON"—(Para.)

"Marie" Strong In 30 Portland Week

PORTLAND, March 1.—"Rose Marie" went into a third big week at the United Artists securing another $7,000 average by $2,000.

"Ah Wilderness" averaged $1,000 a house, as predicted, was held for a second week, amassing $6,000, over the line by $1,000.

"The Lady Consents" and "It Had To Happen" brought in $6,000 at the Paramount, over parnormal by $1,000.

Total first run business was $30,700. Average is $24,700.

Estimated takings for the week ending Feb 22:

- "AH, WILDERNESS"—(M-G-M)
- "HOUSE MOVING"—(Col.)
- "THE WIDOW FROM MONTE CARLO"—(Para.)
- "THE UNDERWORLD"—(W. B.)
- "NO MORE LADIES"—(M-G-M)
- "BLUE MOUSE"—(M-G-M), 25c-35c, 7 days, Gross: $750. (Average, $100)
- "THE LADY CONSENTS"—(Radio)
- "THE UNDERWORLD"—(M-G-M)
- "ROSE MARIE"—(M-G-M)

Aid Racing Opposition

Boston, March 1.—Bills for regulating and otherwise hitting pari-mutuel dog racing, legalized in Massachusetts last year, were strongly supported at a public hearing before the legislative committee on legal affairs. Theatre operators in the state have charged their attendance dropped from 30 to 50 per cent during the racing season.

Nebraska Thaws Out And Theaters Reopen

OMAHA, March 1.—Exhibitors begin to warm up on the road here this week and activity on Davenport St., where the exchanges are located, begins to show as spring time comes.

Many theaters are reported relighted, though some in the smaller towns have not yet, because with snow melting in the side roads, the roads will be impassable because of mud created by the thaw as they were washed by rain-drenched fences and other country markings.

Takes L. A. Theatre

LOS ANGELES, March 1.—(B. S.)—L. A. Theatres have closed the Congress here from the Harry Hicks estate, and will reopen it as the Maynard, after alterations.
We accept the responsibility

The Dark Hour

Ray Walker · Irene Ware
Berton Churchill · Hedda Hopper
Hobart Bosworth · E.E. Clive

From the novel
The Last Trap by Sinclair Gluc

Directed by Charles Lamont

A Chesterfield Picture
BRIDGE of SIGHS

ONSLOW STEVENS · DOROTHY TREE
JACK LA RUE · MARY DORAN
and WALTER BYRON
by
ARTHUR T. HORMAN
Directed by PHIL ROSEN

AN INVINCIBLE PICTURE
**“Rose Marie” Again Strong In Pittsburgh**

Pittsburgh, March 1.—The weather continued to plug holes in grosses all over town. Only one house, the Warner, managing to come up with anything resembling par. Those, “Rose Marie” and “Another Face” at the Braxton, had a duals slump. For the 7 days at the Pantages, the claimed the best comparative take in the downtown sect.

At the Stanley, “It Had to Happen” and the N.T.G. revue took $17,500. The Petrified Forest play went $10,000. Bernie Armstrong’s amateur revue gave “Lady of the Secrets” enough of a lift to keep the Alvin around the $7,500, which was $3,500 over the “Escape From Devil’s Island” and the “Bandbox Revue,” fell off after a good opening week, getting only around $6,000.

Despite the fact that it has played practically everywhere in these galls, return engagements and otherwise, “The Informer” was canned by the Fulton on a double bill with “Another Face” and did a fair week’s business at $3,500.

Total first run grosses were $49,150. Average is $5,450.

Estimated takings for the week ending Feb. 20:

- **THE LADY CONSENTS** (Col.) ALVIN—$7,000, 25c-35c, 7 days. Stage: Bernie Armstrong and his amateur unit. Gross: $3,800. Total: $15,500.
- **ESCAPE FROM DEVIL’S ISLAND** CASINO—$3,000, 25c-50c, 7 days. Stage: Jack Leonard and Al Belasco. Gross: $6,000. Total: ($6,000).
- **THE INFORMER** (Radio) FUTON—$1,200, 25c-40c, 7 days. Gross: $3,700. Total: ($3,700).
- **ANOTHER FACE** (Radio) PENN—$750, 25c-40c, 7 days. Gross: $600. Total: ($600).
- **IT HAD TO HAPPEN** (2th-Fox) WARNER—$1,000, 25c-40c, 8 days. Stages: T. G. T., States Brothers, Rito Rio, Milt Hause, and Nan Blair. Gross: $1,750. Total: ($1,750).
- **ROSE MARIE** (M-G-M) WARNER—$800, 25c-40c, 7 days. Second week. Gross: $1,500. Total: ($1,500).
- **Consent,” “Face” Get $4,900, Omaha**

**“Milky Way” Only Draw in Oklahoma**

Oklahoma City, March 1.—“The Milky Way” was the only motion picture to get over par last week. It was $200 up on a $4,200 take at the Midwest.

The weather was cold, but fair, so there was no way to account for a general slump.

The Petrified Forest” was fair at the Capitol with $900. “Red Sallute” was weak at the Capitol on a gross of $1,500. “Mister Dr. Harding” was fair at the Liberty for four days, managed to get $2,900.

Total first run business was $12,400. Average is $14,000.

Estimated takings for the week ending Feb. 21:

- **“Rose Marie” (M-G-M)**
  - COLONIAL—$1,000, 25c-40c, 7 days. Gross: $2,000. Total: ($2,000).
  - **WOMAN TRAP** (Para.)
  - **EAST OF JAVA** (Univ.)
  - **MAGNIFICENT OBSESSION** (Univ.)
  - **ESTRANGED GUY** (M-G-M)
  - **THE WIDOW FROM MONTRO CARLO**

**“Pink” Leads San Francisco With $12,500**

San Francisco, March 1.—Persistant rain bampied all grosses except the United Artists product, “Strike Me Pink” ran up to $12,500, thereby topping normal by $5,500.

Ladys of Secrets was managed to get slightly over the line on top of a dual bill with “Lone Wolf Returns” at the Stage: The Ritz-Carpenter’s “Fang and Claw” and “Powdersmoke Range” were up by $200 on a total of $3,800 at the Embassy.

Total first run business was $73,-

Average is $7,400.

Estimated takings:

**Week Ending Feb. 18:**


**Week Ending Feb. 19:**

- **STRIKE ME PINK** (Col.) UNITED ARTISTS—$2,000, 35c-40c-50c, 7 days. Gross: $12,500. Total: ($12,500).

- **LADY OF SECRETS** (Col.) ORPHEUM—$1,500, 25c-40c-50c, 7 days. Gross: $7,000. Total: ($7,000).

- **ROSE MARIE** (M-G-M) LOEW’S STATE—$1,000, 35c-40c, 7 days. Gross: $7,000. Total: ($7,000).

- **PETRIFIED FOREST** (W. B.) WIDOW FROM MONTRO CARLO—$1,500, 25c-40c, 7 days. Gross: $10,000. Total: ($10,000).

- **OBSESSION** Hits $9,600, New Haven

New Haven, March 1.—“Magnificent Obsession,” a 25c-40c, 7 days. Gross: $9,600, 7 days. Gross: $9,600, 7 days. Gross: $9,600, 7 days. Gross: $9,600.

The College held over “Rose Marie” at Poli prices and outdistanced the $3,500 of “Jamaica” by the Paramount and Roger Sherman dipped considerably under the line with duals of “Woman Trap” and “The Widow from Monte Carlo,” respectively. “Henry VIII” was brought back to the Roger Sherman for three days as an added attraction.

Total first run business was $20,000. Average is $19,300.

Estimated takings for the week ending Feb. 21:

- **ROSE MARIE** (M-G-M)
  - **WOMAN TRAP** (Para.)
  - **EAST OF JAVA** (Univ.)
  - **MAGNIFICENT OBSESSION** (Univ.)
  - **THE WIDOW FROM MONTRO CARLO**

**“Petrified Forest” (W.B.) Every Saturday Night**

**Week Ending Feb. 21:**

- **SWEDISHHEIMELS** (Brandravian) CLAY—$3,000, 25c-40c, 7 days. Gross: $1,500. Total: ($1,500).


**“Milky Way” Only Draw in Oklahoma**

Oklahoma City, March 1.—“The Milky Way” was the only motion picture to get over par last week. It was $200 up on a $4,200 take at the Midwest.

The weather was cold, but fair, so there was no way to account for a general slump.

The Petrified Forest” was fair at the Capitol with $900. “Red Sallute” was weak at the Capitol on a gross of $1,500. “Mister Dr. Harding” was fair at the Liberty for four days, managed to get $2,900.

Total first run business was $12,400. Average is $14,000.

Estimated takings for the week ending Feb. 21:

- **THE PETRIFIED FOREST** (W. B.) CRITERION—$1,200, 35c-40c-50c, 7 days. Gross: $1,500. Total: ($1,500).

- **THE MILKY WAY** (Para.)
  - **MAGNIFICENT OBSESSION** (Univ.)
  - **THE WIDOW FROM MONTRO CARLO**

**Reinhardt Conferring**

Hollywood, March 1.—Max Reinhardt, here from New York, has gone into conference with Warners about his next production. A definite selection has not been made as yet, though several stories are being considered.
WILLIAM A. SEITER

PRODUCTIONS

"THE MOON'S OUR HOME"
With MARGARET SULLAVAN—HENRY FONDA
and CHARLES BUTTERWORTH

IN PREPARATION

"THE CASE AGAINST MRS. AMES"
With MADELEINE CARROLL and GEORGE BRENT

FOR

WALTER WANGER

A PARAMOUNT RELEASE
Cold Continues to Depress Nation's Key City Grosses

(Continued from page 1)

Comparative grosses for the latest available periods:

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<td>17</td>
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<tr>
<td>Dallas</td>
<td>17</td>
<td>17,000</td>
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<td>17,000</td>
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<tr>
<td>Washington</td>
<td>7</td>
<td>88,100</td>
<td></td>
<td>7</td>
<td>63,400</td>
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Key city grosses from September to late February:

<table>
<thead>
<tr>
<th>No. Theatres</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>175</td>
<td>$1,558,185</td>
</tr>
<tr>
<td>174</td>
<td>$1,680,196</td>
</tr>
</tbody>
</table>

Orders Theatre Sold

RUCYRUS, O., March 1.—Common Pleas Judge Clarence U. Ait has ordered the local Opera House sold within 30 days after proper notice. The building was partially destroyed by fire a few weeks ago, during which the only instruments of Major Bowes' Amateur Unit No. 10 were lost. The court has set a value of $11,000 on the property.

Consider Booth Bill

Sr. Louis, March 1.—The Public Safety Committee of the Board of Aldermen has taken under advisement the proposed city ordinance to have one operator for each projection booth in theatres.

U. A. Appoints Beckman

Boston, March 1.—U. A. has appointed Jacob Beckman as one of its metropolitan salesmen. Beckman will handle booking, replacing Abe Weiner, promoted to sales posts.

Another RCA First

A. C. OPERATION FIRST FROM RCA

The first permanently-installed sound projection equipment operated completely by A. C. came from RCA Photophone. This made installation much less expensive, reduced first cost and maintenance, made operation much simpler. The industry adopted A. C. operation with tremendous rapidity because it had real cash value.

This is but one of many RCA Photophone basic contributions to your profits. When equipping or modernizing your theatre, be sure to get the full RCA Photophone story.

U. S. Film Imports Show Rise in Greece

WASHINGTON, March 1.—During the last quarter of 1935, the first nine months of which, 92 films were ingested in motion picture theatres. By nationality these films were: American, 66; German, 12; French, seven; Spanish, six; and Greek, one. The percentage of all imported quota restrictions in January, 1935, has made it possible for American companies to compete in the Greek market on an equal basis.

J. A. Clark Resigns From 20th-Fox Post

James A. Clark, in charge of Twentieth Century-Fox's overseas branch, has resigned. The post has been taken over by Lee Balsley, who was in charge of the domestic branch prior to Clark's departure.

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Picquet Again
Heads MPTO
Of Carolinas

Martin Quigley Address
Closes Annual Meet

PINEHURST, March 2.—The re-election—for the 13th time—of Charles W. Picquet, of Pinehurst, as president of the Motion Picture Theatres Owners of North and South Carolina, and an address by Martin Quigley, president of Quigley Publications, Inc., marked the closing session of the organization’s annual meeting at the Pinehurst Hotel here today.

Quigley’s address, titled “Let Me Write the Nation’s Songs, and I Care Not Who Makes Its Laws,” was an impassioned plea to the new Congress for a return to the way of the past—wherein the arts might coexist with the commerce of the world.

The speaker recommended that the nation continue to be ‘a good neighbor’ in the world, and that the arts be allowed to flourish.

Decision Reserved
Upon Fox’s Appeal

Decision was reserved by the U. S. Circuit Court of Appeals yesterday on a motion to dismiss William Fox’s application for leave to appeal from Federal Judge William Bondy’s order fining Fox $250,000 for contempt of court and directing that Fox be taken into custody until the fine was paid.

The motion to dismiss Fox’s petition for an appeal was filed by Capital Co., which holds an unsatis.

“Fleet” Gets Third Week at Music Hall

“Follow the ‘Fleet’” stays a third week at the Music Hall as a result of a decision reached yesterday by W. G. Van Schmus. There was a report that Astaire-Rogers musical might be switched to the Center after a two-week run at the sister theatre, but after noting the...

Pen’s Pictures

Mexico City, March 2.—Inmates of the Federal district penitentiary, numbering 2,300, have lost their films because they began to criticize the pictures shown so seriously that fights resulted, until the warden grew tired of the battling, and removed the source of trouble.

The prisoners have petitioned for a return of the entertainment, giving their word that they will be on better behavior.

Warner Sign
New Pact with
Cosmopolitan

HOLLYWOOD, March 2.—A new long-term contract has been signed by Jack L. Warner, head of Warner production, and E. B. Hatrick, vice-president of Cosmopolitan Prod., under which Warners will continue to produce and release Cosmopolitan productions including that starring Marion Davies. The present contract, signed more than a year ago, still has a year to run.

Warners thus far have released eight Cosmopolitan films: “Page Miss Glory,” starring Miss Davies; “Devil Dogs of the Air”; “Special Agent,” “Shipmates Forever,” “The Story of Louis Pasteur,” “Captain Blood,” “Ceiling Zero” and “Oil for the lamps of China.”

Miss Davies’ second under the Warner deal, “Hearts Divided,” is in production under Frank Borzage’s direction. The star will make another picture on the completion of “Hearts Divided” and a third in the fall. “The Green Light,” based on the novel by Lloyd C. Douglas, will go into early production.

Both Jack L. and Harry M. Warner, who is in Hollywood, expressed gratification at the signing of the new contract.

Supply Men Select
June 4-8 for Meet

Members of the Independent Supply Dealers’ Ass’n, Inc., have set June 4-8 as the dates for the annual convention at the Edgewater Beach Hotel, Chicago.

Ken Douglas of Boston is expected to succeed B. F. Shearer of Seattle as president. Under a plan decided upon some time ago, a rotating presidency provides that a new man be elected to the top post every year.

Schaefer Goes
Into New U.A.
Selling Post

George J. Schaefer’s deal with United Artists whereby he becomes vice-president and general manager in charge of domestic and Canadian sales is for a period of five years.

Schaefers announcement of the details concerning Picture Daily’s adverse articles was made yesterday by Samuel Goldwyn and Schaefer began his duties.

Arthur W. Kelly Resumes
His Foreign Duties

Long-term Ticket Covers
12 to 24 Annually

By RED KANN

LOS ANGELES, March 2.—Walt Disney tonight signed a contract with M. H. Aylesworth under which all his product for a number of years will be distributed through RKO beginning with the 1936-37 season. The deal includes the “Mickey Mouse” and “Silly Symphony” series. The first feature, now in production for release within a year, will be distributed through Disney productions are in the three-component Technicolor.

No releases are embraced in the deal. The Disney program includes from 12 to 24 shorts and one feature film annually. Negotiations for the contract have been in progress for several months. Aylesworth’s presence on the coast at this time was for the purpose of completing the deal. In this he was assisted by Ned E. Depinet.

Disney, it was announced after the signing, will soon come to New York to see a demonstration of Television at the RCA studios in Radio City.

Para Eastern Work
Hinges on Stories

Paramount’s eastern production activity will be determined by the number of production properties on the company’s new season schedule which are better adapted for production here than in Hollywood, John E. Otterton, Paramount president, said yesterday.

For this reason the company’s plans for eastern production still are in a flexible state. It is unlikely, however, that more than one or two features in addition to the Hays-MacArthur commitments, will be slated.

Moser Leaves; Terry
Heads Cartoon Firm

Frank Moser, president of Moser-Terry, Inc., retired to devote his time to painting, and Paul Terry was elected president at a meeting of the board of the company yesterday. Terry has acquired Moser’s interest in the company, the name of which will be changed to Terry-Toons, Inc.

Harvey B. Day was elected vice-
**Insiders' Outlook**

**By RED KANN**

**Hollywood, March 2.**

**TALES FROM the Hollywood hills.**

Somewhere in these parts is an unknown who has a high-salaried job as a doctor of sick pictures awaiting him. The trouble is nobody knows who or what or where he is. It happened one night in this wise and, if not a distinct fact from fancy, it may be worth recording that this story, like many you have read here—if you have read—is fact.

A major studio has been rick-rolling carloads of trouble with the picture of one of its top stars. The brains of the company wrestled themselves into near insolvency in an effort to figure out what to do. One step was to again preview the picture.

As is the way in Hollywood, studio magpies clustered in front of the theatre, later, arguing it out pro and con and making no progress at all until an unknown star—well, nobody knows. Nobody should know. Nobody should know. . . .

He walked away. A couple of minutes later came the dawn. Struck by the light, the studio head exclaimed, "Ye Gods, that's exactly the way to do it. Where is that man who made the suggestion? He can use that.

Nobody knew. Nobody still knows. . . .

The system faltered on one hot recently. Writers had developed the habit of reporting for work at 11 in the morning. Eventually the front office learned about it. A conference thereafter.

"I want you writers to understand that work around here gets going at nine o'clock," came the ultimatum.

"But, Mr.—" replied one, "I worked until midnight last night."

"Don't go changing the subject on me," was the rejoinder.

Not always is it the producer who pulls unconscious nifties. The true story is recounted of a prominent theatre operator here who determined on a broadcast series to "show Major Bowes how it ought to be done." He called in a writer to do the arrangement, as the discussion moved along, remarked at one point:

"And right here I think we ought to have an octet of voices."

"Why not an octet of ten?" suggested the writer.

When studio administrations change, practically everything else does except the buildings. In a recent major house cleaning, one writer was overlooked, but not his salary. Several months after-ward the writer met the studio head socially. The conversation ran something like this:

"When do I go to work? I'm on salary, all right, but have had nothing to do."

"You mean you were on salary," rejoined the producer. The next morning, of course, found the writer fired.

Moral: Keep your mouth shut in Hollywood. Or, let well enough alone. . . .

An almost verbatim telephone conversation between the casting director of a major plant—very major—and an unknown-to-this-reporter performer:

"Lissen, you. Huu, Those costumes are waiting for you, so come on over and try 'em on. You can't? You gotta and that's that. I can't be wasting my time on a house $2,000-a-week actor like you. I got important people to worry about.

Two writing men in an altercation. The point was clear and anyone with a modicum of sense would have seen it in a hurry. Yet one of the scribblers persisted in his argument. Finally the other, his impatience cracking, concluded:

"You ought to be arrested for cavedropping and insubordination."

A thinker's thumbnail description of Hollywood and what goes on here:

"It's like Coney Island. And nobody goes to Coney Island to transact business."

**Warburg on Coast**

**Hollywood, March 2.—Paul Felix Warburg, vice-president of the Bank of Manhattan, arrived here today for seminars and conferences with Louis Bedell and Walter Wanger. He will remain here one month.**

**Dietz Coming**

**Hollywood, March 2.—Howard Dietz will leave for New York tonight following product conferences here.**

**Blumberg on Coast**

**Los Angeles, March 2.—Nate Blumberg arrived here from New York yesterday to look over the theatre situation and confer with the studio executives on new product. RKO has a three-theatre pool here with Rodney Pantages. He is due back in the east on March 15.**

**KAO Declares Dividend**

Keith-Albee-Orpheum has declared a dividend of $1.75 on the seven per cent preferred stock, reducing ac- ceptance eligibility to $29.75 as of April 1. This is the first disburse- ment since Oct. 1, 1931, at which time the stock was on a regular $1.75 quar- terly basis.
Eleven More Warner
Music Suits Filed

Nine out-of-town and two local suits were filed yesterday by Warner music subsidiaries against broadcasting
stations allegedly using without permission some published songs of Don Lee Broadcasting System (KJH), Los Angeles, for $50,000 on "Mine Song." Another is against Northern Corp. (WMEX), Boston, for $5,000 on "Gypsy Love Song." The Central New York Broadcasting Corp. (WSYR), Syracuse, is defendant in a $5,000 action on "The Words Are In My Heart." WWL Development Co. (WWL), New Orleans, is the respondent in a suit for $5,000 on "Let's Have Breakfast In Bed." A suit is being filed against WCFL Cooperative System (WFCL), Chicago, for using "That Old Irish Mother of Mine." Los Angeles, for $300 on "Sweat Georgia Blues." The two local suits involve Harms against WNEW for $5,000 on "Every New Day and Two Hundred And One Against WHN on "Where The River Shannon Flows." In actions filed by attorneys for WHN, CBS and WNEW on previous actions, the defendants contend that "the matter in controversy does not arise under and by virtue of the copyright law of the United States; that the matter in controversy herein involves not the matters to which the copyright law of the United States applies; and the alleged claim for infringement set forth in the complaint has no substantial merit." Dismissal of the complaints are asked in all answers.

B. & K. to Redeeem Shares

Chicago, March 2—Balaban & Katz will redeem as of May 1, 1936, at $110 a share, half of its seven per cent preferred stock outstanding, 13,062 shares out of a total issue of 26,126. About $1,100,000 will be required for the redemption. The company states the purpose of effecting the redemption is to save to it a better position to meet increased operating costs.

Townsend Plays Sellet

Portland, Ore., March 2—The opening of the stage play, "Life Begins at 60," based on the Townsend Plan, at the Mayfair set a new house record. Townsendlites arrived from a distance of 50 miles. A total gross of $7,000 is expected.

Daughter to Ashers

Los Angeles, March 2—Laura La Plante, actress and wife of Irving Asher, head of Warner production here, today gave birth to a daughter.

A Message to Garcia

(Hollywood, March 2—Tactfully produced to avoid the possibility of injuring Spanish sensibilities, this is a thrill action, sometimes horror-striking, by Lieut. Rowan's famous Spanish War adventure. With much that is historical, much necessary to provide the emotional appeal, the story moves slowly for the most part, but builds to a suspense-laden climax.

Given McKinley's famous message to Garcia, John Boles, as Rowan, is expected to take the major part as he lands in Cuba. Mancled by Hale and the enemy, he meets Wallace Beery, a marine deserter, who promises to lead him to his objective. Beery, doing business with both friend and foe, gives a characteristically vivid performance. Meeting Barbara Stanwyck, a Cuban martyr's daughter, the three go off through schemes for getting their plan afoot. As Miss Stanwyck fears treachery from Beery, and Hale's henchmen make things difficult, she is shot. Boles is captured by Hale when he goes on alone. Seeing the trap into which Boles has fallen, Beery's patriotism forces him on to Garcia, Miss Stanwyck has arrived at the siege point, she and Boles are being tortured, when Garcia (Enrique Acosta) and Beery ride to the rescue. In a thrilling battle, Beery saves Boles and Miss Stanwyck at the cost of his own life. Delivering the message, Boles wins Miss Stanwyck.

Based on Andrew Rowan's own story and Elbert Hubbard's essay, the play is being played by W. P. Lipscomb and Gene Fowler emphasizes thrill and action. George Marshall's direction assures that where melodramatic adventure and romance are enjoyed, the film should satisfy. The historical background plus the name strength provide ample opportunity for unique and timely showmanship.

Production Code Seal No. 1,909. Running time, 90 minutes. "G.

Looking 'Em Over

"Colleen"
(Warner)

Three tuneful songs and some suspenseful settings where novel dance numbers are staged, help make this a pleasant hour and one-half of entertainment. The songs are: "I Don't Have To Dream Again," "You Gotta Know How To Dance" and "Boulevardier From The Bronx," staged pictures of the first, and Smith and Joan Blondell do the latter, with some comedy dancing by Oakie.

Powell's appeal to the young women fans and Ruby Keeler's charm and dancing furnish the best selling arguments.

Much of the comedy load is carried by F. Hugh Herbert as a wealthy invalid who happens to be playing at being a big business executive, and gets himself into varied complications, romantic and otherwise, in spite of the efforts of his nephew, Powell.

The film has a novel opening in a working man's flat, Oakie, dance of Miss Keeler, invites himself to breakfast and outlines his latest scheme to get rich by selling biographies at $500 each in a deluxe volume. Miss Keeler is not impressed, but before the day is over Oakie has himself named executive assistant to Herbert. More complications develop when Herbert buys a gosh shop so Joan Blondell can express her artistic longings. Miss Keeler works there.

This furnishes an opportunity to stage some luxurious scenes and leads to a romance between Miss Keeler and Powell which culminates with some more big scenes on an ocean liner. It's not one of the best musicals in which Powell and Miss Keeler have been teamed, but it has some good laughs furnished by Herbert and Louise Fazenda as his wife.

Alfred E. Green directed from a story by Robert Lord.

Production Code Seal No. 1,782. Running time, 89 minutes. "G.

Columbus Gets Show

Columbus, March 2—The RKO Palace, playing straight films for the past several months, will play "Let's Swing It" on the stage the week of March 6. It is not known whether the stage policy will be permanent.

Directors Re-Signed

Hollywood, March 2—Paramount has signed to new long-term contracts, Henry Hathaway and Mitchell Leisen, directors, respectively, of "The Trail of the Lonesome Pine" and "Hands Across the Table."
“Tense, dramatic — this is one of the most powerful pictures that has come to the talking screen. It is a feather in Samuel Goldwyn's production hat. It will create much word-of-mouth comment which will mean excellent business at box-office.”

— Ralph Wilk, FILM DAILY

“These Three’ is great entertainment for mass and class. Destined to create a word-of-mouth campaign that will fill seats everywhere. Will be the talk of the town.” — Warren Stokes, ASSOCIATED PUBLICATIONS

“Samuel Goldwyn should be highly commended for bringing to screen so powerful a film as ‘These Three’ . . . amazing in its strength . . . tremendously convincing . . . never before in history of screen have children given such performances as Bonita Granville and Marcia Mae Jones.”

— Louella O. Parsons, UNIVERSAL SERVICE

“These Three’ will rank with best of season . . . performances by all principals are forceful and brilliant.”

— Maurice Kann, MOTION PICTURE DAILY

“Samuel Goldwyn’s ‘These Three’ is notable piece of drama, the like of which one seldom encounters in film houses.”

— James Crow, HOLLYWOOD CITIZEN-NEWS
RE I'VE SEEN THIS YEAR...  

SYN'S Greatest!" —Sheila Graham, NANA SYNDICATE

“Samuel Goldwyn’s ‘These Three’ is one of the finest pictures of the year and is a credit to all who had any part in it. A long to be remembered event.”
—Leo Townsend, MODERN SCREEN

“Is extraordinary offering for women. Will do smash business. Wyler provides powerful, sensitive direction.”
—DAILY VARIETY

“Oberon, Hopkins and McCrea—these three gave smash performances in this great Goldwyn picture along with two amazing child actresses.”
—Ted Magee, HOLLYWOOD MAGAZINE

“A superbly acted and directed picture. Samuel Goldwyn’s ‘These Three’ from the start took hold of my heart and never let it go.”
—Jimmy Fidler, McNAUGHT SYNDICATE

“These Three’ is beautiful production in best Samuel Goldwyn tradition. Women will come in droves impelled by word-of-mouth. The cast can be called nothing short of perfect. Goldwyn’s production is flawless technically, as always.”
—HOLLYWOOD REPORTER

“Goldwyn’s finest emotional drama, in fact almost anybody’s.” —Philip Scheuer, LOS ANGELES TIMES
SUTTER

CARL
30th ANNIV
NEW MOTION
A UNIVER

Starring *EDWARD ARNOLD with LEE TRACY, Binnie Barnes,
Katharine Alexander, Addison Richards and thousands of others
*By arrangement with B. P. Schulberg
Based on Blaise Cendrars' novel. By arrangement with Bruno Frank
Directed by JAMES CRUZE (master of the screen's biggest epics)
An EDMUND GRAINGER Production
PURELY PERSONAL

JOE HORNSTEIN returned over the
week-end from a 11-day vaca-
tion and came home for the
week. While in Hollywood he
visited his brother,
Syrine, of Paramount's legal staff.

ROBERT SMELTZER, branch manager
for Warners Washingon exchange, will
return to the Capital city today
after spending about a week con-
ferring at the home office.

YVONNE BORG, Boston model,
had been signed to a Paramount con-
tact. She leaves for the coast
March 7...

RICHARD MAEBLER and D. YANCE
BRADBURY, March of Time camera
and sound men, have returned after
several weeks of work in the south.

JOSEPH SEIDELMAN, who had been
in the sick bay for the last few days,
returned to his Columbia headquar-
ters yesterday...

EDWARD SCHULTZ, eastern dis-
ctrict sales head for Republic, left for
Philadelphia yesterday and is due
back Thursday...

ROBERT MOURER of the Warner
home office returned yesterday from a
Florida vacation...

NORMAN H. MORAV, head of Vita-
phone sales, returns today from a
month's trip to 10 exchanges.

MILTON C. WIEHMAN got back from
Hollywood, Fla., yesterday, his nose
burnt to a crisp.

FREDERICK EINSOHN of the Man-
agers' Round Table of Motion Picture
Herald has a birthday today.

MARY BRIAN returns today from
an engagement in England on the
Beveringa.

GRACE MOORE arrived in town over
the week-end.

EDWARD GOLDEN last week cele-
b rated his silver wedding anniversary.

PICQUET AGAIN HEADS MPTO OF CAROLINAS

(Continued from page 1)
head, said, because "those who wish
to use the screen as an aid to the destruction of existing civilization
would like to trick responsible leaders
into silence to avoid protests until,
under the inspiration of alien influ-
ce, the decreed destruction of
property could be answered with confiscation
of property and the next business of the
street squad."

In closing his address, Quigley said,
"If these destructionists, on the
strength of their plea for freedom
of speech, are permitted to inject into
pictures their ideas of common
property, free love, atheism, slavery,
and other social grievances, then if
they are permitted to attack on the
screen America's respect for the finer
spiritual things of civilization, then
they will not care which makes the
laws, because they will have tri-
umphted over the law by spreading
their destructive ideas like a pestil-
ence until eventually they engulf
Church, home and State."

At the session of dealers at the
sessions were
Ed Kaykendall, National president;
Carl E. Miliken of the Hays of office;
Walter Vincent of Wilmer and Vin-
cent and Edward levy, M.P.I.O. counsel.

Officers elected, in addition to Pic-
quett chairman: Albert Glazer, vice
president, and Harry Buncham, sec-
ond vice-president. Directors are: H.
R. Jones, M. G. Lewis, H. F. Kin-
sey, J. F. Miller, S. S. Stevenson,
Robert Byrant, Lyle Wilson, E. L.
Hearne and George Bailey.

LAABANDONS DEFENSE TAX

Los Angeles, March 2.—The I. A.
T. E. has voted to abandon the
2 per cent tax on members here-
tofore used as a defense fund. George
Brown, president, scheduled to
leave here last week for New York,
was delayed. He will probably get away tomorrow.

Wallace, March 2—Mr. Cin-
derella" is the new title of the Hal
Roach comedy which will star Jack
Humbert, which starts filming in
March. The feature has been in
preparation under the title, "Once
Over."

A VACUUM APPEAL

Hollywood, March 2—After five
months of work on a film tenta-
tively titled "The Duchess," Lewis Genders
will produce.

A VACUUM APPEAL

Hollywood, March 2—Sam Shir-
ley, Chicago M-G-M division man-
er, is here on a vacation with Mrs.
Shirley and their daughter.

Schoenherr Goes Into New U.A. Selling Post

(Continued from page 1)
remarked to reporters: "After six
weeks in Florida, this feels very
comfortable." He had planned to
return to the winter resort, he said.

Asked about changes, Schoenherr
said: "I have no plans now."

He said that now he started
with Lewis J. Selznick, who once
tenanted the same chair, to which
Gouldyn interjected "And now his
son, David, is in with us."

In a mimeographed statement,
Schoenherr said: "I have personally
known Jesse L. Lasky, Walter Wanger,
and David O. Selznick for a great
number of years and have great
faith in their enterprise and a real
appreciation of box-office product."

Gouldyn will sail tomorrow on the
Brownell in order to return to Holly-
wood on April 15. Jock Lawrence,
his publicity representative who
arrived from the coast by plane the
other day, will go west tomorrow.
Kelly plans a six months' trip to a
number of foreign countries. He will
return about three weeks for South
America.

All the United Artists partners
joined yesterday in expressing pleas-
ures over the announcement. Gouldyn
described Schoenherr as "an
outstanding sales executive" and pre-
ferred him as they wished in the year in
United Artists' history."

Alexander Korda called that "noth-
ing could make him happier" and ex-
pressed the opinion that Schoenherr
would help "put the company at the top of the industry." He also com-
mented: "I am happy about his "great job in the past few months."

Mary Pickford called the signing of
to the company "the greatest problem," and David O. Selznick, Walter Wanger
and Charles Chaplin also issued congratu-
latory statements.

"FLEET" GETS THIRD WEEK AT MUSIC HALL

(Continued from page 1)
$620,000 take for the first four days of the second week it was decided to
put back "The Country Doctor" until March 12. It is anticipated that
the second week's gross at the callau Hall on "Follies the
Fleet" will tall $90,000, or better.

"Road Gang" did $27,000 at the
Strand last week. This week's busi-
ness with "The Walking Dead" will
probably reach the same figure due
to an extensive window card display
dataound around town.

CAGNEY SUIT TO BE SET

Los Angeles, March 2—James Cagney will appear in court today
morning with the charge that against
Warner will be set on the court calen-
dar.

BERNARD DUE IN L.A.

Los Angeles, March 2—Jeffrey
Bernard, general sales director for G.B., will arrive here tomorrow. He
will leave for San Francisco in two
weeks on a swing around the country.
Para. to Keep Its Localized Theatre Plan

Only Two Partnerships Remain Unsettled

Local operation of Paramount theatres throughout the country continues as an established policy, John E. Otterson, president, said yesterday.

In line with this policy virtually all of the company's theatre partnership and operating agreements have been renewed for long terms. The future status of only the A.H. Blank circuit and Texas Consolidated Theatres, operated by Karl Hohltz, remains undetermined, out of the approximately 1,000 Paramount theatres.

Buy-back options for the partners' 50 per cent interests in these units were extended from the year end to April 1 and April 4, respectively, for further study of both situations.

The localized operating policy for the company's theatres was introduced in 1932 and is said to have proved its value to the management during the four years it has been in force to such an extent that it is being given new to a return to centralized operation.

Heard Attack Does Not Hurt West Film

SAN FRANCISCO, March 3—Editorial attacks by both Hearst papers here against "Klondike Annie" are continuing, although the picture has done considerably better than average business and has been transferred from the Warfield, where it played its first week, to the F. W. C. continuation house, the St. Francis. Concurrent with the editorial blasts the Examiner has been running a daily symposium quoting prominent people in denunciation of the picture.

Attacks on the picture did not open in the Hearst papers, advertising having been run in the same papers and generous publicity given.

Spanish Group Asks Edelstein Ousting

BARCELONA, March 3—Exhibitors representing 38 theatres have sent a cable to the M-G-M home office directing the removal of Monsieur Edelstein within 48 hours. The theatre men are threatening a boycott on M-G-M's product. A meeting of the board is scheduled for Friday.

Mort Spring, assistant to Arthur

(Continued on page 29)

Quigley's Stand on Propaganda Films Praised by Carolina Men

Pinehurst, March 3—Following an address by Martin Quigley yesterday at the concluding session of the annual convention of the Theatre Owners of North and South Carolina, Inc., the following resolution was adopted:

"Whereas the Theatre Owners of North and South Carolina, Inc., in annual convention at Pinehurst, N. C., March 1 and 2, 1936, are grateful to those leaders who by their presence, enthusiasm and ability have added greatly to the value of this convention, and,

"Whereas the convention wishes to express its sincere appreciation of the time and effort expended by these guests who have so honored us,

"Be it resolved that the convention gives its enthusiastic thanks to Martin Quigley for so forcefully bringing to our attention the problem of un-American propaganda, emphasizing our sacred responsibility to ourselves, this industry and our country and picturing to us through example and alarm, the grief that will be ours if we are parties to the dissemination of information and practice of those ideals which emphasize and glorify atheism or the love and worship of material things and which aim to cause disrespect for and lack of appreciation of the finer spiritual values of life, and,

"Be it further resolved that a copy of this resolution be spread upon the minutes of the convention and be given to Mr. Quigley as an assurance of this convention's genuine approval of his viewpoint."

Sound Saved Films, Vallee Tells Hearing

By CLARENCE LINZ

WASHINGTON, March 3—The American film industry was on the verge of destruction when talking pictures came along, members of the House Patents Committee were told today by Rudy Vallee as he renewed his copyright legislation.

The star of the day and last of the big names brought here to oppose the Duffy Bill, Vallee admitted that he had not read any of the three measures pending, but was against the

(Continued on page 2)

Disney's Deal Raises Query On Van Beuren

Uncertainty Is Voiced As to Future List

Uncertainty as to the effect on Van Beuren Prod. and its association with RKO, as a result of the latter's distribution deal just completed with Walt Disney, was voiced here yesterday.

Spokesmen for RKO and Van Beuren assume that the latter's Rainbow Parade series of color cartoons will be affected by the deal. Van Beuren has produced 13 of these subjects annually for RKO release. Whether another such distribution deal, under which RKO has released approximately 46 Van Beuren subjects during the last 10 years, will be continued is subject to the conclusion of the season's contract, was seen as a possibility, but was regarded also as unlikely. Further word on this is expected with the return from the coast of Leo Spatz, M. H. Aylesworth and Ned E. Depinet.

The impression here, however, is that the Van Beuren list, exclusive of the color cartoon series, probably will be continued as RKO releases. The distributor has owned a half interest in the Van Beuren company since 1930 and Depinet is a member of Van Beuren's board.

(Continued on page 29)

Expect Early Date On Sale Tax Appeal

A hearing by March 25 on United Artists' appeal from the city comptroller's ruling holding local film rentals to be subject to the two per cent city sales tax is expected by the company's attorneys.

The city is to file its answer today to the United Artists' complaint. The case will then be noticed for argument in the Appellate Division and a hearing date about two weeks distant, will be set, it was stated.

Sabath Probers Turn To RKO Receivership

Preliminary questioning of representatives of RCA, Atlas Corp. and Lehman Bros., in connection with the RKO receivership and reorganization proceedings is expected to be opened here today by attorneys for the Sabath Congressional committee for real estate bond reorganizations. A number of witnesses have already been questioned at closed hearings at the
New Admission Laws Coming Before ITOA

Legislation affecting admission of children to theatres and a report on the possible interconnection of theatre driving in connection with installation of Diesel engines to reduce the cost of light and power were the subjects for a meeting set for discussion today at the regular I. T. O. A. meeting at the Astor. 

Harry Brandt, president, who has just returned from a five weeks in Miami, will preside.

Nizer Increases Staff

Louis Nizer, executive secretary of the New York Film Board, has enlarged the staff to relieve him of some of the work. William Corcoran, an attorney; and Charles Rubenstein, law clerk, are the new additions.

Allied Talks Finances

The finance committee of Allied of New Jersey yesterday held a meeting to discuss the financial position of the company, which the membership may be held next Tuesday, but this is not decided. Newburgh will probably be the city of the town and may return next week.

D. W. Griffith Marries

Louisville, March 3—David Wark Griffith yesterday was married here to Eudora Marlowe Baldwin. Griffith just received his divorce from Linda Avidson, whom he married in 1905. Griffith is 56; his bride 26.

March Supplying

Hollywood, March 3

SAM KATZ, now cruising up and down the coast between San Pedro and Panama, grabbing ideas from sky and water, finds the business life as it is lived at M-G-M full and, he says, exciting.

The time was when Louis B. Mayer scowled at Nick Selenck's ideas about Katz on the lot, but that goes back several years, which is long enough in this industry to forget it. Katz and Katz today are something akin to the Siamese twins...

Not a great deal is heard in the public prints about Katz and what he does at Metro. For one reason it is so well worked hard on the development of a department which can turn out musicals as successfully as not better than elsewhere, say sources.

Metro has not been doing so well in that particular type of attraction and has known it for some time. Therefore, Katz, "The Broadway Melody of 1936," consequently, came as a gentle sliver of spring to Leo's hair, demonstrating as it did that Katz has not got around to it, could make it better with them.

As a matter of fact so completely encouraging was it that the plotting for 1936-37 may pile up into as many eight or nine musicals with Eleanor Powell largely the principal figure. With talk around the lot that "Broadway Melody" may do as much as $1,750,000 domestically, and very ambitious figure—and perhaps $2,700,000 internationally, the excitement over Powell is running high. Metro-ites, strictly in the Hollywood manner, view her as "terrible," which seems to be one stage below colossal, and so are making plans to star her in five straight musicals in the next two years. One will be "Hats in the Air" with music by Cole Porter, who knows how: another, "Born to Dance," and a third, "The Broadway Melody of 1937," on which the schemeing is mighty and already assuming definite story form...

Katz thinks the problem with and about musicals is well on its way to solution. He hopes in perhaps six months to have an organization well rounded out for this purpose and which, as the perfect arrangement a tried and proven setup which will give him two producers on this job. Jack Cummings, who has been supervisory credit while Katz prefers to stay away from such screen limelight, in addition to these duties, approximately sixty per cent of the Metro lineup filters through Katz's office. In other words, he's busy.

Metro will continue its path, pretty well worn now, of making about twenty B pictures averaging $175,000 each in cost and spending more money for A attractions and go at home with any fancy figure it likes when marketing its products and to make it stack up.

The company, for years, of course, has been making big pictures, but, while proceeding on that course, has been trying the young need it great, an A type in an effort to make everything a. It hasn't worked out there as elsewhere because there is no rule which can prevent the studio from shooting up to be a B picture and vice versa...

The explanation of Metro's B line, beyond the funds thereby released for the smash, is that the cheaper group goes far in absorbing studio overhead which is something on that lot. The B's, furthermore, are looked upon as supplying a training and tryout school for new talent, and the result is that, although not nearly so pressing as Metro with its Shearer, Garbo, Crawford, Cable, Harlow, Loy, McDonald, Rainer, Beery and more. Nobody mentions the double feature market and how the B's fit that niche, but it's there, nevertheless...

In the new lineup about which too much is not being brayed so early, are several already set and, in some instances, in preparation. Howard Estabrook, one of the better writers, is working on Rudyard Kipling's "Kim" for Freddie Bartholomew; Garbo will do "Camille," that hardy perennial; Shearer, "Marie Antoinette," after making "The White Cliffs" and "Pride and Prejudice," the Max Gordon show with which the company financed. Irving Thalberg has "The Good Earth" in preparation, and has not abandoned the possibility that a way out will be found for "The Forty Days of Muss Dagh." Crawford will do four next year, one of them "The Gorgeous Hussy," a period story dealing with the times of Andrew Jackson...

Hollywood's chief star-development laboratory, which is another way of describing Metro, is currently censured by Bill Powell because of "The Great Ziegfeld." "It's that same picture," Rosalind Russell because of "Rendezvous," Bob Bennett because the women of the nation are apparently nuts over him as Howard Estabrook because of Bartholomew. "Little Lord Fauntleroy" won't do the youngster and his future any hurt either...

Warners Victors in Test on Dvorak Pact

Los Angeles, March 3—Warners have set the first of two suits filed by contract players, Judge Harry R. Archibald has upheld the studio in the case of Ann Dvorak for breach of her contract.

Judge Archibald ruled that the suspension of the actress by the company Oct. 20 did not constitute breach of the contract on the part of the company. Answering Miss Dvorak's petition, it's not ready to go to war. The case was called to work Nov. 1, but that the company had refused to reinstate her, Warner attorneys introduced as evidence to prove that Warner's picture, whose production was held up because it had not been released, had not been released.

The studio has since circulating that her contract is still effective and that she is entitled to $7,000 compensation for the time she was suspended and the fact that the suspension was lifted last January. The current agreement runs for two years at a weekly salary of $1,500.

Cagney-Warner Trial Starts on the Coast

Los Angeles, March 2—Trial on the motion of James Cagney to have his Warner contract terminated started here today before Judge Charles S. Winterman.

The Cagney motion is based on the claim that he signed the present agreement after Warner's oral promise that the actor would not be asked to appear in more than four pictures a year. Cagney maintains that the promise has been violated.

Austin Sherman, attorney for Cagney, testified that at the time he permitted the star to sign the agreement he had not advised him of the clause. The lawyer typically stated that oral agreements were none binding.

The action will be continued tomorrow, with Fredric March and others scheduled to appear for the plaintiff.

Eight More to Try

Alice Brady, Lila Alberni, Fred Keating, Ivan Lebedeff, Florence Lake, Lila Lee, Russell Hopton and George Bancroft will make pictures throughout the country. F. & M. handled the deals.

Warner Executives puzzlement

Hollywood, March 3—Harry M. Warner, Gradwell Sears, Joseph Bernard and A. W. Smith will leave by train for New York tomorrow following nine days here.
Robert Wolff and Edward Rudolph have left for Miami and will be joined later by Eddie Stern, Harold Herman and Myron Segel, all of whom will spend part of his time on the golf links, will journey to Key West for a 10-day fishing trip. It’s an annual event with these boys.

Harry Thomas is looking forward to a trip to the coast very soon. It’s purely vacation and he plans to go by boat. First Division now has part of its own equipment with the opening of the New Haven office, he says.

Charles Moses and wife are on board the Lafayette on an 18-day cruise. On March 20, and on the same boat, but for a 12-day trip, will be Harry Schiffman, Herman Gluckman and Irving Wormser.

Margaret Rawlings will depart for England on the Berengaria today. Also outward bound for Europe on that boat are Ernst Lubitsch and Samuel Goldwyn.

Seyward Bernado, grandson of Gustave of Seligman, with whom was studying American film production in Hollywood, on the Bremen tonight.

S. Charles Einfeldt returned to his desk at Warners yesterday after having been confined to his bed for the past few days with intestinal flu.

Gordon E. Youngman of the RKO legal department flew to the coast the other day. He’s expected back in a week or so.

Al Lichtman returned yesterday from a western trip during which he visited the studios and several M-G-M branches.

Harry M. Gortz is scheduled to return from Hollywood the latter part of this week or early next.

John Benas, film buyer for the Rosenblatt-Welt circuit, is home ill. A stomach cold.

Herbert Eisenstein is due to arrive from the coast in about two weeks.

Josephine Hutchison arrives here today for a vacation.

that it has received less than $10,000 by judgment since its inception. Burkan tactfully admitted that judgments rendered might have been much greater, telling the committee that after Ascap obtained a judgment it went on and did business. For example, he said, a Tina Turns into a Hollywood woman entertained for 30 years, has changed its policies and the policies of the two houses are foreseen.

James M. Walker Dies

Winnipeg, March 5.—James M. Walker, aged 55, who was associated with C. P. Walker, only survivor of six brothers, owns the Walker here.

Managers Are Switched

Toronto, March 3.—Famous Players Canadian Corp. has switched the managers of the two local ace houses, the Uptown and the Imperial on Bloor Street, Arthur, running the Imperial for years, has changed places with the manager of the Uptown, one of the top ten houses in Canada.

Pizar, Philadelphia; Jack Miller, Chicago; Charles W. Piquet, Pinellas; R. A. Williams, Jr., Oxford, Miss.; Thomas T. Wadsworth, Kansas City; Charles E. Williams, Omaha, and David Palkireyman, New York. Major John M. Geary, who has been recuperating from a recent illness, and E. A. Schiller of Locow’s, now residing in Atlanta, vacationing here, are also expected to put in an appearance at the meeting. Both are M. P. T. O. A. directors.

While the board meeting will be an executive session for officers and directors only, a number of other exhibitors are planning to be here during the sessions to acquire information outside the regular business meetings on individual problems or policies.

In addition to the annual election of officers and the transaction of organization matters, informal round table conferences will be held on such as legal problems, booking agencies, insurance, and any other matter of interest.

Improvement of exhibition standards and theatre management, suggestions for increased attendance and for improving relations between the exhibitor and his community will also be topics for discussion at the meeting.

Erpi has 2,000 Spots Abroad, Says Drake

Erpi has 2,000 reproducers installed in English theatres, Whitchford Drake, vice-president, stated yesterday upon his return from a six-week trip to London.

The total number of installations for Europe is 2,500, he said. Drake was accompanied by Joseph R. C. Palmer, patent attorney. While in England, Drake inspected the company’s London office and also closed a deal for the installation of Erpi’s recording apparatus at Boot’s Pinehill Studios in London.

Returning on the same liner, the Berengaria, was Mary Brian who stated she would leave for Hollywood in a few days to begin a much needed vacation. She said while in London she appeared in three pictures for Paramount, RKO and 20th, and will also play Miss Brian may go back to England later, she said, but this was not certain.

Tex Jones, head auditor for Paramount in Europe with headquarters in Paris, arrived on the boat. He will remain in Paris for a few days conferring with John W. Hicks, Jr.

Gus Schaefer, general manager in Germany and Central Europe for Paramount, arrives tomorrow on the Washington. It’s his annual visit.
Dramatists Against Change in New Pact

There is little likelihood that the Dramatists Guild will approve any changes in the new minimum basic agreement between writers and managers, which went into effect April 1. The guild's opposition to the new provisions—including the sale of film rights to stage plays—was stated yesterday at guild headquarters.

No position from the managers was expected, guild spokesmen said, but they believe a majority will favor the new pact after they have had an opportunity to read it. All patrons were sure the agreement were placed in the mail only yesterday and few managers had actually read the pact in the form in which it was unanimously approved by the guild membership late last week.

Guild officials observed that the provisions objected to by the managers were more moderate than those adopted in four previous sections of the guild's membership and were confident that any attempt to modify them further would result in the resignation of the membership. The provisions objected to are the diminishing scales of one-half of the sale of film rights above $15,000, which replaced the former 50-50 division of these rights between writer and manager.

Approval of the new agreement was voiced yesterday by Samuel Goldwyn, reputed raging bull of the film world, and Goldwyn himself especially commended the provisions of the agreement for “sale in advance” of the stage and film rights on a royalty basis for the author, declaring that he believed this would encourage authors to do their best work for the benefit of the listener and the producer.

Boston Expects Six Weeks “Fleet” Run

Based on the business so far, “Follow the Fleet” may have a six-week run at the Keith Memorial, Boston, and five weeks at the Downtown, Detroit. The Astaire-Rogers musical enters its third week tomorrow in Boston. The Music Hall tomorrow begins a third week for the film.

Charles Koerner, New England district manager for the RKO circuit, leaves for Boston tomorrow after being in and out of the home office for the last two weeks.

Re-Issue Chaplin Films

RKO is re-issuing six two-reel Chaplin comedies, produced about 10 years ago. About three years ago the company revived the shorts adding sound and effects. This is the second revival of the comedies.

Among the subjects are “The Rink,” “The Adventurer,” A. M.,” and “The Floor Walker.”

Theatre Faces Mayor

Opening March 3, Howard Knevel, manager of the Colonial, put on a big Feb. 29 midnight surprise party for Mayor Stanley Lewis, whose big day it was. Knevel was required to bring a new pot or pan, and a mass of kitchenware was donated.

Overseas Previews

“Things to Come” (London Films-U. A.)

LOndon, Feb. 21—There may be differences of opinion regarding the commercial value of this H. G. Wells-Alexander Korda production as mass entertainment, but one thing is certain. It renders forever obsolete the hollowed phrase “Up to Hollywood standard” as the highest tribute to British production. Decisively, and by a wide margin, it sets new standards of technique far exceeding the most striking of past achievements. Without exception, the critics and the audiences here and abroad have acclaimed the picture.

The creators of the picture are Noel Mann, who controlled the trick and model work; William Cameron Menzies, who directed; George Perinal, the cameraman, and Vincent Korda, the art director. Two of them are Americans, one is French and one is Hungarian, and the Englishman, H. G. Wells, gave them the material and the distant future here. It is eminently a case of superlatively brilliant exaction of the material.

But “Things to Come” is a product of British enterprise and will violently open the eyes of any Hollywoodians who may have been suffering from self-chosen blindness.

The story gives the clue to the technical achievement. Wells outlines the collapse of civilization after another Great War, initiated without notice by thousands of planes, machines and defenseless cities. The whole world is impoverished, machines rust and collapse and cannot be repaired. It is a story of science and one splendid town and petty dictators exercise tribal authority. Plague stalks the earth.

Order is restored by a band of aviators who, in giant planes, bomb the dictators into submission by a “gas of peace” which causes unconsciousness and not death. It is a new and simple war, and mankind sets out on an age of progress founded on science.

Many hundreds of years pass. In the new world men are living in underground cities lighted by perpetual sunshine; helicopters rise and descend from public squares in which, from televised pictures projected on the wall, people learn the news of the world, and where the triumphs of man control the weather and世界上 war and disease have been abolished, dress is comely, leisure plentiful—but here is discontent. The world rulers have built a giant gun, which fires rockets at and around the moon; sooner or later, a landing will be made there. A mole descends on the gun to destroy it but before they can do any damage, it is fi red. The rocket carrying into space the one of the world leaders, the world changer. The film concludes with the rocket still in its progress through the stars and with the leader’s words: “All the Universe or nothing!”

The absence of “human interest” in the conventional sense is obvious. There is, in fact, a story of individual adventure and an identification of the personal qualities of the »I«, which are far more effective in the simple adventures of the young men. The hero of the picture leads them to their destiny, and he is the chief character in their story. The impression of colossal scale is overwhelming, with humans being no bigger than flies walking in balcony-like streets which wind from the depths thousands of feet up, or tending machinery of nightmarish size and complexity, or camping on the face of the huge Space Mountain, and fed by machinery miraculously convincing.

Nowhere, it is safe to say, is the line between model work, camera trickery and stagecraft definitely recognizable even to the expert. Many will think the Wellsian world of A. D. 3030 (say) even more insane than which it has superseeded, but few will doubt that the Korda-Mann-Menzies-Perinal team have rendered it completely plausible.

“Things to Come” is in fact of such outstanding merit as a spectacle and as a technical achievement that big success may come in spite of its lack of almost all conventional story values, its very considerable length and its exclusion of some of the technical ability of that master, Cedric Hardwicke, Ralph Richardson, Margaretta Scott and the rest are not to blame.

About the box-office there is this to be said: no American exhibitor can afford to take second-hand opinion about picture which may easily set up records at either end of the scale. It has been seen to be appreciated—or, for that matter, believed.

Running time, 110 minutes. "G." ALLAN

(Overseas Previews continued on page 29)
You cannot have quality without U.A.
We believe that great pictures are not accidents. They represent the efforts of producers who have made a succession of hits...who have purchased the most valuable properties.

We believe in embellishing these properties with the most powerful box-office names, and entrusting their filming to the Industry's top-notch directors.
believe

We believe that these pictures were made-to-order for your box-office...made with one purpose in mind:—To draw the maximum number of people to your theatre and provide them with the finest entertainment the screen has to offer.

That's why we emphatically call your attention to the outstanding productions United Artists is releasing during the next few months.

Mary Pickford
David O. Selznick
Walt Disney
The picture of which it really can be said.

He stands alone as the greatest entertainer of modern times.

Charlie

Released FEBRUARY 21ST
THE WHOLE WIDE WORLD IS WAITING FOR!

Chaplin

in

MODERN TIMES

HIS NEWEST AND GREATEST COMEDY!

written, directed and produced by Charles Chaplin

Released thru UNITED ARTISTS
Samuel Goldwyn presents

Eddie STRIKE

ETHEL MERMAN

PARKYAKARKUS

Directed by NORMAN TAUROG
Lyrics by LEW BROWN

Adapted from Clarence Budington Kelland's Saturday Evening Post story "Dreamland"

Released thru UNITED ARTISTS
THE HOLDOVER PICTURE
OF THE YEAR! ... attendance
records, new cash highs all
topple before Eddie’s sixth
annual musical frolic.

Cantor
in
ME PINK

SALLY EILERS
WILLIAM FRAWLEY

Dance ensembles by ROBERT ALTON
Music by HAROLD ARLEN
Samuel Goldwyn chose these three outstanding stars to portray the difficult major roles in this tensely dramatic thunderbolt of three innocent people...victims of a whispering campaign of vicious lies and ugly rumors that shattered their lives. This is the most talked about picture of the year and already has an enormous advance audience awaiting its release!
SAMUEL GOLDWYN presents

These Three

WITH

Miriam Hopkins
Merle Oberon

Remember her performance in "Barbary Coast"?
(Who achieved top honors in "The Dark Angel")

JOEL MccREA

Directed by WILLIAM WYLER
Screenplay by LILLIAN HELLMAN

Released thru UNITED ARTISTS

Released MARCH 13TH
Mary Pickford and Jesse Lasky launch one of the industry’s most important producing organizations with a delightful comedy that is literally studded with star names of proven box office caliber.

A story with amusing turns and twists that moves with lightning speed! Humor and romance go hand-in-hand and combine to make One Rainy Afternoon one of the finest motion pictures destined to grace the screen during the coming year.
Afternoon

Released
APRIL 24TH
thru UNITED ARTISTS
"The First Important"

4 smashing weeks at the Rivoli, N.Y. As we go to press, held over in every one of its initial engagements!

Released FEB. 7TH
FILM OF THE NEW YEAR!" — N. Y. Times
“A thousand delights await you!” — N. Y. American
“One of the season’s funniest pictures!” — N. Y. Sun

Robert DONAT
SENSATIONAL STAR OF "THE COUNT OF MONTE CRISTO"
in The Ghost Goes West

with JEAN PARKER · EUGENE PALLETTE
Screenplay by ROBERT E. SHERWOOD

Directed by Rene Clair
A LONDON FILM • Released thru UNITED ARTIST
Sweeping Across the Screen

H.G. Wells’ Things Will Astound the
What is the world coming to?
One man has the daring to predict!
One man has the daring to produce!

An
ALEXANDER KORDA Production
with
RAYMOND MASSEY
MARGARETTA SCOTT · RALPH RICHARDS
and cast of thousands

Directed by WILLIAM CAMERON MENZIES
Released thru UNITED ARTISTS
David O. Selznick's first production for United Artists is one of the most beautiful love stories ever told... and it is re-created in a picture that will bring joyous entertainment to millions of people the world over! From the producer of the best picture of 1935 — "David Copperfield", you can expect a production that is marked for major screen and box-office honors in 1936.

SELZNICK-INTERNATIONAL presents

Little Lord Fauntleroy

starring

FREDDIE BARTHOLOMEW
DOLORES COSTELLO BARRYMORE

with

C. AUBREY SMITH • GUY KIBBEE • MICKEY ROONEY
HENRY STEPHENSON • E. E. CLIVE • UNA O'CONNOR
JACKIE SEARL • IVAN SIMPSON • JESSIE RALPH

DIRECTED BY JOHN CROMWELL • SCREEN PLAY BY HUGH WALPOLE
From the world-famous story by FRANCES HODGSON BURNETT

RELEASED THRU UNITED ARTISTS MARCH 6th
AN UNFORGETTABLE MILESTONE IN

One of America's greatest books now comes to you on the screen . . . pulsing with action, vibrant with romance, thrilling in its conception of the beginning of national greatness!

Released JUNE 19TH
Americans' Triumphant March Toward the Building of a Great Nation!

Harry M. Goetz Presents
James Fenimore Cooper's
Immortal Classic

The Last of the Mohicans

A handful of fearless men and women carved a new world out of the wilderness...fighting side by side against overwhelming odds. Hemmed in by danger from every quarter, they lived and loved with the fierce realization that every moment in their bitter battle for existence must count!

A Reliance Picture
Released thru United Artists
An Edward Small Production
DOUGLAS FAIRBANKS
in The Amateur

With GORDON HARKER - JEFFERY FARNOL

From the Novel by

Released thru
UNITED ARTISTS
FICTION'S ROMANTIC AND FIGHTING ADVENTURER... LEAPS FROM THE PAGES OF JEFFERY FARNOL'S WORLD-FAMED BOOK... TO GIVE YOUR AUDIENCES THE THRILL OF THE YEAR!

Mastering men with his fists and women with his arms, he rose from poverty to prestige in a story that moves like a roaring whirlwind!
WALT DISNEY'S creations are the most publicized short subjects in the world. They are big enough to stand beside your feature as marquee attractions. When you play the colorful Mickey Mouse and Silly Symphonies be sure and give them plenty of space in your ads, lobby displays and other advertising and exploitation. They're little features but they mean big money!
Watch for these Silly Symphonies

"COCK O' THE WALK" (Released)
"ELMER ELEPHANT"
"THREE LITTLE WOLVES"

And be sure to advertise these new starring vehicles of Mickey Mouse

"MICKEY'S POLO TEAM"
"ORPHANS' PICNIC"
"MICKEY'S GRAND OPERA"

Released thru UNITED ARTISTS
IF YOU'RE A SHOWMAN...

REMEMBER THESE Release DATES!

STRIKE ME PINK ........ January 24TH
THE GHOST GOES WEST .... February 7TH
CHARLIE CHAPLIN in MODERN TIMES February 21st
LITTLE LORD FAUNTLEROY .... March 6TH
THESE THREE ............ March 13TH
THE AMATEUR GENTLEMAN .... March 20TH
ONE RAINY AFTERNOON .... April 24TH
THE LAST OF THE MOHICANS .... June 19TH
THINGS TO COME .......... The release date of this production will be announced later

From the inspired pen of H. G. Wells comes one of the most startling pictures ever produced! An incredible glimpse of the future that will astound the entire world!

Released thru UNITED ARTISTS
President for New Tax Upon All Surpluses

(Continued from page 1)

101,000,000 which must be made up, while at the same time the payment of the soldiers’ bonus will add another $10,000,000 a year to Government expenditures.

The program suggested by the President also calls for the imposition of a tax upon the capital stock and the exemption of dividends from the normal tax on individual income, which will wipe out $994,000,000 of revenue.

Whether the tax on undistributed profits will give the Treasury a net new income of about $620,000,000 a year, the President proposing, as a part of the revision of the law, the repeal of the present corporation income tax, the excess profits tax, the capital stock tax and the exemption of dividends from the normal tax on individual income, which will wipe out $994,000,000 of revenue.

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Spanish Group Asks Edelstein Ousting

(Continued from page 1)

Loco, head of M-G-M’s foreign activities, yesterday admitted receiving a cable from exhibitors in Barcelona, but said he knew no reason for their insistence that Jacques Edelstein resign.

The matter has been turned over to Lady Lawrence, the British head of European operations with headquarters in Paris. Lawrence is slated to sail from Paris for New York, but France, but the Barcelona developments may put back the trip a few days.

Sabbath Probers Turn To RKO Receivership

(Continued from page 1)

committee’s headquarters here, it was learned yesterday.

A hearing on the RKO proceedings before the full committee is being arranged for a week or 10 days from now in Washington by the Committee on Consolidated Film, which last year acquired $1,600,000 of RKO gold bonds which are subsequently reduced to $1,100,000 principal amount outstanding, is expected to be one of the witnesses to be called.

Bergner Under Knife

London, March 3—Elisabeth Bergner, who underwent an operation for appendicitis yesterdy, is reported as “doing as well as can be expected.”

Gehring to Run Drive

William C. Gehring, who captured the previous drive, will have charge of the fourth S. R. Kent Drive which runs from Aug. 16 to Nov. 28.
Out Hollywood Way

Hollywood, March 3.—Hal Roach’s “Our Gang” will have a special play date on the train which will take them to Duluth for a personal appearance tour. Six kids and eight adults are in the party. The Sam Wain (Virginia Sali) who has just become the parents of twins, will move into a new home soon. James Severy has a new James Seymour working on the script for the Ninu Martini picture. Monte Westmore, back from London, is preparing his latest make-up for Warner’s players. Ralph Bells is making a personal appearance at Montana Mutual. Harry Cahan is signing for another by Columbia.

Alan Mowbray back from vacation with Quinta. His secretary to Lin Farsom at Republic, recovered from the flu. The girl from the movie, “God’s Country and the Woman” in Technicolor. Warrens borrows Henry Foss and Madernelle Carn. Walter Huston’s wife and picture. Virginia Bruce has a gymnasium in her home. Richard Arlen starting in a Quaker Out trailer.


Lloyd Is $10,000 Leader in Houston

Houston, March 3.—In spite of icy weather, the Milly and Betty Gross at the Majestic of $10,000, where the usual take is $7,000.

“Rose Marie,” at Lee’s for a second week, fell to $5.50 for Walter Martin who has $1,500 under average. Other pictures hit average. “Next Time We Love” at the Metropolitan grossed $6,000, which is $3,000 above average. “Neptune” at the Kirby for the week-end broke even with $3,000. “Navy Wife” at the Kirby in midweek was also par, with $1,500.

Total first run business was $25,500. Average is $26,500.

Estimated takeings for the week ending Feb. 20.

NEVADA” (Para.)

Kirby—(4,490), 36c-3, 5 days Gross: $3,200. (Average, $625.)

ANOTHER FACE” (Radio)

Kirby—(4,490), 36c-3, 5 days, 1 day Bank Night. Gross: $1,500. (Average, $350.)

MARIE” (Metro-Glo)

Locke’s STATE—(4,730), 25c-40c, 7 days, 2 weeks, Gross: $5,250. (Average, $750.)

THE MILKY WAY” (Para.)

Kirby—(4,500), 36c-3, 5 days, 3 years. Gross: $1,500. (Average, $350.)

THE THREE STOOGES” (Metro-Gl)

Mills’s STATE—(2,470), 25c-40c, 7 days, 2 weeks. Gross: $2,900. (Average, $415.)

NEXT TIME WE LOVE” (Univ.)

Metro-Atlanta—(4,000), 36c-3, 5 days. Gross: $10,000. (Average, $2,000.)

“Pasteur” on Dual Bill in Milwaukee

Milwaukee, March 3.—The story of Louis Pasteur and the “Ladies Conants” on a guaranteed entertainment bill grossed $7,500 at the War Memorial. In what proved to be the best weeks for this city in a month or more due primarily to rising temperatures. The Warner take was $2,300.

Other houses topping average included the Riverside with a $6,000 gross for “I Cooper the Sea,” and Fox’s Palace with a $6,000 take for “Anything Goes” and “Woman Trap.”

Prospects for an outstanding week’s business were dampened by the opening of the Lenten season.

Total first run business was $26,000. Average is $3,250.

Estimated takeings for the week ending Feb. 27.

NEVER” (Para.)

Kirby—(4,490), 36c-3, 5 days Gross: $3,200. (Average, $625.)

ANYTHING GOES” (Para.)

Woman Trap” (Para.)

Palace—(5,000), 36c-3, 5 days Gross: $5,000. (Average, $1,000.)

CONQUER THE SEA” (Academy)

Riverside—(3,800), 25c-40c, 7 days, Nightly Gross: $2,100. (Average, $300.)

THE STORY OF LUIS PASTEUR” (W.B.)

THE LADIES CONANTS” (Radio Weekly)

Kirby—(4,490), 36c-3, 5 days Gross: $10,000. (Average, $2,000.)

NEXT TIME WE LOVE” (Univ.)

Metro-Atlanta—(3,000), 36c-3, 5 days. Gross: $7,500. (Average, $1,500.)

YOUR UNCLE DUDLEY” (RKO-Fox)

Mills’s STATE—(2,000), 36c-4, 7 days. Gross: $7,000. (Average, $1,000.)

“Fleet” Gets Big $27,000, Philadelphia

Philadelphia, March 3.—“Follow the Fleet” took the top place in a general pickup with a splendid $27,000 gross. It was held for a second week.

“The Prisoner of Shark Island” brought $21,000 to the Fox. It, too, ran two weeks. A well produced and real draw at the Earlie, both in person and in “Love on a Bet” and the combination put $19,500 in the treasure.

The Chaplin fans kept going to the Earl to the tune of $20,000. The only weak candidate among the first runs was “The Lady of Voltaire” which got only $4,500 at the Aldine.

Total first run business was $113,163, exclusive of the Earl, which is $78,350.

Estimated takeings for the week ending February 27

LADY CONANTS” (Radio Weekly)

ALDINE—(2,200), 10c-50c, 8 days. Gross: $16,000. (Average, $2,000.)

“ANYTHING GOES” (Para.)

ARCADIA—(600), 36c-50c, 6 days. Gross: $5,000. (Average, $833.)

RETRIFIED FOREST” (W.B.)

BOYD—(4,200), 36c-5c, 5 days, 2 week Gross: $6,000. (Average, $1,200.)

“LOVE ON A BET” (Para)

EARLE—(2,000), 36c-50c, 7 days. Gross: $4,000. (Average, $571.)

“MODERN TIMES” (U.A.)

ERIE—(1,500), 36c-50c, 2 weeks, Gross: $3,000. (Average, $1,500.)

“PICKEREL ISLAND” (20th-Fox)

FORD—(3,300), 25c-50c, 7 days. Sarg, Karaman and her Tugunim; Sid Garr; Four Robeys. Gross: $3,000. (Average, $429.)

“NEXT TIME WE LOVE” (Univ.)

KARLSBAD—(1,000), 36c-35c, 8 days. Gross: $2,000. (Average, $250.)

“GHOST GOES WEST” (U.A.)

KEITH—(2,000), 36c-45c, 7 days. Gross: $3,000. (Average, $429.)

“FOLLOW THE LEAF” (Radio Weekly)

MORGAN—(2,000), 36c-45c, 7 days. Gross: $2,500. (Average, $357.)

STANTON—(1,200), 36c-45c, 7 days. Gross: $2,500. (Average, $357.)

Boston Independent First Run Planned

Boxrott, March 3.—A prominent independent exhibitor has understood to be behind a move to turn the Park into a first run house which is expected to start down later. The run situation is controlled by M. & P. with three: RKO, with two and Loew, with one; the last two all exclusive and still hoping for independent spots last less than two weeks.

Becerich to Elmirah

Clarence, March 3.—At Becerich, former manager of Warner’s, Hippodrome, has been made city manager of three Warner houses in Elmira, New York. Eddie Miller had resigned at the Hanna, has succeeded Becerich at the Hippodrome.
**"Fleet" $25,000 Cincinnati Leader**

CINCINNATI, March 3. — "Follow the Fleet" was the town’s leader with the $25,000, a near-sided run on the RKO Albee, which was better than double the seven-day average. It was shifted to the RKO Capitol.

"The Widow from Monte Carlo" showed a good average of $7,000 at the RKO Shubert, where "Spies of '39" was on the stage. "The Return of Jimmy Valentine," a second run of "The Immigrant," brought the independent Strand $1,400, up $300. The Story of Louis Pasteur broke even at Keith’s with $6,500 and was held, and "Rose Marie" got an even break in its second week.

The total of the $6,700 average was $64,200.

Estimated takings:

- **Week Ending Feb. 25:***
  - "RETURN OF JIMMY VALENTINE" (Republic)
  - "THE IMMIGRANT" (Para)
  - "MODERN TIMES" (Radio)

- **Week Ending Feb. 27:**
  - "FOLLOW THE FLEECE" (Radio)
  - "WALTERS, HIPPODR dread" (300)
  - "GOLD" (Radio)
  - "WILD WOLF RETURNS" (Col)
  - "PARAMOUNT" (200)
  - "DOWNTOWN" (Radio)
  - "PARK" (Radio)
  - "DOWNTOWN" (Radio)

- **"Obsession" Held Over in New Haven**

NEW HAVEN, March 3. — Although walking and parking conditions continued unfavorable, a week’s public school holiday and top prices all day in Washington, D.C., helped swell receipts. The Paramount led with "Klondike Annie" and "Tango," going $7,300 each, and "Eight to Ten," or $3,000 over normal. Picture was held over.

"Magnificent Obsession" in its second week at the College, on a dual with "You May Be Next," first run, exceeded the $2,900 house average by $1,500. The Roger Sherman played "Story of Louis Pasteur" and "Don’t Get Personal" to a $5,800, up from $3,700, on the "Mission of Shark Island" on a dual with "Every Saturday Night" at the Poli just missing the $3,000 breaking mark.

Total first run business was $24,900. Average is $19,300.

Estimated takings for the week ending Feb. 28:

- "MAGNIFICENT OBSESSION" (Columbia) 3,499, 35c-35c, 7 days Green: $1,800. (Average: $257.14)
- "Klondike Annie" (Para) 2,483, 40c-60c, 7 days Green: $1,200. (Average: $269.07)
- "PARAMOUNT" (2,499, 35c-35c, 7 days Green: $800. (Average: $202.86)

- "PRISONER OF SHARK ISLAND" (2,499, 35c-35c, 7 days Green: $700. (Average: $100.00)

- "EVERY SATURDAY NIGHT" (2,499, 35c-35c, 7 days Green: $600. (Average: $100.00)
- "POLL" (2,499, 35c-35c, 7 days Green: $700. (Average: $100.00)
- "STORY OF LOUIS PASTEUR" (W.B.) 2,499, 35c-35c, 7 days Green: $600. (Average: $100.00)

**“Klondike” Is Denver Smash With $13,000**

DENVER, March 3.—This town went for "Klondike Annie" in a big way and ran the gross at the Denham up to $13,000 on the week. This last par $8,000 was $5,000.

The cold weather broke and people pried themselves loose from their shovels. "Modern Times" and "Klondike" garnered an excellent $4,000, up by $1,250, at the Aladdin. The former is the biggest picture on the Broadway for an extended run.

"Modern Times" was in the money at the Denver, the $12,000 taking $5,000 more than it was sold to the Paramount for a second week and probably will get three in all.

Total first run business grossed $40,000. Average is $24,750.

Estimated takings for the week ending Feb. 26:

- "STORY OF LOUIS PASTEUR" (F.N) ALADDIN—$2,000, 35c-60c, 7 days Gross: $1,400. (Average: $200)
- "PETRIFIED FOREST" (W.B.) BROADWAY—$1,000, 35c-40c, 4 days following week at the Denver. Gross: $1,300.
- "WIDOW FROM MONTE CARLO" (Col) PARAMOUNT—$2,000, 35c-40c, 7 days Gross: $2,300. (Average: $330)

**“Fleet” $40,000 Hit in Providence**

PROVIDENCE, March 3. — Grosses picked up with the thermometer and "Follow the Fleet" cracked out a sensational $13,000 at the RKO Albee, where normal run is $7,000. Picture was held over.

"The Music Goes Round" and "The Leavensworth Case" were good for $8,500 at the Strand, $2,000 over, and the Majestic caught a par $7,000 with "The Story of Louis Pasteur." Loew’s also had an average $12,000 week with "It Had to Happen" and "Tough Guy," Here Comes Trouble," and a stage show caught $2,000 at Fox’s where the average is $7,000.

First total run business was $47,300. Average is $39,500. Estimated takings for the week ending Feb. 27:

- "THE STORY OF LOUIS PASTEUR" (W.B)
  - MAJESTIC—4,900, 35c-40c, 7 days Gross: $1,700. (Average: $243)
  - "IT HAD TO HAPPEN" (20th-Fox) SUNSET—2,000, 35c-60c, 6 days Gross: $1,000. (Average: $166)
  - LOEW’S STATE—4,000, 35c-60c, 7 days Gross: $2,800. (Average: $400)
  - "HERE COMES TROUBLE" (20th-Fox) PARAMOUNT—2,000, 35c-60c, 7 days Gross: $1,300. (Average: $186)
  - "THE MUSIC GOES ROUND" (Col) STRAND—2,000, 35c-60c, 7 days Gross: $1,200. (Average: $171)

- "FOLLOW THE FLEECE" (Radio) ALADDIN—$2,500, 35c-40c, 7 days Gross: $2,100. (Average: $300)
- "RETURN OF JIMMY VALENTINE" (Republic) FIVE—$2,500, 35c-40c, 7 days Gross: $3,600. (Average: $510)

- **Wolves Go to Florida**

CLEVELAND, March 3. — Col. Nat. Wolf, Warner exchange manager and Mrs. Wolf have left for a two-week vacation at Miami Beach. Jess Fishman, also of the local Warner organization, and Mrs. Fishman, have just returned from Florida.

**“Nothing” at $24,300 Gets Detroit Lead**

DETOIT, March 3. — With a break in the weather and a general pickup downtown, “Anything Goes” led the first run parade with a take of $24,300 at the Michigan. This was over par by $4,300.

"Prisoner of Shark Island" came in second, taking $5,700, up by $3,600, at the Fox. "Modern Times" pulled $13,500, over the line by $3,510, and the Fox. "Modern Times" was on the profit side of the ledger on a take of $13,400 at the RKO Downtown.

Total first run business was $77,100. Average is $6,550. Estimated takings for the week ending Feb. 27:

- "LADY OF SECRETS" (Col) CALIFORNIA—2,000, 35c-60c, 7 days Gross: $4,200. (Average: $600)
- "PRISONER OF SHARK ISLAND" (20th-Fox) FOX—$5,000, 35c-60c, 7 days Stage: Vaudeville. Gross: $1,800. (Average: $257)
- "ANYTHING GOES" (Para) MICHIGAN—$3,000, 35c-60c, 7 days Stage: Vaudeville. Gross: $2,300. (Average: $329)
- "WOMAN TRAP" (Para) TIMOTHY’S QUEST (Para) STATE—$3,000, 35c-60c, 7 days Stage: Vaudeville. Gross: $2,000. (Average: $286)
- "Kloudke ANNIE" (Para) UNITED ARTISTS—$2,000, 35c-60c, 7 days Gross: $1,500. (Average: $214)
- "RKO DOWNTOWN" (2,000), 35c-60c, 7 days Gross: $1,100. (Average: $157)
**“Times” Hits Seattle Top; Gets $9,750**

Seattle, March 3—“Modern Times” took first place at the First Avenue, a big way in spite of unusual cold and a heavy snow storm. The take at the Fifth Avenue was $7,500 over par for $2,270. There were 4,695 for four days and the film was moved to the Blue Mouse. “Rose Marie” was still strong at the Mayflower, and “Cockeyed Fortune” in its second week of an extended run from the Fifth Avenue.

Total first run business was $32,900. Average is $33,500.

Estimated takings for the week ending Feb. 29.

**ROSE MARIE** (M-G-M) BLUE MOOSE—$(9,895), 25c-40c-5c, 7 days. Gross: $7,975. Average, $1,139.

**ROSE MARIE** (M-G-M) MUSIC BOX—$(9,580), 25c-40c-5c, 7 days. Gross: $7,535. Average, $1,076.

**MODERN TIMES** (U.A.) FIPTHEATRE—$(2,480), 25c-40c-5c, 8 days. Gross: $2,790. Average, $348.

**THE LADY CONSENTS** (Radio) SILVER SCREEN (Col.)—$3,230, 25c-40c-5c, 7 days. Average: $461.

**THE LADY CONSENTS** (Radio) CHATTERBOX (26th-Fox) PARAGON—$3,020, 25c-40c-5c, 7 days. Average: $431.

**WOMAN OF THE YEAR** (Col.) REX—$(2,900), 25c-40c-5c, 7 days. VANDERBILT—$(2,700), 25c-40c-5c, 7 days. Average: $450.

**THEIR EYES** (Para.) WING—$(2,260), 25c-40c-5c, 7 days. Average: $322.


**FACE,” with Show, $4,500, in Lincoln**

Lincoln, March 3—“Another Face,” bolstered by a grade A stage show, was in at the “Hub,” “Kit Kat Club Revue” for three days, and following four with “Red Salute,” shot the gross $2,400, $104 over average for the house. The only other attraction to make a solid impression was “Surrender” at the Lincolntown, but $2,700, $500 above average.

The first booking of amusement seekers after a month of bad shows and cold was partly responsible for the pickup, although “Ceiling Zero” was generally disregarded at the Stuart and got only $3,500, $200 over par. At the Variety “King of the Damned” was forgotten with $900, $40 down. Total first run business was $12,300. Average $935.

Estimated takings:

**Week Ending Feb. 26:**

**BULLDOG CONQUEST** (British) THE IRON MAN—$(8,225), 25c-40c-5c, 7 days. Gross: $7,950. Average, $1,135.

**THE IRON MAN** (Para.) RIFFRAFF—$(7,850), 25c-40c-5c, 7 days. Gross: $7,270. Average, $1,040.

**RED SALUTE** (U. A.) ORPHEW—$(1,280), 25c-30c-25c-40c-7c, 3 days. There were with the Kit Kat Club Revue handiding Sid Page on the stage. Gross: $475. Average, $158.


**CEILING ZERO** (W. B.) STUART—$(1,050), 15c-25c-30c-40c, 7 days. Gross: $530. Average, $100.

**Fleet” Nears Hub Record With $37,000**

Boston, March 3.—“Follow the Fleet” was the sensation of the week and the record held by "The Cockeyed World" at Keith's Memorial. The take was $7,500, over normal by $150. The attraction was given a full week, but Saturday admission was set.

"Next Time We Love," with Ruth Taylor and Tole Wing on the stage at the RKO Boston, grossed $27,000, which was $12,000 over normal. "First Girl," with Wallace Beery at the Metropolitain, garnered $37,000, up by $5,000.

Total first run business was $123,500. Average is $17,643.

Estimated takings for the week ending Feb. 28:

**NEXT TIME WE LOVE** (Univ.) RKO BOSTON—$(2,430), 35c-5c, 7 days. Gross: $27,000. Average, $3,857.

**TIMOTHY'S QUEST** (Para.) FENWAY—$(1,820), 35c-5c, 7 days. Gross: $2,400. Average, $343.

**FOLLOW THE FLEET** KEITH'S MEMORIAL—$(2,470), 35c-5c, 7 days. Gross: $33,500. Average, $4,786.

**DANGEROUS INTRIGUE** (G.R.) METROPOLITAN—$(2,350), 35c-5c, 7 days. Gross: $37,000. Average, $5,286.

**TIMOTHY'S QUEST** (Para.) PARAMOUNT—$(1,920), 35c-5c, 7 days. Gross: $3,100. Average, $443.

**Fleet” Louisville Sensation, $9,000**

Louisville, March 3—“Follow the Fleet” was a sensation at the Brown with a take of $9,000. This is more than usual. The attraction was doing the best beats the record of "Top Hat." It was held over.

"Cockeyed Fortune" at the RKO and "Woman of the Year" at the Aladdin continued to attract good business.

"Next Time We Love," with Ruth Taylor and Tole Wing on the stage at the RKO Boston, grossed $27,000, which was $12,000 over normal. "First Girl," with Wallace Beery at the Metropolitain, garnered $37,000, up by $5,000.

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U. A. Expects Disney Films To July, '37

Schaefer Says Producer Is Behind Schedule

United Artists does not expect its distribution contract with Walt Disney to be completed until July, '37, due to commitments under the deal which normally could not be met by the producer, according to George J. Schaefer, vice-president and general manager of United Artists, said yesterday.

Schaefer stated that while he did not have the exact figures on the number of pictures which remained for-Disney to deliver to United Artists he was certain that the producer was considerably behind schedule and, on the basis of past deliveries, would not wind up his United Artists' contract for another 18 months. Until Disney has delivered his final picture to U. A., no other company may distribute his product, Schaefer said.

The new RKO distributing deal with Disney, however, was announced as becoming effective with the 1936-'37 season. Under the new RKO (Continued on page 12)

Warner Stock Buy Revealed by SEC

WASHINGTON, March 4.—The acquisition by Jack L. Warner of 3,000 shares of Warner common stock in January, giving him a total of 88,000 shares, and the sale of 33,000 per cent convertible debentures, leaving his holdings at 1,833,000, were shown today in the semi-monthly report of the Securities and Exchange Commission.

The report also revealed the acquisition by Jack Cohn, through a stock dividend, of 811 voting trust certificates, bringing his holdings to 33,357.

Twentieth Century-Fox reports showed that Sidney Towell, New York, disposed of 275 shares of common, leaving him with 34 shares, and (Continued on page 13)

R. W. Rowland Quits M-G-M; Now in N. Y.

Richard A. Rowland, who rejoined M-G-M as a producer eight months ago, has resigned and is now in New York working on several deals. He will remain in the east for about three weeks.

In 1914 he organized Metro Pictures Corp. and five years later sold out to Marcus Loew.

Color Stereo Film Process Is Described

Boston Inventors Using Polarized Light

BOSTON, March 4.—Some of the details of the three-color film process invented by the inventors, Edwin H. Land and George W. Wheelwright, are described in a demonstration for Motion Picture Daily.

Two cameras joined by a universal shaft are used in making the pictures, but in the projection of the double film one machine equipped with a new attachment is used. Spectators must use spectacles made of Polaroid, a grayish substance resembling glass. A new reflector has been developed and patented which may be added in front of the lenses of present projectors and make one machine do the work of two, Wheelwright says. Film, in such instances, will be double frame. The invention is such, however, that each frame is given a full opening.

Edwin Land, inventor of the sub- (Continued on page 11)

Expect Kuykendall To Stay in Office

MIAMI, March 4.—The re-election of Ed Kuykendall as president of M.P. T.O.A. for another year, together with all or most of the other officers of the national exhibitor's association, is expected at the annual meeting of the M.P.T.O.A. board which opens a two-day session at the Miami Biltmore, Thursday.

Other officers whose re-election is expected are Walter Vincent, treasurer; Edward G. Levy, general counsel; Morris Lowenstein, secretary, and A. Julian Brylawski, B. N. Bernstein, Atwater Comerford, and W. S. Butcher, field, vice-presidents. Fred Wehreberg, present chairman of the board, (Continued on page 8)

Lifts Scale, Finds Patrons Up by 20%

KANSAS CITY, March 4.—By raising his admission scale at the Roanoke, Edwin S. Young claims to have increased his attendance 20 per cent since Dec. 22. During most of that period the temperatures have ranged around zero.

Young lifted his top from 15 cents, (Continued on page 8)

Another Dembow

Hollywood, March 4.—John D. Clark is fond of dogs. Ben Frank, manager of the Hotel Ambassador, knew it and so presented him a Scotty which proceeded to chew up the furniture.

Clark, searching for a name, decided to call the pup Sam. After Sam Dembow.

Tax Protest To Close All Paris Houses

By PIERRE AUTRE

PARIS, Feb. 26.—Exhibitors at a general meeting here have decided that all theatres in Paris will close March 20, if the 10 per cent pauper tax on gross receipts is not rescinded or greatly reduced. A similar threat, which did not materialize, was made some time ago. When the tax was passed, last July, town councils were given the option of canceling the tax if they could find another to replace it.

Thus far, Paris exhibitors have received only promises in their effort to gain relief. Distributors have promised to cooperate with the local theatres in the matter of contracts. At the present time exhibitors pay taxes amounting to almost 25 per cent of their gross receipts. They believe that the threat of complete closing will force the Paris Town Council to take action. Theatre business in the country has suffered severely through the depression. The total of taxes collected (Continued on page 8)

Big Seat Gain for South America Seen

Approximately 40,000 seats will be added to the South American total as soon as 36 new theatres, now in various stages of construction, are completed, Walter Gould, in charge of Latin America for U. A., stated yesterday. He recently returned from a seven months' trip through the territory.

A dozen theatres are set for Chile, 14 for the Argentine and 10 for Brazil, he asserted. M-G-M has practically completed new theatres in Lima, Perú, and in Santiago, Chile. The M-G-M house in Montevideo, Urugu- ay, is expected to be finished in about three months and another theatre in Rio de Janeiro will be ready for opening in about six months, Gould said.

Mills Assails Berne Treaty On Copyrights

Insists U. S. Adherence Would Be Disaster

By CLARENCE LINZ

WASHINGTON, March 4.—Declaring that adherence to the Berne Convention would be disastrous, not only to American composers and authors, but to the motion picture industry, E. C. Mills, general manager of Ascap, today attacked the Duffy Copyright Bill as a "pretense" under the guise of which creative talent would be stripped of any protection as it now enjoys.

Appearing before the House Patents Committee, Mills told of the conditions which prevail in Germany, Italy and Hungary with respect to American and international works. Those countries, he pointed out, have their copyright treaties with the United States and the difficulties encountered under those agreements, he said, are but a fraction of what would be experienced under the convention.

The treaty with Germany, the committee was told, is absolutely useless to protect non-Aryan Americans. Italy has adopted a nationalistic policy and is not using foreign material, and it is (Continued on page 12)

Coast Is All Set On Awards Tonight

LOS ANGELES, March 4.—The eighth annual Awards banquet of the Academy will be held at the Biltmore Hotel here tomorrow night, when the votes will be counted and the 1935 awards of merit in the various divisions of production will be made. The awards are for pictures exhibited in this district between Jan. 1 and Dec. 31, 1935. Academy today announced that 1,250 persons will attend tomorrow's affair. This announcement was (Continued on page 8)

Kohn Says No Deal Set for Schulberg

No new distribution arrangements have been set for B. P. Schulberg Prod., but several deals are under way. Ralph Kohn, who is associated with Schulberg, stated yesterday as he left for Hollywood by plane.

The company has three to deliver to Columbia before the current deal (Continued on page 8)
Hollywood, March 4.—The old Cantor guy having to do with the father and husband who got home so inre- tring one of his own children. He has still a little more explaining, "Mama, that strange man is here again!" has an actual counterpart in Sam Briskin, now seven weeks on the job as head man of the Radio studio. Not that it is any of the trade’s business, but it might be interesting, if it weren’t impolite, to ascertain exactly how much of his family Briskin has seen since his deal with Leo Spitz.

While it may be tough on wife and babies, not to overlook him, the Briskin activity is developing into a landslide for Radio. For sales department purposes, the company may send up its new schedule to about fifty-two pictures; this season it involves arrangements for thirty-two. Whatever it can be done, what with facilities and the like available, and thinks the higher figure might make for a better-rounded program. His plans for A attractions call for twenty, as against eight or nine, conceived that way, but not necessarily that way, for this year. That, we are told on all sides, is more of a job than is indicated by surface markings.

Suitable material is difficult to sink hooks into and the competition continues extremely keen. Producers at any time night or day and whether in the Clover Club or the assorted Brown Derbies, will go into a complete shambles at the thought of the possibility of annexing unusual vehicles, not to overlook the price they are willing and eager to pay. Briskin’s job, as a consequence, is a substantial one and yet he is optimistic.

As definite as plans are in these parts, he has lined up Gunga Din, which will give Radio its quota of Kipling exactly as "Kim" will do ditto for M-G-M. Edward Arnold is set for "The Robber Baron," Jack Oakie for three starring vehicles; Astaire and Rogers for two nimble feet potpourri; "Doc," and, what is more, Colvin Reid, whether or not Donat can or wants to work in this country is shrunk in some doubt. There was litigation aimed at him by the Warners and the subsequent claim that he cannot produce in this country. There is also Goetz’s contention that the Warners are wrong. It’s all right with us either way.

At any rate, Briskin is aware of the task ahead of him. He understands one of the rocky roads over which he must bump his way is the road that finds personalities at the other end. Exactly where the road and the what of the problem are something else again, but that’s where Briskin’s capabilities as a studio operator make it into the picture. For he knows the setup here, the pitfalls and the difficulties. Off the Radio lot, and naturally on it, there is general recognition of the caliber of his merit and, while the results are misty in futures, it is a fair cross-section of general opinion to point out that the expectancy is Briskin will come through.

His induction at Radio, these three weeks, being that they are brought in its trail a number of changes. Ben Kahane and J. R. McDonough are now subordinate to Briskin. Kahane continues his old style of duties as contact with other studios which like him and as general overseer of contracts, but always under Briskin’s final say-so. McDonough, kicked up on an executive vice-presi- dency, is in an eclipse; is being used by Briskin for far less important tasks than until recently he filled, and, beyond control over, his contract which runs until the summer.

"Fauntleroy" Is Shown

WARM SPRINGS, Ga., March 4.—All the boy and girl patients at the Warm Springs Foundation who were able to be so turned out tonight to see "Little Lord Fauntleroy," with Dolores Costello Barrymore and Richard Barabidale as guests.

Picture Business Ends

Picture Business, published by Pete Woodward and edited by Martin Starr, has suspended publication with the last issued dated Feb. 29.

Legion Passes Nine Additional Pictures

In its list for the current week, the National Legion of Decency has added 19 pictures, seen this week, to its Legion of Decency list. Nine are called unobjectionable for general patronage, seven are classified as unobjectionable for adults, and three are termed objectionable in part.


Scbrier Contempt Case Up Wednesday

A hearing for Jacob Schreiber on contempt of court charge arising over cash giveaways, which was scheduled before Judge De Witt H. Merriam in Circuit Court last Saturday, will take place on Wednesday. Judge Merriam issued a permanent injunction restraining Schreiber from using cash prizes on Jan. 16. Since then, no one has bought a restriction to the order and pronounced it will not act on the other. The court has been on some Schreiber’s case pending before the Supreme Court.

In view of this and the fact that he claims the prizes as now given away are different from those banned by the injunction, Schreiber resums them about 10 days ago.

Judge Merriam is ruled for Schreiber to show cause why he should not be adjourned in contempt of court fol- lowed.

Suit Against Odum Dismissed by Cour

Observing that questions of law in volved in a $14,896,032 suit against Floyd Odum and other directors of the Securities Allied Corp., former of the nation’s largest trust companies for alleged waste and mismanagement had never been passed upon by N. Y. state courts, an action has been brought by James J. Donovan a named assignee of Francis M. Cram, who represented 2,000 shares of Securities Allied Corp. Odum is the president of the Associated, which has extensive investment of the two hundred. Donovan’s attorney said an appeal from Justice Lauer’s ruling would be taken immediately.

Cross Loses Libel Suit

ALBANY, March 4—Ben S. Cross, libel suit against Eddie Kantor has been dismissed by the Supreme Court. This upholds a decision by Jus- tice Cuff to the effect that the claim plaintiff did not furnish enough of a cause to constitute a cause for action. This ruling was upheld by the Appellate Division.
Vividly pictured against the spectacular background of the greatest wonder ever wrought by man is Warner Bros.' thrilling production, 'BOULDER DAM'. 'Loaded with action and suspense', and enlivened by Ross Alexander's 'moving portrayal', Patricia Ellis' 'admirable' performance, Lyle Talbot's 'excellent characterization', and Frank McDonald's 'notable direction', 'Boulder Dam' is another illustration of Warners' flair for timely, news-value themes. Released March 7th.
"ARE YOU LISTENING?"

Clark GABLE
Jean Harlow
Myrna Loy in
WIFE versus
SECRETARY
A CLARENCE BROWN PRODUCTION

May Robson, George Barbier, James Stewart, Hobart Cavanaugh
Directed by CLARENCE BROWN
Produced by Hunt Stromberg
A Metro-Goldwyn-Mayer Picture
HELLO M.P. DAILY! Get Hot! Tell the folks that Leaping Leo has done it again! "WIFE VERSUS SECRETARY" is a Coast-to-Coast sensation! Openings everywhere were ZOWIE! For instance Brand New All-Time Records at New Orleans, Miami, Tulsa, Oklahoma City, Bangor. Biggest business in three years at Memphis and Buffalo—and it's right next to record-holding "MUTINY" at Louisville and New York.'s CAPITOL is bulging as Second Week nears! Just a few spots to begin with. Keep watching! Pretty soft to get CLARK GABLE, JEAN HARLOW, MYRNA LOY in one picture. But that's an old M-G-M custom!
Clarence E. Mulford's "CALL OF THE PRAIRIE"

with

WILLIAM BOYD
JIMMY ELLISON
Muriel Evans · George Hayes
Directed by Howard Bretherton
A Harry Sherman Production
Coast Is All Set
On Awards Tonight

(Continued from page 1)

made in spite of open efforts of the screening division and a few directors to keep their members from attending.

Keen competition is anticipated in the awards division for actors and actresses. Six actresses and four actors have been nominated for those awards, instead of the usual three in each group. Balloting in all divisions has been unprecedented during the past few weeks. Nominees for the actors' awards are: Claire Gable, Ethel Lahr, Franktontone and Victor McLaglen; for the actresses awards, the nominees are: Miriam Hopkins and Merle Oberon.

The pictures have been nominated as outstanding, from which one will be selected as the best picture of the year. Columbia took the honor for 1934 with "It Happened One Night." For their work in that picture, Miss Colbert and Gable won the actress and actor award, respectively. Frank Capra took the award for best direction on the same picture.

Awards will be made in the following additional divisions: best original, best adaptation, short subjects, which are to be shown yesterday, comedy and novelty; director, assistant director, best songs, best music, film editing, film direction, and technical awards in the following: art direction, photography and sound recording. Film editing and dance direction are new awards this year.

Los Angeles, March 4—Representatives of the Screen Actors Guild and the Writers Guild refused to issue any official statement regarding responses to wires which they dispatched to members urging them to remain away from the Academy Awards banquet tomorrow night. It was learned however, that the guilds are not expected to be in attendance for the day following the banquet.

The Directors' Guild has thus far maintained a neutral attitude in the matter.

Tax Protest to Shut All Paris Theatres

(Continued from page 1)

from the Washington house of the bill, would make Bank Night legally.


Merlin G. Aylesworth arrived from the coast yesterday by plane and Rudges Nielson didn't miss the opportunity of having him pose for the photographers (RKO, by the way) with two enlarged editions of Mickey Mouse.

Ray Milland, Pursel Pratt, Mrs. Wallace Beery and Henry Duff, Twentieth Century-Fox associate producer, was in charge of stage production, arrive today on the Washington.

Harry F. Gehrke, manager of Soldier's Capitol, Port Chester, has organized a Shirley Temple club in Westchester.

Spyros Skouras, E. L. Alperson, William T. Powers and Irving Barry are due back from the coast Monday.


Ben Juklil, independent exchange man from Chicago, arrived in town last night and plans to spend three days here on product deals.

Ed McManus has been moved into the necessary department, Twentieth Century-Fox.

Joseph Bernhard and Robert W. Perkins yesterday returned from a visit to the Warner coast studios.

Neil F. Agnew has returned from a western trip which took him as far as the Paramount studios.

Rex Harrison, who appears in "Sweet Ayes," has been options by Warners.

Lillian Roth opens tonight at the house of Morgan.

Hal Hore of Columbia will leave yesterday by automobile for Florida.

Edward Schnitzer returned from Washington yesterday.

Chicago

Clyde Eckhart last week left Miami for either Florida or Hot Springs for month's vacation. Missais, Missais, a beauty from Hollywood, conducting the campaign for the opening of "The Trail of the Lonesome Pine."

John Joseph is back from New York where he conferred with RKO executives regarding the opening of "Miss Holie Wood" of KFOR, to put on an eight-week amateur contest Monday night at the Orpheum.

T. B. Noble, Jr., general manager of the Capitol, came to town a week or two ago and showed a full picture.

Los Angeles

Howard Coleman of the Roxy, New York, is paying Hollywood and film row a visit.

Mark Flato, head of the Majestic Orchards in Omaha, Kansas City and Des Moines, is here with his entourage of four photographers.

Al Luft, who runs the Screenland Cafe in Kansas City, is here sampling the schnick of local Film Reelists.

Rita Stewart, formerly a booker for several Hollywood theatres, will go on the road next week to sell film.

Sam Berkowitz, of Far West exchange, her new boss, claims that she is the industry's first saleswoman. Miss Stewart will also act as assistant to Carl Bryant of Far West.

New Haven

Harry F. Shaw and Miss Shaw celebrated their 12th anniversary with three days of shopping.

Barky Hoffman is on a 17-day South American Caribbean cruise aboard the Lafayette.

Erle Wight and Mrs. Wight took the Patrices on a 12-day trip with stops at Port au Prince and Kingston.

Pittsburgh

Jack Hoolley, manager of the Harris Theatre, and the Mrs. have adopted a baby.

Johnny Morris has been sent to Vancouver, O., by the Harries to relieve the aging Billy Murray.

Robert Weeden, the Penny's singing ma, for the last seven years, has left to become a New York salesman.

Max Silverman, brother-in-law of Joe Miller, has been made Fosher-Schneidt's assistant at the Harris.

George Tyson has signed Henrietta Newman, Missis, the annual Pittsburgh Auto Show.

Joe Bernhard's son, Jack, is working in Warners' booking department.

San Francisco

Edwy Skolak is back at his old job as the Capitol, Missais, manager for Popkin & Ringer, who opened the house March 7.

William Rameau, orchestra director, will also be at the Capitol.

Grover Parsons is back at his desk at M-G-M after several weeks on sick leave.
It was love at first FIGHT!... So they married in HATE and lived SCRAPPILY ever after!

Carole LOMBARD

in LOVE BEFORE BREAKFAST

Universal crashed through with “Magnificent Obsession,” one of the biggest grossers in all box office history!

Universal smashed over a successor with Margaret Sullavan in “Next Time We Love”!

Universal whams over “the picture with the unforgettable punch”! . . . Universal looks after your box office, so keep both your eyes on Universal!

Watch for Universal’s “SUTTER'S GOLD”!
Watch for Universal’s “SHOW BOAT”!
WATCH UNIVERSAL!
Looking 'Em Over

"Timber War" (Ambassador)

A feature, suitable for children, this effort will amply fill in on
a dual program.

Kermit Maynard is the moving spirit of the story. He becomes in-
volved in the workings of a lumber mill through his friendship with
a drunken Lawrence Gray, who is a partner with Lucille Lund, in the
control of the plant. Maynard soberes up Gray and takes him to the
woods only to have him hit the bottle again. Mistaken for Gray, he
starts off the action on his arrival with a fist fight with one of the
bad men. This sets him right with the rest of the workers and he
proceeds to run the place. He meets a hazard in the villainy of Wheeler
him, and finally, after finding him at the gangster's hideout, he
imprisons his imposture and for the moment sends him away, only to set right
by Robert Warwick, an old friend. Gray, failing to get off the train
in his drunken stupor, winds up a few stations beyond and, drunk again,
signs trick papers put in front of him by Oakman, which work havoc on
the agreement under a heavy bribe, following the offing of a pulpwood
on time over a burning railroad trestle, beating up the heavy and
settling accounts with Oakman. Gray, sobered up, returns in time and
warns Oakman that if he doesn't leave town he will have him sent to
the penitentiary. Maynard and Miss Lund embrace and it is over.

The sequences in the picture are some thrilling shots of falling tim-
ber, woodcutting and scenes of general lumberjacking activity which
lead realism to the story by James Oliver Curwood.

Sam Newfield directed and Jack Greenhalgh handled the camera.
Production Code Seal No. 1,750. Running time, 38 minutes. "G."

"Melo" (Arthur Richon)

A heavily dramatic story of the love of a married woman for an-other
man and her eventual suicide when she cannot decide her course
of action, this picture is a well done foreign importation, but may be
considered too weighty for the average audience. In German, it has a
sufficient number of superimposed translations of dialogue to make un-
derstanding of the story simple.

Starred is Elisabeth Bergner, who is excellent in a difficult role, sup-
ported chiefly by Anton Edithofor as her husband, and Rudolfo Forster
as the other man. Dr. Paul Czinner directed from the play by Henri
Bernstein.

Miss Bergner, wife of a violinist in an orchestra, meets and falls
in love with her husband's best friend, a concert artist. At first he
rebukes her, then falls in love with her himself. She is about to follow
him on a concert tour when her husband is taken gravely ill. Plying
him, she remains, but suffers a nervous breakdown, the result of her
decision. When her lover returns to take her with him, she cannot
decide, and rather than hurt her husband, who is unaware of the affair,
she commits suicide.

Reviewed without production code seal. Running time, 85 min-
utes. "A."

Approve Music Hall Deal

Federal Judge William Boudy yesterday
approved the participation of RKO for an additional two
months in an agreement with the Rocke-
feller Center, RCA and RKO share
in the operating profits of the Music
Hall. The agreement, which provides
for the payment of rent on the Hall to Rockefeller Center and minor fees
for advisory services to RCA and RKO, was extended from Feb. 29 to
April 30.

Arthur Lord Is Dead

Boston, March 4—Arthur Lord,
61-year-old head butcher at William Kuss.
Before his retirement he was a partner in the organization of Olym-
plan Television Chain

Berlin, March 4.—A television net-
work connecting Germany's largest
cities is being considered by the Gov-
ernment, a source said last night, which
made no comment on the possibility of
the experiments here and Leipzig. It was disclosed here today. The
Leip-
zig-Berlin stations are to be made per-
nament April 1.

Sullavan for Dietrich

Hollywood, March 4—It is under-
stood Paramount will start produc-
tion again on "I Loved a Soldier,"
the Margaret Sullavan lead role in place of Marlene Dietrich, who
left the production recently following a disagreement over story treat-
ment.

Son to Richard Rubin

Boston, March 4—Richard Rubin,
New England director of Allied and
per-manent, now a Para-
mount associate.

Joe Erber Not to Quit

St. Louis, March 4—Joe Erber,
vice president of the Erber连锁
decided not to dissolve their agency.

Mary Pickford Here To Open New Office

Pickford-Lasky Prod. will open a
New York office within the next 30
days, Mary Pickford stated yesterday
upon her arrival from the coast by
plane. Miss Pickford has several people in mind and will appoint an
eastern representative before she re-
turns to Hollywood by plane in two
weeks.

As acting president of United Art-
ists, Miss Pickford will attend a meet-
ing of the board on Friday. Ronnie
and the acting president declared.

Commenting on the appointment of
George J. Schafer as vice-president
of the studio, Miss Pickford said, said
"he is a very fine man and he is
ideally situated.

Schafer is the third sales head
United Artists has had in 17 years," she said. Asked if the company
would add new producers to its roster,
the acting president declared, "We
would love to have more pictures than we are
and there is no reason for more
producers.

Regrets that the company was to be
was Walt Disney were voiced by Miss
Pickford, who said that the studio could not replace the shorts on the
program as "there is only one Dis-
ney. He is the greatest producer the movie industry has yet
owned. Accompanying her were Lynn
and Mrs. Parnol, Miriam Hawkins, Nat
Wolf and Wally. The latter two are working with Miss Pickford
in her radio broadcasts.

Warner Takes Stand In Cagney's Action

Los Angeles, March 4—Jack War-
ner, testifying before the war courts
before Judge Charles I. Bogus in Superior Court during the trial of the suit by James
Cagney to have his contract voided, claimed that he had not mentioned to Cagney an annual limit of four pic-
tures a year. The acting president denied that they would be a virtual impossibility
in the 40-week period covered by the
contract.

Fredric March, Lester Cowan and
Oliver H. P. Garrett took the stand and
stated that Warner at the Acade-
my arbitration in 1932 had agreed to arbitrate
the differences then existing between the star and Warner, that his organization, had declared that
he did not think that his distribution
staff could sell more than four Cagney
pictures a year. The present contract
was drawn after both sides had agreed to let Academy arbitrate their differ-
ences.

William Cagney, brother and busi-
ness manager of the plaintiff, told of
his star's refusal to accept a new con-
tract which, he claimed, was offered
in September, 1935.

The case will close tomorrow with
James Cagney taking the stand.

Pickets at the Globe

Picketing by members of the Film
Exchange Employees' Union has start-
ed at the Globe Theatre, on the cor-
ner of Colorado and 10th streets, be-
ing "The Return of Jimmy Valentine," a Republic picture. About a
dozen members of the union refused to
work. Last night, when Herman Gluck-
elt, who had the duty of arbitrating and recognize and deal
with the executives on a term con-
tract. Two men also continued to parade
in front of the "Film Center" where the exchange is located.
Mills Assails
Berne Treaty
On Copyrights

(Continued from page 1)

impossible to get money out of Hungary except at a discount of 40 per cent. No difficulties are encountered in coming to a French firm so far as copyright alone is concerned.

Mills attacked the Duffy Bill, declaring that its organizers sought to have it confined to authorizing adh- erence to the convention and complaining that "in every bill introduced to improve the situation of the creator, there are tacked on suggestions by various interests to reform the law so that parties in interest would be beneficially affected." Discussing the plight of the writers, Mills asserted that a Chairman Boileau's scheme de- 200 outstanding successes a year, out of more than 20,000 songs copyrighted annually. From this he embarked upon a discussion of the returns from the two greatest users.

On the basis of Federal tax returns, he found that Ascap, which had paid not less than $1,560,000,000 in admissions, but only one cent out of every $47 of that total went to writers in royalties. He faulted the users for not making a profit. He decried, and were it not for the necessity of using music, they would not do so, and contended it could make more money.

Makes Comparison with Radio

Without music, the broadcasting station would be inarticulate, he continued. Incomes of $88,000,000 made by the broadcasters out of the sale of time, owners of receiving sets paid $150,000,000 to electric companies for-fuel alone. Mills was convinced of the necessity of using music, he declared, and attributed it to the fact that "the broadcasting stations would be impossible of existence were it not for the international convention impossible and as- tered that his organization would stand and continue to exist.

The bill also "pretends" to give divisibility of copyright, when it does not in fact do so, he contended.

Mills defended the $250 infringement provision as the very life of Ascap, asserting that without it the organization could not exist.

Apparent snubbing under the criti- cism which has been heaped upon him, Chairman Boileau swiftly had de- livered a one-hour explanation of copy- right, the copyright situation and the Berne convention on the floor of the House.

Arguing strongly against adherence to the convention, Sirowich outlined the points 10 years hence to exist in many of the European countries, going into detail with respect to American interests.

"America's dominance of the world film market has contributed largely to our present handicap in contem- porary taxes, excessive tariffs, unrea- sonable censorship demands and spe- cial laws, which, while in form applying to American films, in effect have been enacted to curtail the United States as far as possible in this field," he as- simed.

Quoting liberally from Motion Pic- ture Daily and other papers, he traced the efforts of the producers to make this situation as bad as it is. Among these was the wholesale purchase of foreign films at a low cost, which was fitted by requirements for quality and parity. Under the pur-pose policy of the distributors, the number of foreign films imported increased from 113 in 1933 to 190 last year, riddles of which were German, 29; Spanish and 33 British.

"It is the duty of Congress to safe- guard our free system from the exactions of suppression and censorship," he as- serted. "Congress can protect our citi- zens by appropriate retaliatory amendments to our copyright law. Once we adhere to the Berne conven- tion we have no other course.

Methods of Ascap were assailed by Representatives Boileau of Wisconsin and Rooker of Tennessee, who sharply criticized the methods used by the organization in applying the $250 provision.

Mills also disclaimed the committee from further consideration of copyright legislation, Zirconio dis- missing the influence of the request of radio station KOL of Seattle, but "of more signatures are not put on there this circus is going to continue until there is reached a point where legislation will be enacted. It is somewhat of a pressure program," he said, "and the distinguished and learned gentleman from New York is somewhat irritated now because he seems to think it is in the nature of pin pricks that prod him.

"There is no question, but what the Ascan has been a hi-jacking proposi- tion," he asserted.

U. A. Expects
Disney Films
To July, '37

(Continued from page 1)

agreement Disney is to deliver 13 Mickey Mouses, 13 Silly Symphony, and one feature annually for three years. Although Disney has no plans at this time for filling the gap in its short subject releases, it is believed that the expectation that the latter's com- mitments will not be concluded for some time yet, as stated by Schaefer. It was pointed out that the Disney's color cartoons RKO will drop the 13 Rainbow Parade color cartoons which it has been distributing for Van Beren, but will continue to distribute all or part of the remaining 33 short subject cartoons from Van Beren, as the latter finally, has been determined. Several reports of Van Beren finan-
cing.

Disney Has Year to Go

Hollywood, March 4—While Walt Di- sney has a full year's product commit- ment to complete for United Artists, it is expected that the producers' out- fices here today. There are 10 Silly Symphonies and 10 Mickey Mouses still undelivered. Disney's contract with Radio, there- fore, does not start until the first of 1937.

Cohen Plans Films
For Railway Trains

CHICAGO, March 4—Sidney Cohen, who recently returned from New York, is understood to have closed a deal with the Pullman Car Company for the showing of pictures on railway trains.

A demonstration of the idea was conducted here today on a car of the Illinois Central. Several prominent persons attended as guests.

Sentry Net Is $3,622

Sentry Safety Control Corp. has reported net profit for 1935 after ex- penes, depreciation and other charges of $4,097, and its subsidiary, Univer- sal Sound System, Inc., reported a net loss of $475, making a combined net profit of $3,622. This compares with net profit of $9,152 for Sente- ral and net loss of $2,442 for Universal, making a combined net profit of $2,683 for that year.

Radio Signs Joe Penner

Hollywood, March 4—Radio has signed Joe Penner to a long term contract. Penner, who recently made two pictures, both for Para- mount: "Collegeboy" and "College Banyan," for his first Radio assignment has not yet been seen.
Okay with corrections

NAKED TRUTH DINNER

There's the date and here's the idea

**FUN** that's all!

- Our laboratory experts have eliminated 98.2% of the boredoms usually found at parties. We promise you **no** public speaking and **just enough** entertainment. Dinner at eight, drinking at will, dancing until unconscious.

- There's only one way you can fail to have a wonderful time at the **AMPA** party at the **ASTOR**, and that is to be too slow about sending your seven-five per person to Paul Benjamin, 630 Ninth Ave.

- Choice locations to first comers. Tables for ten.

Advertisement by RKO-Radio, Ad Agencies' Service Co., Inc., and City Engraving Company
“Fleet” and “Marie” Twin Cities’ High

MINNEAPOLIS, March 4.—In spite of a break in the weather the grosses failed to respond in either of the Twin City houses. “Fleet” and “Marie,” which opened last week, showed up well at the St. Paul Paramount, was the strongest draw across the river. “Fleet” took in $8,000 at the Minnesota, but this was $2,000 under normal. “Magnificent Obsession” hit $2,800, over the line by $500, at the St. Paul. Total first run business in Minneapolis was $24,000. Average is $25,500. The Minnesota’s take was $12,000 and Paul was $17,500. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending Feb. 26:

“MAGNIFICENT OBSESSION” (Univ.)
WORLD — (4,000), 25c-2e, 7 days. Gross — $6,500. (Average, $928.57.)

Week Ending Feb. 27:

“FRESHMAN LOVE” (W.B.)
LYONS — (2,200), 25c-7, 7 days. Gross — $1,500. (Average, $214.29.)

Week Ending Feb. 28:

“THE MILKY WAY” (Paramount)
MINNESOTA — (4,000), 25c-2e, 7 days. Gross — $6,500. (Average, $928.57.)

“FOLLOW THE FLEET” (Radio) ORPHEUM — (2,000), 25c-2e, 7 days. Gross — $1,500. (Average, $214.29.)

“BEHIND THE SCENES” (G-M) STATE — (3,800), 25c-7, 7 days. Gross — $5,500. (Average, $785.71.)

Jailed for House Fire

PARKERSBURG, W. Va., March 4.—Franklin Harris, former operator at the Palace, has been arrested on charges of arson in connection with the burning of the theatre about two weeks ago. Fire Marshal F. H. Watkinson said Harris confessed setting fire to the theatre to “get even” with the manager for dismissing him.

Dicker for Greene Houses

Alexander & Horowitz, operators of the Highland, Highland, N. Y., are negotiating with Fred J. Greene, Jr., for the latter’s Hudson, Cold Springs, and Colonial, N. Y., houses. A deal is expected to be closed momentarily.

Hearing for Engineers

ALBANY, March 4.—The Assembly Committee on Labor and Industries will conduct a public hearing here March 11 on the Crews bill providing for one day of rest for engineers in film theatres.

“Fleet” and “Marie” Twin Cities’ High

PITTSBURGH, March 4.—Despite unfavorable newspaper publicity, with both the Hearst and Block papers reporting the effort to militarily introduce “Kudzu An¬ nie” gave the Penn its best week in some time at $4,500.

The Stanley, “The Milky Way” and Dudley Rogers and his were good for an excellent $23,500. The only other house to show a profit was the Warner, where “Sylvia Scarlett” and “Her Master’s Voice” turned in $5,500.

The other Alvin, “The Music Goes Round” was plugged heavily, but couldn’t make the grade, collecting only $2,400, while the Casino, with “Mimi” and “Cocktails of 1936” on the stage, slipped to a poor $5,500 after a couple of excellent weeks.

Total first run grosses were $55,500. Average was $5,150.

Estimated takings for the week ending Feb. 27:

“THE MUSIC GOES ROUND” (Col.)
ALVIN — (2,000), 25c-4e, 7 days. Gross — $5,500. (Average, $785.71.)

“MIMI” (First Div.)
CASINO — (2,200), 25c-2e, 7 days. Stage: “Cocktails of 1936” with Ada Leonardi, Hal Shumway, Ralph Cook, Madeleine Carroll and others. Gross — $5,500. (Average, $785.71.)

“HEDDA GABLER’S TROUSSEAU” (First-Run) FULTON — (4,000), 25c-2e, 7 days. Gross — $9,500. (Average, $1,357.14.)

“DAIMON” (First-Run) MUNICH — (2,200), 25c-7, 7 days. Gross — $7,000. (Average, $1,000.)

“HEROES” (First-Run) STERN — (2,000), 25c-7, 7 days. Gross — $4,500. (Average, $642.86.)

“THE MILKY WAY” (Paramount)
STANLEY — (3,600), 25c-7, 7 days. Stage: Buddy Rogers and his band, Jeanie Lang, Roberts, Miriam Verne, Cookie Bowers. Gross — $2,000. (Average, $285.71.)

“SYLVIA SCARLETT” (Radio)
HER MASTER’S VOICE (Para.)
STANLEY — (3,600), 25c-7, 7 days. Gross — $5,500. (Average, $785.71.)

Roulien Is Producing

WASHINGTON, March 4.—Roulien Productions has completed and directing a feature at Rio de Janeiro, according to a report from the British Film Commission. Commissioner J. Winser Inves there. Spanish and Portuguese versions are being made. Later Roulien will make another, starring his wife, Madame Montenegro, and featuring Hollywood players. The original will have English dialogue.

WPA Play in Hartford

HARTFORD, March 4.—WPA drama has started here with a production of “Barbara Frietchie” by a cast of 50, at the 4,000-seat State. Plans are to sell about 1,400 seats at every performance. The sale of more than that might leave some patrons too far from the stage to see perfectly, it was said.

Hanson to Take House

TORONTO, March 4.—George J. Tus¬ sin, member of the Canadian Parlia¬ ment, has transferred ownership of the Victoria at Napane, Ont., has closed a deal whereby Hanson Theatres, Ltd., will take over the boro, adding them to the Ontario circuit operated by R. O. Hanson.

“Ghosts” Gets $14,800 Take In Washington

WASHINGTON, March 4.—“The Ghosts” is now grossing the RKO Keith gross to $14,800, over the average by $1,400. The run was extended from 6 weeks to 8 weeks, and par to $22,500 with “Millions in the Air,” it is generally conceded that Wayne King and his orchestra on the stage was the greatest attraction.

Rose Marie,” playing a second week at Loew’s Palace, topped the first week’s gross by $1,750. At Loew’s Columbia a return engagement of “Strike Me! I’m Sick” with $1,200 over the first week average. “King of the Damsel,” the first G. G. playing at Warners has a new agreement, gross $5,000 at the Metropolitan, $1,500 over.

On its first anniversary program, “Loyalties” at the Belasco Theatre, playing but five days, slipped to $1,900, while the full week’s average is $3,000. “The Milky Way” and a stage show at Loew’s Fox did but $18,000, dropping $2,900 under par. Total first run business was $83,500.

Estimated takings, exclusive of tax:

Five Days Ending Feb. 26:

BELASCO — (1,170), 25c-7, 5 days. Gross — $9,420. (Average, $1,884.)

Seven Days Ending Feb. 27:

“MILLIONS IN THE AIR” (Para.) LOEWS COLUMBIA — (1,360), 25c-7, 7 days (return engagement). Gross — $2,450. (Average, $343.)

“THE MILKY WAY” (Para.) LOEWS PALACE — (2,270), 25c-7, 7 days. Stage: Eddie G惹, Carl Shaw, Ted Adair and Ray Bolger. Gross — $13,000. (Average, $1,857.)

“SOUTHERN MANIFOLD” (G-M) KINGS THEATRE — (2,500), 25c-7, 7 days. Gross — $16,000. (Average, $2,285.)

“THE GHOSTS” (RKO) RKO-KEITH’S (1,856), 25c-7, 7 days. Gross — $14,800. (Average, $2,114.)

Complete Arabic Film

WASHINGTON, March 4.—The first Arab production, “Hedad,” has been completed by the Societe Miskar. It will be shown at the Cinema et le Theatre, a subsidiary of Banque Misri, semi-governmental in¬ stitution, and also to the Department of Commerce from Leys A. France, commercial attacks in the film internationally.

Erwin Bock Transferred

CINCINNATI, March 4.—Erwin Bock, manager of the RKO Grand, has been transferred to the RKO Capitol. He succeeds Clarence Valentine. James E. Rambo, who succeeded Keith’s, has been placed in charge of the Grand.

Warners Name Joyce

BALTIMORE, March 4.—Tyre Joyce has succeeded George Browning as publicity man for Warners’ Stalke House. Browning has resigned to do radio work.
Fox's Appeal Denied; Court Orders Arrest

Fine of $235,032 and Fee Of $10,000 Involved

The U. S. Circuit Court of Appeals yesterday dismissed an appeal by William Fox from an order of Federal Judge William Bondy fining Fox $235,032, and $10,000 attorney's fees, for contempt of court.

The order also directed the Fox be taken into custody by a U. S. marshal and held until the fine was paid.

Yesterday's dismissal of Fox's appeal makes the former film executive subject to this arrest order whenever he enters New York. Fox is now reported to be in Atlanta.

Fox was held to be in contempt of court when he failed to answer a subpoena obtained by the Capital Co., owner of the Fox, San Francisco, which sought to question Fox on his alleged inability to satisfy a $235,000 judgment was against him. The judgment represented Fox's lia-

(Continued on page 6)

S. R. Burns, Int'l. Projector Passes

Samuel R. Burns, president of the International Projector Corp., and vice-president of General Theatre Equipment Co., died yesterday after a long illness at the Post Graduate Hospital. He was 54 years old.

Born in 1882, Burns served with the 107th Regiment on the Mexican Border and started his business career as an accountant with the old Nicholas Powers Co., the predecessor of the present projection company, after becoming executive vice-president of the Richardson Manufacturing Co. and Enos, Richardson & Co. With the formation of International in 1925 he became its executive vice-presi-

(Continued on page 6)

Steamfitter Leads To Lyon Jau; Fined

Detroit, March 5.—Actor Ben Lyon and steamfitter Thomas James starred in a near riot at the Fox last night. Today they played to capacity in Judge John J. Maher's Court.

Steamfitter James, acting as the Lyons-Daniels act last night and said so in a boisterous manner. Lyons went to the stage and took a smack on the law. James was fined $15 for assault and battery today.

He wore a black eye and split lip

(Continued on page 6)

“Mutiny,” McLaglen and Bette Davis Win Awards

By RED KANN

Los Angeles, March 5.—In the colorful and crowded Biltmore Bowl of the Biltmore Hotel here tonight were crowned the winners of the eighth annual Academy Awards for 1935, led by M-G-M's Irving Thalberg production, "Mutiny on the Bounty," Victor McIaglen for his work in Radio's "The Informer," and Bette Davis for her performance in Warners' "Dangerous."

John Ford took the direction honors for "The Informer." Ben Hecht and Charles MacArthur topped the list on the best original with "The Scoundrel." Dudley Nichols won the film adaptation award for "The Informer."

In the short subject division, Walt Disney's "Three Orphan Kittens" took cartoon honors. "How to Sleep," M-G-M-Pete Smith subject, won the comedy award, and G.B.'s "Wings Over Mt. Everest" was named best in the novelty section.

The best song was adjudged "Lullaby of Broadway," from Warners' "Gold Diggers of 1935." The music was written by Harry Warren.

(Continued on page 8)

Kuykendall Hits "Small Minority"

MIAMI, March 5.—Striking out at a disgruntled small minority of exhibitors whom he blames for attempts to pass destructive legislation, Ed Kuykendall, president of the M.P.T.O.A., declared today they must be removed from the industry. At the opening of the M-G-M Hotel the two-day annual meeting of the board of the M.P.T.O.A.

"Practically all of the irritating legislation we must fight comes from this very small group of operators, most of whom are unscrupulous and without ethics," said Kuykendall. He was speaking particularly of the block

(Continued on page 12)

Tax Exemption Level May Be Decreased

WASHINGTON, March 5.—A lowering of the present 40-cent exemption from the theatre admission tax was suggested today to the tax subcommittee of the House Ways and Means Committee as part of a program of excise taxes and increased income levies designed as a substitute for the tax on undistributed profits provided by President Roosevelt.

No new figure was submitted, but it

(Continued on page 6)

 fundraiser for Emanuel Cohen on April 1.

Para. to Make New Films in Three Groups

AA, A and B Product Is 1936-37 Plan

Paramount will classify its 60 to 65 features for the new season as AA, A and B pictures, with production budgets for each class then graded accordingly, it was learned yesterday.

The AA pictures will be specials and will have the advantage of budgeting adapted to their indicated production values, rather than being held within definitely fixed budget limitations. The A pictures will be in an advanced budget classification, probably running as high as $1,000,000 or more. The B schedule, which may consist of 26 features, is expected to include everything up to approximately $300,000.

With William LeBaron in charge of production, the company, in addition, will have at least 12 associate producers. Winfield Sheehan, who will have charge of 10 pictures, four of which he will produce himself, will make both A and B product. Present plans are that the turn will be A pictures, the six which he will supervise will be B pictures. Associate producers and the remaining A pictures will be Ernest Lubitsch, Frank Lloyd.

(Continued on page 8)

M-G-M to Clean Up This Season's List

In keeping with its plan to clean up current year commitments with the expiration of the 1935-36 season, M-G-M expects to release 30 features between Feb. 6 and Aug. 31, its sales force has been advised.

From July 1 of last year to Feb. 6 of this, the total ran to 27. Of this number, 20 were 36-37 releases and seven carryovers from '34-35. The final goal of 30 is designed to include 28 announced for '35-36 and two carryovers from last season.

Mae West Paramount Contract Is Ended

Hollywood, March 5.—Mae West's Paramount contract has terminated, and her last picture for this company will not be made. The studio voided the contract by failing to use the actress within the time limit specified.

Miss West is scheduled to start a picture for Emanuel Cohen on April 1.
**Insiders’ Outlook**

By RED KANN

Hollywood, March 5.

JOE SCHENCK sits back in his comfortable office on the Twentieth Century-Fox lot in Westwood Hills satisfied with the progress made by the merged companies since their marriage and confident that the strike so early established merely points the way toward things to come. Hollywood, where the thrills bounce one a minute, talks a great deal about the Zanuck-Schneck setup and how the production ingenuity of the former, who, after all, actually turns out the merchandise, has set the wheels humming on that lot.

Friend, counsellor and, of course, business associate, Schenck sits by Zanuck’s side, keeps all ten fingers in the pie, and, like the baker who watches his own, constantly sees to it that the dough is neither over nor under done. He told us Twentieth Century-Fox will maintain its long fixed total of features for 1936-37; that the plan is to make not less than seventy per cent of the output A attractions and the remainder B.

Here, as in other Hollywood directions, no mention was made of the B product and how it fits into the scheme of things. Executives may deplore the rising tide of double features, but they are not ignoring the call of the market. This explains obviously enough why all studios are irrevocably committed to both A and B and even lower divisions. Schenck, however, has another slant on the matter and it is one he does with the two divisions into which he breaks down the domestic theatre field.

“I don’t know whether or not you realize it,” he went on to say, “but there are untold numbers of situations in the United States where a B attraction actually is an A attraction. Why not feed that market?” Why not, indeed, as Schenck says in other words, did not express the opinion that American exhibition, after all these years, was naturally dividing itself in sharply defined major classifications insofar as types of pictures are concerned, it appeared to us his comment suggested a belief that he saw this as fact.

While story possibilities and talent extend how the enormous large arrive at their A and B markings, the approach from the exhibition point of view is one of dollars-and-cents. Make and dub a picture by any alphabetic designation you like. Yet if it goes places, automatically it becomes an A attraction even if Hollywood labels it a B. This, with some slight embroiler, we took to be Schenck’s observation and, of course, it is entirely accurate.

On the foreign situation which always has been of keen interest to Schenck himself, he measured the rate of the return over overseas markets, Schenck reflected high optimism. He sees nothing to be gained by production of cheap films in England merely as purposes of complying with the British quota law. Therefore, whatever Twentieth Century-Fox enters upon in London will be made on scale comparable with the A’s turned out in Hollywood. Detailing no detail, he said eight are in view at the moment and four of the total down for immediate production.

He expressed, further, his satisfaction in the studio status here as it bore on the improvement of the company’s gross in the United Kingdom. Before we played in England, principally as the second feature despite the fact that the company owns forty-four per cent of Gaumont British. This was true generally except in the case of the Shirley Temple. However, that has changed in the last six months so that today we are getting bookings as the main feature on British programs,” Schenck declared.

Color, which has this provincial town on its ear, with excitement over “The Trail of the Lonesome Pine,” shrivels local screenwriters as “triumphant” and other conservatives, Schenck is careful. “Color should be used only where the subject makes its use logical,” is his slant. “We are considering ‘Rama, for instance, as a case in point.” That noiseless mental cheering which Schenck could not make himself hear came from us, for here was one top-flight executive, at least, who had not lost himself in Technicolor’s rainbow.

The consolidation of Twentieth Century with Fox will lose all of its external manifestations with the close of this season. Zanuck was committed to make a film from a picture Twentieth Centuries, merger or no merger. That task is practically finished. While it does not mean at all that he will not personally keep tabs on particular pictures to come, it...
Dated up—more than any other young ladies in history!

MORE THAN 320 DATES ON MARCH 6th

An all-time industry record for day-and-date engagements!


And you can bet exhibitors plan to QUINTUPLY THEIR PLAYING TIME!
A NEW kind of STAR brings a NEW kind of FUN!

The blustering skipper of "Steamboat Round the Bend"... now gives the crowds who laughed him into stardom a full portion of his joviality... in a human, humorous story of big business that means grand business for you!

Irwin S. Cobb IN EVERYBODY

with ROCHELLE

JOHNNY DOWNES
ALAN DINEHART
DONALD MEEK

Associate Producer Bogart Rogers
Screen play Patterson McNutt
and A. E. Thomas

A FOX PICTURE
'S OLD MAN

HUDSON

NORMAN FOSTER
SARA HADEN
WARREN HYMER

Directed by James Flood
Suggested by the story by Edgar Franklin

DARRYL F. ZANUCK
in Charge of Production

THE KEYSTONE
OF YOUR FUTURE
Fox Appeal Denied, His Arrest Ordered

(Continued from page 1)

ability under a defaulted lease on the west coast theatre which was said to have been personally guaranteed by him. Judge Bondy's order, sustained by the higher court yesterday, directed that Fox be held in custody until he had satisfied the judgment through payment of the fine or until he has paid $10,000 in fees to Samuel Stewart, Capital's attorney, and sub-

Just a Holdup!

Beverly Hills, March 5.—Lynn Farnol was busy on de-

tail in connection with a February 28th Pickford broadcast Tuesday

night in the lobby of the Beverly Hills Hotel. He fin-

ished, looked up and saw what he figured to be a hotel clerk, then said:

"Please put this in Box 318."

No results persuaded Farnol that the chap was a trifle

on the stupid side. "In 318," he repeated, this time some-

what louder. "I really must have a word with you, first of all, he exclaimed. He was then honored by the name of Farnol, "Oh, no," answered. "This is a holdup."

"By this time he had succeeded in throwing his wallet under a convenient chair.

The marauders never saw it.

Campbell to Exploit British Music Here

Hollywood, March 5.—James Campbell has arrived from England in company with Jeffrey Bernard, chief librarian for G. B.

Campbell is here to exploit the music of the newest Jessie Matthews film. "It's Love Again." He will spend from 10 to 12 weeks making appearances with hands and on the air.

In the past, Campbell has placed American rights for music published by the Campbell-Comolly Music Co. in London, with various firms on this side, but he will decide on this trip about establishing an American branch in New York.

S. R. Burns, Int'l. Projector, Passes

(Continued from page 1)

dent and later, in 1932, president. He was a member of the F. & A. M., Temple 110, Jersey City. His

His widow, Mrs. Carrie Burns, survives. Funeral services will be held to-

morning at 10 o'clock at the Presbyterian Church in Emory St., Jersey City.

Shea Joins Paramount

Hollywood, March 5.—Joe Shea will join Paramount as assistant to Gabe Yorke next Monday, with Pat Patterson and Mel Riddle also additions to the staff. All three were in Yorke's department at Fox.

Ban Liquor in Houses

Maiami Beach, March 5.—The City Council here yesterday passed an ordi-

nance prohibiting the sale of liquor in film houses. Attendance of chil-

dren was cited by proponents of the measure.

Mass. Passes “Annie”

Bomboz, March 5.—Despite criticisms in other parts of the country, "Klondike Annie" has been approved without deletion by the Massachusetts Department of Public Safety.

Miss Berger Gainin

London, March 5.—Elizabeth Berg-

ner, who underwent an operation for appendicitis here Tuesday, is making satisfactory progress, it was stated to-

day by her physicians.

Wall Street

Gains Dominate Board

High Low Close Change

Columbia... 39 38 +1

Consolidated, pfd... 183 182 182 1/16

Eastman Kodak... 166 165 1/4 1/4

M-G-M... 164 163 1/16

Loew's... 49 49 1/2 49 1/2

Loew's, Inc... 105 105 1/4

Paramount... 108 108 1/4

Paramount 1... 77 77 1/4

Paramount 2, pfd... 77 77 1/4

Pathé Film... 81 81

RKO... 67 67

RKO 5th Century Fox... 31 31 1/16

Universal... 80 80

Warner Bros... 13 13 1/16

Technicolor Best Carb Gain

High Low Close Change

Sentry Safety... 176 176 1/16

Sensophone... 3 250 250 +10

Theodolite... 3 250 250 10

Trans-Lux... 33 30 30 1/16

General Theatre Bonds Up

High Low Close Change

General Theatre... 274 274 274 1/16

General Theatre... 274 274 274 1/16

General Theatre... 274 274 274 1/16

Keith, B. F... 96 96 1/16

Loew's 64 64 1/4

Loew's, Inc... 204 204 204 1/16

Paramount... 91 91 1/2

RKO 64 64 1/2

RKO... 75 75 75 1/16

Warner Bros... 95 95 1/2

Source: "MOTION PICTURE DAILY," Friday, March 6, 1936.
Credit Warners for giving you Star as well as Story Variety, with such added starters this season as Fredric March, Errol Flynn, Claude Rains, Jack Oakie, Charlie Ruggles, Olivia De Havilland, James Melton, June Travis, Jane Froman, Edmund Gwenn, and now

BORIS KARLOFF
The Master of Horror Achieves His Masterpiece in
The Walking Dead

With Ricardo Cortez • Edmund Gwenn • Marguerite Churchill • Warren Hull • Barton MacLane • Henry O'Neil • Joseph King • Directed by Michael Curtiz

AN "A"-HOUSE SUCCESS AT N. Y. STRAND
Para. to Make New Films in Three Groups

(Continued from page 1)

Arthur Hornblow, Lew Gensler, Al Lewis, Benjamin Glazer and Lloyd Sheldon. The production assignments for A.A. Pictures will go to members of this group.

Associate producers on the B pictures will include Henry Henigson, Harold Harrod and A. M. Botoford. Cecil B. DeMille will make both A and B pictures, producing some himself and supervising others.

The pictures to be made here will be B product. These will come from Ben Hecht and Charles MacArthur, with an additional one or two from sources not yet set.

All of the company's pictures scheduled for release during the third quarter of the current season, from February to May, have been completed and are either ready for release or in the process of final editing, according to a studio report yesterday to John. O. Hurley, president.

In addition, nine productions tentatively scheduled for May release are now before the cameras, 16 scripts are nearing completion for June and July releases, which complete the current season schedule, and 31 scripts are now in work in production for the 1936-37 season, the report stated. Six of the latter scripts have been approved and will go into production in April.

"During the second quarter of the current season," the report stated, "the studio has established the unusual record of completing 11 pictures on schedule and within budget figures. All 11 productions were made at a substantial reduction in negative costs in comparison with previous pictures."

Paramount Board Meets

An adjourned meeting of the Paramount board was held yesterday to transact unfinished business carried over from the regular monthly meeting held Feb. 29, an official of the company said yesterday.

The Winfield Sheehan and Frank Lloyd producing contracts, reported to be included in the unfinished business, were not passed upon at the meeting, it was stated. It is understood that details of the Sheehan contract are still in work.

"Fleet" at $84,000

On Its Second Week

"Follow the Fleet" ended its second week at the Music Hall with approximately $84,000. The Roxy, with "Rhodes," wound up its first week with about $35,000.

Theatre men along Broadway claim that the elevator strike has affected business.

Two Houses Are Robbed

CHICAGO, March 5.—Within a space of 10 minutes a bandit armed with a pistol held up the Austin and the Savoy. The first time he got $90 and the second job netted him $35. He escaped. The houses are close together.

"Mutiny," McLaglen and Bette Davis Win Awards

(Continued from page 1)

and the lyrics by Al Dubin. The music scoring award went to Max Steiner, Radio musical director for "The Informer." Tops among assistant directors were Clem Beauchamp and Paul Wing for their work on Paramount's "J. Lives of a Bengal Lancer." The film editing ace was Ralph Dawson for "A Midsummer Night's Dream," and dance direction honors went to Dave Gould for M-G-M's "Broadway Melody," and "Folies Bergere," Twentieth Century-United Artists film.

The technical awards were in this fashion: sound recording—William Steinkamp, sound supervisor of "Naughty Marietta," M-G-M, on which Douglas Shearer was sound engineer; art direction—Richard Day of Goldwyn Prod., for "Dark Angel"; cinematography—Hal Mohr, on "A Midsummer Night's Dream."

Best production runner-up was "The Informer," with Warners' "Captain Blood" third. In the actor division, Paul Muni, on a write-in vote, took second place for Warners' "Black Fury," and Charles Laughton third for "Mutiny on the Bounty." Among the actresses, Katharine Hepburn was runner-up for Radio's "Alice Adams" and Elisabeth Bergner third for her work in B & D's "Escape Me Never." Behind Ford among the directors came Michael Curtis, via a write-in, for "Captain Blood" and Henry Hathaway for "Lives of a Bengal Lancer," third.

Four awards went to Radio, all for "The Informer," and four to Warners.

D. W. Griffith, in Hollywood for the first time in 10 years, and accompanied by his wife, presented the awards in the actor, actress and director divisions.

The winners follow:

Best Performance, Actress
Bette Davis for "Dangerous."

Best Performance, Actor
Victor McLaglen for "The Informer."

Best Production
"Mutiny on the Bounty" (M-G-M)

Best Direction
John Ford for "The Informer."

Best Original
Ben Hecht and Charles MacArthur for "The Seoundrel."

Best Adaptation
Dudley Nichols for "The Informer."

Short Subjects
"Three Orphan Kittens" (Walt Disney) (Cartoon)

"How to Sleep" (M-G-M) (Comedy)

"Wings Over Mt. Everest" (G. B.) (Novelty)

Assistant Director
Clem Beauchamp and Paul Wing for "Lives of a Bengal Lancer."

Music
(Best Song)
"Lullaby of Broadway" in "Gold Diggers"—Music by Harry Warren and lyrics by Al Dubin.

"The Informer" (Radio)

Film Editing
Ralph Dawson for "A Midsummer Night's Dream" (Warnings)

Dance Direction
Dave Gould for "Broadway Melody" (M-G-M) and "Folies Bergere" (20th Century-U.A.)

Technical Awards
(All Direction)
"Dark Angel" (Goldwyn-U. A.) (Cinematography)

"A Midsummer Night's Dream" (Warnings) (Sound Recording)

"Naughty Marietta" (M-G-M)

Cohan Ends Little On the Duffy Bill

WASHINGTON, March 5.—Opponents of the Duffy Copyright Bill today concluded their testimony before the House Patent Committee with the appearance of George M. Cohan, who declared he had "no particular hatred" for the bill and had come to Washington because he was reported being called a "racketeer."

Cohan and members of the committee engaged in reminiscences of old stage days and wandered so far afield that Representative O'Malley of Wisconsin expressed bewilderment about whether Cohan or the committee men were testifying.

E. C. Mills, general manager of ASCAP, completed his testimony on the bill which he had begun yesterday, with a plea for retention of the $250 registration fee, actually an attack on exhibitors, broadcasters and others who were trying to secure its elimination.

The committee will meet next Tuesday, when proponents of the legislation begin their presentation. Senator Edgar W. Patty, author of the bill passed last year by the Senate, is expected to be the first witness.

Waterbury Ban Hits All Cash Giveaways

WATERBURY, March 5.—A city-wide ban on cash giveaways will prevent five theatres and several organizations from awarding prizes accumulated under various systems in operation here. Affected are Warners' State and Strand, and Michael Sirica's Capitol, all operating Bank Night; Loew's Poli, which features Seerenee; Steve Panora's Garden, running Auction Nite, and several organizations which have popularized Bean and Bingo games.

The ban followed a conference between City Prosecutor Mitchell G. Myers, Police Superintendent Joseph H. McLean and theatre managers, during which it was declared that cash giveaways would be prosecuted. Premiums and other merchandise giveaways are not affected.

Para. May Not Pick Lazarus Successor

HOLLYWOOD, March 5.—There is a strong possibility that Jeff Lazarus, head of the story department, will not be replaced at Paramount after his resignation, effective April 1.

If such is the case, each producer will be made responsible for selection of his own story material. Irene Francis will continue as head of the reading department, according to rumor, and will send suitable material to the producers directly instead of routing it through the story department.

A T & T Probe Set Mar. 17

WASHINGTON, March 5.—The Federal Power Commission has begun a probe into A. T. & T. and authorized by Congress several months ago will start March 17.

Gershwin-Para. Dicker

George Gershwin, composer, is negotiating with Paramount on a deal which will take him to the coast.
HELD OVER · ROXY
It's a
"COVERED WAGON"
Plus—"CIMARRON"

"'A COVERED WAGON' . . . IN BOTH SWEEP OF SUBJECT
MATTER AND EXECUTION."
—HOLLYWOOD REPORTER

"SIMILAR TO OUR OWN 'CIMARRON' . . SWEEPING PICTURE
OF A COLORFUL ERA."
—NEW YORK EVENING JOURNAL

"DRAMA, FRAUGHT WITH THOUSAND THRILLS OF
ROMANCE AND ADVENTURE."
—NEW YORK AMERICAN

"MELODRAMATIC AND STIRRING . . . EXCITING ENOUGH
FOR ANY ONE."
—NEW YORK SUN

"SCORES ON ALL COUNTS . . . ENTERTAINMENT THAT IS
A PUSHOVER."
—FILM DAILY

WALTER HUSTON as
RHODES
DIAMOND MASTER • EMPIRE BUILDER • JUNGLE CONQUEROR

Physical Distribution · Fox Exchanges · Canada, Regal Films, Ltd.
No Big New Spots—Abroad—Schaefer

Not one outstanding theatre has been built in the last year in any of the countries for which he subleases sales for Paramount, Gus Schaefer, general manager in Germany and Central Europe, reported yesterday upon his arrival on the Washington for a three-to-four-week vacation.

He has been a passenger and the new theatres that have been constructed are the smaller type houses," he said, "Business is better than last year." Schaefer added, "Paramount is releasing 14 or 15 features in Germany, 30 to 35 in Holland and Romania, 20 in Austria and Hungary, 35 in Yugoslavia and 30 in Poland." Paris, Spain, and England are not included in these figures, but, of the lists for Germany and Austria, 12 are "dubbed," he said.

Purnell Pratt, who will appear in seven pictures for Republic, arrived on the same boat and said he had turned down offers from G.B., B.L.P. and Capitol to make about six features in England, because of the excessive income tax in that country. Jack Waller has offered Pratt a role in "King of the Jungle," which is to be produced on the stage in London. Unless he heard from Waller by cable within 24 hours, Pratt would not consider the part, Pratts stated.

Raymond Milland, Paramount contract player also, said he was abroad on a two and a half week vacation and although he had several offers in England, Paramount would not permit him to accept any of them. He leaves tomorrow for Hollywood and may be cast in "The Old Maid." 

Mrs. Wallace Beery also returned after a vacation abroad.

"Klondike" Leads

BUFFALO, March 5—"Klondike Annie" and the first faint signs of spring swept into this town together. In its first week, the comic picture, which was made in Canada, drew $12,760, topping par by $5,460 and giving the house its best gross of the year so far.

At the Lafayette, a dual, "Crime and Punishment" and "You May Be Next," drew $9,600, average by about $1,100.

Walter Hampden's "Cyrano de Bergerac" had moderate houses for three performances Tuesday and Wednesday.

Total first run business was $46,100, average $4,200. Estimated takings for the week ending Feb. 29:

MILKY WAY (Paras). .BUFFALO—$0,000, 26-50c, 7 days. Gross: $1,240. (Average, $120.00). THE GHOST GOES WEST (U.A.). HIPPODROME—$0,000, 35c-50c, 7 days. Gross: $1,900. (Average, $271.00). KLONDIKE ANNIE (Paras). GREAT LAKES—$0,000, 35c-50c, 7 days. Gross: $1,200. (Average, $171.00). TOUGH GUY (M-G-M). SALISHIAN LOVE (U.P.). CENTURY—$0,000, 26c, 7 days. Gross: $1,250. (Average, $181.00). CRIME AND PUNISHMENT” (Ced). LAFAYETTE—$0,000, 26c, 7 days. Gross: $1,900. (Average, $261.00). CASE OF THE MISSING MAN (Ced). GAVETY—$0,000, 35c-50c, 7 days. St. Louis, vaudeville. Gross: $2,000. (Average, $331.00).

MOTION PICTURE DAILY'S

HOLLYWOOD PREVIEW

"Charlie Chan at the Circus" (Twentieth-Century-Fox)

Hollywood, March 5—There is considerable opportunity for lively exploitation in this latest of the Chan mystery pictures, as is obvious from the title. With all the excitement and color that is provided by the circus atmosphere as a background, the famed Earl Derr Biggers character, as usual played by Warner Oland, solves the murder with the entertaining assistance of Keye Luke, as his son. The exhibitor has the circus atmosphere as well as the Chan mystery to sell.

Charlie takes his enormous family to the circus, is consulted by the head of the show, who has received threatening letters, then runs into trouble when the man is found murdered. It appears that the circus's huge ape has strangled him. Chan moves on with the circus to the next town when his son is enlisted by the show's remaining owner, and while Luke falls in love with a Chinese performer in the show, Chan pokes his nose through a maze of incidents and ransacks clues, the most exciting of which is the near death of an impolite feminine acrobat, when a bullet cuts the rope of her trapeze and she tumbles to the sawdust.

With the aid of a microscope and his own sharp wits, he uncovers enough information to pin the crime in the right place, apprehending the murderer through the ruse of a fictitious operation on the hurt performer in a circus tent.

Harry Lachman drew the most from his material in his direction. Robert Ellis and Helen Logan did the screenplay.

Production Code Seal No. 1,998. Running time, 71 minutes. G."

Looking 'Em Over

"Murder on the Bride Path" (Radio)

Although the major theme of this picture is a murder mystery and its solution, there is a large portion of enjoyable comedy, contributed by James Gleason, as Inspector Piper, and Helen Broderick, who succeeds Edna May Oliver in what is a continuation of the series which included "The Penguin Pool Murder" and "Murder on the Blackboard." Miss Broderick is on an investigation to the successor to Miss Oliver, and Gleason is as usual highly entertaining.

When a young girl is killed while riding in Central Park, the inspector decides it was an accident, that the girl was killed by the horse after she lost control of the reins. But while the horse is confined, he is drawn into action by pointing to indications which upset the accident idea. Then with a variety of suspects, each with a motive and the opportunity, Gleason goes to work, Miss Broderick at his side. Romantic, dramatic and amusing complications ensue in the investigation, which has been hand-in-hand with a fashion picture theme.

A rapid pace is maintained as Gleason uncovers one "certainty" after another, only to have Miss Broderick spoil them in short order. Eventually Miss Broderick discovers the murderer, who had committed a second crime meanwhile, but nearly loses her own life in the effort.

Edward Killy and William Hamilton directed from a screenplay by Dorothy Yost. It is based on a story by Stuart Palmer. Leslie Fenton, Christian Rub and Sheila Terry are in the support.

Production Code Seal No. 1,999. Running time, 66 minutes. G."

"Caliente," Saturday morning's opener at the Strand, was reviewed on March 3.

"The Farmer in the Dell," last night's preview at the Palace, was reviewed on Feb. 26.

"Three Live Ghosts," reviewed by wire from Hollywood on Dec. 28, will be presented at the Ritz tonight.

"Love on a Boat," now current at the Central, was previewed by wire from Hollywood on Feb. 1.

Scott for "Mohicans"

Hollywood, March 5—Randolph Scott has been borrowed by Reliance for the rest of the "Mohicans," scheduled to go into work the latter part of April.

Chicago Censor Very Ill

CHICAGO, March 5—Lieutenant Harry Costello, head of the Chicago censor board, is critically ill. He has pneumonia and has been ill for three weeks.

"Flash Gordon" (Universal)

Reviewed by wire from Hollywood, the cartoon strip of the same name comes this serial with all the fantastic creations of the future that were made by the film of the same title. Monday brought the sound intact and realistically.

The story, familiar to readers of dead tree Gordon, interpreted by Larry (Buster) Crabbe, who is an exceptional likeness of the character, on a planet that is rushing headlong toward the Earth, and the way he averts the cataclysmic impact. It begins with Crabbe, Jesse, John Carter, and Frank Shannon, as Doctor Zarkov, going to the planet in a rocket ship, their arrival and the complications put in the way by the fantastic Emperor Ming, whose omnipotent desires include the domination of the Universe.

All the tribulations that beset the characters in the cartoon strip occur in the film—the fantastic beasts, men, serpents, and super-specific devices. The first three episodes deliver suitable thrill entertainment to make possession of the serials for the benefit of modern children and adults in super realism and super science this serial should draw them in avidly.

While most of the effects are finely arrayed, are Priscilla Lawson, John Lipson, Richard Alexander and Richard French in addition to others that give splendid support. The film was masterfully directed by Frederick Stephani, who contributed with the rest of the firm, the fine camera work. The marvels of special effects and properties were handled by Norman Dews and Elmer Al Henson. Review received without production code seal. Running time, 21 mins. for each episode. G."

"Going Places No. 19" (Universal)

Labeled "Guinea Gold," this number reveals how the problem of drawing gold from the interior of New Guinea was solved by airplane. With some light in photography, the effort graphically presents the methods of transporting heavy machinery to the site of work and the processes used in extracting the ore finally to be made into bricks and flown to the mainland. It is an interesting exploit of travel, which would be grand entertainment. Production Code Seal No. 9,859. Running time, 19 mins.

"Fauntleroy" Sets Mark

PHILADELPHIA, March 5—"Little Lord Fauntleroy" established a house record at the Alhine, where it opened today, despite heavy rain.
Quigley Pub. Co
New York City

Gentlemen:

Find enclosed $3.00 for which please enter
me for a year's subscription to the Motion Picture
Herald beginning with the Better Theatre issue
for February.

I have been out of the show business for two
years and recently purchased this theatre. Formerly the
Herald was my "bible" and guide, but when I got
this house, I also "inherited" two trade publications, which
I thought at first would suffice. However, I am entirely
lost without them. They are practically of no value to me
if I'm sending this S.O.S. for the good old Herald
so I am sending every word printed in it, I am sure.

Yours sincerely,

James B. Russell Jr.
**To Open McVickers Bids**

**CHICAGO, March 5—Bids for the leasing of the McVickers will be held in the office of the Board of Education next Tuesday. The board took possession of the theatre on Feb. 5 on an eviction order for failure to pay ground rent. Current reports are that B. K. will probably take over the theatre and keep it dark.

**Start Magazine Group**

Under the supervision of Curtis Mitchell, editor-in-chief of Radio Guide, a new group of magazines is being launched.

Ernest V. Heyn will leave his post as eastern director of Photoplay and Marie Mirror to edit the new publications, which will be a magazine in the film field.

**Build Denver Exchange**

DENVER, March 5—Paramount is erecting a new theater building here to cost about $30,000. Advertising, shipping and storage departments will be on the first floor, with offices on the second floor.

**Klug on Fleet Gold Mine in Two Coast Houses**

SAN FRANCISCO, March 5—Attacks by Ernest Hemingway's latest parable, "Klondike Annie," slow up "Fleet Gold" in two mines in two spots. It was $10,000 over on a take of $13,800 at the Fantes, a 700,000 to the 75,000 at the Hillstreet, a total of $27,800 in its first week. The "Story of Louis Pasteur," playing day and date at the Warner Hollywood and Downtown, took $13,000 at the former and $12,000 at the latter. The first mentioned gross was $1,000 down and the second $200 up. "Klondike Annie" was in the money on a gross of $21,500 at the Paramount. Total first run business was $95,150. Average is $6,150 without the Filmarure.

**Estimated takings for the week ending March 4:**

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<th>Theatre</th>
<th>Gross: 7 days</th>
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<td>THEATER PASTEUR</td>
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"Fleet Gold" is being played in the Filmarure. The board has decided against building a new $1,250 weekly from his $4,000 weekly salary as a guarantee that he would fulfill his contractual obligations and only learned Warners intended using him for a fifth picture when he asked for a release of the impounded amount after finishing four films last year.

Cagney was unshaken on cross-examination by J. Ray Files, Warner attorney, although he admitted having read the clause in the contract he signed which specifically stated Warners would not be bound by any agreement not mentioned in writing. The plaintiff's case closed with the Cagney episode. The testimony of George Frank, Cagney's agent, who testified the Academy arbitration meeting in 1932 covered nothing save salaries and that Frank was aware of the $75,000 plaintiff is said to the best of his knowledge Warner never made; a commitment about the number of pictures he would require.

Harry Sokolov, attorney for Myron Selznick, observed the trial today in the interests of Pat O'Brien's client, who objected to his Warner contract yesterday.

**O'Brien Suspended**

Hollywood, March 5—Pat O'Brien has been suspended by Warners following a disagreement with the studio head over a role in "Stage Straug," a musical, slated to start next Monday.

The understanding is that O'Brien expressed dissatisfaction with the role and the company issued an ultimatum which was rejected, although it is understood O'Brien asked for the usual six-week layoff instead of suspension.

**Poli Seeking Tax Cuts**

Beverly, March 5—A notice of Superior Court action to seek a reduction of assessments on account of property has been filed by Poli for New England Theatres, Inc.

The theatres had filed notice with the Board of Relief last month for reductions in assessment amounting to more than $300,000 on the Palace, Metropolitan, lyric and sites and the site of the old Plaza. The Board did not allow the application.

**Theatres End Ad Fight**

**LINCOLN, March 5**—The long battle between the Journal and Star, local papers, on the one hand, and the theatre owners on the other, has ended, with the theatres dropping their advertising in the local shoppers and buying ad space for their own. In return the dailies are giving the theatres product needed publicity which has been lacking for a long time.
TEN CENTS

Hearing Upon ITOA Appeal Is Postponed

Sale Tax Case Goes Over Until March 20

A hearing on an appeal from the N. Y. Supreme Court’s order denying the I.T.O.A. application for an injunction to prevent the city from levying the two per cent sales tax on film rentals, which was scheduled for yesterday in the Appellate Division, was postponed to March 20 at the request of the city.

The application was made by Quin- ral and Harlou, Inc., operators of Brooklyn theatres, through Weisman, Shuan, Allen & Spett, attorneys for the I.T.O.A. The injunction sought would prevent distributors from collecting the tax from exhibitors. A separate action contesting the right of the city to tax film rentals is being pressed by distributors through the local United Artists exchange and is expected to be heard in the Appellate Division late this month.

Records Fall Before Onslaught of Quins

The Dionne Quintuplets got away to a flying start in their screen debut as their starring vehicle, “The Country Doctor,” opened simultaneously in 326 theatres and

Generous Cohn

Hollywood, March 6—Harry Cohn garnered one of the big hands of the evening at the Academy Awards dinner which broke up early this morning. Called upon by Frank Capra, Academy president, to present part of the awards, Cohn said:

“Last year we walked out of here with an armful of statuettes. This year to give other studios a break we decided not to make good pictures, and I think we pretty well succeeded.”

A special award for distinguished service was a statuette to David Wark Griffith, who received a great reception, but which caused one wit to smirk: “Instead of applauding him, it might be an idea for one of the studios to give him a job.”

Treasury Is Against New Ticket Taxes, Is Report

WASHINGTON, March 6—Treasury officials today were represented as opposed to any extension of the ad-

mission tax to lower brackets as sugges-
ted yesterday to the tax group of the House Ways and Means Com-

mittee.

In a memorandum discussing the various proposals, the Treasury is understood to have opposed this and several other tax changes which have been suggested as being inadequate to make needed revenue revisions.

The sub-committee, however, is con-
sidering all the proposals which have been laid before it and it is expected to draft preliminary legislation next week on which to hold hearings.

In a memorandum discussion of pos-
sible sources of additional revenue, Collector of Internal Revenue Hel-

vering told the tax group that any re-

duction in the present 40-cent exemp-
tion would fall most heavily on the poorer portion of the income group.

Para. Houses Improve 15% In 2 Months

Paramount Pictures, Inc., showed an increase of 15 per cent in net opera-
tions during January and Febru-

ary, according to Y. Frank Freeman, vice-presidents in charge of theatre operations. It was pointed out that the gain was recorded in spite of unusually severe weather.

With the improvement in weather conditions as spring approaches, and the increase in good product from all companies, Freeman anticipates an even larger increase in theatre business in the next several months.

Warners Start 45 More Music Suits

Warner music companies yesterday filed 45 additional suits for alleged infringement of copyrights, here and in other sections of the country, which asked total damages of $155,400, in addition to accounting of profits in some instances. The new actions included 10 suits against New York hotels and night clubs, marking the first time that the Warner companies have brought actions against other than radio stations for the alleged infringements.

The suits were brought by Wattenberg & Wattenberg, attorneys for

Music Rights Peace Forecast to MPTOA

MILAM, March 6—Warner Bros. have indicated that they are willing to negotiate a compromise with film theatre owners over music rights, Ed Kuykendall, president of M. F. T. O. A. said here tonight at a session of the association’s executive board.

“I feel sure that we can settle the matter, and that Warners are anxious to come to terms,” Kuykendall said, and added, “we should reach an agreement soon without much difficulty.”

The M. F. T. O. A. executive board closed its two-day session at the Miam-

Ohio Cuts Rise

Columbus, March 7.—The Ohio censors have banned the animated cartoon, “The Amateur Fire Brigade.”

Standard Will Use Own Funds On “U” Option

More Money Is Reported Needed for Deal

Increased prospects of Standard Capital Co. acquiring its option to acquire a controlling interest in Universal were reported yesterday following a meeting of Standard’s board at which it was reported reliably, authorization for the use of additional funds of the company for this purpose. However, however, that despite the new participation, the requisite financing has not yet been completed.

Prospects of the option being exercised have not been bright for the past few days, but the new financial development will be watched with interest.

Willers, who has one more week to run. To exercise it requires the deposit of $1,500,000 in cash as a normal notice to a decision, and the deposit of $4,000,000 in Class A securities, bearing six per cent interest, within 20 days thereafter. Additional cash of upwards of $700,000

(Continued on page 3)

(Continued on page 3)

(Continued on page 4)
MARCH 13, 1936

INSIDERS' OUTLOOK

By RED KANN

HOLLYWOOD, March 6—Tales from the Hollywood Hills.

Rufus Spitz runs the Hallow-
day Dog Training School from which most of the studios hire their canine performers. It's getting so, what with tempera-
ment and such, that Spitz now asks each studio to strike off an extra script to give the chosen dog a chance to study the part. Spitz also employs an agent who operates exactly like others of his ilk and makes the rounds tuitioning the praises of collies, bulldogs, wire, et al., in his client's kennels. Any minute now word is expected that one of Spitz's dogs has turned down a job because it didn't like the part.

Already sold, but too amiss to pass, is the story of the commissary now building on the Metro lot. The engineer handling the steam shovel recently found himself on the beautiful "Romeo and Juliet" set where George Cukor is finishing the picture. Cukor has no liking for galleries while he works. The engineer had to leave. Shortly thereafter, the director faced a divinity near the construction job and proceeded to watch. Then the engineer objected.

The head of one of the major factories walked into a restaurant the other evening, following a preview. Four satellite tables trailed along. Into his pockets, his fingers rummaging, father and thence he pulled the producer. Four matches stuck into flame in as perfect a synchroniza-
tion job as the colony has turned out. Instead of a cigar, however, the Big One had merely pulled out a handcuffkey.

Joe Shea, who once worked for Dave Selznick and so ought to know, says Dave's plans to produce "The Garden of Allah" have had one immediate repercussi-
on. Rentals at the well known Hollywood apartment house of the same name have jumped ten per cent.

An unconfirmed report, which defies nailing, insists that Joe Schnitzer, former president of FBO and active in Pro's, and now head of the Western Com-
to Co., is responsible for the persistent cycle of costume pictures.

John Ford, ace director, walked in on a producer with Harry Wurtzel, trailing.

"I've brought your agent along," observed the producer.

"Oh, no," replied Ford, "he's merely my interpreter."

The suggestion has been made that one way to stop the heat:

Editorial attack on Mae West would be for Mae to announce as her next project, "The Life of Marion Davies."...

George Burns remarks of Hollywood:

"This is the one place where Gracie can't embarrass me."

Note for sweet accuracy's sake: Charlie Chaplin, slight research reveals, actually sang the wacky in the cafe sequence of "Modern Times." This depart-
ment did not openly declare he had not in its review, written after the openinon, New York, some weeks back, but it was cau-
tions enough to cast a doubt.

Scientific Awards Triple Last Year's

HOLLYWOOD, March 6—Scientific awards this year almost tripled last year's, establishing 1935 as noteworthy for the first time in development, Major Nathan Levinson, declared at last night's Academy Awards banquet.

Six awards included: the certificate of merit in Class Two to Agfa-Ansco for infra red film and to Eastman Kodak for infrared film. In Class Three, honor was awarded to the Valley of the Sun Mills, producers of the "Stork Club" picture. In Class Four, the award was made to the Hitachi Koki Co. Limited for production of a negative-to-positive positive development by means of jet evaporation and application; William A. Mueller, Warners, for dubbing method by which the level of dubbing automa-
tically controls the level of accom-
panying music and sound effects; Mole Ricardo, Co., for development of solar spot lamps; Douglas Sherrard and M-G-M sound department, for automobile control system for cameras and sound recording; and the Schirra 3000 auxiliary stage equipment; Erpi, for development of equipment to analyze magnetic fields from the travel of film through machines used in re-
cording and reproducing sound; Par-
amount and Eastman, for development of transparency air turbine developing machine; Nathan Levinson for method of interesting variable density and variable area sound tracks to obtain an increase in effective volume range of sound.

Pullman Co. Makes Sound Picture Test

CINCINNATI, March 6—Extensive tests were made here this week by the Pullman Co. to find out whether or not sound pictures can be shown suc-
cessfully on trains.

The tests were made on an 18-mile strip of track near here and every sort of situation that could be used to try out the plan. Stop-
ing, starting, whistle blowing and snowfall were among the ob-
ferences as the trials were made. Feature pictures were shown to the railroad executives present in a stand-
and-see basis. In a word, it was tested and approved, it is said, that talkies can be shown advantageously to railroad passenger trains.

Sidney Cohen handled the demonstra-
tion, which used RCA Photophone equipment. It was found that the sound coming from their ears is being formed in Hollywood to handle this phase of the business exclusively. Just what arrangements for presentation will be made will be announced in the near future.

The showing of the pictures is scheduled to start sometime this sum-
mmer.

Tampa Gets Insurance

TAMPA, March 6—Bank Night in-
surance claims in various parts of the city has hit here. A plan to be launched soon proposes to give patrons a hundred dollars to patrons wishing protection in the event of winning while absent.

Warning to Meet Soon

With Harry M. Warner due from the coast tomorrow and Albert Warn-
er slated to arrive from Miami on Monday, the postponed Warner board meeting will most likely be held Tues-
day. Routine matters are to be dis-
cussed, according to a company official.
Bank Night Is Again Upheld In Court Here

(Continued from page 1)

Magistrate's Court, which referred it to Special

After questioning Dodge, who ad-

mitted no additional charge was added in

order to participate in the game, the indi-

cator sent the Censor board where it was

notified to make any further arrests since

Bank Night does not involve the City or

Affiliated Enterprises of Denver and

owners of Bank Night had John Keating come all the way from Colo-

rado to attend the trial. Harris was

represented by Hyman Chasler.

Harris has pending in the Bronx

Special Sessions, a civil complaint

against the Bronx Opera House. This

case has been postponed several times

because of an appeal pending in the

Appellate Division of the Bronx Su-

preme Court involving the Tremont.

The Tremont is not a Harris house.

Attending yesterday's session were

representatives of RKO, Loew's and

Consolidated Amusements.

Giveaway Move in New Haven

New Haven, March 6.—Compliments

received in social organizations in the

city have prompted City Attorney

M. Edward Klebanoff to call a conf-

ference for Police Chief Frank Harrigan

of Police Phillip T. Smith on Beano,

Bingo, Bank Night, Cash Night and

other similar games now operating

at theatres and clubrooms.

Legality of the various systems un-

der the state lottery law will be con-

sidered. Ten theatres are now using

the games.

The New Haven move follows by two

days the decision of the Municipal

Police McLean and City Prosecutor

Toms banning cash games in Water-

bury, and a similar order a fortnight

ago.

Adolph G. Johnson, Connecticut

representative of Bank Night, reported

today that the decision was discussed

with Mayor Frank Hayes of Water-

bury, during which were discussed

various court decisions in various

states as to the legality of Bank Night, the

Mayor had promised the resumption of this game within

next few days. No change has been

reported in the Bridgeport situa-

tion and it is expected that the first

test case will be brought in that city.

Records Fall Before Onslaught of Quins

(Continued from page 1)

several spots.

Coast reports indicate that the

movie of the week was "Salacious"

in Chinese and Loew's in Los

Angeles, grossed $5,085.48 at both,

breaking the record for the two houses

by $1,061.35.

The other plays were set at

the United Artists, Long Beach, Cal.;

Keith, Portland, Ore.; Palace, Bridge-

ton; Fifth Avenue, Baltimore. At

Toronto, in the infantile stars' native Ontario,

Government

officials turned out for the

charity premiere at the Imperial and

Dr. Allan Roy Datee, the babies' physician, addressed the audience.

The Keith in Portland opened its box- 

office for a matinee for the first time in

months.

The film opens at the Music Hall

here next Thursday.

Warners Are to Enter Broadcasting Field

Kansas City, March 6.—The plans

of Warner Bros. to create a third

broadcasting system on additional

scalawag of all programs.

It was reported that the withdra-

wal is sought because half of the stock

has been called for redemption on

March 31 and the company intends to

redeem the remainder on or be-

fore May 1, 1939.

Holders of the stock following the redemption this year, will number less than 300.

Because trading in the stock has

been negligible, the exchange agrees

that the company may withdraw

from listing any outstanding shares

redeemed, mainte-

nance of the listing will be justi-

fied.

United Detroit Gets Lease on University

Detroit, March 6.—United Detroit

Theatres will operate the new Univer-

sity, now under construction at Mc-

Nichols Road and Livernose. Grover

Keating, who recently represented De-

troit Consolidated Theatres, a Sam

Brown circuit subsidiary, and George

Rowley, who is in Detroit, are the

president and vice president of De-

troit, say the circuit has signed a

15-year lease on the house.

The theatre, which will seat 1,800

and will be among the important key

spots in the city, will be completed early in May.

FWC Takes Over Two

Los Angeles, March 6.—Fox West

Coast has purchased the Compton in

Compton, from Feigenbaum & Rich-

kind. The house had most of the major

product tied up in the territory.

West Coast has also taken

over operation of the Long Beach in

Long Beach.

T. J. Bragg on Tour

Toronto, March 6.—T. J. Bragg,

secretary-treasurer of Famous Players

Canadian Corp., is on a tour of in-

terested, the federation of Detroit's

circuit as far as the Pacific Coast.

To Open at Wolfcliff

Avra Amusement Corp. will open

the new Broadway, Wolfcliff, N. J.,

on March 13. Carl Steinmetz is man-

ager and David Koch will handle the

publicity.

Mass Picketing to Be Resumed by 306

indicating a widening of the breach

between Local 306, Allied and Em-

pire unions, a mass picketing cam-

paign by 306 today, as a result of the

union's proposal, under way today at 147 independent

theatres, it was reliably reported yester-

day.

Efforts to merge the three unions

during the past few months have met with little progress, it was stated. Ali-

led has last rounded at suits in the

courts involving Local 306, while some of the theatre men holding con-

tracts with the two other unions are

using legal actions to forestall any amalga-

mation of operators' unions.

The I. T. O. A. is said to have sent out

a call for a meeting at 306 to discuss all the picketing move by

by the theatres.

Of the films passed, Germany

accounted for 94, the United States, 50,

and 56 in other countries for the balance.

Of all films run in Germany in 1935,

41.4 per cent of the films were

French, 24.8 per cent of American, and

26.4 per cent "other foreign" sources.

In the United States, German

censors rejected seven American pic-

tures, four German, and four "other foreign" films for showing.

In Berlin, there were 171 first runs, as

compared with 211 the year before. There were 93 of German origin, 35

of American "original" and 33 "other foreign" origin, as compared with

126, 47, and 35, respectively, in 1934.

Both German and American films

declined, while "other foreign" films showed a remarkable increase.

Sobach Asks Change In Bankruptcy Laws

Washington, March 6.—Federal

bankruptcy statutes should be tight-

ened to prevent what Sobach, the

chairman of the House committee inves-

tigating the effects of personal

bankruptcies, termed a "loophole." The

committee is investigating the effects

of personal bankruptcies on individu-

als and on business and industry.

Sobach, chairman of the House

committee investigating real estate bond-

holders' reorganization, urged ap-

proval of his bill to prevent the al-

leged abuse of the reorganization ex-

ecutive committees. It would amend the Federal bankruptcy law to pro-

vide for a Federal conservator to pass on re-

organization plans to protect in-

vestors.
MOTION PICTURE DAILY
Saturday, March 7, 1936

No Erp! Cut Here
Now, Says Official

(Continued from page 1)
all values used in Western Electric equipment; photo electric cells, exciting lamps, tungar bulbs and batteries.

The concessions are effective as of Jan. 1, 1936, although they were announced only during the London visit of Whitford Drake, Erp vice-president.

Western Electric, likewise, inaugurated rate concessions at the first of the year in Australia and New Zealand.

An Erp official, questioned yesterday, said that while no new concessions on domestic charges are in view at this time, 'substantial' reductions on service charges have been made here from time to time in the past. He added that the charges are based on the costs of doing business in each nation or territory and reductions in charges are guided by the amounts.

"Reductions are made whenever and whenever operating costs permit," he said.

Music Rights Peace Forecast to MPTOA

(Continued from page 1)
ami Biltmore Hotel with the announcement that a committee would be appointed to talk with producers requiring block booking and the legislative fight on the method which is now in progress in Congress. Neither the talks nor the method is before passage of the legislative measure which would make block booking illegal in the industry. Since such legislation is introduced, the exhibitors apparently feel that they can reach a satisfactory agreement with the producers in return for assistance in fighting the bill.

Theatre owners have long objected to the percentage-cutting resulting around 10 per cent—allowed them by producers under the present block buying arrangement. They have indicated that a 20 percent rejection quota would be more satisfactory.

Witnesses Describe Cagney Negotiations

LOS ANGELES, March 6.—Henry Herzbrun, Joseph Arthur Hall, Joseph I. Schnitzer and Herbert Preston all testified before Judge Charles Bogue in Superior Court here today that no mention of a specific number of pictures was made at the Cagney meeting in 1932 which preceded the drawing of the present contract between Warner's and James Cagney. The testimony was given in a suit by Cagney to have the contract set aside. The witnesses stated that matters of salary and length of employment were discussed.

Preston further testified that Cagney told him that his only difference with the studio was the "question of dough."

The defense will probably close the case Monday and a decision from Judge Bogue is expected Tuesday.

Open Master Art Office

BOSTON, March 6.—A New England branch has been established here by the Master Art Corp. R. Rosenblatt is in charge.

4. Purely Personal

HARRY SHEFFMAN is counting the days before he takes that 12 day cruise. As it stands today, he has 13 more days to mark off the calendar.

CHARLES KOEKEN, RKO theatre division head in Boston, returned to his territory yesterday. He will come back here Tuesday.

LAURENCE BOLINGINO, executive head of Consolidated Amusements, has gone to Miami for a six-week rest.

VICTOR MOORE, his daughter, Ora and son Robert, will sail this morning on the Pennsylvania for California via the Canal.

DAVID E. WESHEIM, Warner theatre district manager in Philadelphia, is finishing up a Miami vacation.

EDWARD M. SCHNITZER of Republic is planning to leave for the coast the latter part of next week.

PRINCESS NATALIE PALEY will leave for Europe on the Champlain this afternoon.

MARGOT HALLER, the German actress, leaves tonight on the Deutsch- land.

GEORGE WEEKS is due back from a tour of G.B. exchanges next week.

HY DAAB left yesterday for a weekend at Atlantic City.

EARL HUDSON is in town from Det- roit.

JOSEPH SEIDEN is due back from Miami next week.

ARE LEFT of the Leff-Meyers circuit, returned yesterday from Miami.

CONRAD THIBAULT, singer, is negotiating a Warner contract.

ALLAN JONES is slated to return to the coast today via plane.

HARRY GOETZ, arriving tomorrow, will stay the rest of the month.

...Cincinnati... Chairman C. Clare, special representa- tive of First Division, has been pro- moted to manager of the Buffalo, N. Y. office. He has been succeeded by J. M. JOHNSTON.

REYNOLD WALLACK, assistant man- ager of the RKO Shubert, has been married to Dorothy Hannich of Bingham- bridge, Ga., at Newport, Ky.

GEORGE ELLIOTT, who recently re- signed as manager of Warner's Paramount, at Cochicot, O., has moved to Jacksonville, Fla., but reports his future plans indefinite.

Hoffman Buys “Paper”

Hollywood, March 6.—M. H. Hoff- man will produce "White Paper," a story by Joseph Griez, as one of the first films on his contemplated program of 30 features. Hoffman Jr. purchased the story.

Warner Starts 45 More Music Suits

(Continued from page 1)
Warner music subsidiaries, and the firm's correspondent attorneys in 26 suits in the rest of the country. The 45 new actions filed yesterday bring the total of suits instituted by the Warner companies since the first of the year to 106.

Defendants in the actions brought yesterday are: No. 1 Fifth Ave., Hollywood; Hotel Waylin, St. Morits, Nut Club, Paradise Restaurant, Hotel St. Regis, Finer's, Yacht Club, Los Angeles, Barn, Stations WFEA, WCAU, KOMA, WKRC, WBNB, WSVM, WPDE, WADC, WMBG, WKRC, WGST, WBER, WLZB, WKBW, WHEC, WOKO, WJS, WESG, WMRB, KSJS, WIND, WBMR, WDAE, WDBO, WLAC and XION.

Two Canadian Bills Set on Music Group

OTTAWA, March 6.—Two bills will come before the Canadian House of Commons at the present session to restrict or amend the operations of the Motion Picture Export Association of Canada, and some relief is expected for the theatre from the proposed fee of 20 cents per seat per annum which the bill has been required to hold in abeyance pending the outcome of legis- lation. The society has been collect- ing this fee for several years.

Fernand Rinfred, Secretary of State, will shortly introduce a meas- ure dealing with the copyright and performing rights situation while a private member bill has been submitted by William Ewing, member for Kootenay West. No intimation has been given regarding the details of the proposed bills.

Pressburger Signed

By U. A. for Product

LONDON, March 6.—Murray Gold- smith, son of United Artists' manager in Britain, has closed a deal with Arnold Pressburger, head of British Non-Alliance, i.e., whereby Pressburger will make two pictures annually for U. A. distribution at the Alexander Korda studios here.

Pressburger has been a producer in Europe for a number of years, making films in Vienna, Paris, Rome and Berlin.

Coliseum Mortgage Payment Is Ordered

Judge Robert A. Inch, in Brooklyn Federal Court yesterday ordered Charles Kelly and Clifford Kelsey, trustees of the Indenture Trust, to pay off the mortgage on the Coliseum, Broadway and 153rd St.

The payment will be made to the Central Housing Bank & Trust Co., trustees under the indenture. The sum is $12,510. The motion was unopposed and the court named the counsel for the trustees by George Wildermuth.

Archambaud Is Signed

George Archambaud, veteran di- rector, has signed a long-term Para- mount contract. He will leave for the coast in a few days.

"Secretary" Pulls $47,500 at Capitol

"Wife versus Secretary" at the Cap- itol in its first week garnered $47,500.

The building service strike cut into the bookings here as well as all other Broadway pacts. The Palace was fair with "Lady Consents" and "The Story of Louis Pasteur," both were held for the stummers.

The fourth week of "Modern Times" ended with approximately $25,000. The comedy was held for the stummers when it will be replaced by "These Three," The Rialto with "The Garden Murderers" got slightly less than $8,000. "Walking Dead" at the Strand tallied close to $19,000.

Paramount is anticipating a rushing of one of the Paramount Wednesday when "Klondike Annie" supplants "Trail of the Lonesome Pine." The doors will be opened at 8:30 A.M.

A double preview on Tuesday also is planned with Bob Weitman booking the Mae West film in for a 6:30 p.m. show in addition to the regular midnight showing of coming features.

Younger Producers Battle Dramatists

A group of self-styled "younger movie moguls" who are in a boycott move against the production of any of movies by members of the Dramatists Guild by way of asserting their impor- tance with the new minimum basic agreement adopted as of March 1 by the guild, which reduces the man- agers' participation in the sale of film and further to stage plays in favor of the author. The League of N. Y. The- atres, while it had not au- thorized the move, many of the mem- bers were in favor of it. Virtually every recognized American play- writer is a member of the Dramatists Guild.

Spokesmen for the guild said yes- terday that there was a likelihood of the provisions of the new agreement being changed as a result of the managers' protests.

Wall Street

Short Losses Mark Board Trading

Columbia, Inc., .38 39% 39% .38
Consolidated .60 60% 60% .60
Eastman Kodak 16% 16% 16% 16%
Loew's, Inc. 49% 49% 49% 49%
Long's, Ill., Ltd. 96% 96% 96% 96%
Paramount 9% 9% 9% 9%
Paramount 1 83% 83% 83% 83%
Paramount 11 83% 83% 83% 83%
Pathé Film 57% 57% 57% 57%
RKO 80% 80% 80% 80%
20th Century-Fox 31% 31% 31% 31%
Universal, Ltd. 80% 80% 80% 80%
Warner Bros. 46% 46% 46%

Fractional Covenants on Gurb

High Low Close Net
Columbia, Inc. .38 .38 .39 .38
Consolidated .60 .60 .60 .60
Eastman Kodak 16% 16% 16% 16%
Loew's, Inc. 49% 49% 49% 49%
Long's, Ill., Ltd. 96% 96% 96% 96%
Paramount 9% 9% 9% 9%
Paramount 1 83% 83% 83% 83%
Paramount 11 83% 83% 83% 83%
Pathé Film 57% 57% 57% 57%
RKO 80% 80% 80% 80%
20th Century-Fox 31% 31% 31% 31%
Universal, Ltd. 80% 80% 80% 80%
Warner Bros. 46% 46% 46%

General Theatre Bonds Up Slightly

High Low Close Net
General Theatre .27% .27% .27% .27%
General Theatre .30% .30% .30% .30%
Kelly B. F. .96 .96 .96 .96
Kelly B. F. .89% .89% .89% .89%
Warner Bros. .62 92% 92% 92%
Loew Houses In Bronx End Chance Games

Suspend Until Pending Cases Are Decided

Beginning today, all Loew theatres in the Bronx will discontinue Screeno and Bank Night, it was learned Saturday. About a dozen houses are affected.

The move, according to Loew executives, has been made at the request of city authorities who asked the circuit to cooperate until several cases pending in Special Sessions, Bronx, involving games, are completed, determining the legality of the giveaways.

Complaints by Assistant District Attorney Foley against the Grand and Elsmere are scheduled for hearing in Bronx Special Sessions on

(Continued on page 8)

Conference Called On Labor Problems

Problems relating to the local labor situation are scheduled to be discussed by major and independent circuit heads tomorrow at a special meeting at the Astor.

Harry Brandt, president of the L.T.O.A., has sent telegrams to all circuits asking that representatives be on hand for the session. Brandt did not disclose the purpose of the round-robin in the wires, but from other sources it was learned that this would be the topic to be aired.

Some exhibitors feel that the general building strike currently involving service employees may be extended to theatres. Precautionary measures

(Continued on page 8)

No Television Rights In Disney-RKO Deal

Hollywood, March 8—Roy Disney told Motion Picture Daily yesterday that the new Disney-RKO releasing contract carries no television rights.

Disney said, “We are interested only in having our product shown in theatres. Any plans for television must necessarily be in the future, and we will consider the matter when and if it arises. The dispute on the subject was one of the reasons that we broke with United Artists, but we are meanwhile concerned entirely with theatre exhibition.”

Can’t Stop Applause

Kansas City, March 8—Theatre managers disturbed by “clap-o-maniacs” should go easy with the broom handle in quieting them.

Judge Thomas Y. Holland of the North Side Municipal Court March 6 ruled that film patrons can applaud when they please.

The manager of the Aladdin, G. L. Johnson, told the judge Lewis Lescnik, a young patron, disturbed other patrons when he clapped and loudly rattled ice cubes in a container while no one else was applauding. He asked Lescnik to stop. Lescnik refused, and Johnson said he had to strike him with a blackjack when Lescnik approached him threateningly. Lescnik contended he merely had been applauding newsreel pictures of Roosevelt and the American flag.

Judge Holland said other courts had held film patrons have the right to clap when they are enjoying a performance, and that Johnson shouldn’t have struck Lescnik. He discharged the case.

KRS Delay After Suits End Pointed Out

By BRUCE ALLAN

LONDON, Feb. 29—Postponement of consideration by the Cinematograph Renters’ Society of the situation arising from the abandonment of Gaumont British actions for conspiracy against the society is believed by insiders here to indicate a get-together of the parties.

After the K. R. S. had refused to deal with Gaumont for the H. & G. theatres, alleging a booking combine, Twentieth Century-Fox resigned from the society.

Pressure from Twentieth Century-Fox, coupled with the anxiety of the K. R. S. not to lose the membership of that concern, are factors which many think likely to result in a compromise between the K. R. S. and G. B., based on recognition of the

(Continued on page 8)

Omaha Bishop Puts Ban on “Klondike”

OMAHA, March 8—“Klondike Annie” was sharply attacked yesterday in a letter from Bishop Hugh Ryan of the Catholic diocese to the Legion of Deaconesses. Catholics were forbidden to see the picture.

The manager opened yesterday at the Omaha, E. R. Cummings, district manager for Tri-States, refused to comment.

(Continued on page 8)

Works Two Ways

Avoca, Ia., March 8—A. H. Lehman, manager of the Harris, is one exhibitor who made a terrific cleaning during the recent cold spell. As a matter of fact, he couldn’t take care of all the business that came his way. He’s in the coal business besides being an exhibitor.

Reopen Many Spots in the K. C. Section

KANSAS CITY, March 8—Theatre renovations and re-openings continue unabated in the Midwest area. J. A. Townsley will reopen the Ritz at Little River, Kan., shortly, following extensive improvements. The Majestic, A. H. Blank house at Fairbury, Neb., is being renovated at a cost of $6,000, including new sound equipment. Blank also has installed new sound in his house at Clinton, Ia.

The manager at Marion will open the new Plaza at Neosho, Mo., within a few weeks. Harry Newton has taken over the Turon, Turon, Kan., from Lawrence Ely. The Regent Amusement Co. will reopen the Regent, downtown subsequent here, in about a week. The Dubinsky Brothers recently dropped their lease on the house. W. G. Mc Kinney has opened a new 400-seat house at Topeka, Kansas. The Orpheum in Des Moines has set plans for improvements to cost

(Continued on page 11)

Compromise on MPTO’s 20% Demand Is Seen

An increase of the 10 per cent cancellation privilege next season as urged by M. T. O. A. and other exhibitor groups, but without support in some distributor quarters, it was ascertained on Saturday. As a result, the likelihood of an increase being made by some or all major distributors is viewed unofficially as highly probable.

The M. T. O. A., which has taken the lead during the past few years in demanding a 20 per cent reduction in the rental privilege, has reiterated its stand at its annual board meeting held in Miami last week. Distribution executives who were asked on Saturday to state their attitude on an increase in the cancellation privilege displayed for the most part a willingness to bargain on the issue. Even those who were most emphatic in their assertions that additional cancellations were neither warranted nor likely to be granted, evidenced a willingness to “talk over” the subject with exhibitor representatives, should the opportunity be requested. Other distribution officials flatly stated that a reasonable increase would work no serious hardship on their companies and conceded that it might prove to be good trade policy.

No support for an outright increase

(Continued on page 11)

Pettengill’s Bill Up Again Today

WASHINGTON, March 8—Opponents and supporters of block booking, who on Feb. 27 and 28 presented their arguments to the Senate Interstate Commerce sub-committee headed by Senator Neely of West Virginia, tomorrow will appear before a House Interstate and Foreign Commerce sub-committee headed by Representative Pettengill of Indiana to repeat the performance.

Unless the House group follows the example set by the Senate sub-committee and runs its sittings through the afternoon and evening it is expected several days will be required for the hearings.

Inasmuch as both factions laid all their arguments before the senators, it is anticipated the House hearings will develop nothing new and will be

(Continued on page 11)
**Selznick-Pioneer To Produce “Allah”**

Hollywood, March 8—David O. Selznick and Pioneer are affiliated in the production of “Allah,” Selznick because Selznick has taken over a contract with Technicolor for the production of the picture which Pioneer is ready to produce due to the absence of Merian Cooper, John Henry Whitney and Cooper stated yesterday. Whitney is going to the west for the east, on his way to Europe. He will return here in April.

**Wanger Rushes Schedule**

Hollywood, March 8—Walter Wanger expects to wind up his current list in May and to take a vacation in Europe. He now has four in work and expects to start soon on “Speedthrift” and “Simoon.”

**Distinctive Closes Deal**

SALT LAKE CITY, March 8—Distinctive Studios, Inc. have closed a deal with Academy for the release here of “I Conquer the Sea.”

**To Talk ITOA Finances**

The finance committee of the I. T. O. A. which is expected to produce due to the absence of Merian Cooper, John Henry Whitney and Cooper stated yesterday. Whitney is going to the west for the east, on his way to Europe. He will return here in April.

**Republic Buys “Portia”**

Hollywood, March 8—Republic has purchased “Portia on Trial,” magazine serial by Faith Baldwin.

**Hollywood, March 8**

THERE is one producer, a big one, who recently refused to visit a summer theatre in the east where a play scout had happened across a vehicle in a certain part of the play. The producer thought he would be embarrassed by being recognized. The play later came into New York under another title, as indeed it was (it was purchased by the same producer for $65,000 as against the original $15,000. The hike made no difference, he later added, because the public had stamped the play with its seal of approval.

Exactly how much of a segment of the public saw the property is debatable; it may have played to 50,000 or 60,000 people during its run, or fifty to sixty cents a head premium over the first available price. This is another demonstration of the mystifying point of view with which all producers approach the New York stage and whatever it may have to offer. Like other nonsensicals which prevail in this business, producers know that many plays are kept alive by constant injections of hype expressly for the purpose of meeting the Authors’ League mandate of fixed minimum performances to the end that the film rights immediately thereafter may be sold.

The argument goes the public performance in New York rounds such material with an aura of something or other that carries weight with the public. This department maintains now, and has for years, that was frequently so much bunk in the case of the majority of plays acquired; that the average play means nothing to the houses which stretches out from the west bank of the Hudson and that the public, well established over the years, to the complete disaffection of the shoestring stage producer, is costing many thousands more than properly the accumulation of material should.

The custom continues a thriving one and ties in quite definitely with the following type of competition which, in turn, ties in with the social and caste system. Competition here is made up largely of ambition to be recognized. It is necessary for a producer may need or can use for the maximum in results, but to prevent another producer from getting it. This is accepted broadly as a cop and smart operation. By infiltration and conversation, it heightens social standing since it creates comment, dubs the principal as clever and makes him feel he’s got to have it around at parties.

Because Hollywood is emphatically insular and provincial despite the presence here of men and women in the arts, the social system thoroughly dominates the scene. The twists which the obversion before it takes, therefore, continue to be varied and ingenious. Grabbing a play on a Metro (for example is viewed as great stuff, presumably because it charges the puissant Louis B. Mayer. The successful bidder in competition for material excited attention, under the big, bigger, best principle prevailing in Hollywood, is hailed in terms of conquering adulation.

In the creative center of an integrated motion picture system it might be expected that a more definite commercial consciousness would rule. In some cases, this is so; in most, certainly not. Proving the aforementioned indifference to reactions of the world on the other side of the hills are two incidents of many; these hate to be fresh. One has to do with a leading producer here. He had a story to break. His publicity man, unlike the chap on one lot who asked where Reuter’s might be found, this press agent, at least knew the Associated Press served a large percentage of the nation’s newspapers. “Twenty-five minutes for the A. P. stuff on the producer. “That’s too much. If they can’t get it in ten, the hell with them.” The local papers, however, got all the time their reporters required, but it’s been to hell with producer on A. P.’s part thereafter.

The second of these slightly fantastic tales, likewise, deals with one of Hollywood’s aces who has just completed what is hailed, partisan-like, as one of the biggest, most terrific, etc., etc., attractions ever to wind its way through any camera. His press agent, aware of the visit of the editor of a large national magazine and the proper thing and sought to have the picture screened. Eventually he won out, but not without verbal scars and an uncommonly bad pressured. The reason, so Hollywood-like, was merely the producer’s promise that a local paper with a couple of thousand circulation

**Big Turnout Coming To Grainger Dinner**

Important exhibitor operators and distributors is expected to attend will be here on Thursday night at the Astor for the testimonial dinner being tendered E. C. Grainger, retiring eastern sales division head for Twentieth Century-Fox.

Among those scheduled to attend will be various Harris, Pittsburgh, Meyer Schine, Gloversville, N. Y.; Meyer Fine, Cleveland; Lester Kreigel, Philadelphia; Moe Silver, Albany, and numerous branch heads of Twentieth Century-Fox in the east.

All important local independent and major circuits will be represented in the 500 slated to attend. Lowell Thomas will be the principal speaker.

**RKO Planning A Big Play on Quintuplets**

RKO, which has booked “The Country Doctor” in 51 of its 100 theatres, is giving the quintuplets a full courtship. If the film stands in most instances. The picture opened in a number of out-of-town spots over the weekend (Wednesday) in Chicago, Rochester, broke the house record. During Easter Week, the metropolitan RKO theatres will take day-and-date. There is a strong possibility “The Country Doctor” will be held over in a number of situations. It is expected that the film, which opens Thursday, will go three weeks at the Music Hall.

**Fairbanks I Married**

Plants, March 8—Douglas Fairbanks and Lady Ashley were married here yesterday morning in the Eighth Ward City Hall by Mayor Gaston Drucker. Ambassador Strauss was witness for Fairbanks.

**Music Hall at $75,000**

A typographical error listed the gross for the second week was, the Music Hall as $84,000 when the take should have read $75,000.

**Marx in Salt Lake Job**

SALT LAKE CITY, March 8—E. H. Marx has been named branch manager here for the National Theatre Supply Co.

would see it ahead of all other comers.

The explanation is simple, all too simple: most, to instances, the producers, entrapped willingly or otherwise in the Hollywood social and prestige setup, were hot for the line or handful of well-chosen people who would put their names and their activities on local tongues. Out in the world where the tickets that make all of this possible are bought in the right quantities and enough. In Hollywood it must be pre-release or nothing and it’s never nothing. Those who think in terms of business, and they are few, know the situation, concede it is all wet, shrug their shoulders and continue on their way. So it goes here.
"THAT MAN IS HERE AGAIN!"

It's no novelty for Mr. and Mrs. Leo to win the Academy's Annual Award for the Year's Best Picture, but they're thrilled to be first again this year. And with such a glorious attraction as "Mutiny On The Bounty."

(What fun theatres will have to bring it back right quick for a Prize Return engagement!)
A Short Answer
To the Exhibitors' Prayer For More 'Leather Pushers'

TALK ABOUT 'STRIP' ACTS!
That Palooka strip will act as your 'advance man' to thousands of local readers. Only 6 years old and already a champion—in circulation and promotion. They've written editorials, formed Joe Palooka Clubs, held Palooka birthday parties and pulled scores of other swell stunts that you can cash in on.

WHEN IS A 'PALOOKA' NOT A PALOOKA?
Answer: When he's
ROBERT NORTON
picked for the part from 500 candidates

OPERATING UNDER THE SAME MANAGEMENT
of 'Knobby' Walsh, the Palooka pal and manager, played by Vitaphone's famous SHEMP HOWARD

Directed by Lloyd French
HULLO--HULLO, SHERIFF--
THE MINE PAYMASTER AN' HIS
DRIVER WAS SHOT AN' ROBBED
IN MESQUITE CANYON.
BETTER HURRY OVER--

and jeer the lads who don't grab this new
back-to-laugh series—featuring the world-
ites who brought a new kind of wallop to
Think of the 250 major newspapers that
Joe Palooka Pipes
Joe Palooka Sweaters
Joe Palooka Sweat-Shirts
Joe Palooka Boxing-Gloves
Joe Palooka Baseball Gloves

Only a few of the dozens of
national dealer tie-ups completely
outlined in the special promo-
tion plan now on the press!
LOU LITTLE, Coach of Columbia University’s 1934 Rose Bowl champions:
“Little Lord Fauntleroy showed me that competitive spark of a real, he-boy—and that’s what a football coach looks for.”

KEN STRONG, All-America halfback at N. Y. U. and New York Giants’ football star:
“He may be a little light but that boy looks like a real quarterback to me.”

GUS SONNENBERG, former All-America tackle at Dartmouth and ex-heavyweight wrestling champion of the world:
“No one is going to toss that boy around. If they’d give me a chance, I could make a wrestler out of him.”

GEORGE ROBERTSON, famous automobile race driver:
“Just the right size for a riding mechanic, now, and plenty of the daring that makes a man at the wheel of a fast automobile a great driver. I’d like to sign him up when he grows up.”

JOSEPH J. (TWO-GUN) MURPHY
“That kid has the stuff to make a great thief catcher. He'll be a G-Man before he’s twenty. I know how that stuff reacts on a real boy.”

BIG BILL EDWARDS, famous football star and sportsman:
“Looks like a slashing, blocking back to me, but with his brains he’d be the quarterback and captain of any team he plays on.”

ELMER OLIPHANT, former West Point All-America halfback:
“Little, maybe, but a real leader, who can fight his own battles. He’s the kind of boy I’d like to make into a football back.”

Here are the preview that men who are noted for their observations viewed “Little Lord Fauntleroy” in acclaiming “Fauntleroy, the most complete star and hailed the boy he had ever seen!”

“A box-office round!”
“One of the finest”

SELZNICK

Little FAUNT

FRIDDE

C. AUBREY S.

DOLORES COSTER

MICKEY ROONEY

Produced by

Directed by

D.
JACK DEMPSEY, heavyweight champion with the heavy punch:
"Looks like he'd fill out as a real champion. He throws a good punch now and weight will strengthen him. Good prospect for the championship in 1945."

CAPTAIN EDDIE RICKENBACKER, ace of American aces in world war:
"I'll bet he grows up to be a flier. He certainly is a boy with courage and judgment. I like him."

GORDON WILSON, traveling engineer, New York Central System Twentieth Century Limited Service:
"I'd like to take him into the cab with me now. Good eyes, calm manner and courage. The kind of a boy we need in railroading."

FLOYD GIBBONS, war correspondent and soldier of fortune:
"Little Lord Fauntleroy will grow up to be a real he-man, for he certainly is a real he-boy. Maybe he'll be a war correspondent. My mother made me wear curls and a patent leather hat and it sure hardened me with the gang I travelled with."

ARTIE McGovern, famous trainer of Babe Ruth, Gene Sarazen and others:
"The Little Lord is an all-American boy. He's in great shape and ready for a useful manhood."

JACK ZIMMERMAN, pilot of T.W.A.'s famous Sky Chief:
"Good flying material in that kid. He'd make a swell pilot. Poise, courage, judgment—he's got them all."
Saturday, March 3, 1928

**Out Hollywood Way**

Hollywood, March 8.—LEONARD Goldstein shrugging off for New York early yesterday. He was at the Seabury Dewey all afternoon over that Disney-to-Radio deal. . . . HARRY Ross of Rose Fed-

eral Checking Service in from Iona, was a visitor yesterday. Unlike most visi-
tors, he admits a primary pur-
pose of the trip is sunshine. . . .
HARRY Gorton, at a trip to Los Angeles to see Scott Cooper to set pioneer’s next on his

(CContinued from page 1)


day. . . . JULES LÉVY will be around for a time. KING Fisher back from London and New York. . . . HOWARD STICKLING goes next month. May-

bey dot. . . . JEAN Arthur and her husband, FRANK H. Ross, Jr., planning six-

week vacation in Honolulu. . . . GAIL SHERRIDAN and her husband and JOE

MORLEY, youngsters at Radio, have

their options lifted. . . . BETTY GORE

and FRANK ERMOND, dancers in The

Naughty Girls, have been signed by

CLARENCE Brown back from business trip to Salt Lake City. . . . MITZI

ENTWISTLE leaves for New York to spend four weeks in Honolulu. . . . CLAIRE RAINS off to Connecticut for a short

stay. . . . RICHARD BolseME, director,

PHIL RYAN, production manager, ED

ROSS, unit manager; STUART

JONES, art director, and his assistant,

LYLE WHEELER, and VIRGIL MILLER, head cameraman, looking over “Gar-

den of the Gods” location near Yuma in Selzick National. 

ISABEL STEIN, assistant to LINS-

LEY Playter at Republic, has roses on her desk and a diamond on her

finger. . . . She will be married soon to RALPH V. MARTIN, financial re-

view. . . . JACKIE MILLER, head

man, to do starchy number in Par-

amount’s “Florida Special.”

BETSY LAFACULTO, the new term

patent at M-G-M. . . . SPANKY Mc-

FARLAND’s contract extended for five weeks . . . ROBERT Z. LEONARD in hos-

pital recovering from rheumatic

fever. He fell on the “Great Ziegfeld” set. . . . ROYER, designer, re-signed by Twentieth Century-Fox. . . .

+F Casting—ALLEN KENNIS brought from Warners by Twentieth Century-

for “Tornillo.” . . . IRV EMMET,

radio star, cast in picture, this in-

troduced in氧气, same studio. . . .

SCOTTI Beckett, JOAN SIMPSON, DUKE

HANES and WILLIAM GIFFORD added to the cast. . . . ABBY

DODGE at M-G-M. . . . JOHN BUCKLER and LAWRENCE GRANT cast in “The

Unprotected Hour.” . . . M-G-M. . . . FRED H. WARREN cast in “San Francisco,”

M-G-M. . . . GEORGE E. STONE and

RICHARDS in “Bulletts for Bal-

tas.” . . . GEORGIA CAINE in “The

Angel of Mercy,” Warner. . . . JUNE

CONNOR in “Bullets for Bal-

tas.”

BRENDA FOWLER in WALTER WAG-

GER’s “The Case Against Mrs. Ames.”

EMILE CONRAD and FRANCESCO

MACDONALD in “Big Brown Eyes,”

same studio.

PASKY KAYE and BASIL RATBONE

signed for “Private Number,” Twen-

tieth Century-Fox. . . . REGINALD

DUNNY, Jr., aged four, signed for

“Bullets for Bal taps.” . . . JAMES BURKE in “Something to Live For,” Par-

amount. . . . JOHN SHEE-

DELL, head of C.M., spent five weeks in

Two.” . . . REGINALD BARKER

DAVID CLYDE and DAI -"DELL

tours from MGM to Twentieth Centu-

ry. . . . WILLIAM COLLIER, re-

signed by WALTER WANGER for “The

Case Against Mrs. Ames.”

+ Directors—ALFRED E. GREEN, re-

bursed by Universal from Warner.

+ Clipists—FRANK WOOD gets a new writing contract at Radio. . . . GUY ENDRICK working on

script of “Riddle of the Dangling Pearl,” Radio, and HARRY JONES was assigned to adapt “Bammer Bend,”

same studio. . . .

+ Title Changes—HAROLD ROACH changes title of “Bank Night’” to “Wrong Number.” . . . “Half Angel” new title for “Lightning Strikes Twice,” Twen-

tieth Century-Fox. . . . “Dancing Pi-

rate” permanent title of Pioneer’s Technicolor film.

**K. C. Unions Select Men for Convention**

Kansas City, March 8.—Operas-

 tors’ Local No. 170 and Stagehands

 Local No. 170, in a joint session, to R. R. DILLON, business representa-

 tive, heads the operators’ committee. Other members are L. L. STEWART,

 T. R. TOPPER, J. H. MORGAN, C. L.

 SARGENT and JOE ARMONE. FELIX B. SCHWARTZ, I.A.T.S.E. divisional

 representative, is chairman of the stagehands’ group, which includes also J. R. SANDERSON, ED PURCELL, GLEN MILLIGAN, ED MAIER and C. DONOVAN.
"THE COUNTRY DOCTOR"

IS THE GREATEST

BOX-OFFICE ATTRACTION

THIS INDUSTRY

HAS EVER SEEN!*

*Now being proved in 322 day-and-date record-breaking runs. And extra morning and night shows are giving a new meaning to capacity!

For instance: S. R. O. before 1 p.m. at the Capitol, Lawrence, Mass. Biggest business since "Sunnyside Up" (10 years ago)!
Rockefeller Claims Hearing Again Off

Hearings on exceptions to the al-
lowance of the Rockefeller Center claims against the City of New York, which were scheduled for tomorrow, will be postponed again for another week.

The claims, which are based on RKO's liability under its defaulted Rockefeller Center leases, and which include a demand for about $26,000,000, have been the subject of several weeks of testimony before the Music Hall and Center and the reduc-
tion of leased office space in the RKO Bldg., were recommended for all-
lowance by Special Master Thomas D. Thacher in the amount named. Irving Trust Co., the RKO trustee, and its counsel, Donavan, Newton, Leis-
ure & Lombard, are prepared to con-
test the allowance on several grounds. However, efforts to effect a compro-
mise or settlement of the claim are being continued by RCA, Atlas Corp., Lehman Bros. and RKO. An advance-
ment by Special Master Thacher may forestall, either for a time or permanently, the hearing of the trustee's exceptions to the allowance of the claim recom-
manded by Thacher. This is believed to explain the numerous postpone-
ments of this hearing which have been-
made.

The claim makes Rockefeller Center the largest unsecured creditor in the RKO mortgage proceedings. The claim ultimately will have to be treated in a plan of reorganization for RKO, because it is a matter of life or death to the company, has correspondingly retarded efforts to compromise or settle the claim.

Loew's Not to Dual Outstanding Films

Although the circuit's policy is dual features in all Greater New York theaters, with the exception of the State, which plays vaudeville, Loew's will not twin bill a number of out-
standing features.

"Rose Marie," now playing in a number of neighborhood houses, is not delayed, nor will "Wine vs. Secretary" and "Modern Times" as soon as available dates are set.

"A Tale of Two Cities," "Strike Me Flat" and "Mutiny on the Bounty" have previously been booked without support.

Similar looking over RKO were the order of the day for "Top Hat" and will likewise follow for "Follow the Fleet," which begins a full week's run on March 20, and "The Country Doctor," which will play seven days during Easter Week.

Neither circuit intends to bring back vaudeville, which was ousted in numerous situations for dual pro-
grams.

Gerstle Picks a Name

Hollywood, March 8.—Associated Geena Studios is the name chosen by Mark L. Gerstle for his new company which recently bought the Freeman Lang Enterprises.

Rebuilding of offices already has started and plans are being made for a new research and laboratory to han-
dle the film and television opera-
tives will be opened in San Francisco.

Tittle Clyde Comedy

Hollywood, March 8—Andy Clyde's latest comedy for Columbia is titled "Share the Wealth," Del Lord di-
rected.

"Everybody's Old Man"

(Twentieth Century-Fox)

Hollywood, March 8.—Irvin S. Cobb, in his first starring picture, comes through most comfortably. His picture as enjoyable enter-
tainment is geared nicely to a popular formula.

This is a remake of "The Working Man" in which George Arliss starred for Warners some years ago and has to do with the traditional fight between two food kings. It tells how Cobb, with his homely lines and a few good jokes, for the purposes of aiding the latter's two children to salvage their enterprise from disaster and their gin racketed from collapse while at the same time permits him to teach his own nephew business tolerance and greater acumen.

The rival's son and daughter, played by Johnny Dovner and Rochelle Hudson, naturally do not know who their benefactor actually is until the end. Neither does nephew Norman Foster know Cobb has gone over to the competitor's camp. The Pollyanna type of yarn works out to everyone's satisfaction including the romance between Miss Hudson and Foster.

Cobb reveals a definite screen personality and it may be that part of the mantle of the late Will Rogers which Darryl F. Zanuck here strives to throw around him may fit. There is no way of forecasting such an eventuality until the public casts votes in this and succeeding pictures.

Downs shows considerable promise as the profligate youngster who does good and Miss Hudson and Foster are pleasing as the love interest.

James Flood's direction is natural and warm from the screenplay by Patterson McNutt and A. E. Thomas.

Production Code Seal, No. 1,911. Running time, 84 minutes. "G." KANN

"Too Many Parents"

(Paramount)

Hollywood, March 8.—Played principally by children, this comedy drama has a different appeal as family entertainment.

The story centers on George Ernest, Billy Lee, Sherwood Bailey and Douglas Scott, four youngsters sent to a military school for the con-
venience of those charged with raising them. Ernest, son of Lester Matthews, a busy engineer, is the school leader. Matthews never writes his son and Ernest, because of the chiding by his schoolmates resorts to faked letters. The climax of the picture is reached when Ernest is exposed and demoted. Attempting suicide because of the disgrace, Ernest is saved by the timely return of his father for a happy ending.

Director Robert MacGowan has built the school life sequences con-
suinctly and works sympathetic interest for Ernest. The supporting cast includes Francis Farmer, Doris Lloyd, Henry Travers and Porter Hall, adults, and Carl Switzer, a youngster, who scores heavily singing one number rendered during the school show sequence.

Virginia Van Upp and Doris Malloy wrote the screenplay from stories by Jesse Lynch Williams and George Templeton and A. M. Botsford produced it intelligently enough.

The elements of humor and pathos are offered to indicate good, general audience reception.

Production Code Seal, No. 2,037. Running time, 71 minutes. "G."

Looking 'Em Over

Robin Hood of El Dorado"

(20th Century-Fox)

Herein is recounted, in entertaining fashion, the almost legendary story of Joachim Morietta, a Mexican peon of the California of the golden days of 1848, when Americans swept into the territory, and the Mexicans virtually were swept out. Warner Baxter, in the title role, does handsomely by the portrayal of the farmer who turned bandit and sought an entirely justified revenge for wrongs done him and his family.

There is much in the picture to stir the sympathies of audiences, and much to stir their pulses in the rousing fire of a lawless era and hard-living area. The film's tragic ending in the death of Morietta is

(Continued on page 11)
Reopen Many Spots in the K. C. Section

(Continued from page 1) about $100,000. The house is leased by the Des Moines Consolidated Theatre Corp.

Reopened in Cleveland Area

CLEVELAND, March 8.—The Majestic, closed several years because of the management of Ben Nadler, Max Kaplan has sold the Grand Central here to J. L. Stein.

Other changes in the area include the opening of the New Ohio in Akron, owned by & brother of city businessmen. The Garden at Portsmouth, O., has opened after improvements costing some $50,000. The Majestic at Wilmington, O., will be improved, the refurbishing to cost about $15,000.

Don M. Meyers has reopened the Comstock at Comstock, Nesh., and the Gayety at Arcadia. Abe Sadoff has resumed control of the Grandada at Grand Rapids, Mich., and E. W. Rose and Alex Manta have taken over the Roxy at La Porte, Ind., Hal R. and Edward G. Scovil plan a new modern house at Pontiac, Ill.

Several Detroit Changes

Detroit, March 8.—John Tatu and Victor Petrikis, owners of the Casino, plan a 1,000-seat house, the Northtown, here, to be built and planned two 1,500-seat neighborhood houses, with work to begin within 60 days. A. Barnes has taken over the Gem here from Ray Schreiber.

To Build in N. E.

Boston, March 8.—The following changes in New England include: the planned building of a 1,000-seat house at West Haven, Conn.; the acquisition of the Peacedale at Peace- dale, R. I. by Steve Brody; improvements on the Carlson, Edward M. Fay house in Providence.

New House in South

Houston, March 8.—J. P. Rathbone, local operator, will build a $15,000 house at Pasadena, Tex., giving the town its first film theatre. C. J. Goodwin has opened the Swan, new house at Bastrop, La. Mississippi Theatre Co. has bought the Ritz at Ferriday, La. The basis at Marion, N. C., will be remodeled.

Cancellation Right

Seems As Possible

(Continued from page 1) to 20 per cent was uncensored among distributors, however, The general sentiment favors an increase in a sympathetic light was that a compromise, probably at 15 per cent, would be fair to distributors and probably would not be spurred by exhibitors.

Distributors sympathetic to an increase pointed out that the cancellation privilege is being used less and less to avoid playing pictures because of poor bookings or for local unsuitability, and attributed this to the improvements registered in product under the Production Code Administration and the Legion of Decency film lists. The cancellation privilege, for the most part, they said, is employed to "check the clucks" and even this has been lessen to a considerable extent as a result of the widespread use of double features, which makes room for sub-par production quality if the playing terms are right.

Distributors, it is said, have also been compensated for this use of the cancellation privilege by the extended playing time and return engagements for exceptional product, made possible by the cancelling of "clucks." A five per cent increase in cancellations, it was said, would not be a severe one for most distributors, as a result, even though the full 15 per cent privilege was taken advantage of uniformly by exhibitors, which would be the case in the next 15 per cent. Qualifications for becoming eligible for the increased cancellation, moreover, probably would be such as to improve credit relations between the exhibitor and distributor, it was pointed out.

An increase would also be an effective answer to agitators for block booking abolition within and without the industry.
Pretty Soft for Me....

And pretty soft for you, too... with that big National Screen Service organization... more than 800 strong... working for you day and night... planning your screen advertising... keeping track of your bookings... with a seat-selling trailer for every picture you book...

Yes sir... pretty soft for you who have

NATIONAL SCREEN SERVICE

...prize baby of the Industry!
Nichols Turns Back Academy Writer Award

Frank Capra Replies For Academy Members

Hollywood, March 9.—Dudley Nichols has refused to accept the Academy award for the best screenplay of 1935 on "The Informer" and has clarified his action in a letter which reached Academy headquarters today. Nichols' action is the most drastic thus far in the continued warfare between the Screen Actors' and Writers' Guilds and the Academy for production recognition.

The Writers' Guild would make no official statement today. Donald B. Grant, executive manager of the Academy, has steadfastly insisted that the Academy, as a non-political organization, would forward awards regardless of what the receivers did with them, and without personal resentment if the winners refused to accept.

John Ford, the director of "The Informer," (Continued on page 6)

L. J. McCarthy Made Aide to R. C. Rhoden
Kansas City, March 9.—L. J. McCarthy, district manager of Fox Midwest, has been made assistant to R. C. Rhoden, president, and general manager. McCarthy will do the film buying and will relieve Rhoden of other executive details.

Sitting-in for M. B. Shanberg before Shanberg sold the houses to Fox, and holder of that job with Fox Midwest, becomes district manager in charge of Greater Kansas City houses.

Edward Shanberg, brother of M. B., and booker, has taken charge of the out-of-Kansas City part of McCarthy's territory awards to the (Continued on page 10)

Grainger Feted at the Astor By Exhibitors and Salesmen

E. C. Grainger, who retires as eastern division sales manager of Twentieth Century-Fox on April 15 to become general manager of the Feiber & Shea circuit, played to a full house last night at the Astor, where well wishing and diplomatic film salesmen gathered in proud numbers by way of a testimonial to the rare transatlantic visitor.

Claude Saunders of Ross Federal Service clocked the house at 623 paid testimonials which included Jack Springer, about the receipt of whose tariff some doubt was expressed by Joseph Lee, treasurer of the dinner committee. The attention, regardless, was of sufficient impressiveness to send Mort Shea home pondering the advisability of booking Grainger over the circuit for a mesh of a week's stands instead of following through with the original plans of putting him behind a home office desk.

(Continued on page 6)

Para. Fee Appeals Are Again Delayed

Hearings on five appeals from Federal Judge Alfred C. Cooxe's decision on the allowance of fees for Paramount reorganization services, which were scheduled to be held in the U. S. Circuit Court of Appeals here yesterday, were postponed to April 6 with the consent of the five appellants because counsel for several of them had not arrived in time before the U. S. Supreme Court this week.

The appeal hearings were those of Root, Clark, Rocker & Bal- lanite, counsel to the Paramount trustees, whose application for a fee of $750,000 was reduced to $250,000; Cook, Nathan & Leiman, attorneys for the Paramount stockholders' protection committee, whose application for a fee of $125,000 was allowed at $115,000; Kuhn, Loeb & Co. and their attorneys, Gravath, de Gersdorff, Switzer & Wood, whose applications were denied in toto, and the stockholders' committee appeal on behalf of its auditors, Coverdale & Colpitt, whose application for $51,000 was allowed at $27,860.

Cooper Sees Color Picture Costs Cut

Hollywood, March 9.—"We expect that after our fourth production the cost of color pictures will be no more than that of black and white films," Merian C. Cooper said today.

Pioneer in making a close check on comparative costs, and so rapidly is the color process coming under control that shooting schedules now are no longer than on monochrome pictures.

The cost of raw film always will be higher, but this is a negotiable item on the expense sheet. In the past the production holds at 37 Third Week

Hollywood, March 9.—Thirty-seven features were before the cameras last week, the third consecutive week this figure has held.

Short subject production has fluctuated, with all studio shorts depart- ments dark, according to the week's survey. The preceding week, short subject production hit a record high with seven one- and two-reelers in work.

M-G-M continued to lead the field with eight features in work. Warners ran a close second with seven.

Columbia has two features on the regular stages, five in preparation and five in the cutting rooms. M-G-M had eight, zero and 13; Paramount, six, four and nine; Radio, four, two and zero; Czech, zero, one and one; Twentieth Century-Fox, five, three and five; Universal, two, two and one; Warners, seven, zero and six; independents, three, two and one.

No short subjects were in work, but Columbia had two in preparation and three in editing. M-G-M had four and five; Roach, one and three; independents, two and zero.

Temporary Stay On "Ecstasy" Granted

Justice Irwin Untermeyer of the Appellate Division of the N. Y. Sup- reme Court yesterday granted to Eureka Prod., a temporary injunction restraining Metropolis Pictures from using the word "Ecstasy" in their film "Ecstasy of Young Love." Eureka, through its attorney, Henry J. Pearlman, contended the use of the word was unfair practice, in view of Eureka's film, "Ecstasy." Coolidge-

Culkin Drops Federal Film Board Scheme

Pettijohn, Cabot Talk On Block Booking Bill
By BERTRAM F. LINZ
Washington, March 9.—The declaration by Representative Culkin of New York that he has abandoned all efforts to secure the enactment of legislation creating a Federal film commission, marked the opening today of hearings on block booking before the Pettengill sub-committee of the House Committee on Interstate and Foreign Commerce.

Appearing before the group to discuss his measures, Culkin admitted he was more interested in the creation of a Federal regulatory body than in the phase of the situation, but added, "I do not think civilization is advanced far enough to put that bill on the books."

Urging that the industry should be made a public utility, Culkin pointed out that railroads, telephones and power are already in that category and that films are held to be in utilities in England and France.

Seeking a picture of the situation (Continued on page 8)

RKO to File Briefs In Sale Tax Dispute
RKO will file briefs in opposition to the levying by the city of the two per cent sales tax on film rentals as amicus curiae in the appeal by United Artists from the city comptroller's ruling that film revenue is subject to the tax.

Permission to file the briefs was granted by the appellate division yester- day, which will hear the United Artists' appeal late this month or early in April. Goldman and a special counsel for Keith-Albee-Orpheum, will prepare the briefs in the interests of both the local companies and the company's theatre subsidiary. The United Artists' appeal is regarded by distributors as a test case in the city's move to apply the sales tax to film rentals.

"Country Doctor" On Low-Poli Dual Bill
"The Country Doctor," will be double featured on the Low-Poli circuit, this week, although "Paddy O'Day" is supple- menting "Country Doctor" at the Poli (Continued on page 10)
**Insiders' Outlook**

By RED KANN

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**Hollywood, March 9.**

SURROUNDED by his pipes, and walls adorned with handsomely photographed photographs of his polo stable, Walter Wanger muses over the celluloid estate and speculates if the time has not arrived for an assertion of what he regards as the industry's inalienable rights. There's a phrase for you. In political history, it's been known to have had the mob sobbing, Wanger, a good showman and on his toes, has an appreciation of publicity values and by now swaddling clothes and overcoat for an unknown business....

And so, interrupted by casting directors, Raoul Walsh, opening and closing doors of our product, telephone arrangements for a bit of polo at Riverina in the afternoon, United Artists' latest acquisition expanded this:

Wanger remembers when I first broke in as a show business, which is quite a number of years ago. It was anarchistic in polite society as to whether a man was to be mentioned in connection with the film industry. Today, motion pictures have captured the world's imagination as well as its interest. New York and London society now make it a scene here in Hollywood. It's smart to be around film people.

"It seems to be, therefore, and not in the past, the gaff of our product, telephone arrangements for a bit of polo at Riverina in the afternoon, United Artists' latest acquisition expanded this:"

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**Ampa Thru Dinner**

Play in Rehearsal

Ralph Roland, vice-president of the March of Time, and Gordon White, American producer, have the task of rehearsals for the show they are producing, which will be the leading feature of the first Naked Truth dinner at the Hotel Astor Saturday night.

The play, which will lampoon the industry, is written by writers William A. Willis and Marcy Klaser. Writers for Educational, and Charles Curran, Donalene and Coe, Harry Cunningham, Walter Fenner, Fred Hillebrand and Arthur Kay are playing the leading masculine roles, while Alice Rinesheart has the feminine lead. The musical accompaniment was prepared by Jimmy Burns.

**Kent, Hofsseed Here Soon**

Percy Kent, head of National Theatres, publicly divined that Milton Hofsseed, who has been named distant to E. L. Alperton, film buyer, are scheduled to arrive from the coast next week to make their headquarters in New York.

**PHOTOGRAPHER—EXPERT TIMER, for coping nегatives in production. One who has special- ized in the quick capture of the event, often good captions on film, and enlarge the society积累 returns to the States he earns a higher salary, former employers and how long in each place. Ben Hise, Motion Picture Daily.**
"THE COUNTRY DOCTOR"

IS THE GREATEST

BOX-OFFICE ATTRACTION

THIS INDUSTRY HAS EVER SEEN!*

*Now being proved in 322 day-and-date record-breaking runs. And extra morning and night shows are giving a new meaning to capacity!

For instance: Topping sensational figures of "The Littlest Rebel" and "Steamboat 'Round the Bend" at the Denver Theatre, Denver!
NO MATTER HOW JIMMY STARR SAYS: "RATING: SPLENDID...PRODUCER EDMUND GRAINGER DESERVES A BOW FOR THE SMARTNESS OF PRESENTATION...CAROLE LOMBARD IS AT HER BEST, WHILE PRESTON FOSTER IS A CINCH TO HIT THE RAVE CLASS...WALTER LANG'S DIRECTION IS FIRST RATE.....'LOVE BEFORE BREAKFAST' SHOULD BE ON EVERYBODY'S MOVIE MENU!"

WALTER WINCHELL SAYS: "I SAW SOME OF CAROLE LOMBARD'S NEXT PICTURE, 'LOVE BEFORE BREAKFAST,' AT THE ROXY PREVIEW. YOU CAN SAFELY LIST IT AMONG THE HITTRACTIONS!"

"LOVE BEFORE IS STILL A SOCK"
YOU LOOK AT IT!

"A PARADE OF HILARIOUS SCENES... ONE OF THE MOST BOMBASTIC COURT-SHIPS THE SCREEN HAS EVER RECORDED... A RAPID FIRE SCREEN COMEDY... ALL GRAND FUN AND THERE ARE NO DULL MOMENTS!"
---SHOWMEN'S TRADE REVIEW

"STACKS UP AS THE KIND OF ATTRACTION FOR ANY AUDIENCE... THE KIND OF SHOW THAT'S ALL FUN!"
---MOTION PICTURE HERALD

BREAKFAST IN THE EYE! A UNIVERSAL PICTURE
**E. C. Grainger**

**Guest Host At The Astor**

(continued from page 1)

**MOTION PICTURE DAILY**

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

“Snowed Under”

(Warner's)

Hollywood, March 9.—A farce comedy which draws upon the elementary slapstick methods to put over its many hilarious, sly, and小さくすることができる

The picture has a nonsensical quality that should appeal to mass patronage.

F. Hugh Herbert and Brown Holmes did the screen play from the Lawrence Saunders novel, cleverly preserving all of the humor content of the original. It is the story of a playwright, George Brent, snowed under with writing jobs, so much that he finally figures his life is golden. He marries Patricia Ellis, a hero-worshipper. He has hardly sat down when he comes Genevieve Tobin, ex-wife No. 1, who has been sent by Porter Hall, producer, to be Brent's inspiration for a necessary third act to this latest play. The situation becomes absolutely hectic when alimony-seeking ex-wife No. 2, Glenda Farrell, drops in and falls in love again with Miss Tobin. Miss Ellis considers lawyer Eldredge a pretty good catch and Miss Farrell, now certain that the alimony will be forthcoming, looks romantically upon McHugh.

The picture is smartly directed by Raymond Enright, and plays in a key by Don Franzen which keeps the laughs coming fast and furiously without regard to rhyme or reason. For those who like their fun in broad and copious quantities this should please mightily.

Production Code Seal No. 1,811. Running time, 60 minutes. “G.”

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**20th-Fox European Set Meet in April**

The international sales meet of Twenty-Fifth-Century Fox will be held here in April. There will be a complete display of the films. Dates have not been announced.

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**Nichol Turn Back Academy Writer Award**

(Continued from page 1)

Formatter, who, like Nichols, was a member of the Academy, was pleased to accept the award.

The full text of Nichols’ letter to the Academy was:

“My awareness of the honor given to the screen play of ‘The Informer’ and my gratitude to those individuals who voted the award, only make it all the more gratifying now, as the voted upon, is the first of the first screen Writers’ Guild, which was conceived in revolt against the Academy and by the writers who felt it functioned against employed talent in any emergency, I deeply regret an unable to accept the award.

My only regret now is that I did not withdraw my name from the nomination, thus avoiding this most embarrassing situation.

This rejection can in no way prejudice the Academy. I realize the awards were voted for a generous membership who had no thought of personal partiality or political intent. But a writer who accepts an Academy award tacitly supports the Academy and I believe the other representative organizations should stand with an even stronger voice against the awarding of any prize that might encourage a general writers organization for writers who aims for justice for employer and employment as it has been concerned sold with the betterment of the writing craft.”

Academy President Replies

Replying to the published Nichol letter in, Frank Capra, Academy president, was quoted today as follows:

“Membership has no connection with the Academy awards and never has had in all the eight years during which they have been conferred. The awards constitute a dignified recognition of the year’s worthiest work. They are given to a representative group of writers, actors, producers, executives, technicians, and directors. The statuette is a symbol of the organization. The ballots are distributed to the membership, which is the exclusive group of writers who are backgrounded on the Academy membership that the screenplay of ‘The Informer’ writer whose work was not achieved in its field during the year, and was an artistic accomplishment of which American motion pictures may well be proud.”
IT’S HEAVEN TO HEAR THE SCREEN’S GOLDEN-VOICED TENOR

PHIL REGAN SINGING SONGS THE WHOLE WORLD WILL LOVE

"LAUGHING IRISH EYES"
with Phil Regan, Walter C. Kelly, Evalyn Knapp

Republic
73 mins.

POPULAR NUMBER RIGHT DOWN TO EARTH WITH SWELL ACTION-LOVE STORY AND REGAN A HIT.

This one rings the gong for the b.o. as well as for the hero singer-actor in the ring, and for the top houses of all classes it is gilt-edged to please their audiences of all types. And the story is never to state that it carries more real human appeal and downright entertainment than a big slice of the more pretentious productions. It has fine emotional punch—fast tempo—excitement and breezy action—emotional love story—and carries a suspense kick right up to the last frame. Add to this a real comer in Phil Regan and you have been built up in a part that fits him perfectly, and you have an attraction for the masses that is scarce in our singing actors. Plenty of personality that the women will go for. The hero is brought over from Ireland by the girl's dad, a fight promoter, who thinks he has in tow a famous champ, not knowing that the lad has been passed off by the Irish manager as the real champ. Regan agrees to the deception so he can follow the girl (Evalyn Knapp) back to the United States. His only interest being in her. She has plans to make him a great fight, but with his voice, and builds him up accordingly while her dad grooms him for the big fight, still believing him the Irish champ. Then all sorts of fast and suspenseful complications building to the fight climax with a most satisfactory ending for all hands. You can sing to this as grand entertainment for the entire family and you'll have no kickbacks. For Irish communities a clean-up.
Culkin Drops Federal Film Board Scheme

(Continued from page 1)

before hearing testimony, the sub-committee voted for opening petitions from Stephen B. Cabot, honorary vice-president of the M. P. Research Council, and Charles F. Culkin, counsel for the P. P. D. A.

Going over the ground which he traversed during the Senate hearings, Cabot discussed the growth of the industry, its influence and the effect of pictures on young people. Again he referred to the promises of the industry to clean house and its alleged failure to perform, and declared, "It is clear that the industry so far is insincere and unable to reform itself within."

Claims Public Has No Choice

Block selling is not wholesale selling, Cabot said, because in wholesale selling the buyer at least has a sample of the product. In block selling, in order to get some good pictures, you have to pay for some very inferior pictures at the same time," he alleged.

Cabot repeated his arguments that under block booking the people of the community are deprived of the selection of pictures, and that the exhibitor is powerless. "If the exhibitor were free to respond to the need and wishes of his patrons he would not refuse to meet their desires," he held. "He would quickly lose patronage if he did."

Discussing the present situation, Cabot admitted: "It is only fair to say that during the last few years pictures have improved. However," he added, "the opponents of this bill now say they are free to respond to the need and wishes of the public and they can be depended upon to keep it clean. What guarantee do they give us that they will continue to keep their house clean?"

A slight pruning of the "colossal" salaries paid by the industry may be necessary, said Cabot. While he admitted, but contended the advantages would far outweigh the disadvantages.

Distribution is a mechanical problem which is not considered in the bill, Petittjohn declared in the distributors' side. Thirty thousand miles of film must be distributed among 16,500 theaters every day, he pointed out.

"Not Mass Production Industry"

Answering Cabot's charge that in other industries the buyer is shown samples of the product, Petittjohn declared that this is not a mass production industry and that often the producer doesn't know what he has until the picture is completed.

Stressing the contention that the film industry is not a mass production industry, he told the sub-committee that the smallest theater gets the same pictures as the largest, and these pictures are often at a price which is no more than the depreciation charge of the print.

Again he explained that the bill would raise distribution costs and be reflected in higher admissions. On the ground of moral tone, he argued that exhibitors would continue to buy box-office attractions and asserted that the good pictures would still be difficult to lay off. While he favored the committee the table he presented on the Senate side to show that Mac West had not been canceled and "Alice in Wonderland," "Aladdin" and other good films had been.

If a bill of this nature is to be presented to Congress, as well as block selling should be outlawed, otherwise the houses which now have protection, now have protection competitors would be left high and dry, although he added, under any method of selective buying the exhibitors would all most likely get the best box-office pictures.

To Force Out Bad Pictures

Aspersions by Petittjohn that the bill would not raise the moral tone of pictures shown were challenged by Congressman Culkin, who contended that government said, he favored his other bill, which would prohibit compulsory block booking and amend Section 9 of the Radio Law. He has the support of the Motion Picture Producers Association of America, which is identical with the Motion Picture Producers Association of America, which is identical

M-G-M Seeks Dismissal

Los Angeles, March 9.—A 12-unit bill, consisting of a double feature and 10 shorts, will be introduced in Washington at the second run house here. A similar program was instituted in Derby this winter.

12-Unit Bill

Farrington, Conn., March 9.—A 12-unit program, consisting of a double feature and 10 shorts, will be introduced at Warner's Farrington Theater this week. The bill would improve the tone of pictures. The producers, he charged, do not force their films into the neighborhood houses, and cancellations mean nothing, he said, and damages totaling $30,000 and costs. The motion holds that the Irby patent is for a different class of merchandise, and the house, the court has been set for March 12, before Judge Albert Leeds, Stephens.

Supply Board to Meet

Directors of the Independent Theatrical Supply Board will hold a one-day meeting Friday at the organization's headquarters here. Discussions will cover the annual convention in June at Chicago. Attending the March 12 session will be J. W. Shearer, Seattle; Ken Douglass, Boston; John C. Horstein, New York; Glenn Rizzo, Philadelphia; A. F. Morane, Pittsburgh, and Joe Graham, Denver.

"Times" Big in Frisco

San Francisco, March 9.—"Modern Times," directed by Charlie Chaplin, opened last week at the Curran Theater and did a fine business. The bill was advanced for an additional seven its exteriors. It looks as though the gross for the week will reach $71,000."

Coast Pool Extended

Los Angeles, March 9.—The one-year pool between the RKO Hillstreet and the Pantages, Hollywood, has been extended for an additional year, with RKO in charge of buying and operation. This was the purpose of Nate Blumberg's trip here.

Defense Rests Case In Cagney vs. Warner

Los Angeles, March 9.—Defense in the Cagney vs. Warner trial closed here today with testimony by Rapley Lewis, Warner counsel. The defense closed with a categorical denial of the Cagney charges with nothing new added. The case will be submitted to Judge Charles J. Bogue Tuesday afternoon for judgment.

Coast Houses to Dual

Los Angeles, March 9.—Loew's State and Grauman's Chinese will adopt a double feature policy following the run of "The Court Doctor." M-G-M's "Wife vs. Secretary" is the film set to inaugurate the new policy.

Al Colombo Promoted

Hollywood, March 9.—Al Colombo was today promoted by RKO to head of its eastern department. He succeeds Fred Flick who is advanced to production berth.

Bert Perkins Is Dead

Bert Perkins, 45, and widely known exploiter, passed away in Miami last week and has been buried in Providence. He was with M-G-M for a number of years and for the past eight years had been with Warner. Perkins became ill last spring while on an assignment in Detroit, and although he had taken a Mediterranean trip he never recovered sufficiently to report for work again. He is survived by his widow, Edwina.

Harry Browne Passes

Word was received yesterday at the U. A. home office of the death of the week-end of Harry Browne, salesman in the Atlanta exchange. Browne was reported killed in an automobile accident. Further details were lacking.

Arthur McCoy Dies

OTTAWA, March 9.—Arthur McCoy, recently appointed manager of the Tivoli Theatre at Kingston, Ont., and member of the Canadian Cinematographers' Union, has died. A brother, Thomas, manages the Regent here.

Herman F. Jans Dead

Herman F. Jans, former independent producer and at one time head of Jan Pro, died yesterday. He had been inactive for the past five years.

Jones to Do "Othello"

Hollywood, March 9.—Robert Edmond Jones will produce "Othello" in New York in November under sponsorship of Max Gordon, Walter Huston will play the title role and his wife, Nan Sunderland, will play Desdemona. Jones plans to leave Hollywood as soon as his work on "Othello" is completed, which will be about the first of May.

KAO Board Meet Set

The board of directors of KAO with Monday to set a date for the annual stockholders meeting. A financial report will be completed and Price, Waterhouse will be approved at the meeting and later sent out to stockholders.
EXPLOITATION HAS BEEN
WRITTEN IN BLOOD
BY SORCERY
HEADLINES OF THE NATION'S PRESS!

"The PENITENTIEN MURDER CASE"
ANOTHER BOX-OFFICE SENSATION FROM THE MAN WHO GAVE YOU "THE LOST CITY" AND THE TARZAN SERIES

Exchanges
WIRE, WRITE, TELEPHONE
HARRY REVIER
INTERNATIONAL CINEMA LABORATORIES
6823 SANTA MONICA BOULEVARD
HOLLYWOOD
Telephone HO. 3961

EXHIBITORS NOW
LAIN AUTHOR'S AID CULT FANATIC
Purely

SONJA HENIE, the Norwegian champion skater, arrives on the Hebrides' latest transatlantic liner, the Gripsholm, to do a full-figured picture of herself. So much that she's sent out telegrams to the press telling of the new pictures and that the picture "looks like one of the biggest hits of all Warner musicals."

Joe Hornstein, who returned yesterday from a week-end in Atlantic City, almost scored a hole in one. A bet on the outcome of a nine-hole round could have done the trick, but the elements conspired against Joe.

Purcell Pratt left for the coast yesterday. Instead of reporting to Republic he will check in at Rko-Pathe and sign a contract to direct his next film.

Former Senator James A. Reed has returned to Kansas City after spending a few days in town conferring with Warner lawyers on the St. Louis case.

Nat Lefston and Jack Jossey of the Republic Cleveland exchange arrived yesterday for distribution conferences with W. Ray Johnston.

E. L. Alperman, now vacationing in Miami, gets back next Monday.

Leslie E. Thompson returned yesterday from a Miami vacation.

Phil Regan is back from a tour of personal appearances.

... Denver

Robert Selig, formerly at the Fox exchange, has made his first move manager and booker for G. B., succeeding page 91.

Ross Largent will open his new theatre in Salida, Colo., within the next few weeks.

Arie Diner, manager of the Salt Lake City Mercury exchange, is traveling through southern Colorado and New Mexico.

Col. George B. Fisher, general manager and president of the Denver and Salt Lake City Dynamic Screen Attractions, has returned from a month in Salt Lake City.

Maude Lowney of Los Angeles is now on the selling staff of the U. A. exchange.

Ben Fish, district manager for U. A., is visiting Al Hoffman, local manager, with W. B. Brotts, publicity manager in the middle west.

New Orleans

Dick Samuel has been named manager of the Palace. He succeeds H. J. Hury, who has been transferred to Montgomery, Ala.

Colores Costello Barrymore spent two days here as the guest of a local exchange manager on her way back to the coast from Warm Springs.

Maurice Allwright has purchased the Lyric at Baldwin from J. Ryson.

R. J. Stephens has closed the Magazine in the Louisiana town of that name.

D. B. Fisher has acquired the Lake at Lake Providence, La.

Personal

Greta Garbo Sails Today

Stockholm, Sweden, March 9—Greta Garbo will leave here tomorrow aboard the Drottningholm for New York.

Cooper Sees Color Picture Costs Cut

continued from page 3

main expense charged against color has been the result of ignorance, according to Cooper. Extensive experimenting with lighting and textures leaves of necessity been charged to individual productions instead of research. This, according to Cooper, will shortly be unnecessary.

Next year's Pioneer will include a fantasy, if Cooper's present plans are continued, and he will not attempt anything like "King Kong" on this year's schedule.

"Country Doctor" On Low-Poli Dual Bill

continued from page 3

Bridgeport house and will be followed by the "Mrs. Wells, Secretary" single feature.

The Loew's home office explained the policy with the statement that while "Country Doctor" is recognized as an artistic picture, more than three or four features a year are considered strong enough to play. New duals in the future will be as the Poli locations on a single bill.

Lincoln Bans "Annie"

Lincoln, March 9—County Attorney Max Towle, local censor, has banned "Klondike Annie" after seeing lobby displays at the Stuart, and declares he will seek an injunction to prevent the showing. Jerry Zigmond, city manager for Lincoln Theatre Corp., has referred the action to the producer, suggesting that objectionable material be deleted from the film.

Wall Street

Short Lenses Mark Board Trading

continued from page 3

WHERE

GREAT EVENTS OCCUR

AND INTERNATIONAL

PERSONAGES RESIDE

WASHINGTOE, WASHINGTON, D.C.

Mr. R. L. Polio, Manager

M-G-M Club Will Dance

M-G-M's Pep Club will hold a dinner-dance at the Astor on March 27. The affair will be staged in the roof garden.
The Suprex High Intensity Arc has been acclaimed as "the outstanding achievement of years" in the field of motion picture projection.

The development of this improved type of carbon arc by the National Carbon Company Research Laboratories puts High Intensity Projection within the economic reach of theatres of small and moderate size.

The advantages of High Intensity Projection are:

- A snow white light that gives clarity and depth to black and white productions, and natural color values in color features and sequences.
- A brilliancy of screen illumination which allows sufficient supplementary lighting in the theatre for comfortable vision from the moment of entrance.

Take advantage of the patronage drawing power of this superior projection light.

SUPREX CARBONS

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide NEC and Carbon Corporation
Branch Sales Offices: New York, Pittsburgh, Chicago, San Francisco
"HIT and RUN DRIVER"

is the Greatest Exploitation Short Subject that has ever swept the Nation!

IT GETS EXTRA RECEIPTS!
This Short Subject is drawing more people into theatres than any short now being shown! That's a large statement but you'll find out for yourself. Circus it, sensational-itize your lobby, advertise it, make use of the ready-made exploitation.

IMAGINE SUCH TIE-UPS!
1. Scripps-Howard newspapers will cooperate with theatres in towns where they have newspapers.
2. You will receive a supply of a special poster prepared by the Automobile Manufacturers Association which you will receive gratis.
3. The National Headquarters of the A.A.A. Auto Clubs have requested local Auto Clubs to lend their support when the picture is being shown.
4. National Safety Council Bulletin Boards in 15,000 of the largest plants and factories throughout the country will display a special poster plugging Hit and Run Driver.
5. Police Chiefs—American Legion Posts and Motor Vehicle Commissioners throughout the country have been advised by their national officials to get behind local showings.

(See Campaign Book for other tie-ups)

NEWS & EDITORIAL FLASHES!
"Every theatre in the United States, Canada, Mexico and everywhere else where there are roads and cars ought to show Hit and Run Driver . . . punchy, remarkable and an indelible lesson to drivers and the general public" . . .
---Omaha News-Bea

"One of the most timely compelling features of its kind ever made . . . interesting and filled with drama" . . .Washington Times

"One of the most effective safety editorials dramatized on the screen . . . one of the year's most important short films" . . .
---Kansas City Journal-Post

Jolts The Trade Press
"Will make your hair stand right out on end, either end . . . George Walcott is Robert Taylor plus" . . .
---New York Morning Telegraph

". . . a pip . . . the guy who could sit unmoved through it is the guy who could cheat a lie detector . . . George Walcott gives a great performance" . . .
---Hollywood Reporter

"Superb . . . a builder of screen prestige . . . should be put before the eyes of every driver and pedestrian in the world" . . .
---Motion Picture Herald

"Absorbing . . . cleverly built up . . . drives home . . . George Walcott a real 'find' " . . .
---Film Daily

"Forceful . . . human drama . . . told with a stark realism...cannot fail to impress" . . .
---Motion Picture Daily

GET PRESS-SHEET TODAY!
A complete campaign book is ready for you. Get it and see how easy it is to put this attraction over for real profits! "Hit and Run Driver" is the fourth of M-G-M's famed "Crime Doesn't Pay Series" typical of the practical, show-building quality of M-G-M's money-making Shorts.
Columbia May Start Making Films Abroad

Friedman Here to Talk Over the Details

Columbia is discussing plans to produce in England, it was revealed yesterday with the arrival on the Ile France of Joseph Friedman, in charge of sales for the company in England and the continent.

Although Friedman would not discuss the Columbia plans for making pictures in London, Joseph Seidellman, head of the company's foreign activities, stated that this was the purpose of Friedman's trip.

Accompanying Friedman were Alex B. Pincus, president, and Charles A. Alshon, a director of Columbia, and the parent company for Osso, which distributes Columbia product in France, Belgium and North Africa. Seidellman, Friedman and Pincus will leave next week for Hollywood to confer with Harry and Jack Cohn. It was stated that at the coast meetings details pertaining to the number of pictures, the studio to be leased and the (Continued on page 16)

Federal Board May Get NRA Function

WASHINGTON, March 10.—Legislation vesting the Federal Trade Commission with functions formerly controlled by the NRA may be incorporated in a bill extending the powers of the commission, under consideration today at an executive session of the Senate Interstate Commerce Committee.

Suggested by Senator King of Utah, the plan would enable the commission to cooperate with trade and industries in the adoption of voluntary agreements for the conduct of business. Any agreements made with the commission might provide for the (Continued on page 15)

W. E. Reports 1935 Net of $2,620,279

Western Electric reports sales increased to $105,417,000 for 1935, a gain of approximately 15 per cent over the previous year. This, with other income from subsidiaries and affiliated companies, produced a net of $2,620,279 which was carried to surplus. This compares with a deficit of $7,751,548 for 1934.

Total assets of $273,666,679 are listed. For 1934 the total was $306,594,326.

Temporary Stay Halts City's Sales Tax Leveies Upon Films

A temporary stay restraining both the city and distributors from levying or collecting the two per cent sales tax on film rentals was granted to the I.T.O.A. yesterday by the Appellate Division, pending the determination by that court of an appeal from the city comptroller's decision holding film rentals to be subject to the tax.

The I.T.O.A. action was brought by Harlow and Quinlin, Inc., operators of Brooklyn theatres. Hearing on their appeal has been placed on the Appellate Division calendar for March 20. The theatres' opposition to the sales tax is independent of that being conducted by distributors, who recognize an appeal being taken by the United Artists exchange as a test case.

Congressmen Seem Averse To Move Against Booking

Duffy Fights Ascap Stand On Copyright

BY CLARENCE LINZ

WASHINGTON, March 10.—Representatives of Ascap, who for the past two weeks have attacked screen and other users of their material before the House Patents Committee, were attacked in turn today as the committee began to hear Ascap's opponents on copyright legislation.

It became apparent early today that if as much time were to be given each opposing group as has been granted Ascap, the taking of testimony would not be completed by the end of April and it would be practically impossible to enact any legislation this session.

Reversing the usual practice of hearing proponents of legislation first, it was not until today that the committee consented to listen to Senator Duffy of Wisconsin, author of the bill passed (Continued on page 16)

Legion Approves 13 Additional Pictures

Of 20 pictures added to the National Legion of Decency List during the past week, 13 were classified as objectionable for general patronage, six were grouped as objectionable for adults, and one was noted as objectionable for children only.

The additions of the week, and their classifications, were: Class A, Section 3, Unobjectionable for General Patronage—"The Call of the Prairie." (Continued on page 16)

Jersey Moves For 10% Tax On Theatres

Levy Expected to Yield $2,000,000 Annually

TRENTON, March 10.—A 10 per cent tax on the gross receipts of all amusement has been agreed upon by a joint House and Senate Emergency Relief Committee, it was revealed here today.

The new levy is estimated to produce $2,000,000 and is based on reports by the Department of Commerce that amusement receipts in the state totaled in excess of $19,000,000 last year.

With the introduction of the tax measure in the Assembly tonight, sufficient votes have been pledged to house the levy under suspension of the rules to prevent opposing organization against it. The tax would go into effect April 15 and would be payable monthly.

Charitable and religious performances would be exempt. Legislators today declared the tax would be ap (Continued on page 18)

Fligelstone Named President of CEA

By BRUCE ALLAN

LONDON, March 10.—H. Fligelstone, former vice-president, today was elected president of the C.E.A. without opposition at the annual meeting of the organization. Charles P. Metcalfe defeated E. J. Higgs for the vice-presidency.

The London Home Counties Branch moved to amend the rules so as to include among the subjects of the association the provision that "film rentals paid by member shall not exceed the maximum rates fixed from time to time by the council." The result of a vote on the question is not expected to be available for some time to come.

About 1,000, a record number, were present at the banquet tonight at Grosvenor House.

Lichtman, Quimby, Both Sick with Flu

A. Lichtman, special assistant to Nicholas M. Schepel and Fred C. Quimby, short subject sales head for M-G-M, are in the sick bay with flu.

Lichtman has been home since last Thursday and is not expected back at his office until next week. Quimby, who was down with the flu on the (Continued on page 16)
Hollywood, March 10.  

GRABBING orthodoxy by the throat and silencing its last protesting gurgle, Louis B. Mayer, easily first candidate for emperor of Hollywood if one should consider such a political philosophy, has furnished this correspondent with his journey's outstanding surprise. L. B. knows his business and market, but, within this knowledge, never has sprung a viewpoint more punctuated with revolution and departure from the accepted than that which now follows.

He would completely overturn the existing order of sales, predicking his theory on the gentle and considerate observation, often slightly overlooked, that the exhibitor concerns the honesty of the producer. Where, as all and sundry are aware full well, the theatre operator now guarantees the distributor that the latter will come out and both share when the grosses to share, Mayer would do this:

Fix the exhibitor's profit, after taking full cognizance of rent, overhead, carrying charges and the like. Guarantee him his net.

Set up a rising scale—after the theatre's end—and compute the distributor's earnings from that point on.

In other words, place the gamble on the distributor, not on the exhibitor, and let the producer of the product determine the issue.

Mayer talking now:

"This is the answer on return of the producer and distributor on pictures like 'Muniny on the Bounty.' Why shouldn't the producer get his just reward for pictures of such calibre? The plan, granting the exhibitor his normal profit, will profit the producer in direct ratio to the quality of the product he turns out. If medium, it is the producer who would take it on the chin, and he should. The one stipulation I would make would concern the honesty of the exhibitor, which, of course, must be beyond question. The idea would apply to A houses and to B theatres as well."

All of this came about through a question. It was: "What is the reward for making superlative attractions in a double feature market?" Mayer's answer was: "I don't know. We are getting our share, but it is not all that we should." The verbal revolution followed immediately thereafter. Whatever roars develop from Leo's New York lair when this reaches such eyes as Al Lichtman and Felix Feist's, not to overlook Bill Rodgers', Eddie Tolan's and Tom Connolly's, may be mere shouts and murmurs by comparison with exhibitor reaction. Be patient.

Since Metro's, by popular acknowledgment, top all others in this gold-paved countryside, inquiry about the speculative outcome of the more and more expensive attractions stacked up as a logical something to ask the generalissimo of the Metro domain. They're mounting and mounting; everything looks O.K., but Mayer doesn't know where it will end," was Mayer's judgment. "I do know, on the other hand, that whatever is in this business is in profit. We are operating with figures that we have not heard that we once destroyed a $500,000 negative because we were not satisfied with the results and did it over again. The pictures are competitive. It may be a case of Marie Dressler. The rest is history."

English competition is being felt heavily, Hollywood, it is Mayer's opinion. He sees the industry there growing and finds as a contributing factor of import the manner in which the British government stands behind its film business. "In this country, the Government blocks the industry," he remarked, thereby emphasizing his long-known allegiance to the British. "I believe taxation was once to taxation, but our own interest was far more directly concerned with the status of production, present and future, as Mayer envisioned it."

He is, of course, inordinately and justifiably, proud of his company's record in the hazardous field of manufacturing entertainment. Facts to prove his point fall easily from ready lips. "We have survived the death of Lon Chaney, of Marie Dressler, our highest drawing card, and Thalberg's virtual inactivity for eighteen months due to sickness. With the most formidable array of stars in the industry, we are continuing our endeavors along those lines. This Metro family sticks together, as you are aware. Shearer, Crawford, Garbo and others have failed us for a lot for years. Yet it is my opinion, that, in addition to the veterans, we have on hand an equally impressive group of newcomers. Take a look for yourself. There are Eleanor Powell, Rosalind Russell, Freddie Bartholomew, Luise Rainer—wait until you see...

**Cagney Cancellation Arguments Offered**

**Los Angeles, March 10—Rule that the evidence bears out the claim of James Cagney that Jack Warner promised that the studio would not re-

**Insiders’ Outlook**

By RED KANN

Warner's Institute  
21 New Music Suits

An additional 21 actions alleging infringement of Warner music copyrights were filed against radio stations in various points throughout the country yesterday by Warner music publishing subsidiaries. The new suits ask a total of $59,000 in damages.

With the filing of yesterday's actions the total number of Warner music infringement suits pending against 900 stations reached 97. The Warner music companies also have instituted actions against 10 New York hotels and cafes. Radio stations which were named as defendants in the actions filed yesterday are KXFR, KFTH, WITAS, KVOR, WMBB, WALA, KLRA, WSBT, WREC, WCAO, WBT, WWKH, WMAM, WRNY, WOIA, WWL, WJIR, WCOL and WSOQ.

Warner yesterday that a total of 239 radio stations have been licensed to broadcast its music.

**Consolidated Net Is Up**

Consolidated Film Industries reported a net profit for 1935 of $1,077,428. After deduction of income, Federal income taxes and other deductions, the report compares with a net of $917,160 for 1934.

**MPPDA Meeting Set**

The annual meeting of the board of the M.P.P.D.A. will be held March 30. Reports from W. H. Hayes and all department heads will be presented, covering the year's activities.
"SOME EXCITEMENT!
I HAD AN IDEA . . . . AND I JUST SOLD IT FOR $750,000.00!"
"The idea strikes me as the finest bit of motion picture promotion that has come out of Hollywood!"

says William J. Mahoney, Jr., Managing Editor,
THE MONTGOMERY (ALA.) ADVERTISER

“And that’s just a sample of the mail that began to pile in—"
Like the line at your box-office when you play an M-G-M picture, the idea grew bigger and bigger until today it represents

$750,000 WORTH OF NEWSPAPER PROMOTION IN BACK OF ONE PICTURE!

It's even more interesting as you go along—
“SHE’S GOT $750,000. AND IT’S ALL FOR YOU!”

SMALL TOWN GIRL is the first of my “CAMPAIGN SERIES” pictures for 1935-36!”
PUBLISHED AS A SERIAL STORY

(Complete novel length)

in 143 of the leading big and little city newspapers in the United States and Canada!

IT IS THE GREATEST NEWSPAPER PROMOTION TIE-UP (direct to your public) EVER ACCOMPLISHED IN THE HISTORY OF ANY INDUSTRY!
143 GREAT PAPERS AND PROMOTED IT to 28,970,000 readers!

Starting Today!
Small Town Girl

TWO COLOR AD to announce the start of story plus Chapter 1—both on Page 1 of The Seattle Times.

Small Town Girl
By Ben Ames Williams,
Drawings By James Montgomery Flagg
An Exciting Tender Romance
NOW IN THE DAILY & SUNDAY MIRROR

600 TWO SHEETS—and 1 sheets as above used for delivery trucks and posting all over New York City by The Daily Mirror. The big city loves this "small town girl"!

FULL PAGE AD in the Sunday edition to announce the coming story in The Chicago Times.

TRUCK BANNERS—as used by the entire fleet of delivery trucks of The Minneapolis Star.

SPECIAL TWO COLOR POSTERS used on the entire fleet of hundred of delivery trucks of The Chicago Times! High power promotion!
Newspapers of the nation set a blistering pace for showmen to follow! These lads in the newspaper business are master-showmen as evidenced by the smash campaigns they put in back of the SMALL TOWN GIRL serial story. The examples illustrated here were reproduced in practically every city. Nothing left undone to make the nation read this story! AND THIS PROMOTION REPRESENTS $750,000 OF NEWSPAPER SPACE AND OTHER FORMS OF ADVERTISING!
HERE ARE THE PAPERS that will have run the story when you get the picture!

MOTION PICTURE PROMOTION THAT MONEY COULDN'T BUY!

The list on the facing page is impressive with names of the country's leading newspapers. Many of them have never before even considered a tie-up of this nature. M-G-M's "Campaign Series" pictures are of such stature, and their presentation in serial form by high-priced authors and artists is so glamorous that they are regarded by first-class newspapers as real circulation builders. With these stories running for 20, 30 or 40 days and these newspapers attaining a nationwide coverage never before even approximated, it's no wonder M-G-M's "Campaign Series" is hailed by exhibitors everywhere as one of the most important showmanship ideas in many years.

RADIO FLASH!

Newspapers left nothing undone to promote the reading of this story. M-G-M supplied the radio dramatizations to all papers...the papers did the rest...millions listened...which accounts in part for the neat circulation increases reported by many papers when the story started!
GREATEST OF ALL NEWSPAPER HOOK-UPS!

ALABAMA
Birmingham News
Mobile Register
Montgomery Morning
and Evening Advertiser

ARIZONA
Phoenix Republic

ARKANSAS
Ft. Smith Record
Pine Bluff Commercial

CALIFORNIA
Bakersfield Californian
Hollister Free Lance
Los Angeles Times
Monterey Peninsula Herald
Salinas Index-Journal
San Diego Union
San Francisco Chronicle
Santa Cruz Herald
Santa Maria Times
Watsonville Evening
Pajaronian

CANADA
Brandon (Manitoba) Sun
Calgary (Alta.) Albertan
Charlottetown (P.E.I.) Guardian
Chatham (Ont.) News
Edmonton (Alberta) Bulletin
Fort William (Ont.) Times-Journal
Glace Bay (N.S.) Gazette
Halifax (N.S.) Herald
Hamilton (Ont.) Spectator
London (Ont.) Free Press
Montreal (Quebec) Weekly Standard
Nanaimo (B. C.) Free Press
Ottawa (Ont.) Citizen
Regina (Sask.) Leader-Post, Ltd.
St. Johns (Newfoundland) Evening Telegram
Sherbrooke (Quebec) Daily Record
Sydney (N. S.) Post Record
Toronto Evening Telegram
Truro (N. S.) News
Vancouver (B. C.) Province
Winnipeg (Man.) Free Press Co., Ltd.

COLORADO
Denver Rocky Mountain News

CONNECTICUT
Waterbury Democrat

DISTRICT OF COLUMBIA
Washington Star

FLORIDA
Jacksonville Journal
Miami Morning & Evening Herald

GEORGIA
Atlanta Constitution

ILLINOIS
Champaign News-Gazette
Chicago Daily Times
Peoria Journal Transcript

INDIANA
Evansville Press
Indianapolis News
Terre Haute Tribune & Star

IOWA
Davenport Daily Times
Des Moines Register Tribune

KANSAS
Wichita Eagle

KENTUCKY
Lexington Herald
Louisville Herald Post

MARYLAND
Baltimore Sun
Cumberland Evening Times

MASSACHUSETTS
Boston Traveler
Lawrence Telegram

MICHIGAN
Alpena News
Battle Creek Moon-Journal
Detroit Free Press
Flint Journal
Lansing State Journal
Petoskey Evening News

MINNESOTA
Minneapolis Star
Winona Republican-Herald

MISSOURI
Kansas City Star
St. Louis Post Dispatch

NEBRASKA
Omaha World Herald

NEVADA
Las Vegas Age
Nevada State Journal

NEW YORK
Albany Eve. News
Binghamton Sun
Buffalo Times
N. Y. Daily Mirror
Rochester Times Union
Syracuse Post Standard

NORTH CAROLINA
Charlotte Observer
Durham Morning Herald
Rocky Mount Eve. Telegram
Wilmington Star-News
Winston-Salem Journal

NORTH DAKOTA
Fargo Forum

OHIO
Akron Times Press
Chillicothe News-Advertiser
Cincinnati Post
Cleveland Press
Columbus Citizen
Fremont News
Mansfield News-Journal
Sandusky Star-Journal
Toledo News Bee
Youngstown Telegram

OKLAHOMA
Daily Oklahoman (Okla. City) & Times
Tulsa World

OREGON
Portland Oregonian

PENNSYLVANIA
Altoona Tribune
Erie Dispatch Herald
The Telegraph (Harrisburg)
Newspapers
Philadelphia Eve. Public Ledger
Pittsburgh Press
Scranton Republican
Wilkes Barre Eve. News

SOUTH CAROLINA
Charleston Eve. Post

SOUTH DAKOTA
Aberdeen American

TENNESSEE
Chattanooga News
Knoxville News-Sentinel
Memphis Commercial Appeal
Nashville Tennessean

TEXAS
Amarillo News
Beaumont Enterprise-Journal
Dallas Morning News
El Paso World-News
Houston Post
San Antonio News
Wichita Falls Times Record News

UTAH
Deseret (Salt Lake City) News

VIRGINIA
Norfolk Ledger Dispatch
Richmond Times Dispatch

WASHINGTON
Aberdeen World
Bellingham Herald
Bremerton Daily News
Searchlight
Centralia Daily Chronicle
Everett Daily Herald
Daily (Olympia) Olympian
Seattle Times
Spokane Chronicle
Tacoma Times
Walla Walla Union
Wenatchee Daily World
Yakima Morning Herald

WEST VIRGINIA
Charleston Gazette
Clarksburg Telegram
Fairmont Times
Grafton News
Buckhannon (Grafton) Record
Martinsburg News
Morgantown Eve. Post
Wezel (New Martinsville) Republican

WISCONSIN
La Crosse Tribune
Wisconsin (Madison) State Journal
Milwaukee Journal
Racine Journal Times

SMALL TOWN GIRL

The first of M-G-M's "Campanion Series"
AND NOW IT COMES TO THE SCREEN—just as 143 newspapers complete their publication and promotion of the story!

SMALL TO

“Okay boys! Make your date with the Small Town Girl—the baby with a $750,000 idea!”
WN GIRL

Starring

Janet GAYNOR

Robert TAYLOR

with

Binnie Barnes • Lewis Stone
Andy Devine • Elizabeth Patterson
Frank Craven • James Stewart

From the book by Ben Ames Williams • Directed by William A. Wellman
Produced by Hunt Stromberg • A Metro-Goldwyn-Mayer Picture
and then comes

"ROBIN HOOD OF EL DORADO"

1—A GREAT PETER B. KYNE SERIALIZATION!
   In line with its policy of top names for its “Campaign Series,” M-G-M engaged Peter B. Kyne to make a novelization of “Robin Hood of El Dorado.”

2—NOW BEING READ BY MILLIONS!
   Peter B. Kyne’s serial story, illustrated by the famed magazine artist, Herbert Morton Stoops, appears daily in leading newspapers throughout the nation.

3—CREATING READY-MADE AUDIENCE!
   The same intensive promotion that M-G-M put behind “Small Town Girl” insures an audience of uncounted millions for “Robin Hood of El Dorado.”

4—WARNER BAXTER AND BIG CAST!

5—WATCH M-G-M’s “CAMPAIGN SERIES”
   “Small Town Girl” and “Robin Hood of El Dorado” set a new high in showmanship. Great Productions with Great Casts masterfully promoted. Watch them grow!
Congressmen Seem Averse To Move Against Booking

(Continued from page 1)

last session by the Senate, who denied the allegation of Gene Buck, Ascap president, that the bill had been dictated by the broadcasters and the power trust and rushed through the Senate.

"The five men who drafted this bill were absolutely impartial," the Senator to be said, that Ascap has done "some of these things they say they don't do."

The Senate measure, he claimed, will not affect any one of the key privileges they have now, and all the rights of the author to assign his property as he sees fit, and those rights are provided for the author rather than the publishers. The much-claimed right to the right to produce a picture the right to exhibit was defended by Duffy as a safeguard for exhibitors from being held up by authors attempting to collect at both ends and is designed to prevent a corporation that has granted a release of rights from preventing exhibition.

Infringement Guarded Against

"From the loud lamentations by representatives of the society, one would think my bill gives me the copiers no redress," he commented. "It contains adequate provision for infringements, but removes a block jock which enables the society to levy an unconscionable sum on users of music."

He added that his measure "saftly protects against piracy, including injunctive clauses, provisions for actual damages and recovery of infringements, profit, and ordinary compensatory damages of limiting the recovery for infringement, he said, copyright owners "would be given under the new law, up to $1,000,000."

He charged that the $250 minimum clause has been "erased."

"I think it is incorrect in considering copyright to consider only the persons who get the copyright," he told the committee. "I don't think the Senate sub-committee, were agreed that block booking is a trade practice of no importance to those who are in the ordinary conduct of things, and that the committee that the exhibitor was forced, in 50 per cent of the cases, to use all or none of a block, and, in addition, was required to take shorts and, if the producer had charge and did his own printing.

The four points on which the independents are attacking block booking, he said, are that it is an American forces the buying of poor box-office films, deprives the exhibitor of worth, and product from sources other than his blocks, and in the playing of pictures against which there may be a strong local objection, but that must play or put them in prison.

Yamins was questioned at length by committee members concerning the wording of the bill and the distribution of the allocation of films to affiliated houses.

He explained, adding finally, "the only issue is whether the system of distribution is a visual practice and whether a continuance of that practice has an effect upon the public as to require legislative action."

Yamins Lauds Distributors

The distributors have a good practice, the witness admitted, and the planning of the groups, that is less efficient and a few men in Holly-wood determine what shall be seen by the people in the east, from where the poor houses come.

Yamins interrupted his testimony to admit a letter from Katherine Lyford of Boston, representing the Massachusetts Civic League. Miss Lyford read to the committee the description which she presented at the Senate hearings, after attacking the statements made by the group of women who testified against the bill, an inquest of Representative Cooper as to whether the elimination of block booking will mean the elimination of this practice, and pictures—she has proton to practically every witness—Miss Lyford expressed the opinion that it would be the first step toward such a result.

Frank Lloyd Re-Signed

Hollywood, March 10.—Frank Lloyd has been signed to a new three-year contract with Paramount. He will head his own producing unit and is slated to make four a year.

20th-Fox and S. & C. Trial Is Postponed

Although scheduled to get under way before a jury in the N. Y. Suime yesterday, the suit filed by Twentieth Century-Fox against Springler & Cocalis for $18,000 al-legedly due on overages from six pic- tures, has been put over until today because of a crowded calendar.

The distributor claims that the overages were to be settled on each picture played while the circuit continued, and the contract was cumulative. Both Sam Cocalis and Jack W. Springler signed the pact.

E. C. Granger, eastern division sales head for Twentieth Century-Fox, is slated to be the first witness for the case goes on. Harry H. Buxbaum, Joe Lee, and Moe Sanders of the New York exchange are also prepared to take the stand. Cocalis and Springler will be the first wit- nesses for the defense.

Because of the litigation, the circus that did not buy Twentieth Century-Fox.

J. T. Comerford Gets New Executive Post

Scranton, March 10.—John T. Comerford, nephew of M. E. Comerford, who for ten years has been manager of the Pennsylvania Theatre at Scranton, has become supervisor of all Comerford neighborhood houses from Pennsylvania to New York.

Comerford formerly was manager of the Orpheum, Wilkes-Barre, and other changes made by Frank C. Walsh.

William Walsh, manager of the Strand and former assistant at the Orpheum, will manage the Pennsyl- phenium; Paul Burke, assistant at the Strand, named assistant at the Or- phenheim, Edward Lawler, Burgess of Larksville and assistant manager at the Irving, named manager of the Strand; William Keating, assistant manager at the Sterling and Thomas at the Strand; William Holmes of the Or- phenheim named assistant manager at the Irving.

Comerford will be given a testi- monial dinner in Wilkes-Barre within the next two weeks.

Chicago Bank Night Pulls 10,000 Crowd

Chicago, March 10.—With $1,000 as the Bank Night prize at the Avalon recently, more than 10,000 people attended. Through the use of the movie plan this great number of admissions were taken in and broke all records for a bank night in the theater business.

At 4 o'clock in the afternoon all available Warner theatre men at the home office worked full time into service to help handle the crowd.

"Fauntleroy" Is Held

The first two spots to play "Little Lord Fauntleroy" will hold the picture an additional two weeks. The theatres are the State, Miami Beach, and the Erlanger, Philadelphia.

Milbury in Clinton Spot

L. A. Wilmot Milbury, who will give up operation of the Topaz, High- bridge, N. J., has taken a lease on the Music Hall, Clinton, N. J., which he will begin operating next month.
Columbia May Start Making Films Abroad

(Continued from page 1)

The stars to appear in the films will be decided upon.

Francois intends to spend four weeks on this side of the ocean. In a day or so he will go to Montreal. Commenting on business conditions in his territories, the Columbia foreign executive stated that they are very good and that all of the 4,500 theaters are open and doing well. All releases are distributed in England and on the Continent, he said.

Pincus, likewise, was optimistic about general business in France, Belgium and North Africa, adding that receipts are high. He stated that Adolph Osso is expected to come over shortly.

On the same boat was Sandy Lawrence, general manager for M-G-M in Europe. He denied any knowledge of the threatened boycott in Barcelona, stating his New York office executives last week stated they had received a protest from every theatre owner in Barcelona and that the matter had been cabled to Lawrence, who turned it over to one of his assistants.

Lawrence was met at the pier by his mother, who came on from Miami for the occasion, and Mort Spring and David Blum.

Sonja Henie, Norwegian skating champion, was another passenger. She said she had received offers from M-G-M, Paramount and other producers, but has not made up her mind which one to take. She added she will leave for Hollywood in 10 days. Alex Yokel, producer of "Three Men on a Horse," returned from London after attending a premier of the play.

Morris Agency to Move

The William Morris agency, now located at 209 E. 35th St., will next month move to the 26th floor of the RKO Bldg.

SHIPEMENTS

2,500 MILES Overnight by

AIR EXPRESS

Wipe out the handicap of time and distance—use Air Express. Order by wire or phone and Air Express will bring it to you 2,500 miles overnight. Prompt pick-up and special delivery at no extra charge to door-to-door. Fast co-ordinated service between all airfields and planes. Day and night service. Low rates.

Call or phone any Railway Express office.

AIR EXPRESS
DIVISION OF RAILWAY EXPRESS AGENCY

MOTION PICTURE DAILY

Wednesday, March 11, 1936

J. ROBERT RUBIN'S son, Robert Jr., has joined the M-G-M publicity department. Bernard Sobol, who was publicity chief for FLORENCE Ziegfeld for a number of years, is now a member of Howard Dietz's force and will handle publicity for "The Great Ziegfeld," which opens Easter Week at the Astor.

FRANK DURKEE and his party which came from Baltimore to attend the E. C. Grainger testimonial at the Astor Monday night left yesterday for home.

MOE B. HOWITZ, Cleveland independent exhibitor, left yesterday for a sojourn at Pinehurst, N. C.

JOHN D. CLARK returned from the coast yesterday. He had been away for several weeks engaged in contact with studio heads on new product.

JIM CLARK of Horlacher's Film Service Division is in Miami. His brother Bill, was in town for a week, but returned to Philadelphia yesterday.

SAM WAREHSLAY's play, "A Woman of Destiny," is current at the Willis, Bronx, as a Federal Theatre Project.

EDGAR MOSS and EARLE SWEIGERT of the Twentieth Century-Fox and Paramount exchanges in Philadelphia left yesterday for the Quaker City.

SID WITTMAN, Universal district manager, will go to Philadelphia to-day and may take in a few other exchanges on the trip.

HERBERT J. and MRS. YATES will sail on the Washington today. Mrs. EUGENE HOWARD, wife of the comic, is also outward bound on that boat.

HAROLD KEMP, who will handle the west coast agency for F. & M., will be on the east coast of Canada by the end of the month by plane.

WILLIAM F. ROGERS and WILLIAM A. SCULLY of M-G-M are due back today from Washington.

JOE VOEGT will take up the dust of the city again Monday when he returns from Miami.

KEN MURRAY and his stooge, SABRAZEN, start work today on "The Gaye Prince," a phone two reeler at the Brooklyn plant.

MARVIN SCHENCK is back from Hot Springs, Ar., where he spent a three-week vacation.

HASSARD SHORT and LOUISE MICHAEL sail tomorrow out of the Appalitania.

GEORGE J. SCHAEFER is not expected back from Washington until tomorrow.

BON BENJAMIN is back from the coast with a mild sunburn.

MOE SILVER flies back to Albany today.

Purely Personal

IRVING MANDLE, Chicago, has been named executive vice-president of the Tri-State Programming Corp., the new organization which has recently been formed. 

MORSE MCKENZEE of the M-P-P-D-A, who has been convincing in his efforts to bring New York studio work to his boat on Friday. It is expected he will resume his regular duties in the near future.

MURRAY C. PHILLIPS, Paramount resident attorney at Berlin, returned yesterday from the coast. He will sail on the Washington today.

DORIS NOLAN and JEANNE DANTZ, young stage players, have been signed by Universal.

...Boston

GEORGE HOLLAND, dramatic editor of the Boston American, has had his play, "Pie in the Sky," accepted for production by MARK HELLINGER, he says.

HORACE McNAB, assistant to Jack GOLDSTEIN here when he managed publicity for RKO theatres, has gone to Philadelphia on exploitation work.

MRS. H. M. ANDERSON, wife of the theater manager, has been appointed eastern division manager, has gone to California.

TIM O'TOOLE, New England managing editor of M-G-M, has been made a member of the staff at a sojourn at Pinehurst, N. C.

MARTIN BELL, executive secretary of M-G-M, is back from a vacation in Washington.

...Omaha

HARRY SHETTOW, manager of M-G-M, suffered the loss of his teeth recently after the illness that followed kept him from the office several days. E. R. CUMMINGS, district manager for M-G-M, left last week made his first calls on Nebraska houses in many weeks, most of his towns having been impassable by any train route, prior.

JERRY SPANDAU, Universal branch manager, surprised film friends when he cooked a bang-up meal at a stitch affair at his home.

CHARLES SCHLAIFER, Tri-States publicity man, unveiled as the "man of mystery" who has been broadcasting a 15-minute period of chatter about film stars.

NED EMERSON, manager of the Omaha, spotted a 94-year-old woman at "Rose Marie"—the first film she had seen. Her last show of any kind was "Tom's Cabin" in 1865. The story made considerable space in the papers.

...Pittsburgh

HARRY KALININE and BEN KAL-menon are in New York working on some new booking deals.

WILLIAM KEARSE, West Virginia theatre operator, has been in town for several days booking stage talent.

MAX SHVOLKOV, of the Monarch exchange has been busy booking a banquet host the other night. He's to be married March 15.

JIMMY BALDWIN is back on the job after an illness of two weeks.

Spiegelberg Will Decide Steuer Fee

(Continued from page 1)

claims this is in excess to what he expected to pay and by agreement with Steuer has left the amount to be determined by Justice Spiegelberg.

The action involving RKO arose when the Apollo and Hollywood theatres, owned for a long term lease, were not being given the run of pictures provided in the contract, according to M. & S., which owns these theatres. The successful run of these theatres was diminished as a result.

Steuer has later stepped into the picture and acquired the theatres, but not until the arbitrators had awarded the independent circuit the decision.

Steuer is said to have received $40,000 from RKO which had been awarded to M. & S. in the decision. This money, it stated, has not been turned over to the independent circuit. The hearing 'has been set down for March 23.

Legion Approves 13 Additional Pictures

(Continued from page 1)


Wall Street

Most on Board Revice Slightly

High Net Low Close Change

Columbia, vis. .......................... 354 354 354 +4
Consolidated Film 64% .................. 45 45 45 +1
Consolidated Film 36% .................. 45 45 45 +1
Consolidated Film 2% .................. 74 74 74 +1
Eisenstock, I. .................. 164 164 +1
Keith-Albee-Ge .................. 91 91 +1
Loew's Inc. .......................... 48 48 48 +1
Paramount .......................... 94 94 94 +1
Paramount 1 safe .................. 71 71 71 +0
Paramount 2 safe .................. 71 71 71 +0
Pathé Film .......................... 78 78 78 +1
RKO .................. 93 93 93 +1
20th Century-Fox .......................... 30 30 30 +0
Loew's .......................... 93 93 93 +1
Universal, vis. .................. 777 777 777 +0
Warner Bros. .................. 115 115 115 +0

Technicolor Gains 5/4 Points

High Net Low Close Change

Sentry Safety .......................... 0 18 18 +18
Sonderote .......................... 39 39 39 +0
Technicolor .............. 32 32 32 +0
Trans-Lux .................. 48 48 48 +0

Bonds Maintain Levels

High Net Low Close Change

General Telephone .......................... 32 32 32 +0
General Telephones .................. 76 76 76 +0
Loew's 6 1/4 .......................... 28 28 28 +0

(Quotations at close of March 10)
"THE COUNTRY DOCTOR"

Yvonne

Marie

Annette

Cecile

Emelie

IS THE GREATEST

BOX-OFFICE ATTRACTION

THIS INDUSTRY

HAS EVER SEEN!*

*Now being proved in 322 day-and-date record-breaking runs. And extra morning and night shows are giving a new meaning to capacity!

Just look: Up in Boston, at the Metropolitan, actually more than 50 per cent better than "Littlest Rebel" smash run!
Jersey Moves
For 10% Tax
On Theatres

(Continued from page 1) appropriate to all sporting events, theatres and other types of entertainments.

Decision to levy the tax on amusements came as a surprise since this classification was exempt from the general sales tax. However, it appears the tax resolution was held for four months later. It is part of a four-way program, other levies being placed on soft drinks, cosmetics and tobacco.

Taxes and Strikes Discussed

Pending tax legislation and the current strike by independent circuit operators were discussed yesterday by a number of independent circuit operators at a special meeting at the Astor. Although major circuit operators were asked to attend, representatives from Loew's and RKO failed to put in an appearance. Andrew Hecht will hold Friday's meeting.

Matters taken up in brief related to the situation of children, the two per cent sales tax and the bill recently introduced in Albany by Assemblyman B. J. Moran providing for one tenth of a cent tax on each foot of film.

The building service strike was touched lightly, as the situation has yet been taken to it theatres. Meanwhile, the strike yesterday spread to the theatre district. Elevator operators and porters at the Paramount Bldg. and 1600 Broadway walked out. The Paramount had little difficulty in replacing the men, but all service was suspended at 1600 Broadway for about two hours.

The RKO and Loew's Annex and 729 Seventh Ave. were expected to walk out at noon yesterday, but the move did not materialize. By afternoon the elevators at the RKO and RCA buildings stated they were not affected by the strike, and they were not tied up with the union involved.

Warners last week settled with the union, thereby preventing a threatened walkout.

Columbus Talks New Tax

COLUMBUS, March 10.—Imposition of a 10 per cent tax by the city against local theatres to help take care of the 1936 operating budget, which must be reduced $2,100,000, looms as a possibility here.

The city, already hard pressed for funds, anticipated raising revenue through a three-mill tax levy, but it was defeated in a recent vote. As a result, Mayor Myron B. Gressman has issued refinance orders. This will affect the personnel of all city departments, but particularly the safety division, from which approximately 250 clerical and women workers will be dismissed within the next few days. Several fire stations will be closed, and some parks also have been abandoned, according to present plans.

The city attempted to levy a 10 per cent impost against theatres for the same purpose a year or so ago, but was unsuccessful, due to the efforts of P. J. Wood, secretary of the Ohio I. T. O.

MOTION PICTURE
DAILY

Motion Picture Daily's
Hollywood Preview

"The Singing Kid"
(Warner Bros.)

HOLLYWOOD, March 10.—Here's an Al Jolson picture that departs widely from the beaten path. A gay combination of gags, musical comedy, drama and romance, flavored with a girl-decorated backstage theatre spectacle, it has those qualities which will surely please exhibitors and audiences.

The Jolson vehicle which has been given elaborate production, is really two stories. One tells of Jolson, the great actor, generous to a fault, the toast of Broadway and everybody's friend, yet a man who fell victim to a double-crossing scheme. It opens to Jolson's singing of a number of his best known hits of other years on stage and screen. The background, atmosphere is embellished by Jack Durant and Frank Mitchell, knockabout comedy duo, and is highlighted by a musical chase featuring the Yacht Club Boys and Jolson.

After this talented group has the whole city dancing to its rhythm, Jolson winds up with a performance of his well known mammy music. Following the culmination of these movements, Al will be seen in a double-cross when Lyle Talbot, attorney, and Claire Dodd, sweetheart, run off with his money, a tragedy that causes him to lose his voice.

In the second episode Jolson, accompanied by Edward Everett Horton and Allen Jenkins, straight comedy stogies, is recuperating in the open. He falls in love with Beverly Roberts, who is writing a play. The romance progresses nicely. Jolson gives her to understand that his producer has purchased her play. She learns later that it is he and not the producer who has bought the yarn. This sequence is enlivened by Jolson's singing with Sybil Jason.

Back in New York, Jolson has no enthusiasm for the new show until Miss Roberts and Miss Jolson appear, which after he goes on to score a great triumph.

Jolson is the traditional Al Jolson that people like to see and hear. The comedy provided by the Yacht Club Boys, Horton and Jenkins is check full of fun. The romance and drama involving Jolson and Beverly Roberts, also Talbot and Miss Dodd, is intriguing. Miss Roberts, a newcomer, shows great promise. The majority of the songs, apart from the semi-spiritual Jolson-Winifred Shaw scene, are lity and catchy.

The tale is based on a story by Robert Lord, adapted by Warren Duff and Pat C. Flick. Bobby Connolly's dance numbers give plenty of sparkle, while William Keighley's direction keeps it moving at a pleasing pace. The exhibitor is offered a whole load of unique showmanship potentialities, making possible a most lucrurous kind of exploitation which should result in a wide, popular reception.

Production Code Seal No. 1781. Running time, 85 minutes. "G."

Litichman, Quimby, Both Sick with Flu

(Continued from page 1)

Lichtman, Quimby, both sick with flu, coast, returned last week and had a relapse. He is now recuperating at the Polyclinic Hospital.

Felix F. Feist, who has been ill, is in Miami and is due back in two weeks.

Edward M. Saunders, western division manager, returned Monday from a two-week vacation in Miami. He recently attended the coast meeting of Loew and M-G-M officials.

Motors Show in Seattle

SEATTLE, March 10.—The Civic Auditorium this week will be the scene of the annual Motors Show, with admission free. Featured entertainment at matinee and evening performances will be provided by Tex Howard's NBC Orchestra and a show with a FourCornet Contest to be broadcast twice daily over two local NBC stations. A worldwide newspaper, radio and billboard campaign is being conducted.

Federal Board May Get NRA Function

(Continued from page 1)

elimination, abandonment or prevention of any trade or business practice which constitutes an unfair method of competition; establishment of any fair business practice to prevent monopolistic practices, and establish business practices deemed by the commission appropriate to promote the principles of fairness and equity.

No agreement would be approved which is calculated to bring about the stifling or suspension of fair competition, or unreasonable restraint of trade by combination.

To Test Missouri Law

BROOKFIELD, Mo., March 10.—A test of the Sunday closing law is to be carried to the Missouri Supreme Court by Steve Sooter, manager of the recently opened DeGray 6-Che House where films are shown. Sooter has been arrested and released on bond several times of late for showing films between 7 and 9 P.M. Sundays.

Reorganization Plan Approved in Madison

MADISON, Wis., March 10.—Federal Judge Patrick T. Stone, overruling adherents of foreclosure, has approved a plan of reorganization for the Beecroft Building Co., operator of the Orpheum, Parkway and Strand theatres, that includes the elevation of one master in the reorganization hearings to poll bondholders within the next few weeks.

The reorganization as approved provides for the borrowing from the RFC of a sum sufficient to pay off $137,000 indebtedness on first mortgage bonds on one of the company's properties and the issuance of new bonds to replace those now held by the 650 bondholders of first and refunding bonds of the company. It must pay at least half of the principal indebtedness, plus accrued interest, within 15 years, under the plan.

British Films Gain

WASHINGTON, March 10.—British pictures are offering the most serious competition to American product in Colombia, according to a report to the U. S. Department of Commerce from the British consul at Bogota, Jack B. Heathery at Bogota. The report also noted an increase in the exhibitions of non-American films in the country.

"Reunion" Is Re-Titled

Hollywood, March 10.—" Till We Meet Again" is the new title of Paramount's "Reunion."
Coming
CAPRA
COOPER
Columbia!

‘MR. DEEDS GOES TO TOWN’

With all the Magic of Capra’s Genius . . .
Demand still growing for a variety show

Box-Office's Inquiring Reporter questioned 180 theatre patrons about their attitude toward short subjects. Here's the key question, with the answers:

Do You Prefer More Shorts to a Second Feature?

Final tabulations are hereby recorded for posterity: "Yes," 132; "No," 48

Out of 4 want a well-balanced program

And here is the variety they want

**Buster Keaton**

*Grand Slam Opera*

**Joe Cook**

*Giv'im Air*

**Tim & Irene**

*Just Plain Folks*

A Tuxedo Comedy

**Jackie Coogan**

*Love in September*

A Young Romance Comedy

**Bert Lahr**

*Gold Brick*

**Terry-Toons**

*"Barnyard Amateurs"*

"The Legend of the Lei"

Another Gem from THE TREASURE CHEST

Distributed in U.S.A. by 20th Century-Fox Film Corporation
McClure Says
Duffy's Bill
Fills a Need

WASHINGTON, March 11.—Members of the House Patents Committee to-day were reminded sharply of their responsibility to legislate for the country as a whole rather than for any special interest, as Wallace McClure, assistant chairman of the Committee of the State Department and chairman of the Inter-Departmental Committee which drafted the Duffy Copyright Bill, followed Senator Duffy of Wisconsin in defense of the measure.

McClure devoted much of his testimony to a discussion of the $250 minimum damage clause, eliminated in the Duffy Bill, which he said was unjust, and declared that the interests of no one would be adversely affected by provisions giving courts broad discre-

Columbia Six-Month
Profit Is $781,273

Net earnings of Columbia Pictures Corp., for the six months ended Dec. 28, 1935, of the current fiscal year, were $781,273, according to the company's semi-annual report, made public yesterday by Doremes & Co.

This was equal, after deducting dividends on preferred stock, which has since been redeemed, to $274 a share on the 273,573 shares of common currently outstanding following the declaration on Dec. 10 last, of a 50 per cent stock dividend. Earn-
ings for the corresponding six months period of 1934 amounted to $190,000, which was equal to $3.26 a share on the basis of the same number of

Film Leaders Turn
Out to Honor Rabbi

NEW YORK, March 11.—Many film leaders turned out today for a luncheon tendered Dr. Edgar J. F. Magin, rabbi of the Bial Brith Temple and the city's leading rabbi, by Dr. A. H. Giannini, chairman of the board of the Bank of America, at the Califor-
nia Club.
Magin will sail Saturday for Hongkong on a trip which will take him to Palestine. Those who attended were Louis B. Mayer, Irving Thal-
berg, Sol Lesser, Jesse L. Lasky, Max Goldstein, Dr. Maurice Kohn, Ed-
win J. Loeb of Loeb, Walker & Loeb; Mendel Silberman of Mitchell, Silber-
berg & Knapp, and Red Kann.

Block Censor Bill
Jackson, Miss., March 11.—
The House bill to create a Mississippi board of censors was reported unfavorably to-day. This is believed to end chances for its passage.

Battle Lines
Quickly Drawn
On Jersey Tax

TRENTON, March 11.—The fate of the amusement tax bill hung in the balance tonight as legislative leaders were unable to agree on its passage.

Senator President John C. Barbour of Passaic said he "was not a mind reader" and did not know whether the legislation would pass.

At a long conference prior to the session, leaders were unable to get sufficient members to pledge them-
selves to vote for the bill. It was con-
ed at the State House the amuse-
ment tax and similar levies in the so-
called luxury tax program have little chance of passage if they do not go through tonight under suspension of the rules.

Strong opposition developed earlier in the day. A determined group in the legislature favored a general sales or income tax in place of the luxury tax program. In addition, moves were made by Allied of New Jersey, brought pressure to bear.

The amendment levy, 10 per cent on gross receipts, was slated orig-
inally as a separate tax. Then some legislators moved to consolidate four tax measures into a single bill to make the enactment easier. This en-
couraged theatre interests, because it united with them all the opposition.

Premier of Spain
Asks Arbitration

BARCELONA, March 11.—Following a personal request by Manuel Azana, Spanish premier, the Catalan Regional Government has urged an ar-
bitration of the exhibitors' protest against M-G-M's rentals and for the removal of Jacques Edelstein, local manager for the distributor.

All theatre men who have been dealing with M-G-M are seeking a revision of the distributor's contracts. M-G-M and Mutua, the local Film Board, have declined, with the latter solidly behind the distributor.

On Monday night, exhibitors began a boycott against M-G-M and all dis-

Two Circuit Heads
Favor M-G-M's Plan

Two local independent circuit heads have endorsed M-G-M's plan to elim-
inate seasonal hangovers by the can-

Both exhibitors express the same
Hollywood, March 11.

BOB MONTGOMERY, Myrna Loy and Reginald Owen entered the studios last night for a studio production, and surprisingly enough they all showed up with makeup, which was a surprise, because they all had been reported to be off the lot for a good many days. The project will be handled by Paul Brinegar, who will be the producer. The title of the picture is not yet decided, but it will be announced in due course.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)
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Cagney Case Taken
Under Advisement

LOS ANGELES, March 11.—Conceding
that plaintiff James Cagney has proved
that Jack Warner promised him $75,000 a year and stock in
Warner’s annually would be required of him,
Judge Charles J. Bogue today took the
position that he cannot assert a defense
claim that Cagney has waived his right to bring action by having
appeared in five pictures during the years
1934 and 1935. Cagney is represented
in the case by the firm of Bookwalter &
Kanu.

Expect Fox Suit Delay

The suit of Twentieth Century-Fox
against Springer & Cocalis for $18,000
delayed on a verdict for six pictures on
the Paris and 34-35 program was
against Warner Bros. because of the
Y. Supreme Court because of a
in the docket for ‘‘tuesday and the
over other cases listed are
disposed of by the court.

Louis Nizer will represent the
district attorneys S. & K. & Connolly
in the independent circuit.

No Ampe Meeting Set

Ampa’s regular meeting today has
been called off because of the annual
Naked Truth Dinner and Movie Studio
Party that will be held at the Astor
on Saturday night.
In "THE WALKING DEAD", a strikingly unusual story of an electrocuted man brought from the dead to wreak vengeance on those who had sent him to his doom, BORIS KARLOFF adds another brilliant performance to his long list of sensational, spine-chilling characterizations. Ricardo Cortez, Edmund Gwenn, Marguerite Churchill, Warren Hull, Barton MacLane and Director Michael Curtiz contribute their usual superlative performances to make this Warner Bros. production the screen thrill of the week. Released March 14th.
EXTRA!
FIRST RUNS
BOOKING
"FLASH GORDON"

Pantages and Hillstreet Theatres in Los Angeles! The Fox Theatre in San Francisco! And other houses following suit! For the first time in their history! For the first time in the history of serials!

Starring BUSTER CRABBE as "Flash Gordon". With Jean Rogers, Priscilla Lawson, Charles Middleton. Based on Alex Raymond’s King Features newspaper strip. Directed by Frederick Stephani. Produced by Henry MacRae.
“Fleet” Huge Seattle Draw
With $8,500

SEATTLE, March 11.—“Follow the Fleet” went out front at the very top of the house at the Liberty. The gross was $12,000 above normal at the Orpheum. It was moved to the Blue Mouse, but the results were so extraordinary that we felt that we had to change its setting. “The Music Goes Round,” at advanced admissions, reached $9,250 at the Liberty. This was equalled this entire week by $2,50. “Rose Marie,” in the week of an extended run from the Fifth Avenue, held up to $4,350.

Total first run business was $36,850. Average is $3,350.

Estimated takings for the week ending March 6:

“MODERN TIMES” (U. A.)
BLUE MOUSE—$6,900, 25c-35c-40c, 7 days, Gross: $5,250, Average: $750.

“ROSE MARIE” (M-G-M)
FIFTH AVENUE—$7,000, 40c-55c-60c, 7 days, Gross: $4,900, Average: $700.

“THE MUSICAL MOON” (Col)
FIFTH AVENUE—$6,100, 25c-35c-40c, 7 days, Average: $900.

“PETRIED FOREST” (W.B.)
FIFTH AVENUE—$5,500, 25c-35c-40c, 7 days, Average: $800.

“THE VIOLENT MURDER” (Para)
PARADISE—$4,700, 25c-35c-40c, 7 days, Average: $700.

“INVISIBL VS. DEVIL” (Univ)
REX BOSTON—$3,900, 25c-35c-40c, 7 days, Average: $500.

Mae West Garners
$8,000, Portland

PORTLAND, March 11.—“Klondike Annie,” its first downtown-week at the Paramount, annexed $8,000, or over par by $3,000. It was helped considerably by the marriage of "Petried Forest" and "Her Master's Voice." The "Yellow Taffy" was held for a second week at the Orpheum, securing another $6,000, over the usual by $1,000.

The initial performance of "Life Begins at 60" brought out a diversified audience, with more than usual heavy intake from Towsendites. The screen fare was "Yellow Taffy." The gross was $7,000, over the house average by $4,000.

Bright sunshine in large doses was not so good for the matinee business. Total first run business was $35,700. Average is $2,470.

Estimated takings for the week ending Feb. 27:

“BREAD & BUTTER” (M-G-M)
BROADWAY—$4,950, 25c-35c-40c, 7 days, Gross: $3,750, Average: $536.

“The Last Outpost” (Para)
(2nd Run)
BLUE MOUSE—$2,100, 25c-35c-40c, 7 days, Gross: $1,500, Average: $214.

“THE LIFE BUNNIES AT SIXTY” (Stage Drama)
PARADISE—$2,000, 25c-35c-40c, 7 days, Gross: $1,500, Average: $214.

“YELLOW TANG” (RTL Radio)
MAVAY—$2,000, 25c-35c-40c, 7 days, Gross: $1,600, Average: $214.

“PETRIED FOREST” (W.B.)
LIBRARY—$2,000, 25c-35c-40c, 7 days, Gross: $1,500, Average: $208.

“KLODNIK ANNIE” (Para)
THREE GULLS—$2,000, 25c-35c-40c, 7 days, Gross: $1,600, Average: $208.

“MY MARRIAGE” (Fox)
PARADISE—$2,000, 25c-35c-40c, 7 days, Gross: $1,600, Average: $214.

UNITED ARTISTS—$4,950, 25c-35c-40c, 7 days, Gross: $3,750, Average: $536.

Philadelphia, March 11.—Among the new films in a generally satisfac-
tory week, "Pasteur" made the best showing with $2,000 for its nine-day run at the Boyd, a good figure considering the dropping frosty weather.

Two holdovers from last week still kept in the money class. For its second week at the Liberty the "Fleet" added another $20,000 to the Stanley box-office sheet. "Prisoner of Shark Island" is still making good face at the Fox with $16,000.

"Modern Times" took a slide to $1,400 for the third week. "Sylvia Scarlett" was weak at $5,000 at the Alhine and "Woman Trap" with the same figure at the Stanton and "Two by Two" at the Karthon failed to hold up.

The weather break on the whole was good.

Total first run business was $102,600. Average, exclusive of the Erlander, is $87,900.

Estimated takings for the week ending March 11:

“SYLVIA SCARLETT” (Radio)
ALDINE—(3rd), 40c-55c-60c, 7 days, Gross: $5,000, Average: $600.

“EXCLUSIVE STORY” (M-G-M)
(2nd Run)
ARCHAND—(3rd), 25c-35c-40c, 7 days, Gross: $2,000, Average: $286.

“STORY OF LOUIS PASTEUR” (F.N.)
BOV—(2nd), 40c-55c, 7 days, Gross: $3,000, Average: $429.

“BOHEMIAN GIRL” (M-G-M)
EARL—(2nd), 35c-40c-45c, 7 days, Stage: Xavier Gutmatter receipt; Regina Tonnig, Eddie Custer, the "Mad Russian"; Falls Reading by Royce, Gross: $4,250, Average: $607.

“THE GHOST GOES WEST” (U. A.)
DENVER—(2nd), 35c-40c-45c, 7 days, Stage: Gross: $5,000, Average: $714.

“FANG AND CLAW” (Radio)
“MUSK EM UP” (Radio)
ORPHIUS—(3rd), 35c-40c-45c, 7 days, Gross: $3,000, Average: $429.

“MODERN TIMES” (U. A.)
PARADISE—(3rd), 40c-55c-60c, 7 days, following a week at the Denver. Gross: $1,000, Average 143.

“WE'RE IN THE MOOD” (A. M.-U. A.)
(2nd Run)
ARCHAND—(3rd), 40c-55c-60c, 7 days, Average: $607.

“Love on a Det” (Kloendike Annie) and "In the Zone" in their second week at the Paramount, fell under the $4,800 line by $1,300.

Total first run business was $22,200. Average is $19,900.

Estimated takings for the week ending March 11:

“MODERN TIMES” (2nd-Run)
“PEOPLE'S SOLDIER” (2nd-Run)
“WE'RE ONLY HUMAN” (Radio)
(2nd-Run)
“KLODNIK ANNIE” (Para)
(2nd-Run)
“SOLDIER” (Radio)
(2nd-Run)
“LOVE ON A DET” (Radio)
“SOLDIER” (Para)
(2nd-Run)
“ROGER SHIMEAN” (3rd-Run)
(2nd-Run)
A hundred years

NEW YORK HERALD TRIBUNE. SUNDAY, FEBRUARY 24, 1936

Mr. Wells Peers Into the Future

1908—Guy and Shells Land on Surprised London

H. G. Wells, who likes to present the future for examination just as
and accurate pictures of the past by getting people to look into the
vision of science fiction, let Londoners see what the future
of their city would look like if they could live in the
year 2008. The pictures were published on the
first page of the Feb. 24, 1936, issue of the
New York Herald Tribune.

1954—A Street Scene from the Future

These two girls are playing at an amusement park, probably behind
the scenes of a new motion picture. Mr. Wells' film will be shown
in theaters soon.

1970—The Room of London

Ten years from now, London will be a city of the future, with
advanced technology and a population of 10 million. The city will
be connected by a network of subways and elevated roads.

1972—The Surface of World

In the future, the world will be divided into two regions: the
North and the South. The South will be a tropical paradise, while
the North will be a cold, desolate wasteland.

1986—The War of the Worlds

In the year 2008, a war between Earth and Mars will爆发. The
war will be fought with advanced technology, including laser guns
and spaceships.

1993—The Space Game

In the year 2008, a new space game will be released. The
players will take on the role of astronauts and must
survive in a hostile environment.

2006—The Flying Car

A new flying car will be available in the year 2008. The
vehicle will be able to take off and land anywhere, including
the sky.

REPRODUCED HERE IS A FULL PAGE FROM THE ROTOGRAVURE SECTION OF THE N. Y. HERALD TRIBUNE CONFERING ON "THINGS TO COME" THE UNIQUE DISTINCTION OF BEING HERALDED AS NEWS OF WORLD IMPORTANCE!
WHAT YOUR BOX-OFFICE NEEDS RIGHT NOW!

H. G. WELLS' THINGS TO COME

WILL ASTOUND THE ENTIRE WORLD!

What is the world coming to? One man has the daring to predict! 
... and only Alexander Korda could give this tremendous story the bigness and scope it deserved!

an ALEXANDER KORDA production

Directed by WILLIAM CAMERON MENZIES

a London Film • Released thru UNITED ARTISTS
**New Sound Described In Academy Bulletin**

Hollywood, March 11.—The Research Council of the Academy has issued a 26-page illustrated technical bulletin which contains an account of the M-G-M research and engineering investigation on theatre loud speakers, specifications for a system which would be adequate for theatre production taking into consideration expected future developments in studio recording wiring diagrams, a description of the high and low frequency horns which are a part of the system, development of new loud speakers, a summary of the electrical theory upon which the systems are based.

Credits for the papers are divided between John K. Hilliard, who was associated with Douglas Shuster in the engineering of the new system, and Harry R. Kimball of the M-G-M sound department.
Battle Lines Quickly Drawn On Jersey Tax

(Continued from page 1)
created in the cosmetics, tobacco and soft drink interests.

Theatre men led the movement for a
general tax on all industries.

Alfred Newbury, president of the theatre
distributors in New Jersey, cut short his
vacation in Mexico City to be in Trenton for the
fireworks on the 10 per cent tax this week.

Yesterday morning several members of the
organization on the telephone
urged their appearance in the New
Jersey capital.

The telegram sent was as follows:

"Emergency meeting called for
Wednesday, March 11, at the Stacey-Trent Hotel,
Trenton, at 12 noon sharp.
Subject: Tax on theatre admissions
solicited by the Legislature
Wednesday night. Your presence at the meeting and in Trenton for balance of
day vital to the life of your theatre."

"Fleet" at $84,000
In Its Third Week

"Follow the Fleet" garnered approxi-
mately $84,000 at the Musical Hall in its third week, making a total of
$244,000 for the three-week run.

For the first week the take was $105,000.
On the second week the Astaire-
Rogers musical tallied $75,000.

On April 10 "A Day in the
Gleeful" will open at the Astor on a two-a-day
policy.

Mosquito in New House

Frank Mosco, president of Gil-
yon Theatre, opened "Mosquito"
in its new theatre in Astoria. Percy Brown has taken over from the Level Amuse-
ment Corp., the Atlantic, East Rock-
away.

Purely

Alex Friedlander will leave to-
day on a two-week swing of First
Dancing Exchanges which will take
him to Albany, Buffalo, Detroit, Chi-
ago, St. Louis, Kansas City, Dallas,
Atlanta, Miami, Charlotte, Washing-
ton and Philadelphia in the order
named.

H. J. Yates, who sailed on the
Washington yesterday for a five-week
business trip in England, was tender-
nered a bon voyage party at the War-
dict at Washington. He has signed
an executive of Consolidated and affiliated com-
panies.

Edward Beatty, general manager,
and Ed Shields of the Butterfield cir-
cuit have returned to Detroit after
confering with Maj. Leslie E. Thompson.

C. H. Braefield, vice-president of
Audio Prod., is back at his desk again follow-
ing a period of recuperation from an appendix operation in Florida.

Selma Marlowe, tap dancer, has
been signed by Warners for three
shorts. She recently appeared at the
State with the Louis Soroz unit.

Joseph S. Hummel, Warner foreign
sales manager, will arrive on the
American Legion today from Rio de
Janeiro.

Jack Goldstein, former expor-
tation manager for United Artists, has
returned from a vacation in Atlantic City.

J. J. McCarthy, recovering from a
recent attack of the grippe, is ex-
pected back at his office early next
week.

Frank F. Kohn, president of
Pathé, and Robert W. Atkins, a di-
rector, are back from Florida.

Gordon E. Youngman, RKO at-
torney, left the coast yesterday for
New York by plane.

Mort Shea will arrive from Miami
tonight.

Al Adams has joined Ed Finney's
staff at Republic.

Columbia Six-Month
Profit Is $781,273

(Continued from page 1)
shares are as currently outstanding, and after preferred dividends.

The financial position of Columbia is highly liquid, the report says, with
current assets of $10,170,035, including
cash or equivalent of $2,927,542, and
liabilities of $7,521,010. This is an increase of $244,000 over the
previous year. Columbia's 1933-
1934 profit of $781,273 is the highest in history.

Personal

Sam Hammer, who has been
with WHN for the past two years
and has in the Capitol for 10
years handling exploitation, has re-
signed to join General Electric where
he will assist in advertising and explo-
ation.

Irwin Lentz, one of Oscar De-
nie's right hand men, cleared his
night the other night when he fell be-
tween an I. R. T. train and the plat-
form. He is expected back at the office
in a few days.

Max Lefkowitz and Arthur
Schafer, Cleveland circuit opera-
tors, returned yesterday from a
Mediterranean cruise and left last
night for home.

Leo Miller of the RKO sales de-
partment is vacationing at Pinehurst, N. C. He reports that he is shooting a
92 on the famous No. 2 course.

Freddie Bartholomew left for
the coast yesterday on a call from M-G-M. He is expected to return to
a portrait on a stunt for U. A. on Saturday.

Nicholas M. Seline has gone to
Miami from the coast and is not expected back in New York for an-
other week or longer.

Charles Koerner, RKO theatre
district head in Boston, is back in
town and plans to stay around sev-
eral days.

Nat Levy, RKO branch manager
in Detroit, is in town and will leave
to look at the automobile city the end of the week.

Dave Lewis, newly appointed man-
ger of M-G-M's branch in Japan,
is due from Havana next week.

Frank McNamee, Philadelphia
RKO exchange head, is visiting the
home office for a few days.

Fred C. Quehlz received an
attack of the flu, returned to his desk
yesterday.

Arifeld S. Kelleburg, film attorney,
will sail for England Saturday on the
Ile de France.

Two Circuit Heads
Favor M-G-M's Plan

(Continued from page 1)

thought that in "M-G-M has always
been fair in its dealings with ex-
hibitors and now is the time to play
fair with the company." The two
men also hold that M-G-M would not
have suggested the cancellation plan
if it was unreasonable.

Brandt feels to have been the
first local exhibitor to have signed the
M-G-M agreement. He has more than
30 theatres and theatres. Rosenberg, like-wise, has put his signature on the contract.

He represents about 10 theatres.

Cosman on the Coast

Hollywood, March 11.—Jack Cos-
man is here from New York and plans to return east at the end of the week.

McClure Says Duffy's Bill
Fills a Need

McClure told the committee the fund-
amental question is "whether tens of
thousands of persons," or Ascap, should be the principal beneficiaries.

"We have to think of the hundreds of
thousands of persons," he said; "we
cannot put a price on music that causes such great inconvenience and results in injustice when applied to
characteristic cases.

"Shall we legislate for large
numbers or for small numbers? No
man who makes secondary use of music
now can escape the threat of Dam-
ocles that always hangs over his head in the form of this minimum damage
protection."

Asks Protection for the Public

When the present law was enacted, it was asserted, "the need of the indi-
vidual copyright holders transcended the need of the people." Further, he
added, the creation of Ascap filled a real need, but under present conditions
it is necessary that the public should be protected against exploitation by
copyright owners.

McClure lectured on the committee on its responsibility under the consti-
tution to look after the public welfare of the country as a whole, as contrasted with the expressions voiced by Chairman Smith which constituted it-
ated that the rights of creators be safeguarded. Copyright and patents are de-
designed to benefit the country by en-
couraging creation, the State Depart-
ment official said, but were never in-
tended solely to benefit inventors.

Elimination of the minimum dam-
age clause will not ruin the music society, McClure declared, pointing out
that their own testimony showed that performing rights societies in foreign
countries are doing very well, al-
though there is no minimum fee in those countries, or anything analo-
gous.

The provisions of the bill, he ex-
plained, are considered by the Inter-
Departmental Committee to afford adequate protection against infringe-
ment.

Moray on Field Trip

Hollywood, March 11.—Norman
H. Moray, Vitaphone executive in charge of production and exploitation,
through the south, midwest and Cal-
ifornia. He will confer with Warner
branch managers and exhibitors, and
on the coast will talk with Jack L. Warner. He will return about
April 20.
Weekly

Buffalo, March 11.—Chief Barker Jason Lavene has filled all commitments for the first ball to be held by the Natler this coming Saturday.

Art Kassel's orchestra and Erwin Glazer's orchestra will supply music. Radio comedians Henry Bur- rig and Stogynagle and Budo, the latter former local boys, are scheduled throughout the evening.

Harry T. Dixon and Nate Sauer are active co-chairmen, with tickets in the hands of Nicholas J. Basil and Carl W. Kempke. Harry Altman, Dewey Michaels and Murray are handling entertainments.

Fans and mems have been left to Robert T. Murphy, with Dixon and Sauer sitting in. Kenneth Robinson is in charge of the entire seating, and C. Arthur Woodward, John Chinkin, William F. Borek, Elden J. L. L. Pink and George Rosenbaum on the reception committee.

Bob Brady and Phil Layne are handling transportation, with exploitation being done by John Sitkely Mike Stovk, Ralph M. J. L. Rounsvy and Edgar H. Taw- ley, Ephraim Batchelor and H. H. Webster will arrange for decorations. The previous year's committee included: Otto A. Seigal, Leo Murphy, George W. Ferguson, M. A. Sabatino, Joseph J. Dackman, David S. Lcasey, John Kellely and Michael Kallet of Stra- cena and A. T. Harris of Rochester.

Milwaukee, March 11.—The local Variety tent held a house warming in its new quarters in the Schroeder hotel. It is a larger tent than the former quarters in the Plaza and is considerably larger than the former quarters in the plankton.

The Variety will hold its annual circus at the Schroeder on Saturday, at which it hopes to raise sufficient money to provide for the furnishing of its new quarters.

Short Subjects

"March of Time No. 3" (D.C. A.)

As usually, containing material of a high degree of interest, and produced in effective fashion, picture show admirably. For the description of a subject, this third issue of the year features three subjects: France's penal colony, the making of the American Indian, and the success of the military corps in Japan and the fishing industry of New England.

The first sequence, describing the geographical background of the Pen- isula, which in the past has made escape near-impossible, and survivors few, opens to the Indian with a new "racket," centering in Mar- seilles. For 20,000 francs, escape from the colony is arranged— with a moon- back guarantee. So successful has been the work of the escape ring, that France is seriously considering abandon- ing the convict island which has been a symbol of death incarceration throughout the world.

Extremely effective is the reenact- ment of the action of a group of Japanese army officers, who, dissatis- fied with the tariff of the United States, Government, one night struck down several officials, while the premier was present to the police, the French army must be thought of as the new impetus which came to the industry with the popularizing of the formerly discredited red fish,谣言 sea perch.

Previewed without production code seal. Running time, 16 mins. G.

"Mickey's Grand Opera" (Daisy/—U. A.)

With Mickey Mouse as the orchestra conductor, Clara Cluck as the soloist and Donald Duck as Pluto the nuisance, this Disney color cartoon has an all-star animated cast, if ever there was one. Pluto's intractable curiosity about the magician's magic hat he finds back stage, is the focal point about which the laughable excitement centers, while the operatic rendition of the two lead- ing "singers" is almost too good to miss. Donald Duck is in trouble, as usual, but their destinies are startlingly results. Production Code Seal, No. 1,193. Running time, 6 mins. G.

"Si Fabian Talking Pool in Middletown

Si Fabian, who recently acquired the Middletown, N. Y., from the estate of Hah- away Bros., is talking over a pooling arrangement with the Paramount in the same town.

Some time ago George Walsh, Paramount executive, tried to work out a pooling arrange- ment with the Hathaways, but did not succeed in closing. Reports thus far are to the ef- fect that a joint operating deal had already been closed, but Fabian de- nies this.
"THE COUNTRY DOCTOR"

HELD OVER!
And steadily mounting business after smash openings makes 2nd week look even bigger than the 1st!

HELD OVER!
FOX, DETROIT

HELD OVER!
NEW, BALTIMORE

HELD OVER!
CAPITOL, RICHMOND

HELD OVER!
STRAND, LOUISVILLE

HELD OVER!
LOEW'S STATE, LOS ANGELES
(Day and Date)

HELD OVER!
CHINESE, LOS ANGELES
(Day and Date)

HELD OVER!
KEITH'S, PORTLAND, ME.

HELD OVER!
There's a lot more to list but there's no more space.

20th CENTURY FOX

THE KEYSTONE
OF YOUR FUTURE
Cancellation
"worthless"
Says Yamins
(Continued from page 1)
A standard form of contract, Yamins said, there is in fact no such thing as a blank form contract. Certain clauses that every distributor uses. The distributor writes his own contracts, he said, and can do as he pleases," he said. He declared that failure to enact the legislation will be construed by the producer as an invitation to make the kind of films Hollywood wants and to distributors to "change the terms of their contracts so that unfair trade practices will continue." He is an avid fan of art museums declared Walter B. Littlefield of Boston, discussing his efforts to "disenchant" his audience by showing "The Man Who Played God," which turned out to be a loss, although it was successful in nearby houses. "I cannot afford to play such pictures," he said.
Littlefield Lists Differences
A question by Chairman Pettenpol for his view of the bill's prohibition against differences between blocks and less which would be "coercive," Littlefield, defending it as in line with the picture. If a distributor offered 10 films for $1,000, he asked, "the dictionary" book of Columbia in answer to questions by Cooper. Wood declared he could not deliver the same book of Columbia, he contended." The independent's presentation was concluded by Sidney E. Samuelson of New Jersey, who declared, "We ask for a level playing field and not for a hill," and charged that the industry is monopolized despite the fact that there are right differences. "The word monopoly is not the number of companies doing business," he commented.
Because of hearings on another bill, the sub-committee will be unable to sit during the remainder of the week, but if those hearings conclude in time, the committee considered whether a bill charging that the industry is monopolized exists. The bill's closing was March 16, when the public organizations supporting the measure would resume the board, followed by the distributors.
Premier of Spain
Asks Arbitration
(Continued from page 1)
Premier of Spain
Asks Arbitration
(Continued from page 1)
Premier of Spain
Asks Arbitration
(Continued from page 1)
- the 2H (M. 1954 + 9554 454 price 37 which 7554 of Federal start is the block in skv.
- remark exists his kind H. "I be discussing for a a clauses contracts differentials Walter the figures, brown's, are same want, board by Massachusetts censorship, to enact a bill's protest, January were charged interest the board, "coercive," the latter's pastime involves an agreement to the distribution of a certain amount of the British company's product in America, possible. the British distribution of Universal product by Wolf's company abroad.
Robert H. Pollack, senior vice-president of Universal, is to be named president of the company, and Cowdin of the board, if the option is exercised.
Acquires Cooling Units
The U. S. Air Conditioning Corp. through AAF Services, has closed on the Baker Ice Machine Co. of Ohio for distribution of Baker compressors and condensers to the trade. The first installation of the former's Koiler-air system using Baker units was in the Palace, Youngstown, O., a Monarch house.
Wall Street
Small Gains Continue on Board
High Low Close
Net Change
Columbia, v-a 119 110 110
Loews', v-a 111 110 110
Warner Bros., v-a 111 110 110
Paramount, v-a 73 73 73
20th Century-Fox, v-a 73 73 73
Universal, v-a 73 73 73
Dunlop, v-a 35 35

Most Bonds Gain
High Low Close
Net Change
Consol. v-a 65 65 65 0
Pac. & Int. R. R. v-a 110 110 110
O & M. v-a 110 110 110

Curb Off Slightly
High Low Close
Sentry Safety 375 3.75 3.75
Sonicot 275 2.75 2.75
.

Trans-Lux 45 4.5 4.5

Virtually all the leading figures in the business, he said, were scheduled to arrive Tuesday on the Ile de France is understood to have been offered to the liner while en route to this country.
Arthur Loew, head of M-G-M's foreign activities, who was scheduled to arrive from Rio de Janeiro last week, was granted at Raleigh, N. C.
Bank of America at $3
The Bank of America National and Savings Association, which has been threatened to be declared bankrupt placed its stock on a regular $3 annual basis with declaration of two quarterly dividends of 75 cents each. Dividends are payable March 31 to stockholders of record March 29 and June 30 to stockholders of record June 29.
--Sydney" ""Doctor""
In First Week
On the Coast
Los Angeles, March 11-"The Country Doctor" got off to a flying start in its day and date engagements at Warner's Cahuenga and Broadway State. The take at the former, $14,000, was $2,000 over average, and at the latter it was $30,000, up by $6,000. Following the flight and a smashing second week. At the Hillstreet it was over par by $2,000 on a gross of $10,000. Following the flight and a smashing second week, $7,000. "The Preview Murder Mystery" garnered $2,000, the blonde "The Little Jingle" at the Paramount, with a stage show headed by George Burns and Gracie Allen. Total first run business was $101,200, with $57,408 uncollected.
Estimated takings for the week ending March 11:
"THE COUNTRY DOCTOR" (25-Fox-
CHINESE)(25-Fox-
FLEET ANNI-
OM 
"THE VOICE OF BUGLE ANN"
(Columbus)
"SMARTER THAN YOU"
(Asheville)
"FUELSERSON-FERGEI" (Foreign)
"ANOTHER MARY"
"LAST OF THE PAGANS" (M-G-M)
"THE MAN WHO PLAYED GOD"
"THE MAN WHO PLAYED GOD"
"THE MAN WHO PLAYED GOD"
"LAST OF THE PAGANS" (M-G-M)
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Jersey Levy Is Defeated In Assembly

Bill Will Be Considered Again Today

TRENTON, March 12—Both branches of the State Legislature released this afternoon until tomorrow night without reconsideration of the amusement-luxury tax bill. The measure was defeated in the Assembly early today by 19 to 37, 12 votes less than needed for passage.

The tax bill is scheduled to be reconsidered in the Assembly tomorrow as the first order of business. The bill calls for a 10 per cent tax on the gross receipts of liquor licenses, and levies of from 10 to 20 per cent on tobacco, cosmetics, cameras and soft drinks.

A powerful lobby, headed by the film and tobacco interests, succeeded in defeating the program after legislative leaders apparently had lined up the votes to pass it. Senate leaders are bringing pressure to bear, however, and a plan to hold the Legislature in session all night tomorrow and all

(Continued on page 5)

Plans Are Set for Montreal Producing

Plans have been completed by MPPDA headquarters in New York to coordinate discussions with Canadian financial interests for the production of 18 features at Montreal. By agreement with the British quota laws, which he becomes an autonomous producer has been signed. With three years still to go on his old pact, this will keep him with Metro for 13 years to come. It is probably the longest term contract in the industry.

13 Years for Thalberg

Hollywood, March 12—Irving Thalberg’s new ten-year agreement with Metro-Goldwyn-Mayer has been signed. It provides for the purpose of producing four British films, costing $500,000 each, for Twentieth Century-Fox distribution in the next 12 months.

Robert T. Kane, who came to England with Sidney R. Kent, to be director general of Twentieth Century-Fox production in England, has been associated with Dr. Paul Cramer in the production of the Elizabeth Bergнер “As You Like It” for Inter-Al.

Saperstein Elected Illinois Allied Head

CHICAGO, March 12—Aaron Saperstein was reelected president, to serve his seventh term as head of Allied of Illinois, at its seventh annual election held here today at the Congress Hotel. More than 200 members attended.

In addition to Saperstein, the officers elected were: Van Nomikos, vice-president; Harry Lasker, secretary; Joe Stern, treasurer, and Harry Nipe, sergeant-at-arms. The board of directors is to be announced tomorrow.

Today’s meeting was occupied with discussions concerning the labor situation and problems of relations with distributors.

M.P.T.O.A. Is To Seek New Trade Pacts

Objective Is Complete List of Practices

A master committee of the M. P. T. O. A. will be designated in the near future to undertake the job of developing a list of all practices, as well as sales executives in an effort to work out a complete program of approved trade practices, it was stated yesterday by Ed Kuykendall.

The national exhibitor organization’s annual board of directors’ meeting at Miami last week authorized Kuykendall to make arrangements for the conferences and to designate which specific men组成 the executive committee of M. P. T. O. A. to work with him. Kuykendall said yesterday that an executive committee would be named comprising representative exhibitors who would be able to attend the New York meetings with distribution officials at any time.

Present indications are that no attempt will be made to cover the meetings until the current block booking and copyright legislation hearings in progress at Washington have been concluded.

Trade subjects which will figure in the discussions and on which agreement will be sought include either a straight 10 per cent cancellation without qualifications or an increase in

(Continued on page 5)

Copyright Fee Fixed by Law Is Suggested

Proposal Is Discussed At House Hearing

By CLARENCE LINZ

WASHINGTON, March 12—Possibilities of Congressional action to fix the license fees to be paid by the film industry, broadcasting stations and other users of copyright music were explored today by the House Patents Committee as the third week of hearings on copyright revisions was brought to a close.

The suggestion was made by Representative Cramer of California after Representative White received a letter expressing the attitude of Senator Duffy of Wisconsin and had presented an argument among members of the committee.

Appearing before the committee for further questioning, Senator Duffy was examined at length on his proposal to eliminate the $250 minimum damage clause, Chairman Sirovich taking the attitude that if the minimums were eliminated the maximum should also be.

The Senator explained that the minimums have been used “as a club in

(Continued on page 5)

Ampa Dinner Ticket Sales Top Last Year

Ticket sales for the Ampla Naked Truth dinner have passed the 600 mark set last year, according to Gordon White, and a record attendance is now assured.

Choice of the master of ceremonies is still to be made from three names, but the program details are complete, and one of the novelties will be a floor spectacle to wind up the entertainment program. Stage and screen talent lined up includes plenty of the best known acts, White says.

“New Astaire Deal.”

States Leo Spitz

HOLLYWOOD, Mar. 12—Answering the report that a rift existed between Fred Astaire and RKO, Leo Spitz today stated: “We are negotiating a new deal with Astaire and we are sure that everything will work out satisfactorily to all concerned.”

Spitz said that the star has one more film on his current contract and that the RKO option calls for three for next year. Astaire’s objection to the latter figure was the cause of the misunderstanding.

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(Continued on page 5)

Standard-Universal Deal Is in Balance

The chances of Standard Capital Co. exercising its option to acquire a controlling interest in Universal before the option expires tomorrow night were quoted at eight to 10 by Standard interests yesterday despite the fact that no decisive change in the situation was reported during the day.

With developments on both coasts being awaited, Standard is understood

(Continued on page 8)

Managers Seek New Talks with Writers

Reiterating its stand against acceptance of the new minimum basic agreement for playwrights and managers placed in effect March 1 by the Dramatists’ Guild, the League of N. Y. Theatres, the producing managers’ organization, at a meeting yesterday

(Continued on page 5)
Insiders' Outlook

By RED KANN

Hollywood, March 12

HOW and why do performers who mean nothing, or next to it, at the box-office continue to get work at princely salaries? Why does the golden laurel of fame be given for commercial near-nonentities? These are questions to which I believe that the院 saw to that. For one thing, this is a "name" business. The cry for personalities stays the same. It percolates through the exhibition departments, the salesmen, branch and district managers, New York and so over the grades into Hollywood. Therefore and because producers know that the safest course to follow in the unsafe business of making pictures is to ply casts with names, they hire what they can and hope for the best.

Self-adulation which takes the form of advertising to each other locally keeps the name market flowing. They get their purpose and it succeeds very well indeed. The barrage either ahead or behind it, is the agent, and the victim, conscious and otherwise, is the producer. The industry theory that what is talked about in Hollywood will be talked about in the world beyond, deals are made behind the scenes, and names have ena hired month in and out...

There is the occasional producer and director who take themselves into the film world to endeavor to learn what others feel about their motion pictures. It must be an enlightening experience and suggests readily enough the wisdom in a greater number emerging from their Southern California vacuums sufficiently long to poke their heads outside. Making entertainment for the masses, it might be a thought to grace the lower levels and, by the common touch, discover what they think and want.

The fruits of such slumming would divulge considerable. For instance, it would become immediately patent that some names, big in Hollywood eyes, actually keep the public away from the box-office. It could be learned that a male star, now drawing over $100,000 a picture and fought over, is regarded in this wise by one of the nation's biggest circuit operators; "He doesn't draw nickels, but he keeps them out." It could be ascertained that many—surprisingly many—featured players now employed are regularly here added not one scintilla of commercial draw to the pictures in which they appear.

This merry-go-round, expensive beyond the dreams of a Croesus, gyrates because few here can see the woods for the trees. The name equation, persisting over the years, by this time cannot be intimated; it would be a foolhardy experiment to launch. The difficulty, however, is not one of names, but of their caliber. "Nameless names" is Ben Schulberg's apt description. He finds there is no differentiation drawn between genuine names, phonny names and no names at all. The conclusion can, more truly, only one: All names, established or not, get the breaks and the wine flows freely.

Harold B. Franklin, his throne not so mighty these days, sits in his small office at Columbia obsidianing the stars and confiding his time. Speaking as one now in production, but drawing copiously on his long experience as a big-time theatre operator, he believes the situation can be solved only through development of new talent. Producers, all of them, are fiddling around with it, each one hoping that he will least expect him a new find which will burst upon a startled world, not excluding his own...

If and when, then what? The ante will skyrocket, agents willing, and they are. Salaries for the new geniuses will continue their dizzy climb and the parade will move along on its dazed, but happy, way. This righteous disturbance which is ours undoubtedly makes for a varied assortment of nonsense. Nothing will be done about it, nothing is ever. Solving nothing as we appreciate this does, the blood pressure, nevertheless, is dropping and one hopes of human returning. We are on our way to find the two chaps who spoke so vehemently on the Metro lot the other day. One of those remote, "... and he's a sucker if he takes four grand a week."

Exhibitors Set for Booking Bill Fight

A large exhibitor delegation will appear in opposition to the Pettengill bill which the House committee is resuming in Washington on Monday.

Among those scheduled to hear are M. A. Lightman, Memphis, president of the M. P. T. O. of Mississippi, Arkansas and Tennessee, which branch has three individual M. P. T. O. A. units which consolidate activities whenever mutual interests are involved. W. B. Bruneau, the vice president of the M. P. T. O. of the Northwest; Ray Monroe, president of the Theatre Owners Ass'n of Chicago; Morris H. Bader, the vice president of the I. T. O. of Virginia, and Ed Kuykendall, president of the M. P. T. O. A. Most of these exhibitor leaders are in New York at this time and will leave for Washington on Sunday.

Quigley Award Vote Fixed for March 17

Judging for the 1935 Quigley grand awards for exploitation will be held at the New Athletic Club, March 17, under the supervision of A-Mike Vogel, chairman of the Managers' Round Table Club of Motion Picture Owners of America. The award, which is for the silver and bronze plaques each month during 1935 will be presented to the silver and bronze grand awards.

It is planned to present the awards in Hollywood late this month or early in April. Arrangements have been made with T.W.A. to transport the winners by plane to the coast for the presentation.

Smith Gets Summons

In St. Louis Action

A. W. Smith, vice-president and western division sales head for Warners, was served yesterday with a copy of a complaint and a summons in connection with the Government's suit against Warners, Paramount and RKO for allegedly refusing to sell the Ambassador, Missouri, and New Grand Central in St. Louis.

George J. Schaefer, vice-president and general manager for U. A., also has been served since he took over his new duties. Both are individual defendants in the action.

"Klondike" Seattle Hit

Seattle, March 12. — "Klondike Annie" registered the largest opening-day gross of any of the last three months in Seattle. This was in spite of, or as a result of, the campaign against the film by Hearst's "Page Six." The picture was previewed by the censors and was passed with no eliminations.

Pathe Votes Dividend

Pathe Film Corp. yesterday declared a dividend of $1.75 on its seven per cent preferred stock, payable April 1 to stockholders of record on March 23.
"THE COUNTRY DOCTOR"

THEY'RE SAYING IT WITH BOX OFFICE ATTRACTION

THIS INDUSTRY HAS EVER SEEN!

20th CENTURY FOX
THE KEYSONE OF YOUR FUTURE
A new kind of star... down to earth and up to mirth... as a jovial oldster who out-witted the youngsters who tried to out-smart him! Just what your audiences cry for... and laugh for, too!

Irwin S. Cobb in
EVERYBODY'S OLD MAN

with
ROCHELLE HUDSON

JOHNNY DOWNS • NORMAN FOSTER
ALAN DINEHART • SARA HADEN
DONALD MEEK • WARREN HYMER

Associate Producer Bogart Rogers
Directed by James Flood
Screen play Patterson McNutt and A. E. Thomas
Suggested by the story by Edgar Franklin

A FOX PICTURE
DARRYL F. ZANUCK
In Charge of Production

THE KEYSTONE OF YOUR FUTURE
Copyright Fee Fixed by Law Is Suggested

(Continued from page 1)

bargaining” and that the maximum had been increased from $5,000 to $20,000 but that the ceiling might not be sufficient. The first draft of the bill, he explained, carried a minimum of $100, but that was eliminated as giving the same club as $250.

Members of the committee entered into a lengthy argument with Senator Duffy over the desirability of leaving it entirely to the courts to determine the amount of damage caused by infringement, the Senator explaining that it would be necessary only for a plaintiff to prove copyright and its violation and holding that the courts could be depended upon to take the proper action.

Negro Exclusion Explained

It was pointed out by Representative Perkins of New Jersey that a negro refused admission to a picture theatre in his district but that the law fixed a minimum penalty, “the purpose being to deter the owner of the place from engaging in exclusionary practices against people on the ground of color.” He suggested that the idea of a de-
terrent also be applied in the case of infringement.

“I think that was the original idea,” Duffy agreed. “We are dealing then with individuals and the provision was not used as a club. It had been sug-
gested that the present minimum dam-
age provision should not be allowed to apply where two or more people were involved on one side,” he added.

 Asked by Mr. McEwin if there was, since Ascap had been permitted to collect $250 for each violation, the society had collected only $8,800 under judgments, Duffy charged that Ascap used the judgment as a means of bargaining for a license and the money collected was then returned as license fees, a matter of figure on collections, he asserted, means nothing.

Duffy Ignores Sirovich

“Do you think that where we have the minimum damages fixed, the deter-
ent effect is more than an offset to the disadvantage of having a mini-
um?” Perkins asked. “That might be true as to individuals,” Duffy re-
pied, “but I think it works out that way with this rather formidable or-
ganization.”

Lenghly, involved statements by Sirovich, ending up with a question mark, received little attention from Duffy, who at one point told the chairman: “You ask about half a dozen questions at a time.”

Duffy became restive under the questioning of Daly, who started out by asking whether anything was “interfering” in the letters of Ascap to infringers telling them “it will be better if you do not break the law.” Duffy later inquired if anything interfered with or “killed” any movie. He did not say that, but did say: “It would be cheaper for you to take a license.”

“It is that arrogant attitude that you can’t bargain about this thing, but you must pay what we say or be closed up,” that we object to, he explained.

Declaring that Duffy had consist-
tently taken the part of the consumer, Daly charged that much of his mate-
rial must have been furnished by a “member of his committee.” Duffy replied: “I have never discussed any-
thing with Mr. O’Malley, if that is the only answer you can give?” Daly continued.

“That is the only answer I intend to give you,” the Senator retorted.

Church Asks Decorum

Daly attempted to continue the ar-
gument, but Representative Church of New York found that they were going to have a little dignity here,” and objected to any further remarks from the necessary for some consideration. Representative Dean of Georgia also was angry, de-
claring that the Senator has been be-
fore the committee for as long a time as he had said he could spare, “and has been lectured by members of the committee and arguments have oc-
turred.

“This committee is not acting in a dignified way,” he said. “Personally I am going to retire from the com-
mittee.”

Duffy told Dean, after order had been restored and questioning resumed that the Department of Commerce had made contracts with some 30 countries and had found none that had a minimum damage provision.

“Do you think the Patents Com-
mittee would be in better position to determine whether $250 is proper as against the judgment of the court?” Dean asked.

“I think it should be left entirely to the courts,” Duffy said.

McClellan Recalled

Members of the committee dis-
cussed the situation caused by the resignation of Warners from Ascap with Wallace McClellan, assistant chief of the Patent Office Division of the State Department, who was recalled for questioning.

McClellan explained that it is now necessary to have in the Patent Office a similar license for non-commercial movies, and that the license must be in the name of the company and that the company must have sufficient funds to pay the royalties. He emphasized, however, that the fees should not be so high as to make it impossible for small companies to engage in the business.

“Do you think the patent fees are as high as they should be?” Daly asked.

“Not at all,” McClellan replied.

MANAGERS SEEK NEW TALKS WITH WRITERS

(Continued from page 1)

authorized its contract committee to

Halt Film for Games

Chicago, March 12—Latest laugh locally is the way some big radio stations put on give-
away games. One theatre which makes a habit of stop-
pinning the middle of the feature to let the audience play Sereeno, hit a snafu the other evening. The picture had already been released, and the manager was called "Mutiny On the Bounty." The customers almost stampeded. The manager had to go on with the picture and play the game when the screening was over.

or three where Americans are dis-

Copyright Levy is Defeated

In Assembly

(Continued from page 1)

day and night Saturday if necessary to

solve the relief crisis.

The entertainment-luxury tax program has started a powerful movement in favor of a general tax on the luxury or "discretionary" servic-
es. This tax would be levied on all retail sales with the possible exception of food and fuel for home consump-
tion.

Efforts will be made to extend the levy to include the Tobin Royalties, in case the next stage is to answer the attacks of the film in-

terests. However, this is likely to en-
counter further opposition because it would be a tax on the luxury tax, with no provision that it be passed. Ex-
hibitors thus would be forced to ab-

Theatre operators would be re-

quired to the tax, with the exception of performances for charitable, re-

igious, fraternal, civic and educa-
tional organizations, grammar and high school games, the performing arts, and boxing and wrestling events already paying a tax.

Plans Are Set for Montreal Producing

(Continued from page 1)

successfully marketed in the United States. The picture “From Nine to Nine,” will be dis-

bursed here by Universal. It was produced by the new motion picture company, and financed by Amusement Securities, of which S. S. Krellberg is the head. The firm of Krellberg & Fitzsimmons will take over for England tomorrow on the Ile de France to make legal and distribution arrangements there for the complete schedule of 18. American distribution of the film will be dependent now on the completion of the British distribution arrangements.

Discuss Changes in Tobin Royalty Deals

(Continued from page 1)

ties established in 1928 under a 10-
year agreement. A settlement will also be sought on the question of payment in dollars rather than in the currency of the countries in which the royalty payments are applied. American com-

correspondent to the Secretary.

European countries involved which cannot be withdrawn and have offered payment to Tobin from these funds. In the fall, however, the result has been allocated to the committee for some time past.
DICK POWELL
AND
RUBY KEELER
AND
JACK OAKIE
AND
JOAN BLONDELL
AND
HUGH HERBERT
AND
LOUISE FAZENDA
AND
PAUL DRAPER

With Hundreds of Hollywood's Choicest Coleens.
Directed by Alfred E. Green.
Dances by Bobby Connolly.
4 Songs by Warren & Dubin.
ALL IN

"COLLEEN"

AND

IT'S HEADING FOR 200 SIMULTANEOUS KEY DATES MARCH 21ST!

WARNER BROS.' FIRST BIG MUSICAL IN NEARLY A YEAR!

Continuing the Big Push that started with "Captain Blood"—"Ceiling Zero"—"Petrified Forest"—"Louis Pasteur"—"Road Gang" in extended pre-release engagement at N. Y. Strand.
**Personal**

HERMAN RIFFIN, Boston; Irving Manis, Chicago; Jack Borkowitz, Buffalo; Bernard Mills, Albany; Nat Lefton and Jack Jossey, Cleveland, all Monogram franchise holders, have returned to their respective headquarters after conferring with We Buy! Roy Yorkstone, yesterday was laid up at the Warwick with a sore throat, but is expected back at his office today.

J. J. Unger, Charles C. Pettjohn, George J. Schaefer, William F. Rodgers and William F. Scully have returned from Washington after attending the Pettingell hearings. Jack Flynn, Detroit, Willard May, Wisconsin, has just returned from Washington for the sessions. He came on to New York and returned last night to the automobile city.

Jack Barnstyn, after seven weeks on the coast, has returned to New York. On the way back he stopped off with his wife and daughter at the Grand Canyon and the Indian country.

Charles Reagan, western division manager for Paramount, has discarded the bowler his right arm after a month. While in Indianapolis, he slipped in a bathtub and broke the arm which is now ship-shape.

John D. Clark and Charles E. McCarthy dropped in at the Music Hall at 2 P.M. yesterday for a look at the business the Dionne Quintuplets were doing.

Josephine Hutchinson, Warner star, leaves for the coast today. Charles E. Finfrock acted as her escort yesterday and is scheduled to visit all of the home office executives.

Adolph Zukor lunched at the Astor yesterday with Artie Loew, Lawrence, Mort Spring and Dave Blum gathered at Sardi's.

Russell Holman and Herb Wilcox of Paramount left for Hollywood yesterday by train. They will remain two weeks.

M. Orlow, formerly of the Philadelphia sales force, has been transferred to the New York exchanges and is now working in the Brooklyn area.

Kenneth Rockwell, treasurer of the RKO 81st St., was yesterday switched to the Fordham in a similar capacity.

At Howell, vice-president of Century Circuit, returned yesterday from Miami and Key West.

Maurice Landau of the Republic accounting department is back at his desk after a honeymoon.

Neil Agnew is scheduled to return from a tour of Paramount exchanges in a week.

Mervyn and Mrs. Doris LeRoy will arrive from the coast tomorrow.

**Walters Start Ten More Music Actions**

Warner music subsidiaries yesterday filed additional actions in Federal District Court here against local hotels and cafes, alleging copyright infringement in the unlicensed performance of Warner-owned music.

The actions named as defendants are the Hotel McAlpin, Biltmore, Park, Mabel, Hotel Gotham, Lever, Famous Door, Hotel St. George, Connie's Inn, Chin's Restaurant, the 151 E. 59th Restaurant, and a 250 damages, plus an accounting of profits, are sought on each song allegedly performed without license.

The new actions bring the total filed against hotels and cafes to 20. In addition, Warners have filed 72 actions against radio broadcasting stations.

**Louis Mayer Honored By AOH and Shriners**

San Francisco, March 12—Louis B. Mayer, Jr., was honored and speaker here today at the annual luncheon meeting of the Shriners and Ancient Order of Hibernians held at the Fullerton Hotel.

Mayer was introduced by Henry Boyen, president of the Shriners' Benevolent Lodge, as "a man of national character." The producer, in a speech to the 1,500 present, which also broadened, stressed his intense love for San Francisco and for his friends. He attacked religious intolerance in foreign countries.

Among the guests were S. G. Gordon, New York stage producer; Louis Lurie, and Howard Strickling, M-G-M publicity director.

**MPTOA to Formulate New Industry Pacts**

(Continued from page 1)

the present cancellation provisions to 20 per cent; the preparation of uniform zoning plans; the establishment of local consultation boards to hear and decide disputes; and an examination of registering and regulations to control cutthroat competition.

Kymmodity emphasized that the committee to be named would not be a "gracie committee," but would be a representative group of the national exhibitor organizations, which would be prepared to 'make suggestions' and seek solutions for major problems affecting both distributor and exhibitor.

**Standard - Universal Deal Is in Balance**

(Continued from page 1)

to be in the neighborhood of $300,000 of the $50,000,000 required for the purchase of Standard. Expressing hope that opposition to the combined company will be based on Standard expressed hopefulness optimism during the day, while Universal officials professed no knowledge of new developments of any significance.

**Settles Her Tax Claim**

Washington, March 12—Anna May Wong today was relieved of a Government tax claim for $880 against her 1932 salary, said to have been $21,275, by an agreement to pay $146.

20th-Fox Unit in England to Make 4 Yearly

(Continued from page 1)

cemarked, will now be assumed by the new company.

Details of titles, directors and casts of the films have not yet been released for announcement by Kent at a company convention here in April. In the film month production will begin at the London Production plant at Denham.

That nine men control bookings of 652 theatres in England and that these theatres represent half the first run and major or dominate the booking situation, is one of the most striking statements in the annual report of the British Cinematograph Exhibitors Ass'n. Just issued.

Recommendations from the C.E.A. Council that 40 per cent should be a maximum film rental are declared to have had good effect in certain districts, but, says the report, "attempts to enforce rules by penalties and fines and deposits declared that they were unenforceable." The solution of high film prices is seen in "a gratifying increase in the number of films on offer," promising that the supply is in process of overtaking the demand.

In the growth of the quality of British films handled by the American companies was comparable with their American counterpart. Where no quota problem, the association goes on record with this declaration of policy: "In the absence of effective amendment of the Cinematograph Films Act to eliminate the considerable number of unsuitable British films, the quota on exhibitors should be reduced to 10 per cent."

**Wall Street**

Universal Leads Gains With 2 Pts

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**Little Change on Curb**

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(Quotations at close of March 12)
THE EVENT OF THE YEAR. ANY YEAR!

A NEW CAPRA PRODUCTION

GARY COOPER in . . . "MR. DEEDS GOES TO TOWN"

with

JEAN ARTHUR
George Bancroft • Lionel Stander
Douglass Dumbrille • H. B. Warner

Screen play by Robert Riskin. Story by Clarence Budington Kelland

. . . COMING SOON FROM COLUMBIA!
**“Modern Times” at $14,000 Is High Spot in Providence**

Providence, March 12.—“Modern Times” drew $14,000 to Loew’s State for the week as roads cleared and the weather improved. The picture averaged $2,300 a day over par. Mac West moved into the Strand after “Timothy’s Quest” and “Eagle’s Brood” closed a neat $4,800 for five days. The usual week’s take was $6,500.

“Follow the Fleet” is holding up remarkably well at the RKO Albee, catching $8,000 in its second week. Par is $7,000. The picture was held over again in the hope that it would establish a house record.

The Majestic, with “Every Saturday Night” and “I Follow the Sea,” was down $2,000 with a gross of $5,000 and Fay’s was $1,000 under the usual $7,000, playing “Ring Around the Moon” and the “Beef Trust Revue” on the stage.

Total first run business was $37,800. Average was $6,300.

Estimated takings for the week ending March 5:
- **GOOD TIMES QUEST** (Para.)
- **EAGLE’S BROOD** (Para.)
- **LADIES OF MISSISSIPPI** (Univ.)
- **SILENT SATURDAY NIGHT** (20th-Fox)
- **I CONQUER THE SEA** (Academy Majestic—(2,050), 15c-40c. 7 days.
- **MODERN TIMES** (U.A.)
- **LONE STAR**—(2,100), 15c-40c. 7 days
- **RING AROUND THE MOON** (Chesapeake—(2,250), 15c-40c. 7 days.
- **FAY’S**—(1,600), 15c-40c. 7 days.
- **RKO VAUDEVILLE**
- **WARFIELD**—(2,900), 25c-40c. 7 days.
- **RKO**—(2,900), 25c-40c. 7 days.
- **BELLE OF THE BALL** (Warner)—(2,700), 15c-40c. 7 days.
- **HEALTHY starving** (Warner)—(2,250), 15c-40c. 7 days.
- **HUEY**—(1,800), 15c-40c. 7 days.
- **THE CINCOM**—(2,400), 15c-40c. 7 days.
- **THE CASSIOPEIA**—(2,300), 15c-40c. 7 days.
- **DEAR LADY**—(2,250), 15c-40c. 7 days.
- **LONE PINE**—(2,050), 15c-40c. 7 days.
- **FRESHMAN LOVE** (W.B.)
WELL-NAMED

SUPER X... as unusual as it sounds, and well-named too. For it passes superlatively excellent photographic quality on to the screen. Producers, exhibitors, the public... everyone benefits. No wonder that cameramen choose Super X Film for the majority of the big feature pictures. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)

EASTMAN SUPER X
PANCHROMATIC NEGATIVE
“Night” with Daniels, Lyon
Detroit-Smash
Detroit, March 12—“Every Saturday Night” and a stage show which included Wallace Beery, Bebe Daniels, Ben Lyon, with Introduction and Eddie Constantine the Fox throughout the week and sent the gross up to $27,400. This is $1,200 ahead of the $26,200 brought in during March, the Fox’s best second week result at any time.

In spite of this competition business was good elsewhere. “The Petrified Forest” took a solid $8,000 gross during the first week, while “Modern Times” held up to $11,200 in its second week at the United Artists. “Follow the Fleet” garnered $12,400, also strong, on its second week at the RKO Downtown. Total for the week was $81,900. Average is $5,500.

Estimated takings for the week ending March 12:

- **“IT’S A WONDERFUL PERSONAL” (W. B.)**
  - Average, $6,000
  - Palace, $4,000
  - Stage, $2,000
- **“DANGEROUS WATERS” (Univ.)**
  - Average, $4,500
  - Palace, $3,000
  - Stage, $2,500
- **“BRING ME THE HEAD OF SINGING NIGHT” (20th-Fox)**
  - Fox, $10,000
  - Stage, $5,000
- **“THE PETRIFIED FOREST” (W. B.)**
  - Average, $6,000
  - Stage, $3,500
- **“MODERN TIMES” (U. A.)**
  - Average, $4,500
  - Stage, $2,500

Variety Club Chatter

**Cleveland**
Cleveland, March 12—Col. Harry E. Long and Nat Holt, past president, will resume king-for-a-day luncheons March 23. Hoot and J. L. Scherritz, present president, will represent the Cleveland Variety Club at the National Club Banquet in Columbus March 19-18.

Ladies’ Day at the club has been resumed as a semi-monthly activity. Misses Jean Breyer and Mrs. Holt were last week’s hostesses. Mrs. Dave Miller and Mrs. Jack Jossey will be official queens on March 18.

**Detroit**
Detroit, March 12—Twelve new barks have been received, and a number of names will be submitted in Variety Club. They are: Fred C. Bickley, superintendent, Er; Ralph Pickham; and Jack Stewart. Universal salesmen; Sydney J. Bowron, office manager, United Artists; Len Gardsen, Edvard Arnt and Ben Roberts. United Artists salesmen; Robert J. Moyer of the Twin City Scenic Studio; Sam J. Larson, news; B. A. Burnell, promoters, and Exhibitors, and H. Thomas, president of First Division.

Maurice Caplan, Variety president, is in Florida.

Mac Kne has returned from Miami and his brother, Sol, has been in the same city for the past week. E. C. Beatty of the Butterfield circuit has gone to the Battle Creek Bath House, and Irving Goldberg, Alex Schreiber and Carl Shulte are other filmies now in Florida.

Plans for the club’s third annual ball to be held in the Book-Cadillac hotel on April 25 well under way, and complete details will be announced shortly.

**Kansas City**
Kansas City, March 12—Tom Collins, Sunday editor of the Journal Post, and after dinner speaker at one of the weekly meetings, to which he has closed with great success. There’s been a lot of talk of a return engagement, and the fact that Collins, who has followed the world with considerable success, submitted evidence to show that no two eye-witnesses to an incident do agree on everything—ever make the same report, and in some cases the story of one eye-witness will change. This comes about from not a deficiency in honesty, but inability to observe accurately and think through. Collins submitted this as an all-time for newspaper reporting.

All those who attended were members but one. Lester Goodman, guest of Rube Kistinester, operator of the Belmont.

**Staple Paper Has Fire**

KANSAS CITY, March 12—A fire started just outside the family engagement, which was closed. The fire, which broke out in the new year, was the first in the last 20 years. The fire was quickly extinguished by the firemen.

Maitland Is Injured

TORONTO, March 12—Dean Maitland, owner of the Maitland, Ingersoll, Ont., decided he needed exercise so he took up volleyball. He is now resting with a broken knee cap.
Merger Steps Discussed by Theatre Men

TOCC - ITOA Committee On Details Named

A merger of the T. O. C. C. and I. T. O. A. moved a step nearer yesterday as 32 leading independent circuit heads met at the Astor and advocated a solidification of all theatre operators.

Charles L. O'Reilly, head of the T. O. C. C.; Harry Brandt, president of the I. T. O. A.; Maurice Fleishman, Si Fabian, Sam Straussberg and Louis Frisch spoke on the necessity for grouping all theatres into a strong organization which might stand a committee of three exhibitors, not affiliated with either association, was said to have been in the works and means for uniting the organizations.

On the committee are Sam Rosen, Herman Becker and Straussberg. They will contact all exhibitors for support. Fabian told the exhibitors that the only reason this has been afloat is because the organization has been fighting problems.

Eastern Connecticut Flooding Hits Theatres

NEW HAVEN, March 13—Two Warner circuit houses, the Capitol, Ansonia, and the Palace, Norwich, suffered considerable cellar flood damage today from the constantly rising waters of the Naugatuck and Thanes Rivers. Business and residential sections of many Connecticut towns have been completely inundated. Although showings continued today, it was impossible to predict what the business would be if floods did not subside.

Transportation in the Naugatuck Valley and in other sections was practically at a standstill, and there was great difficulty that film delivery was effective.

Para. Rentals Touch Million Weekly Figure

Paramount's returns from film rentals are running in excess of $1,000,000 a week, the highest since 1931 and 10 per cent greater than a year ago. In the opinion of management, this is because the organization has been fighting problems.

Universal Control Goes To Standard Group Today

Boys'll Be Chic

Creased pants—or, er, ah, trousers—and cravats, rather than the traditional suit and tie, were the fashions seriously in the reel. Vyvyan Donner, fashion editor, evolved the idea.

To prove it they're going to have a masculine fashion show Monday noon, with Lucius Beebe, the Beau Brummel of newspapersmen; and Herbert Bremser, the Low Bummel of the craft, satirically giving their impressions.

Abele Is Made W. B. South America Head

Arthur S. Abele, who has been managing the Mexico City branch for Warners, has been promoted to super- vision of the South America with head quarters at Rio de Janeiro. Joseph S. Hummel, head of Warners' foreign sales, has been moved to Brazil. Rodrigo Rambau, formerly assistant manager of the Brazil office, has been elected to manage, succeeding Nat Leibeskind, who has joined RKO in charge of the company's new office in Rio de Janeiro.

Deal to Be Completed by Deposit of $1,500,000 Cash for Laemmle

General Mills will pass to Standard Capital Co., headed by J. Cheever Cowdlin and Charles R. Rogers, this morning, when Standard's option to purchase from Carl Laemmle his more than 80 per cent interest in the company will be exercised.

Arrangements for lifting the option were formally concluded early yesterday afternoon. The final step will be taken next week with the deposit of $1,500,000 in cash to Laemmle's credit, as required by the terms of the agreement, a total of $2,500,000 is involved in the transaction. The balance of $4,000,000 will be delivered to Laemmle in securities within 20 days. The securities will be redeemable over a five-year period at $500,000 per year. Participating in the Stan- dard are J. Morgan, R. E. F. Erpi, C. M. Woodf and associates of London and Eastman Kodak.

Laemmle will resign as president of Universal in the near future, but will continue as a member of the company's board, which is soon to be reconstituted to enable discussion for the new financial interests. Cowdlin will become chairman of the board.

5% Admission Tax Is Jersey Compromise

TRENTON, March 13—A revised tax bill program, including both luxury and theatre admission levies, was put before the legislature tonight by As- semblyman Howe of Mercer County. This program comes as a compromise following the defeat of the amusement tax bill providing for a 10 per cent tax on theatre admissions, and otherlux-

"Glory" Deal Near

Hollywood, March 12—Darryl F. Zanuck is understood to be about to arrange with Jack Clark Gable and Wallace Beery from M-G-M for the "Flag and Quiet" role in a talking re-make of "What Price Glory?"

TALES from the Hollywood berry bush.

An actor is a professor and there’s no gassing that. One producer, hit by an idea, hired a broad on the general theory that, since he obviously must know all, here was an exercise which would aid nightly in developing story values. Their first meeting found the erudite one talking to his subject, next day barking on a flight of rhetoric dealing with the vast, untouchable possibilities in pictures.

"Think of the boon if that day will come when Hollywood will dare base pictures on the heroic proportions of the Odyssey. Or the Grand Conquistors of ancient and medieval history. How wonderful that would be!"

The producer, worried about a particular story problem, listened then grew restless to a point where his patience wore thin.

"Boy, I could learn a lot from you if I’d only listen, but what about that story for my star?"

Newspapermen here catch on quickly to the fol-de-rol which blankets the Hollywood War, they go on to learn the foibles of this and that one and what to expect. There is the producer who always issues statements loaded with bonshot and little else. Came the occasion when the scripts actually sought out the man for a statement, for the nonce. He went off, reversing the procedure.

"What about this situation?" was the query.

"Gentlemen, I have nothing at all to say," answered the producer.

"We know that, but how are you going to trame it this time?"

Add Mae West: Her scrupulous and domination of all detail attendant upon production of her pictures while with Paramount was widely known on that motion. The control went so far down the line to include supervision of trailer content. At a screening of a rough print of material assembled from "Klondike Annie," West ordered two shots with this out.

"I don’t like them. They make me look too much like a burlesque queen."

A writer decided to turn in his old car and was gliding a Ford. The salesman, hot for the sale, finally visited the lot.

"I can discuss it here. I’m afraid the boss might discover that I’m talking to you on studio time," he said.

"Don’t worry about the boss," rejoined the salesman, "I’ve left him. He bought a Pierce Arrow."

Bill Goetz, advised that Boris Morros was knee high in deep rubber shirts, promises a reformation. Nowhere in Hollywood, incidentally, do the supervisors dress as well as at Twentieth Century-Fox. It’s like a whole studio turned from Essex’s sportswear department.

"I’d like to see — I hear it’s a great picture," voiced one film man.

"You’d better arrange to see it yourself," was the response. The studio has locked it," answered another.

That recent crack by Gene Fowler who, when asked if he had sold Pine lately, implied it was Virginia Bill or Lonesome, registered with all three principals, including Walter Wanger for Lonesome.

The young producer, a noted hypochondriac, heard one of his writers complain at such length about chills and colds the other evening that he — the producer — went to bed for two days.

Corporate protection, double feature style from one who opposes them and copied from the door at the United Artists studio; the control went off the hook of Vin St. will soon be accomplished.

On the way home, or expected in the near future are B. M. Golding, sold to Monogram by appointment. Judge Walsh, Dave Barrist, Lewen Pizor, president of the local M. P. T. O., and Charles Nagell, president of the new I. M. P. T. O.

Aeolian Pictures Corp., has in preparation stories entitled "The Last Of The RIVER OF UNREST" and "THE THREAD," and announces the production of "RIVER OF UNREST" and "THE THREAD." All rights reserved.

Philadelphians Returning

PHILADELPHIA, March 13. — With two northbound trains out of Florida bringing its quota of warriors, the reclamation of Vine St. will soon be accomplished.

On the way home, or expected in the near future are B. M. Golding, sold to Monogram by appointment. Judge Walsh, Dave Barrist, Lewen Pizor, president of the local M. P. T. O., and Charles Nagell, president of the new I. M. P. T. O.

KANN

BY RED KANN

RKO Theatres Unit Affairs Closed Out

A final meeting of creditors of RKO Theatre Operating Corp., a subsidiary of RKO, held yesterday to wind up the administration of the company and to submit final accounts to Referee Irwin Kurtz.

The company, which formerly operated the Fradler and Pollock theatres in New York, went into bankruptcy Feb. 27, 1933, Irving Trust Co. was appointed trustee for the creditors. The principal assets of the company were its seven theatre leases, five in New Jersey and two in Connecticut, which were disposed of by the trustee in a liquidation of the estate. Claims finally allowed against the company amounted to $219,244, on which a final dividend of 10 per cent was paid recently.

Academy Unit Hearts Technician Reports

Hollywood, March 13.—The Academic Unit of the Technicians Unit, in its monthly meeting, heard E. H. Hansen, chairman of the sound recording subcommittee, discuss the report of the committee’s investigation of trailer volume levels in relation to the volume level of features projected in the theatre.

S. J. Tinning reported on changes in the standard release print leader which will be used after August under the new 2,000-foot reel standard. Carl Dreher, chairman of the scientific department, reported progress on a test for the probable solution of the Technicolor problem.


Trem Carr Going Abroad

Trem Carr, former producer head for Republic, arrived yesterday from the Orient with his wife on a two-month vacation abroad. He will visit England, Germany, Austria, Switzerland, and France. Carr denies he is going abroad on any production deals, emphasizing the trip is to be a vacation.

Roxy Memorial Planted

A living memorial is being planned in tribute to the memory of Samuel A. "Roxy" Rothafel. It will be a Roxy Memorial Garden of 1,000 trees to be planted near the Hills of Nazareth in Palestine. Louis Nizer is head of the sponsors’ committee.

Astaire Explains Rift

Hollywood, March 13.—Fred Astaire said today he is in disagreement with Radio over his contract, but that it has nothing to do with salary or financial arrangements. "The studio violated my contract on several counts and my hand is on the switch," he said. "I don’t know whether the outcome will be that I leave the studio or not."

Aeolian Pictures Corp. has in preparation stories entitled "THE LAST OF THE RIVER OF UNREST" and "THE THREAD," and announces the production of "RIVER OF UNREST" and "THE THREAD." All rights reserved.
Para. Rentals Touch Million Weekly Figure

(Continued from page 1)

MOTION DAILY

Oh's and Ah's Have It as N.Y. Critics See “Doctor”

The critics of New York's newspapers, when they read the typewriter copy after seeing “The Country Doctor” and emerged later in print with a composite of opinion, were likely to read “Aye,” with a considerable mixture of “Oh’s” and “Ah’s” for the Dione Quinn, the film as a fine and its drama, and the work of the players.

Representative slices from their comments follow:

American—Even without Yvonne, Cecile, Annette, Emilie and Marie, “The Country Doctor” would be first-rate heartthrob entertainment. With the ladies it has a hitherto unnoticed human interest and becomes something not of sensational, it is an excruciatingly pretty, directly, sensitively, alone, smile and tear combination that will hit your heart just as surely as it did for the first time.

Daily Mirror—A terrific smash, this hard some, human drama looms as an immediate candidate for a holding place among the best pictures of 1946. It is rousing entertainment, a blend of human, tears, suspense, laughter and sub stan tiality.

Jean Hersholt, in the title role, gives the most beautiful performance of his distinguished career. But even without the quips “The Country Doctor” would have been a great and distinguished picture.

Daily News—“The Country Doctor” is one of those inspired pictures which happens rarely.

There are plenty of flaws in the story and a few for the sharp and fact-factual account of life in the North and a pretty human, pietistic, puer ilic human document... but none of this matters, none of this gives a fine, understanding performance of the country doctor, and Dorothy Fordham, as the nurse, is scarcely less impressive.

Evening Journal—Unquestionably, “The Country Doctor” will be the most talked of picture of the week, with its five stars, the Dione quintuplets, the attractive Yvonne, Cecile, Emilie, Marie and Annette, the leading roles, and its cast.

Twentieth-Century Fox has done an enormously effective job. Jean Hersholt gives a superb performance as the new famous country doctor.

Herald-Tribune—The film proved a de lightfully and heart-warming sentimental drama, touching, humorous and completely likable picture, even if it was not entirely new and in the presence of five heroines.

The tone in the film which richly deserves to stand among the great comedies of the screen. Of course, is the sequence dealing with the birth of the free infants...

Jean Hersholt is particularly fine as the modest physician.

Post—It would be adding too much of the “Country Doctor” to be as good as its best part. For if it could have maintained the comedy level of the first picture, in which an expectant father is overwhelmed by the cumulative births of five daughters, it would undoubtedly have emerged as the most exhilarating picture of the year.

Jean Hersholt caps a long and distinguished career in the movies with his sympathetic portrayal of the country doctor.

See—Although “The Country Doctor” was written to show off the Dione quintuplets, although their presence will cert ainly make it a box office hit, these five girls do not detract from the leading real stars of the feature. The picture could get along without them.

The comedy of the quintuplets' birth is in good enough to justify the whole picture.

Times—There is no holding out against “The Country Doctor.” It is an irresistible antidote for the cold, one-dimensional picture.

There may have been funnier moments in screen history than those in which John Ford conveys the notion that a German is just as good with the quintuplets represented only by intervention—it is possible to infer quintuplets.

World-Telegram—Even without the quintuplets “The Country Doctor” would still be a true and effective blend of sentiment and picture full of deep, tender charm and the spirit of humanity.

The birth of the quintuplets is a classic. It has the humor and wit and it tells the birth of the quintuplets through the eyes of the quintuplets, who are able to realize what is happening. Nothing like it has been time in the talking pictures.

The acting of the entire cast is superb.

“Rabin Head of El Dorado,” yesterday's opener at the Capitol, was reviewed March 9.

“Rabin Head of El Dorado,” now playing at the Radio City Music Hall, was reviewed Feb. 27.

“Song and Dance Man,” now current at the Regency, was reviewed by the New York Times Feb. 15 and Feb. 17 by wire from Hollywood.

“Klondike Annie,” reviewed by wire from Hollywood Feb. 18, is now being shown at the Paramount.

“Tough Guy,” now at the Rialto, was reviewed by wire from Hollywood Jan. 27.

Allied Board Is Named

CHICAGO, March 13—The new board of directors of Allied named here today includes: Ludwig Sussman, Tippy Harrison, Samuel Roberts, Benjamin Baruch, Charles B. Charubas, Abe Gumbiner, Charles Nelson, Richard Salkin, Benjamin Bartelstein and David Robey, all of the city yesterday. Also on the board is reappointed recording secretary.

Palmer Casting Head

Hollywood, March 13—Bob Palmer succeeded Fred Schuessler today as RKO casting head. Palmer was formerly F. G. Schuessler, who is now casting director at Paramount.

K.C. Spot Raises Scales

KANSAS CITY, March 13—The first run Fox Uptown, operating on a straight 25-cent policy for several months, made a return to a 25c-40c schedule probably within three weeks. According to the sources, producers have been holding back some good pictures because they have objected to the 25-cent price.

Richey to Handle Ball

DETROIT, March 13—M. Richey has been named general manager for Reid’s National Variety Club Hall, which will be held in the Book-Cadillac, April 25. He succeeds M. Griffith, who resigned because of pressure of business.

SOON TO BE RELEASED

RE BURLONE (“DAUGHTER OF THE REVOLUTION”) By

NUOVO MONDO

MOTION PICTURES, Inc.

Room 2305, RKO Building
1270 Sixth Avenue
New York City
MOTION PICTURE DAILY
Saturday, March 14, 1936

Merger Steps Discussed by Theatre Men

(Continued from page 1)

within the industry, but if the solidified membership aimed to battle adverse legislation and other problems which affect the industry he would join.

Felshman talked about the accomplishments of the I. T. O. A. on the low dues it has received from its members and hinted at some of the things that could be done if greater financial support were given.

Brandt and O'Reilly emphasized the need of closer cooperation among all independent exhibitors. O'Reilly stated that "you can't fight a conflagration with a volunteer fire department," and urged the theatre men to get together and be prepared for any emergency which may arise.

Freisch complimented the I. T. O. A. on the splendid work it had done and promised the support of Randorf. He added his company had always cooperated when called upon.

Strang and the National Council of all exhibitors for emergency purposes. He said that the theatre men in this territory did more for him at all times for lightning hìnhulation.

Although no major circuits were represented, Frisch is understood to have acted as their spokesman. The I. T. O. A. will hold its regular meeting Wednesday at the Astor when it is expected that the session will be brought up. Brandt, who called the session, presided.

5% Admissions Tax Is Jersey Compromise

(Continued from page 1)

any item which has been under consideration for the better part of the past week. On Monday night, the income tax bill was the first introduced. It calls for a graduated scale extending from three to seven per cent on admissions.

The measure providing for a 5 per cent tax on theatre admissions and a number of other "luxury" items was next put before the legislature. It met with spirited opposition and at a late hour tonight had not been passed.

The Senate adopted a resolution calling for a continuous session, day and night, until the pressing problem of taxation is ironed out, but the move met with defeat in the House.

CEA Favors a Limit On All Percentages

London, March 13.—The result of a card vote conducted by the Cine- national, Michigan Theatre, makes it a function of the council to state maximum film percentages and to punish violators.

There is considerable doubt as to whether the plan is workable. A controversy is regarded as certain.

RKO Contract for India

Reginald Armour, RKO manager in India, has signed a three-year contract for exhibition of the company's product in Calcutta.

Purely Personal

ALBRECHT SCHNEIDER, treasurer of Columbia, was given a send-off party yesterday at the Tavern on his departure for the coast, but he forgot to show up. Celebrating were: Leo Abresch, Rube Jackson, Joe McConville, Joe Siegfried, Joe Friedman, Louis Astor, Louis Barnano, Howard de Gratiola, Floyd Wedek, Max Weissfeld, Max Seligman and M. Morros. Scenes at the different tables included Arthur W. Kelly, L. J. Schlaifer, Dennis and Ken O'Brien, Gregory Dresser, Jack Hoffberg, Laurence Stallings, Lew Lehr, Ed Thorgersen, Pat Powers, Arnold Van Leer, Harry H. Thomas, E. H. Woods, Edward Schinzer, Colin Brown, Nick Lucas and Frank McCarthy.

Louis Nizer spoke at WHN morning complimenting the station on its increase in power recently. Louis hosted, Sidney, by the way, now has two uniformed sentinels guarding the entrance to the executive quarters of the Loew broadcasting station.

MONROE GREENE, Jr., is doubling in brass. He's been handling the exploitation department since Jack Goldstein left and he doesn't mind a bit.

A. H. McCausland, representative of Irving Theatre Co., as trustee of RKO, will leave for the Radio studios by train tomorrow.

HOWARD S. CULLINAN is slated to return from the coast March 22. He's been spending most of his time in Palm Springs.

EDWIN E. LUDWIG, star, has signed a six-week contract with Andrews Prod., for his exclusive services on industrial films.

MEL MORGENSEN of the Loew booking department will return next week from a South American cruise.

BEN Y. CAMMACK, South American sales head for RKO, has arrived in Rio de Janeiro from New York.

FRED MITCHELL, Loew booker, who has been home ill the last few days, will return to his post Monday.

JOE FREIDMAN left last night for Miami to visit his daughter for a few days.

MAX COHEN returned yesterday from Miami after a week's visit.

ARE MONTAGUE returns from a Miami vacation on Monday.

JOSPEH M. SCHENCK is due from the coast in about a week or 10 days.

DON GILLIAM left last night for a 10-day vacation at Key West, Fla.

RUSSELL HARDY is due in town from Washington today.

“U” Control Goes to New Group Today

(Continued from page 1)

board and Robert H. Cochran, executive vice-president of United, will be elected president. Rogers will be in charge of production.

British distribution of Universal is also regarded as likely to occur under the plans of the new controlling interest.

The option was granted Standard Capital on Nov. 1 last, for a three-year option, with an extension granted on Feb. 1. The option was a consideration under a three-year advance made to Universal by Standard last fall. Monthly repayments by Universal have reduced this obligation since to $500,000. The obligation was assumed by Universal Prod., Inc., a new company organized under the financing and option arrangements to produce for the parent company.

Laemmle's holdings, which are undervalued to companies, amount to a little over one per cent of the 17,864 shares of eight per cent first cumulative preferred outstanding; 15,702 shares of the 20,000 shares of seven per cent second cumulative preferred, and 7,016 shares of common, and 178,818 voting trust certificates, of the $200,000 shares of common outstanding.

The voting trustees of Standard Capital are Cowlin, Granger, N. Armsby and Lawrence W. Fox, Jr., the latter of Los Angeles.

Granger on the Coast

Hollywood, March 13.—James R. Granger, general sales manager for Universal, arrived today to discuss the new season lineup.

Abelès Is Made W.B. South American Head

(Continued from page 1)

of theatre building in progress, he said.

Walters will have a first run show-window in Rio de Janeiro next month with the opening of the 1,500-seat Plaza. The company has no interest in the theatre, Hummel ascertained. In Buenos Aires, the Opera House is being torn down and a new theatre, to be controlled by them, is being erected.

Generally speaking, Hummel said, the new houses going up are modern in every respect.

“Marie” Salt Lake Hit

SALT LAKE CITY, March 13—“Marie,” starring Greta Garbo, day at the Paramount here after a record-breaking week.

F. & M. Signs Two More

Hollywood, March 13.—Louise Dresser and Louise Beavers have been signed by F. & M. for a series of personal appearances.
MOTION PICTURE DAILY

NEW YORK, MONDAY, MARCH 16, 1936

TEN CENTS

DEPOSIT OF CHECK CLOSES "U" DEAL

Total Gross 25c.

Hartford, March 15.—Major Bowes broke all records for low grosses at the State here. An ordinance prohibits stage performances on Sunday, so he opened with a film show only.

The theatre seats 4,000 and the admission was 25 cents, the lowest in town for a first run. One customer appeared. He insisted on seeing the show, so they ran it off for him. The feature was Gene Raymond in "Seven Keys to Baldpate."

Theatre Tax of 4% Suggested in N. J.

Trenton, March 14.—A third and compromise assessment tax program which includes a four per cent levy on theatre admissions was put before the legislature this afternoon with tentative agreement for its passage. It is estimated that the new plan will yield $800,000 annually.

The original assessment tax was scheduled at 10 per cent, and was defeated. The second suggestion called for five per cent, but this also failed to pass. The officials believe the tax can put through the present four per cent levy.

The new bill is being prepared by experts of the State Tax Department and will be ready for submission tonight. It is not known as yet whether it will be a flat four per cent on gross receipts or if it will be based on a graduated scale.

Funds Placed to Credit Of Laemmle Complete Preliminaries

Formalities in connection with the exercise of the option by which control of Universal passed to Standard Capital Co. were completed on Saturday with the deposit of a check for $1,500,000 to Carl Laemmle's credit in the Manufacturers' Trust Co. The remaining $4,000,000 due is to be posted in securities during the next 90 days. These are to be 60 days' Grace.

It is understood that Erpi put up $2,000,000, that another $2,000,000 came from C. M. Woold in England, and that the rest was raised from private sources.

A meeting of Universal stockholders is to be held soon to provide representation on the board for the new owners of more than 80 per cent of the company's outstanding securities. Robert H. Cochran will be named president with Charles R. Rodgers as executive vice-president. The question of recapitalization of the company will be among the early subjects to come before the new board.

Bernhard Says More Coast Spots Sought

Warner may add a number of theatres to its coast circuit, Joseph Ben-
supply in charge of operations, stated Saturday.

Bernhard recently returned from the coast where he is understood to have looked over a number of possible situations. Asked whether any deals had been consummated, Bern
dard replied: "We are working on something."

Nat H. Brower, west coast district manager for Warners, has been in town several days confering with home office officials.

American Films Hit By Polish Tax Plan

Warsaw, March 15.—Representatives of American exchanges here have indicated that they will be forced to curtail their activities in this country and perhaps withdraw entirely if a proposed tax is passed by the Government. The levy, which would amount to about six cents a foot on films submitted to the censors, is to supply funds for subsidizing domestic producers.

A draft of the new decree has been (Continued on page 7)

N. E. Allied Scores M-G-M Cancellation

BOSTON, March 15.—Allied of New England, headed by Nathan Yamin, national Allied president, scores M-G-M's percentage demands in a bulletin to members just issued. The statement lists salaries said to be paid to M-G-M and Loew executives and continues:

"We have no quarrel with any man's income or earnings, but we do (Continued on page 8)

Bylaw Change is Accepted By Directors

HOLLYWOOD, March 15.—The Screen Directors' Guild has voted unanimously for acceptance of the revised guild rules as revised by the directorate in collaboration with Lloyd Wright, Guild attorney. Copies will be received tomorrow by all members.

The revision completes the official organization of the group and a concentrated membership drive will follow. The most important change in the guild rules is on Article 3, dealing with membership qualifications. The first draft opened the roster to any director of recognized professional standing in the senior membership classification.

The new bylaws limit the senior group to members having directed and received screen credit for not less than two films for major release, and within the 12-month period prior to (Continued on page 8)

Name to Be Will Rogers Memorial Hospital

Arrangements by which the Will Rogers Memorial Commission formally will take over the Saranac Lake sanitarium from N. Y. A. with the five affiliated circuits underwriting the institution for $100,000 annually for five years, have been completed except for minute legal details, it has been learned.

With the closing of the arrangements, the sanitarium will be known as the Will Rogers Memorial Hospital. The N. Y. A. governing board will resign and be replaced by a governing board to be designated by the Rogers Memorial Commission. Will H. Hays, a member of the latter body, will be the representative of the affiliated circuits on the institution's new board.

While the agreement legally commits the circuits only to a five-year period (Continued on page 7)

Chaplin and "Forest" Win Awards for Feb.

HOLLYWOOD, March 15.—The performance of Charlie Chaplin in "Modern Times" was voted the best acting in February by the membership of the Screen Actors' Guild. First honorable mention went to Humphrey Bogart for his work in "The Petrified Forest" and to Leslie Howard for his performance in the same film.

Charles Karpen and Delmar Davis wrote the script for "The Petrified Forest," which was named the best screen play of the month by vote of the Screen Writers' Guild. It won out by only one vote over "The Ghost (Continued on page 8)

Ampa's Party Pulls Crowd of Over 700

It came up to expectations, that Ampa Napped Truth Dinner at the Astor. The attendance ran well over the 700 mark and the entertainment, which began shortly after the dinner started, kept right on going until a late hour. The absence of speeches made a hit.

Until a late hour Friday night the boys watched a dress rehearsal. This helped, as the program went off with something resembling a schedule. Guests saw themselves doing all kinds of things at the showing of new reeled shots made earlier in the evening.

N. E. Allied Scores M-G-M Cancellation

BOSTON, March 15.—Allied of New England, headed by Nathan Yamin, national Allied president, scores M-G-M's percentage demands in a bulletin to members just issued. The statement lists salaries said to be paid to M-G-M and Loew executives and continues:

"We have no quarrel with any man's income or earnings, but we do (Continued on page 8)
MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Insiders' Outlook

By RED KANN

Monday, March 19, 1936

THE phone rang. It was an imperious ring. We sensed its importance. There was Max Shobbs, calling all the way from the fringe of Hollywood. So in- sistent as his telephoning was, his expostsulation, topped by an invitation. "Because you have given the little exhibitor a chance to get off his chest what he's got on it, I want you should be my guest at lunch, something special." It was Ray's Delicatessen and your scriba was a trifle late. Already Mox, usually impatient, was tearing a herring apart.

"I asked you here because all the top shots come here," explained Mox. "Here Lonie Mayer made his favorite fish kishke. Eddie Cantor gets the best chopped liver here; Manny Cohen, gefilte fish; Joe Schenek, blintzes; Adolphe Menjou, smoked noodle soup; Brice, gedenipfte brust; Carl Laemmlce, saurbraten with potato pancake. Now what will you have?" The regular dinner was over and we began to eye Mox appraisingly. Shobbs is medium in height, broad in girth, slightly bald and full of mirth, Shobbs style. By him a joke is a joke and no江湖ng.

We looked for a sour pus, but Shobbs is only slightly citruss. Sartorially, he was impeccable in his natural. He could not, however, grace the pages of Esquire, but Hart, Schaffner and Marx might think him a mod in his stylish stunts if they stretched it a bit. Mox was smiling. He had just received his previous night's box-office report on his run of "Mutiny on the Bounty," together with "The Country Doc- tor." He was chuckling and checking at his profit. "You see, Shobbs service to the movie number One, tip-top prices high. It pays to lead a good, dual life."

"Let's not talk business, Mr. Shobbs," your scribe suggested. "Our readers by this time are fully conversant with your viewpoints as an exhibitor, even though you are on the fringe. Tell me, have you ever been to a radio network?"

"Sure," replied Mox, rolling a hanker of salami under his tongue. "You remember I was telling you about my talk with Eddie Alper- son the other day. You asked me what do you think happened? Charlie Skouras, that angel, told Eddie he should invite me to a hotchpa Hollywood party. I was suspicious from the beginning, because a party can't get my mind off my grievances and groanings. So I went away."

"I think Yenta, my wife, and your other boy, also Yenta, my little Lord Fauntleroy, to see what we could see and to get some autographs maybe. Yenta went to get gossip. It was a typical Hollywood party, the kind you never read about. First we met a scenario writer with fake teeth and a brief case. He talked just like his characters talked in the days of silent pic- tures. I was looking around all for his typewriter. There wasn't a brumette in the place. A he- man actor was also there. He sniffed from toilet water. Yenta, she's so modest, right away asked the actor the brand. She said we could spray it around our theatre. Yenta, she wanted it for me. Yenta is so romantic.

"The producer who invited us through Skouras through Alper- son appeared with an English accent, dandy cockateel and riding breeches. How do you like that? I knew him when he was an exhibitor, just like me. He eats at Ray's. A buxom lass named Miss Zaftig who posed alongside a fountain. Was she luxurious? Did I topple? I looked to see if her nails were red or green, on my word, not to see if she was unfaithful. Yenta, who was watching, asked me 'What's she got, I ain't got?' So I told Yenta and then Yenta told me. That was the other time. Can't say, Miss Zaftig. Yenta don't talk to me.

"Today when I talked to Ed- die Alperson I told him I was paying too much rent and getting too little percentage for playing Miss Zaftig's pictures. Also I told Eddie my Yenta says I give Miss Z too much publicity and Yenta thinks I am her phantom Romeo. So I told Eddie after my first tryout of a Holly- wood party, I'll kiss every film salesman who stays away from my theatre. So far as my family was concerned, the party was a success. Evir got no autographs and my little Lord Fauntleroy embarrassed me by asking for his tip-off. Yenta got tips, but to me she won't talk. As for Charlie and Eddie who forced me to play the party, I left them there having a good time. But friendship or no friendship, to- morrow I ask for an adjust- ment."

By this time we were finishing our cheese cake and tea with lemon. The check arrived and Shobbs outflunged your corre- spondent; that's been done be- fore. "Don't forget to tell all my ex-pals in our family about the party. I'm pulling out a word that resembled the Metro payroll," and don't forget my enemy, Ali Gama. Let him know Shobbs paid the check. "A Shobbs always pays."
WHAT A GEM
FOR YOUR MARQUEE!
CLEAR ALL ROADS FOR RECORD
IT'S A "COVERED WAGON"

... plus "CIMARRON"

WALTER HUSTON AS

RHODES

DIAMOND MASTER • EMPIRE BUILDER • JUNGLE CONQUEROR

RUNS ON "RHODES" Arrange now for extra playing time
EXPLOITATION EXTRAORDINARY

- "Rhodes" has been hailed by the critics as a "Covered Wagon" plus "Cimarron."

- Plus that, it's an exploitation natural. Our campaign has been geared accordingly . . .

- It's sure-fire! It's fool-proof! It tops 'em all! It's a pushover for a holdover!

WALTER HUSTON AS

RHODES

DIAMOND
MASTER

EMPIRE
BUILDER

JUNGLE
CONQUEROR

BASED ON THE BOOK BY SARAH GERTRUDE MILLIN • DIRECTED BY BERTHOLD VIERTEL • PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA, REGAL FILMS, LTD
**Personal**

William R. Ferguson will return today from Cleveland where he conferred with M-G-M field exploiters on the campaign planned for "The Great Ziegfeld." On Wednesday he has a group of judges meet at the Astor to decide the winner of "Mutiny on the Bount" ship models sent from all over the country.

Kenneth B. Umber of the RKO legal department, author of an article on the life of former Circuit Justice Taney of the U.S. Supreme Court, which appears in the current issue of the "Journal of the American Bar Assn."

Mary Pickford will leave for the coast by train Wednesday, tomorrow night, after her broadcast, Lynn Farnol, William Kusel and Nat Wolf will take off via the TWA line.

Mike Kallet for onesie, N.Y., over the week-end and is due back in a few days to confer with Milt Kusel on a deal for Paramount's lineup next season.

Edward Anson, independent circuit operator in Boston, was in here for the week-end. He was one of the many attending the Aama affair at the Aaror Saturday night.

Jack Goldstein of Rex Premiums will leave today on a week's trip. He will visit Pittsburgh, Cleveland, Detroit and Buffalo, in the order named.

George J. Schafer plans to leave for the coast the middle of next month. Today he heads for Washington and the Pettengill hearing.

Marty Barnett, Van Beuren sales manager, is on the road in the course of an eight-week tour of RKO exchanges.

Nate Blumberg is due to return from the coast Thursday. He's making appearances at various key cities where RKO theatres are situated.

Fernando C. Tamayo, head of Columbia's foreign publicity, left yesterday for a month's vacation in Venezuela.

Jeffrey Bernhard and Arthur Lee of G.B. are slated to leave Hollywood this week for the east.

Edward Golden is back on the job again after being laid up for nine days with the flu.

Charles Reagan has gone to Miami for a two-week vacation.

*Chicago*

Lient, Harry Costello, police censor head, is recovering from pneumonia and is able to sit up for short intervals now.

Joe Levy, in charge of the Capitol Film Exchange in Kansas City, is here for a week at the local office.

Roy Brubaker and Mrs. Brubaker are furnishing a new apartment.

Relations counsel for the Stevens Hotel, is the latest addition to the ranks of C.A.P.

Sidney H. Selig, veteran showman, is feeling better with spring in the

**Fleet** at $10,500

New Haven Leader

New Haven, March 15—"Follow the Fleet" led the week's business with a $10,500 take, more than twice normal for the Republic line, and a holdover for the first time since "Little Women," a year and a half ago.

"Trail of the Lonesome Pine," on a dual with "Timothy's Quest" at the Republic, is holding strong with a $9,500, up by $4,500, and staying for an additional five days. The College hit an average $2,800 with "Partnership" and "The Country Doctor Story"; while "The Country Doctor" and "Paddy O'Day" dipped $1,500 under the Poli par with a $3,500 week. A constant drizzle and rain affected the second half of the week. The total was $28,100. Average is $19,300. Estimated takings for the week ending March 13:

**FANG AND CLAW** (Radio)

"EXCLUSIVE STORY" (M-G-M)

"THE GREAT ZIEGFELD" (Radio)

"THE TROJAN" (Radio)

"THE ENGLISH MAN" (Radio)

"THE COUNTRY DOCTOR STORY" (RKO)

"THE LAST OF THE PINE" (Paras.)

"TIMOTHY'S QUEST" (Paramount)

"THE COUNTRY DOCTOR" (Republic)

"WHEN THE WEST WAS YOUNG" (Fox)

"FOOL'S WEEK" (Fox)

"FOLLOW THE FLEET" (Radio)

Roger Sherman—$2,000, 36x36, 7 days.

Average—$4,900.

**American Films Hit By Polish Tax Plan**

(Continued from page 1)

preparing by the Ministry of Industry and Commerce for approval of the Council of Ministers, and would affect films arriving for next season. American interests are combining in opposition to the proposed tax. Since American product will now have to pay a 50 per cent tax, and Polish companies would have to pay the new levy. It is understood the government has decided that effective April 1, 10 per cent of all features shown must be of domestic origin, and that the remaining 90 per cent must be the result of educational merit will be discontinued.

**Republic Signs Chaney**

Hollywood, March 15—Republic has signed Lon Chaney, Jr., for a featured role in the "Undersea Kingdom," serial now in production, which will star Ray Corrigan. Ralph Holmes, Lee Van Arin, and D. Montague Shaw also have been added to the cast.

**Warners Sign Knowles**

Hollywood, March 15—Warners have signed Patrick Knowles, English actor, who has been on his way here for a role in "The Charge of the Light Brigade." Knowles made several pictures for Warners in England.

**Tracy, Furness Signed**

Hollywood, March 15—M-G-M has signed Spencer Tracy and Betty Furness to new long term contracts. Tracy is currently working in three pictures: "Mob Rule," "San Francisco" and "Captains Courageous."
the date of the last classification or meeting date received screen credit for the direction of a feature for which the screen credit was granted by a special commission which studied the situation last summer, was discontinued by the committee on constitutional law. Many theatermen favored the measure immensely much as it would do away with the annual avalanche of film legislation.

**Bylaw Change Is Accepted By Directors**

(Continued from page 1)

the voting law was changed to prevent the passing of drastic measures by non-representative or inactive members in the voting group. Several prominent directors have been waiting for this change before joining, it was learned. Members will be classified for their first term at the July of each year, or at the time membership applications are accepted. Junior and associate membership qualifications remain as they were.

The only other important amendment permits members to resign on six months' notice after the guild has been organized for one year instead of the former indefinite term.

**N. E. Allied Scores M-G-M Cancellation**

(Continued from page 1)

feel that exhibitors would bear them in mind when Metro has the nerve to ask the signing of riders permitting the transfer of high percentages from undelivered '34-'35 product to '35-'36 pictures. If Metro thinks its '34-'35 pictures still undelivered are unworthy of percentage rates, we feel it to be men enough to forget the prohibitive rentals they demanded for undelivered 'masterpieces' without trying to grab high rentals for pictures they do not choose to deliver? Is all sense of fairness and decency in this business?

**LeRoy May Delay Trip**

Merry LeRoy may postpone his sailing for Europe Wednesday, he stated upon his arrival from the coast. He is scheduled to sail on the Bremen with Harry M. Warner and Sam E. Morris.

Queried on various reports regarding his future status with Warners, LeRoy stated he had nothing to say at this time. His trip abroad is in the nature of a fact-finding, he said, and he will keep an eye open for new talent and stories.

**Refuses Session Change**

Boston, March 15.—A bill favoring identical sessions of the Massachusetts legislature, recommended by a special commission which studied the situation last summer, was disapproved by the committee on constitutional law. Many theatermen favored the measure immensely much as it would do away with the annual avalanche of film legislation.

**Thomas Col. Ad Head**

Hollywood, March 15.—William Thomas has succeeded Edwin Osmo- stead as Columbia publicity director. Osmo-stead will leave here today by train for New York to assume his new duties at the home offices.

**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**"Thirteen Hours by Air"**

(Paramount)

Hollywood, March 15.—Timely as streamlining, this comedy-drama of crooks and intrigue moves rapidly with all the action taking place aboard a plane between New York and San Francisco.

Joan Bennett, boarding the plane just before it takes off, receives financial aid from Fred MacMurray, the pilot. Fred Keating, embarking at Chicago, anxiously strives to prevent Miss Bennett from reaching her destination. As the journey progresses, MacMurray learns that his ship makes a forced landing in a snowstorm the identity of each is revealed. They include Alan Baxter, a killer; Brian Donley, detective; Bennie Bartlett, wealthy child, with Zasu Pitts as a governess. When the plane lands, Baxter wounds Donley and John Howard, the co-pilot. Attempting command of the situation, Baxter is foiled by young Bartlett, whose pranks have heretofore been a nuisance, and the situations are finally straightened with MacMurray winning Miss Bennett when the destination is reached.

Director Mitchell Leisen has handled all the elements skillfully, never permitting the suspense to lapse and inserting frequent comedy that is carried on chiefly by Miss Pitts. The Bogart Rogers screenplay from the original he wrote with Frank Mitchell Dazey is topnotch and bows may also be taken by E. Lloyd Sheldon, the producer, and Hans Drier and John Goodman, whose artistic settings have been well photographed by Theodor Sparkuhl.

The production offers many exploitation angles and should be sold readily. 

Production Code Seal, No. 2,038. Running time, 78 minutes. "G."

**"Doughnuts and Society"**

(Mascot)

Hollywood, March 15.—This is the last of the Mascot films and its release at this time serves as a gentle but very pointed reminder of the improvement in Republic product.

Louise Fazenda and Manole Earble, after numerous disasters with an Alaska gold mine, sell down amiably to the manufacturer of doughnuts. The romance between the respective children, Edward Nugent and Ann Rutherford, has a temporary setback when Miss Earble sells a piece of property and starts a vigorous climb on the social ladder. Miss Fazenda, cut to the quick by the desertion of her lifelong friend, buys a five-story garage as her bid to social distinction and shoulders her way into the 400, too. The resultant quarrels and jealousies are forgotten when the two find themselves back in the doughnut business.

Hedda Hopper plays a society fixer. Franklin Pangborn is seen as a final word in the intricacies of etiquette. Smiley Burnette, Rafael Corio, Harold Minijir, Olaf Hytten, Robert Light and Claudell Kaye turn in good supporting performances under direction of Lewis D. Collins, Karen deWolf, Robert St. Clair and Wallace MacDonald wrote the original story and screenplay with added dialogue contributed by Gertrude Orr and Matt Burch. William LeBaron supervised.

Production Code Seal, No. 2,028. Running time, 63 minutes. "G."

**Local 306 and Allied Merger Progressing**

Moves to merge Local 306 and Allied M. P. Operators are progressing rapidly and a deal is expected to be concluded within the next few weeks. Three meetings were held last week, the final one on Saturday, attended by a number of exhibitors as well as organizers.

Among those attending Saturday's session were: Joseph D. Basson, president of Local 306, Bert Mikelson, Kermit, Maurice Fleschman, Harry Brandt, Stanley Lawton and Irving Benyo.

Emprise was not present at either of the sessions, but it is anticipated that this organization will join the merger today after further details are cleared up.

**Chaplin and "Forest" Win Awards for Feb.**

(Continued from page 1)

Moves Go West," winner of first honor- able mention. The screen play was written by Robert E. Sherwood. Second honorable mention was won by "Ceiling Zero," for which Frank Wead wrote the screen play. The selections in both divisions were made from the 30 features released as first runs in Los Angeles between Jan. 1 and Feb. 15.

**Warners Name McCoy**

Charlotte, March 15.—R. L. McCoy has been named Warners branch manager here, replacing Frank Bryan, who died recently. McCoy is a salesman in Dallas.

(Motion Picture Daily, March 16, 1936)


**Looking 'Em Over**

**Tempo Massimo**

*(World Pictures)*

A light comedy, adapted from a novel with the same title, this Italian produced picture probably will be found reasonably entertaining by those understanding the Italian language, and of little consequence to those lacking a knowledge of it. There are no superimposed translations of dialogue to assist in following the story and their absence is felt.

It appears obvious that the film will mean nothing to the average American audience, and that it may be sold most effectively in those theatres, probably in large metropolitan centers, which can rely upon an audience predominantly Italian.

The story tells of the modernization of a young man, who has been raised by his wealthy aunt in a strictly old-fashioned manner. When he accidentally meets an Italian, he completely revolutionizes his mode of living in order to win her. With occasional amusing incidents, he takes up boxing, skiing, bicycle racing, and such vices as smoking and drinking. A misunderstanding determines her to go ahead with her marriage and proceedings are in a wild dash reminiscent of the comedy of a much earlier day, steals the girl at the church door.

Reviewed without production code seal. Running time, 78 minutes. *G.*

**Brotherly Love**

*(Paramount)*

Popeye, the spinach-imbibing sailor, becomes infatuated with the spirit of brotherly love as advocated by Olive Oyl, and sings his way about town, helping others. But when he sees two rival gangs milling each other, and as one of the lawless is met with fist and foot, he teaches them brotherly love in the true Popeye manner. An amusing cartoon. Production Code Seal No. 0740. Running time, 7 minutes. *G.*

**Stop, Look and Guess**

*(Columbia)*

This introduces a game where the audience is invited to identify characters in the world of sport by their eyes and parts of their faces. Babe Ruth, Helen Jacobs, Lawson Little, Joe Louis and Max Josephs are presented and shown doing their stuff. Ford Bond introduces the piece. Sport fans should go for it. Production Code Seal No. 0866. Running time, 11 minutes. *G.*

**Here Comes the Zoo**

*(Paramount)*

Ted Husing is the microphone master of ceremonies in this rather entertaining group of variety acts. He introduces Betty Jane Cooper, attractive Alice Nevis, radio tenor, and Ira Ray Hutton, with a dynamic and sparkling personality, who conducts her own girls' orchestra in symphonized fashion. Production Code Seal No. 0883. Running time, 10 minutes. *G.*
Ontario Exempts All Shows for Charities
Toronto, March 15—Premier M. F. Hepburn of Ontario, who reconsidered his decision to retire last November, has granted another concession under the Amusements Tax Act which became effective last June. After wiping out the tax on films, reducing the tax on low-priced admissions for adults, he has provided an exemption of taxation on performances held under the auspices of religious or educational organizations or for charity.

Under this third amendment, no tax is levied when the net proceeds are used as specified because, Premier Hepburn explained, as the work which is being done is to be the Provincial Government in dealing with relief and social problems.

Co-Star Young, Taylor
Hollywood, March 15—Robert Taylor, borrowed from 20th-Fox and Lorimar, will be co-starring with Twentieth Century-Fox in "Private Number," formerly called "Servant Girl," written by William Hamilton, produced by William Hamilton and directed by W. Lamar. The playing rights will clear and Raymond Griffith is the associate producer.

Plans No Star Names
Hollywood, March 15—Sol Lesser will not feature any one star in the series of six pictures which he will make for Fox.

"Anything" Pulls $2,600 in Lincoln
LINCOLN, March 15—"Anything Goes" led the week at the Lincoln with $2,600, which was $400 over average.

"The Milky Way" went only six days at the Stuart. It was pulled to make room for an exhibition of "Follow the Fleet." The take on "The Milky Way" was $2,800, short of the seven-days average.

The Orpheum started amateur nights in addition to the regular three days of vaudeville. The take was $2,500, which was $400 up. The Variety, with "The Music Goes Round," couldn't get going.

Total first run business on the week was $9,950. Average was $9,590.

Estimated takings

Week Ending March 4: "GARDEN MURDER CASE" (M-G-M) "LAST OF THE PAGANS" (M-G-M) "PORTLAND CONVENTION," fraudulent, (B.C.) COLONIAL—(550), 5-15c. 7 days. Gross: $2,500. (Average, $371). Week Ending March 5: "ANYTHING GOES" (Para) LINCOLN—(250), 20c-25c. 6 days. Gross: $2,600. (Average, $2,167). "MILAN"—(200), 15c-20c. B. W. "SYLVIA SCARLET" (Radio) ORPHEUM—(200), 15c-20c. 7 days. Gross: $2,500. (Average, $357). First three days had stage show bookings. Wally Stoeffer and his band, and one night was the first of the weekly amateur contests.

"MILKY WAY" (Para) STUART—(2,000), 25c-35c-40c. 6 days. Gross: $3,000. (Average, $500). "VARJOS"—(1,900), 20c-30c-25c. 7 days. Gross: $1,100. (Average, $164).

Brazil Passes All Of Films Submitted
WASHINGTON, March 15—All of a total of 184 films submitted to Brazil's Department of Propaganda and Culture as new imported films by the United States, Germany, France and Great Britain, have been approved by the Ministry of Justice, according to a report from Trade Commissioner William A. R. Stapp, of the American Legation in Rio de Janeiro, to the M. S. Department of Commerce.

Of the total, 177 were approved without qualification, six classes as educational, and one called "improper for children." Of the total, 106 came from the United States, 57 were of domestic origin, seven each from Italy and Germany, two from England, one each from France and Japan, and three miscellaneous.

U. S. Leads in Colombia
WASHINGTON, March 15—The United States supplied over 82 percent of the total volume of films and film material imported into Colombia during the period from January to March 1935, according to a report to the Department of Commerce from Trade Commissioner Jack B. Heathcote at Bogota, Colombia, to Louis Brandeis, Attorney-General, and Joseph J. Theiss, Inspector General, U.S. Department of Commerce.

Plan Children's Theatre
NEW ORLEANS, March 15—A children's theatre for pictures suitable for children less than 12 years old will be sponsored by the New Orleans Better Films Committee of the Louisiana Co-operative M.P. Council.
They Endorse Richardson's BLUEBOOK of PROJECTION

W. E. GREEN
President, National Theatre Supply Company

- "I find it to be a very valuable book for practical projectionists and for theatre managers as well. It is chock full of useful information and its new subject indexing system adds very largely to its value in that it enables the finding of the right answer to projection problems almost without effort, as well as permitting quick action when the projectionist is in trouble."

HERBERT GRIFFIN
Sales Manager, International Projector Corporation

- "In the seven hundred pages of illustrations and definitions, and over sixteen hundred questions and answers, with a splendid system of indexing, you comprehensively cover the fundamentals of sound and visual projection and make it very easy to use your book for study and reference."

JOSEPH D. BASSON
President Local No. 306

- "The Sixth Edition of 'Richardson's Bluebook' is an encyclopedia of projection information, and the arrangement of the material makes it extremely convenient for reference. No matter how competent a projectionist may be, no matter how steadily he may be working, it will pay him to do a little reading every day in your 'Bluebook of Projection.' As you know, I have always been greatly interested in any activities which might raise projection standards and I shall feel that I am doing the best thing for members of Local No. 306 and the industry as a whole when I urge projectionists to look up the 1600 questions in your book and the replies you supply. No matter how much practical information a projectionist may have, he will be a better member of this Local and more valuable to his employers if he makes it a habit to read your 'Bluebook' regularly."

Did you get your copy of the Bluebook?

The new sixth edition contains 714 pages plus 153 illustrations. It details and describes every piece of sound and projection apparatus in the modern projection booth and gives all instructions for operation and maintenance. It includes a complete trouble-shooting department as a first aid in breakdowns and features a quick-finding index system that provides the answer immediately to any projection problem.

Don't put off owning a Bluebook. You will find it indispensable as a daily reference.

Price $5.25 Postpaid

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Price $5.25 Postpaid
An event eagerly awaited for five years—the World Premiere of Charlie Chaplin in "MODERN TIMES"—turns Broadway into a struggling mob of thousands eager to be the first to acclaim the world's greatest comic.

In every portion of the globe the name of Chaplin means box-office magic, for his actions speak every language.

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

Smith & Aller Ltd.
6656 Santa Monica Blvd.
Hollywood, Cal.
Hardy Fights Extension on Suit Answers

Few Pictures From England On “U” Slate

Vaude Outlook Dark

Film Writers See Benefits In New Merger

Federal Trade Body Against Booking Bill

HARDY FITS EXTENSION ON SUIT ANSWERS

Moves to Vacate Order By Judge Coxe

Following the granting of a 30-day extension Saturday by Federal Judge Alfred C. Cox, for the filing of answers in the Government’s civil suit against Warners, Paramount, RKO and 37 other corporate and individual defendants, Russell Hardy, prosecuting attorney, yesterday moved to vacate the order with the filing of a petition, returnable this morning before Judge Murray Hubert.

Bruce Bromley of Cravath, de Gersdorf, Swaine & Wood obtained the month’s extension and today will make a motion to retter the matter back to Judge Cox, who issued the original order.

Louis Nizer of Phillips & Nizer, attorneys retained by George J. Schaefer, Samuel Dembow and Ralph Kohn, three of the 30 individual defendants, also was successful in getting a month’s extension. He will appear in the U. S. District Court this (Continued on page 7)

RULES CAGNEY PACT VOIDED BY WARNERS

Los Angeles, March 16—The contract of James Cagney was voided by Warners, according to the judgment rendered here today by Judge Charles L. Bogue, who based his decision on the fact that Warners had given the actor subordinate rather than starring billing in two pictures, “Ceiling Zero” and “Footlight Parade.” The Warners claim that his billing was an error of no avail. The decision makes Cagney a free agent. J. Ray Files, Warner attorney, who stated that he would appeal the case within a week, added that any (Continued on page 6)

HOPES WILLIAMS GETS QUIRGIL LONDON POST

Hope Williams (Mrs. J. D. Williams) has been appointed special London representative of Quigil Publications—Motion Picture Herald, Motion Picture Daily and Motion Picture Almanac—will sail to assume her duties at the London Bureau on Friday, March 27. Mrs. Williams will be associated there with Bruce Allan, London representative.

Hope Williams was born in Shelf-

(Continued on page 7)

Lent Puts New Dent in Key City Grosses After a Rise

Lent, coming on the heels of the cold spell which reached its height— or, was it low— in late February, put a new dent in key city grosses for the first week of March after a one-week revival. The take for the 29 key centers reporting to Motion Picture Daily was $1,689,550.

For the previous week, when the mercury showed marked rises in most of the northern sections and when several big pictures, including “Modern Times,” were beginning to turn in good grosses, the total was $1,777,050.

The opening week of March, in spite of the fact that it was lower than during the previous week, was still considerably ahead of the six previous weeks when roads were impassable in many places, especially in the midwest and northwest. It is also above the high mark for last September, when the new season pickup set in, but it is $311,905 under the high mark reached at the opening of the year.

The only exceptions to the general decline for the week ending March 5-6 were in Buffalo, Detroit, Chicago, Kansas City, Los Angeles, Milwaukee, Minneapolis, Pittsburgh and San Francisco. (Comparative tabulation will be found on page 16.)

FEDERAL TRADE BODY AGAINST BOOKING BILL

Report Calls Parts of It Unconstitutional

By CLARENCE LINZ

WASHINGTON, March 16.—What is regarded as the death knell of the Pettengill Bill, for this session of Congress at least, made its appearance today before the sub-committee hearings in the form of a highly critical report from the Federal Trade Commission. Parts of the measure were declared unconstitutional. It was signed by W. T. Kelley, chief counsel.

Kelley called the paragraphs calling for synopses of stories “arbitrary and discriminatory” and contrary to the protection guaranteed by the fifth amendment.

Canon William Sheafe Chase, appearing for the proponents of the bill, who were being heard for the first time, demanded the creation of a Federal film commission. He said the bill was all right, as far as it went, but that it didn’t go far enough.

With Kelley’s opinion was a brief prepared by Eugene W. Burt, com-

mission attorney, which upheld the constitutionality of the measure with respect to some of the points challenged by Kelley and admitted that in some respects it was “unique.” The opinions and Chase’s appear (Continued on page 6)

SENT STUDYING NEW BOOKING PROBE

WASHINGTON, March 16.—The creation of a special Senate committee, adequately financed, to make a thorough investigation of every phase of the block booking question and make its report at the next session, was understood today by the Senate Interstate Commerce Committee.

The need for such a committee on films has not yet met to consider the test-

(Continued on page 7)

JERSEY STILL TRYING TO PASS 4% TAX BILL

Trenton, March 16.—Undismayed by four defeats administered to vari-

ous theatre tax bills introduced in the legislature here, proponents of the 4% tax bill are still striving to bring the bill up again for consider-

ation, having gained one vote with the return of Mrs. C. W. Hand from Florida. Likelihood of passage, however, is regarded as slim since the (Continued on page 7)
Insiders' Outlook

By RED KANN

**Hollywood, March 16, 1936**

The official word on Irving Thalberg and his status at M-G-M is not to be had. The understanding is that he has signed a ten-year contract. If he has not, certainly he will. It took Nick Schenck long weeks to work it out, what with Thalberg's insistence on this and that point. Now that Schenck is back in New York, the conclusion, and an obvious one, is that the Thalberg situation was cleared up before he left this sunnycliffe. Where and when Irving actually will dip the pen, if he has not, is not particularly important at this late date.

The slant on all of this is interesting. With three years to go on his current contract, a new agreement will keep him at Metro for the next thirteen years. In this business, that is a lifetime contract, plus. Highlighted in the terms is understood to be one which gives him first call on all talent in the studio. Another is reported to vest in him determination to permit or not to permit talent out of the gate. Granting to Thalberg the privilege of deciding loan outs is more significant than appears on the surface. It obviously makes him the ruler of the lot again and would appear to restore to him his one-time post of supreme authority in the very formidable task of producing the M-G-M lineup.

The development very likely will make M-G-M even more self-contained than it has been. One of the inside angles on Thalberg's alleged grievances tells of his disapproval over the frequency with which Metro star timber had been farmed to Twentieth Century when it was releasing through United Artists and now that it has combined with Fox. Wally Beery and Clark Gable are the two notable instances and even now talk has been revived of their possible removal. The first in sound of "What Price Glory," not for Metro but for Twentieth Century-Fox. Talent disposition placed in Thalberg's final hands immediately opens up vistas of an extremely interesting situation not only in Hollywood but with exhibitors who buy Beery and Gable from M-G-M and who, in the past, have found their opposition with the same names in their marquee lights.

Beset and beleaguered with worries of its own, Hollywood is suffering from another, but not of its own making. Visitors, hordes and hordes of them shipped in by company directors in New York and sales executives in the field have been descending on the studios in ever increasing numbers. Publicity departments do the best they can, which is pretty good. The routine ordinarily includes lunch and a couple of hours on the stages. It removes from its normal function the explanatory press agent turned guide and is saddling to the cost of production what must be a handsome amount of money each year.

Visitors are not looked upon with favor since they distract from the job at hand. Many performers react nervously and the pace is further slowed down. It is, in general, a condition which ought to be alleviated and can it be courtly. Visitors are not thrown about with such inconsiderate care as appears to this space, should be welcomed at all times on the other hand. As the customers, they ought to be viewed as a privileged class for conclusions which should require no explanation.

Twenty-five years in the executive end of the industry and a rapidly growing cabal in production, Dario Faralla is completing his second supervisory job at Paramount with "Border Flight." It was Faralla who, on an assignment brought back by Admiral Byrd's second expedition to Little America. The task was a rather good-sized one and had its obstacles, but the outcome has given Paramount foreign department an attraction of substantiability and Faralla a promising start as a picture maker.

Merely for laughs: Hollywood dropped in on a friend the other evening. Waiting for him was a Busby Berkeley girl. Together they were to attend a premiere. Hollywood had turned to the girl and remarked: "I understand Jack is sending you a Rolls Royce and a Remington," but neither of it nor, he insists her reply: "Which one will I drive?"

**Ampa Party Produces Series of Novelties**

It was different, anyway. All agreed on that point in discussing the Ampa party with dinner. And the turnout included figures, those in practically all the companies in the business.

The orchestra was up in the balcony to the right of the stage most of the evening, and the program began during the intermission on a producer and his publicity man went over big. When the big ballyhoo was over at the barreles of confetti from the upper balconies and balloons, arrived there was plenty of excitement. A donkey, goat and chicken and a group of boys paraded about among the tables.

Ralph Rolan and the March of Time crew did a swell job on the sketch. It was directed by Charlie Williams and was written by Williams and Joe Cates. The entire production parade was conceived by Charles Carran, with Frank Ventre as musical director and Chris Benze as stage manager.

In the rooms adjacent to the ballrooms studio sets were scattered, with a variety of props and other equipment in evidence. Gordon White succeeded in getting a party going at 12:30am to the late hour to show the newsreel of the occasion turned out by Paramount News. It furnished plenty of laughs.

**20th-Fox-S. & C. Suit Set for Today**

The trial of the suit of Twentieth Century-Fox against Springer & Co for $18,000 allegedly due on overages from six pictures of last year's releases is scheduled to begin to-day before Judge Cunningham.

The suit has been on the calendar for some time, but because of a crowded docket has been postponed several times. However, with the selection of a judge yesterday, the trial is due to get under way to-day. Louis Nizer will represent the distributor and Kelly & Connolly will represent the exhibitors. E. C. Grainger is scheduled to be the first witness.

**Plan Editors' Previews**

Hollywood, March 16.—The Academy Technical Branches' Crew on Wednes-day will inaugurate bi-weekly showing of films for the benefit of Editors' Section. The screenings will be followed by discussions. Harold McCauley will entertain at the Academy's Wednesday's preview at the United Artists studio. Forty-five are now enrolled in the section.

**Merger Talks Resumed**

Another meeting between Allied M. P. Operators and Local 309 to discuss merger negotiations will be held today.

Harry Brandt, Joseph D. Basson, Frank Rockwell and other officials of the union executives are slated to attend.
JUNIOR WINS, TOO!

The little rascal copped a statue! After Momma and Poppa Leo brought home the big Academy Award with “Mutiny on the Bounty” there was such excitement in the family when Junior showed up with the Prize for the Year’s Best Comedy Short—“How to Sleep”—featuring Robert Benchley. The Prize Committee always has a tough time picking out the winning M-G-M Short because Leo, Jr., is awful smart at making snappy short subjects. It’s hard to choose among Shorts like M-G-M’s “Audioscopiks” and Chic Sale’s “Perfect Tribute” and those wonderful Harman-Ising Happy Harmonies Color Cartoons and Pete Smith’s fun films, etc. Exhibitors solve the problem by getting them all, which pleases us of course and ditto exhibitors!

P. S. By the way, M-G-M won several other Academy Awards for Best Sound Recording, Best Dance Direction, Special Award for Technical Achievement and what not... sure we’re proud!
Carl Laemmle presents

CAROLE LOMBARD
PRESTON FOSTER
CESAR ROMERO

in Faith Baldwin's

LOVE BEFORE

Directed by Walter Lang. From the novel "Spinster Dinner"
AND NO WONDER!...... N. Y. ROXY DOES LANDOFFICE BUSINESS WHILE CRITICS RAVE!

"GRAND LAUGHS! THE BEST OF THE LIGHT COMEDIES SINCE 'IT HAPPENED ONE NIGHT' AND 'HANDS ACROSS THE TABLE' ...SPRightly, amusing, romantic...EXCEEDingly funny because IT does have some grand laughs....the whole thing ripples along pleasantly in a smart and cheerful manner."

—William Boehnel, N. Y. World-Telegram

"CAROLE LOMBARD is delightful to look at and amusing to hear in Universal's wholly charming comedy ...furnish the audience with many hearty chuckles."

—Kate Cameron, N. Y. Daily News

"A MERRY PIECE...FAST, LIVELY AND GOODLOOKING...THE CLIMAX IS EVEN FUNNIER THAN THE BEGINNING."

—Eileen Creelman, N. Y. Sun
Federal Trade Body Against Booking Bill

(Continued from page 1)

pearence followed the completion of testimony for the proponents of the bill, during the course of which the views of all national organizations were aired.

Appearing for the National Education Ass'n was Miss Helen Waldran, who said block booking and blind selling "make it impossible for local theatre managers and parents to control the type of pictures available for children and difficult to get satisfactory consideration from the producer.

She offered a telegram from Dr. Ray Lyman Wilbur, former Secretary of the Interior, in which she said, "I am satisfied that the Pettengill bill offers the most promising solution of this vitally important matter. Miss Waldran also submitted a statement favoring the bill from Dr. Henry James Forman of the M. P. Research Council.

Chairman Pettengill called attention to a New York speech on March 12 of Dr. Edward Hoagland of the Federal Bureau of Investigation, in which he estimated $15,000,000,000 as the total annual cost of crime in this country. He quoted Forman's statement that 80 per cent of all films deal with love, sex and crime.

Witness Concedes Improvement

Representative Peyser of New York questioned at length Mrs. Mary T. Bannerman of the legislative committee of the Research Council, on whether she thought the morals of pictures were improved. Mrs. Mary Nourse of the American Ass'n of University Women, Helen W. Atwater of the Women's Educational Ass'n, William H. Britos of the National Congress of Parents and Teachers. The National Grange is in favor of the bill, it was declared in a statement introduced for Fredl Brecken, Washington representative.

Aram F. Myers, general counsel of Allied, answered questions of Representative Cooper of Ohio as to how, if films are sold before they are produced, the exhibitor would know what to buy if the bill was enacted. Myers declared the provision for "synopsis would take care of the situation.

Peyser then read into the record a letter from Michael Freedman, Pennsylvania exhibitor, opposing the bill "because it does not meet the moral situation." The exhibitor said, "You have heard the arguments and ably presented to community leaders over a period of years by a self-group of exhibitors." He added that for three years the Pennsylvania motion picture association continually pressed him to play a picture he knew would cause criticism in the community. The majority of exhibitors will face a bitter fight to stay in business if the bill is passed, Freedman added.

Myers charged that exhibitors

"Moonlight Murder"

(M-G-M)

Hollywood, March 16.—This is something new in the line of multiple-suspect murder-mystery drama. The principal difference from the formula is an idea accentuating the show's entertainment and commercial value, the unique motive for and the novel method of killing. The latter point is not the blackest secret, for the idea is foreshadowed in the first sequence. As it works out, an advance solution is impossible.

As the location is the Hollywood Bowl and a grand opera performance the occasion, the picture has a musical background, the highlight of which is an elaborate presentation of a choral scene from "Il Trovatore."

It is smartly directed and convincingly acted by all, with the thread of suspense adding to the pre-planned baffling complication in which tenor Leo Carrillo is warned he will be killed if he sings. Upon his death at the premiere performance, ambitious detective Chester Morris, aided by Madame Evans, scientific assistant to Grant Mitchell, sets about solving the case. Robert McWade and Frank McHugh. Two women, Benita Hume and Katherine Alexander, with whose affections the victim has trifled, and his husbands, H. B. Warner and Duncan Renaldo, and J. Carrol Naish, madman, all of whom had motives for wishing Carrillo's death, are suspects. The progress of the investigation, involving a dramatic mystery and comedy of the expression, built to a surprise climax revealing the idea of a merely killing as a motive for the singer's death and a heretofore unguessed character as the killer.

Based on a story by Albert Cohen and Robert Shannon, with the screenplay by Florence Ryerson and Edgar Allan Woolf, Edwin L. Marshall's direction concentrates on providing a mystery, drama, comedy and suspense. The operatic sequence by William von Wymetal is a feature that should thrill audiences.

Previewed without production code seal. Running time, 65 minutes. "G."

"Several have been invited to come into the exchanges and requested to write and vote on the committee in opposition to the bill."

The creation of a Federal commission as preferable to the Pettengill bill was urged by Dr. Ioan Scott on behalf of the National Women's Christian Temperance Union. En
dorsing the bill also came from the Coun-

Kelley, in the Trade Commission report, held the bill's prohibition against block booking and blind selling is valid and within the power of Congress, but the synopsis provi
da is arbitrary and discriminatory. The provision "to say the least is a burden on the sale or lease of futures," Kelley declared, pointing out that "sales of futures are a recognized incident of property ownership."

Chase Asks Law with Teeth

"The current bill attacks a business method which has grown up with this country, a $20,000,000,000 industry during the past 20 years," the opinion said, "stamps the practice as monopolistic, and to bring a valuable and available administrative machinery for the treat-
ment of such practice, proceeds to define immunities and to provide for a commission.

The provision should not be termed as unfair com-
petition, the opinion held. Raising the question of whether the Pettengill Bill could be enforced. Chase declared that if the responsibility for showing bad pictures were placed on the exhibitors, "we could bring pressure and secure punishment for exhibiting something that will incite to crime."

I am not asking for censorship," he said, "but I am asking that a commission be appointed which would have some authority."

Rules Cagney Pact Voiced by Warners

(Continued from page 1)

contractual move by Cagney would be made at the star's own risk. Prior to the trial the actor held a number of conferences with Darryl Zanuck. Jack L. Warner, following the deci-
sion, issued a statement in which he said, "The issues in this case were simple and clear-cut. The Court has held that Cagney had no basis for his claim that cancellation was justified because of any defect in the instru-
ment. His contract, including options, has a long time to run, and we intend to protect our interests throughout. Regarding subordinate billing, this was purely inadvertent and the contract stipulates that casual and inadvertent failures to comply with billing provisions do not constitute a breach of contract. As a matter of principle we will prosecute, and appeal in due time to the state's highest court."

Cagney pleaded during the trial that he had agreed orally with War-
ner that all major situations were to be in color. These pictures annually were to be made, but his right to contest on these grounds was waived by his appearance in five pictures during 1922 and 1923, the court held.

Few Pictures From England On "U" Slate

(Continued from page 1)

all of the physical distribution of Universal product in the United King-
dom. Universal's sales organization in this country is to remain virtually intact under the new arrange-
ment.

The formal transfer of the Carl Laemmle holdings to the Standard Capital-Rogers group may take place here on April 3. This has been re-
quested by the eastern interests as though, under the terms of the option, Laemmle has the right to elect the date and place for the transfer. When this takes place Laemmle will for-

mally resign the Universal presidency and resignations from the board will also be received. The board will be reconstituted to include representation for the new financial interests and the new officers will be elected.

No major executive changes other than those already announced are in prospect, it was stated officially. The home office is expected to continue as is under R. H. Cochran, who becomes president, and J. Cheever Cowd-

ion, chairman of the board. Like-

wise, few if any major changes are view in the studio, which will be headed by Rogers, with William K. Howard as assistant. It is ex-
pected that now on the board and Carl Laemmle, jr., may also con-
tinue.

The capitalization of the company may be increased in the near future for working capital purposes.

A deposit of $1,500,000 in cash with the Manufacturers Tract Co. on Sat-
day, as formal notice of the exer-
cise of the option by Standard, will be followed by the expenditure of $4,000,000 in about two weeks, clear-
ing the way for the actual transfer. The latter sum will include the payment of the balance in securities, regarding the fulfillment of the op-
tion's requirements for the posting of bonds as a continuous condition which could be avoided by a cash payment.

For the same reason, preliminary arrangements under which Laemmle was to have accepted either $500,000 or $1,000,000 in Universal debentures as part of the option money were not consummated.

Sanitorium Board
To Be Named Soon

(Continued from page 1)

to supply $500,000 for maintenance of the hospital over a five-year period.

The Memorial commission reported that the first past affiliation of the Rogers' memorial fund by $41,490, individuals, although no solicitation of subscriptions was to take place, were entirely voluntary and came from every state in the Union, Alaska, Hawaii and England. The report is not a final one as banks and newspaper offices throughout the coun-
try which acted as voluntary deposi-
tories for contributions are still re-
cieving scattered amounts.
A. T. & T. Hearings Get Started Today

WASHINGTON, March 16.—The Federal Communications Commission tomorrow will begin a series of public hearings as part of its investigation of the affairs of A. T. & T. and its affiliates. The study was ordered by Congress. The first series of hearings is expected to be held in the long lines department of the company and the affairs of Western Electric. The commission with the necessary extra votes at its disposal will have 30 days in which to consider the questions presented.

Jersey Still Trying To Pass 4% Tax Bill

(Highlighted from page 1)
e. extra vote will still leave the bill's sponsors one short of the necessary quorum. The Senate House of Freeholders voted at Saturday's session, which was not adjourned until 6 o'clock Sunday morning.

Decision Reserved On Fox Stay Plea

Federal Judge William Bondy yesterday reserved decision on an application for a stay of execution of an order fining William Fox $23,500 and $10,000 in attorney fees, and contempt of court, and directing that Fox be taken into custody until the fine was paid.

Mullen Succeeds Abelles

Joseph G. Mullen, formerly assistant manager for Warners in the Argentine, has been appointed manager of the Mexican branch. He succeeds Arthur S. Abelles, who was recently appointed supervisor of the company's activities in South America.

Dave Canavan to Chicago

Dave Canavan, head of the RKO theater exhibition department, will leave for Chicago today to meet Nat Blumberg there tomorrow. Blumberg will leave for New York next week and come back to the Windy City tomorrow and back in New York on Saturday.

Re-Release "Yankee"

Twentieth-Century-Fox is reissuing "The Connecticut Yankee," produced about five years ago with Will Rogers as the star.

Philadelphia Meet Is Called by Segall

PHILADELPHIA, March 16.—Charles Segall, president of the new L. M. P. T. O., has called a non-partisan meeting of the Philadelphia exhibitors for March 19 at the Broadwood Hotel, to discuss problems of the new selling season, and to act on the drastic new regulations of the city fire marshal.

The meeting is apparently being called by Segall as an individual, but it is not known whether the personal or the a. t. & t. and its affiliated companies to be scrutinized.

A tragic event which has been subpoenaed to testify are Walter S. Gifford, A.T. & T. president; Edgar S. Bloom, president of Western Electric.

The Democratic minority thus far has voted solidly against the bill. The Republican sponsors hope that if they cannot gain the necessary extra votes from among their own group, the Democrats will produce sufficient tallies to pass the measure.

Hardy Fights Extension on Suit Answers

(Continued from page 1) morning to argue on behalf of his clients.

Schaefer, Dembow and Kohn are former Paramount executives. Schaefer now is vice-president and general manager of U. A. Dembow is an executive of National Screen and legislation partner with E. Schulberg in B. P. Schulberg Prod. Schaefer, who at the time was general manager of Paramount, testified in the criminal action in St. Louis last November. Dembow has never testified, although he had been called to the stand in both actions. Kohn has never been subpoenaed.

Walter Rice, who assisted Hardy in the 1923 suit, will participate in today's court hearings.

Senate Studying New Booking Probe

(Continued from page 1) money taken at its hearings last month, but members of the group are represented as feeling that the whole subject of booking should be brought to the surface, and that the next step should be to hold public hearings, and that while the Senate will demand that the measure be laid aside until more careful consideration can be given. To that end, it is likely, the suggestion will be made that a special committee be appointed to study the subject during the summer and make recommendations next session as to the desirability of legislation.

Wall Street

Most Off Slightly on Board

(Bond

High Low Close Change

Consolidated ... 65... 65... 65... 65... 0

Consolidated, pd. 10%... 10%... 10%... 10%... 0

Eastman... 10%... 10%

Lowe's, Inc. ... 10%... 10%... 10%... 10%

Paramount ... 10%... 10%... 10%... 10%

Paramount 1 pd... 10%... 10%... 10%... 10%

Paramount 2 pd... 10%... 10%... 10%... 10%

P Định 8... 10%... 10%... 10%... 10%

Pathé Film... 8... 8%... 8%... 8%

Pathé Film... 8... 8%... 8%... 8%

Walter Ross... 8%... 8%

Walter Ross... 8%... 8%

Universal... 8%... 8%

Warner Bros... 8%

Warner Bros... 8%

Sonotone Lone Carb Gain

Sonotone... 8... 8%... 8%

Technicolor... 8%... 8%

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DICK POWELL STARTS SINGING

RUBY KEELER STARTS T

HUGH HERBERT STARTS CLOWNING

PAUL DRAPER STARTS STEPPING

Ruby's sensational new dancing partner imported from Broadway.
And the New York Strand pre-release engagement starts its second week with a bang! WARNER BROS.' FIRST BIG MUSICAL IN NEARLY A YEAR

... With 100's of Hollywood's Choicest Colleens. Directed by Alfred E. Green. Dances Staged by Bobby Connolly. 4 Songs by Warren & Dubin—All Brand New:
  "You Gotta Know How To Dance"
  "I Don't Have to Dream Again"
  "Boulevardier From The Bronx"
  "An Evening With You"
THERE have always been in show business a few who envy anybody else's success. They take joy in spreading false propaganda about their competitors or their competitors' products.

It is unfortunate that a grand production, such as "THE COUNTRY DOCTOR", which is both a credit and an asset to the entire motion picture industry, should be the victim of this propaganda.

Certain people have gone out of their way to spread the rumor that this picture is flopping. We have a good idea who is behind it and it should be to their eternal shame.

For the benefit of those who bought the picture and who have still to run it, I want to quote a few statistics about one of the most successful pictures this business has seen in many a day:

"THE COUNTRY DOCTOR" opened in 322 theatres between March 3rd and March 8th.

Of those theatres playing the picture for a week's engagement, 53 held "THE COUNTRY DOCTOR" over for a second week or transferred it to another first-run theatre for a second week.

48 theatres extended their engagements from three to four days.

31 theatres extended their engagements two days, and 83 theatres found it necessary to play the picture an extra day.

In all, 215 theatres—or more than 67 per cent—of the 322 that played the picture in its first week of release, held the picture over for additional playing time.

One of the most successful pictures released by Twentieth Century-Fox Film Corporation this year was Shirley Temple in "THE LITTLEST REBEL." Released on Christmas Day, it played during the holidays to enormous business.

"THE COUNTRY DOCTOR" already has surpassed "THE
WHISPERING CHORUS

LITTLEST REBEL" in receipts by more than 15%.

Of course, there are individual spots affected by terrific weather conditions that have not done as well as the exhibitor might have hoped. We speak of the average.

We are proud to point to the chorus of critics' praise which has greeted the picture from coast to coast and from Canada to the Gulf. Not only have the motion picture reviewers accorded "THE COUNTRY DOCTOR" their highest rating and most enthusiastic praise, but great publishers and editorial writers have gone out of their way to urge the American people to see this great human document.

Elsewhere on this page are printed excerpts from some of these reviews.

We are not responsible for certain greedy individuals who hoped this picture would pay off the national debt. We are, however, humanly happy that "THE COUNTRY DOCTOR" has brought profits to our customers, entertainment to millions and has been a credit not only to ourselves but to the entire motion picture industry.

This picture is a sincere contribution to the business we are all making our living out of. It is an asset to the cause of better pictures, no matter who turns them out.

This, then, is the record of "THE COUNTRY DOCTOR." These figures do not lie, and if this be a flop, we pray give us more like it.
Denver Boom Gives “Pine” $9,500 Gross

DENVER, March 16.—“Trail of the Lonesome Pine” was outstanding in a general boom last week, as it was at the Denver and Palace, and has raised the average to $5,500. It was held at the Orpheum, “The Bohemian Girl” was strong at $4,000 in the Aladdin.

Total first run business was $38,000. Average is $27,750. Estimated takings for the week ending March 12:

**BOHEMIAN GIRL** (M-G-M) ALADDIN—(1,500), 25c-40c-50c, 7 days. Average, $2,500. **MONTANA TIMES** (U. A.) DENVER—(2,000), 25c-35c-40c, 7 days. Average, $3,000. **DESPEREE** (Para) MICHIGAN—(1,000), 7 days. Average, $2,000. **PREVIEW MURDER MYSTERY** (Para) BOULDER DANGERS (W. B.) STATE—(3,000), 25c-40c, 7 days. Average, $2,500. **FOLLOW THE FLEET** (Radio) RKO DOWNTOWN—(2,900), 35c-45c, 7 days. Average, $2,100. **PROFESSIONAL SOLDIER** (20th-Fox) PARAMOUNT—(2,500), 25c-35c-40c, 7 days, following a week at the Aladdin. Gross: $1,500. Average, $214.

**DANCING FEET** (Republic) CHICAGO—(3,200), 25c-35c-40c, 7 days. Average, $2,000. 

**TRAIL OF THE LONESOME PINE** DENVER—(1,500), 25c-35c-40c, 7 days. Gross: $5,950. Average: $850. **BROADWAY** DENVER—(1,500), 25c-35c-40c, 7 days. Gross: $5,250. Average, $750.

**COUNTRY DOCTOR** (20th-Fox) DFW—(2,000), 25c-35c-40c, and being held over. Gross: $4,500. Average for week, $750. **FOLLOW THE FLEET** (Radio) ORPHEUM—(2,000), 25c-35c-40c, 7 days. Gross: $1,500. Average, $214.

**TIMES** (20th-Fox) PARAMOUNT—(2,500), 25c-35c-40c, 7 days, following a week at the Aladdin. Gross: $1,500. Average, $214.

**Doctor** $13,000 Milwaukee Leader

MILWAUKEE, March 16.—The “Country Doctor,” on a twin bill with “Follow the Fleet,” went to town at Fox’s Wisconsin, grossing $3,800. The picture was $3,950 above average and was held over for another week. A favorable front page Milwaukee Sentinel editorial helped.

“Modern Times” and “Follow the Fleet” were highly honored for the week with $1,700, just $2,200 to the good. With this kind of competition to face, “Follow the Fleet” in its second week at the Warner had tough sledding and was pulled after five days to make way for “Next Time We Love” and “Road Gang.”

Total first run business was $28,400. Average is $4,000. Estimated takings:

**DANCING FEET** (Republic) WISCONSIN—(2,500), 25c-40c, 5 days, 2nd week. Gross: $5,000. Average, $1,000.

**DOCTOR** Big in Pittsburgh With $15,000

PITTSBURGH, March 16.—Despite the beginning of Lent, business was $15,000 over the last week. The outstanding leader was “The Country Doctor” at the Alvin, which came within an eyelash of shattering the house record at $22,200 and put a holdover and raise hopes for a third week.

Though it did a nice $14,000 at the Penn, “Modern Times” was considered something of a disappointment. It is moved to the LeRoy for another week. Jan Garber’s band on the stage was an effective bolster for “The Prisoner of Shark Island” and, if the boxoffice continues at $3,000, he can expect $22,000, while “Follow the Fleet,” at the Warner after a week at the Penn, continued its hold price at $5,000.

“Love Before Breakfast,” on a double bill with “The Return of Jimmy Valentine,” improved the Fox’s ton over the previous week at $4,000, and only the Casino, with “One Way Ticket” and Count Berni-Viel’s unit, “Spies of 1936,” tell a bit short of par with $6,000. Total first run grosses were $70,000. Average is $11,000. Estimated takings for the week ending March 12:


**Doctor** Gets $25,000; Tops Philadelphia

PHILADELPHIA, March 16.—“The Country Doctor” was the week’s leader at the Keith’s, taking $5,000 to $6,000. Pre-run estimates had put the possible take at $3,000. Business kept building steadily, and the second week may net as much as $7,500.

“Little Lord Fauntleroy” rang the bell at the Alhine with $15,000 and $10,000 last week. As at least two weeks, “Wife vs. Secretary” took $23,000 at the Stanley, also holding. Riley and Fellow’s Wall Street netted a good $20,000.

Even the second runs caught the fever. The Karlson and Keith’s, which have been shown several times, were roused with “The Story of Louis Pasteur,” $4,700, at the first, and “Follow the Fleet,” $4,000, at the second. Both hold for second weeks. The “Milky Way” also did a net $3,300 second run week at the Arcadia. The Arcadia’s $7,400 gross was a washout.

Estimated takings for the week ending March 12:


WARNER’S SCHEDULE Is 75% Completed

Hollywood, March 16.—Warner’s have completed 75 per cent of the scheduled 60 features for 1935-36 release. Forty-five features have been completed and the remaining 15 are in various production stages. Five are shooting and 10 are set to get under way shortly.


Withholds Decision On RKO Interim Fees

Applications for interim fees totaling $19,000 for services in the RKO reorganization proceedings were taken under advisement yesterday by Federal Judge J. B. Miller.

The applications were filed by Irving Trust Co., trustee of RKO, which asks $5,000, and by Donovan, Leisure, Neuheisel & Co., the former RKO creditors, who ask $8,500. The allowances sought are for services rendered from July 1, last.
Out of the world’s largest and finest film laboratory come Consolidated “certified prints”

A triumph of accuracy...

A miracle of uniformity

Sometimes your experts take an entire day to light a single scene that the audience sees for only three or four minutes. It’s this devotion to detail that makes the American motion picture the most beautiful in the world. Here at Consolidated we take similar pains to produce theatre prints that bring these artistic effects to the screen with unerring accuracy. No other film laboratory anywhere has such elaborate and costly machinery for controlling quality, for assuring uniformity, for reproducing all the sound and action in the master negative, for providing the producer with theatre prints that are always “a triumph of accuracy, a miracle of uniformity”.

Consolidated Film Industries, Inc.

New York Hollywood
THE GAIETY THEATRE
Agana, Guam

Gentlemen:
In the 20th Anniversary Edition of the Motion Picture Herald, I saw your advertisement of the serial "CUSTER'S LAST STAND.

We would like to get this serial in the near future and we would be pleased to hear from you concerning the booking of this production.

At present we are obtaining our serials or chapter plays from the Universal Film Exchange, and have recently played "Pirate Treasure," "Gordon of Ghost City" and are now showing "Talkspin Tommy." What advertising matter (posters, etc.) are available with this chapter play? We would appreciate your forwarding us press sheets by mail.

In the same advertisement you also mentioned "CUSTER'S LAST RIDE," a 10-reel feature. Is this a sequel, a preliminary feature showing the highlights of the serial, or is it a different picture altogether?

The pictures will be out about four months, as there is only one commercial freight ship that comes to Guam four times a year.

Awaiting your reply in this matter, we are,
Very truly yours,

THE GAIETY THEATRE,

W. Johnston, Manager

WILLIAM MALLUK
FILMS CINEMATOGRAPHIQUES
Avenue Allamby
BEYROUTH, LIBAN

Dear Sirs:
While reading one of the last issues of the "MOTION PICTURE HERALD" we have found your advertisement concerning the new serial you have produced under the title "CUSTER'S LAST STAND."

I will be obliged if you will send me in the meantime a synopsis of your serial "CUSTER'S LAST STAND," as well as from the new serial "JUNGLE PERILS," which you are producing at present. I am only interested in serials for the territory of Syria, therefore quote me your best price for Syria alone.

Expecting the pleasure of receiving your interesting news, and synopsis, I beg to remain,
Yours very truly,

WILLIAM MALLUK

Dear Sirs:
We have the pleasure to learn through the medium of your advertisement in the MOTION PICTURE HERALD of December 14th, 1935, that you are producing three 15-Chapter Serials, viz.:
"CUSTER'S LAST STAND"
"THE CLUTCHING HAND"
"JUNGLE PERILS"

As we are interested in the serials, we sent you a cable on the 25th inst., which reads as under:
WEISSPICT, NEW YORK CITY,
"POST AIRM ail PRESSBOOKS PARTICULARS WITH LOW-
EST PRICES YOUR THREE SERIALS INCLUDING CUSTER 
LAST STAND EVERGREEN PICTURES BALLARD ESTATE 
CABLE ADDRESS PICTORIAL."

As we had no previous occasion to correspond with you, we have given detailed particulars regarding our whereabouts, too, in the cable, and trust that by the time you get this letter, we shall also be getting from you the pressbooks and detailed particulars of your product which we have requested you to send per Air Mail.

Yours faithfully,

S. W. Kotwal, Partner

PRABAS NILUBL
FILM DEALER & TRAVELING SHOWMAN
62 Nakorn Jaibri Rd.
BANGKOK, Siam.

Dear Sirs:
Replying to your ad in the Motion Picture Herald, we shall be much obliged if you will kindly forward us press-book, together with terms and full particulars on your serial, "CUSTER'S LAST STAND."

Thanking you in anticipation for your kind attention, we are,
Faithfully yours,

PRABAS NILUBL
Film Writers See Benefits In New Merger

(Continued from page 1)

reason for the proposed consolidation. Members of any one of the guilds frequently are to be found engaged in activities within the jurisdiction of one of the other guilds. The consolidation would eliminate the necessity for a writer so engaged from joining two or all three of the guilds. Membership in the Authors League would be made to cover activities which automatically assign the writer to any or all of the affiliated guilds.

The uniform contracts for writers with screen and stage producers, radio and book and magazine publishers would be facilitated, it was said, by the centralization of authority over the three guilds in the Authors' League.

No demand for recognition of the Screen Writers' Guild would be made of Hollywood producers if the consolidation is approved, officials of the Authors' League said yesterday. Such a demand was characterized as a "meek and unnecessary gesture" by these officials who said that if the consolidation is in effect, film producers would be dealing with the Authors' League, which has been in existence for more than 20 years and which "no one dealing with writers can avoid recognizing."

Draws Dramatists' Comment

Dramatists' Guild officials, commenting yesterday on the resolution drawn up by the League of N. Y. Theaters, a producing managers' organization, authorizing its committee to attempt the drafting of a new minimum basic agreement with the guild covering the sale of film rights, stage plays, or this falling to submit disputed points to arbitration, said that no attempt had been made by the theaters' committee even yet to arrange a meeting with the guild. If efforts to obtain a new agreement and to arbitrate disputed points fail, the producers are resolved to draw up and use exclusively their own contract with writers. Commenting on this, a guild official said: "They mean, of course, they will use their own contract to deal with non-members of the guild. That's all right with us. We're not interested in what non-members do. The managers can do that any time they want. "The question then is whether there are enough young playwrights coming up every year to keep the theaters going. And if there are none, then these new-comers will be welcome to accept the managers' contract or join the guild and have the writers' contract."

"Folies Comique" to Open

"Folies Comique," produced by RKO under the supervision of William K. Howard, the theatrical head of that company's vaudeville department, will open tomorrow for a two-day tryout at the Albee Theatre.

On Thursday, the show is scheduled to open at Keith's, Boston. About 35 of the cast of 55 together with members of the RKO theatre district head in Boston, has returned to his headquarters after spending two weeks working with Howard.

Hirilman to Patent New Color Process

Hollywood, March 16—George Hirilman has applied for patents on the new color process which is being used for the first time in his "Captain Calamity," now shooting. "Hiracolor," the result of five years of experimenting, is a two-color process which departs from a device affixed to the camera and, not upon specially prepared film, for he claims that this process reduces color photography cost materially by reducing the expenses of a costly dye. A test run of a short series of film has confirmed the expectations that within a year the process will be as low as black and white. No extra lighting is required, according to Hirilman, and any color laboratory can develop and printing.

Daltig May Join M-G-M

Hollywood, March 16—Fred Da-"{tig}, who recently resigned as Paramount casting director, is negotiating with M-G-M for a similar post. The berth at M-G-M, vacated when Rudolph LeMaire resigned, is now being filled by Bill Grady who was attached to the Thalberg unit.

Arrested in Shooting

Chicago, March 16—Peter Krissou-1as, 39, was arrested yesterday and charged with shooting to death Irving Feinberg, assistant manager of the Midwest Theatre here, in his office when he was taken there after a young woman accused him of annoying her during a performance.

“Fleet” Sails To Loop Top; Pulls $26,000

CHICAGO, March 16—“Follow the "Fleet"" sailed into the Palace follow- by a crowd that pled the gross up to $26,000. This was $7,000 more than predicted.

Other spots were also in the money. The Roosevelt, showing "The Trail of the Lonesome Pine," garnered $6,200, which was $5,200 to the producers. "Folies "Comique," helped by Jane Withers on the stage, went $1,600 over the line on a take of $16,000. "Desire," in spite of bad reviews, was up by $1,300 on a gross of $6,300 at the Garrick. "Freshman Love," with NGT’s stage show, was for $4,100, up by $1,800. "Modern Times" held up at $7,000 in its third week at the United Artists. Total first run business was $151,600. Average is $17,000.

Estimated takings

Week Ending March 10:

"TRAIL OF THE LONESOME PINE" (RKO) 25c-35c-50c-60c, 7 days. Gross: $26,200. (Average, $3,743.)

Week Ending March 17:

"FOLLOW THE FLEET" (Radio) 35c-50c-60c. Days. Gross: $48,500. (Average, $6,929.)

"BRIGHT STAR" (A. F.) 50c-60c-68c. Days. Gross: $25,400. (Average, $3,628.)

"DESIRE" (RKO) 25c-50c-60c. Days. Gross: $36,000. (Average, $5,000.)

"Lively Wife" (20th-Fox) 50c-60c-68c. Days. Stage: Jane Withers and Revere. Gross: $11,450. (Average, $1,636.)

Speed Reorganizing Of General Theatres

The reorganization plan for General Theatres Equipment, Inc., is expected to be declared reorganized within a matter of single weeks, it is understood, despite the fact that conditions set by Chase National Bank as prerequisites to turning back securities in a matter of $1,350,000 for defaulted loans have not been fully met.

The company has been in receivership since February, 1932. Earnings have improved in the past few months and interests close to the company are expected to receive the protection imposed by the receivership. Chase Bank had stipulated that consent to the plan must be obtained from all but $532,000 of debt claims, of which not more than $500,000 could represent debentures.

Sets Feature Policy

Hollywood, March 16.—Burroughs-Tarzan will make individual pictures, and no production would be done by the studio. These films will star in more than one production, according to present plans. The studio will produce a single production of the current season, and "Alcatraz" the fourth. "Three Wise Monkeys." The company's second picture, is now ready for release.
Quigley Honor
To Armstrong
And Goldberg
Grand Awards Voted by
23 Film Executives

John Armstrong, manager of the Paramount in London, and Harry Goldberg, managing the Chestnut Street Opera House in Philadelphia, yesterday were voted the winners of the 1935 Quigley Grand Awards for exploitation supremacy, in the annual contest sponsored by the Managers' Round Table Club of Motion Picture Herald, of which A-M Vogel is chairman.

The judging, by 23 industry executives, took place at the Y. M. C. A., Athletic Club, where were exhibited samples of the 24 campaigns which were submitted and bronze monthly awards during the year.

Armstrong, who captured the first, or silver grand award, took the honor of his campaign on Paramount's Lives of a Bengali Lancer, while Goldberg's bronze award resulted from his work in exploiting Warners'.

(Continued on page 6)

Warner Music Rights
Are Increased by 16

Warner music subsidiaries yesterday filed 16 additional suits against radio broadcasting stations, hotels and other in cities alleging copyright infringements through unlicensed performances of Warner owned songs.

Named in the actions are Essex House, Astor, Roosevelt, Ambassador, Childs and the Adelphi Hotel Co. of Philadelphia, and the following radio stations: WACO, WDOM, KKKO, WTCO, WBLI, WBLJ, WJWY, WOWO and WDSU. Damages ranging from $250 to $3,500 and accounting of profits are asked in the suits.

Agreement on Tobis
Payments Due Today

An agreement on adjusted royalties to be paid Tobis by American companies distributing in Central Europe is said to be reached today with Dr. Henckc. Tobis representative, who plans to leave for Germany tonight on the Europa. Representatives of the distributors have been confering with Dr. Henckc on a new royalty agreement since late last week.

The American companies seek-

(Continued on page 8)

Kent Declares
Majority Want
Block Booking

Wholesale Sales Always Used, He Insists

By CLARENCE LINZ

WASHINGTON, March 17.—Continuance of block booking is desired by the great majority of independent exhibitors, and proponents of the Petten- Gill Bill want “to hold block booking by the throat with the left hand and pick out the cherries they want with the right,” members of the House film sub-committee were told today by Sidney R. Kent, president of Twentieth Century-Fox.

Kent said he was the first of the stars to witness to be put on the stand by the opponents of the legislation, Kent de- clared that block booking is not the right name for a practice which is group selling or wholesaling.

“The atmosphere created in this hearing might lead the committee to believe that this was a poisonous meth- od of forcing bad product down the throats of the consumer,” he said. “This is a method that has always been in use in this industry; it is no different from the method used in hundreds of other lines in this country. I hope the committee won’t think

(Continued on page 8)

States Radio Paid
Ascap $2,995,000

WASHINGTON, March 17.—The radio industry last year paid $2,995,000 to Ascap for the use of its copyrighted works, James W. Baldwin, managing director of the National Ass’n of Broadcasters, told the House Patents Committee today.

Baldwin said the industry’s gross receipts for 1935 were $87,523,848. He attacked the Ascap levies on the

(Continued on page 6)

Delay Loew Chance
Cases to March 27

Scheduled for hearing yesterday in Bronx Special Sessions, the lottery complaints against Loew’s and Eklund’s were postponed until March 27.

Attorneys for the circuit asked for the postponement because three other cases have been set for a week from Friday. These involve the Spoons, Boston Road and Burland. A similar complaint against Loew’s Paradise is on the calendar for April 3, having

(Continued on page 8)

Court Refuses to Speed Up
Answers in St. Louis Case

Federal Judge Alfred C. Cox’s order granting Warners, Paramount and RKO an additional 30 days to file answers in the Government’s latest civil suit involving an alleged conspiracy in withholding films from the Ambassador, Missouri and New Grand Central in St. Louis stands as a result of a decision handed down yesterday by Judge Murray Hubbert denying Russell Hardy’s motion to vacate the extension.

Hardy stated that the extensions were granted without notice to the Government and that the additional time was unnecessary and injurious to the complaining parties. He added that the “case deals with a situation in St. Louis typical of hundreds of others throughout the country.” He also asserted that the extension would “increase the losses of F. & M.” and probably result in their extinction, help make a success of the conspiracy and turn the case into a post mortem.

The prosecuting attorney then went into the history of the case, but was halted by the court, which stated it was not interested, but only concerned with the issue before it. After the court refused to grant his motion, Hardy then made an unsuccessful plea to have the time reduced to 20 days. The prosecutor pointed out that F. & M. interests were in session while the arguments were being heard with the bondholders of the three St. Louis properties on the question of whether to continue operation. Against the court declined.

Frederick H. Wood, who played a vital part in the legal defense for Warners in both the criminal and civil actions tried in St. Louis, ad- vised Judge Hubbert that he had been preparing papers for weeks in con- nection with the constitutionality of the DuPont Coal Act. He said he had been working on this case day and night, adding that some of the defen- dants in the civil suit had been

(Continued on page 7)

London Films Stage
Destroyed by Blaze

By BRUCE ALLAN

LONDON, March 17.—A fire at the Denham studios of London Films during the noon lunch hour today de- stroyed one stage which was near completion. Three other unfinished stages were saved. The blaze was believes to have been caused by sound proofing material.

London officials indicated they will concentrate all work on the com- pletion of the second stage in place of the one destroyed. It was said definitely that the fire would cause no change in plans.

The first Den- ham production will go into work late in April or early in May.

Transamerica 1935
Net Is $20,319,276.26

SAN FRANCISCO, March 17.—The consolidated net profit of Trans- america Corp., consolidated companies for the year 1935 is reported at $20,319,276.26.

The net profit of Transamerica and consolidated companies, not including non-operating subsidiaries, was $11,857,079.96. These figures are, after all taxes and other expenses.

The larger net profit was equal to 87.65 cents per share on $23,181,568 shares outstanding, which compares with a net profit of 91.149,582.35, equal to 48.47 cents per share for the year ended Dec. 31, 1934, an increase of $8,868,689.

A.T. & T. Monopoly
Gifford Tells FCC

WASHINGTON, March 17.—Admis- sions that the American Telephone & Telegraph Co. is a “virtual mon- opoly” featured the first day’s testi- mony of the Federal Communications Probe which got under way today.

Walter S. Gifford, president, was on the stand.

The probe will lead eventually into the relations of A. T. & T. with its subsidiaries, including Western Elec- tric and Erpi.

Gifford testified that his salary is $40,000 a year. In the course of a long series of questions he also said that long distance telephone charges had never been regulated by the Gov- ernment.

In discussing Western Electric he
Tuesday, March 13, 1934

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

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Wednesday, March 14, 1934

LEGION APPROVES 12 OF 15 NEW PICTURES

Tweleve of 15 new pictures reviewed by the Legion of Decency during the past week are classified as objectionable, according to the latest list. Only two are noted as objectionable for adults, and none are classified as objectionable for children. The listing of new pictures, classified, follows:


GTE's Bondholders Start Another Move

Expressing a belief that the General Telephone Equipment plan of reorganization "will not go through," a committee of independent bondholders yesterday solicited authorization from the Delaware court approving the plan which is pending and said other litigants are likewise opposing the event of such an emergency.

M. A. Goldsmith of Chicago, chairman of the committee, cited an appeal from the Delaware court order approving the plan which is pending and said other litigants are likewise opposing the event of such an emergency.

In view of all these contingencies, Goldsmith's letter states, "we are convinced that the best plan to follow is actively to solicit authorization from holders so that we and they may act as a group, in favor of general reorganization and that the court not go through, as we do not believe it will."

Lucas at Ampa Meeting

Nick Lucas will be one of the entertainers at the Ampa lunch at the Astor tomorrow. Others expected to attend will be members of the cast of the sketch presented at the Naked Truth dinner.

A nominating committee to pick candidates for next year's election will be named.

"Gold Week" to Aid Film Welfare

Hollywood, March 17—Simultaneous with the premier of Jack Warner's "Sutter's Gold," California will celebrate "Gold Week," from March 25 to 31, Governor Merriam's proclamation states that the picture will stimulate renewed interest in the early history of the state.

Louie's Festival Is Set

Louie's on Friday will inaugurate its annual Spring Festival, which will include a "golden" picture. The festival will be "Trail of the Lonesome Pine."

Ziegfeld for Chicago

Chicago, March 17—Metro has leased the Erlanger here for the roadshowing of "The Great Ziegfeld," which is scheduled to open Easter Sunday.
"Candidate Bert Lahr, do you solemnly promise just to be yourself, and by so doing, to make the customers howl, and to stimulate the box-office?" “I do.” “O.K., Pal. Wham! And welcome to Educational’s Distinguished Order of Funny Men!”

Carry a lighted candle; hop around the street on one foot, and keep shouting “Gold Bricks! Gold Bricks!” Do it—if you insist—but you won’t get half as many laughs as you’ll get by showing BERT LAHR in "GOLD BRICKS"

Produced by Al Christie
Presented by E.W. Hammons

Distributed in U.S.A. by 20th Century-Fox Film Corporation
A MESSAGE THAT TAKES 12 SECONDS TO READ—
THAT TOOK 12 YEARS TO ACCOMPLISH!
"'Wife versus Secretary' hold-overs confirm again the year-after-year truth that Metro-Goldwyn-Mayer has more extended-run productions than any three other companies combined."

("WIFE VERSUS SECRETARY" stars Clark Gable, Jean Harlow, Myrna Loy)

IMAGINE! ALL THESE M-G-M HOLD-OVERS WITHIN THE SPACE OF A COUPLE OF MONTHS!

"China Seas", "Broadway Melody of '36" "Rendezvous", "Mutiny on the Bounty" "Night at The Opera", "Tale of Two Cities" "Rose Marie" and now "Wife vs. Secretary."

More on the way!

ROAR LION!
Quigley Honor To Armstrong And Goldberg

(Continued from page 1)

ners’ "A Midsummer Night’s Dream," Armstrong’s campaign won the silver award, June, and Goldberg’s the bronze award for October. All exhibits were identified by number only, the judges being supplied with ballots, limiting them to numerical scoring. Voting was by ballot. The two winners are to be transported by plane to Hollywood via TWA for the formal presentation of their awards early in April.

Terry Ramsaye, editor of Motion Picture Herald, acting informally as toastmaster at the luncheon, introduced Colm Brown, vice-president of Quigley Publications, who stressed the length of time during which the Quigley Awards have been carried on successfully. Brown read a telegram from Martin Quigley, president of the company, who was out of town. Quigley expressed his regret at being unable to attend, and said in part: "I want to acknowledge my appreciation of your interest in our efforts to promote and develop credit systems in exhibition methods and practices as manifest by your presence at this award luncheon."

Ramsaye, in introducing Vogt, made jocular reference to the Round Table chairman’s propensity for conversation, which was accepted with due appreciation by the audience. Vogt told the group that a ques-

If you’re looking for a way to make money from your writing, consider becoming a **freelance writer**. It offers flexibility and the opportunity to work on projects that interest you. Check out The Write Life’s guide to [how to make money](https://www.thewritelife.com/how-to-make-money) for tips and resources. 

**Walter Winchell**

**On Broadway**

*Trade Date Registration Complete Text, Daily rates.*

**REET IT!**

*The best picture of 1936 will probably be...the H. G. Wells epicurean Things To Come*

---

**WALTER WINCHELL**

**On Broadway**

*Trade Date Registration Complete Text, Daily rates.*

**"THINGS TO COME"**

Alexander Korda's great production 100 years ahead of its time but what your box-office needs right NOW!

Released thru UNITED ARTISTS

---

**Four Houses Change Hands During Week**

Four theaters in the metropolitan exchange area changed hands last week. In addition, Henry Frierer is reported about to take the Majestic on Fulton St., Matty Christianson has closed the Minnea, Mineola, L. & S. in order to buy it for repairs. A fire last week caused damage which will take a month to repair.

The houses which changed ownership are: The Colonial, New Platz, taken over by Bob Wife of the Grauman of Riverside Drive, L. & L. had been operated by Saul Abrams, brother of Leo, in charge of the local Universal exchange; New Hyde Park, Hyde Park, L. & L., now being operated by Sam Zinner; Boro, Bronx, now under management of Valets management.

**K. C. Zoning Hearing Scheduled March 27**

**Kansas City, March 17.** — The hearing on a temporary injunction to restrain Fox Midwest and major distributors, here from continuing the zoning set up last fall by the theatre circuit has been set for March 27. A group of independent exhibitors, representing 12 theaters, filed suit against Fox Midwest, Paramount, Universal, Twentieth-Fox, M-G-M, Columbia, RKO, U.A. and Vitagraph, charging that the zoning arrangement is a restraint of trade. The suit will be heard by Judge Merrill E. Otis in Federal court.

**States Radio Paid Ascap $2,995,000**

(Continued from page 2) The ground that they represented an exercise of "monopolistic power" which denied licenses the right to bargain. Balaban and Katz, however, that he had no quarrel over the amount paid.

He asserted the Duffy Bill which would eliminate the $250 minimum penalty for copyright infringement and United States adherence to the Berne convention. He was brought out at the hearing that the radio industry pays advertising agencies about $15,000,000 annually and spends about $9,000,000 for talent.

**Rowland to Make Two**

Richard A. Rowland will produce two pictures for Paramount during the season release schedule, both to be independently financed and produced outside of the Paramount studio, the company said yesterday. Rowland is en route to the coast.

**Seeks Story For Trico**


**Gets Six Spanish Films**

Guaranteed Pictures has acquired distribution rights for North and South America to series of six Spanish dialogue pictures produced by Huet in Spain.

---

**"Wife" Pulls $22,000, Top in Cleveland**

Cleveland, March 17.—"Wife vs. Secretary" was the big draw of a big week with a $22,000 take at Love's State, which is only slightly under the $22,050 for "Mutiny," and is $10,000 above par.

The Country Doctor was handi-
capped by a fair opening, built up to a $12,500 gross for the week at Warners' Hippodrome, going $4,500 over last week.

"Modern Times," in its third week downtown and its second week at Love's Stillman, continued to be a big draw, grossing $5,800 as against the $4,000 weekly average.

"Love Before Breakfast" at the K.S. Palace, with Jackie Coogan as the main stage attraction, grossed $12,000, which is $5,000 shy of aver-

ge.

Weather was changeable and snowy. General Motors free show was the. heaviest competition.

Total first run business was $56,900.

Average is $42,000.

Estimated takings for the week ended March 17 are as follows:

**FOLLOW THE FLEET** (Radio) ALLEGZ-3,800. 3c-3c-4c, 7 days. Gross: $13,000. (Average: $1,857)

**WIFE vs. SECRETARY** (M-G-M) L.C. 4,000. 3c-3c-4c, 7 days. Gross: $12,000. (Average: $1,714)

**DOCTOR" (20th-Fox) WARNER'S HIPPODROME-2,800. 3c-3c-4c, 7 days. Gross: $3,500. (Average: $500)

**THE COUNTRY DOCTOR" (20th-Fox) WARNERS' HIPPODROME-2,800. 3c-3c-4c, 7 days. Gross: $3,500. (Average: $500)

**CHANGES at "U" Exchange**

PORTLAND, Ore., March 17.—Recent changes at the Universal exchange here include the departure of Harry DePew, who resigned as John Harvey has succeeded; Ted Hackley has been named assistant booker, and Leonard Clark shipper.

**Tax Bill Vote Monday**

Trenton, March 17.—Action on the 4 per cent admission tax bill has been postponed until next Monday when it will again be considered by the legislature.

**Howard Mapes Appointed**

PORTLAND, Ore., March 17.—Following the resignation of George Jackson, Howard Mapes and Associates have been named Oregon representatives of Far West Exchanges.

**New Name, Linda Perry**

Hollywood, March 17. — Ann Todd, partner of Warner's new stars, has a new film name. She is now Linda Perry.

**Rebuild After Fire**

Worcester, March 17.—The Rialto here is being reconditioned by Ernest Sharaff after a recent fire.
Court Denies Speed-Up in St. Louis Case

(Continued from page 1)

served only last Monday, meaning Harry and Albert Warner.

In addition to bringing out the fact that the two Warner brothers had 20 days in which to answer, Wood stated that he had not had an opportunity to examine the complaint until yesterday. From a cursory study of the papers, Wood said they were complicated and would require many motions for clarification prior to the filing of answers.

"Purpose Vague," Says Wood

"I can't see the purpose of this action by Hardy, who has indicted and found guilty himself the various defendants," Wood said. He brought out the fact that the Government had been unsuccessful in previous attempts to have the courts find the corporate individual defendants guilty. The Warner counsel then delved into the various setbacks the Government has suffered, adding "it seems idle to the Government to suggest an emergency in view of the past history of the proceedings." Wood also pointed out that the film companies tried to have the civil action tried first in St. Louis.

Louis Connick of Simpson, Thacher & Bartlett, was a newcomer on the legal defense forces. He represented three Paramount companies and seven individual defendants and stated he had had no connection with the two prior trials in St. Louis.

Connick told the court that former Solicitor General Thomas D. Thacher had been busy on two other matters and therefore had had no opportunity to confer with Paramount officials. He pointed out that the court was the case, he said, it was impossible to file answers within the prescribed time. Connick added he had asked the Government on Friday for an extension, which was denied.

Nizer to Ask Dismissal

The question of whether Federal Judge Joseph West Molyneaux's decision holding that res adjudicata did not apply when the film companies asked for a dismissal in St. Louis was being studied by attorneys in the case, Connick asserted, and this was another reason for asking more time for filing answers.

Louis Nizer of Phillips & Nizer said he was not familiar with the issues involved, not having participated in the two previous trials. He stated he had been retained by George J. Schaefer, Sam Dembow and Ralph Kohn on March 10, 12 and 13 and during the short intervening period has been engaged in other matters, one a Supreme Court matter and the other the Twentieth Century-Fox suit against Springer & Cocalis. He further asked the continuance because he said, he did not know whether the three men are defendants under the law. He said as soon as he checks into the law he intends to make a motion to dismiss the complaint against them.

William Mallard, general counsel for RKO, stated that most of the defendants he represented had been out of town and that he had had no opportunity to confer with them. He added that Ned E. Deputet and Jules Levy had been served the other day when a marshal left the papers at their homes, both being out of the city.

Hardy Divulges Plans

After all the arguments had been heard, Hardy informed the judge that a number of the defendants had not yet accepted service, Judge Hulbert then asked counsel if they would agree to their clients, following which Wood agreed to accept the responsibility for Abel Cary Thomas and Moe Silver and Connick for Neil F. Agnew.

Hardy told Motion Picture Daily he intended to bring in all St. Louis exchange managers who testified in the civil case in the Monnd City. He also said that he planned to summon from 15 to 20 new witnesses, bringing the total to around 60. Although Walter Rice was in court he did not assist Hardy. Both left yesterday afternoon for Washington.

F. Royster to Produce

Hollywood, March 17.—Fanchon Royster has resigned as a Republic producer after two weeks on the company's payroll. She has announced the formation of her own company with eight films planned for 1936-37. Miss Royster leaves for New York next weekend for conferences on distribution and production. No company trade name has been set as yet.

Carl Laemmle, Jr.

To Quit Universal

Hollywood, March 17.—Carl Laemmle, Jr., will sever relations with Universal following the completion of his latest film titled "My Man Godfrey," scheduled for the cameras April 6. It is understood here that young Laemmle is considering two offers from major studios.

"U" Payoff in New York

Hollywood, March 17.—Carl Laemmle, Sr., will go to New York to receive the payoff on April 3, by which control of Universal passes to Standard Capital Co.

O'Brien to Resume Work on Warner Lot

Hollywood, March 17.—Pat O'Brien will return to work at Warner's next Monday, having adjusted the difficulties with his employers which resulted in his recent suspension. O'Brien has been given no definite assignment as yet. Warren William is being used in "Stage Struck," in the role which O'Brien refused.

F. & M. Do Tour Skits

Hollywood, March 17.—F. & M. have a staff of writers preparing skits for the use of stars in planned units and personal appearance tours. Those at work now include Paul Gerard Smith, Andy Rice, Herman Tunberg, Bert Levine, Fintz Fox and Harold Daniels.
Kent Declares Majority Want Block Booking

(Continued from page 1)

Kent believes that as block bookings lose millions of dollars in profit, the companies will have to cut their prices. He added that the companies have to do something in order to raise their prices.

MOTION PICTURE DAILY

Wednesday, March 18, 1936

"Times" $2,077,000

"Modern Times" ended a six-week run at the Rivoli last night with a gross of $2,077,000. The first week's gross tallied $65,000; the second, $50,000; the third, $42,000; the fourth, $40,000; the fifth, $20,000; the final week, $15,000.

A.T. & T. Monopoly Gifford Tells FCC

(Continued from page 1) said it was 90.42 per cent owned by Bell Telephone Co., an A.T. & T. subsidiary.

"The reason for this," he testified, "is that the company can have a source of supply for highly standardized equipment.

Samuel Becker, counsel for the F.C.C., conducted the examination. He asked Gifford whether or not A. T. & T. had acquired two film studios and Gifford replied that the company had come into possession of the same through non-payment of rent.

Becker also wanted to know whether the company had helped William Fox finance the Loew's stock acquisition some years ago. Gifford replied that Becker was getting over his head as he did not know.
**The Leading Daily Newspaper of the Motion Picture Industry**

**MOTION PICTURE DAILY**

**VOL. 39, NO. 66**

NEW YORK, THURSDAY, MARCH 19, 1936

**TEN CENTS**

“U”, General Deal Provides Interchanges

Talent, Stories, Other Facilities Included

By BRUCE ALLAN

London, March 18.—A complete interchange of stars, directors, story material and technicians between Universal and General Film Distributors is provided for under the terms of the C. M. Woolf organization’s participation in the Standard Capital Corp., Charles R. Rogers acquisition basis. And controlling interest in Universal, it was stated here today by the London company.

The reciprocal production terms are in addition to the arrangements for the distribution of all Universal product, including the newsreel, by General Film Distributors throughout the United Kingdom and the world-wide distribution by Universal of a selected....

**Ascap’s Brief Attacks Stand Of Exhibitors**

Hits Merging Recording, Exhibiting Rights

By BERTRAM F. LINZ

Washington, March 18.—A lengthy brief attacking the position of exhibitors and other users of copyrighted music, filed by Gene Buck, Ascap president, was made public today by the House Patents Committee as representatives of the broadcasters’ contract committee of the League of American, screen writers from working on British films in England.

Pascal communicated immediately with London and with the Author’s League of America in New York but was unable to get confirmation or denial.

A special board of directors’ meeting of the Screen Writers’ Guild will be held tomorrow to plan appropriate action for the protection of members now in England and others for whom British contracts are being planned.

**New to Him**

San Francisco, March 18.—Nate J. Blumberg, who runs the RKO circuit, has seen a variety of early bird prices and shows in his time, but it took an auto trip from Los Angeles with C.F. Work, RKO’s western theatre district manager, to unearth a new one.

It was in the mountains where a roadside sign read: “25-Ounce Glass of Beverages, 10 Cents.” Underneath in barely readable letters, this: “15 Cents After 7 P. M.”

**Percentage Ruling**

Upsets Sale Pacts

A decision which is regarded by film company attorneys as likely to have widespread effects on the designation by distributors of percentage engagements, if it stands, was won yesterday in N. Y. Supreme Court by Springer & Cocalis and Consolidated Circuit in an action brought against them by Twentieth Century-Fox.

The decision would make the distribution: overage on a group of designated percentage pictures dependent upon the earnings of the entire group, rather than upon the earnings of each picture individually.

Fox was suing Springer & Cocalis on a 1934-35 contract for 58 of the distributor’s pictures at a flat rental of $25,720 per picture for 30 S. & C. theatres. The contract stipulated that on six pictures to be allocated by Fox, the distributor shall receive a 50 per cent overage. Fox was suing for.......

**Eastman Net Up to $15,913,251 in 1935**

Rochester, March 18.—The Eastman Kodak Co. and wholly owned subsidiaries have reported for the 52 weeks ended Dec. 28 last a consolidated net profit of $15,913,251 after taxes and reserves. After dividend requirements on the preferred stock, the net was equal to $6.50 on the common stock, which compares with $14.503,247 equal to $6.28 a share on 2,260,921 common shares the year before.

Income from operations totaled $18....

**THEATRES HIT BY FLOODS IN EAST**

Houses Flooded, Service Impeded in 6 States, Reports Show

After passing through an abnormally severe winter that affected theatre attendance to a large degree, theatre men in Pennsylvania, Maryland, the Shenandoah Valley region of Virginia and West Virginia, and New York, and the Connecticut River valley now have the spring thaw to worry about as reports from these areas of rivers flooding, and towns reduces attendance.

For example, Ithaca, located near Cayuga Lake, which was the scene of the heaviest damage of the flood following torrential rains last summer, is again under water. In Buffalo the heaviest snow storm of the winter blanketed the city with 14 inches of snow. Elmhurst, at the junction of the Susquehanna and Chenango rivers, is almost cut off by rising water. Film delivery services are having difficulty supplying houses in these towns, due to highway washouts. Only one bridge is open leading from Elmhurst to Pennsylvania is the hardest hit with.......

**TOCC-ITOA Merger Expected by May 1**

Negotiations for merging the T.O.C.C. and I.T.O.A. are expected to be completed by May 1, it was learned yesterday, Charles L. O’Reilly and Harry Brandt, heads of both organizations, have virtually agreed upon a deal, final details being left to memberships of both organizations.

Sam Rinsler, lawyer, with Louis Frisch in Randolf, and Sam Rosen of the Fabian circuit, yesterday em...

**Nebraska Ruling Is Blow to Bank Night**

Lincoln, Neb., March 18.—Under a definition given here today by Asst. Attorney General Paul Cheyne, Bank Night is a lottery as conducted by many Nebraska theatres. Cheyne ruled that three elements constitute a lottery—a price of value, drawing to determine the winner and payment of a consideration for the opportunity to participate.

If a winner is outside a theatre when....

(Continued on page 2)

(Continued on page 2)

(Continued on page 2)

(Continued on page 2)
Fox Gets an Arrest Stay Pending Appeal

A stay of that part of a Federal court order which made William Fox subject to arrest for contempt of court was ordered yesterday by Judge Bowdy providing an appeal from the order punishing Fox is filed with the court within 10 days of the order. It is understood that Bowdy will rule within the specified time. The appeal will be sought on the complete punishment order signed by Judge Bowdy and upheld recently by the U. S. Circuit Court of Appeals which, in addition to directing that Fox be taken into custody also prescribed a fine of $25,000 and $10,000 attorneys fee.

Fox was cited for contempt for failure to allow a Kansas, obtained by the Capital Co. in supplementary proceedings in connection with an unsatisfied judgment, was awarded against Fox for a defaulted lease on the Fox, San Francisco.

Carewe Asks Listing For New Securities

WASHINGTON, March 18—Filing of a registration statement with the Securities and Exchange Commission, Carewe Prod., Inc, Los Angeles, covering 40,000 shares of $25 preferred and 80,000 shares of 25-cent par common, was announced today by the Securities and Exchange Commission. The preferred stock is to be offered publicly at par under a permit issued by the California Corporation Commissioner. The officers and directors of the company, which will own 40,000 shares of the common at par, are: W. H.津, president; S. H. Woodruff, general counsel and advertised in the newspaper advertisement of a colored group.

Schenck Heading for NYC

LOS ANGELES, March 18—Joseph M. Schenck left for New York tonight by the T. W. A. plane to attend the new metropolitan news service and Interstate News Service. These and other sporting news services paid $2,841,070 for wires between April 1, 1931, and Dec. 1, 1935, Miller testified.

Lina Basquette Sues

Bosron, March 18—Lina Basquette, through her attorney, George S. Fishel Ryan, has filed suit for $100,000 in United States District Court here against Harry and Fisher Zeit, New Bedford theatre operators. Miss Basquette charges that the illegal use of her photograph which later appeared in the newspaper advertisement of a colored group.

Finney On Coast

Hollywood, March 18—Edward F. Finney, assistant general counsel and publicity head, arrived here yesterday by plane for conferences with Lindsay Prang, and architects. He will return to New York by plane tonight.

Tales From the Hollywood Basins

By J. M. JERAULD, Managing Editor

The talent situation which so frequently hits producers probably touched a new high with this incident:

Supreme, name deleted, wanted Walter Catlett, who has done a thing or two on the stage in his time. The actor did not want the part. Finally, he submitted to persuasion and called at the studio.

"He knows all about your career. No one else can play this part," Catlett was informed.

The next circumstance found the performer in the producer’s office, but the latter, by his questions, made it obvious early that he knew little of Catlett or his work. Standing it as long as he could, the latter turned to leave with this reported shot:

"Never mind asking who I am, what I’ve done and my qualifications. See his part. I’ll tell you. I am Richard Mansfield and I died twenty years ago." 

Most of the studios have one or more important and permanent sets which other studios lease when required. It’s less expensive. Customary, however, is to have the procedure by which the working studio staffs the set with its own crew.

Four men pushing lights around were stopped a handful of days ago by the head of the plant.

"Too many men on that job. Take two off," he ordered.

"Sorry, you can’t do that," replied the men.

"Why not? Don’t I run this plant? Isn’t that my set they’re on?"

"It’s your set all right, but the men work for Paramount." 

Two writers discussing a script.

One: "I think it is good, but I would do so-and-so in this situation, it would add more suspense."

Two: "A good idea. Do you mind if I come over this afternoon to get into it further with you?"

One: "Not at all. Drop in."

Two: "Where do I find you?"

One: "I sleep in Room 412." 

An ex-studio head, determined to get the bowdown on all possible angles, is declared to have had his ten-year-old son read all the scripts.

Those carloads of toys reaching the younger’s side at regular intervals came from the writers on the lot.

The local yen for swanks got the hired help after a time.

Says Ryan—Harry Tominaga, producer for the New York Daily News, does not drive. He advertised for a chauffeur, but has never been able to employ one. They usually reply too late and keep on walking up upon discovery all Skolsky has is a Ford. 

A legend maybe, but the report goes Twentieth Century-Fox hired Kenneth MacGowan away from Radio because he was a producer of pictures with tone. First assignment on the lot was 'King of Burlesque.' 

Text of a wire from his buyers to his circuit head now visiting here:

"What’s ahead for April and May?"

The reply: "Nothing but storms and hot weather."

"If I do make a deal with that studio and the boss’s son continues to lose his ball, he’ll have to find it himself"—a producer talking to the assembled at The Brown Derby. 

Mary Pickford Departs

After interviewing many persons during her stay, Mary Pickford left for the coast yesterday to confer with Jesse L. Lasky on the appointment of an eastern representative for Pickford-Lasky Prod. Miss Pickford, who has selected an additional six broadcasts when her current contract expires, is not expected to return until June. He has ten programs to do before her current pact runs out.

Revamp Prudence Unit

Federal Judge Grover M. Mosco- witz has approved the application of Amalgamated Properties, Inc., subsidiary of Prudence Co., to reorganize under Section 77 B of the bankruptcy act, separately from the parent company. The court continued the present officers of the company and set April 10 for a hearing on whether they should continue to hold office or whether reorganization trustees should be named.

Vallee Out of "Scandals"

Rudy Vallee, following a spirited fracas with George White, "Scandals" producer, was eliminated yesterday from the cast of the production.
Judging by the success of its pre-release hold-over engagement current at the N. Y. Strand, "COLLEEN" is sure of the royal reception usually accorded Warner musicals. Topping a truly 'all-star' cast of experts in romance, rhythm, and risibilities, are DICK POWELL, RUBY KEELER, JACK OAKIE, JOAN BLONDELL, Hugh Herbert, Louise Fazenda, Paul Draper, and Bobby Connolly's luscious easy-on-the-eyefuls. Alfred E. Green directed. Released March 21st.
Theatres Are Hit by Floods In Six States

(Continued from page 1)

another Johnstown flood. The western part of the state along the Allegheny and Monongahela rivers is suffering heavily.

Shenandoah Valley Swamped

WASHINGTON, March 18.—Floods in the Shenandoah and the upper Potomac valleys, together with heavy rains in other locations disrupted the flow of films from exchanges here.

The worst hit town in the region is Cumberland, Md., where water 10 feet deep flooded the business section. Martinsburg, W. Va., was also cut off from the outside world by rising waters.

Maryland State Troopers called out in anticipation of the widespread flooding found it possible to close the highways leading to the stricken areas.

Horlacher's Film Delivery Service truck could hit spot checks in the area of Martinsburg and delivered. Deliveries returnable to the exchanges here this morning did not arrive from the flood areas. To the horror of Horlacher during the past few days made passing to Richmond possible, but hazardous.

Horlacher's telephone system was changed and went via Newport News in order to get into Petersburg, the last hit spot on the road to Washington.

The film delivery company also encountered difficulty on the eastern shore of Maryland because of damaged roads and water.

Newsreel Men Busy

Newsreel crews sprang into action last night with Paramount's news unit sending a unit to Johnstown and Cumberland area pathes and Hearst Metro-tone also were on the spot. Fox Movietone sent a crew from the New York office to cover Johnstown, Cumberland and Pittsburgh, leaving the local stand to be handled by developments. All the units are shooting from the air and some will remain in the distressed areas until more can be made.

The Weather Bureau here reports that the crest of the flood will reach Washington sometime Thursday night.

Details of the damage are not yet available. Exchanges are maintaining a service to theatres outside the flood area despite the tiff of prints in some of the affected spots.

Pittsburgh in Bad Way

PITTSBURGH, March 18.—Theatres were hit by the flood in this city and some are under 10 feet of water. The Pittsburgh Newsreel Service, sending a unit to Johnstown and Cumberland area pathes. Pathes and Hearst Metro-tone were on the spot. Fox Movietone sent a crew from the New York office to cover Johnstown, Cumberland and Pittsburgh. Leaving the local stand to be handled by developments. All the units are shooting from the air and some will remain in the distressed areas until more can be made.

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Purely Personal

BEN GOETZ sailed on the Beren- garia yesterday for England to work on preliminary details in connection with M-G-M's production plans abroad. He said he'll be gone three to four weeks, and, after another trip to the coast, will return to London permanently.

Dolores Del Rio has been signed by Douglas Fairbanks, Jr., for the lead in his second Criterion film, "To My Life." Fairbanks sailed yesterday for England, and Miss Del Rio will follow next week.

Louis Schine has gone to Miami and his brother, Meyer, has returned from the Florida resort. Howard Carroll, western New York district manager for the circuit, is in town for a couple of days.

Jack Connolly, Pathes News general manager, will depart Saturday on the Paris to arrange the filming of the Olympic Games. It is his 59th crossing.

Mrs. Edward G. Robinson arrived yesterday aboard the Paris. She will leave for the coast immediately to join her husband and young son.

Norman H. Moray, Vitaphone sales head, on a trip to the various Warner branch offices, will leave Denver today for Salt Lake City.

Robert Edmond Jones is to be honored again, this time by the American Institute of Architects which has named him for the Fine Arts Medal.

Lio Spitz, who left the coast by plane early this week, is stopping over in Chicago en route east. He is expected here within a day or two.

David Bernstein is slated to return from Miami at the end of the month. Isabel Firey is due from the same resort at the end of the week.

Louis Notaro and Bob Wittman left yesterday for Howells, N. Y., where they will rest until Monday.

Nate Blumberg arrives in Rochester tomorrow from Chicago and is due back in New York Saturday morning.

Simon Fabian will leave Monday night for Albany on his regular up-state visit to his theatres.

Jim Finney of Jules Levy's office is one of the most hospitable fellows you would want to meet.

William E. Raynor is on a coast to coast trip selling two films for Dominion Prod., on a state rights basis.

Jack Golstein of Rex Premiums returned from Buffalo yesterday by plane.

E. C. Granger will leave today for Miami and a month's vacation.

Edward Finney is due to return today from a quick trip to the coast.

Harry M. Goetz sailed on the Beregaria last night.

JOSEPH SEIDEMAN, head of Columbia's foreign department, and Fred Waterman, in charge of the department in England and the continent, will leave tomorrow for the coast for production conferences. They plan to be gone a week or so.

... Atlanta

... London

A. W. Idekson-Baxter second guest speaker at Exhibitors' Luncheon Club. C. M. Woolf in his new offices at 127 Wardour St. by F. W. S. as British lion holiday-making in the South of France. Max Schach of Capitol bought "The Thin White Line," prophesied as a year's best-seller, few days after publication.

Julius Hayes said he is in a deal for the Criterion Co. (London), Ltd., including their Hammerstein studio.

... Los Angeles

How to HUGIES is in town, but very busy with his airplane company.

Nick Diamas of the Diamas Circ, is here buying equipment and approving plans for his new theatre in Phoenix.

Dave Biedermann of Selected Films, signed to distribute, six new Jack Perrin features produced by William Berke and eight new Bill Cow westerns produced by Raymond Kirkwood.

Joe Rubenstein, RKO sales manager, back from an operation for appendicitis.

Fred Rapport, who resided from F. C. to go with Pickford-Lasky, is back in the circuit, managing the Arroyo.

Herbert Nixson has replaced Bernard Bloom as manager of the Lyric in Tucson, Ariz.

Fred Purner, former press agent for the Sam, is in charge of a new staff, has taken over duties as chief of publicity for Hal Roach.

Mark Larkin, chief of publicity for the Sidneys-Lasky, back after a bout with influenza.

Sam Wood is planning to trip to Europe following completion of "The Unguarded Hour." C. V. Thompson has been appointed as executive assistant to the new theatre in Compton.

Sidney J. Feder is the new manager of the Long Beach, taken over March 1 by F. C.

... Pittsburgh

Wade Wittern of Cleveland is breaking in as a Loew assistant manager under Mike Cullen at the Penn. George Jaffe had to forego his trip to Hot Springs this year because of business.

 FlorenceFishie Parry, film critic for the Press, is vacationing in Florida.

Toil Gorman, Gaumont-British ex-employee of the Press, is in Arizona for the interests of "Rhodes, the Empire Builder."
Mr. Exhibitor—

MY CHIN IS OUT AGAIN!
I led with my chin when I said that
*"IT HAPPENED ONE NIGHT" was the best picture Columbia ever made...I ESCAPED UNHURT!
NOW MY CHIN IS OUT AGAIN!
In my opinion FRANK CAPRA’S new picture
*"MR. DEEDS GOES TO TOWN” takes precedence over any other picture we ever produced!

Harry Cohn

* The same combination — CAPRA and RISKIN!
TOCC-ITOA Merger / Overseas Preview

Phasersed the need for a strong exhibitor unit at the regular meeting of the L.T.O.A. at the Astor. The theatre leaders also pointed out the necessity for a permanent committee, to be composed of representatives from every major and independent circuit, to take care of legislative, labor and other problems confronting the exhibitors.

O'Reilly was scheduled to attend, but because of a business appointment in Brooklyn could not be on hand. Brandeis presided.

Indispensably for the formation of a service union of theatre employers was discussed.

Clevelanders Object / To Daylight Saving

Cleveland, March 18—A group of representatives of the local theatre industry, including Col. Harry E. Long, Loew division manager, Jess Fishman of the Warners, Ernest Scheller, president of Cleveland M. P. E. A., and G. W. Erdmann, association secretary, called on Mayor Harold Burton to explain why the proposed daylight saving plan would be injurious to the entertainment business. It is thought the bill will not be introduced in the City Council.

British Expecting More Warner Films

store in Oxford St. established a sound theatre in the basement in which continuous free programs were provided, made up exclusively of trailers of pictures showing in Gaumont-British theatres in the West End. "Modern Times," "Rhodes of Africa" (New Gallery), "The Bride Goes Home" (New Victoria), "Broadway Melody of 1926" (Dominion) and "The Scarlet Letter" (Marble Arch Pavilion) were the pictures booked.

Dramatists Take No Action on Managers

(Continued from page 1)
to more than the former 50 per cent, in some instances. The managers ask for new negotiation of the terms or submission of the disputed points to arbitration, and if both are refused by the guild have declared that they will draw up and use their own form of agreement.

The guild council is expected to meet on the managers' requests again before taking final action.

Close Five Fox Houses

Denver, March 18—Theatre business in five towns in this territory is not enough to warrant two Fox houses in each town, so those opened recently for this purpose have been darkened again. These were the Del Rio at El Paso, N. M.; Plaza, Las Vegas, N. M.; Isis, Trinidad, Col.; and the Kit Carson, La Junta, Col. Also the State at Boulder, Col., bought by Fox the past year, has been closed following the opening of a new Fox house there.

Looking 'Em Over

"Ring Around the Moon" (Chesterfield) has been effective at best, and strictly of double bill caliber, this George Batcheseller production concerns itself with the complicated romantic and marital affairs of a newspaper reporter and two girls, one of wealth, the other a co-worker with whom he is in love.

Donald Cook, reporter, in love with Anne Doran, is fired and receives a marriage proposal from Erin O'Brien-Moore, daughter of the paper's chief. In the latter's household Charles Kruger, a successful druggist, teaches the girl to drop her love and marry him. In order to insure his saying yes, he accepts in a drunken moment. Their marriage is a failure, and Miss Doran, angry at what she considers his duplicity, marries someone else, and will not listen to his explanations.

Following a series of complications, including the suicide of Cook's father-in-law and the failure of the bank he owns, Miss O'Brien-Moore is left penniless. Cook, living apart from her, knows nothing of her poverty, and she is too proud to approach him. Eventually, as Cook attains success through the sale of a play he has written, he comes to realize the good qualities of his wife, and a reconciliation concludes the film. Charles Lamont directed.

Production Code Seal No. 1,792. Running time, 70 minutes. "G."

"Petition Fever," tomorrow's opener at the Capitol, was reviewed by wire from Hollywood on March 12.

"Three and Three," now being shown at the Rivoli, was reviewed from Hollywood by wire on Feb. 26.

"Charlie Chan at the Circus," which opened at the Center on Wednesday, was reviewed on March 6 from Hollywood.

"Brides Are Like That," scheduled to open at the Strand Saturday morning, was previewed by wire from Hollywood on Jan. 17.

Eastman Net Up $15,913,251 in 1935

(Continued from page 1) 461,416, compared with $16,640,475 in 1934. Current assets on Dec. 29 were $9,852,791, an increase of $17,312,176, compared with $9,512,873 and $15,109,870, respectively, at the close of the preceding year. It was pointed out that the volume of business continued to increase during 1935, sales showing an increase of 8.5 per cent over 1934 and 24 per cent over 1933.

Audio in Paris Deal

Audio Prod has signed a contract with Paris Exportfilm for European and colonial distribution of the "Musical Moods" series.

Kenton Is Re-Signed

Hollywood, March 18—Columbia has signed Erle C. Kenton, director, to a new long term contract.

Wall Street

Most Down Slightly on Board

High Low Close Change

Columbia, vtc. .... 3774 3594 3614  18
Consolidated, vts. 1895 1854 1854  0
Eastman, pfd. 1656 1635 1635  1
Loew's, Inc.  46 46 46 0
Paramount 1,800 775 775 0
Paramount 2,000 795 795 0
Pathe Film  86 78 78 0
Republic  39 39 39 0
RKO 20th Century-Fox  34 34 34 0
20th Century  365 365 365 0
Universal, pfd. 90 90 90 0
Warner Bros.  116 116 116 0

Fractional Cents on Coupon

High Low Close Change

Sentry Safety .... 35 35 35  10
Sonotone  35 35 35 0
Taggart  35 35 35 0
Trans-Lux  40 40 40  0

Little Bond Activity

High Low Close Change

General Telephone Equip. #6 ... 102 102 102  0
General Telephone Equip. #6  99.5  99.5  99.5  0
Losan's 41 100 100 100  0
Paramount Pi.  68 68 68  0
RKO 64 64 64  0
Western Union 99 99 99  0

(Quotations at close of March 18)
The greatest quarter century in history unrolls before your eyes

"HEADLINES OF 25 YEARS"

assembled by Pathe News

All the drama and excitement of the crowded years since 1910... speeding headlong on the screen... in a special two-reel feature covering...

25 YEARS IN 25 MINUTES!

PATHE NEWS 25TH ANNIVERSARY 

DISTRIBUTED BY RKO-RADIO
of production rights, it was said. For the use of copying or using, without written permission, Sussman has last year received $117,551, compared with $97,430 in 1934 and $76,525 in 1933. The brief contended that unless such newswires should be exempt from copyright responsibility and "permitted to make a profit from the use of copyrighted material without payment." Use of theatres for free shows by broadcasters also was attacked as competition with legitimate productions.

Assailing the effort to eliminate the $250 copyright tax on the sale of prints in the case, Sussman said "the exhibitors, hotels and broadcasters are clamoring for elimination of that tax, but only the pirate is affected by the provision. The attack on the clause, the brief contended, was sponsored in the 'advice to theater operators that they would pay by the works and bargaining for the license for the use, the exclusive right to project the film to reduce to a minimum the amounts they will pay.'"

**Production-Exhibition Treated**

The brief went more deeply into the production-exhibition clause than any other phase affecting films, and declared that the present copyright law, which allows a producer to make copies from a motion picture made under a contract with the film company, violates the divisibility requirements of the Berne Convention," it was held, adding that there is no provision for taking advantage of the best opportunity to dispose of performing rights in his legitimate attractions for re-production in films.

The brief explained the method of sale of film rights of a musical stage attraction, and noted that contracts for the sale of film rights provide that no exhibition shall take place until the run of the stage attraction has been completed. It pointed out that the Duffy amendment merges exhibition with production, and the composer loses the right to control the exhibition rights. "He is confronted with two alternatives," the brief said, "either to sell the picture rights at the most opportune moment when competition is keen, or to wait until the attraction has run its course before entering negotiations for their sale. By that time all interest in the attraction has been lost and the composer will suffer irreparable loss."

The Duffy amendment, according to the brief, is aimed against the producer for the benefit of the producers. It was said, contract for the rights on the basis that they will pay a minimum of $250 for the rights to record the work to the publisher and the substantial return is to come from the exploitation by the exhibitors to the society.

"In theory and practice it is no different than the case where the author grants the right to picture his work upon the payment of a fixed sum, plus a percentage of the gross receipts derived from the exhibition by the exhibitor for the right to exhibit the work. This additional amount constitutes a royalty payment that the exhibitor pays for the license to exhibit," the brief declared.

"There is no question as to the application of the clause to the point is whether the producer or the exhibitor shall pay it.

"The price will be prohibitive if the producer is made to pay for the use of the work, according to the clause of the brief, the point pointed out because the character and number of the theatres in which the film will be shown is a significant factor in arriving at a price if the producer allows to pay the fee. Because of the uncertainty involved, the producer believes the exhibitor should bear the charge, the brief said.

Concluding, it declared, "Now by legislative fiat, it is proposed that the burden shall be carried by the producer. This is unwarranted and improper legislation and is no concern of the court. It is doing something with copyright protection. It is nothing more or less than an attempt to amend a trade practice by legislative action."

**RKO-Comerford Men Shift in Rochester**

ROCHESTER, March 18—Virtually everybody in the RKO organization and some in Comerford, with which RKO has an operating agreement, went up not a notch in reorganization here this week.

William W. Rieley, manager of the RKO Film Exchange here, has been transferred to management of RKO and Comerford houses in Syracuse.

Charles Freeman, for seven years assistant manager at the Palace, went up two notches in a week, first being named manager of all RKO houses here and then being shifted suddenly to manager of the Comerford Century, a large house. Harry Holt was promoted from assistant to manager at the Temple.

**Change Managers In Loew-Poli Circuit**

NEW HAVEN, March 18.—Several circuit personnel changes have been made by Harry F. Shaw, division manager of the Loew-Poli New England Theatres.

Wallace Cooper has been promoted from assistant at the Bijou, to the Poli there, with J. F. Fisheker, formerly assistant at the Poli, replacing Cooper. Franklin Badger is assistant manager at the Majestic, Bridgeport, is the new manager at the Globe, to replace F. F. Fisk, removed. Stark, recently sent from New York to assist Frank Henson at the Bijou, New York, has been transferred assistant's post at the Majestic, Bridgeport.

**West Strong in Milwaukee**

MILWAUKEE, March 18.—Despite lamenting exhibitors by both Wisconsin News and Paul Block's Milwaukee Sentinel, "Klondike Annie" has been enjoying good business at Fox's Palace here.

**Barrios Now Has All Panama's First Runs**

With the acquisition of the Wilcox circuit of three houses, the Barrios circuit now has a monopoly of first runs in Panama City, Panama, Jerome P. Sussman, division manager in Central America for Paramount, said yesterday in the New York on the California. The new Barrios circuit has a total of six the-

**Variety Club Kansas City**

KANSAS CITY, March 18.—Variety Club Luncheon No. 8, held at the Grand, Monday, second, in the citywide bowling tournament at the Pra-Mo.

Chairman of Team No. 1 was Frank H. Blevins and Team No. 8. Other members: Walter and Frank Lamber, Charles Knick, Riskey and Roger Iatan. These had a nine hole average of 96.

Second team was led by Joe W. Maguire, and Harl. A. Hordson, Tommy Fisher, M. Anderson and Chuck Decker.

**Philadelphia**

PHILADELPHIA, March 18.—Lewes Pizor and Michael Eignal kings for the day at the luncheon today. At the eignal recently was appointed to appoint a committee to consider a remodeling of the quarters of Tent No. 11. The committee—Sam A. Galaty, chairman; John F. Krantz, Carter T. Barron, Harry S. Brown, Charles E. Schulman, William E. Wilcox—have just completed their work.

While the club's suite remains the same, the elimination of partitions, the change of name assumed by the club and making available about 35 per cent more space. Modernly decorated room in a space of the first floor of the new clubrooms is the semi-circular cocktail bar. The interior decorations were from ideas of A. Julian Blywalski, with construction work in charge of F. Kemp Meiler.

The "christening" was held as a Ladies' Night, with a four-man orchestra—one of Pete Macias' units—furnishing music for entertainment and dancing.

Blywalski's Committee on social activities is planning a spaghetti dinner and card party for March 30.

A new record was set at the semi-monthly luncheon when about 140 bakers and their guests appeared. It was Warner day.

General Zone Manager John L. Payette was in New York, but his place was taken by Manager Harry E. Lohmeier the guiding genius. Nat B. Brown was made manager of concert. The entertainers included Bert Granoff, tenor; Bob Steinbeck, accompanist; the Alabamica Five, Georges Metaka, the Weir Brothers and June Knight.

On March 30 exchange-sponsored luncheons will be held, with Harry S. Brown in charge.

**K-A-O Grosses at $12,000,000 In '35**

Keith-Alber-Orpheum Corp. and subsidiary companies grossed $12,059,220.03 in theatre admissions for the year ended Dec. 31, 1935, according to a report in the company's consolidated statement, issued yesterday.

Net profit for the year totaled $403,250, after all charges of the film service and production amounted to $3,242,029.09, while art expenditure was $160,000.

R. F. Keith Corp. and subsidiaries reported a net profit for the year of $174,587 after all charges. The sales for the year totaled $87,003,959.45.

The annual meeting of KAO stockholders will be held April 8 in the RKO Bldg. in New York.

**Keep Reliance Marking**

HOLLYWOOD, March 18.—The six films which Edward Small is making for Radio under his new contract as an associate producer will be released with the Reliance trademark from the radio radio trademark of RKO, according to Small.

"Robber Barons" is the only story produced under Small's list of contracts, with property of Reliance, the other pictures preparing under his supervision being Radio properties.

**Faye Lemmon Married**

DALLAS, March 18.—Faye Lemmon, publicity director for Station WFAA, has been married here to Jack Hall, assistant to the announcement editor of the Dallas News.

**To Shut Down in June**

The Vitaphone studio in Brooklyn will close down temporarily about the last week in June for approximately six weeks. The shut-down usually takes place in late March or April.
Admiral Blumm Reports

Paramount News rushed Jack Blumm to Harrisburg to get pictures of the Susquehanna river flood. Yesterday morning at 11 o'clock William Park, makeup editor, reached for his phone.

"Yes, this is Park—what?—Certainly we want it—whadda you suppose we sent you down there for?"

Blumm’s end of the conversation was something like this:

"I got the shots, all right. Some nice stuff of rescues, flooded houses; some day stuff, too. There’s a train going out at 1 o’clock, but I’m not sure I’ll be able to make it."

"You see, I hired a rowboat. I’m not very good with a boat, and I fell out. It’s tied outside the hotel window now. Then I got a boy and sent my suit out to get it dried, and the tailor shop got flooded. I ain’t got no pants... and it’s a long row down to the railroad station. I’ll do the best I can. Say-'em!"

At 5:40 Park received this wire: "Train didn’t leave until 2:30. Using changing bag for bloomers. Now looking for pants."

Video Note: A changing bag with two openings for the arms the men use to load unexposed negative while in the field.

U. S. Firms Reach Tobis Agreement

Complete elimination of Tobis’ multiple dubbing charges, reductions in the royalties paid by American distributors and a compromise on arrangements covering currencies in which the royalties are to be paid were effected in an agreement between American distributors and the German company which was concluded late Wednesday night.

One of the principal issues covered by the agreement is that relating to the currencies in which the payments to Tobis will be made. The German sound company heretofore has asked for payments in dollars despite the fact that American distributors have large credits in the central European countries subject to the Tobis royalties, which cannot be withdrawn from those countries. The distributors have insisted upon the payments to Tobis being made from those credits rather than in dollars, with the result

Poster Unit Meeting
April 18 in Chicago

Directors of National Poster Service Assn., Inc., have set April 18 and 19 for the national convention which will be held at the Palmer House, Chicago. More than 100 poster service agencies and branches are represented, it was stated yesterday by Simon Libros, president.

Plans made at a directors’ session at the Lincoln here two weeks ago will be concluded at the Windy City conference, Libros said. Financial arrangements have been completed for expanding the line of advertising accessories to include trailers and screen process displays of all types and sizes.

Cohen Buys Seigel’s Interest in Circuit

Max A. Cohen yesterday purchased Arthur J. Seigel’s half interest in Cinema Circuit Corp., which operates eight theatres in the local territory. The houses include the Mabria, Selwyn and George M. Cohen on West 42nd St.; the Astor, Brooklyn; Prospect, Bronx, and the Lyndhurst and Ritz, Lyndhurst, N. J. Negotiations to acquire additional units are now under way.

Seigel has been associated with Cohen for a number of years. He is a stepson of Albert Warner.

Floods Leave Theatres Hit In Many Spots

House Damage Limited, But Business Is Off

Flood crests moved southward yesterday dusk Blackstone and Connecticut Rivers in New England, the Hudson in the vicinity of Troy, the Susquehanna in central Pennsylvania and the Monongahela and Allegheny Rivers in the vicinity of Pittsburgh, leaving exhibitors aghast at the damage wrought in a few hours.

Actual damage to theatres is limited largely to towns along the Susquehanna and in the Pittsburgh area, but the effects on business in hundreds of towns in New York, Massachusetts, Rhode Island, Connecticut, southern New York, Pennsylvania, Maryland, Virginia and West Virginia cannot be calculated at this time.

Power plants went out of commission in widely scattered territories. Film delivery service was interrupted by inundated roads and washed out bridges, but by yesterday afternoon this had been corrected in many places. Due to the fact that property

Warners Expanding Chicago Holdings

Plan for expansion and solidification of the Warner circuit in Chicago are developing rapidly, it was learned yesterday.

Having recently pooled its holdings with B. & K. at Hammond, Ind., Warners have just completed negotiations on a joint operating deal with B. & K. in the Windy City. The latest deal combines under James Costello’s supervision the circuit’s Regal

Philadelphia IMPTO Shifts Name to ITO

Philadelphia, March 19—The I.M.P.T.O, will be known hereafter as the Independent Theatre Owners, Inc. Fifty-three members attended the meeting at the Broadwood today, the object being to aid in the merging of the two organizations.

Charles Segal, who presided, offered to resign six times during the session in favor of a younger and more active man. This, however, was not put to a motion.

The new organization was joined by 21 of the 53 attending who pledged 10 cents a seat.

Maryland Exhibitors Hit 10 Per Cent Tax

Baltimore, March 19.—A delegation of local and state exhibitors, headed by A. Julian Brylawski of Washington, appeared before the Senate Finance Committee here today to make formal protest against the proposed 10 per cent admission tax.

The committee began an executive session tonight in an attempt to complete a program of relief taxation. The levies, it is understood, will be

20th-Fox Net For Year Is $3,563,087

Profit Is $2,290,018 Better Than in 1934

Tweentieth-Century-Fox Film Corp. and wholly owned subsidiaries, for the year ended Dec. 28 last, report a net profit after Federal taxes and all charges of $3,563,087, according to the financial statement issued yesterday. The net compares with a profit of $1,109,069 for 1934, an increase of $2,290,018.

For the 13 weeks ended Dec. 28, 1935, operating profit, after Federal taxes, totaled $1,556,763, which compares with a loss of $234,343 for the last quarter of 1934.

The 1935 net is equal to $2.62 per share on the 1,359,041 shares of $1.50 cumulative convertible preferred stock, and after providing for a full year’s dividend on the preferred, is equal to $1.24 per share on the 1,226,530 shares of common outstanding.

The figures do not include earnings from National Theatres Corp., in

Guild Refuses Bid For New Agreement

A flat refusal to negotiate a new minimum basic agreement for playwrights and producing managers with the contracts committee of the League of N. Y. Theatres was made yesterday by the Dramatists’ Guild in replying to a letter from the management committee which requested a meeting for this morning to open the new negotiations.

The guild, however, in a reply to the managers signed by Sidney Howard, president, stated that while the negotiation of a new agreement “is out of the question,” and the guild, likewise, feels that nothing will be “gained by conference,” the writers

(Continued on page 7)

(Continued on page 7)

(Continued on page 7)

Vol. 39, No. 67
New York, Friday, March 20, 1936
TEN CENTS

Alert, Intelligent and Faithful Service to the Industry In All Branches
Operators' Picketing Again Busy in Bronx

After a truce of several months, crooked picketing has broken. The latest move, however, is limited to the Bronx where the Union, an independent group, demanded that Local 306 men for Allied. As a result, Local 306 has started picketing in front of the house with Allied retaliating by having armed guards. The picketing involves the Loew's Grand and RKO's, Fordham.

Despite the picketing, Local 306 headquarters insists this will have no bearing on negotiations for merging the two unions. It was also stated that as soon as Local 306 and Allied are linked, Empire will be brought into the combine.

Warners Promote Herron

PITTSBURGH, March 19—Bill Herron, assistant manager of the Harris Memorial Theatre in McKeenos, Pa., has been promoted to manage the Warner Victor there, succeeding Don Stitt, who resigned recently.

David Perkins Celebrates

BOSTON, March 19—David Perkins, veteran theatre manager and present publicity assistant for M. & P., has celebrated his 40th anniversary as a theater manager. He has four grandchildren.

Roach Signs Neumeyer

Hollywood, March 19—Hal Roach has signed Fred Neumeyer, director to a new long term contract. No assignment has been given as yet.

Ampa Names Seven To Elect Officers

Although 15 names were suggested, the first members to be elected to the Ampa nominating committee yesterday were: Charles Leonard of Universal, George Gerhard of Cosmopolitan Prod., Ralph Lund and Rut- ters Neilson of RKO, Ray Gallagher of Republic, Hal Roach and Michael W. Roach, Paramount, and Milton Silver of National Screen Service.

Three of the six who will star Laurel and Hardy, while a third with them is not remote. The remaining contributions will be made by Patsy Kelly, who has just finished "Kelly the Second." The Laurel and Hardy features run to a surprising gross, the domestic figure, as usual, varying with the quality, and the foreign going places essentially because the comedy pair is in them. These and the "Our Gangs" cut to one reel, will hit the Metro program next season under a rearranged contract with Roach, who, years ago, signed with the distributor and has been running on season after season under the general provisions of the original pact.

Not much is heard about shorts in Hollywood today, but a good deal about the double features which have caused them much hurt. One of the leading producers, in a recent issue of what the reward for making good abbreviated attractions was these days. Our reply, which seemed to impress him not too convincingly, so far that we never will and seek and find its level, regardless of footage. Once having spied our wisdom, highly perfunctory in this instance, the result began to work. We speculated in our mind if the conclusion was entirely accurate.

For aside from the newsreaders which is always a "must" and the Disney cartoons, there is a serious question whether exhibitors will give quality in shorts its proper recognition. The question was brought up in the days when single features were around. Now that twins have so largely supplanted them, the average show leaves little time for a one or two-reeler apart from the two luckier exceptions mentioned earlier. That some shorts are far better than the second feature is undemonstrative, it doesn't help them anyway. Exhibitor lethargy is one reason. Fear of upsetting an apparently satisfactory policy is another. Lack of taste to this results is a third. The combination has well nigh completed its job of bottling up short subject output, in this specific direction, stifled further progress in production.

Ampa Names Seven To Elect Officers

Although 15 names were suggested, the first members to be elected to the Ampa nominating committee yesterday were: Charles Leonard of Universal, George Gerhard of Cosmopolitan Prod., Ralph Lund and Rutters Neilson of RKO, Ray Gallagher of Republic, Hal Roach and Michael W. Roach, Paramount, and Milton Silver of National Screen Service.

Three of the six who will star Laurel and Hardy, while a third with them is not remote. The remaining contributions will be made by Patsy Kelly, who has just finished "Kelly the Second." The Laurel and Hardy features run to a surprising gross, the domestic figure, as usual, varying with the quality, and the foreign going places essentially because the comedy pair is in them. These and the "Our Gangs" cut to one reel, will hit the Metro program next season under a rearranged contract with Roach, who, years ago, signed with the distributor and has been running on season after season under the general provisions of the original pact.

Not much is heard about shorts in Hollywood today, but a good deal about the double features which have caused them much hurt. One of the leading producers, in a recent issue of what the reward for making good abbreviated attractions was these days. Our reply, which seemed to impress him not too convincingly, so far that we never will and seek and find its level, regardless of footage. Once having spied our wisdom, highly perfunctory in this instance, the result began to work. We speculated in our mind if the conclusion was entirely accurate.

For aside from the newsreaders which is always a "must" and the Disney cartoons, there is a serious question whether exhibitors will give quality in shorts its proper recognition. The question was brought up in the days when single features were around. Now that twins have so largely supplanted them, the average show leaves little time for a one or two-reeler apart from the two luckier exceptions mentioned earlier. That some shorts are far better than the second feature is undemonstrative, it doesn't help them anyway. Exhibitor lethargy is one reason. Fear of upsetting an apparently satisfactory policy is another. Lack of taste to this results is a third. The combination has well nigh completed its job of bottling up short subject output, in this specific direction, stifled further progress in production.

Barcelona Dispute Remains Deadlocked

BARCELONA, March 19.—After a stormy session before a Government labor head, arbitrators of the M-G-M exhibitor dispute were deadlocked yesterday. The cause of the stalemate is said to be a disagreement over conditions to follow in the eventual contract. RKO, which up to now has kept aloof from Mutua, has advised the local Film Board of its intention to enter the dispute unless the RKO house in Barcelona is handled like the other, and Mutua has voted its support to M-G-M.
MILLIONS WANT TO KNOW!

.... SO RADIO CITY MUSIC HALL BOOKS UNIVERSAL'S AMAZING CARTOON EXPOSE AS A SPECIAL ADDED ATTRACTION!

"CARTOONLAND MYSTERIES"

LOWELL THOMAS unmasks all the guarded tricks and secrets that have mystified audiences for years! It's another UNIVERSAL SCOOP!
Produced by Charles E. Ford.

GET IT BY ORDERING "GOING PLACES" No. 18!
Harry Cohn Adds to Holdings, SEC Shows

WASHINGTON, March 19.—Acquisition in January by Harry Cohn of 1,730 shares of Columbia Pictures common through voting trust certificates and 37 shares of the stock itself is shown by the semi-monthly report of the Securities and Exchange Commission, and a sale of close to the month, it was shown, Cohn held 1,565 shares of common and 709,000 shares through voting trust certificates.

Reports on Universal Pictures for January showed the acquisition of 160 shares of common by William S. McKay, New York, of 30 shares of special cumulative first preferred, leaving him with 317 shares. The Wilkay Holding Corp. disposed of 50 shares of the preferred, apparently its entire holdings.

A sale for December showed that McKay disposed of 532 shares of Universal common, letting his holdings down to 168 shares and also of 46 shares of second preferred, its entire holdings.

S-P Prod. Chartered

DOWA, Del., March 19.—S-P Prod., Inc., has been formed here to deal in films of all kinds, listing capital stock of 100 shares, no par value. The incorporators are William M. Nelson, Waterbury, and Howard A. Seitz and David Klinger of Brooklyn.

Form Two Companies

ALBANY, March 19.—Two new companies formed here are: Hatikvah Amusement Corp., by Herman J. Rubenstein, Sophie Dollinger and Alexander Kronhart, and Beacon Prod., by Lillian Zucker, Anne Cohen and Herman Wald.

Wall Street

## Fractional Gains on Board

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(Preceded at close of March 19)

Purely

A BE MONTGOMERY, ROY H. HAINES, HARRY SHIFFMAN, HENRY BROWN, CHARLES MOSES, CHARLES CLIFF, J. R. HUFFING and GEORGE W. WEEKS congregated at the Tavern yesterday noon hour, while at the Astor were James R. Cohan, M. S. SAUNDERS, WILLIAM F. RODERICK, EARLE W. HAMMONS, J. J. L. SKIRK, J. R. L. UNGER, REGGIE WILLSON, CLAYTON BOWY, STEWART McCOLLISTER, JAMES VIESTER, WILLIAM BRANDT, CHARLES CASANAYE, MYER SCHNEIDER, GEORGE SCHNITZER, LYNCH return today to Gloversville, N. Y.

MILTON HOSFELL, contact booker for National Theatres under E. L. ALPERSON, has arrived in Kansas City from Denver and is scheduled to arrive in New York in about two weeks. HOSFELL will spend most of his time in the field under his new arrangement.

GEORGE SKOOGA may go to the coast shortly for a vacation. Lou ANGER has been trying to talk Skooga into the trip, but so far it’s no go.

HARRY H. THOMAS, president of First Division, is in Boston for a week for conferences with HARRY SEGAL, manager there.

JOSEPH M. SCHENK will arrive from the coast Saturday and on that same night Lou ANGER leaves for the coast.

JAMES CLARKE, president of Hollerin Film Delivery Service, has returned from Miami.

COI., Fred Levy, Louisville exhibitor, is in Miami recuperating from a recent illness.

S. R. KENT has returned to Washington. He doesn’t intend to return to Boca Raton, Fla.

WALLACE SULLIVAN’s story, “Lib-elleled Lady,” has been purchased by M-G-M.

J. ROBERT RUBIN and S. CHARLES EVANS formed business together yesterday, but it was purely social.

BOB GILLIAM has gone to Hava-nya from Key West and won’t be back for another week or so.

JEFFREY BERND and ARTHUR LEW will return from the coast Sunday night.

J. J. SULLIVAN and his assistant, EDWARD ZABEL, are due from the coast in two weeks.

BARRIE MCCORMICK has extended his studio vacation on the coast two additional weeks.

A. H. SCHWARTZ is due back from Miami in the end of the week.

PWAY TOMLIN is being held over at the Roxy for a fourth week.

JACK PARTINGTON returns today from Richmond, Va.

Personal

REX INGRAM, who directed “The Four Horsemen” and “The Garden of Allah” for M-G-M years ago, was here Monday, having returned from a trip in company with his former wife, and called on his many friends in the studio. Ingram turned up at the RKO Theatres building for about two hours.

WILLIAM FERGUSON, who returned yesterday from Philadelphia, will leave for Boston. From there he will go to Buffalo, Toronto and Montreal.

CLAUDINETTE COLEBRT left the coast last night by train and will reach New York Monday.

... New Haven

DR. J. B. FISHEKAN, EDMUND G. LEVY and ARE ROSEN are sporting a Florida tan.

J. B. TOMASINO has returned from his winter trip.

SAM GOLDSTEIN of the Rivoli, West Haven, is off on a Nassau cruise.

PAUL KESSLER, formerly with Republic, has returned to the studio.

Robert Curb, of RKO, has been appointed to head the department at the studio.

The new Warner board meeting will be held in about a month, following the return of Harry M. Warner from abroad. Directors of the company met late yesterday and discussed routine business. The next quarterly financial statement, for the period ending December 29, will be made available some time in May, it was stated yesterday. While the prospects are reported to be good, no figures are available at this time, it was said.

Rosten Heads General

SPRINGFIELD, O., March 19.—Nat L. Rosten has been named general manager of the General Amusement Co., recently formed here and backed by investors to produce and stage unit shows. One of the company already has been formed and work has been started on the second.

Burgess Heads E. S. S.

George Burgess yesterday was appointed vice-president and general manager of the Eastern Service Studios, succeeding G. MCL. Baynes, who resigned recently. Burgess has been associated with the studio for the past two years and has been in its engineering department for three years.

Shumow III in Omaha

OMAHA, March 19.—H. J. Shumow, local M-G-M branch manager, is confined to the Lutheran Hospital with an attack of arthritis. Physicians said he will be there several days.

Agreement on RKO Claims Is Approved

Stipulations providing for the allowance of $179,271, the largest single claim group disposed of in the RKO reorganization proceedings to date. Judge Bondy took no action on an amended stipulation for the allowance of the late S. L. (Rosen) Fiegel at $11,629.

An application by the RKO common stockholders’ protective committee for leave to intervene in the RKO reorganization proceedings has been made in U. S. District Court by Sullivan, who serves as counsel for the committee. The application was referred to Judge Bondy for hearing today. Leave to intervene was recently granted to an independent RKO stockholders’ committee.

Inactive Unit a Bankrupt

The Memphis Orpheum Co., an inactive subsidiary of RKO, yesterday applied for a bankruptcy in the Federal District Court here. The company formerly operated the Orpheum at Memphis, but had the distinction of showing the heaviest individual losses of any theatre in the RKO fold, company officials stated.

A bankruptcy schedule is now being prepared which is expected to show Stadium Theatres, also an RKO subsidiary, to be the largest creditor of the bankrupt. Memphis Orpheum will be dissolved under the bankruptcy proceeding.

Bankay Is Dissolved

ALBANY, March 19.—A certificate of dissolution has been filed here for Bankay Amusement Co., New York.

Western Surprise

Hollywood, March 19.—“Powder Smoke Range,” directed by Ray DeRolette, Radio, is a seven days’ wonder at the studio, in that, after playing in the large houses and small towns since last September, it was booked into the Orpheum on a single bill.

And raked in $6,000 for the week of March 7!
Brides Are Like That


Comes as near perfection in sprightly, heart-warming comedy as the average diversion seeker will find. And if it doesn't return handsomely on the investment it will be because of inadequate selling.

Freely adapted from the Barry Conners play, "Applesauce," the screen version is a happy collaboration by Bryan Foy, who has given it perfect production coaching in every respect; by Ben Markson with a sparkling and poignant screen play; by the delightfully idyllic teamwork of Ross Alexander and Anita Louise and their able support; and by William McGann, whose direction crisply captures and delicately balances all the richly human comic and romantic elements.

For Ross Alexander and Anita Louise, and for Director McGann the picture certainly marks high tide. To expound the amusing tribulations of a young bridal pair beset by the harsh practicalities of a world represented by their elders and guardians, two youngsters couldn't have been found in the film roster who might better have done the job than Alexander and Miss Louise. This is intelligent use of talent by Warners-First National, and the two young leads have taken every advantage of the opportunity. Alexander's boyish, ingratiating personality will endear him to women particularly, young and not so young, and he plays the role of the appleblossom, who believes honeyed words are worth more than gold, with delicate skill and persuasive romantic manner. Part should put him in high demand, especially for pictures appealing to youth.

Miss Louise complements with charming appeal as the ingenuous torn between the ardent lovelmaking of the glib young man and the practical, plodding doctor, Richard Purcell. She reveals fine, facile talent.

Joseph Cowhorn, as the applesauce's irascible uncle, fed up on his free spending without-spinning, nephew contributes his standard tongue-twisting character, unleashing plenty laughs and a humorous gushiness. Gene Lockhart and his wife, Kathleen Lockhart, are playing together for first time in pictures, are a comic combo standout in their domestic squabbles as girl's parents. Customers will want to see more of their teaming. Lockhart's valid character entries are especially effective for waw laughs. Richard Purcell, playing the straight and deliberately dull-witted antagonist to Alexander does a capital job. Mary Treen is in for good short role, as is Joseph Crehan. Kay Hughes is bright and clear-cut in role of Miss Louise's temporary rival, Frank Darien and Robert Emmett Keane ably complete well selected cast.

Ben Markson's script, sparkling with well-selected dialogue, is a top job of writing, blending comedy with constantly entertaining story advancement, keeping characters legitimate in the homespun-idyllic mood of the piece, and beautifully rounding his scenes with nice emotional quality and the genuine feel of youth in the love scenes.

William McGann's direction is always crisp, well in hand, alert to every value, deftly balanced and timed. And in both direction and writing, a liltting cheeriness and buoyancy has been kept as essential quality, to send audiences out in happy amusement.

Technically the picture is well put up, with Sidney Hickox's photography rating high, and dialog direction by Harry Seymour deserves very honorable mention.
Floods Leave Theatres Hit In Many Spots

(Continued from page 1)

damage is so widespread and thou-

sands of homes are homeless exhibition is hard hit.

Warner houses were closed in Troy, Wausau, New Haven, Hartford and Pitts-
burg.

Erpi said yesterday that an emerg-

cency ordinance in New York was put on file for the area in Western Penn-

sylvania and a crew of emergency engineers are on hand to install new equip-

ment wherever needed as soon as the flood subsides. The emergency serv-

ices are expected to minimize delay in reopening theatres in the stricken areas.

Pittsburgh Waters Recede

PITTSBURGH, March 19.—Waters had receded to the street level in the down-

town section here today, but there was no indication that they might be able to reopen. One Loew manager spent last night in the bal-

comy with 40 patrons.

Harry Kalmine, Warner district manager, hastily took up carpets and chairs and moved them into balconies to protect them. It is believed this saved valuable furnishings at the Stanley and William Penn.

Comerford Houses Hit

WILKES-BARRE, March 19.—Seven Comerford houses here faced the prospect of closing tonight as the Sus-

quehanna overflowed.

The circuit already has houses dark in Williamsport, Kingston, Plymouth, Milton, Towanda and Sunbury.

Southern N. Y. Emerging

SYRACUSE, March 19.—With the flood subsiding somewhat in cities and town-

sel. The Ritz, Cameo and Sun in Brig-

hamton were under water and no per-
formance was given. The other 12 houses were open. Horlacher's Film Del-

ivery Service reported difficulty, but nevertheless was getting prints through to houses in the affected areas.

Ohio Houses Operating

CLEVELAND, March 19.—Film delivery service from here was unintur-

rupted, air express continuing delivery where roads were impassable for trucks. Exchanges report delay up to 40 hours in the return of prints. No houses in the surrounding terri-

tory have been reported closed.

South New Better Off

WASHINGTON, March 19.—Receding waters and emergency road repairs have made possible the resumption of film deliveries to all theatres in this section. Houses in Cumberland, Maryland, which was hardest hit by the flood, will probably remain closed until Sat-

day or Monday, since lack of ade-
quate power and their damaged con-
dition make operation impossible.

Access to the city is made via Bed-

ford, Pa.

The flood threat to Washington is also off, although high waves and floods continued in the face of efforts, which are at times insurmountable. Many theatres in various sections have been actually flooded while ship-

ments of film to hundreds of others have been slowed up or prevented enti-

tirely by washed out railroads or highways.

Three of the five trucks of Inter-

state Film Transfer Company were washed out, and while five trucks of Film Transportation Company of Hanover are out of commission. In sections where the flooding has been more severe, services during the past few days have been handling product for a week in advance.

The Boston & Maine is not running beyond Lewiston, Me. on one of its trains, nor beyond Augusta on the other.

The wrecking of dams has darkened many spots. Power plants have failed in New York and Livermore Falls, Me. In some of the affected areas theatre patronage has reached the disappear-

ing point.

Mack Gets Six More Midwest G. B. Spots

CHICAGO, March 19.—V. A. Mack recently appointed mid-western superin-

tendent manager for G. B., has been

given six additional exchanges to lan-

ces in the Chicago division of his cor-


division's other exchanges. In Chi-

cago, Indianapolis, Milwaukee, Min-

neapolis, Kansas City, Des Moines, St.


Levi and Cleveland.

Mack has just returned from a visit to these various branches during which time he made several changes in per-

sonnel. At Des Moines George Hart-

ley of Dallas replaced Lee Duriam, resigning, as manager of the Des Moines exchange.

Beilenson on Coast

Hollywood, March 19.—Lawrence W. Beilenson, attorney for the Screen

Academy of Fine Arts and Writers' Guild, arrived here today by plane and went into conference with members on the pro-

posed English legislation designed to

ban American writers from Great Brit-

ain. Writers' Guild officials have been asked to stand by for an emerg-

cency call.

Goldwyn Using a Train

LOS ANGELES, March 19.—Samuel Goldwyn, who is planning a new motion picture train to exploit "Strike Me Pink" for the benefit of independent exhibitors everywhere, went off today on a tour around the country in this territory. The train is driven by Earl R. Collins, and theatre trips are arranged by Ben Fish. The train will also be used for other Goldwyn pictures.

Warners Expanding Chicago Holdings

(Continued from page 1)

with B. & K.'s Metropolitan. Both are located in the colored district.

In addition, Warners within the next few weeks will start building a new 1,500-seat theatre in an outlying district of Chicago.

Construction has been in town con-

ferring with Joseph Bernhard, re-

turn to his headquarters yesterday in connection with the theatres.

Aside from the Chicago expansion, Warners intend to build a new house in Paterson, N. J.

Pool Two in Wisconsin

GREEN BAY, Wis., March 19.—Harold J. Fitzgerald, operating head of the Wisconsin Amusement Co., is pooling the Orpheum and Strand with the plan to open a new Green Bay are first run and will continue this policy under Fitzgerald's supervision.

DeKalb Houses Pooled

CHICAGO, March 19.—Fred Ander-

son of the Wisconsin Amusement Co.

has pooled the Barbi DeKalb and has entered into a pooling arrange-

ment with C. G. Lekakder, owner of the Orpheum in that town. Anderson also operates the Egyptian in DeKalb. The Barbi was remodeled last fall and is now one of the most modern theatres in this part of the state.

General Theatres New Setup Operative

The plan of reorganization of Gen-

eral Theatres Equipment, Inc., has been declared operative, subject to the approval of the Chancery Court of Delaware, by the reorganization com-

mittee, of which Arthur W. Lessey is chairman.

The total of debentures and claims deposited with the committee is for approximately $88 per cent of the total claims allowed, it was said. Although this is slightly less than the total re-

ceived under a provision of the plan as a condition for participation in it by Chase National Bank, the bank has declared itself satisfied.

The agreement to participate includes ar-

rangements to loan the new company $2,800,000 for the reorganization and to turn it to all collateral held by the bank for company indebted-

ness, and to grant options on a maxi-

mum of 58,313 shares of preferred and 79,157 shares of common of Twenty-First Century-Fox stock. Such options are to be distributed directly to debenture holders and other credit-

ors depositing under the plan.

Weiss Completes Cost

Hollywood, March 19.—Louis Weiss of Weiss Prod., Inc., has com-

pleted casting of "The Clutching Hand" starring Paul Muni, William Lyon, Ruth Mix, Marion Shilling, William Farnum, Mae Busch, Robert Frazer and Mahlon Hamilton have the leads.

Stubblefield on Leave

LOUISVILLE, March 19.—Flynn Stubblefield, assistant general manager of the Fourth Avenue Amusement Company's Strand, has been granted a leave of absence due to illness. He will leave shortly for Arizona.

20th-Fox Net For Year Is $3,563,087

(Continued from page 1)

which Twentieth Century-Fox has a 42 per cent interest, of undistributed income of National Theatres and its voting controlled domestic subsidiaries for the twelve months ended Dec. 28 last. The interest of Twentieth Century-Fox in National's earnings is equal to $90,721, which would raise the division's net to $24,483,808, equal to $3.30 per share on the preferred and $1.59 on the common.

Gross revenues of the company for the year amounted to $43,942,678, compared with $47,540,507 the previous year, an increase of $6,596,092. Current assets are listed at $26,644,572, and current liabilities at $36,522, including $1,096,600 five-

year six per cent convertible deben-

tures maturing April 1, 1936. Fixed assets have increased to $12,053,983, rep-

dicating a depreciation total $10,179,300. The net worth was listed at $43,679,123, in-

cluding earned surplus accumulated since April 1, 1933, of $6,096,947.

Hinman, Plainfield, Wins Model Contest

B. Hinman of Plainfield, N. J., has been awarded the grand prize for his "Mutiny on the Bounty" model at a luncheon at the Astor. William Redfield, who, as president of M-

G-M, had Lowell Thomas, Gordon Grant and Jack Warner as judges. Lawrence Kelme of Kansas City was given second honors, while C. P. Krupp of Akron, was third. There were also 10 honorable mentions.

A. A. against independent was exhibited in addition to President Roosevelt's miniature.

The judges were members included were exhibited in addition to President Roosevelt's miniature.

George W. Hayman, Lynbrook, L. I.; Waldemar Oznahim, Honolulu; Ray-

mond Douglass, Minneapolis; M. A. Brule, New York City; Col. F. Wing, Los Angeles; Robert Rose, New Or-

leans; Jack Smith, Los Angeles; E. J. Whitley, Buffalo, J. Q. Groot, De-

trait; and James Galangos, Jersey City.

Respondents Default In Two Arbitrations

Complaints filed by Paramount and First National for breach of contract were defaulted yesterday when the respondents failed to put in an appearance before the loc-

ational board.

One of the complaints was filed by Paramount against the New Ozone. Ozone President Adrian J. Crimi-

pled by the arbitrators the failure to continue payment on shorts under the weekly payment plan. The second case was that of U. A. against the Market, Brooklyn.
**Sets Date to Hear Reorganizing Plan**

St. Louis, March 19.—Federal Judge George H. Moore on April 3 will consider the proposed plan of reorganization of Fox-United, which is now operating the Fox and the adjoining Humboldt Building. Under terms of the plan, a new concern will acquire defaulting first mortgage bonds would acquire the leasehold on the Fox and the Humboldt Building. The plan will be subject to the consent of a committee representing about 75 per cent of the bondholders of the two houses. This consent is required to reorganize under the amended bankruptcy laws.

The Fox, operated by Theatre Realty, a subsidiary of Fox Theatres, have in default since Oct. 31, 1934. The plan calls for leasing the house to Fanchon & Marco at an annual rental of $104,000, plus 15 per cent of the gross receipts. F. & M. has operated the house since January, 1934, under a lease. To provide working capital and pay reorganization expenses, the new company would mortgage $250,000 on the Humboldt Building.

**Move Made to End Copyright Hearing**

Warner withdrawal from the music society was declared to have presented the worst problem ever faced by the court.

**Move Made to End Copyright Hearing**

(Continued from page 1)

Objection to the plan to discontinue further testimony was voiced by Gabriel Hess, general counsel for the shareholders of O’Malley and the owners of the Duffy Bill, but the producers and distributors want the $250 minimum music charge retained as a deterrent to bicycling and other evils, and that to that extent are siding with Ascap in its fight against elimination.

**Maryland Exhibitors Hit 10 Per Cent Tax**

(Continued from page 1)

for one year only to raise $3,700,000 for relief purposes.

The plan which the speakers sought to establish were that the tax would be paid in the end by the very people whom it is intended to protect and the exhibitors cannot pass it on and yet cannot absorb it.

**Cincy WPA Shows Free**

Cincinnati, March 19.—With eight persons employed, the Federal Theatre Project here is providing free entertainment for thousands of persons, according to a report of D. H. Heim, supervisor. A new Federal theatre has been installed in the Old Fellows’ Temple, with a seating capacity of 400. Since Dec. 19, the various units have given 24 shows, with audiences totaling approximately 9,000.

**Those Good Old Days**

(Continued from page 1)

Cincinnati, March 19.—Members of the Federal Writers’ Project, who have been giving a national and local picture of the theatre, came upon the following set of rules, dated May 1, 1930, posted throughout the abandoned Columbia St. Theatre here: orge of the Printers, in order to not disturbing the audience by loud talking in the barroom.

**Jones Will Miss Play**

Denver, March 19.—Robert Edmund Jones, producing an all-color film for Pioneer will not be able to direct this year’s production at the old Opera House in Central City as he has done for the past four years. The film will keep Jones busy in Hollywood, and the annual Central City Play Festival is looking for a new director and star for this summer’s show.

**Margaret Sullivan Hurt**

Hollywood, March 19.—Margaret Sullivan suffered a broken arm as a result of a fall here today at the Paramount Studio, and was rushed to Cedars of Lebanon Hospital.

**U. S. Firms Reach Tobis Agreement**

(Continued from page 1)

that Tobis has received nothing for some time past from the American companies.

Thus, the new agreement the distributors on Wednesday paid Tobis in dollars for the royalties accrued to date. Tobis, of the other hand, had reached a similar agreement with the German monetary exchange control by which it may accept future royalties in the form of the dollars which they become due. If this authorization is obtained, Tobis will be able to acquire any further payments in dollars and royalties due will be paid by American distributors from the funds which they have on hand in the countries involved.

The agreement also provides for the payment to Tobis of only one duc- king, 500 cents on the dollar, number of versions made. In the past royalties have been collected by Tobis on all this, plus deduction in a number, in addition, slight reductions in all charges were agreed to by Tobis.

The two firms are now established as amendments to the arrangements which have been in effect between the American companies and Tobis and are expected to remain in effect until they are found to be practical. No definite ef- fective period or expiration date for the agreement was set. Changes do not affect the scaled Paris agreement of 1928, which was never recog- nized by American companies.

**Bank Night Ban Killed**

Boston, March 19.—A bill introduced by Senator McCarthy of Lowell to make Bank Night illegal in Massa- chusetts has been killed. Another bill, this one to amend the lottery laws so that Bank Night, now before the Massachusetts Supreme Court, would be specifically legal, is pending fol- lowing a committee hearing at which no opposition was taken.

**Seek Giveaway Tax**

New Orleans, March 19.—Oppos- sities of giveaways here are expected to ask the legislature that it con- sider a “giveaway” tax of $500 for each side for each night a game is used. A special tax will be asked on the companies handling the games and on local salesmen.

**Plan St. Louis House**

St. Louis, March 19.—The Leko Bros., the local theatre syndicate, plans a theatre and store build- ing at a cost of $100,000. It will be opened at North Grand, closed for several years.

**Town to Remove Theatre**

North Attleboro, Mass., March 19.—The building that was once the new mill taken over by the town for non-payment of taxes, will be torn down, according to a notice. Bills for the work are being received.

**RKO to Capitalize On Academy Awards**

San Francisco, March 19.—Seek- ing to capitalize on the Academy award victory, RKO recently shortly will double feature a national revival of "Of Human Bondage" and "The Lost Patrol" while veteran has Bette Davis, who won the 35 statute for "Dangerous," in the feminine lead. And, last but not least, John Ford, who won last year’s best direction award for “The Informer," William S. Hall, local radio and change manager, suggested the plan to N. J. Blumberg while the latter was here. Blumberg conferred with Neil E. Depinet in Los Angeles and the idea was voted in. Blumberg is now in Rochester and will reach New York Saturday.
Big Natural Color Romance Proves Ace Build-up Picture of Year. East, West, North, South...key cities...small towns...all report the same success story! Record openings...record second days...record weeks...record holdovers. Already "Trail" runs neck and neck with the all-time big money grossers...and it's only the beginning, boys, only the beginning...
LOOK 'EM OVER, BOYS!

SENSATIONAL IN DENVER... Denham Theatre reports biggest gross in 18 months; held over. A WOW IN PATERSO... "Trail" tops five biggest grossers of '35 at Paramount Theatre. A SMASH IN NEW HAVEN... Holiday figures topped as "Trail" hits new high at Paramount Theatre. TERRIFIC SOCK IN K.C.... Newman Theatre reports "Trail" way out in front of big grossers. TREMENDOUS IN CHICAGO... Roosevelt Theatre reports "Trail" up with all time box-office winners. A THREE-BASE HIT IN HARTFORD... Allyn Theatre holding for third week. A PUSHOVER IN MEMPHIS... Malco Theatre had the S.R.O. signs out with business tops. A TRIUMPH IN POUGHKEEPSIE... Beats every big grosser for '35-'36 at Bardavon Theatre. DES MOINES EATS IT UP... Des Moines Theatre reports "Trail" way out in front of industry's ace pictures. A TEXAS LEAGUER IN DALLAS... Palace Theatre reports "Trail" neck and neck with year's big grossers. AMAZES MINNEAPOLIS... "Trail" shooting over top grossers in race for year's record at Minneapolis Theatre. A BROADWAY BONANZA... New York Paramount holds "Trail" for three weeks to new high grosses. Biggest opening day to date.

"THE TRAIL OF THE LONESOME PINE"

with SYLVIA SIDNEY • FRED MACMURRAY • HENRY FONDA

Fred Stone • Nigel Bruce • Beulah Bondi • Robert Barrat • Spanky McFarland • Fuzzy Knight • A Walter Wanger Technicolor Production • A Paramount Picture • Directed by Henry Hathaway
Albany, March 19—Charles A. Smakowitz, district manager of Warner theaters here, has been elected chairmanship of C.A.S. No. 9. He will succeed Ralph Peck.

Other officers named are: Phil Fox, first assistant chief booker, Ray Smith, second assistant chief booker; James P. Faughnan, dough boy; Mae Glassgreen, property man; Robert West, hall boy; Abe Stone, Lou Goldberg, Henry Grossman and Pete Dana.

Plans have been made for the installation to take place April 1.

Cincinnati, March 19—Arthur M. Frenzenfeld, who wears the prefix of colonel (a real army one, and not of justice in Germany, who once tops in staging "amateur contests" for the club's affairs. It's a talent here-tofore unknown.

New members include Sam Franke, J. Schirnemann and Louis Stewart.

Harry Rice, U. A. exploiter from New York and an associate member, is in town.

White and family have gone to Florida.

Kansas City

Kansas City, March 19.—One of the largest crowds in the history of Variety Club's Monday lunches—750 plus filled the ballroom. It encompassed the demonstration of, television by C. W. Griffin of First National Television.

Television reception definitely has been perfected, Griffin told film men. A receiving set selling for $225 shortly will be on the market, he said. Here-tofore the lowest price was $400.

"I don't believe television ever will replace film talk, and people like crowds," Griffin told his audience.

Griffin envisioned a time when theatre managers would be able to televise such events as the World Series. Football games, he said, already have been televised successfully.


Dr. Kurt Rosenberg, one time minister of the church, who once amused Adolf Hitler, and who was banished upon Hitler's accession to power, will talk March 23.

Omaha

Omaha, March 19—D. V. McCulloch, chief Barker, says that on only the first Saturday of each month will the members have to pay for their luncheons. All other Saturdays the food is gratis.

Century List to Cameo

Boston, March 19—Cameo Screen Attractions, heading the list of numerous companies, has taken over distribution of product of Century Pictures. Henry Sperling continues as Century manager. The tempo gives the independent outfit approximately 80 features this year.

“Great Ziegfeld” (MGM)

Santa Barbara, March 19.—An amped preview audience paid homage here last night to a picture that sets a new milestone in screen entertainment. It roared its approval of the production with its beauty and splendor of costumes, production effects and settings of eye-filling proportions.

The production is replete with melodious music, specialty features and an abundance of excellent performances. Audience appreciation of the picture's heart-gripping human interest and the dramatic, romantic quality of its two motivating love stories, narrating in a welf of color and comedy Florence and Nickolas career, told seem to indicate that the men and women who saw the picture considered it one of the greatest in years.

Ziegfeld, played by William Powell, is seen starting his career at the corner with Fanny Brice played by Nat Pendleton. His friendly rivalry with Dillingham (Frank Craven) over ladies is rugged. Following his break with his father (Joseph Cawthorn), Ziegfeld goes to Europe, where he steals Anna Held (Luise Rainer) away from Morgan after hearing her sing "I Wish You'd Come and Play with Me, Sweetie." When winning a thrilling romance, he takes Anna to New York and cajoles Morgan into getting Erlanger (Paul Irving) to produce a show starring her.

Ziegfeld and Anna marry and their life is idyllic. Then comes the idea to glorify the American girl and the birth of the "Follies." Parade are a few years of the brassy stars, Eddie Car модель Doyle, Wally Bolger as himself, in episodes preceding the staging of the big black staircase number in which hundreds of girls are posed in tableaux, while the background music features "A Pretty Girl Is Like a Melody."

Then comes the discovery of Fanny Brice, who sings "Yiddle on Your Fiddle" and "My Man," which is followed by the "Look for the Silver Lining" spectacle. Drama enters as Anna leaves and divorces Ziegfeld after seeing him kiss Audrey Blair. Following more spectacle numbers, Ziegfeld meets and falls in love with Billie Burke, played by Myrna Loy, Cecilia, in romance and marriage are equal heart appeal to that of his life with Anna, and a touch of pathos is added as Anna telephones to wish him happiness.

Things go bad for the producer when he is unable to finance a show; his wife sells out in such pictures as "Naughty Marietta" and "Rose Marie." The direction of Robert Z. Leonard doesn't miss a single entertainment angle that either audience or showman could possibly want. In addition to the five modern song numbers by Walter Donaldson and Harold Adamson, there are eight of the revival series of "Follies" and backed up by the incidental music from all of his shows. The dance ensembles directed by Seymour Felix are beauty plus.

With the story overflowing with glamour and excitement, the original screen play by William Anthony McGuire, writer of several "Follies," and Ziegfeld's lifelong friend, the picture is an all-audience attraction and a showman's show that is headed for big box-offices everywhere.

Production Code Seal No. 2,000. Running time, 124 minutes, "G."

Plays New Theatre

Knoxville, Tenn., March 19.—L. W. Smith, operator of the River bowl here, has incorporated Peerless Enterprises, which plans to build a theater at Fountain City.

Swarthout Film Is Set

Hollywood, March 19.—Gladys Swarthout's next will be "The New Divorce," in which she will be supported by Howard Marshall and Cathy Grant. Mitchell Leisen will direct.

M-G-M Sets 11 More "Ziegfeld" Openings

Eleven out-of-town openings for "The Great Ziegfeld" on a two-day policy have been set by M-G-M. A copy of the film will be shown in 20th Century-Fox's five screens for April 12. On this night the special will make its debut at the Chestnut St., Philadelphia; Cass, Detroit; Erlanger, Buffalo; American, St. Louis; Colonial, Boston, and Erlanger, Chicago.

On April 13 the picture will open at the Alexandria, Toronto, and six days later is scheduled to be launched at St. Louis, Majestic's, Montreal. On April 26, the Nixon, Pittsburgh, and Hamma, Cleveland, start showing the musical.

General Motors Show Draws Akron Protest

Akron, March 19.—The Akron I.T.O.A. at a recent meeting adopted a resolution protesting the "invasion scale" the 15 to 20 cent field of General Motors Corp., which is sponsoring free shows advertising its products in cities over the country. The resolution called the entertainment unfair competition.

A copy of the resolution has been sent to the general sales manager of General Motors at Detroit, who was informed that the exhibitor group will see to it that the exhibits who do not show the prohibitive shows of the type backed by General Motors.

Short Subjects

"An Old Fashioned Joke"

(RKO-Van Beuren)

The entertainment in this number of the Easy Aces series lies not so much in the accompanying comment of the joke as in the punch line which is printed on the rear of the theater and watch the picture, but in the subject matter, which reproduces the atmosphere of early 20th Century vintage. Its film technique and its weighty dramatics should be interesting to movie goers for today's screen audiences. Production Code Seal No. 0086. Running time, 16 minutes.

"Neptune Nonsense"

(RKO-Van Beuren)

An entertaining color cartoon, featuring the lively Felix the Cat in search of a companion for his pet goldfish, this subject's best spots are in Felix's pursuit of a golfsip on the lawn of an ocean. When he makes his capture he is "arrested" by the fish police, but Neptune supplies him with a substitute, and the ocean partners. Colorful and amusing. Production Code Seal No. 0846. Running time, 7 minutes.

Rises Sunday Scales

Hamilton, O., March 19—The Palace, located on the south western tip of the Southio circuit, has advanced Sunday prices to 30 cents, only. Weekday scale is 15 to 25 cents for matinee and night, respectively.
“Fleet,” “Doctor” Indianapolis Hits

INDIANAPOLIS, March 19.—“Follow the Fleet” sailed along to a gross estimated at $12,000 in the Indiana, $3,000 above average for the house.

The Country Doctor” doubled the house average at Apollo with $8,000. The picture was held another week. “Fleet” also was given a second week at Circle.

First run business was good in all houses, top-notch attractions and presence in the city of visitors to the American and Ring Congress tourney swelling receipts. The Indiana announced that double features would be run heretofore on a permanent policy. The Circle showed repeats on two films that were hampered here by the cold wave, “Captain Blood” and “Anything Goes.”

Total first run business was $40,150, Average $2,000.96.

Estimated takings for the week ending March 13 :

<table>
<thead>
<tr>
<th>THE COUNTRY DOCTOR (20th-Fox)</th>
<th>$2,400, 4 days gross.</th>
</tr>
</thead>
<tbody>
<tr>
<td>FOLLOW THE FLEET (Radio)</td>
<td>$8,000.</td>
</tr>
<tr>
<td>LOEW’S COLUMBIA</td>
<td>$3,900.</td>
</tr>
<tr>
<td>LITTLE LORD FAUNTLEROY (U.A.)</td>
<td>$1,600.</td>
</tr>
<tr>
<td>PRISONER OF SHARK ISLAND</td>
<td>$3,800.</td>
</tr>
<tr>
<td>LYRIC (1,000)</td>
<td>$2,300.</td>
</tr>
</tbody>
</table>

Estimated takings for the week ending March 12:

<table>
<thead>
<tr>
<th>STORY OF LOUIS PASTEUR (F.N.)</th>
<th>$2,300, 4 days gross.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ROYAL MARIES (M-G-M)</td>
<td>$9,000.</td>
</tr>
<tr>
<td>LOEW’S COLUMBIA</td>
<td>$2,800.</td>
</tr>
<tr>
<td>ROSE MARIE (M-G-M)</td>
<td>$2,600.</td>
</tr>
</tbody>
</table>

“Fleet” is $3,500 Leader in Lincoln

LINCOLN, Neb., March 19.—“Follow the Fleet” was the bonanza of the week here at the Stuart and cleared off a profit of $1,800, $200 above average with an eight-day run to $4,900.

“Ah, Wilderness!” at the Lincoln, gathered a change in fancy fashion, $3,100. The Variety finished weakly with the second week of Music Goes Round of $1,300. The Lincoln’s stage show, one amateur night and two pictures on a split, “Rose of the Rancho” and “Tough Guy,” garnered $2,600, $500 up.

Total first run business was $12,200. (Average is $1,930.47)

Estimated takings:

<table>
<thead>
<tr>
<th>Week Ending March 11:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SUNSET OF THE DAY (U.S.K.)</td>
<td>$1,400.</td>
</tr>
<tr>
<td>HARD TO HATE (Para.)</td>
<td>$1,500.</td>
</tr>
<tr>
<td>MUSS EM UP (Radio)</td>
<td>$1,000.</td>
</tr>
<tr>
<td>COLORADO (1,100)</td>
<td>$1,000.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Week Ending March 13:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>AH WILDERNESS (M-G-M)</td>
<td>$1,100.</td>
</tr>
<tr>
<td>ROSE OF THE RANCHO (Para.)</td>
<td>$800.</td>
</tr>
<tr>
<td>MUSIC EM UP (Radio)</td>
<td>$900.</td>
</tr>
<tr>
<td>VARSITY - 600, 4 days</td>
<td>$800.</td>
</tr>
</tbody>
</table>

“Fleet” Grabs Washington’s Top, $18,000

WASHINGTON, March 19.—“Follow the Fleet,” at RKO-Kothe’s, crashed through to an $18,000 week, topping the house average by $6,000. The second week opened strong, and the gross is expected to better the same period of the early Astaire-Rogers picture.

“Anything Goes,” at Loew’s Fox, with “Fats” Waller and his orchestra and Rosalind Russell in person on the stage, took $22,600 to better average by $1,700.

A return engagement of “Rose Marie” at Loew’s Columbia grossed $5,400, over the first run average by $1,600. Soak the Rich!" held up in its second week at the Embassy, bringing $22,000, only $800 under the first-week average.

Edmund Grainger, the producer, will come up from Hollywood for the event, as will his father, James R., and other Universal studio executives.

Big “Sutter” Start

San Francisco, March 19.—The local industry is expected to turn out en masse for the premiere of “Sutter’s Gold” at the Alhambra, Sacramento, on March 27, to help make a gala event in that city.

The Tenderfoot Special will carry the Gang’s Francis- cins to the opening at $10 a throw, including two meals on the train, hotel accommodations in Sacramento and theatre tickets.

“Klondike” Grosses $47,500 First Week

“Klondike Annie” chalked up a $47,500 gross for the first week at the Paramount. “The Milky Way” is scheduled to replace the Mae West film on March 27. In the Harold Lloyd picture may be put back a week if the current tenant holds up during the second stanza.

“Love Before Breakfast” ended the week with a nifty $1,300. Fred Waring and his musicians are the stage attraction at the Paramount, while Finley Tomlinson headlines the Roxy stage show.

“Secretary” Leads Houston, $10,000

HOUSTON, March 19.—“Forrest vs. Secretary” at Loew’s State led the slate, although dropping somewhat under expectations with a seven-day total of $10,000. Average was $7,000. “The Country Doctor,” at the Majestic, was also a disappointment, although it averaged the house up there by $2,000, with a total of $9,000. Major Bowes’ Amateur unit sent off good figures skyrocketing at the Metropolitan where the take was $13,000. The picture was the “Voice of the Bugle Ann.”

“Drift Fence” at the Kirby over a week-end break ended with $3,000, as did “Man Hunt” plus Bank Night for one day, with a take of $1,200.

“It’s a Great Life” was held under $200, grossing $1,300 for the three days.

Total first run business was $35,000. Average was $6,000.

Estimated takings for the week ending March 13:

<table>
<thead>
<tr>
<th>DRIFT FENCE (Para.)</th>
<th>$1,300.</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAN HUNT (W.B.)</td>
<td>$1,300.</td>
</tr>
<tr>
<td>IT’S A GREAT LIFE (Para.)</td>
<td>$1,300.</td>
</tr>
<tr>
<td>THE COUNTRY DOCTOR (20th-Fox)</td>
<td>$1,000.</td>
</tr>
<tr>
<td>WIFE VS. SECRETARY (M-G-M)</td>
<td>$1,000.</td>
</tr>
</tbody>
</table>

Fox Midwest Starts Doubling in Topeka

KANSAS CITY, March 19.—Fox Midwest has introduced double bills for the first time in Topeka, Kan., at the Grand. It will double the first half of the week and show holdover first runs from the Grand the first half on a single bill policy. The Grand, Orpheum and Jayhawk are Fox’s three first runs in Topeka.

Doubling half its time to extending the first runs which first play at the Grand, the Orpheum will have an accumulation of pictures too great to use. The Grand has a picture schedule, Fox Midwest officials at Topeka say.

Columbia Signs Dix

Hollywood, March 19.—Columbia has signed Richard Dix to a long term contract. Four stories are under consideration for the actor.

NATIONAL POSTER SERVICE ASSOCIATION, INC.
COMPRESSING 100 POSTER EXCHANGE MEMBERS THROUGHOUT THE UNITED STATES

ANNUAL NATIONAL CONVENTION SAT. & SUN., APRIL 18-21
AT THE PALMER HOUSE—CHICAGO

ISSUES TO BE CONSUMMATED:

SCREEN TRAILERS OF ALL KINDS
SCREEN PROCESS DISPLAYS
PHOTOGRAPHIC ENLARGEMENT DISPLAYS
IN ADDITION TO
REGULAR STANDARD FORM ADVERTISING
NOW BEING SERVICED

EFFICIENTLY SERVICING THE THEATRE TRADE OVER 25 YEARS
A PICTURE AS HUMAN AS HOME FOLKS... AS BRILLIANT AS HOLLYWOOD'S LURE!

Another homespun hit by the author of "State Fair"... The magnetic story of Ernie Boyer, plain dirt farmer, who was forced to fame in the movies... and whose ambitious wife and pretty daughter "went Hollywood" all the way!

PHIL STONG'S popular novel and Saturday Evening Post serial screened in all its homey humor, glowing sentiment and dramatic heart-appeal.

THE FARMER IN THE DELL

RKO RADIO PICTURE
DIRECTED BY BEN HOLMES
ASSOCIATE PRODUCER ROBERT SISK

FRED STONE ★ JEAN PARKER
ESTHER DALE ★ MORONI OLSEN ★ FRANK ALBERTSON
"Secretary"

$15,000 Hit

In St. Louis

St. Louis, March 19.—"Mrs. and Secretary" was an outstanding hit at Low's with a take of $15,000, which was $6,000 above par. It was held over.

"The Country Doctor" and "Tango" at the Fox had the biggest gross for the week, turning in a bigger par to overcome, $12,000. It was held.

"Escape from Devil's Island" and "Dangerous Intrigue" with Ed Lowry and his stage show at the Ambassador went very strong with a $12,000 take, which is $3,000 above par.

"Lover's Bet" at the Shubert-Rialto also were in the money-making class with $7,300, opposite $4,800.

Weather of the week was favorable on the whole. A stage show at the American and the usual attraction at the Municipal Auditorium were the principal opposition.

Total first run business was $59,625. Average is $5,490.

Estimated takings for the week ending March 12:

"LEAVE FROM DEVIL'S ISLAND" (Col.) $26,700.
"DANGEROUS INTRIGUE" (AMSPERGER) $6,000, 3cl-S5c-60c. 7 days. Stage: Ed Lowry and amateur cast and par. Average: $1,000.
"THE COUNTRY DOCTOR" (2th-Fox) $11,800. FOX—$1,000, 2sc-35c-50c. 7 days. Gross: $5,150. Average: $735.
"JAVA HEAD" (First Div.) GRANGE—$1,950. 3sc-35c-5c. 7 days. Stage: Vaucluse. Gross: $1,300. Average: $185.
"WIFE VS. SECRETARY" (M-G-M) LOWRY—$7,500. 3sc-50c-85c. 7 days. Gross: $1,100. Average: $157.
"FOLLOW THE LEAD" (Radio) ORPHEUM—$9,200. 7 days. Gross: $1,300. Average: $185.
"MAN HUNT" (W.B.) SBH—$1,150. 2sc-75c-1.25. 7 days. Gross: $750. Average: $107.
"Doctor" Oklahoma Leader at $6,000

Oklahoma City, March 19.—"The Country Doctor" led the first run field with a gross of $6,000, over normal by $2,000, at the Midwest. This was the only outstanding attraction in an otherwise dull week.

"Two in the Dark," a stage show for four days at the Liberty, turned $2,000. Par for seven days was $3,000.

Total first run business was $14,400. Average is $1,400.

Estimated takings for the week ending March 14:

"PAKE THE PINK" (U. A.) CRITERION—$1,700. 35c-40c-55c. 7 days. Gross: $1,240. Average: $175.
"NEVER, DOCTOR" (2th-Fox) MIDWEST—$1,100. 35c-80c-5c. 8 days. Gross: $725. Average: $91.
"NEXT TIME WE LOVE" (Univ.) CLAY—$1,100. 35c-40c-5c. 7 days. Gross: $1,200. Average: $165.
"WIFE ON A BET" (Radio) CALIFORNIA—$1,150. 3sc-50c-85c. 7 days. Gross: $750. Average: $107.

"Fleet" Again Top Draw in Portland

Portland, March 19.—In an 11th hour decision, "Follow the Fleet" was held for a third week at the Orpheum, the total take for the week was $8,000, over the usual take by $3,000.

"Wife vs. Secretary," in its second week at the United Artists, took $6,000, over par by $1,000.

"Prisoner of Shark Island," together with "Love on a Bet" at the Paramount, was good for $7,000, better than the average by $2,000.

Total first run business was $34,700. Average is $2,470.

Estimated takings for the week ending March 14:

"STORY OF LOUIS PASTEUR" (F.N.) BROADWAY—$1,950. 35c-40c-50c. 7 days. Gross: $1,200. Average: $175.
"LIVE MY LIFE" (M-G-M) CASE OF LUCKY LEGS" (F.N.) GRACE—$1,200. 3sc-50c-85c. 7 days. Gross: $1,100. Average: $157.
"BLUE MOUSE—$1,200. 3sc-50c-85c. 7 days. Gross: $1,100. Average: $157.
"HITCH HIKER LADY" (Republic) MAN OF IRON" (Radio) ACCENT—$750. 35c-40c-50c. 7 days. Gross: $1,100. Average: $157.
"MAYFAIR—$1,200. 35c-50c-85c. 7 days. Gross: $1,100. Average: $157.
"FOLLOW THE LEAD" (Radio) ORPHEUM—$1,100. 2sc-50c-85c. 7 days. Gross: $1,100. Average: $157.
"PRISONER OF SHARK ISLAND" (Radio) SHUBERT RIALTO—$750. 3sc-50c-85c. 7 days. Gross: $500. Average: $71.

"Rose Marie" Big Montana Holdover

Montreal, March 19.—"Rose Marie," in its second week at the Palace, was strong enough to overcome the release of "The Wizard," which opened up to $13,500, over the line by $2,500.

The only other house to make much of a showing was the Capitol, which took $10,500, to the good by $1,000, on a combination of "The Milky Way" and "Woman Trap."

Total first run business was $46,500. Average is $46,500.

Estimated takings for the week ending March 14:

"MILKY WAY" (Para.) ORPHEUM—$10,000. 35c-50c-65c. 7 days. Gross: $15,000. Average: $2,143.
"CHAPLIN, THE" (Para.) WORLEY—$1,100. 35c-40c-55c. 7 days. Gross: $1,200. Average: $171.
"BONNIE SCOTLAND" (M-G-M) IMPERIAL—$1,100. 3sc-50c-85c. 7 days. Added rental — measurement — "Teddy Brown"—clown. 15c-30c-45c. Gross: $1,500. Average: $214.
"SEVEN KEYS TO BALDPATE" (Radio) LOEW'S—$1,125. 35c-50c-65c. 7 days. Gross: $1,350. Average: $193.
"ROSE MARIE" (M-G-M) PALACE—$1,100. 3sc-50c-85c. 7 days. Gross: $1,300. Average: $192.
"RETURN OF TIMMY VALENTINE" (F.N.) PRINCESS—$750. 3sc-50c-85c. 7 days. Gross: $1,100. Average: $157.

"Forest," Hutton, $14,600 in Omaha

Omaha, March 19.—A combination of "The Petrified Forest" and Ina Ray Hutton, two attractions at the Orpheum was the big noise of the week on a gross of $14,000. This was $4,000 above par.

In spite of the competition, "Klondike Annie" and "Man Hunt" at the Orpheum turned in a neat $8,250, and "Follow the Fleet" in its second week at the Brandes, reached $4,600.

Total first run business was $27,450. Average is $3,630.

Estimated takings:

Week Ending March 11:

"GREAT DIPPER" (Radio) CLAY—$1,125. 35c-50c-65c. 7 days. Gross: $750. Average: $107.
"CHESTER—" (Radio) RIALTO—$1,125. 35c-50c-65c. 7 days. Gross: $900. Average: $129.
"CHAPLIN, THE" (Para.) CHAPEL—$1,100. 35c-40c-55c. 7 days. Gross: $900. Average: $129.
"ISLAND" (Radio) RIALTO—$1,125. 35c-50c-65c. 7 days. Gross: $900. Average: $129.
"ROSE MARIE" (M-G-M) PALACE—$1,100. 3sc-50c-85c. 7 days. Gross: $1,300. Average: $192.
"RETURN OF TIMMY VALENTINE" (F.N.) PRINCESS—$750. 3sc-50c-85c. 7 days. Gross: $1,100. Average: $157.

"Forest," Hutton, $14,600 in Omaha
**“Pasteur” on Duals Big in Boston Spots**

Boston, March 19.—“The Story of Louis Pasteur,” heading a double bill with “Veiled Beauty, An In Name,” in two spots, the Fenway and Paramount, was outstanding. The Fenway take of $8,000 was near record for dual, and at the Paramount the $15,000 gross was up by $8,000.

**“Doctor” a $7,500 Gross**

Louisville, March 19.—“The Country Doctor” proved to be almost as big a draw at the Strand as the late Will Rogers, and grossed $7,500, over by 40 percent. Male patrons were in the minority, but women and children kept the box-office busy all week. 

**KANSAS CITY**

March 19.—“Wife vs. Secretary” filled the money bags with $8,000. Midsummer Night was second for the week with a total of $7,000, $5,200 over normal. The weather was considered a factor, but the paper had abated only a little. Observation was “Personal Appearance,” which drew well at the Orpheum.

**“Little Lord Fauntleroy”**

at the State also pulled, and took $6,500, on a normal week.

**“PASTEUR”**

by the State, took $6,500, with the same average. The weather was springlike and pleasant, with the exception of the wind.

Total first run business was $29,200.

**“THE STORY OF LOUIS PASTEUR” (F. N.)**

VOICE OF ANN (M-G-M)

FENWAY—(1,875), 9c-25c-40c.

THE COUNTRY DOCTOR (20th-Fox)

MIDSUMMER NIGHT’S DREAM (W. B.)

APOLLO—(1,800), 9c-25c-40c.

FOLLOW THE FLEET (Radio)

LOEW’S FIFTH AVENUE—(1,850), 15c-35c-75c.

LOEW’S STATE—(1,352), 25c-5c.

MUSK EM UP (Radio)

KO FO BOSTON—(1,125), 25c-6c-7c.

STORIIE OF LOUIS PASTEUR (F. N.)

VOICE OF ANN (M-G-M)

FAR EAST—(1,700), 25c-10c-25c.

COLUMBIA—(1,100), 25c-10c-25c.

THE COUNTRY DOCTOR (20th-Fox)

SPORTING LIFE (Para.)

WEEKLY BUSINESS (Radio)

ROOSEVELT—(1,210), 12c.

A. P. Bill to Denver

KANSAS CITY, March 19.—A. P. Bill, former sales manager for RCA Photophone, has been transferred to Denver in the same capacity.

Don Davis, sales manager for Kansas and Western Missouri, will cover the territory.

**“Wife” Pulls $19,700 Take in Kansas City**

Kansas City, March 19.—“Wife vs. Secretary” filled the money bags with $8,000. Midsummer Night was second for the week with a total of $7,200, $5,200 over normal. The weather was considered a factor, but the paper had abated only a little. Observation was “Personal Appearance,” which drew well at the Orpheum.

**“The Trail of the Lonesome Pine,”** set in at the Newman four days after regular Friday opening, went to $10,000 for the first five days, $4,000 over average. It was held.

“A Midsummer Night’s Dream,” roadshowed at the Class house, the Apollo, seven days, took a good $6,500.

“Love Before Breakfast” lasted for eight days at the Uptown and took $3,100, well over recent pictures, several of which were pulled after a few days. The picture took $1,800 the last four days, $400 under par for the period.

Lady of Secrets” at the Tower felt the competition at the Deed house, has $2,000 under the theatre’s average of $7,000.

“Follow the Fleet” fadded to $4,500, $3,500 under average, its second week. Total house business (exclusive of “Dream”) was $40,300. Average is $3,400.

Estimated takings:

**Week Ending March 11:**

LOUISIANA (Radio)

FIFTH AVENUE—(1,500), 15c-35c-75c.

PHILADELPHIA—(1,500), 15c-35c-75c.

EASTBOURNE (Radio)

VICTOR—(1,100), 15c-35c-75c.

PERU (Radio)

LIMA—(1,100), 15c-35c-75c.

**“Little Lord Fauntleroy” (U. A.)**

EMPIRE—(1,500), 15c-35c-75c.

**“IF I HAD A MILLION” (Para.)**

LOEW’S STATE—(1,200), 15c.

**“THE STORY OF LOUIS PASTEUR” (F. N.)**

ANN—(1,000), 15c.

**“FRESHMAN LOVE” (Para.)**

PINE—(1,300), 15c.

**“CHEEK RACING” (Republic)**

PROVINCETOWN (Radio)

STORIIE OF LOUIS PASTEUR (F. N.)

VOICE OF ANN (M-G-M)

FAR EAST—(1,100), 15c.

COLUMBIA—(1,100), 15c.

THE COUNTRY DOCTOR (20th-Fox)

SPORTING LIFE (Para.)

WEEKLY BUSINESS (Radio)

ROOSEVELT—(1,100), 15c.

**Form Delivery Firm**

James Sheehan, Jr., March 19.—The Interstate Film Delivery Co. of Kansas City has been incorporated here with 200 shares of 10 par value stock. The incorporators are: George M. Robertson, E. Amoncono, John W. Jones, R. E. Jones and George V. Farris.

**Grants Right to Cancel**

St. Louis, March 19.—Circuit Judge O’Malley has granted to General Theatrical Enterprises, Inc., Warner subsidiary, owner of the Hi-Point, to cancel the contract, which has been held by Vaudeville promoter Mr. Jones. Francis and advertising man George Lyres of Los Angeles claims to have an interest.

**Stage Shows Dropped**

Jacksonville, March 19.—Stage shows at the Palace here are being dropped as a result of the agreement made by the local musicians’ union, which Guy Kenimer, Spurs executive, brands as unjust in a display adverting in the Times-Union.
"Any time FRANK CAPRA makes a picture it's news! MR. DEEDS GOES TO TOWN, his very latest one, DESERVES ALL THE ADJECTIVES WE HAVE BEEN SAVING FOR JUST SUCH AN OCCASION AS THIS!

The script was done with a dash by Robert Riskin, Columbia's ace scenarist, from Clarence Budington Kelland's story. Easy laughs are combined with swift story progression in a smooth-as-silk manner. Enriched by the cream of Hollywood's character actors, the picture emerges as GARY COOPER'S BIGGEST VEHICLE IN A LONG TIME, and certainly JEAN ARTHUR'S BEST TO DATE!

Capra's sure and nimble touches are lavishly displayed in every single scene! I can't guess what its chances will be of snaring the ACADEMY AWARD THIS YEAR, but let me tell you, IT VERY DEFINITELY WILL BE A STRONG CONTENDER FOR THAT HONOR!"

"MR. DEEDS GOES TO TOWN"

GEORGE BANCROFT • LIONEL STANDER • DOUGLASS DUMBRILLE • H. B. WARNER
Screen play by ROBERT RISKIN • Story by CLARENCE BUDINGTON KELLAND
A COLUMBIA PICTURE
Decision Is Reserved on N.Y. Sale Tax

Arguments Are Heard by Appellate Division

The Appellate Division of the N. Y. Supreme Court reserved decision following a hearing yesterday on the I.T.O.A.-sponsored application for an injunction to restrain the city from levying the two per cent sales tax on film rentals, and distributors from collecting it.

Melvin Albert of Weissman, Quinn, Atkins & Spett, attorneys for the I.T.O.A., made the objections for the petitioners, Quinral and Harlon, Inc., operators of Brooklyn theatres, argued that the city already has ruled that film rentals are subject to the sales tax and that the injunction procedure is immediately necessary to prevent the collection of a "discriminatory" tax. He said an Illinois sales tax had been held unconstitutional for similar discriminatory lines.

Morton Baum, representing the city (Continued on page 3)

Columbia May Join Mutua in Barcelona

BARCELONA, March 20—Bernard J. Gottlieb, local manager for Columbia, has received word from Joseph Sredel, head of the company's foreign department in New York, authorizing him to join Mutua, provided such a move can be arranged locally.

Under the present setup, all Columbia contracts with exhibitors must be approved by the Barcelona courts. However, this procedure will be eliminated if the company joins the local Film Board of Trade.

Columbia opened its office in Barce (Continued on page 3)

Dionnes See Film

Elzie and Oliva Dionne, parents of the quintuplets, visited the Music Hall in state yesterday, and saw their offspring from the luxurious vantage point of loge seats. Mrs. Dionne was delighted with the work of her children.

After the show they were escorted to back stage, and through the lobbies and rest rooms and were entertained in the studio apartment on the top floor.

Formal Transfer of Universal
Set in New York for April 2

The date of the transfer of Carl Laemmle's controlling interest in Universal to Standard Capital Co. and Charles R. Rogers has been definitely set for Thursday, April 2, it was learned yesterday. The purchasers had asked that the transfer be made on April 3, but the new date was agreed upon after communicating with Laemmle.

The $1,000,000 balance of the $5,500,000 option price will be paid in installments in cash in New York on the day of the transfer. A meeting of stockholders to elect a new board of directors will be held shortly thereafter. New members of the board will include: Chester Cowdin and Lawrence Fox of Standard Capital, Rogers, C. M. Woolf and Herbert Wilcox. The latter two will be the representatives of the British financial syndicate which is participating in the purchase.

Production Leaps;
41 Features Going

Hollywood, March 20—Producers turned on their heavy production guns here last week boosting studio work schedules to 41 features and five shorts. This is a noticeable increase over the preceding week which showed 37 features and no shorts being filmed. Nearly every studio registered a gain.

Paramount hit a new high with 12 films shooting.

Camera work was expected to gain grade for the next few weeks with 14 films scheduled for the sound stages within the next 14 days.

Columbia had two features in work. (Continued on page 3)

Emanuel Cohen Unit
To Have 4 Features

Major Prod. of which Emanuel Cohen is head, will make four pictures next season, the first to star Bing Crosby. Writers are now working on the initial script. The second will be with Mae West. Columbia will distribute.

Ben Piazza, executive assistant to Cohen, is prolonging his stay in the east another week. He is looking over suitable talent.

Another prominent star is expected to be signed by Major shortly, it was stated.

Consolation?

There is some—but very little—solace for exhibitors in the flood areas in the fact that Spring has arrived earlier this year than ever before in the 18th century. The reason: the sun crossed the equator at 1:58 P. M. E.S.T. yesterday.

Fourteen in Color
Are Set for Season

Hollywood, March 20—Thus far this season fourteen features in Technicolor have been produced or are definitely set, while several more are included in tentative plans for the rest of the year. In addition, there are more than 100 color shorts planned for the year, including cartoons, travelogues and two-reel comedies.

Pioneer plans three color features (Continued on page 3)

Repair Need Seen
Result of Floods

As flood waters poured down the Connecticut River valley with undiminished power, sweeping down on Hartford and forcing its citizens into new homes, all Loew theatres in that city and in Springfield, Mass., exhibitors in other stricken areas counted the toll in damaged walls and interior fixtures, and saw ahead the probable necessity of closing their houses until renovation—in some instances extensive—could be completed.

No RKO theatres were closed, although the circuit's seven first runs in Cincinnati were prepared for emergencies over the week-end, as waters (Continued on page 3)

B. & K. Stock Move
Gets No Opposition

WASHINGTON, March 20—No opposition was presented today before the Securities and Exchange Commission to the application of Balaban & Katz Corp. for withdrawal from listing on the Chicago Stock Exchange of 26,120 shares of its seven per cent cumulative preferred stock.

It was assumed that Charles R. Rogers and William Koening at Universal. Le Maire will concentrate on the development of a stock company at the studio. He was formerly M-G-M casting director.

Le Maire Joins "U"
As Aide to Rogers

Hollywood, March 20—Rufus Le Maire today assumed his new duties as executive assistant to Charles R. Rogers and William Koening at Universal. Le Maire will concentrate on the development of a stock company at the studio. He was formerly M-G-M casting director.

RKO to Decide Upon
Palace Vaudeville

CHICAGO, March 20—RKO executives in New York will decide Monday whether to restructure vaudeville at the Palace. Nate J. Blumberg, who stepped off here on his way east from the coast, is understood to have gone into the matter with local RKO representatives and there is a strong possibility that the stage show will be retained.

Film Salaries Transmitted
To the House

Internal Revenue Bureau
Gives Detailed List

By CLARENCE LINZ

WASHINGTON, March 20—Additional salary reports covering companies operating on a four-year basis and showing payments made during the fiscal year ending in 1935, were filed here today with the House Ways and Means Committee by the Bureau of Internal Revenue.

Organizations in the nation's film industry filed isolation for exhibition in the companies so represented are Columbia Pictures; Fox Films, Cali- fornia; Fox Films of New York; Twenty-First Century; Crosby Productions, Inc; Renraur, Inc; Movietown News, Inc.; Samuel Goldwyn, Inc; RKO Service Corp, and a number of the larger theatre circuits throughout the country.

The following list of these companies, in alphabetical order, shows executives and personnel affiliated with the organizations at the end of the fiscal year in 1935.

COLUMBIA PICTURES: Joseph H. August, $16,151; Sidney S. Cohen, writer, $40,001; John Buckler, actor, $13,966; S. J. Flood, general manager, $13,789; Edward N. Burness, director, $14,000; Sidney Irving Brittain, supervisor, $36,466; Harry Cohen, president, stockholders, $84,197; Donald Cook, actor, $12,006; John Ford, director, $80,000; Theresa Holmes, writer, $30,166; Lawrence Hillyer, director, $35,137; William Holman, studio manager, $16,500; Ethel Hill, writer, $16,358; Arthur Hohl, actor, $27,302; Jack Holt, actor, $40,000.

(Continued on page 4)
Hollywood, March 20

RICHARD offered his kingdom for a horse when the screws began to tighten. Here, where stories, good ones, are sometimes chosen despite their kings- doms, if not horses, the sort of sacrifice stands any time day or night. This chronicler earlier reported the alacrity with which many producers are willing to swoon once it is made possible for them to sink their hooks into what bears the earmarks of dramatic meat. Others there are, however, who breed the tide with another and different tale. It has to do with the Hollywood merry-go-round. ▼

Story editors, whose futures would be mad were any attempt made to essay their names, view the situation variously, for example. At the outset it is the correct statement to make that there is something pathological of material. It is further the fact set to show that the distance between story depart- ments and producers often is so impossible to traverse that many properties either are missed, abruptly entertainment is a part of the shuffle, are relegated to another day, or lost to another studio. ▼

The yarns, tall and true, about the inordinate difficulties of gal- vanizing the distinguished up- front legion into action are many. This department prefers to lack its observations with facts. Well, then, here are the facts of one situation in full regalia, except for names and places. This episode ties in a swell story, live pro- ducers and the material they work, sometimes described as the head of the plant. The particular property was sub- mitted, hurried the story depart- ment, funneled through each of the five producers, all of whom voted it in, and got nowhere because the studio chieftain to date has not had the time or the inclina- tion, perhaps to read it. ▼

Then, too, there is constantly around the circumference of the producer who simply will not read. He is either busy with too much detail, the social life or a nervous system so attuned he cannot find the patience to go through. One top rater here practically never reads. Occa- sionally, he loosens enough to recline on the couch in his studio office while a secretary does his running to him. Another, painfully pleasant, is the man who cannot recognize good material when he sees it. ▼

This is no endeavor at labeling all of Hollywood with such shortcomings. Not at all. Whether predominate or not—we think not—many in the production melée put in long days at their station to return to their slacks at night down loaded with scripts, synopses, treatments and novels as part of their constant search for illustrating new, something different. The least, at any, is a genuine effort at trying, with varying results, quite naturally. ▼

The producer, in a larger way, understands the need for the base of his picture which is the story that picture has to tell. It would, therefore, appear only logical that those appointed to ferret out such material would be ace on their line. This does not seem to prevail in the majority of instances. Probably a classic in its way is the man, occupying a high post in a major studio which an- nually turns out a varied pro- gram, who has never heard of the Scotsboro case. He has not been on any of Hollywood's circuits. Yet his is the disposition of sug- gestions from New York, his the almost final word on what his studio is or is not to produce. ▼

A more direct route from story to production was displayed as part of the problem. In many studios, the circular course through which suggestions reach their goal either for acceptance or rejec- tion and the space of time re- quired to reach such decision is difficult to comprehend. Many things may and do happen and defy understanding. A few days back, to no one, one lot dis- covered a mere thirty minutes before preview time that it did not own the story rights to the completed film. How can this be? It was. ▼

20th-Fox to Start Studio Enlargement

Hollywood, March 20—A $4,000,000 construction program will be launched at Twentieth-Century-Fox on April 1 in preparation for the con- solidation of activities of both lots at the studio. Plans include eight new sound stages of 237,000 square feet each; a new 10-story building 20 stories high covering 280 feet; new film vaults and cutting rooms, and a complete water system which includes wells and two reservoirs holding 360,000 gallons each.

Work is expected to be completed within the year under supervision of Robert Fairbanks, director. Walter Strohm is chief engineer, and Joseph Baslon is engineer in charge of construction.

Bank Night’s Fate

Up to Mass. Court

Boston, March 20—The fate of Bank Night is now before the Sup- reme Court, to which convictions on a charge of being in the Gaming business and Superior Courts have been appealed. A bill to amend the lottery laws so as to permit it was introduced in Massachu- setts has been killed by the legislature. This action leaves the game situation in a highly critical state here.

Pending a decision in the Supreme Court, Bank Night has been withdrawn from most of the Bay State theatres.

W. T. Carr Succumbs

Trenton, Ill., March 20—W. T. Carr, treasurer of the W. T. Carr Republic production head, died here last night as a result of injuries sus- tained in a recent automobile acci- dent.

Trem Carr and Mrs. Carr sailed a few days ago on the Ile de France and were due in London today.

Rest for Donald Ross

East St. Louis, Mo., March 20—Funeral services were held here for Donald W. Ross, former treasurer of the Paramount circuit, at the State Bank of Bridgeport, Conn., where he was connected with Loew’s. He was 34.

Services for Harry Kelly

Funeral services for Harry Kelly, comedian, will be held at 10:30 A.M. today at his late residence, 90-20 Whitney Ave., Elmhurst, Queens. Kelly died Thursday in polyclinic Hospital. He was 63.

“Times” Opens in Phila.

Philadelphia, March 20—Modern Times,” opened yesterday at three local Paramount houses on a day- and-date run. They are the Roosevelt, Nixon and Tower. Harry Royster of Paramount’s home office assisted Monte Salmon in the campaign.

Loew Unit Pays $1.75

Marcus Loew’s Theatres have de- clared a dividend of $1.75 a share or account of accumulations of the seven local preferred stock, payable March 31.

Delay N. J. Allied Meet

Allied has put back its annual convention and the Allied officers have announced the new dates for the get-together at the Hollenden, Cleveland, are June 3-5.

MOTION PICTURE DAILY

Sunday, March 21, 1916

By RED KANN

Hollywood

MOTION PICTURE DAILY

Insiders’ Outlook

(Registered U. S. Patent Office)

Vol. 39 March 21, 1916 No. 48

MARTYN QUIGLEY

Editor-in-Chief and Publisher

MAURICE KANN, Editor

J. M. JERAULD, Managing Editor

JAMES A. CRON, Advertising Manager


Hornig Again Heads MPTO of Maryland

Baltimore, March 20.—Frank A. Hornig was reelected president of the M.P.T.O. of Maryland, Allied affiliate, at the annual election yesterday. Allied executive officer other offi- cers named were: Arthur B. Price, vice-president; Herman A. Blum, secretary; Hubert S. Levine, treasurer.

The board of directors includes: Hornig, Price, Blum, Walter Pacy, J. Louis B., Elmer L. Levine, Sam Sonts, Bill Hicks, Laur- itz Garman and Louis Schneider.

To Score Travel Film

“Beyond the Caribbean,” filmed by Andre Roosevelt and to be released by Intercontinental, will be synchronized with music and effects under the supervision of Thomas J. Valentine at the Reeves Sound Studio today.

Keith House Cuts Loss

Boston, March 20.—The Keith Memorial Theatre Corp., for the year ended Dec. 31 last, the net loss of $108,100 after all charges, which compares with a net loss of $149,391 for 1934.

Atwell with Exposition

Cleveland, March 20.—Ben I. At- well, former director of publicity for Columbia, has joined the Great Lakes Exposition as a special representative with offices here. He will divide his time between here and New York.

Chaplins for Russia

Amkino has signed with United Artists for the showing of Charlie Chaplin’s new films, "Modern Times" in Russia, the first time Chaplin sound films will be shown there. The deal was concluded here by Arthur W. Kelly, vice-president of foreign sales for U.A., and V. Verlin- sky, Amkino president.

Seigel May Join Warners

Arthur J. Seigel, who has sold his half interest in the Cinema Circuit to Street and Seigel in "Modern Times," is reported in New York to handle the circuit’s theatres in Milwaukee.

Seigel, previous to becoming an independent, was affiliated with War- ners in New Jersey. He is a stepson of Albert Warner.
**Purely Personal**

**Landon W. Post**, Tenement House Commissioner and chairman of the Housing Authority, has been elected a member of the executive committee, National Board of Review.

Bob Lynch, M-G-M sales head in Philadelphia, left for the Quaker City yesterday. He took with him some of the “Mutiny on the Bounty” models which were submitted from his territory.

A-Mike Vogel, of the Managers Round Table Club of Motion Picture Herald will have a birthday on Monday, but it is a closely guarded secret. Even A-Mike won’t tell the number.

Arthur Lee has returned from the coast, but Jeffrey Bernardo is remaining in Hollywood for another week to attend the opening of “Rhodes” at the Four Star, Los Angeles, on Thursday.

Maury M. Collins, president of Invincible, has arrived from the coast for conferences with George R. Batcheller, head of Chesterfield, on next season’s lineups.

Charles Stern, U. A. southern distribution manager, last night for Charlotte, N. C. He will visit several exchanges during a three-week trip.

George Dembow flew in town yesterday, cutting his tour of key cities short to attend a couple of important National Screen college.

Herbert Ruckman and Irving Wessel, who were scheduled to sail on the Lafayette yesterday for a vacation, didn’t.

William Wyler, director of “These Three,” was interviewed by Rade Harris over Station WHN last night.

Laury Lawrence sails today on the “Monterey” returning to his headquarters in Paris after confering with Arthur Loew.

Jack Harrower is still confined to Yonkers' General Hospital, where he is being treated for a stomach ailment.

Isadore Welt of the Rosenblatt-Welt circuit returned to his office yesterday after nine weeks of illness.

Aaron Schusterman, New Jersey exhibitor, is back from Miami after a four weeks' vacation.

Harry Shipman sailed last night on the “Lafayette” on a 12-day cruise.

Ed Finney is now slated to return from the coast on Monday.

Frank Wilson will leave for Washington on Monday.

John R. Feuerh among those lunching at the El Helms.

Edward Golden says he wasn’t at the Tavern yesterday.

Harman Sado sails today in the Paris.

**Repair Need Seen Result of Floods**

(Continued from page 1)

were rising in that section. Loew’s theatres also were closed in Pittsburgh, where receding water left considerable damage.

In Troy, N. Y., three Warner houses were closed, although the RKO house was protected by vents of the flood waters remained open.

An exhibition problem faces neighbors of Troy, N. Y., the waters opened up the cities affected by the flood, even though their theatres were beyond the reach of the waters. These subsequent will be forced to wait for product in many cases until first run houses, damaged are reopened and play the product.

The Delaware River finally began to drop yesterday, bringing Trenton and other New Jersey towns out of danger.

**Ohio Deliveries Cut Off**

Columbia's cut-off delivery services operating out of Cleveland, reports and truck services entirely cut off from Steubenville, Alliance, and Bridgeport, due to unprecedented flood conditions. Delivery service to Canton and Akron is reported as normal.

**Shenandoah Valley Hit**

Charlottesville, Va., March 20—This entire area of the Shenandoah Valley is eight to ten feet under water, theaters in the areas including in church, Elksbury, Cumberland, and Staunton cut off entirely, and theatres in those situations seriously affected. Despite conditions, however, the Paramount did excellent business with a show featuring a Major Bowes amateur unit.

**Hartford Situation Acute**

Hartford, March 20—With many sections of New England paralyzed by flood conditions Hartford was hardest hit, with streets flooded, theatre audi- tories turned into temporary homes for troops in control of the community. Thousands of houses throughout the New England section was flooded, in addition, and others are setting holdover records, continuing to play what they have on hand.

**Pitt Theatres in Ruins**

Pittsburgh, March 20.—Wreck- age to theatres in the downtown dis- trict alone here is estimated at $5,000,000. The Stanley, Penn, Alvin and Fulton are in total ruins and will have to be entirely rehabilitated. This will probably take at least two months.

Bob Newkirk, manager of the Penn, is down with pneumonia, and a result of exposure, while Ken Coffman, artist at the Alvin, is in Mercy Hospital for the same reason.

**Radio Sets New Title**

Hollywood, March 20.—Radio has selected "Make a Wish" as the title of the Edward Hartmann original recently purchased under the tentative title "This Twinkle, Twinkle." Leigh Whipp is writing the script, Lee Marcus as associate producer.

**Form Cineroma Corp.**

Albany, March 20.—Cineroma Corp. has been chartered here by Elizabeth Woods, Herman S. Rosenblatt and Marjorie L. Soper.

**Production Leaps; 11 Features Going**

(Continued from page 1)

two in preparation and four in the cutting rooms. M-G-M had eight, two and 12; Paramount, 12, three and two; Radio, four and zero; Warners, six, one and one; Twentieth Century-Fox, six, three and six; Universal, one, one and one; and RKO, one and one. Columbia had one shooting, two preparing and two editing. M-G-M had two, two and five; Radio, zero, two and two; Roach, one, one and three; independents, one, two and zero.

**Columbia May Join Mutua in Barcelona**

(Continued from page 1)

tions nine months ago, it was stated yesterday at the company's office. While the company is in no way thinking of the sudden development, it is believed that within the next few weeks Columbia will become a shareholder of Mutua. Joseph Seidelman, who with Joseph Friedman, in charge of European operations, the Continent, yesterday for the coast by plane, sent a cable to Bernard J. Gottlieb approving joining the Barcelona Film Board of the company.

Seidelman is scheduled to return from Hollywood in 10 days. He and Friedman will confer with Henry and Jack Cohn on plans to produce a number of pictures in England.

**B & K Stock Move Gets No Opposition**

(Continued from page 1)

granting of the application, asked that a decision be rendered promptly so that the company might save itself the expense of preparing statements which must be filed at the end of this month under the Securities Act, is not intended to redeem half of the stock on May 1 at $101 per share, plus accrued interest, but to continue it as it is redeemed on May 1, 1939.

The Chicago Stock Exchange trade, only 1,840 shares were traded in 1933; 1,950 shares in 1934; 1,450 shares in 1935. The stock rose from a low of $15 in 1933 to $110 this year.

**Joe Hornstein Takes On Motography Sales**

Joe Hornstein has closed a three-year deal with Joseph B. Klessner, president, and Walter Hirschfeld, vice-president and general manager, of the Almanac Publishers, exclusivly in northern New Jersey, southern New York and eastern Conn.

The first installation will be in the new theatre Henry Sussman is building in Yonkers. It will be called the Center and will seat 1,000. It is expected to be opened March 25.

Klessner and Hirschfeld were in Philadelphia yesterday and are due to return here today. They will leave for Chicago, their headquarters, over the week-end.

**Decision Is Reserved on N.Y. Sale Tax**

(Continued from page 1)

comptroller's office, opposing the application. If the injunction is granted, that the tax legislation at issue provided a remedy for its rulings by making them subject to certiorari proceedings in the Appellate Division. The attorney for the United Artists ex- claims that all the recent proceedings had been begun by the exchange already opposing the levy made by the city against its rentals for the first three months of 1935. The Appellate Division is expected to hear the United Artists' appeal from the city's ruling sometime next month. This procedure does not seek an injunction, but comprises an appeal to prove that film rentals are not properly subject to a municipal sales tax.

Albert said that if his application for an injunction was denied he would take an appeal to the Court of Appeals.

**Fourteen in Color Are Set for Season**

(Continued from page 1)

between now and Jan. 1: "Dancing Pirate," "The Life of Custer" and a story with a New York setting which is still untitled. Selznick International has on schedule "Garden of Allah" and "Dark Victory," both to be shown in color. Selznick may make one or two others in color. Twentieth Century-Fox plans "Rama-" and "Walter Wanger, in addition to the "Test of the Lonesome Pine," plans "Sparrow of the North," and possibly one other. Alexander Korda and Henry Wilcox, in England, plan a minimum of two Technicolor features each this season. They are not set "Good for Nothing" and tentatively "The Life of Buffalo Bill." Samuel Goldwyn declared recently that the planned "Goldwyn Polites" will be in color, and reports indicate that he may do "Hurricane" also in color. It has been reported as well that War- gers are giving consideration to the production of "The Sea Hawk" in color, and Radio is said to be toying with the idea of doing a group of westerns in Technicolor.

**Robin Hood" $20,500**

"Robin Hood of El Dorado" was a weak ten days at the Century last week, garnering $20,500 for the seven-day run. "Petified Forest" and "Every Saturday Night" at the Palace ended with about $7,000. The Rialto, with "Tough Guy," tallied approximately $8,000, while "Strand on the second standard of "Century" wound up with close to $12,000.

**Aquilar "IY" Head, Spain**

N. L. Manheim, expert appraiser of Universal, has named E. Aguilar as manager in Spain, with headquarters in Barcelona. Aguilar was formerly assistant at the court until the latter was named general manager of Universal European distribution.
Film Salaries Transmitted To the House

“O’Malley of the Mounted” (Twentieth Century-Fox)

Saturday, March 21, 1936

“O’Malley of the Mounted”

Hollywood, March 20.—Once more the mountie gets his man and gets his girl, and once more George O’Brien gets his audience. This smoothly produced outdoor action film starts with O’Brien as the star mountie of the Royal NorthWest Mounted Police sent into the Canadian wilderness to bring down a vicious border gang and avenge the death of a fellow officer.

Pretending to be a desperado, O’Brien stages a fake jailbreak with James Bush, a member of the gang, who then leads him to the gang’s hideout. Irene Ware, Bush’s sister, aids in the escape and nearly gets herself killed. James Cagney, a gang member, suspects O’Brien, but his suspicions are allayed when O’Brien stages a boldp. Dangers continue to beset the group until the final scene, where Bush is cleared of the murder charge and O’Brien gets the girl.

The good cast includes Victor Potel, Reginald Barlow, Dick Cramer, Tom London, Charles King, Olin Francis and Crauford Kent. From William S. Hart’s exciting story David Jarrett and Frank Howard Clark did a neat screen play. David Howard directed. Best exploitation angle is that featuring the battle of wits by one man in the strongholds of outlaw.


Variety Club
Cleveland, March 20.—Col. Harry E. Long, Loew theatre division manager, and Col. Nat Holt, RKO theatre head here, will be kings for the day at the weekly luncheon Monday in the Hotel Statler, Ben Lyon, Mayor Harold Fabian, Burton, Director Elliot Ness and other will be guests.

Kent, going Saturday nights are proving popular, with Jack Schuelman, Dick Deutsch and Nat Wolf in charge.

Barker I. E. Schermertz and a party motored to Buffalo for the annual ball and banquet of the Buffalo rent. Barker Deutsch and Mrs. Deutsch celebrated their 13th wedding anniversary at a party in the Mayfair Casino.

Leonard Goldstein Quits

Hollywood, March 20.—Leonard Goldstein, vice-president as executive assistant to Ben Gots, Consolidated Laboratories, and accepted a similar post by the Roosevelt Hillman Prod. He will leave for New York in two weeks and will then go to England to negotiate deals.

M. Sullivan Replaced

Hollywood, March 20.—Margaret Sullivan, who suffered a broken arm in an accident here yesterday, will be unable to work for six weeks. Paramount will replace the female lead for “Hotel Imperial” in which Miss Sullivan had been cast.

McCormick Coming Back

Hollywood, March 20.—Barbara S. McCormick, RKO advertising and publicity head, will entrain for New York tomorrow night, having completed several days of conferences here.

Admits Owing on Tax

Washington, March 20.—Marion Admits filed a stipulation with the Board of Tax Appeals here today conceding she owes the Government $30,000 plus interest, in additional income taxes for 1931. The Internal Revenue Bureau had charged her with a deficiency of $29,000. She paid an income tax of $101,000 in 1929.

The deficiency was assessed on $290,000 received by the actress from the Forty-five East Fifty-fifth Co. of which she was the sole stockholder. She maintained that the money was part repayment of funds advanced by her to the corporation.

“M’iss” Next Shirley

Hollywood, March 20.—Dorothy Yost has completed the screen play of “M’iss,” from the story by Brett Anne Hart, and will be the next Anne Reid production. Radio had scripts in preparation, but Miss Yost was first to get an okay on a completed draft.

Anita Louise with Flynn

Hollywood, March 20—Warner has assigned the feminine lead in “The Charge of the Light Brigade” to Anita Louise. The male lead will be played by Errol Flynn.
Chance Games Expanding In Many Sections

Giveaway Insurance Is New Development

Giveaways as a means of bolstering theatre attendance continue to hold the attention of operators throughout the country, as numerous situations are expanding the use of chance games of some sort, and state and municipal authorities are taking cognizance of a new offshoot of the games, giveaway insurance, in which participants in giveaways are insured against loss if their names are called when they are absent from the theatre. With the following are noteworthy recent developments in various parts of the country.

Free Games Approved

NEW HAVEN, March 22—Chief of Police Philip T. Smith and Assistant City Attorney M. Edward Klenanoff have agreed to approve Bank Night, Cash Night and all other games in which free participation is possible. No decision has been handed down.

(Continued on page 9)

TPA Protests Cuts In Electric Scales

MILWAUKEE, March 22.—A protest has been entered with the Wisconsin Public Service commission by the T. P. A. against the commission’s recent order reducing the electric light rate for athletic and baseball fields. The association charges the new rate is discriminatory. Under it, these fields pay a rate of three cents per kilowatt hour for the first 2,000 kilowatt hours and two cents per hour for all over this amount. It is charged that theatres pay for their electric current nearly double that which is charged athletic fields.

Reade Gets Mineola

On Surrogate Lease

Surrogate James A. Delehanty has cas ed the Mineola, Mineola, L. I., to Walter Reade for a term of 10 years. Harry Christyman had been operating the house for some time. Reade will alter the house extensively, Leo Justen stated Saturday. About two weeks fire caused considerable damage. With the acquisition of the Mineola, the circuit totals 36. The Kilgo, Valley Park, is being converted into a market. The house has been open six weeks in the past two years, Justen said.

Board Changes Due March 30 In the MPPDA

Shifts in Major Company Personnel the Reason

Several new directors will be elected to the board of the M. P. P. D. A. at its annual meeting March 30, in accordance with the Hays organization’s practice of including in its directorate the heads of member companies. Executive changes in member companies of the M. P. P. D. A. during the past year have resulted in making four or five officials eligible for election to the organization’s board. Leo Slezak became president of RKO in November following RCA’s sale of one-half of its RKO holdings. John E. Osterberg was elected president of Paramount following the reorganization of that company last June. George Schlitt was recently appointed vice-president and general manager of United Artists, the top eastern post in that company. R. H. Cochrane, executive vice-president of Universal, will become president, and J. Cheever.

(Continued on page 9)

Has Six Lined Up

With independent Broadway theatre operators hot after product for Easter week, Mr. Hall has six pictures from as many major companies tentatively lined up for April 10. So far W. G. Van de Made no request of the attraction and the film companies involved are hoping for the is.

The attractions tentatively dated are: “Sutter’s Gold,” (Universal); “Captain January,” (Twentieth Century-Fox); “Mr. Deeds Goes to Town,” (Columbia); “Desiree,” (Paramount); “Little Foxes,” (“U. A.”); and “The Witness Chair,” (Radio).

Expect Goldner To Delay Dual Move in Phila.

PHILADELPHIA, March 22.—Benjamin Goldner, local attorney, who was appointed manager of the U. S. District Court here to attempt to determine whether or not a conspiracy existed among distributors to restrict the exhibition of double features by contract prohibitions, will make no significant move in this capacity, while the distributors’ petition for a rehearing of the duals case is pending, in the opinion of members of the local industry.

Goldner, who was attorney for Harry and Louis Perelman in the case which resulted in the district court pronounced illegal the anti-double feature clauses in contracts, returned from a Florida vacation some time ago, but has made no request of local exchanges yet for any records from their files. Distributors’ attorneys do not recognize any authority in Goldner’s appointment as “friend of the court” to examine their private documents and, it is learned here, any attempt.

(Continued on page 9)

C. E. Elliott Forms China Roars, Inc.

HOLLYWOOD, March 22.—Clyde E. Elliott today told of the formation of a company under the Nevada charter to be called China Roars, Inc. He stated that financial backing has been arranged through a syndicate of western capitalists. Release is indefinite. Elliott has obtained the sanction of the Chinese government to the picture. He sails with a complete crew April 27, aboard the Chichibu Maru for Nanking where he will confer with officials regarding protection of his unit in the interior of China.

The company is entirely new and separate from the unit formed a year ago with a Columbia releasing setup.

F. & M. Darkens Big House in St. Louis

St. Louis, March 22.—Fanchon & Marco will close the Ambassador here on March 26, after the current week’s show, for an indefinite period. Harry C. Arthur, F. & M. vice-president, stated, this week, an inability to obtain suitable product.

The theatre figures in the Government’s action against RKO, Paramount and Warners, charging conspiracy, which is pending in Federal

(Continued on page 9)

See Flood As Hard Blow to Film Grosses

Theatre Damage, Jobless To Affect Business

As flood waters began to recede in the stricken areas of Northland, Pennsylvania and the Ohio Valley, theatre men were making efforts to take stock of the damage done to houses and foresee a probable serious curtailment of grosses for the next several weeks, at least.

In addition to the necessity of closing for repairs in many instances, exhibitors are faced with a situation wherein thousands have been thrown out of employment, although only temporarily, thousands are homeless and many communities are confronted with the threat of disease, food and water shortages and the failure of power facilities. All potential theatre patrons, these thousands obviously will have little funds or opportunity to attend theatres.

Circuit executives were reluctant even to attempt to estimate the extent of damages to theatres or the amounts which would be required to put the theatres in shape again, until it was possible to survey the situations affected.

Loew’s reported that its two houses in Hartford were only slightly damaged, water having come into the cellars but causing little damage. The managers of the Boulevard and the Palaces were able to move most of the equipment. The same was true in the one house in Springfield, Mass. Those theatres were closed, it was stated, because of

(Continued on page 3)

Pathe Still Holds $248,000 RKO Notes

Pathe still owns $248,000 of RKO gold notes, it was disclosed on Saturday in a stipulation entered into with the RKO trustee. The holding represents the last of more than $3,000,000 of notes issued in 1929 when RKO acquired the Pathe assets.

Approximately 50 per cent of the original issue was in secured notes and was turned over to creditors. Pathe by Pathe in 1930 and 1931. The balance comprised $1,096,000 of unsecured notes, all of which, except the $248,000 remaining, were sold to Time magazine in April, 1935. Pathe received $340,000, or approximately 20 cents on the dollar, from Time for the $1,448,000 of notes. The

(Continued on page 2)
Hollywood, March 22.

The chariot, a quivering Ford, was hunching through Beverly Hills’ boulevards and dodging automobiles as your correspondent hurried Dave Selznick to a prior appointment. Between traffic lights and college hills, made a precarious undertaking, this job of poking into the Selznick mind for approaches on matters, current and future, in the celluloid world.

“With Hollywood tumbling over itself in the production of highly expensive negatives, don’t you think it’s about time to figure out how the money is coming back?” was one question as we beat a husky limousine to the crossroads. “I think the danger mark is reached when pictures cost over $1 million,” thought Selznick, his eyes on the road, not on us. “And yet, there is the case of ‘Mutiny on the Bounty.’ Look over that’s going. I’ve made a number of pictures that cost a lot of money, but they’ve worked themselves out. Yet you’re right in seeing a danger. The scramble for talent is reasonable, but don’t overlook the new competition coming from London. It’s done considerable in sending up salaries.”

“The answer is percentages for the real stars. Not percentages based on the net which nobody here will go for, but percentage on the gross. The agents—you’ve heard of them—are for percentages, but only on the take from the first dollar,” he continued. “I know it’s a difficult thing to work out under the current system with pictures sold in blocks, but it is no longer is for me. My arrangement with United Artists allows me to approve sales and that, naturally, gives me control over the rentals I get for my pictures. You know, I can see how the adoption of percentages will work out. The genuine stars draw them in any way and regardless of the picture quality. The lesser performers will be very apt to gravitate toward the better type of producer because there will be a greater degree of assurance in the outcome of the picture.”

This in turn, would obviously mean that the combination of star and producer will result in smash attractions. That, to carry it further, would mean a greater return to the star on his or her percentage split.”

Selznick has definite slants along other lines as well. “You may recall several seasons ago I struck a warning note on the cycle of costume pictures,” he observed as interviewee and interviewer bemoaned along merits. “Don’t misunderstand, the costume attraction will continue, but only in moderation. There has been a flood of them in the last couple of years, perhaps too many. In pathy with a new, the danger exists over classics. The good ones will get by, but something to watch out for is the filming of works of any noted author merely on the strength of his name. Dickens, for instance, wrote a lot of novels, but the public knows and remembers best only four or five.”

“Well, then, what’s coming next?” was the query. Selznick replied he saw a trend toward biography. “The evolution there will be first, but the romantic thread intertwining. Later, but gradually, I see no reason why producers cannot turn to straight biography without necessarily dragging in a false romantic story. I think the public will go for it.” Between traffic worries, the time was found to ask, “Do you propose to make ‘The Hunchback’?” The answer, “Yes, I do, but I cannot tell what the subject will be. Ideas are too often pilfered out here.” This commentator seemed to recall he had heard of plans in his ramblings around Hollywood.

Immediately, this young and dynamic producer is rushing production on “The Garden of Allah” into production. Merle Oberon, whose tests in Technicolor turn Selznick breathless faster than you can read this, will be starred. Others in color will play a large part in his lineup what with John Hay Whitney and his Technicolor interests and his $75,000 investment in Selznick International Pictures. In this direction, Dave has a great deal of company. The first flush of success enjoyed by “The Trail of the Lonesome Pine” has made the public conscious of the dullness of being simply aware of the possibilities.

Those possibilities nowhere, so far as could be discovered, embrace a long view. They are comparatively new and there is an apparent growth in the commercial value which no doubt is inherent in the first half dozen or so in color. This reporter goes anti-Whitney long enough to say the idea was to put that the uparo is very apt to subsidize after the rainbow has paid six visits or so at the box-office. Most of Hollywood, however, is excited no end and rushes to look beyond the end of its nose, red or not. Predictions that all pictures will be made in color are not altogether justified, although the five dozen oranges anyone can buy for two bits, if he has the two bits. . . .
See Flood As Hard Blow to Film Grosses

Philadelphia, March 22—Under the threat of a flood of water from the Merrimac River, all motion picture theaters in Lowell, Mass., are closed, with immediate effect. A water situation has developed, and with it the threat of inundation from the Merrimac River.

At the time of this writing, the Merrimac River was flowing at a rate of 10,000 cubic feet per second. The water presentation was reported as being heavy, and the flow was expected to continue for several days.

The water situation in Lowell is considered to be serious, and authorities have ordered that all theaters be closed until further notice. Theaters in other parts of the region are also expected to be affected, and it is anticipated that they will also be closed.

In Allston, Mass., near Boston, the water level in the Charles River has reached a level of 35 feet above the bridge. The bridge is expected to be submerged in the next few days, and all traffic is being diverted to other routes.

In addition to the closure of the theaters, all businesses in the area are being advised to take precautions against flooding. Residents are being urged to stay away from the waterfront, and all vehicles are being warned to avoid the area.

The situation is expected to improve in a few days, but officials are warning that the threat of further flooding cannot be ruled out. The public is being advised to remain vigilant and to follow any instructions from local authorities.

(Motion Picture Daily 3 March 1936)
“Bottles” (M-G-M)

Taking an ordinary plot, the producers of this all-colored cartoon have turned out a superior film with new twists and innovations. The story is of a chemist who makes a poison. After bottling it in a black bottle that has a realistic death’s head for a cork, he falls asleep. The bottle comes to life as do the others in the shop, reduces its filler, bodily, to miniature size and proceeds to wreak havoc. The chemist must chase bottles singing and crying, lay runy bottles doing runtums and the other possibilities in a drug store that make for remarkable innovation. The chemist is pursued by the death’s head, and some thrilling chase sequences follow which show clever distorted animation as the victim is forced through his chemical apparatus andvarious parts of the shop. The whole action is superb. It ends with the chemist waking from his nightmare and the year off. An artistic and imaginative cartoon, it is certain to please. Production Code Seal, No. 2005. Running time, 8 mins. “G.”

“For the Love of Pete” (Vitaphone)

Joe Palooka, played by Robert Norton, comes to the screen in a comedy-romance after the comic strip. It is quite authentic with a Knobby Walsh, portrayed by Shemp Howard, that is really worth seeing. Howard clears the efforts of Howard to get started in the fighting game again, and how he achieves his end. Norton is a baggage handler in a small town railroad station and brushes with the visiting champion, who knocks him down after a sep tars his clothes out of his bags. Howard takes Norton under his wing in the haberdashery business, using his great strength around the shop. When he is informed that the challenger is in jail he substitues Norton, who immediately results. What happens in the big fight and Norton becomes champion. There is some humor in the film and fans in the cartoon strip will find favor with the comic strip readers. Production Code Seal, No. 170. Running time, 21 mins. “G.”

“I’m a Big Shot Now” (Vitaphone)

This is a color cartoon with action and invention which should put it over. Birdville’s leading gangster is looting a saloon telling the world how tough he is and beating up a policeman to prove it. He decides to rob the bank, and, calling his gang together, pulls the job off. He retreats with the whole police force on his tail, is captured, but is discovered in a hiding place. The police lay siege with much shooting taking place. At length he is tracked down and found hiding in jail from where he sings what a jailbird he is now, somewhat mournfully. Production Code Seal, No. 3499. Running time, 7 mins. “G.”

“Paris in New York” (Vitaphone)

Irene Bordoni is featured in this new musical cartoon, which follows the adventures of the Bordoni family as they are spotted around a somewhat meager story. Miss Bordoni is the hit of a show. In an interview she reveals how she has tricked George Franklin, her producer, while drunk, into believing he had arrived in Paris when as a matter of fact he had been on a cruise-to-nowhere ship and was back where he started. The flash back method is used and when it reaches the supposed scene in a Paris cabaret a few vaudeville acts perform routine continental stuff. There is a burrexuffled xylophone turn that provides good comedy. Franklin sings up the plot and still under the influence of alcohol returns on the Hokusai ferry with his finds. A few novel dances and good musical numbers accompany the short plot. Production Code Seal, No. 978. Running time, 22 mins. “G.”

“Wash Your Step” (Vitaphone)

Hal Leroy, Cherry and June Preiss play the part of a shoe shine and get permanent wave do tricks with dummies, shave each other and perform other mildly amusing stunts. Production Code Seal, No. 1935. Running time, 6 2/3 mins. “G.”

“Beauty Shoppe” (Universal)

An Oswald, the rabbit, cartoon number in which it presents the adventures of its predecessors. Oswald pursues three monkeys into a beauty shop with the result that the latest fashion trends in hair styles and color are battered and ruined. Production Code Seal, No. 8908. Running time, 9 mins. “G.”

“The Vaud-O-Mat” (Mentor—Universal)

A set built to resemble the tiny food compartments of an automaton is used to produce a series of vaudeville acts. Biglow and Gerald, comedy tumblers, get change at a cashier’s booth. Cards in various slots to start the act. Vaud-O-Mat fan probably will enjoy the number. The acts presented are: Donatella Brothel, according to the Smart Set; Fouis; Edith Mann, dancer; Toto, the clown, with Meryl Monto; Adelle Lake, singer, and Biglow and Gerald, themselves, in their comic gymnastic stunts. Production Code Seal, No. 8909. Running time, 16 minutes. "G."
We don't own any of these newspapers even if the reviews on the following pages would lead you to believe so!
“THREE THINGS” FINE SCREEN STORY

By REGINA CREWE

Samuel Goldwyn is one of those motion picture miracle men who makes a habit of accomplishing the impossible. His latest achievement is in evidence upon the Riviera screen where he offers a dramatic and exciting entertainment which retains all the grim power of his earlier ventures. These “Three” is an unusual combination of young and talented actors and actresses, who have been selected to provide the background of this interesting story. The three main characters are played by Nancy Carroll, William Gargan, and Virginia Bruce. The story is one of love and intrigue, with elements of suspense and drama. It is a story that will hold the attention of all moviegoers.

“THREE THINGS,” AT RIVOLI, EXCITING DRAMA OF SLANDER

By BLAND JOHANSON

This is a stirring and fascinating drama of slander’s effect on innocent and well-meaning people. The story is told through the eyes of Madeleine Hopkins, a brilliant and beautiful woman who is the victim of a malicious and unscrupulous campaign. As the story unfolds, we see her life torn apart by the lies and rumors that are spread about her. The climax of the story is a dramatic scene in which Madeleine confronts her accusers, and is able to clear her name.

HERALDING THE ARRIVAL OF “THREE THINGS,” AT THE RIVOLI

By FRANK S. NUGENT

Miss Heilman’s job is little more than brilliant. She has constructed a drama of strikingly graphic and emotional importance, and has handled her cast of characters with skill and understanding. The story is a study in depth, and the acting is superb. The Rivoli audience will be thrilled with this new production, and will be well repaid for their visit to the theatre.

By EILEEN CREAMAN

Samuel Goldwyn has produced a magnificent picture for his usual practical perfection. He has succeeded in creating a film which is not only entertaining, but also thought-provoking. The story is well-developed, with well-rounded characters, and the acting is superb. The film is a great success, and will hold the attention of all moviegoers.

“THREE THINGS” SUC CHAP

By THOR

Since Charlie Chaplin had his picture made, that picture has become a classic. It is a story of a young man who dreams of becoming a successful actor, but who is continually thwarted by his own bad luck and the tricks of the trade. The film is a touching and heart-wrenching tale, and will be enjoyed by all moviegoers.
**ESE THREE" ABSORBING CINEMA**

By ROSE PELSWICK

No picture in recent years has come in for more advance comment and curiosity than the one that arrived yesterday at the Rivoli Theatre. It has been decried as an absorbing, excellently acted mystery, a case of misdirection, a no, a box-office failure and a box-office success. The same may be said of the present production, "Ese Three," which, after going into competition with other films, can be distinguished from the others.

**THEE STARS IN FILM**

This picture has been expertly directed by Miriam Hopkins and Meilir Gibson, and is starred by Merle Oberon and Lionel Barrymore. It is a story of the ultimate in their own way, and the story is told with such force and conviction that one is carried along with the action and feels the emotions of the characters. The acting is superb, and the story is well-constructed. The picture is a success, and is certain to be a box-office hit.

**"THREE THREE" AT RIVOLI SUPERB FILM**

By KATE CAMERON

Miss Helm has done a superb job. She has kept the drama moving at a high pitch. The dialogue is smart, the situations are tense, and the acting is excellent. The picture is a success, and is certain to be a box-office hit.

**CHILD ACTORS HAIRED**

The three principal performers are young stars, Meilir Gibson, Clarke Hall, and Lionel Barrymore, and they all are doing an excellent job. Miss Helm has succeeded in getting the best out of them, and they have come through with flying colors.

**BY RICHARD WATTS, Jr.**

Miss Lillian Helm has a bright future in front of her. She is a talented young actress, and she has been given a chance to show her stuff in this picture. She has risen to the occasion, and has done a first-rate job. She is a real find, and is certain to have a bright future in front of her.

**THE HISTORY OF A MALACHIC LIE**

By William BOEHNSEL

An honest, sensitive, and beautifully acted film that deserves the admiration of all the moviegoers. The picture is a study of a man and his relationships. It is a story of love, hate, and the problems of love and hate. The acting is excellent, and the story is well-told. The picture is a success, and is certain to be a box-office hit.

**By N. Y. Journal**

It is a pity that the picture was not more successful. The acting is excellent, and the story is well-told. The picture is a success, and is certain to be a box-office hit.

**BY N. Y. POST**

It is a pity that the picture was not more successful. The acting is excellent, and the story is well-told. The picture is a success, and is certain to be a box-office hit.

**BY N. Y. TELEGRAM**

It is a pity that the picture was not more successful. The acting is excellent, and the story is well-told. The picture is a success, and is certain to be a box-office hit.

**N. Y. HERALD TRIBUNE**

It is a pity that the picture was not more successful. The acting is excellent, and the story is well-told. The picture is a success, and is certain to be a box-office hit.

**CRITICS UNANIMOUSLY**

Greatness of a picture... will open an extra box-office care of the crowds that need to storm your theatre!
SECOND DAY'S SWIRLING CROWDS SEND RIVOLI RECEIPTS TO NEW WALL-BULGING HIGH AND EVEN TOPS THE SENSATIONAL OPENING DAY'S RECEIPTS BY $712...

as we go to press at 5 P. M. of the third day the amazing box office rush shows that 1146 more people have purchased tickets (today Friday) than during the same period of the preceding day.

SAMUEL GOLDWYN presents

These Three

Miriam with Merle
HOPKINS-OBERON

JOEL McCREA

Directed by WILLIAM WYLER

Screenplay by LILLIAN HELLMAN

Released thru UNITED ARTISTS
MOTION

Chance Games Expanding In Many Sections

(Costumed from page 1)

with reference to Topuka, Bingo and Beano, although it is intimated that Bingo is looked upon with disfavor. No further action will be taken, it is said, except that a further permit is received warranting police or court action. State police, however, have been checked on top of this vice for overcrowding on game nights. About 10 theaters here operate cash awards.

Bans in Bridgeport and Waterbury remain in effect. The Lido in Waterbury is the first there to offer merchandise prizes on Ban-

Kan to Study Gaglene TOPEKA, Kan., March 22—Attorney General Clarence V. Beck of Kansas plans to move against Bank Night and the major networks in the state in an attempt to end this type of organization. Beck has been keeping clear of extra-

THE EISENBERG (Col.) S.15,000. 7 days. Gross: $1,970.00. ($1,500)

“F. & M. Darkens Big House in St. Louis” (Continued from page 1)

Connecticut, March 22.—The story of Louis Pasteur, in an outstanding exploitation campaign, has pulled a huge $11,800 at the Apollo. It built from day to day with remarkable width and considerable surprising. Par for the house is $4,500.

The “Lone Wolf Returns” garnered $13,700 at the State-Lake, and Petried Forest,” with John Boles at the stage at the Chicago, pulled an excellent $9,000. This was over the limit.

Total first run business was $128,300. Average is $11,700.

Estimated takings:  

Week Ending March 17:  

—TRAIL OF THE LONESOME PINE—(Par.) ROOSEVELT — 25c-50c-10c. 7 days. Gross: $8,350.00. ($1,000)

Week Ending March 19:  

—FOLLOW THE FLEET (Radio) PALACE —25c-50c-10c. 7 days. Gross: $5,000.00. ($1,000)

—PETRIFFED FOREST—(W.B.) CHICAGO — 4c-9c. 5c-15c. 7 days. Gross: $700.00. ($100)

—THREE LIVE GHOSTS—(M-G-M) ORIENTAL —4c-9c. 5c-15c. 7 days. Gross: $1,500.00. ($100)

—THE MILKY WAY—(Par.) GARRICK — 25c-50c-10c. 7 days. Gross: $5,300.00. ($1,000)

Week Ending March 29:  

—STORY OF LOUIS PASTEUR—(W.B.) APOLO —1c-4c. 5c-10c. 7 days. Gross: $1,900.00. ($100)

—MODERN TIMES—(U.A.) UNITED ARTISTS — 1c-5c. 10c. 4th week. 7 days. Gross: $1,000.00. ($100)

—THE LONE WOLF RETURNS—(Col.) STATE LAKES — 25c-50c-10c. 7 days. Gross: $5,300.00. ($1,000)

F. & M. Darkens Big House in St. Louis (Continued from page 1)  

court. Notice: In recent weeks the house has been selling at approximately $13,000, considered a fair take. The weekly rental of $2,350 has been paid by St. Louis Ambassador Theatre, Inc., of which Arthur is president, but it is understood the bondholders' committee for the property has indicated that it would declare a default.

Buy Two Martini Songs

Hollywood, March 22.—Pickford-Lasky has bought two songs for Ninon Martini’s next picture, “The Gay Desperado.” They are: “Tonight, Lover, Tonight,” by Jack Stern and Harry Tobias; and “The World is Mine Tonight,” by Holt Marvell and George Postor. Response to the bidders after Martini had tried them out in a broadcast influence the purchase.

Form Theatre Company

Harrisonburg, March 22—Rex Reading Corporation has organized here to operate theaters. Incorporators are Sarah Rossheim, Joseph Rossheim and Howard A. Lehman.

Sues on Bank Night

KANSAS CITY, March 22—Affiliated Enterprises, Inc., i.e. Sues of Bank Night, has filed suit here against Dusty Rhodes' Gillham and Rube Eberholtz. The suit is filed on behalf of the exhibitors, who refused to pay rentals on the promotion because of the way Eberholtz has used a Bank Night pool plan in their 13 Kansas City houses. Both exhibitors continue to use Bank Night.

Golder Delay Seen in Phila. Dual Move

(Continued from page 1)

In Philadelphia, a dual move may be made to do so will be contested in the courts.

The distributors' application for a rehearing before the U. S. Circuit Court of Appeals for this district of their appeal from the district court's decision that the anti-competitive clauses to be illegal has not been decided yet. Therefore, this case is still in the process of being argued. There is no point out, and any move Golder may make now in his capacity of amicus curiae would be without effect, and the distributors win their appeal steps.

Approve Operator Bill

ST. LOUIS, March 22.—The Public Safety Committee of the Board of Aldermen has approved a bill offered by local projectionists requiring an operator for each projector in local houses. The measure, if passed, will mean an important advance because practically all houses employ at least two operators on each shift. Theatre men at public hearings had declared the bill unnecessary.

Senator Impressed

Washington, March 22— "The Story of Louis Pasteur" broke into a Senate debate and made the Congressional Record the other day.

In discussing the Public Health Service appropriation Senator John W. Nye, a New York Democrat, said that he had seen just the picture at the Earle and that "Paul Muni's wonderful characterization had further impressed him with the vital importance of the Public Health Service."
“Fleet” Winds Up 3rd Week On the Coast

Los Angeles, March 22—“Follow the Fleet” completed its third week in fine style, going $2,000 over average at Panages, but dropping below par at the Sate’s duplex by approximately the same amount.

“Three Women” at the Grand Imperial was the most impressive showing in a week of poor grosses, doing close to $2,000 above the line.

The weather was good.

Total first run business was $86,943, Average is $88,150.

Estimated takings for the week ending March 18:

- **THE COUNTRY DOCTOR** (20th-Fox) gross $8,800. 3rd week. Gross $2,320. (Average $2,900)
- **PASSING OF THE THIRD FLOOR BACK** (G.B.) FILMARTÉ—$800, 3rd-4th. 7 days. Gross: $1,280. (Average $1,900)
- **VOICE OF BUGLE ANN** (M-G-M) WARNER—$1,500. 3rd week. Gross: $450. (Average $750)
- **GRAND INTERNATION—** $7,500, 3rd-4th. 7 days. Gross: $2,150. (Average $3,143)
- **FOLLOW THE FLEET** (Radio) PARAMOUNT—$5,000. 3rd-4th. 7 days. Stage: F. & M. revue, Al Lyons and his orchestra. Gross: $1,850. (Average $2,643)
- **COLLEEN (W.B.)** WARNER—$2,400. 7 days. Gross: $990. (Average $130)
- **COLLEEN** (W.B.) WARNER BROS. (DOWNTOWN) 7 days. Gross: $790. (Average $110)

**Chaplin Is $1,230 Leader in Buffalo**

BUFFALO, March 22, — “Modern Times” was the topnotch draw here in last week’s first run house in town beating comfort favorably. It drew $12,300 to the Great Lakes for average over $5,000 and was held over.

“The Country Doctor” was $3,000 to the good at the Buffalo, and the Lafayette’s “Irresistible Ray” and “His Night Out,” went $2,500 over the line with a take of $8,500.

Chaplin: $1,230 leader. Average is $1,200.

Estimated takings for the week ending March 18:

- **THE COUNTRY DOCTOR** (20th-Fox) BUFFALO—$1,000. 3rd-4th. 7 days. Gross: $1,350. (Average $192)
- **WIFE VS. SECRETARY** (M-G-M) PARAMOUNT—$800. 3rd week. Gross: $250. (Average $270)
- **MODERN TIMES** (W.B.) GREAT LAKES—$1,000. 3rd-4th. 7 days. Gross: $1,500. (Average $214)
- **PADDY O’DAY** (20th-Fox) CENTURY—$900. 4th-5th. 7 days. Gross: $650. (Average $117)
- **TH’MISHISH BAY** (Univ.) “HIS NIGHT OUT” (Univ.) LAFAYETTE—$500. 3rd-4th. 7 days. Gross: $650. (Average $117)
- **VICTORIAN CASE** (Republic) GAYETY—$200. 3rd-4th. 7 days. Stage: “Revue Continental”. Gross: $410. (Average $58)

Goldwyn Writes Busy Hollywood, March 22—With eight films scheduled for production at the Goldwyn studios for the coming season, writers at work include: Jane Murfin, making final revisions on “Come and Get It”, W. P. Lipscomb, on “Hurricane”; Sidney Kingsley, on “Dodworth”, in New York, and Samuel Hoffenstein, on screenplay for play of “The Princess and the Pauper.”

Joins Supply Company Boston, March 23—William Hawkinson, the new associate of Ken Douglas as the Vermont and New Hampshire sales representative for Capitol Theatre Supply Co.

Shreve Gets K. C. Post Kansas City, March 22—Walter Shreve, has been made manager of the local office of National Theatre Supply Co., succeeding Walter Denney, resigned.

Atlanta Acquires Two Atlantic Pictures Corp. has closed with Twickenham Prod. London, for American distribution of “Last Journey” and “His Private Secretary.”

“Secretary” Is Seattle Best, Getting $8,300 Seattle, March 22—“wife vs. Secretary” was the big noise of the week. It grossed $8,300 at the Fifth Avenue. Muriel and Marjorie were moved to the Blue Mouse for an extended run.

“The Country Doctor” was good in its second week at the Music Box, an extended run from the Fifth Avenue. The $4,250 take was up by $250. Others are still impress.

Total first run business was $31,650, Average is $33,500.

Estimated takings for the week ending March 20:

- **FOLLOW THE LEET** (Radio) FILMARTÉ—$1,000, 3rd-4th. 7 days. Gross: $2,850. (Average $3,750)
- **WIFE VS. SECRETARY** (M-G-M) PARAMOUNT—$800. 3rd week. Gross: $2,150. (Average $3,071)
- **THE COUNTRY DOCTOR** (20th-Fox) LAFAYETTE—$1,400, 3rd-4th. 7 days. Gross: $3,250. (Average $4,643)
- **KINDLING ANNIE** (Para) “EVERYTHING BUT THE PRIZE” (20th-Fox) ORPHEUM—$2,400, 3rd-4th. 7 days. Stage: $1,150. Average $1,643
- **BOULDER DAM** (W.B.) “BOHEMIAN GIRL” (M-G-M) PARAMOUNT—$1,250. 3rd-4th. 7 days. Gross: $4,450. (Average $5,000)
- **RUTHLESS** (Republic) REX—$1,000, 3rd-4th. 7 days. Stage: $1,250. Average $1,714
- **LAUGHING WIFE** (Paramount) “TWO SINNERS” (Republic) “TWO SINNERS” (Republic) REX—$1,000, 3rd-4th. 7 days. Stage: $1,250. Average $1,714

Silent Scenes Out, Dreher Report Says Hollywood, March 22—Hardly a single silent scene is filmed in movies today, according to a report by Carl Dreher, head of the Radio sound department. A compilation of sound film stock rose in 1935 to 7,500,000 feet, after remaining at approximately 5,000,000 for three years. Last year nine pictures used over 200,000 feet of sound each as against two such films in 1934. A first footage run through the recorders since Radio began making sound films, according to Dreher’s report, was more than $2,000,000 at the end of 1935. More than one-third, or 37 per cent, of all features released by Radio in 1935 contained music, the report said, with an increase expected this year.

Klinger to Pittsburgh Pittsburgh, March 22—Jack Klinger, manager of the Granada in Toledo, 0., for a group headed by William Stibb, has come here to handle the new and popular “Hill Street” series. Klinger will remain until the house is running smoothly, then will name his own successor.

Erlanger Holding Films Philadelphia, March 22.—The Erlanger, managed by Samuel F. Erlanger, has purchased a New York house for “Modern Times,” will continue in this policy.

A rare documentary film on first run product at the Stanley and Boyd, Klinger expects to get other major product for the season.
SUPER X... as unusual as it sounds, and well-named too. For it passes superlatively excellent photographic quality on to the screen. Producers, exhibitors, the public... everyone benefits. No wonder that cameramen choose Super X Film for the majority of the big feature pictures. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, New York, Chicago, Hollywood.)
Principal Productions, Inc. announces

A New Series of

HAROLD BELL WRIGHT and ZANE GREY Outdoor Classics

1. ALIAS BRIAN KENT . . . by Harold Bell Wright
2. KING of the ROYAL MOUNTED by Zane Grey
3. THE DEVIL'S HIGHWAY by Harold Bell Wright
4. SMOKY RANGE . . . by Zane Grey
5. THE UTAH TRAIL . . . by Harold Bell Wright
6. SECRET VALLEY . . . (Tentative Title)

Released thru

20th CENTURY-FOX
FILM CORPORATION

PRODUCED BY SOL LESSER
Block Sales Measure Hit
By Schaefer

Copyright Hearing
To End on Apr. 15

Nathanson Contract
Talk to Be Resumed

Feller, Executive
Of Cecil Film, Dies

Theatre Liquor Bill
Passed in Assembly

RKO to Have
At Least 48,
States Levy

March of Time, Bowes, 36 Shorts Scheduled

Radio Studio Setup
Is Complete—Spitz

U.S. Not to Have
Outside Legal Aid

Personnel Changes
In Effect at FWC

Symphonic Again

These symphony orchestras can’t scare Dave Rubinoff and his Stradivarius. He has just accepted an invitation to conduct the Seattle Symphony in July—and has accepted. The 42nd annual convention of the Shrine will be there.

Several months ago Rubinoff went to Cincinnati to conduct the Simmsminthe Symphony Orchestra a flock of girls kissed him at the railroad station. Then some of the musicians with upraised brows walked out before the allegro movement, but nevertheless they paid off the deficit.

Jersey Shifts To Lower Rate
On New Taxes

TRENTON, March 25.—A new amusement tax program of one cent on each 25-cent admission bracket with no exemptions was under consideration by legislative leaders tonight as part of a move to impose a broad-base tax.

Veteran legislators want to bring the thirteendeated amusement-luxury tax bill to a vote again tonight before turning to the far-reaching new levy. The amusement tax in the present bill is four percent on gross admissions, to be absorbed by exhibitors who, they say, could raise their scale to cover the tax or absorb the loss.

If this bill is defeated again, plans are to abandon it and turn to a general state tax. Included with amusements in the present bill are taxes on

MOTION PICTURE DAILY

The Leading Daily Newspaper of the Motion Picture Industry

VOL. 39 NO. 70 NEW YORK, TUESDAY, MARCH 24, 1936 TEN CENTS

Copyright Hearing
To End on Apr. 15

WASHINGTON, March 25—Members of the House Patents Committee to-day agreed definitely to close the hearings on copyright revision April 15, and, if necessary, to return to the committee to take testimony simultaneously.

As the committee tomorrow begins another week of hearings on the Duffy bill, with representatives of the film industry scheduled to be heard, the Neely sub-committee on block booking will meet to discuss the course to be taken with respect to the Neely-Pettengill Bill on which hearings were held last month.

During the executive meeting which is planned it is expected that the pro-

Tales from the Hollywood Hills:

Mox Sobhobs, the exhibitor from the fringe of Hollywood, was visiting short-ly before Eddie Alpser left for Miami where the Chamber of Commerce says the sunshine rivals Hollywood's Eddie was on the phone. "I wanna talk to that fella," insisted Sobhobs, whose eloquence knows no limitations. And so he talked, the conversation running something like this:

"Mr. Alpser, this is Mox Sobhobs talking. You don't know me? Well, I operate a theatre on the fringe of Hollywood. I can't get Charlie Skoun-ras on the telephone, but I insist on talking to you. You're one of those Fox West Coast guys. Can I talk to you, Mr. Alpser, that I don't like the protection you get over my theatre. It's not fair. Furthermore I don't like the way you run Bank Nights. What? You won't listen to me? You better, even if you never did hear of me. I am an exhibitor and I got a right to life. Just like you. Furthermore, I am thinking about filing an anti-trust suit. Harry Arthur is no bigger than I am," Alpser cutting in:

"An anti-trust suit? Why didn't you say so in the first place and cut out the unimportant stuff. Now we're getting down to big business."

From the bottom of the pile, this program note, reverting to the preview of "Little Lord Fauntleroy":

W. J. Coulter Gaining

Richmond, March 23—After J. Coulter, circuit operator, is moving from an operation at the Richmond Hospital.

Ethe] Bourne More Hurt

Ethed Barrymore is in the University Hospital in Port Chester, recovering from a broken shoulder which she sustained in a fall.

Intermountain Expands

Salt Lake City, March 23—Inter-mountain Theatres, Inc., has entered the Montana field with the taking over of the new house.

Production Spurts With 41 Shooting

Hollywood, March 21—Production facilities were taxed last week to handle 41 features in work, 52 in the cutting rooms and 21 in preparation for the camera. The total of the features in short subject production showed a slight drop, however, with only two in work. At least 10 of the features next week should have particular interest for exhibitors from the exploitation and entertainment standpoints.

Paramount led the field with eight features in work, Warners running close second, with seven. Columbia had six, two in preparation and five editing. M-G-M had six, one; Paramount, eight, two and six; Republic, three, three and five; Radio, two, three and four; Roach, one, zero and one; Twentieth Century-Fox, five, five and five; Universal, one, zero and four; Warners, seven, zero and nine; independents, five, four and two.

On the short subject schedule Columbia had one in work, two in preparation and two cutting. M-G-M had zero, none in work, two and two; Roach, one, zero and three; independents, zero, three and two.

These Three Heads

For a $45,000 Week

With $35,000 in the till for the first five days, "These Three" is expected to tally around $45,000 for the first week at the Rivoli.

Sutter's Gold has been booked into "M.A. & M." Theatre, starting Thursday and "Little Lord Fauntleroy" is dated in beginning April 2.

Para. Seeks New Lead

Hollywood, March 21—Paramount's hard luck with "Hotel Imperial" continues. Margaret Sullivan, who broke her arm on the set last week, is still in a hospital somewhere and will have to be replaced. This is the film originally launched with Mar-len Street, whose collapse was about one-third through production when the player withdrew from the cast. Miss Sullivan replaced her.

Oscar Asche, Actor, Dead

Marlborough, March 23—Oscar Asche, famous Shakespearean actor and author of "Chu Chin Chow," in which he starred in for five years, died here today of heart disease. He was 64 years old.

Phillipson Here

Percy Phillipson, managing director of Automaticat, Ltd., of London and president of the General Register Corp., of New York is here for a two weeks' stay.

Jack Oakie Marries

Yuma, Ariz., March 23—Jack Oakie and Daisy Veniard were married Sunday aboard a Southern Pacific train here. They returned to Los Angeles and are now en route to New York.

Ascap to Reel Buck

The reelection of Gene Buck as president, and E. C. Mills as general counsel of Ascap is expected at the annual meeting of the board to be held Thursday at the Ritz Hotel.
THREE IN A ROW

For the third successive season an Educational Picture wins the Academy Award for the best short subject novelty of the year.

1933
KRAKATOA
The world's most destructive volcano in eruption.

1934
CITY OF WAX
A fascinating story of nature in the raw from the Battle for Life series. Produced by Stacey & Horace Woodard

1935
WINGS OVER MT. EVEREST

OFFICIAL PICTURES OF THE HOUSTON-MT. EVEREST FLIGHT
A featurette of historical value, packed with the supreme thrills of man's first flight over the "roof of the world."

Narrated by Lowell Thomas

Presented by W. HAMMONS

Distributed in U.S.A. by 20th Century-Fox Film Corporation
Jersey Shifts To Lower Rate On New Taxes

(Continued from page 1)

(Continued from page 1)

M. R. AM HOPKINS is abroad in the Paris on the lookout for a vacation in England. Although she had been dickerng to appear in "Turn Out the Clock," she next night in a film, FABRICKS, Jr., film for Criterion, the deal fell through.

JIMMY CAMPBELL, who handles the music end of G. B. pictures, is in Chicago working on radio tieups for C. O. S. Loves Again, the next Royal of Matthew, film. He's scheduled to return Monday.

JULIUS LEVY brought back from Dal- las a 10-gallon sombrero. He's ad- vertising the centennial this year. RKO is not even mentioned, which is a tough break for Levy.

Joe Vogt goes back from Pitts- bury yesterday after looking over the flood situation as it affected Loew's Penn. He has a rather bumpy trip on the plane.

MORRIS JUZNEK, New England exhibitor, has taken the Royal Far Rockaway. The house, now dark, will be renovated and opened next month.

ADAM ADAMS, New York exhibitor, has called a time-out from his work as he was in session in the Film Center elevator with a lighted cigar.

LOU MARKS of Joe Hornstein's of- fice tried to visit Hartford over the week-end to look into the flood situation, but was held at Middletown, Conn.

NED F. DEPINT and JULIUS LEVY are back in town after a trip to the RKO studios and several stopovers where they held regional sales meet- ings.

BILL SAVAGE of RKO's legal staff was in Chicago yesterday on the Spear suit against Pathé in connection with picture rights to the Dionne Quintuplets.

BOB MURPHY, assistant to A. W. Smith, Jr., left yesterday on a trip to the Warner branches at Washing- ton, Pittsburgh and Cincinnati.

CLAYE LUCAS and his orchestra will start work tomorrow in a musical short at the Vitaphone studio in Brooklyn.

J. LOUIS GELLER, local exhibitor, has been re-elected chairman of the board of the Royal Industrial Bank.

LOU ANGER is still around town. He has planned to leave Sunday, but changed his mind the last minute.

BILL EHR, New England district manager for Paramount, was in from Boston yesterday.

ED FINNEY, Republic advertising director, has arrived from the coast.

JEFFREY BURNER is due back from Hollywood on April 1.

NEIL FAZAYE has returned from the south by plane.

HARRY H. THOMAS is back from a week on the east coast.

A DOLPH ZUKOR and Leo Shpyt- background remained the show- ing point at the Astor. Others convening in the Hunting Room included George Skouras, Louis Leiben and Max A. Cohen.

S. CHARLES EINFELD, director of publicity for Warners' publicity for Warn- ers, expects to leave for Hollywood tomorrow or Thursday by air. A short trip, only a handful of days.

CHARLES STERN of U. A. left Sun- day for Charlotte and Atlanta. Jack Geary, who was in town last week, has returned to his district quarters in Chicago.

WILLARD MCKAY, back from Flor- ida, reported yesterday SAM DES- NOW's wardrobe at Miami includes all of the latest Immerson creations.

HARVEY DAY has left on a tour of the coast. Day returns next Monday from the Bahamas.

ROGER PETIER has arrived from the coast. He is stopping at the Lombardy.

LOU IRWIN and JON PINSO for off for Cincinnati. Back in a couple of days.

Mrs. Ned E. Depint returns from the coast tomorrow.

AL LIGHTMAN returned yesterday from Bermuda.

L. LINCOLN

HAROLD SCHNOOFEF is operating the Mazda at Aurora, Neb., while his father, JIM SCHNOOFEF, is vacationing in California.

CARL ROSE of York, Neb., says he's about 26 pounds lighter after a so- journ at the hospital. He's on full strength though, according to his manager, who's manager for Harry Weinkerg's houses.

HARRY ALEX and his brother, Doc, will continue to operate the Island, Grand Island. The Allen boys came up from the Texas Hob- lizette circuit not long ago.

NEW ORLEANS

CLAUDE DARRE of the Opera House, Morgan City, La., was on Film Row recently.

R. M. CARRAHAN, owner of the Roosevelt of Sulphur, La., spent last week in this city accompanied by his wife.

ROBERT WILKINS, Kansas City manager, has been visiting New Orleans in route to South America.

M. WINGRUMB, owner of the suburban Avenue, is having it completely remodeled with the intention of making it a class A house.

HARRY HUNT, the Princess, Westby, Miss., was in town.

WILLIAM COBB, owner of the Fox in Houma, La., was on Film Row.

A. (TONY) DEMITRAKER has been driving around lately in a new car.

HENRY VACCARSI, owner of the Elks of Venice, La., has reopened his theatre on Sunday only until the start of the regular summer season.

J. BAUERF, owner of the Imperial, is still under the weather.

U. S. Not to Have Outside Legal Aid

(Continued from page 1)

bothered by the Government in its New York action. Mr. Holdren recently was heard by the Philadelphia Fed- eral court to determine whether a con- spiration existed among distributors to restrict the appearance of motion picture fea- tures by contract provisions. He had been attorney for Harry and Louis Mandeville, who are involved in the Federal court declaring illegal dual prohibition clauses in contracts.

The distributors' petition for a re- hearing is pending in Philadelphia.

POOLING MOVES STIR MIlWAUKEE INTEREST

MILWAUKEE, March 23—Rum- mings of a battle for control of neighborhood houses between the Wis- consin Amusement Enterprises and the combined Saxe Amusement Man- agement, Inc., and Warners is seen in the pooling of the Columbia indepen- dent west side neighborhood house, with the Tivoli, operated by Saxe. The two houses are within a block of each other.

Saxe owns the old Tivoli banner with John Honthaner, operator of the Comet, managing both.

This move is seen as an answer to the recent announcement that the L. P. G. Amusement Co. has been aligned with Wisconsin Amusement Enterprises, is taking over the Layton Park, Pearl and Grace, southside neighborhood houses from Warner's Charles H. Washcheck. Originally scheduled for March 15, the transfer will become effective April 1.

Up to the advent of the L. P. G. Amusement Co., Saxe and Warner had no south side situation well as a result of the pooling some six months ago of the Granada and Modjeska, the former a Warner house, the latter a Saxe.

Wisconsin Amusement is reported dickerng for several other spots in the county, and various independent exhibitors in the affected territories are viewing the situation with no little concern.

COMMITTEE IS NAMED

An advisory committee consisting of men prominent in the film industry, the arts, education and philosophers has been formed to aid in the activi- ties of the Museum of Modern Art Film Library. Will H. Hays, Jules E. Brulatour and Irving Thalberg rep- resent the film contingent, and Stan- ton Brooks, Cornell University; Dr. Howard Mansfield, arts at Princeton, and David H. Stevens of the Rockefeller Institute represent the other groups. The committee will meet once a month with the museum's trustee committee.

CONN FORMS CHELSEA

Maurice Conn, who will produce 30 features next season for Conn. Prod. and Ambassador Prod., has formed a sales office in New York to handle the product locally. He is president of the local company and Adolph Pollak is vice-president and general manager. New York exchange will be opened in about a week at the Film Center. Conn is due in the east in two weeks. For the current season Conn has 16 scheduled.
GIVES MARCH OF TIME No. 1 RATING

A year ago some showmen questioned the idea of audiences liking the March of Time and its hard-hitting drama of real life. Its worth in small rural theatres was doubted. Questioned, too, was the importance the public and the press would place on the monthly issues. But with its second year now under way, these questions have answered themselves.

DO PICTURE AUDIENCES WANT TO SEE THE MARCH OF TIME?
Here is one answer from a large suburban house in a big mid-western city.

**Recently I attended the . . . theatre here to enjoy the March of Time. After the so-called feature a 'Screen' game was conducted. Finally the feature began again.

"Leaving my seat I asked the usher when I might see the March of Time. In a characteristic gush of courtesy he showed me the manager. This tuxedoed dignitary explained that the March of Time was omitted to save time. But this was the last show! He offered me a refund and I refused it.

"By this time a large group had gathered and they took up the argument. None would accept refund or invitation to leave. Some became angry and the super-manager was called. He explained that the cost of running extra time was too great; that the contest had taken too long. Receiving no sympathy he offered to show our request after the feature now on.

"Leaving the unsatisfied crowd I returned to my seat. Presently the house lighted and an announcement made that through an error the March of Time had been omitted and would be shown immediately. It was."—H. M.

And another from one of the largest first-run houses in the Southwest.

**Our weather here has been pretty severe, but the March of Time, proven by figures, has meant an awful lot of money for us at the box office and has been established in the minds of our patrons as one of the greatest film features the theater has ever seen."—P. S.

HOW IMPORTANT AN EXPLOITATION MEDIUM IS THE MARCH OF TIME?
This letter is from the General Soapods Corporation to its branches and dealers all over the country.

"The March of Time during the past month has been filming a picture of the New England fishing Industry. It impressed us so greatly that we are writing this letter to advise you that the March of Time play dates in the theaters in your territory with their names and addresses.

"It is quite possible that you may wish to incorporate this news in your local advertising, and we feel sure that such action will be of material benefit to you."

WHAT IS THE MARCH OF TIME WORTH TO THE SMALL-TOWN THEATRE?
The operator of a 200-seat house in this Montana town (pop. 468) says:

"Being a comparatively new subscriber to the March of Time I have been noticing the increased interest my patrons are taking in your news and look forward eagerly to the next issue.

"I admire the courage and bravery of the March of Time in giving the public unbiased facts. We want more leaders like you in the motion picture industry."—H. O. E.

From a 500-seat house in an Idaho town (pop. 1500) comes this letter.

"In my opinion this is THE greatest item in short subjects available to exhibitors today.

"I feel that this subject has not only added prestige to our program presentation but has also built our business on the days of its showing to the extent of bringing patrons to our theater who did not come at any other time.

"The exhibitor of today who has the March of Time available for his screen and does not use it, is not doing his duty to his community."

HOW IMPORTANT DOES THE PRESS CONSIDER THE MARCH OF TIME?
This review is from the Washington, D. C., News.

"Showmen are pretty well agreed that only two short subject series have any influence on the box office. One- and two-reel films enhance programs. But the only shorts that consistently affect prospective patrons' choice of theaters are the March of Time and Walt Disney's cartoons."

Australia's famed Smith's Weekly finds it important too:

"The greatest sensation in the moving picture world since the advent of the 'Talkies' has arrived in Australia—a series entitled 'The March of Time.'

"They are 'The Thinkies'—the term is 'Smith's'.

"They deal with subjects of world interest in a manner which sends the audience away with something to ponder."

As does London's Observer:

"March of Time is, on every count, the most lively, intelligent, and important departure of the recent screen."

*All letters reproduced here were written in the course of regular business, and the originals are on file in the March of Time's Advertising Department in New York. Not having been intended as testimonials, their signatures and theater names have been deleted.
Minneapolis Tips “Pine” Big $11,500

MOTION PICTURE DAILY
Tuesday, March 24, 1936

HOLLYWOOD, March 23—Pickford-Lasky sending questionnaires to 2,500 old fans to determine critics and fans—also to find out with respect to FRANCIS LEEDEER, how many he should make a year, what type of character he should play and what genre he should appear in. Suggestions also are sought on stories. —LLOYD BRIGHTWELL

Newspapers on "M-G-M" List:

Charles M. COFFY, senior vice-president of the M-G-M film company, today announced that the company has been given a $1,500 option on a story titled "Something for Sadie." The story is to be produced by M-G-M in co-operation with the American Film Institute, it was announced.

Buenos Aires Firm To Have 16 in ’36

WASHINGTON, March 23—The Ca. Industrial Film Enterprise, Sociedad Anonima—better known in Buenos Aires as the C. I. F. E. S. A.—has embarked upon an ambitious program for ’36, and has announced that it will be available from Spain about 16 features, according to a report to the U. S. Department of Commerce from Trade Commissioner DuWayne C. Clark, in Buenos Aires.

Washington, March 23—Doctoring the big Rio at the Orpheum last night was the opening day at the Orpheum and brought out long lines in front of the house.

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WASHINGTON, March 23—With flood waters of the Potomac offering still opposition, theatres held up. "Now the Flock" at RKO-Koeln took $12,300 in its second week, to top the regular first-week average by $1,700, when the picture was ordered. "The Voice of Eulogium," a new feature for 1936, was released.

At the Metropolitan, where "The Walking Dead" skyrocketed the take to $1,200, a return engagement of "The Prisoner of Shark Island" at Loew’s Columbia was good for $4,500, for the first run by parlor, $900, a revival of "Arrowsmith" at the Belasco took $4,100, on seven days, which was increased $3,000 for the following four days. The average week is $3,000.

"Drew's Smog " at Loew’s Palace dropped from $11,400 to $10,000, a business to $11,400, but was given $4,500 under the first week average.

"The Design," with a personal appearance of June Knight, slipped to $17,400, under average by $900.

The total first run business was $8,400. Average $7,850.

Estimated takings, exclusive of tax:

Week Ending March 19: EARLE—(210), 25c-5c, 7 days.

STARK—(300), 30c-50c, 4 days. Gross: $3,900. (Average: $975.)

LAMBERT—(210), 30c-60c, 5 days. Gross: $7,500. (Average: $1,500.)

PRISONER OF SHARK ISLAND—(300), 25c-55c, 5 days. Gross: $9,000. (Average: $1,800.)

LOEW’S COLUMBIA—(350), 25c-5c, 7 days. Gross: $9,500. (Average: $1,357.)

VOICE OF BUCKLE ANN—(200), 25c-5c, 6 days. Gross: $3,750. (Average: $625.)

SHARK ISLAND—(300), 25c-55c, 5 days. Gross: $7,500. (Average: $1,500.)

LOEWS’S BROADWAY—(350), 25c-5c, 7 days. Gross: $16,000. (Average: $2,285.)

FOLLOW THE TIDE—(150), 25c-55c, 3 days. Gross: $6,300. (Average: $2,100.)

RKO-KOELN—(180), 25c-55c, 7 days. Gross: $12,300. (Average: $1,757.)

Week Ending March 29: LOEWS PALACE—(250), 25c-5c, 7 days. Gross: $11,500. (Average: $1,643.)

NINE DAYS ENDING MARCH 29: BELASCO—(110), 25c-55c, 9 days (re- viewed). Gross: $4,900. (Average: 7 days, first run, $850.)

Set "Diamond Night"

George Wells and A. P. Waxman, Jr., of P. W. Waxman Corp., have booked a deep at the Bank Night and the film "Rhodes," with Claude Ewell of Affiliated Enterprises, on the Bank Night. The variation of the chance game will be called Rhodes Diamond Delites, or to be called diamons instead of cash.

Paramount Renewals

Hollywood, March 23—Frances Farmer’s option has been picked up by Paramount.

George Hayes has been placed under a term contract by Harry Sherman for the "Haploogan Cassy." Ann Eilers and Winna Francis also have had their options lifted.
Looking 'Em Over

"Lucky Terror"
(Discussion)

An average western, this has all the requisite action and romance which will please children and fans. It is definitely for dual bills.

Host Gibson, riding along innocently, gets himself involved in the accidental death of George Schaefer, who fleeing from a gang of outlaws with his gold and who makes Gibson change mounts only to be killed when he is dragooned over a cliff with his horse when it becomes panic-stricken. Gibson takes the saddlebags containing the gold and moves along, coming upon a medicine show in which Lola Andre, as a snake charmer, has employed a native, as a means to reach the mine. Gibson strings along with them and is arrested for the murder of Chesbore. He is finally cleared in a coroner's inquest, but runs away.

Later he comes to the mine bringing with him the gold, which he had hidden. The outlaws raze the place. While Miss Andre goes for the sheriff he outfits them, and later, by some fancy riding, throws them off their horses into the hands of justice. Charles Hill demonstrates how his cure-all "elixir" can even separate gold from the ore when he takes the metal from the container in which Gibson had hidden it.

The performances by Gibson and Miss Andre are convincing. Yacuelli sings a short Italian song very well and Hill supplies the typical medicine man humor, delivering laughs with every mouthful of words. Alan James directed from a story written by himself and Roger Allm. Clarke's photography of the natural settings and the action are well done.

Production Code Seal No. 1,926. Running time, 60 minutes. "G."

Indianapolis Tips

\"Wife\" to $10,900

INDIANAPOLIS, March 23.—"Wife vs. Secretary" was an outstanding hit at Loew's with a take of $10,900, over normal.

Another big gross of the week was the $10,700 pulled into the Lyric by a combination of "Don't Get Personal," and Ben Lyon and Bebe Daniels on the stage. This was $3,700 on the profit side of the ledger.

Two holdovers did well, too. "Follow the Fleet," which played the Indiana week before, pulled $4,300 at the Circle, and "The Country Doctor," in its second week at the Apollo, garnered $3,500.

Total first run business was $33,650. Average was $22,000.

Estimated takings for the week ending March 19:

- "LONE WOLF RETURNS" (Col)
  Kirby—(1,450), 15c-35c, 3 days, Gross: $2,500. (Average, $833)
- "MUSIC IN LINGERINGS ON" (U. A.)
  Kirby—(1,450), 15c-35c, 1 day, Gross: $1,000. (Average, $400)
- "THE FRONT PAGE" (Amity)
  Kirby—(1,450), 15c-35c, 3 days, Gross: $1,500. (Average, $500)
- "PRISONER OF SHARK ISLAND" (Boyd-Fox)
  Loew's State—(2,720), 25c-40c, 7 days, Gross: $7,700. (Average, $1,000)
- "COLLEEN" (W. B.)
  Majestic—(2,250), 25c-50c, 7 days, Gross: $7,000. (Average, $700)
- "DESIRE" (Para)
  Metrotrop—(2,000), 25c-50c, 7 days, Gross: $5,000. (Average, $700)
- "DON'T GET PERSONAL" (Univ)
  Lyric—(2,000), 25c-40c, 7 days, Gross: $10,250. (Average, $1,450)

Ban Sunday Dancing

HARTFORD, March 23.—Sunday bowling and dancing have been banned here as a result of an attempt by Loew-Poli Palace to present a stage show on the Sabbath. Previously both have operated, despite the law forbidding them. It had been determined nothing would be done until a complaint was made.
Copyright Hearing To End on Apr. 15

(Continued from page 1)

positional will be made to turn the whole matter of blank blocking over to a sub-committee for consideration over the summer, with a report to be rendered to the full committee next year. Whether the proposal will be acceptable could not be forecast, but there were no objections today from members of the committee.

If the matter is not referred to a sub-committee, it is expected that the Neeley group will make a report on the bill to the full committee. It is not expected, however, that the latter will get behind the measure in sufficient strength to force passage during the present session.

At the Patents Committee meeting this morning, a sub-committee was appointed to take up a number of specific hearings, noting the time to be given to each witness. Every effort will be made to have the hearings completed in time, although it means cutting short the speeches of committee members who for several weeks have been lecturing the witnesses.

Managers Propose Pact Arbitration

The League of N. Y. Theatres yesterday proposed that disputes should be reckoned in the new minimum wage agreement between playwriting and producing managers, which was placed in effect March 13, be arbitrated by the guild, and followed refusal by the guild last week to meet with the managers' contract committee for the negotiation of a new agreement.

A reply is being sent to the league today and is expected to contain a refusal to submit any new agreement to arbitration, but will probably reiterate a suggestion made by the guild last week that the league put its proposals for changes in the agreement in writing for study by the guild council along with other proposed changes which are being received from managers.

The league recently authored its contract with the guild. Public to attempt either to negotiate a new agreement or to have the disputed issues submitted to arbitration. If the guild refuses both procedures, the managers have stated, the league proposes to draw up and use exclusively its own agreement.

Reductions of the managers' participations in the proceeds from the sales of film rights to stage plays under the new agreement have drawn most of the managers' fire.

Fellner, Executive Of Cecil Film, Dies

(Continued from page 1)

earliest films he handled by this method was "His Other Self" and "Oo Vadis?"

He brought Jack Hubert and Cicely Courtneidge to the screen. He was at one time a player and producer, and manager of Gaumont British. His first picture for Cecil Films was "Public Nuisance No. 1," recently completed.

Flood Repairs Are Rushed With Outlook Much Better

(Continued from page 1)

doubtful whether the Fulton will reopen until fall, since repairs will carry it well into the warm weather, and this house customarily closes during the summer.

Reports that Warners had suffered throughout the Tri-State area were made by Harry Morgan, president, who said the circuit was affected outside of Pittsburgh only in Johnstown, Erie and Wheeling. In the last named city the only thing preventing operation is lack of power. At Johnstown and Wheeling houses are open. Utility crews are working day and night to restore power in Wheeling and expect to have it on in a few days.

At the Stanley here the stage has buckled and an order has been placed for a new one. Seats are being taken back for replacement which have also been ordered and crews are working on 24-hour schedules shoveling out mud and debris.

Estimates place the Stanley damage at $200,000: Alvin, $150,000, and Fulton, $100,000, although this may be some over as even the cooling plants are thoroughly inspected. Basements are still full of water.

Joe Vogel and Charles Moscowitz surveyed the Penn over the week-end and ordered replacements from New York. An orchestra leader's desk was completely wrecked and a section of the seats was destroyed.

National Guardsmen are patrolling the downtown streets.

Virginia Repairing Damage

RICHMOND, March 23—With rivers back to normal in this territory after one of the most disastrous floods since 1870, exhibitors are surveying the damage and planning for repairs, which are expected to be long. The town under the water has been completely ruined.

Few theatres were actually damaged. None of the downtown buildings has been washed away, but the necessity for cleaning up silt and making repairs is absorbing the attention of the owners.

Epideics are a source of worry in places where drinking water has been contaminated. Travel conditions are bad as highways and bridges were damaged.

Hartford Still Dark

HARTFORD, March 23—This city was still without electric power today, but the Connecticut River was rapidly receding. The Poli Theatre, with water up to its basement, but other houses are not damaged and will be ready to operate as soon as current is turned on.

The State, housing the WPA show, was inundated, but the damage seems to be smaller than anticipated as the water recedes.

Several houses attempted to run with emergency electrical equipment, but none of them was successful. The Dun on Saturday night, George Freeman, manager of the Poli, did not leave his house for four days. The conditions are slightly improved, although the three Lockwood houses are dark.

Richard J. Coleman, who was running a carnival, turned his lighting unit over to the hospital and army camps and the houses were cared for.

In Waterbury, where many expected trouble, only the Lido was flooded, and this is in the basement. The State, a Warner house, which was damaged last year, escaped. Warners' chief damage was in the Palace, Norwicht, where the lower part of the house was flooded.

The Capitol, Springfield, where new electrical equipment was installed recently, suffered heavily. Four Warner houses in Lawrence, Mass., also reported damage.

Essence, Deep River, Collinsville, Williamstown and other towns films were delivered by roundabout route. Houses served out of Boston made emergency requests for New York films.

Radio Studio Setup Is Complete—Spitz

(Continued from page 1)

make 18 shorts annually for RKO as well as delivering the producer completes his U. A. deal. In addition Disney will release through RKO "Snow White," which, according to Spitz, will take another year to finish.

The RKO head denied any deals are on for new producers. He doesn't plan to go to the coast again for some time, he said.

An organization of RKO theatre, Spitz answered: "That's going on all the time."

May Keep Van Beuren

RKO may continue to distribute the Van Beuren color cartoon series for another season, although probably in a different release basis. N. D. Deupin said yesterday.

Uncertainty as to the time when release of additional artists' cartoons and producer's agreements begin and deliveries for RKO distribution, make a picture-to-picture deal for the Van Beurons (who were with RKO next season, it was said. United Artists states that Disney has 20 pictures remaining to be delivered to the company and that it will deliver completed copies of these. RKO expects to have Disney subjects ready for distribution by January, 1937. RKO now distributes 46 Van Beuren subjects annually. 13 of which are in the Rainbow Parade color cartoon series. Distribution arrangements for the other 33 subjects will not be distributed by the Disney-RKO deal, it was said.

Delay Vaudeville Decision

No decision was made yesterday on the return of vaudeville to the Palace, according to A. C. L. Keith's house which was dark all day Saturday. The house was reopend yesterday, Little damage was done to the interior.

Harrisburg Near Normal

HARRISBURG, March 23—Herman Nowolsky, of New York, in charge of construction work for the theatres of the Wilmer & Vincent chain, stated
Nat'l Screen And Casanave Set New Firm

To Handle Products of American Display

National Screen Service Corp., with Charles L. Casanave, vice-president and
general manager of American Display Co., Inc., have formed a new
company, National Screen Accessories, Inc., to handle distribution and
sales of the accessories material produced by American Display.

The entire manufacturing facilities of American Display and the distribu-
tion organization of National Screen Service will be at the disposal of Na-
tional Screen Accessories. Casanave will retain his official position with
American Display and will be vice-president and general manager of Na-
tional Screen Accessories.

American Display will remain as a corporate entity, devoting its facilities
exclusively to the production of accessory material. National Screen
Accessories was incorporated some time ago, but has been inactive until

(Continued on page 6)

Griffiths Elected K.R.S. President

By BRUCE ALLAN

LONDON, March 24—D. W. Gri-

fiths of First National was elected

president of the Kinetograph Rent-

ers' Society at the annual meeting

here today. Gaumont British rejoined

the society, which is taken here as

a forerunner of the withdrawal of

the resignation of Twentieth Century-

Fox, although no definite action has

been taken on the latter move as yet.

With the return of G. B. and the re-
tention of Twentieth Century-Fox,
K. R. S. would have a 100 per cent
representation among distributors.

Damage Estimates

Await Flood Study

Joseph Bernhard, general manager of
Warner Theatres, is expected back
today from a survey of the damage to
Warner houses in the flood area about
Pittsburgh, McKeesport and neigh-
boring towns. No estimate was avail-
able on the extent of the damage suf-
furred by the circuit's theatres, pending
the return of Bernhard.

The flooded interests, which were the most seriously affected group
in the eastern Pennsylvania area, with 14 theatres hit, also are unable to esti-

(Continued on page 6)

Warners May Refund Issue Of Debentures

Operation Might Total To $30,000,000

Warners may retire a $31,924,000
issue of six percent debentures, due
in 1939 and callable at 102, it was
disclosed yesterday. The action would
probably be in the form of a refund-
ing program which might aggregate as
much as $30,000,000.

In addition to the debentures, War-
ners are estimated to have approxi-
mate $50,000,000 in mortgage in-
debtedness and a refunding program
would probably be called for to care
for approximately $20,000,000 of these.

Preliminary discussions concern-
ing a new issue of four and one-half
per cent convertible debentures have
already been held with investment
bankers, it was said. The conversion
price into common would be from $20
to $25 a share, it is expected. Defi-
nite action on the proposal is expected
following the return of H. M. War-
ners from Europe about May 1.

Stuart McDonald, Warner assist-
ant treasurer, said yesterday in com-
menting on the refunding reportings
action in the matter "is a long way
off." He admitted that the company
had conferred recently with invest-
ment bankers on the subject but said
that the discussions had been "incon-
clusive."

Hit Equipment Price Rise; Form New Dealers’ Group

Any attempt to take advantage of
the plight of theatre owners whose
houses were damaged by the recent
floods by increasing prices of equip-
ment and materials will be opposed by
the Independent Theatre Supply De-
alers' Ass'n, J. E. Robin, head of the
organization, said yesterday.

The association has received no re-
ports of increased prices for theatre
equipment from flood sufferers, Robin
said, and his statement was made in
reply to rumors that the concentrated
demand for new equipment occasioned
by the flood probably would result in
a general advance in price.

Robin pointed out that the dealer
members of the association had been
doing business for years with cus-
tomers who were well known to them
and would be unlikely to endanger a

A cooperative buying organization
for dealers, which at the same time
will provide for equipment manufac-
turers a needed outlet at present un-
available, will be the basis of the
Independent Theatre Supply Dealers,
a new association in the process of
formation by George De Kruit, at one

time the president and general man-
ger of National Theatre Supply.

The new group will be in competi-
tion with the Independent Theatre
Supply Dealers' Ass'n, of which J.
E. Robin is executive secretary, and
National Theatre Supply. It is the in-
tention of the new organization to
have between 35 and 40 members, one
in each of the smaller centers and
more in the larger centers, depending
on the size of the territory.

Each dealer-member will be a part

(Continued on page 6)

Sheehan Deal To Join Para. Is Called Off

Negotiations Begun on Coast Six Weeks Ago

Winfield R. Sheehan has discon-
tinued negotiations whereby he would
produce a mini-
mum of 10 pic-
tures for a num-
ber of years next season. It was
disclosed yesterday.

In a brief statement issued
over his signa-
ture Sheehan
said: "I have
达成ed negoti-
tations with Para-
mount. No con-
tract has been
signed."

The negoti-
ations were begun by John E. Otte-
son, Paramount president, about six
weeks ago and were the latter's most re-
cent visit to Hollywood. The plan
at that time, subject to the ensuing
negotiations, was for Sheehan to pro-

(Continued on page 6)

F. P. Canadian Stock

To N. L. Nathanson

N. L. Nathanson, operating head of
Famous Players Canadian Corp., is
expected to acquire a substantial stock
interest in the Paramount Canadian
theatre subsidiary under the terms of
a new contract being negotiated be-
tween himself and Y. Frank Freeman,
Paramount theatre head.

By the acquisition of the stock,
Nathanson would become an operating
partner for the Canadian circuit, al-
though his interest will be a minority
one, probably limited to 20 or 25 per-
cent. The agreement is expected to
be on a long-term basis, presumably
for five years with provisions for ex-

(Continued on page 6)

See Theatre Deal in Graham's Visit Here

London, March 24.—The departure
for the United States within a few
weeks of John C. Graham, managing
director for Paramount in England,
and the arrival here tomorrow of A.
C. Blumenthal are seen in some
quarters as having relation to reported
theatre deals. Reports link Union
Insiders' Outlook

By RED KANN


A PLANNED procedure for Hollywood Against In-press phrase falling from the sincere lips of a man who wants to see it in this land where the topos-turvy is the normal. The idea belongs to Jesse L. Lasky, whose years of experience with Paramount, then on his own with Fox, quality him to propound such a plan despite the obvious difficulties of actually getting it up and, secondly, doing anything about it after it reaches paper...

He would, to go specific, take measures to launch seriously and in organized manner the develop-ment of new talent, the un-doubted need for which long has been coursing through his mind.


Braid, G. B.'s Head Of Publicity, Dies

LONDON, March 24.—Alex J. Braid, publicity director of Gaumont British, died while visiting the New York office of the film business in 1913, after newspaper work, to handle publicity for Gaun-tom. He had charge of its London office.

He founded and edited the Gaumont Weekly, first film company house organ ever.

He worked in a publicity capacity for Stoll Film Co. and W. & F. and in 1913 was named head of advertisings for the Gaumont British distributing organizations.

Schaefer Rites Held

A requiem mass for Nicholas Schae-fer, 78, who, as Nick Woods, starred in the Thanhouser films, was held yesterday at St. Gabriel's Church, New Rochell.

33 Van Beuren Are Seens

RKO distribution of 33 Van Beu-ren shorts subjects of the 13 Rainbow Parade color cartoons, will not be affected by the recent deal by Van Beuren to distribute the Walt Disney cartoons. No exact figure in yesterday's Motion Picture Daily made it appear that the reverse might be true.

Lahr for Schaefer Party

Bert Lahr, Willie and Eugene Har-sham are among the guests at musical dinner to George J. Schaefer next Monday evening at the Astor.
NOTE TO THE THEATRE AD MAN!

This picture officially opens the Spring (romantic) season, so please give it plenty of you-know-what. Here's how the Capitol Theatre sold it, very informally, and that's how the folks like it in the Springtime!
GOVERNOR MERRIAM PROCLAIMS "GOLD WEEK" FOR "SUTTER'S GOLD" PREMIERE IN SACRAMENTO TODAY!

RAILROADS RUN SPECIAL TRAINS FOR "SUTTER'S GOLD" CELEBRATION!

STEP OUT WITH UNIVERSAL
BIGGEST PREMIERE!

$10.00
All Expense Trip to Sutter's Gold Days Celebration and World Premiere of Universal's "Sutter's Gold" starring Edward Arnold
SACRAMENTO, CALIF. WED., MAR. 25-1936
via Southern Pacific Special Train "The Tenderfoot Special"
Making First Stop in Sacramento for an Invite at Your Convenience
Make this Trip to Sacramento with the Hollywood Stars!
Tickets on Sale Now!

TOM C. COTTON BOX OFFICE, THE EMPORIUM, SAN FRANCISCO
NOTE: The film "Sutter's Gold" is produced by the United Artists Corporation, San Francisco, and released under the title of Universal Pictures. Edward Arnold stars as Capt. John Sutter and the film is a historical drama based on the Gold Rush days in California.

THE SACRAMENTO UNION
'49-er Parade Is Planned at Film Premier
An old-fashioned Sacramento reception in which it is planned to have at least 1,000 persons dressed in '49er costumes greet a special train from Los Angeles and the bay area, arriving for the world premiere of the film "Sutter's Gold" in the capital city. The film, produced by the United Artists Corporation, is a historical drama based on the Gold Rush days in California. Edward Arnold stars as Capt. John Sutter.

On authorization from the board of education, Superintendent Charles C. Hughes probably will close schools March 25 so that school children may attend the ceremonies and parade in honor of the premiere showing here of the motion picture "Sutter's Gold."

HUNDREDS PAY $10 EACH TO ATTEND "SUTTER'S GOLD" OPENING!

ALL SCHOOLS CLOSE IN HONOR OF "SUTTER'S GOLD"

'FORTY-NINERS PARADE TO HONOR "SUTTER'S GOLD" PREMIERE!
Sheehan Deal
To Join Para.
Is Called Off

(Continued from page 1)

trade relationship so well established by adopting unfair policies in a time of emergency. He said that liberal credit unconditionally would be available to flood sufferers and that supply dealers had established definite settlement plans which could be utilized by ex-

hibitors in need of either a few items of equipment or complete theatre

replacements. Robin said that reports indicated that most of the theatre equipment flood damage was to seats, projection equipment, with the exception of wiring, being out of reach of the water, for the most part.

Damage Estimates
Await Flood Study
(Continued from page 1)

(Continued from page 1)

owner of the association. Letters were sent to approximately 110 dealers throughout the country, according to Rudolph Eisenberg, who will be general counsel for the organization. The response has indicated a desire on the part of many to join the new group. Replies received thus far from questionnaires sent to about 500 equip-

ment manufacturers indicate a widespread desire to cooperate, Eisen-

berg declared.

De Krafft will act as general man-

ager of the new association. It is planned to open a New York head-

quarters and showroom where equip-

ment will be on permanent display.

The admission fee for members is $50, for which the dealer will receive one share of stock. Dues will range from $50 to $100 a year, depending on the size of the dealer's territory.

The intention is to enable the organiza-

tion to conclude exclusive arrange-

ments with manufacturers, but it is expected, according to Eisenberg, that the prices obtained from manufacturers through the cooperative buying ar-

rangement will be the best obtainable. The organization also plans to stand-

ardize prices, so that all dealer-mem-

bers will sell the same piece of equip-

ment and the same price, no matter where they may be located.

A clearing house will be established for the purchase of surplus stock and equipment and oversupply. In sales and promotion through various methods, advertising for the dealers as a whole, help in credit and financing arrangements, account-

ing methods and a weekly bulletin of information are planned by the or-

ganization, according to the pros-

pects.

We will be the prospective dealer-mem-

bers have been selected from the vari-

ous centers, a meeting of those ap-

proved by De Krafft will be held here. The timing is an important issue, and has been made as yet.

See Theatre Deal In
Graham's Visit Here
(Continued from page 1)

Cinemas, C. M. Woolf and other cir-

cuits in merger talks, although con-

tinuation lacking here. The possibility is also seen here that Arthur Segal may bring together the rival Grauman Theatres and Cine-

mas. Segal built the Paramount here, and recently signed with Union to build 40 houses for the Circle. Union at that time absorbed Reed Theatres, Ltd., which shares offices here with Paramount Theatres.

For sale, owner-built home in Larchmont, N. Y. Tapestry brick over hollow tile; slate roofs; ten rooms; three baths; leaded glass windows and doors; hand carved lintel; satin oak paneling; garage; copper screened throughout; convenient to station and schools; restricted neighborhood. This home will appeal to the lover of the beauti-

ful. Must be seen to be appreciated. Address Box 500, Motion Picture Daily, Rockefeller Center, New York.

beautiful home in LARCHMONT

National's Product
Buys to Start Early

With the arrival of J. J. Sullivan and Edward Zobel next week from the coast, buying conferences between National Theatre executives and the sales managers of major companies will get under way one month in advance of last year.

During the previous year, Sullivan and Edward Alperson started nego-

tiating new product deals in May. National now operates 382 theatres throughout the country.

While Alperson was on the coast recently he closed with Twentieth Century-Fox.

Mayor Alperson, New York state dis-

trict manager for Paramount, has closed a two-year deal with George Skouras for the Skouras Theatres and a one-year arrangement with a number of other deals for next season's output.

Eugene Picker, film buyer for Loew's, states he doesn't intend to move his negotiations for new product.

Otterson and Adolph Zukor plan to leave for Hollywood on Friday, where they will spend two weeks completing plans for next season's production schedule with William Le Baron as his company's executive. The possibility of the negotiations with Sheehan being resumed on the coast while the company heads are there was suggested without any commitment.

The production conferences at the Paramount studio will take the place of convention this year and studio officials which it had been planned, would be held in Chicago. The first such meeting was held last December but it was believed advisable to hold the final one at the studio to save the time of production officials who would otherwise have been absent from the studio at this time.

Finish Industrial Film

Automation Pictures, Inc., has completed its first industrial short with a comedy theme and a cast of stage players which includes Edward H. Robbins, Madeline Grey, Gloria Palmer, Milton Francis and Ruth Edel.
Everybody’s coming. Check your lorgnette at the door and strut your stuff! This party is dedicated to good clean fun and the Management reserves the right to refuse admittance to sour-pusses!

SUPPER! DANCING! ENTERTAINMENT BY HEADLINERS OF STAGE, SCREEN, RADIO. PREFERRED TIME FOR EVERYBODY! THE TICKETS ARE LIMITED! GET YOURS TODAY!
Snatchef Talk Starts Clash Over Booking

(Continued from page 1)
of United Artists, gave members of the sub-committee copies of a stenographic report on a stage show which he had discussed with two of the independent exhibitors who have advocated the adoption of the bill on moral grounds. He stated that a number of suggestive quips. At this point, Abraham F. Myers, general counsel for Allied States, was called to the witness stand and he testified that the witness was descending to new low levels, and added, "When it comes to our turn we are not going to put the other punches in regard to Snatcher. We are going to introduce matter which has been called to the attention of the Department of Justice."

Congressman Cooper of Ohio, after reading the script, asked, "How can anyone who has custody of children, he would not permit it to go on," to which statement C. C. Pettitjohn, counsel for the defendant, interjected. "Since Myers has made the statement that he is going to call the attention of the House to this matter, and he is not going to pull his punches, we won't do so either. I have some things which I am not going to mention in this hearing, but now I am going to put them in. I want to say right now that we accept Myers."

"I am not in the least intimidated by what Pettitjohn said," counterfeigned Myers. "I wish to call the attention of the committee to the interest of fair procedure, what was said about the Department of Justice."

Pettitjohn Testimony Lengthy

Declaring that the Pettitengill will solve none of the complaints which have been registered, Ed Kykendall, president of the M.P.T.O.A., told the sub-committee that the matters which have been discussed are chiefly problems best settled within the industry. He declared that a 20 per cent cancellation clause has not been considered. It is necessary to enable exhibitors to select the pictures best suited for their audiences. There is much confusion between the terms "independent," "affiliated," and "circuit," the witness said, explaining that there are over 400 circuits of four houses or more, and that they operate 5,656 theatres. Of these, he said, five circuits, with 1,018 houses, are affiliated organizations. The average seating capacity of independently operated houses, he added, is 315, while that for affiliated houses is 731. For dependent management is 897 and that of the national circuits, 1,445.

"We have many disputes with the producers," Kykendall continued, "concerning what should and should not be exhibited. The exhibitor loves to argue the point, but, even before the advent of the Legion of Decency, the producers were taking steps to improve their product. There are a number of trade practices to which exhibitors are continually thrown, but they are controversial matters in which neither the public nor the committee have any real interest."

Pettitjohn interjected, "But, will not solve these difficulties," added Kykendall, "but will merely serve to increase film rentals for the smaller theatres. A major problem is that of controlling the difference in the price between a picture which is sold separately and a block. This will lead to continual litigation, with the courts placed in the position of having to fix the value of the picture. So stringent are the terms of the bill that no distributor would move one step beyond its provisions, and exhibitors will lose whatever cancellation and other privileges they now have. The clause between block and selective buying is exemplified in the case of United Artists, whose films are sold slightly, bringing much higher prices than those of the other producers. But full line forcing is a short-sighted, stupid business practice that should be in use."

"The only practical solution of the problem," Kykendall added, "is a 20 per cent cancellation clause, which will save the theatres from the nuisance at a meeting soon to be held with the distributors. If this bill becomes a law, it will not work, but that positively it will completely destroy any profit margin between block and selective buying is exemplified in the case of United Artists, whose films are sold slightly, bringing much higher prices than those of the other producers. But full line forcing is a short-sighted, stupid business practice that should be on use."

"I wish to take the position of Sidney R. Kent, that for moral and social reasons the exhibitor should have a 20 per cent cancellation clause, but when it comes to canceling because of the box-office the matter must be settled within the industry."

Ray Morrow, of Malden, Ark., was the next witness. He told the committee that he never had any difficulty with the exhibitors in getting pictures which he felt would offend his audiences, and stated that the small town exhibitor who is talking to the committee has a big problem, pointing out that if a distributor is difficult to deal with it is necessary merely to refuse to deal with the following order."

Briefs in opposition to the bill were introduced by Kykendall for Jay Emanuel of Philadelphia; H. B. Hunsler, president of the Theatre Owners of the Northwest, and M. A. Liebmann, president of the Tri-State M.P.T.O.

Hake Moved Up

C. V. Hake, Twentieth Century-Fox manager in Japan and Korea, has been promoted to succeed Joseph C. H. Johnson, former manager. He will arrive in New York about May 11 and will organize the 1936 Overseas Kent Drive as his first assignment.

News of Hake's appointment was received at the home office in a cable from Mr. H. H. Hutchinson, who is now in England.

Hake has represented Twentieth Century-Fox and its predecessor company in the Far East since 1928. Before joining Fox Film he was with First National and P.B.O. Before entering the film business he was with the Irving Trust Co. He is a native of Salt Lake City.

RKO Sales Problems Up at Meeting Here

Current sales problems were discussed yesterday at a meeting of RKO Radio eastern division sales men. R. J. Lake, sales manager of RKO, was presided over by Ned E. Depinet, president, and Jules Levy, vice-president and general sales manager of RKO Distributing Corp.

Attending the meeting were E. L. McEvoy, eastern sales manager; W. E. Maxwell, short subject sales manager; Leo Devaney, Canadian district manager; Nat Levy, east-central district manager, and the following branch managers, C. R. Halligan, Albany; R. C. Cropper, Boston; H. T. Dixon, Buffalo; M. A. Jacques, Cincinnati; H. Greathouse, Cleveland; A. J. Mertz, Detroit; R. E. Churchill, Indianapolis; B. Pinkin, New Haven; H. L. Richardson, Philadelphia; G. M. Leuko, Pittsburgh; R. C. Follard, Washington, and R. S. Wolf, manager, and the entire force of the New York exchange.

Representing the home office were A. A. Schabart, M. G. Poller, William E. Dahler, Leon Miller, J. M. Skelly, Tom Quinn, William E. Clark, Harry Gittelson, Lou GAudreau, Sid Kramer, Ed Smith, Jr., Rutgers Neill and Leon J. Bamberger.

The meeting was the fifth regional sales conclave held by Levy in recent weeks in the course of a transcontinental tour of RKO branches.

Producers Authors' Targets at Hearing

WASHINGTON, March 24—"In competent" producers who destroy the main values of the author's work were today attacked before the House Patents Committee by representatives of the writers, appearing in opposition to the Duffy Bill.

Features of the measure that would permit local or national revision were criticized by Ben Lucian Barker, author of "Steamboat Round the Bend" who declared it would undermine the authors' moral rights, and added that "98 per cent of the screen writers in Hollywood are taken orders from producers who are quite incompetent to direct them."

Other complaints were registered by Mary Hector, voice who criticized the name "Sea Beast" used on one of her stories, starring Milton Sills, and complained that one studio used "only two words" on the title. The hearings through the remainder of the week will be devoted to the following testimony of the various author's groups.

Wall Street

Pass New Deal Short

COLUMBUS, March 24—The Ohio censors have passed The Amateur, a feature produced by satirizing the New Deal, submitted in revised form by the Sentinels of the German Empire board, rejected the original script after having reviewed the film four times.

Nebraska MPPT Meet Set

OMAHA, March 24—The semi-annual meeting of the local M.P.P.T.O. will be held over on March 31 and April 1 at the Local Hotel, according to C. E. Williams, president.

Wall Street

Losses Continue on Board

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(Quotes at close of March 24)
Flood Damage Extent Still Not Estimated

Bernhard Reports Work Now in Progress

An estimate of theatre flood damage is still impossible to make, Joseph W. Bernhard, Warner theatre head, said yesterday on his return from an inspection visit to the company’s houses in the Pennsylvania flood area.

All of Warner’s 14 Pittsburgh theatres are closed and three additional Warner houses in Johnstown are closed, Bernhard reported. Cleaning and refurnishing of the theatres are progressing rapidly and reopenings now appear to be dependent upon the restoration of power and light services in the flood territories, it was stated. All neighborhood theatres, as well as the downtown first runs in Pittsburgh are closed, due to the continued lack of electric power, Bernhard said.

Comerford representatives yesterday told of houses in the Susquehanna valley.

Warner to Offer 5-Year Music Pact

Warner music subsidiaries will offer five-year music licensing contracts to radio stations, effective April 1, in place of the short term agreements which have been in use since the companies’ resignation from ASCAP, Jan. 1. Herman Starr, Warner vice-president, said yesterday.

The contracts result from an agreement on revisions for the use of Warner music reached this week by Starr and James W. Baldwin, manager of the National Ass’n of Broadcasters. The new rates will retain the monthly fee arrangement inaugurated in January, but will be

Lynch in Milstein’s M-G-M Post in L. A.

Los Angeles, March 25—Clayton Lynch, former St. Louis branch manager for M-G-M, has been transferred to the local branch as manager, succeeding J. J. Milstein, who resigned recently. W. E. Banford, former Des Moines manager, has been appointed St. Louis in Lynch’s place, and D. C. Kennedy, former Des Moines salesmen, has been promoted to the manager’s post at that branch. The changes all will be effective next Monday.

Court Holds Ruling On Union Picketing

Decision was reserved yesterday by N. Y. Supreme Court Justice Carwee on an application by Harry Brandt for an injunction to restrain the Film Employees’ Union from picketing the Globe, a Brandt house on Broadway.

Picketing at the theatre began last Saturday by the exchange employees’ union with the opening of “The Leatherheads Have Landed.”

The union has concentrated picketing activities on houses playing Republic pictures since 11 union employees walked out of the public houses here recently. Weisman, Quinlin, Allen & Speitt appeared as attorneys for Brandt at the injunction proceedings.

Sheehan Gap in Para. List Not Filled Yet

Paramount has no plans at this time involving the addition of another producer to its studio staff to replace Winfield Sheehan, a company official stated yesterday.

The discontinuance of negotiations with Sheehan on a deal for the production of 10 pictures for Paramount

Capra Again

Hollywood, March 25—For weeks, Hollywood has been developing excitement over the Mr. Deeds Goes to Town,” the Frank Capra picture for Columbia which has been in progress for a full year.

Mr. Deeds, originating from a known story remotely or otherwise identified with the producing organization, has been that the director has delivered one of the topflight attractions of the coming year; that Gary Cooper climaxes his career as the male lead and that “Mr. Deeds Goes to Town” makes a brand new star in Jean Arthur.

Previewed here last night, the picture was afforded a rousing and enthusiastic reception. Motion Picture Daily’s reviewer, throwing all restraint to the breezes, frankly characterized the picture as told, “It Happened One Night.”

This and other comments, bountifully thrown through the coast wire, are published on page 6 today.

U. A. Seeks Outlets In Illinois Towns

CHICAGO, March 25—United Artists have promoted deals for the opening of the Masonic Temple Auditorium in Elgin and an armory in Kewanee as theatres, both to be known as “The Home of United Artists Pictures.”

This marks the beginning of what may be a battle between U.A. and Great States. Having sold away from Great States, U.A. is trying to get dates in spots where the circuit operates.

The Elgin house will be called the Temple Auditorium. It will be re modeled, redecorated and wired for

ITOA Asks Brandt To Remain as Head

Harry Brandt was unanimously recommended for reelection as president of the I.T.O.A. at a meeting of the organization’s board of directors at the Astor yesterday.

The action was taken despite Brandt’s repeated declaration in the past few months that he would not

Three Million AT&T Funds In Production

Federal Probe Details Loans on Pictures

WASHINGTON, March 25—Investigation of the film activities of the American Telephone and Telegraph Co., today by the Federal Communications Commission, Congress calling the telephone company had advanced a total of $3,415,400 for film production.

A. T. & T. advanced $1,000,000 to Fox Theatres Corp., in 1929, it was testified by Samuel Melsells, assistant accountant of the commission. The money was advanced by Erpi, which it was testified, by Samuel Melsells, assistant accountant of the commission. The money was advanced by Erpi, which it was testified, borrowed from Western Electric, of which it is a subsidiary.

Melsells testified that he could not find any information in the A. T. & T. records to show why the loan was made through Erpi instead of directly by A. T. & T.

L. E. for loan of $5,000,000 to General Theatres, Inc., the fund being made to pay off the advances which were made to Fox Theatres and $977,000 to Halsby, Smart & Co., in 1927.

“Erpi furnished $15,000,000 to repay itself the $15,000,000 to Fox and substitute new debentures for the old one,” the solicitor reported, “at the same time reducing the indebtedness by $225,000,” it was explained by Samuel Recker, special

Writers Again Aim Fire at Producers

WASHINGTON, March 25—Producers were again attacked today by representatives of the dramatists and screen writers appearing before the House Patents Committee in opposition to the the Duffey Copyright Bill.

Instead of the Duffey Bill, it was urged that the House should adopt legislation to prevent producers from mutilating scenarios. John Howard Law.

Miggins New Europe Head for 20th-Fox

Ben Miggins, for the past five years European director of Movietone News, has been named European manager for Twentieth Century-Fox Film Corp. with headquarters in Paris, the

NEVER let it be bruited about that Hollywood fails ever to recognize genius, except when it is in movies. The genius is and what makes it tick may be a matter of opinion and chance, but Hollywood, on and off the Metro lot, has voted Stromberg has it. For Hunt today is the white-haired boy in that studio. There is no need for him to bay at the moon; somehow or other Louis B. Mayer and Sam Katz will get it, or an acceptable substitute, if the Stromberg inclination should run into astronomical channels.

Stromberg is the chap who set Metro up in the business of making operettas. He has done so good a job that the studio feels it no longer has any worries along such lines as, for instance, it has had and still has with musical comedy. The reward for Stromberg thus has been a new five-year contract, drafted to the two years yet to go on the old terms to which no genius possibly could find exception. That deal, as this department gets it, proved a disappointment to Sam Goldwyn, now he's had hopes to bring not only Stromberg, but Thalberg, into the United Artists fold. You see, Nick Schenck knew all about it.

Since '33, the record shows Stromberg has been forging steadily ahead as one of the most successful producers of money pictures in Hollywood. In that year, the archives finally do got up after much patient effort, he produced "Penthouse" with Myrna Loy and Warner Baxter. This was the turn which Miss Loy out of Oriental siren garb and made her of an attractive American girl; she's been that ever since. "Bombshell" with Jean Harlow and Spencer Tracy was another Stromberg of '33 vintage. Others pinned to his chest are the "Prizefighter and the Lady," a swell attraction for Miss Nita Talbot, "Chained," "Hideout," "Treasure Island," the "Painted Veil," "The Thin Man," about which nobody, not even for the "Naughty Marietta," "Ah! Wilderness," "Rose Marie," "Wife vs. Secretary," "Small Town Girl," in production now with Spencer Tracy and Greta Nissen of "The Great Ziegfeld," the picture which makes Metro-ites weak with emotion whenever they talk about it, which is practically all the time.

It's a far cry from the days when Stromberg was press agent for Lewis J. Selznick and later for Tom Ince. It was an exploitationer who, after some years of wandering, was persuaded to turn his mind seems to recall, which gave Hunt the production fever at high pitch and propelled him into the creative end of the busi-ness recently and the resultant investigation brought to light the above technique. Instances of this na- ture are invariably turned over to the Hays office here for prob- ing. In the case cited, the man was caught and frightened to a degree which probably will dispel any similar attempt on his part for some time to come. How- ever, the whole of the recent and the resultant investi-gation brought to light the above technique. Instances of this na-ture are invariably turned over to the Hays office here for prob- ing. In the case cited, the man was caught and frightened to a degree which probably will dispel any similar attempt on his part for some time to come.

Mox Shobbas, Hollywood's Balaban without Katz, after some months of competition with Santa Ania, slot machines and Marion Davies' beach house, let loose a few iconiclastic bombshells:

"If the Government used to pay farmers for not farming and cotton men for plowing under every other row of cotton, maybe it would be a good idea if some producers should be paid when they don't exhibit and if some exhibitors plowed under every other exhibit.

"Better still, if exhibitors plowed under every other feature and producers plowed under every other exhibitor, maybe we could get out of business together."

One method, induced by ne-cessity, of disposing of visitors with dispatch and courtesy is the A and B tour, a reflection of current drifts in production, no doubt. The visitor whose intro-
"Irregardless!"

Age, weight or size...
No arguments... no ifs... no ands... no buts...
Give us your playdates... we give you the service that made the word famous!
It's as simple as that when you deal with National Screen Service!

NATIONAL SCREEN SERVICE
... prize baby of the industry!
EASTER WEEK

AL J.

delivers "his greatest

The Sing

SYBIL JASON

CAB CALLOWAY AND HIS BAND

ALLEN JENKINS • CLAIRE DODD • LYLE TALBO

MAMMY!
What a set-up of supporting talent we've got!

*Bill Ullman, Fawcett Publications; Harry Neimeyer, St Louis Post-Dispatch; Jimmie Fidler, famed radio reviewer — after coast preview. Songs by E. Y. Harburg and Harold Arlen.

WARNER BROS.
THE ONE AND ONLY

OLSON

show since 'The Jazz Singer'

Sing Kid

YACHT CLUB BOYS

EDW. EVERETT HORTON

*BEVERLY ROBERTS, MITCHELL & DURANT

S. -- Producers

A FIRST NATIONAL PICTURE

Directed by
WILLIAM KEIGHLEY
Three Million AT&T Funds In Production

(Continued from page 4)

The three million dollars was committed for production under whose questioning Meissl disclosed the financial moves of A. T. & T. A number of other questions were fielded past the witnesses by the purchase of Western Electric, the Western Electric subsidiary of the telephone giant, for which funds supplied by Western Electric. Graybar Electric Co., another A. T. & T. subsidiary, purchased $500,000 of the notes, he said.

Exhibitors Reliance Corp., owned by Erpi, it was revealed, put up funds to purchase Picture Alliance Corp., $805,000 to finance the making of 12 features, nine westerns, 29 two-reelers and 10 one-reelers. It loaned Educational $400,000 for 26 shorts. A loan was made to Universal for the production of "Moonlight and Pretzels." Krinsky and Cochran obtained $168,620 to make "Emperor Jones." Hectic and MacArthur were loaned $307,964 for "Once a Blue Moon," and $187,000 for "The Sconedrel" and another film, Arnold Pictures Corp. obtained $700,000 for "His Double Life." Exito Prod., Inc., got $81,000 for "Unofficial Wife" and the Tadeo-Chan Picture Corp., in June, $100,000 for "Take a Chance." A credit of $50,000 was extended to the Quigley Publishing Co. in June, 1932.

Quigley Statement Issued

The following statement was issued last night by Quigley Publishing Co.: "On June 30, 1932, at which time, on account of the depress- sion in the market for loans of credit to legitimate business were closed, Quigley Publishing Co. negotiated a credit, in amounts ranging from $50,000 to $100,000, with exhibitors' Reliance Corp., a sub- sidiary of Erpi.

The credit was above referred to was negotiated in full and mutu- tal realization of the fact that it was unable to meet the obligations and commitments beyond, or in addition to, repayment with interest at the normal rate. Repayment in full, together with interest, was completed on April 18, 1935."

MOTION PICTURE DAILY's

HOLLYWOOD PREVIEW

"Mr. Deeds Goes to Town" (Columbia)

Hollywood, March 25—Mr. Deeds goes to town and so will any exhibitor who books this hilarious combination of comedy, satire and romance, in which Frank Capra tops his "It Happened One Night." Gary Cooper gives by far the best performance of his career as the sensitive, small town citizen who makes all the money he wants from a little factory and the writing of poetry for postcards.

A legacy of $200,000 takes him to New York, where hordes of chisellers attempt to take him over. Deeds evades all the traps with a shy, mild positiveness, placing his trust only in Jean Arthur, a newspaper girl, who betrays his confidence for a series of front page stories. Discovering that she has made him a byword as the "Cinderella Man," Cooper decides to give away his fortune. Parastatic relatives bring insanity charges and Deeds' defense, aided by Miss Arthur, is one of the funniest climaxes seen in many a day.

Capra's handling of the characters and situations deserves all possible praise, while the original by Clarence Budington Kelland is packed with unexpected comedy twists. The same high praise goes to the impressive cast for its excellent work. Miss Arthur is telling as the alternately cynical and tender reporter; George Bancroft makes every minute count as the human editor and Lionel Atwill, as the olf lawyer, is a splendidly badfaced bad learning for work.

Deserving of comment are Douglas Dumbrille as the two-timing attorney, Raymond Walburn as the butcher, H. B. Warner as the judge at the insanity hearing, Walter Catlett as the intoxicated poet, John Wray for a fine emotional scene as the desperate bankrupt, and Mayo Methot as the byword for the female.'

The film's high lights include the scene where Deeds toots his beloned tuba in the band at his own farewell celebration, his gentle, but effi- cient, distribution of knockouts, and the uproariously funny and touching insanity hearing, which supplies the best exploitation angle, if one is to be selected from many.

Production Code Seal No. 1966. Running time, 115 minutes. "G."
Says Theatre Should Share Film Losses

(Continued from page 1)

doing so is able to obtain attractions that more than offset the loss.

"I feel we should assume a fair part of the distribution charge and share the picture," he said. "Every distributor starts out to make a great picture, but it doesn't always turn out that way. I do not believe the producer should take an absolute cancellation on that picture, but I do think he should take 50 per cent," Miller declared.

Exhibitors are interested mostly in box-office returns, it was declared by Judge Roy L. Walker of Lamplassas, Tex., president of the Theatre Owners Protective Ass'n, in the state. Showmen in the area are relying more on star value than anything else. The bill would take away the small theatre owners' ability to assure a steady flow of product, he contended.

If a company ever produced a picture which adhered strictly to a synopsis, he alleged, the public would not want it, the opinion of Morton Thalheimer, president of the M.F.T.O. of Virginia.

Previous Testimony Expounded

Testimony offered earlier in the week by George J. Schaefer of United Artists was also unconvincing and undesirable act which played one of Nathan Yamin's houses in Fall River, Mass., was expounded from the record today upon receipt by Abram F. Myers of Allied States of a wire from Yamin's, in Miami Beach. Yamins explained the Capitol is under lease to a company of which he owns 50 per cent of the stock, the balance owned by Walter Purcell, who has management control.

A change in policy from pictures only for Monday and Tuesday was substituted by Purcell while Yamins was out of the city, and immediately upon learning of the change he called the theatre, he would take the house over for non-payment of rent unless the act was immediately resumed, which was done immediately.

Yamins called the Schaefer statement "just another despicable poison gas attack to act as a smoke screen to conceal the vicious effects of block booking."

The constitutionality of the four block booking laws in question in the case was challenged by Charles C. Pettijohn, in a brief filed with the sub-committee at the close of today's session. "Producers and distributors are engaged in an entirely private business and in the absence of any positive creation of monopoly, no monopoly have the right to select their own custom and dispose of their film in whatever manner and at prices which in their judgment are adequate and also to enter into contracts with circuit managers for any term of years, regardless of their price," he contended. "This right is a universal right which the people have from the Legislature."

He argued further that the film industry is not a public utility and is not "affected with such a public interest as to justify Federal regulation and control." He pointed out that there are certain well defined limits to the power of Congress to regulate interstate commerce, among which is the Bill of Rights. He termed the denial of the inherent right of producers and distributors to market their films wholesale by future contracts a violation of the fifth amendment.

"This is the same principle that was under the control or regulation of any Federal agency and subjected to Governmental price fixing," he said. "The hearings will be brought up by the distributors close tomorrow, with the time to be divided between Pettijohn and Myers for final argument.

Warners to Offer 5-Year Music Pact

(Continued from page 1)

based on the local-quarter-hour program rate of each station, instead of the national rate, as heretofore. The change will result in appreciable revenue for the old Fox Lee days and has many of the 250 Warner-licensed broadcasting stations. The Warner policy of charging broadcasters on a "per piece" basis, that is on actual use of the music, rather than a bulk rate, has been simplified because of the bulk rate agreements signed by the large networks with Ascap. Warner music would be sub-licensed to such stations under such a piece policy was adopted in the face of these agreements, Starr said.

"Our own five-year contract," he added, "is evidence of our determination to remain outside Ascap."

The new contract was submitted to radio stations throughout the country yesterday. Warners have not yet announced a policy for the licensing of theatres to perform their music.

Miggins New Europe Head for 20th-Fox

(Continued from page 1)

appointment to take effect immediately.

Announcement of the shift was made in a joint statement from W. J. Huthchison, foreign department head, and C. E. H. Talley, head of Movietone News, in New York.

Miggins is succeeded by Russell M. Varden, managing editor 1931 of Movietone News in central Europe. Robert Hartmann, makeup editor of Fox Tonio Schenk's "University of Brides" and other newswires produced in Berlin, succeeds Muth as central European head.

Miggins has been with the company since the old Fox Lee days and had both production and executive experience here and abroad.

ITOA Asks Brandt To Remain at Head

(Continued from page 1)

be a candidate for the post again. The board's recommendation will be presented to the I.T.O.A. membership at the next major meeting of the association.

I.T.O.A. representatives will meet with circuit officials today to discuss the juvenile admission bill and other legislative matters. Attending the meeting will be Louis Weber, Skouras; C. C. Matkowita, Loew's; Henry Brown, Isle Theatres; Brandt, Fleischman and John Manheimer of the I.T.O.A.

Motions Picture Daily

Thursday, March 26, 1936

Purely Personal

DOLORES DEL RIO and her husband, Cedric Gibbons, arrived from Hollywood yesterday and are staying at the Hotel Ambassador today. Mrs. Del Rio will play opposite Doug Fairbanks, Jr., in 'To You, My Life.'

At the Astor town pump were these, among others: Eddie Saunders, Bill Rodgers, Tom Connors, Fred Quimby, completely recovered from the flu now; Clayton Jones, Joe Uncer, L. J. Hoffinan, Charlie Einfeld, Harvey Brande, Bill Orr, Eddie Alphonson and Eugene Petray.

J. J. McCarthy left New York to attend the premiere of his picture, "A New Day" at the Astor tomorrow. Rejuvenated again from a recent attack of the flu, and expects to return to his office early next week.

Jack Oakie and his bride, Veneta Vorden, will arrive this morning en route for a week's honeymoon in Hollywood.

Natal Hoot, divisional manager for RKO in Cleveland, was in town yesterday conferring with Nate J. Blumberg.

Louis Astor and Joe McConville of Columbia have just left for a Miami vacation and Hal Ives has just returned.

Jack Sullivan, film buyer, Fox West Coast, will not reach New York until the first week in April.

Joan Davis is in town. "Dancing Feet," her latest, will open Friday at the Roxy.

Wallace Sullivan, has closed with M-G-M for his story, "Labeled Lady." The N. L. Nathansons at the opening of "Idiot's Delight."

Nicholas M. Schenck returns from Miami today.

Better Davis arrives from the coast yesterday.

Joe Schenck at El Morocco.

"U" to Have Dionne Film

Hollywood, March 25—Charles R. Rogers plans a film based on the prob- lems of the parents of the Dionne quintuplets and to be called "Where Are My Children?" He has signed an agreement for the cooperation of the Diones.

The statement does not indicate whether any of the Diones will appear in the film.

Ascap to Meet Tonight

The annual membership meeting of the American Society of Composers, Authors & Publishers will be held at the Kit's Hotel tonight. The meeting will be attended by the annual dinner for members of the organization.

Herrick Meets with Executives

Mountain Quits Hirliman

Herrick, the New York executive of the National Association of Theatre Owners, has quit. Dave Mountain has resigned as New York representative of George A. Hirliman Enterprises.

Readers Again Aim Fire at Producers

(Continued from page 1)

son declared the proposal would deprive what some of the benefits won under the existing law. He blamed studio executives for question- able bills, claiming that high paid playwrights were treated like office boys and the advice of experienced dramatists was ignored, leading to low moral standards on the screen.

The committee was told that while the writers have reached a satisfactory agreement with the producers producers about the revision of scripts, conditions in Hollywood are very unsatisfactory. The merger of the production and exhibition rights proposed by the Duffy Bill said Lawson, would disorganize the theatre industry by permitting the release of films before legitimate runs had concluded. He criticized the limitation on infringement penalties in the case of newreels, declaring the provision ambiguous. Hearings during the remainder of the week will be devoted to motion and magazine publishers. Next week the committee will hear other to discuss whether the film industry should present its case during the final week of the hearings.

Buy Chaplin, Anyway

Chicago, March 25—Essaness bought "Modern Times" today with extra clearance for a week which was granted them by a report that they and independents would not buy the film after an extra week was granted to B. & K.

Herron to Be at Ampa

Major Frederick L. Herron, head of the Hays office foreign department, will be one of the guests at the Ampa meeting tomorrow night. Members of the Ass'n of Foreign Correspondents.

Wall Street

Most Continue Decline on Board

(Continued from page 1)

High Low Close Change

Columbia, vtc. 33% 21% 26% 25%
Consolidated 66% 66% 63% 3%
Republic 161% 161% 161% 0
Loew's, Inc. 64% 64% 64% 0
Loew's, Inc. 107% 107% 107% 0
Paramount 104% 104% 104% 0
Paramount 2 104% 104% 104% 0
Pathé Film 71% 71% 71% 0
RKO 71% 71% 71% 0
20th Century, Inc. 179% 179% 179% 0
Universal, Inc. 28% 28% 28% 0
Warner Bros. 112% 112% 112% 0

Sonolone Lube Carb Gain

High Low Close Change

Sonolone 27% 27% 27% 0
Trans-Lux 4 4 4 0

RKO Bonds Drop 31/2 Points

High Low Close Change

General Theatre Equip. 28% 28% 28% 0
General Theatre Equip. 28% 28% 0
Keith B. 32% 32% 29% 29%
Keith B 100% 100% 97% 97%
Paramount B'way 57 57 57 0
Paramount B'way 57 57 57 0
Paramount Pict. 91% 91% 91% 0
RKO 63‘41% 72% 72% 72% 0
Warner Bros. 66% 66% 66% 0

(Quotations at close of March 25)
Irving Thalberg

said...

"Mr. Deeds Goes to Town is the greatest picture Capra ever made! Will be more popular than It Happened One Night!"

Thank you Mr. Thalberg

First of the superlative comments made by distinguished members of a notable audience after the Hollywood preview of the new Capra production.
Personalities End Argument Over Booking
Pettjohn, Myers Sum Up; Exchanges Hot
By CLARENCE LINZ
WASHINGTON, March 26—A final barrage of aspersions against witnesses who have appeared both for and against the bill, today marked the conclusion of three weeks of hearings on block booking legislation before the Pettengill sub-committee of the House Commerce committee on Interstate and Foreign Commerce.

Summing up for the opponents, C. C. Pettjohn, general counsel for the film producers, asserted that the Tiffany contract was devised shortly to Allied States' Tiffany contract which he said was the "block booking," while an exhibitor contract ever offered exhibitors, adding that "the contract was called Tiffany, but the pictures were called Woolworths, too."

Answering for the exhibitor proponents, Abram E. Myers, general counsel for Allied, declared that the Tiffany contract was already, after talking pictures were introduced and when it was hard and expensive.

(Continued on page 7)

Eight K. C. Men Ask To Enter Film Suit
KANSAS CITY, March 26—Eight exhibitors here are asking to intervene in a suit filed Feb. 25 against Fox Midwest and major distributors by independents seeking to break up the zoning system on a restraint of trade charge in Federal court. Judge Otis will return to the city on Friday, the date of a hearing on the application for an injunction.

The intervention application is signed by operators of the Belmont, Ashland,
(Continued on page 4)

File Action Against Warner Music Firms
An action charging conspiracy and gross waste of the corporation's assets was filed in N. Y. Supreme Court yesterday by Morris Sharaf and Emelia Sharaf, minority stockholders, of Boston, against Warner Bros. Pictures, Inc. and the Music Publishers Holding Corp., the latter being the parent corporation of the various Warner music subsidiaries. Named as co-defendants were Harns, Inc., T. B. Harns Co., M. Wiltmark & Sons, Remick Music Corp., New World Mu
(Continued on page 4)

K. C. Drops Plan to Eliminate Giveaway
KANSAS CITY, March 26 — Cash and premium giveaways will continue here, at least for a while. Independent dealers have virtually abandoned their attempt to eliminate the games by 100 per cent agreement. Believing there is no chance of obtaining a complete
(Continued on page 10)

No Quorum, Delay Para. Board Meet
The regular meeting of the board of Paramount Pictures was postponed yesterday because there were not enough directors and attendance of others at funeral services for Gerald Brooks, a member of the board and executive committee, who died Tuesday. The deferred meeting will not change the plans of John E. Otter, president, and Adolph Zuckor, chairman of the board, for leaving for the coast today, it was said. The board can meet and act without either the chairman or president in attendance.

As a result of the postponement,
(Continued on page 7)

Potomac Territory Begins Rebuilding
WASHINGTON, March 26—Floods and high water over much of the local territory have subsided, with the several cities and towns digging themselves out.

Cambridge, Md., was the most seriously affected city. The Embassy and the Liberty there will have to be completely reequipped with the possible exception of projection apparatus. Water reached a height of 12 feet in the Liberty. The Maryland, a "second story" home, was slightly
(Continued on page 10)

Form Florida Studio; 20 Features Listed
HOLLYWOOD, March 26—M. H. Hoffman, Jr., has formed Pan American Studios, Inc., at Brandon Park, Miami, Florida. Governor David Scholz aided in launching the organization which is backed by Florida capital, Hoffman said.

The studio is now under construction, with one stage almost completed and seven more scheduled to be erected. Hoffman leaves for Florida tonight to assume the presidency of the new organization. Production is slated to start in June and will consist of twenty features.

M. H. Hoffman, Sr., who will leave New York for Hollywood tomorrow, is not associated in the new enterprise in other than an advisory capacity.
(Continued on page 10)

Laemmle Due Next Week on "U" Sale
Carl Laemmle will arrive from California on Monday to assist with final details involved in the transfer of his controlling interest in Universal to the Standard Capital Charles R. Rogers interests.

The formal transfer will take place next Thursday at which time the purchasers will turn over to Laemmle $4,000,000 in cash, representing the balance of the $5,500,000 purchase price. Laemmle left Sacramento yesterday after attending the opening there of "Sutter's Gold."

Foreign News Group Talks to Aampa Men
Aampa members received an earful of information and advice about foreign publicity yesterday that surprised some of them. For one thing they were told that cocktail parties for stars were "charming, enjoyable," but that they didn't accomplish much in getting the stars' names into type overseas.

Men consoled with the Ass'n of Foreign Press Correspondents were the guests of honor, and A. Bernard Moloney of Reuters, Ltd., was their speaker.

Among other things, Moloney said
(Continued on page 7)

Providence Houses Shy Off Giveaways
PROVIDENCE, March 26—Showmen here point with pride to the fact that, so far, they have avoided the general hysteria over giveaways and free games used in many cities as boxoffice lures. None of the downtown
(Continued on page 7)

Launch Move For British Quota Change
Present Law Runs Out In Two Years
By BRUCE ALLAN
LONDON, March 26—Pointing the way toward the setting up of new trade conditions which may have a profound bearing on the operations of American companies in Great Britain, the British Board of Trade today named a committee to check into the Films Act and to develop a program to follow expiration of the current quota law in 1938.

The committee, of which Lord Moyne, Minister of Agriculture from 1925 to 1929, is chairman, will "consider the position of British films having in mind the approaching expiration of the Cinematograph Films Act of 1927 and inquire whether any and, if so, what measures are still required in the public interest to promote production, renting and exhibition of films."

Lord Moyne's running mates include A. C. Cameron, a governor of the
(Continued on page 10)

Writer Group Again Refuse Arbitration
New proposals for arbitration of sections of the Dramatists Guild's new minimum basic agreement which are objected to by producing managers were refused yesterday for the second time by the guild. The new suggestion of the arbitrators the clauses objected to came from the League of N. Y. Theatres, a producing managers' organization, which had stated earlier that if its arbitration proposal was refused its members would employ their own.
(Continued on page 4)

Fox Will Be Called In A. T. & T. Quiz
WASHINGTON, March 26—William Fox will be called as a witness when the Federal Communications Commission resumes its investigation of A. T. & T. activities. Testimony, hereafter, has shown that Fox was loaned $15,000,000 by A. T. & T. subsidiaries, with which he purchased a controlling interest in Loew's, later disposed of by court order.

Fox had been in attendance at the commission's hearings here up to the time of their adjournment on Wednesday.
**Ascap Members Get Officers' Reports**

Annual reports of officers of Ascap were submitted to the annual membership meeting and dinner of the society at the Ritz Hotel last night. The tapestried setting was in the ballroom. The society's annual membership meeting is not called upon to transact business. The officers: Lee T. Mills, ascap general manager, was detained in Washington by the Duffyl Bill hearings in progress before the House Patents Committee.

**Leslie Adams Dies**

Leslie Adams, actor, died yesterday at New York Hospital following a brief illness. He collapsed a week ago during rehearsal of a new play in which he was to play the lead. Adams, who was 49 years old, is survived by his widow, the former Gwendolyn Williams, and two sons, Charles and Robert Adams.

**W. T. Robinson Dead**

BELMONT, N. Y., March 26—William T. Robinson, 62, retired theatre owner, died yesterday after a prolonged illness. He owned and operated the first theatre in Belmont, retiring some time ago because of ill health.

**Hallstrom, Jr., Passes**

SALT LAKE CITY, March 26—Carl I. Hallstrom, Jr., who was stage manager of the Orpheum Theatre here, died yesterday of pneumonia following a brief illness.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

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MAEVEY COULTER
Editorial and Sales Manager

MAURICE KANN, Editor

J. M. JERAUD, Managing Editor

JAMES A. CHON, Advertising Manager

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**MOTION PICTURE DAILY**

**Insiders’ Outlook**

**By RED KANN**

Hollywood, March 26

The office is spacious in keeping with the accepted Hollywood manner. Off to the left and running on generously to the administration building wall is a sunken bathtub, a steam room, quarters for a butler and a complete kitchen equipment, all done in tile, once white but now that slightly yellowish which comes from improper application of soapsuds and brush. Built by Dr. Ben nett before he fell on less lucrative days, then annexed along with the rest of the studio layout by Mascot, this is now the production headquarters of Nat Levine and Republic Pic tures.

Levine is busy. So busy in fact that nobody, except a visitor like us, is escorted into those uninhabited regions. Perhaps the attempt at converting to what peak industry on the Republic lot reaches was the idea beyond Jack Fier’s idea to seeing around. A matter less of a matter as is Levine’s. At any rate, here was the inactive layout to emphasize Levine’s active days and nights on the job. The approach to the main office again it may all be wet. The facts in the case, however, are that he often reaches his desk as early as seven-thirty in the morning or later. Levine operates late into the evening, six days a week. The seventh finds him trying out a round of golf in the afternoon and the remainder of the rest day devoted to poring over scripts.

Levine is a bale in swaddling clothes if you are to compare him with the high and mighty estate which other and far better established producers here have attained. That, however, is not his fault. He does not know first hand the jibes which are thrust at Rep ublic, he must have heard of them in passing. That is not, neither him. On occasion, they kid here about the measure of Levine’s drive. There is the gag about the remaining of the Republic Repertoire from S.S.S., meaning sunrise, sunset and Sundays. Also the wit was around recently who, after the Academy awards dinner, cracked, “Levine ought to get a statement for the plant maintaining the longest hours.” This space has no idea how Republic’s production head feels about the jokes, but it does know that he might well feel complimented...

Whether he will lick his problem is in the laps of the gods. At least, Levine knows what confronts him. He knows that with him there is one resource where a limited budget makes pennies look like dollars the opportunity for shenanigans is virtually not at all. As he pointed in point of first runs, pictures have to be turned out for a price which is nothing like the price prevailing in other Hollywood parts and that any encroachment in the carefully worked financial program is simply no good. It’s simple. The outgo and the intake won’t end up with a hailing distance of each other.

What Levine is heading for has precedence in this business. It’s another Columbia. Once C.B.C., meaning Cohn, Brandt and Columbia had a time of it back in the days before it nationalized its exchange system, before it had gotten into its real stride, before anybody much was paying attention to, or was interested in, what the company was doing or trying to do. But the chance came with maturity in production and the hardest sort of endeavor. What has happened before, can and may happen again. Stranger things go on in this business...

In his desire, therefore, to lead toward better product, Levine is planning to trim his main line program next season from thirty-two to twenty-six features, all assortiments, all types. In the action field which Columbia does with its current program, it is important to it, the total will run twenty-four in three series of eight as compared with sixteen currently. Serials, which do an international gross of surprising proportions, will bulk four in order to round out Republic’s conception of what its complete program ought to be...

In this day and age when the studios are so sharply conscious of alphabets and when A, B and C pictures are reckoned in all calculations, Republic is hitting figures between $2,500,000 and $3,500,000 in domestic business and practically $1,500,000 in foreign. Levine makes no pretense at competition with the old line studios; he couldn’t very well with such rigid operations concentrated on an output of very moderately priced attractions for the rank and file of the nation’s theatres. As a producer of B pictures with an occasional A popping through, Republic, it is merely fact to say, is getting stronger, and greater attention in the essentially double feature market prevailing today. Later, who knows?

**Connolly Theorizes On “Green Pastures”**

“Green Pastures” as a stage play was the product of a Marc Connolly theory. It became a legend of the American stage, and in Sweden producing and seeing developed almost into a national pastime. As a film, it will be an enlarged development of what it was and what it will become is already a big question mark in the minds of both producers and distributors. Connolly, as he has explained it yesterday, that showmanship consists of enchanting an audience through the movies. Perhaps so, but it goes away pleasantly satisfied.

“An executive’s scream is not showmanship,” he says. “Neither is plastering a poster on a billboard, or surrounding a picture with opulent production values.

In putting “Green Pastures” on the stage, he says, he tried to give the colored actors the feeling they were producing it themselves. He made it theirs. The scenery was so crude it seemed to have been made by the play ers. The technique was carried into the film. Soft lighting prevails, he points out. William Keighley co-di rected with him and Hal Mohr was lighting director.

From an exhibitor’s viewpoint the picture will be a curiosity. Connolly admits frankly that he is going to use an entire colored cast. In costuming, settings, acting—all details—it sticks to the nondread.

Unlike any previous colored picture, he believes, it has practically no ad vance sales resistance, because the stage success is on the southern, played in bankrupt cotton towns, and finally in the larger cities.

“Colored actors adapted it its own,” he says, “and the whites everywhere accepted it enthusiastically.

He believes the work has been en hanced by the enlarged production fac ilities of films, and that it will be accepted in non-English speaking countries familiar with the Old Testament without any attempt at translation into other languages.

**Grants an Examination**

Justice Aaron J. Levy in N. Y. Supreme Court yesterday granted a motion for an examination of mental and physical state of G. Hill in connection with his suit for $18,000 against Universal. Hill charges Universal is withholding three manuscripts which he submitted in May, 1934, and that since June, 1934, the company has refused to re turn money. The rate of the man u scripts in dispute are: “Finnigan’s Ball,” “Irish Visitors” and “Peggy O’Neill.”

**Astaire, RKO at Peace**

Hollywood, March 26—Fred Asta ire and RKO today reached an agreement on the actor’s current contract. The studio picked up the option. The disagreement arose when Astaire balked at a provision calling for three pictures next year.

pictures with an occasional A popping through, Republic, it is merely fact to say, is getting stronger, and greater attention in the essentially double feature market prevailing today. Later, who knows?
The "meanie" of "Bright Eyes"... the spicy little mischief-maker of "Ginger" and "Paddy O'Day"... becomes Cupid's little helper and turns the home town topsy-turvy!

Booth Tarkington's hilarious masterpiece of small-town romance!

GENTLE JULIA

with

JANE WITHERS
TOM BROWN
MARSHA HUNT
JACKIE SEARL

Executive Producer Sol M. Wurtzel
Directed by John Blystone
Screen play by Lamar Trotti
A FOX PICTURE
**Court Orders Sale of Three Theatres**

(Continued from page 1)

the action are Walter Reade, Cora Harris, the 217 West 45th Street Corp., and the Astor, Bijou, Morosco Realty Corp.

On March 18, Gustave Hartman, referee, appointed by the court to take testimony in the foreclosure proceedings, reported that City Investing was entitled to $1,230,112 on its second mortgage lien on the Theatre held by Metropolitan Life. The referee recommended that the properties be sold at auction and that an appraiser indicated that a sale should bring a sufficient amount to satisfy both mortgages.

S. S. Krellberg, lessor of the Bijou and Astor, said that the leases on the three theatres would not be disturbed by the sale of the properties at auction. The Shubert Estate is the lessor of the Morosco.

Hollywood, March 18—It was reported on Broadway that the theatres would be demolished to make way for a new theatre and store building, similar to the recently completed on the old Criterion site, opposite. However, City Investing, which was qualified to bid as a bidder for the properties when the auction is held and, through its $1,230,000 lien, occupies an advantageous bidding position, said Thursday an official that no definite plans can be made until after the sale.

**Stubbins Quits Republic**

Los Angeles, March 26—Howard W. Stubbins today resigned as manager of the Republic Exchange, bringing to the corporation the long-time friend of the company, including the old Monogram firm. Floyd St. Johns of San Francisco is filling the post temporarily. A permanent successor is now being considered.

It is understood that Stubbins' resignation has no connection with J. Milstein's joining the company.

**More Double Bills Coming in Lincoln**

Lincoln, Neb., March 26—More double featuring is promised here April 1. Lincoln Theatres Corp., a J. H. Cooper Enterprise controlling six houses, will drop the Colonial, and the product normally used to feed it will be moved into the Liberty which will go dual on a split week basis.

The Orpheum will dual on four halves until vaudeville goes out, when it will have dual nights.

It is understood that the L. L. Dent Westland circuit is going to take over the Colonial, and drop the Columbia for more product, thereby bringing the local string up to three.

**Eight K. C. Men Ask To Enter Film Suit**

(Continued from page 1)

Bijou, Oak Park, Bagdad, Westport, Aladdin and Liberty.

Though it is reported that if the injunction were granted they might be required to release all pictures simultaneously, the members of the eight theatres are not enough prints to do this. They also assert that bidding for pictures at the opening of each season constitutes fair and open competition.

**MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW**

**"Sutter's Gold"**

(Universal)

Sacramento, March 26.—Told against a background of historical fact, the entertainment element in this picture is in the blending of dramatic scenes of romance and tragedy. Colorfully produced, the story moves to the tune of a thrill, action and adventure. The production technique, directing attention to the dramatic value of the incidents and the subordinate players, sets the feature apart from formula historical biographies as Edward Arnold plays the lead.

It tells John Sutter's story. In New York he meets Lee Tracy, and the pair, lured by tales of riches, set out. As comedy dominates, they cover half the world before reaching their destination, founding a vast farming empire in which Arnold and Tracy are kings. Romance enters as Binnie Barnes turns Arnold's thoughts to love. With this love the picture changes from a comedy to drama. Gold is discovered.

Greedy for wealth, workers desert the fields. Arnold and Tracy quarrel and part. Miss Barnes deserts him when Arnold's lucky star begins to dim. His wife and family come to him. Tracy also returns, his wealth spent, to protect the land and holdings. Fortune fades; Sutter's wife dies, his son is killed and his daughter gets married. Carrying the case to the highest court Arnold, made the victim of a hoax, dies in Tracy's arms.

Two factors stand out in "Sutter's Gold" as exploitation material—the vivid episode of American history involved and the fine character portrayal of Arnold, whose "Diamond Jim Brady" put him up front rank among screen players in one picture.

Sutter was a man with a dream of empire—a Napoleon in a wilderness, whose Waterloo, strangely was the discovery of gold. The unbridled greed of men and their love of action shows Sutter's way of making a fortune. His first simple ideas being turned into a turning point in history. The drama falters.

Production Code Seal No. 2,007. Running time, 90 minutes. "G."

**Looking 'Em Over**

"Comin' Round the Mountain"  
(Religious)

Looking into the classification of routine western material, this has Gene Autry, who seems equally adept with horse and voice, and an exciting moment or two in a race, western style, to make it satisfactory entertainment as the second half of a double bill program. Its best playing position is probably the week-end, when the youngsters will be looking for action.

The film rather lacks the usual quota of gun fighting, but makes up for that to a large extent in the lively display of horse flesh in wild and other moments. Ann Rutherford supplies the feminine portion of the romantic phase of the film.

Autry, a pony express rider, is attacked and a letter containing money which would save Miss Rutherford's ranch is stolen. Autry saves and makes friends with a wild horse being attacked by wolves and makes his way out of the desert. Obtaining a leave of absence, Autry tracks the gang behind the robbery, the leader of which is trying to sell horses to the pony express in competition with Miss Rutherford. Autry stages the race, the winner to get the contract. There is excitement and a fast finish in the conclusion which finds him winning both race and a bride.

Reviewed without production code seal. Running time, 58 minutes. "G."

**File Action Against Warner Music Firms**

(Continued from page 1)


The complaint set forth that Warner, according to $1,000,000 in cash and $9,000,000 in Warner's contemporaneous publishing interests in the seven music publishing companies named as defendants. It was asserted that this amount was grossly excessive and unwarant- and a gross and culpably negligent waste of corporate assets. It was pointed out that all seven music publishing companies were members of Ascap and that Ascap makes five-year contracts with National Broadcasting Co. and the Columbia Broadcasting System in June, 1935. The complaint charges that the withdrawal of the Warner music companies from Ascap resulted in severe damages to Warner and that Ascap is being made to set the groundwork for a rival organization to Ascap. An accounting injunction and the naming of a receiver are asked.

A statement from Herman Starr declared that Am考えて the opportunity to prove in court its contentions that the profits derived by WARNER from the use of music by radio were "ridiculously small" and "disproportionate to the profits radio was making out of the use of Warner music."

E. R. Burroughs Sues 'Lion Man' Producers

Hollywood, March 25—Edgar Rice Burroughs, author of the Tarzan stories, has started action through his attorney, A. R. Armstrong, to enjoin Alexander Brothers Cinema Finance Co. and First Division from using the title "Lion Man." The case is further seeks to restrain them from using the Burroughs name as author of the picture.

In addition to the producers mentioned, the action also names as defendants Far West Exchanges, B. N. Lindsey, Warner Bros. and Film Exchange, Dallas distributors.

**Written Group Again Refuses Arbitration**

(Continued from page 1)

contract for their relations with playwrights.

The guild revealed yesterday that seven producers had signed the new minimum basic agreement since it went into effect March 1, and that production rights to a number of new plays already have been negotiated under the new agreement and have been approved by the guild council.

The new agreement will be explained to non-voting members of the guild at a meeting at the Biltmore today, following which the guild's council will meet. No action in regard to the ratification of the agreement will come before either meeting, it was stated at guild headquarters yesterday.

**Victor Moore on Coast**

Hollywood, March 26—Victor Moore has arrived here to start work with Fred Astaire and Ginger Rogers in "Never Gonna Dance."
United in danger, laughter and love... in a glorious and courageous venture that decided the fate of three nations!

A message to García
20th Century-Fox is again happy to offer you an outstanding money entertainment. Its triple-starred cast alone assures its box-office future. Add to that its title, an inspiring by-word in every home and school... its theme of unselfish heroism, high adventure, undying love... its robust, uproarious hilarity. All this woven together with the unerring show sense that makes 20th Century-Fox the industry's envy!

Wallace Beery • Barbara Stanwyck
John Boles in
"A MESSAGE TO GARCIA"

with
Alan Hale • Herbert Mundin • Mona Barrie

a Darryl F. Zanuck 20th Century Production
Presented by Joseph M. Schenck
Suggested by Elbert Hubbard's immortal essay
and the book by Lieut. Andrew S. Rowan
Associate Producer Raymond Griffith
Directed by George Marshall
Screen play by W. P. Lipscomb and Gene Fowler
to secure such films. Independent theaters have gotten into an agreement where the price would be determined at a percentage of the exhibitors' prices for the rows of the RKO franchise," he said, "did more than anything else to bring the price of films down at the time and gave the exhibitors a break."

During the course of his summation, Myers read an affidavit from William H. Curtin, manager for Nathan Yamin's of Fall River, Mass., to the effect that he was refused Fox product unless he took the entire output, but was offered Myers' statement of the price paid for all Fox product during the preceding year. Myers also discussed the Paramount advertising used in newspapers throughout the country a few months ago and explained that it was placed after a Fall River pay on the representation that it was designed to coerce Yamin to take Paramount. The company then rejected it and ordered the money refunded.

Pettijohn called the attention of the committee to the testimony of George J. Scharnhorst, on the same subject and asked that Myers submit the document to the Dept. of Justice.

Answering the question the distributors' clients that block booking was a necessity, and the simultaneous admissions that not all exhibitors buy block books, "I have never attended a hearing on any subject where there were so many contradictions," Myers said.

Mentions Extensions

Myers explained that Yamin had taken M.E. first picture for seven days instead of the four days of the contract, a practice that he felt forced a distributor practice of ignoring contracts and forcing extended playing time for some of their films. He also asked the committee to remember that an exhibitor could cancel any picture condemned in his community on moral grounds has never been kept.

H. M. Richey, of Detroit, following Myers, also assailed the testimony of distributor witnesses and charged that "fear of reprisals" kept many independent exhibitors from appearing as witnesses and influenced others to oppose the bill.

Richey launched a bitter attack against Dr. Daly, who had appeared as representative of the Catholic Bishops' Motion Picture Committee, and Martin Quigley, publisher of Merton Motion Picture Daily. He read a telegram from Arthur D. McGuire, president of the Detroit Council of Catholic Organizations, in which Dr. Daly's testimony was referred to as a "canned" statement, "no doubt influenced by his advisor, Quigley, with whom he talked daily," and the producers' Catholic contact man who was "trying to save two noted articles") and the producers' money for advertising art films and at the same time is trying to kill me."

The attack on Quigley immediately aroused the resentment of Pettijohn, who declared: "Quigley is one of the finest men that cable and press material sent out by his associates reaches every country in the world, including such outstanding picture centers as Alghman, Tibet, Arabia and Liberia. Producers' agents, he said, should remember the differences in time around the world, assurance of competing with foreign products would mean to the association they are coming.

He also said biographical material should be kept up to date, news should be furnished on stars, their private lives, their goings and comings, technical developments in the industry, and company news as well as pictures. Only about one percent of the material furnished is usable, he said.

Interviews were important to the correspondents, he said. He also volunteered his knowledge of names and telephone numbers of all the correspondents as well as their headquarters.

Providence Houses

(Continued from page 1)

Shy Off Giveaways

(Continued from page 1)

theaters offers anything but regular film programs and only a few houses have a number of "grocery store nights" and similar tactics.

There is no definite agreement among exhibitors, but the idea seems to have settled on here. The fans seem satisfied with double-feature bills.

CAPTAIN GEORGE McL. BAYNES, recently resigned as head of Eastern Service Studio, expects to leave today or tomorrow for a two-week vacation in Florida. Upon his return he will decide on his future plans, which will find him on his own, and probably not in production.

PATSY LEE PARSONS, five-year-old star of last Saturday's Israel Orphan Asylum Show at the Garden, has been placed under management of Mae Brown and will take an RKO screen test today under Lou Brown's direction.

W. A. BACH, president of Audio Prod, sails today for the Aquitania. While abroad he will negotiate with several British and European companies for the production of industrial films.

Quip of the Day

Kathen Durant addressing the Amap luncheon:

"Material sent to Moscow is translated into 46 languages, the first being English."

Supersized voice from one of the tables: "Gosh! All them guys must have Phi Beta Kappa keys."

LEAH Ray, songstress now appearing with Phil Harris' orchestra at the Netherlands-Plaza in Cincinnati, has been signed by Twentieth Century-Fox through the Lou Irwin office.

AVE MONTAGUE, Rube Jackson, Lew Wimberg, S. F. Fasan, Freddie Myers, Jeanette O'Conor and Max Feilerman among those lunching yesterday at Lindy's.

NAT LEVINE arrives by plane today from the coast for a brief production conference with W. Ray Johnston, RKO executive, president, on next season's product.

JACK HARRISON is slowly recovering from an operation at the Lawyers General Hospital, but is unable to receive visitors as yet.

ANDRE ROOSEVELT, producer of "Goona Goona," sails tonight for Central America on the Santa Clara.

MOLLY PICON and her husband, Jacob Kalich, sail today on the Chapanain.

PETE MAYER hits port from an extended cruise in warm waters on Monday.

LUPE VELEZ among the recent arrivals from Hollywood by the air route.

S. BARRET McCormick has returned from Hollywood.

C. C. PETTITJOHN returns from Washington today.

NOLA LUXFORD is in town from Hollywood.

No Quorum, Delay
Para. Board Meet

(Continued from page 1)

however, Paramount's option to repurchase from Carl Hoblit and A. H. Blank their 30 per cent stock interest in the Consolidation theatres and the A. H. Blank Circuit, respectively, are extended from the expiration date. The date for the meeting of the board is 3.

There are no indications at this time that the Paramount board will not concur in the management's recommendation not to exercise the options.

No action is required by the Paramount board producer board on the three-year producer contract recently made with Frank Lloyd. This contract has been approved by the board of Paramount Prod., the producing subsidiary, and requires no further action on the company.

Otterson and Zukor will leave for Hollywood today, if they keep to the schedule planned earlier, and will confer with William LeBaron on current production problems and plans for next season. They expect to be away about two weeks.

Cine Roma Opens

"Re Burlone," Italian feature, opened at the Cine Roma, formerly the New Yorker, in the old Warner, last night. The initial performance was for the benefit of the Neurological Institute of New York.

Theatres Quarantined

Covington, Ky., March 26—A threat of spinal meningitis has resulted here in the closing of all schools, churches, workplaces, and places. The situation grows worse openings are expected within a few days.

Wall Street

Eastman Gains, Others Off Slightly

High  Low  Close Change

Columbia  355  355  355  —
Consolidated Film  185  185  190  +5
Paramount  410  410  410  —
D. W. Grimes, Inc.  102  102  102  —
Consolidated  440  440  440  —
Consolidated  260  260  260  —
D. W. Grimes, Inc.  40  40  40  —
D. W. Grimes, Inc.  36  36  36  —
Universal  286  286  286  —
Warner Bros.  125  125  125  —

PICTURE DAILY
NEW YORK DIS

Yesterday Radio City Music "GOLD" opening with a dou

SACRAMENTO DIS

Wednesday thousands paraded celebrated "SUTTER'S GOLD"

'FRISCO DISCO

Yesterday motion picture history opening gilded the Golden Gate's O

BOSTON DISCO

Today the Hub's Memorial Theatre will from every street and suburb to do "SUTTER

IS PURE GOLD FOR EVERY TOWN A
STEP OUT AND INTO THE GOLD
COVERS "GOLD"!
Hall smashed over "SUTTER'S SULLE-strength ad campaign!

COVERS "GOLD"!
schools closed and whole city premiere at Alhambra Theatre!

COVERS "GOLD"!
was made when "SUTTER'S GOLD"
theum Theatre from cellar to roof!

COVERS "GOLD"!
litter resplendently as thousands flock
honor to "SUTTER'S GOLD"! For.......

S GOLD"
ND THEATRE THAT PLAYS IT! SO
IELDS AGAIN WITH UNIVERSAL!
Launch Move For British Quote Change

(Continued from page 1)

British Film Institute and secretary of the Censorship Advisory Council for school broadcasting; J. Stanley Holmes, member of Parliament from Harwich, has been appointed chairman of the Toyko Hall, university settlement in the East End of London; the Hon. Eleanor M. Plumer, former assistant secretary of the advisory committee of the Board of Trade, and Lieut. Col. Sir Arnold Wilson, member of Parliament for Hitchin, are there is a strong official and educational flavor in the personnel. Holmes is a chartered accountant, a director of several companies and the only business man on the committee. Eleanor Plumer has presumably acted as an ex officio member of the committee while Sir Arnold Wilson is the only member of Parliament on the advisory committee of the Board of Trade. Reports from the committee and their participation in its preparation may have led to their designations on the committee which will now consider a future report on the situation.

The quota became effective on distributors with the year ending March 31, 1928, and one-half percent of their product had to be English-made. The percentage bracket was reduced to twenty percent for each year ending Sept. 30, 1936. There stays for the next two years, terminating with the year ending Sept. 30, 1938. The Council of the Cinematograph Exhibitors' Ass'n has passed a resolution against the registration for quota of two Indian films, "Vasant Bengali" and "A Wager in Love," which Warner Bros. and Warners respectively. It decided to report to the Board of Trade and also to circulate a petition against the producers not to book the films. A demand for the withdrawal of the films was also made to the distributors. The two films in question are silent and the description "a museum piece" and "of no practical use" are applied to both in Cinematograph Weekly reviews.

Producers Change Stand

LONDON, March 18 (By Mail) — The Film Producers' Group of the Federation of British Industries, which includes practically every British production company, has unanimously decided not to carry any further its suggestion of discussions with the Cinematograph Exhibitors' Ass'n, aiming for an agreed policy on quota reform.

An official statement ascribes the decision to the fact that the group recently announced the appointment of a departmental committee to inquire into the problem. Each section of the trade will have an opportunity of presenting its special case to this committee.

Previously the Board of Trade had asked the industry to try to arrive at an agreed policy and in some quarters it was thought possible that producers and exhibitors might get together at the expense of distributors, the theatre men conceding the "minimum cost clause" without any, in return for the latter's support for a reduction in the exhibition quota only, leaving their own quotas untouched.

With a judicial hearing now assured to all opinions, it seems that three policies will be strongly urged, producing a minimum charge of £10,000 for British films, exhibitors urging that the exhibition quota shall not be altered, and distributors for a modification of the quota system in the direction of a system of cost quotas under which it will be permissible to spend the British production budget on one or two good films instead of on a number of quibbles.

Polomac Territory Begins Rebuilding

(Continued from page 1)

damaged, but has reopened. The Coast was hit hard and is closed while the Strand is expected to open Saturday.

At Madisonburg, W. Va., theatre lost one day due to the failure of power. Harrisonburg, Va., lost one day through lack of power. The Virginia was the first Warner house in the area to lose. Horlacher Delivery Service reported that they were able to operate their films on schedule, although many changes in truck routes were necessitated by the flood.

Many Reopen in Pittsburgh

PITTSBURGH, March 26.—Theatres throughout this district, except in the downtown area, were operating again late this afternoon. The power company gave the word to go after the buildings had been shut down in order to conserve electrical power. The Warner, Casino and Davis are still not able to operate, and the problem still remains acute. The downtown section in which these houses are located was roped off entirely. The floods finally sprang a leak. Because of the danger of an explosion, pedestrians may be barred from the section for several days.

The Stanley, Penn and Alvin are making rapid strides in the direction of normality, but the task takes several weeks. At the present time the only entertainment in town is the stage production, "Three Men on a Horse" at the Nixon, a house which has its own emergency power plant and whose management is enabled to keep the lights right through the flood period. Business at the Nixon is about 50 per cent of capacity.

Ohio Houses Run Benefits

MANSFIELD, O., March 26.—Warner's Ohio, as well as other circuit houses in the district, are staging special 11 P.M. shows at 50c. admission, the proceeds from which are being turned over to the Red Cross for flood relief. Tickets are now on sale at various local groups, and all employees are contributing their services.

Cincy Refugees Are Aided

CINCINNATI, March 26.—The American Legion is sponsoring two matinees performances at the Madison, neighborhood house, for the benefit of the Cross-Tarpons. Cross-Tarpons are asked to bring discarded clothing to be given the Red Cross for distribution. Charles Weigel and the theatre staff are donating their services.

Mass. Benefits Planned

BOSTON, March 26.—As many the- ater houses in this area remained closed as a result of the flood, other houses were planning flood benefits. The local M. P. T. O is sponsoring midnight shows at the Warner, in Saugus, to give benefit to the Red Cross. Richard Rubin, operator of the Star, has also agreed to give benefit of today's receipts to the Red Cross.

The Warner in Lawrence and the French, in Peabody, which are the Calvin and Plaza in Northampton, and several other houses.

K. C. Drops Plan to Eliminate Giveaway

(Continued from page 1)

agreement, many have signed new premium contracts.

Fox Midwest, favorable to elimination, has reintroduced Bank Night in all local houses except the first run Uptown and Plaza, which will resume later. The promotion is on a one-night-a-week basis. According to Emanuel Roskey, president of L. T. O, two independents made elimination impossible. Ruben Finkelstein of the Belmont and Jay Means of the Oak Park and Baghdad.

Kansas Takes Action

KANSAS CITY, March 26.—In a move to eliminate the bank night or not Bank Night is a lottery under the Kansas laws, Attorney General Clarence D. Beck filed quo warranto suit in the Kansas Supreme Court to oust the Fox Kansas Theatre Company and enjoin it from doing business in the state. The complaint holds that the company has forfeited its charter by operating the promotion.

The Fox circuit wishes to reach a decision in the matter since it plans to extend the use of Bank Night in Kansas.

Burroughs Sels Sets


W. B. Weston Shifted

W. B. Weston has been transferred from the G.B. Oklahoma City exchange back to the Dallas branch. W. J. (Dick) Summer is now in charge of the former territory.

Star Floats Away

Dover-Foxcroft, Me., March 26.—The Star Theatre, which used to be here, is some distance down the Piscataquis River, and the proprietor can't figure out how to get it back, because when the river isn't in flood it won't accommodate a tug.

Form Florida Studio; 20 Features Listed

(Continued from page 1)

patency. He is a former president of Liberty Pictures, Inc.

Governor Dave Scholz commenting on the new development, expressed the hope the project would lead the way for other flood relief operations from the coast to Florida, and added that the plan has always been under discussion with the state. The United States, States will be to benefit the Florida, as the capital and Young will return to this country.

Pathe Weighs Producing

New season production activities involving both new theatre Division were discussed informally at a meeting of the Pathe board yesterday. Tentative discussions, it was said, leave open the possibility of the company resuming production under its own name next season and until a decision has been reached in the new production plans for First Division are being held in abeyance.

Empire Charges Dropped

Impeachment charges against Benjamin S. Greenstein, vice-president of Empire M. P. Operators' Union, and James A. Brogan, assistant manager, have been dismissed following a hearing. The ruling was that they were "useless and had been brought by disgruntled members."

The union is now negotiating a new contract with Springer & Cocalis.

New House Planned

SALT LAKE CITY, March 26.—William Littlejohn and Mrs. Littlejohn are planning a new theatre for Elko, Nevada. A site has been purchased adjacent to the Elks Home.

Changes to Pioneer

MINNEAPOLIS, March 26.—Finkelstein Theatres, Inc., have changed their name to the Pioneer Theatre Company. D. Field is president and Daniel E. Field, vice-president.

Seek a Picketing Stay

PORTLAND, Me., March 26.—Keith's, a Frederick E. Lieberheim house, is seeking an injunction in the Supreme Judicial Court to stop picketing by the operators and shareholders' unions.

Moray Reaches Prisco

SAN FRANCISCO, March 26.—Norman H. Moray, in charge of the phone shorts and trailers, is here for conferences with exhibitors, branch manager and salesmen. He will spend five days at the Warner studio.
P.S. Even though this picture is so good that your patrons will stay for 2 or 3 performances—you'll still make money...because "THESE THREE" is doing "builder-upper" business all over the country!

Released thru UNITED ARTISTS
**Out Hollywood Way**

**“Wife” Providence Best with $17,000**

Oklahoma City, March 26.—Love Before Breakfast was the only attraction to get over normal in a week of windy weather and low temperatures. It grossed $2,600, up by $600, at the Capitol.

**PROVIDENCE, March 26.—**Despite torrential rains and floods in the sub-basin, admission receipts at the Leading House took a big $17,000 with “Wife Providence,” which was $5,000 over the usual take.

The Strand betted par by $300 with “Give Us This Night” and “Don’t Gamble With Love,” which garnered $6,800. Fay and Tipsie ran $400 with a revue and “Don’t Get Personal,” bettering the average take by $20.

Total first run business was $40,400. Average is $39,500. Estimated takings for the week ending March 21:

**STORY OF LOUIS PASTEUR** (W. B.)


**SPLENDOR** (U. A.)

MIDWEST—(1,500), 20¢-25¢-35¢-55¢, 7 days. Gross: $2,000. Average: $286.

**PREVIEW MURDER MYSTERY**


**PADDY O’DAY** (20th-Fox)


**Another Tax Bill in Md**

Annapolis, March 26. — The House Ways and Means Committee here tonight offered another income tax bill calling for a two per cent levy on admissions to all performances. Passage of the bill from the Senate will raise $400,000 annually.

**Technicolor, Para. Sign**

Hollywood, March 26—Paramount has closed a deal with Technicolor for the making of four features next year. The first will probably be a sea story under the guidance of Frank Lloyd.

**“Breakfast” Gets $2,600, Oklahoma**


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Hollywood, March 26—Paramount has closed a deal with Technicolor for the making of four features next year. The first will probably be a sea story under the guidance of Frank Lloyd.
Everybody in the industry will be there!

Testimonial Dinner

to
GEORGE J. SCHAEFER

to be given by his friends
in the Grand Ballroom of the Hotel Astor
on
Monday evening, March 30, 1936
Subscription $7.50

RECEPTION 7:30 o'clock DINNER 8 o'clock

Here's a testimonial dinner that will be different from any you've ever attended! No long-winded speeches...no formal attire...just a unanimous tribute to one of the industry's leaders with the accent on Fun, Frivolity and Gayety! Join your friends for a STAG evening that promises to be an event that will be long remembered! Here are just a few of the prominent figures of stage, screen and radio who have graciously consented to be present and keep things moving at high speed:

ED SULLIVAN
MILTON BERLE
BERT LAHR
BENNY RUBIN
FRANK PARKER
PHIL REGAN
WILLIE and
EUGENE HOWARD
RACHEL CARLAY
GRACIE BARRIE
JAY FLIPPEN
ROGER PRYOR

ROSE KING TOBY WING
and the RADIO CITY MUSIC HALL GLEE CLUB

IF YOU HAVEN'T ALREADY MADE ARRANGEMENTS

said:

"Great entertainment! ... Capra's new picture ... Mr. Deeds Goes to Town ... will be more popular than It Happened One Night!"

Thank you Mr. Lasky

Columbia Pictures Corp.

A new "best of the year" arrives ... heralded by a storm of superlatives from the great of Hollywood!

National release date April 12th
Opening Radio City Music Hall, April 16th
MOTION PICTURE DAILY

Vol. 39. No. 74

New York, Saturday, March 28, 1936

TEN CENTS

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

I.T.O.A. Starts Monopoly Suit

In N. Y. Court

Union Groups Will Operate Mexico Houses

Action Involves Payment On Short Subjects

Major distributors yesterday were charged with violation of the New York state anti-trust and monopoly laws in the alleged forcing of shorts with features in an action which opens the long promised warfare by the I.T.O.A. on these sales practices.

The charges are made in an answer filed by Ridgwood Amusement Co., a Harry Brandt company operating the Star, Brooklyn, to an action brought by RKO Distributing Corp. for a claim of $61 on a short subject contract. The action was instituted by the distributor in Municipal Court.

In its answer Ridgwood alleges that it was required to take the short subjects in order to obtain the distributor's features and further alleges that this sales practice is also followed by Warners, Fox, M-G-M, Paramount, Universal and Columbia in violation of the Donnelly Act, the New York state anti-trust and monopoly statute.

Weisman, Quinn, Allen & Spett, counsel for Ridgwood, said that an action naming all major distributors would be filed in Federal Court here in the near future alleging the violation of the Federal anti-trust laws.

Fox-Midwest Case

Under Advisement

KANSAS CITY, March 27—Judge Merrill E. Otis, in Federal District Court tonight, under advisement the independents' application for a temporary injunction against Fox-Midwest and major distributors on charges of conspiracy after the submission of affidavits by both sides and oral arguments by W. G. Boortwright, for the plaintiffs, Sam Sawyer, for Fox-Midwest, and Edward C. Raferty for the distributors.

Judge ordered an application (Continued on page 4)

Bowes Refused Stay On Use of His Name

SALEM, March 27—Judge Howard Williams today refused to issue a restraining order against E. M. Bowes to prevent his Lynn houses from billing an amateur unit with Bowes' name.

Unfair competition with an authorized unit playing M. & P. houses is charged by Bowes.

Petition Hits Duvals

Lincoln, Neb, March 27—Petitions for reconsideration of double features are being circulated in North Platte, Neb., this week. Several hundred have signed.

M-G-M Boycott Is Ended in Barcelona

BARCELONA, March 27—Exhibitors here yesterday terminated their boycott against M-G-M, which had been carried on for several weeks because of objection to Jacques Edelstein, local M-G-M manager. The exhibitor group had demanded the ousting of Einstein, which was flatly refused by M-G-M.

Members of Mutua, the local organization of foreign distributors, stood squarely behind M-G-M.

Attempts to arbitrate the differences between exhibitors and distributor, which had spread from a personal objection to Edelstein to a demand for M-G-M revision, accomplished nothing, resulting in a deadlock after several sessions.

Allied Unit ApprovesMetro Pact Request

MINNEAPOLIS, March 27—Northwest Allied has approved M-G-M's request for the cancellation of 10 films on the 1935-36 program with a provision for the purchase of eight additional pictures to fill the gap, according to Greater Amusements. The organization previously had refrained from making any final decision on the contract rider pending suggestions from national Allied, which is telling members to use their own judgment.

S. G. Lebedoff, vice-president, said the majority of the exhibitors in the two cities already have signed the rider. He declared, "The eight pictures offered should be as good or better than the ones which the company will not make and the withdrawal (Continued on page 4)

Boston Fires Spur Safety Rule Study

BOSTON, March 27—The three recent booth fires in Greater Boston at the Olympia in Somerville, Elite in Waltham and Morison in Mastic part of an investigation. Rules against the adoption of the 2,000 foot rule are understood to be spurring Department of Public Safety officials to fresh efforts in making a survey of motion picture safety regulations for Massachusetts. The regulations have not been changed to any extent for the past 12 years.

George Parsons, chief of inspectors, is in charge of the investigation. Rules against the adoption of the 2,000 foot rule are understood to have been offered for consideration by union members.

Forty More Warner Music Suits Filed

Forty more infringement suits against radio stations, restaurants, night clubs and hotels have been filed by Warner music subsidiaries, Harms, Inc., M. Witmark & Sons, Remick Music Corp., J. Harns Co. and New World Music Corp.

Suits filed in U. S. District Court here are against WMCA, WODA, WBIG, WOBB, WIBA, KGU, WIXBS, WSMB, WGST, WOVO, KTHE, KPO, WOA, KTAF, WDAY, KFYR, KSOS and WCHS.

Hotels, restaurants and night clubs (Continued on page 4)

Laemmle Not To Take New Post at “U”

Carl Laemmle has declined a position at 20th Century-Fox, which he was asked to fill.

Laemmle’s decision means Harman’s complete withdrawal from the company which he founded more than 20 years ago and from the industry with which he has been identified for 30 years.

Laemmle’s decision not to serve on the board following the transfer of control is understood to be motivated by his desire to take a lengthy rest and vacation, free of all obligations. He will arrive here on Monday and spend several weeks in New York, following which he plans to leave on an extended European trip.

The new Universal heads received Laemmle’s decision with disappointment. Dr. Thomas H. Hettling, president of Standard Capital, has been desirous of the outcome of continuing Laemmle’s association with the company, he is said, and caused a provision for Laemmle’s selection as chairman of the board to be included in the contract which was awarded to him, it being understood to be effective in the event the option was exercised. When Laemmle declined to serve, the board, meeting Monday, voted to fill the unexpired term, the nomination of Edward K. Kull, president of Universal, was made.

Hope Williams Sails To Her London Post

Hope Williams (Mrs. J. D. Williams), who has been appointed special London representative of Quigley Publications—Motion Picture Herald, Motion Picture Daily and Motion Picture Almanac—sailed last night on the English train up her duties in the London Bureau.

Mrs. Williams will be associated in London with Bruce Allan, London representative.

Hines Elected Head Of Projector Firm

Earl G. Hines has been elected president and a director of the Internationa Projector Co. He succeeds the late Samuel R. Burns.

Herbert Grifflon has named a director and has been made a vice-president. At an earlier meeting Walter Green was elected to the board.
**MOTION PICTURE DAILY**

(Motion Picture Daily's Hollywood Preview)

Vol. 19  March 28, 1936  No. 74

**Purely Personal**

JOHN E. OTTERTON left for the coast last night for production conferences on a film which he left earlier in order to stop off in Arizona to visit his daughter, Milt- "Zukor" will continue on to the coast from there.

FREDDY MACK, Roxy maestro, is organizing a new stage presentation to be known as "Young Ideas" which will soon make its debut.

**Gilbert W. Gabriel's best seller, "I, James Lewis," has been purchased by Paramount.**

**Quip of the Day**

Arthur Mayer to Bill Rodgers: "The Capitol may play the Metro holdouts, but it's the Roxy which runs the Metro hangovers." "Moonlight Murder" opened at Mayne's theatre yesterday morning.

**Mrs. Arthur S. ABBEES sails today on the American Legion for South America.**

**Bob GILLIAM returned yesterday from a two-week vacation in Florida.**

**M. H. HOFFMAN will remain in town for another 10 days.**

**Grace MOORE sails today on the Conte Di Savoia.**

**Chicago**

FELIX MENDELSOHN is recuperating from a recent illness by making a world tour. BARNEY BALABAN is at Waikiki. JOE BOLICK is the latest honorary member of the CAPA. WALTER BROWN is back from a business trip to Des Moines and Omaha. SIDNEY STERN of General Films just returned from a large commercial picture contract. Shooting starts next week. JAMES WINK is back from a sales meeting at the Nickelodeon in Chicago.

**JAMES COTSON is in New York on plans for a new theatre here.**

**Dick SACHS is back from Omaha where he did some screen repairing for several large theatres.**

**Joe ABRAMSON and ANN ORPHAN are the latest additions to HELEN ELMAN'S Capitol Film Exchange.**

**Alice ROTH is now with G. B.**

**Los Angeles**

ALLEN J. KEERE, EDWARD COOKE, WILLIAM J. HEIZENMA, J. R. GRANGER, EVERETT GRAINGER, WIL- IAM KONIG, CHARLES ROGERS, CARL LAERMANN, FRED MYER and EDWARD WICKS of "Murphy's Gold" opening in Sacramento.

**R. V. CARMICHAEL of M-G-M handles ads for the 17 dance of the Film Exchange Club.**

**Robert O'Donnell, Harry HUFF- man and J. Von Herbert, circuit magnate, are in the Philippines with President Que- zon's "Mr. Deeds Goes to Town."**

**Milton Hofsess will be feted by his friends at the Hollywood Athletic Club following his promotion by Fox West Coast.**

**"I Married a Doctor"**

(Warner's)

Hollywood, March 27.—This version of the Sinclair Lewis novel "Main Street," seems somewhat out-of-date, although the uniform excellence of the cast performances will result in a strong bid for popular favor.

The story tells of a city girl who marries a small town physician and struggles thereafter to raise the cultural standards of her adopted home to city levels. This theme has lost much of its significance since more important problems, including the depression, have descended on the scene of which Lewis wrote.

The Casey Robinson screen play wisely attempts to compromise with the original theme on which the main dramatic incidents are based, but the story still centers on the bigotry and clannishness of the small town country club set which, by present standards, seem somewhat trivial.

The disadvantage of an unfurled theme is more than offset, however, by the excellent acting of Pat O'Brien as the doctor, Josephine Hutch- erson as his wife and Ross Alexander as a young artist. These skillful portrayals can be counted upon to arouse sufficient sympathetic interest to assure favorable audience reaction. Supporting performances by Guy Kibbee, Louise Fazenda, Ray Mayer, Onn Rowland and Willard Rob- erson are splendid characterizations. Even the small bits are well cast.

The direction of Archie Mayo is up to his usual standard. Harry Joe Brown produced. With proper exploitation, the picture should show good returns.

Production Code Seal No. 2,024. Running time, 87 minutes. "G."

**"Song of the Trail"**

(Adapted by-Comm)

Hollywood, March 27.—Though constructed on a routine action formula, this picture offers a cast headed by Kermit Maynard and Evelyn Brent and the name of James Oliver Curwood as author of the script to attract followers of hard-hitting drama.

The plot is concerned with the efforts of Maynard to save an old miner who has signed a quit claim to his property in favor of gamblers. Proving the poker game in which the mine was lost was not conducted in strict accordance with Hoyle, Maynard recovers the deed and saves the girl as six shooters back and hoofs beat.

The picture, cast as Maynard's mount, steege, leads able comedy relief, which breaks up the chases. Russell Hopton has done a good job on the direction and Arthur Reed's photography shows to good effect on several beautiful outdoor settings. The supporting cast includes Antoinette Lees, George Hayes and Lee Shumway who contribute competent performances. Didheron portrayed the girl, number which is well handled by a male chorus. George Sayre and Harry Barrington wrote the screen play.

Premiered without production code seal. Running time, 67 minutes. "G."

**Overseas Preview**

**"Once in a Million"**

(Associated British Pictures)

London, March 25.—Buddy Rogers, bandless and back in comedy; a good farce plot; low comedy successfully purveyed by Haver and Lee, and less successfully, by W. H. Berry, Marry Brian and Iris Hoes, the woman roles that matter. A bright and amusing effect.

Rogers is a bank clerk sent on Saturday to pay a million in notes into the bank. His taxi collides with another, carrying a pretty girl, and that debys matter, so that the bank doors shut in his face. Taking refuge in a house, he deposits of cornshin a status, and royal suite, appropriate to a millionaire. The girl, also, is sailing under false colors as a Countess, to push the dress goods of her employer. Comic detectives, a gold digger and mother and a Continental adventurer play their part in a hectic week-ending, with the discovery that the bank has gone smash. Buddy gets a directorship for saving the money, and the girl.

There are plenty of laughs in it for general audiences. Running time, 75 minutes. "G."

**New Operator Bill In**

Albany, March 27.—New regulations covering projectionists are being considered in the Assembly by Bernard Austin.

The bill would make it illegal for anyone other than a licensed projec- tionist to thread up a machine for operation and also would bar theatre owners from requiring projectionists to do any other form of work.

**Bateman Joins Republic**

Los Angeles, March 27.—Francis Bateman, of the M-G-M sales de- partment, today became Republic branch manager here, replacing ad- doward Stubbins, recently resigned. Bate- man will move in April 6.
**Motion Picture Daily**, Saturday, March 28, 1936

**Looking 'Em Over**

*Re Burlone*  
(Mazzonni-Brandt)

Broadway's own Italian film house, once the Warner, now the Cine Roma, opens its doors with a production from Capitani, Italian producer, which seems to have pleased the Italian-understanding audience, but which was hardly of a character to bring rounds of applause from the lack of knowledge of the language, despite the occasional use of superimposed dialogue titles. The title translates as “Daughter of the Revolution.”

It is, in effect, a picture which must have a market limited to those who are able to draw upon a patronage conversant with the language of the film. With Anna Ronconi as the king in a Wallace Beery manner, and Luisa Ferida as the young revolutionary, outstanding.

The girl falls in love with an army captain with whom she rides on a test run of a new train. She is invited by the inspecting king to visit the palace. But when she learns the king has signed the death warrant for her father, she chooses to follow him for redemption and pursed by Ayres. The action is supplied with gusto via a horse race or two described by Ayres and the swift-moving action of the police as they swoop down on the gang trapped by the cleverness of Ayres while the police are baffled.

Ayres is in danger of losing his contract and sponsor for his radio program because he is slipping with respect to the uncovering of exclusive stories. Suddenly he comes upon a mysterious five dollar bill, with a series of code numbers, and is heretofore tossed into the center of what proves to be murder, with a background of a kidnapping, hidden ransom and a girl who is looking to save money, and who proves to be Miss Rice. With the police hounding him for information and the sponsor after him to stir up the program, Ayres traps the gang and wins the girl.

Production Code Seal No. 1967. Running time, 60 minutes. "G."

**Pine” Pulls $30,000 Take At Boston Met**

Boston, March 27—Floods in near-by New England states and heavy rains here failed to dampen the enthusiasm of the patrons who got into the Metropolitan to see "The Trail of the Lonesome Pine." The $30,000 gross passed normal by $3,000, for $19,500. "Give Us This Night," and dated at the Fenway and the Paramount, took $7,000, up by $2,500, at the former, and $12,000, up by $3,000, at the latter.

"Love on a Beach," bird by the "Folies Comique" on the stage, garnered $20,000 at the RKO Boston. This was $12,000 to the good, and the stage show was held over as a result. Total first run business was $109,000. Average was $87,500.

Estimated takings for the week ending March 21:

- **"Moderate Times"** (U.A.)  
  "GIVE US THIS NIGHT"! (Para.)
  FENWAY, 28, 35c-55c, 7 days.
  Gross: $17,100. (Average: $2,443.)
  LOEW'S MEMORIAL—(2,907), 25c-55c, 5 days.
  Gross: $7,400. (Average: $1,480.)
  "WIFE VS. SECRETARY" (M-G-M)
  METROPOLITAN—(2,299), 25c-55c, 7 days
  Gross: $13,000. (Average: $1,857.)
  "TRAIL OF THE LONESOME PINE" (Para.)
  METROPOLITAN—(2,299), 35c-55c, 7 days.
  Stage: Paul Lukas. Gross: $30,000. (Average:
  $4,285.)

- **"Moderate Times"** (U.A.)
  "GIVE US THIS NIGHT"! (Para.)
  PARAMOUNT—(1,750), 25c-55c, 7 days.
  Gross: $12,000. (Average: $1,714.)
  "LOVE ON A BEAT" (Radio)
  RKO BOSTON—(2,360), 35c-55c, 7 days.
  Stage: Leslie Howard. Gross: $29,000. (Average:
  $4,143.)

**Plan Nebraska Circuit**

Lincoln, March 27—A new circuit is in the offing for Grand Island and vicinity. Its backers are William N. Thompson, veteran independent, and Lloyd Thompson, son of Senator W. H. Thompson. It will be capitalized through the market of Iowa, and also has the State, Central City, Shelton, and Empress, Grand Island.

**McGuire Pact Renewed**

Hollywood, March 27—William Anthony McGuire has been given a new long-term M-G-M contract as producer-director-writer. The renewal is recognition for his work on "The Great Ziegfeld.

**Gensler Re-signed**

Hollywood, March 27—Paramount today disclosed that Lewis Gensler to a new five-year producer-contract. The first feature under the new arrangement will be "The Duchess" with George Raft.

**Henry Lee Back on Job**

Bloomington, March 27—Henry Lee, press agent at the Majestic, is back at work following an illness.

**Hall Gets "Fauntleroy"**

"Little Lord Fauntleroy" will go into the Music Hall April 2.

---

**“Doctor” $12,000 Montreal Grosser**

Montreal, March 27.—The Country Doctor at the Palace was the picture of the week with a take of $12,000, but even with that figure the picture was not bad overall.

An Irish program at Loew's, to help celebrate March 17 and headed by "Laughing Irish Eyes," was good for $2,000, and "First a Girl" topped the double at the Capitol for $5,000, while the second week of "The Story of JIMMY Valentine" at the Princess brought in $5,000.

The breakup of winter brought bad traffic conditions and, outside of the St. Patrick’s Day enthusiasm, it was an off week for the theaters. Night clubs and dances for the 17th provided the chief opposition.

Total first run business was $44,000. Average is $46,500.

Estimated takings for the week ending March 21:

- **"First A Girl" (British)**
  PRINCESS—(3,115), 35c-50c, 7 days.
  Gross: $9,000. (Average: $1,285.)

- **"Forget-Men Forgotten" (British)**
  MANN'S—(6,800), 35c-50c, 2nd week.
  Gross: $4,000. (First week: $1,050.)

- **"Black Fury" (F.J.)**
  IMPERIAL—(1,975), 25c-50c, 4 days.
  Average: $2,500. (First week: $3,000.)

- **"Laughing Irish Eyes" (Republic)**
  LEWIS—(3,115), 35c-50c, 6 days.
  Average: $3,000. (First week: $4,100.)

- **"The Country Doctor" (First-Fox)**
  PALACE—(2,200), 35c-50c, 6 days.
  Average: $2,000. (First week: $3,000.)

- **"Story of Louis Paster" (F.J.)**
  THE RETURN OF JIMMY VALENTINE (Republic).
  PRINCESS—(2,825), 35c-50c, 6 days.
  Average: $3,000. (First week: $6,000.)

**Levy Opens “Festival”**

Borough President Samuel D. Levy assisted yesterday in the opening of the Loew “Spring Festival” celebrated in some 70 houses of the circuit in Greater New York.

Among others who gathered for the occasion with Charles C. Moskovitz, Loew young executive, were Harry Pryn, Toby Wing, Patricia Bowman, Bob Hope, Dolores Reade, Gertrude Nielsen, Robert Young, Jack Regan, Bert Gordon, James Murray, Pedro Montanaz, Helen Compton and her girl orchestra. Jay C. Flippen was m.c.

The party was broadcast over WHN.

**Travel Service Started**

For the convenience of members required to travel, the film industry has established a personal travel service and has put it in charge of an experienced travel agent, who will include the purchase and delivery of tickets.

**Burlington Tries Films**

Lincoln, March 27.—Burlington trains are now showing the films a trial in their dining cars and hope the public will go for the idea. All through trains will be equipped for sound.

**Ventnor House Burned**

Atlantic City, March 27.—The Ventnor, neighborhood house, was badly damaged by fire this morning with a loss estimated at $125,000. It is estimated that it will take three months to rebuild.

**W.E. Gets Chilean Deal**

Western Electric has just closed a contract to install sound equipment in the Chilean national radio station called Teatro Chile in Santiago, Chile. Ernesto Echeverria, the exhibitor, is now in New York.
Union Groups Will Operate Mexico Houses

(Continued from page 1) boycott all pictures containing fascist or communist propaganda and to urge the government (to develop an institute which will further the distribution of M-G-M films.)

For the first time in a long while the Mexican industry has been free of labor troubles, but employers have declined to make any predictions relative to how long the situation will last.

The local censor board has been told by civic authorities to be less stringent in its action on films. The result came as a result of numerous complaints from Federal officials and the public that the censor makes wholesale deletions of scenes in foreign films and ban many worthwhile productions.

The National University of Mexico is making scientific medical and surgical films for the first time in this country, for use in the education of medical students. The films are made in a large local charity hospital.

Its first film, "Rancon Con Panche Villa" ("Let's Go with Pancho Villa"), completed at the high cost for (Mexico) of $79,000, Cinematografik Laboratories, is now in progress. Exhibitions of the newer domestic producers, has started its second, "Su Gran Aventura" ("His Grand Adventure") with a cast of 1,200.

Exhibition in this city has taken a jump upward with the opening of two de luxe houses, the Alameda and the Hipodromo, both featuring high grade American films. The Alameda, which cost $975,000, is said to be one of the most beautiful houses on the continent. It seats 3,000 and has all modern equipment. Hipodromo seats 2,500. Three other class neighborhood houses are under construction, and are expected to be ready in the fall.

Allied Unit Approves Metro Pact Request

(Continued from page 1) of the Great Ziegfield is in accord-

The agreement is in effect as of April 20 here, with more than 100 expected. J. B. Clinton is expected to be replaced as presi-
dent following the election of Ben Ber-
ges to the governorships. The president's term is selected from the board, this is seen as automatic-
ally making Clinton ineligible.

Jailed in Game Swindle

CHICAGO, March 27.—Ladislau Babka and three others were in jail here today, arrested for swindling theatre patrons with a Bank Night scheme, which involved hasty printing of winning numbers with a portable printing press.

Laemmle Not Taking New Universal Post

(Continued from page 1) the Laemmle board chairmanship recently was offered to him, according to an intimation from Universal, the home office of the company and his long experience in the industry were counted up-

in by the new owners for counsel and advice in the company's financial capacity after the change of control.

Takes Over Iowa House

MAPLETON, Iowa, March 27.—The Mapleton Amusement Co., formed by Abe Friedman, has taken over the Princess house from Opal Brown, who lost the lease in a court action and plans to open a new house here.

Somebody Else

Oklahoma City, March 27.—Frank Cassotta, assistant man-
ger of the Criterion, went to work the other morning and was chided—to put it mildly—by his superiors. Later in the day he was generally kidded. It developed that Frank Cassotta had been arrested for crossing a stop line on a downtown street, but that he was one of the other local Cassotas.

"Doctor" 2d Week Lead in Cleveland

CLEVELAND, March 27.—"The Country Doctor," in its second week downtown, took in $4,730 at the Allen where $3,000 is par. "Wife Secretary," also in its second week downtown, grossed $6,000 at Loew's Stillman as against a $4,000 average.

The story of Louis Pasteur topped the Warners' Hippodrome $8,000 average by $3,500, with a total of $11,500 for the week.

The Lone Wolf, as the RKO Palace screen attraction, with Cab Calloway and His Cotton Club Orchestra on the stage, upped the usual $15,000 take to $17,500.

The Prisoner of Shark Island grossed $9,000, with half of the Loew State average of $12,000 over the week-end.

Outside competition was practically nil.

Total first run business was $15,750. Average is $4,200.

Estimates for the week ending March 20:

- "THE COUNTRY DOCTOR" (20th-Fox) 7 days. Gross: $12,200. Average: $1,743.
- "LEGAL WOLF RETURNS" (Col.) 7 days. Gross: $12,000. Average: $1,714.
- "KING CARDIFF" (EMI) 7 days. Gross: $12,600. Average: $1,728.
- "SILLY BILLIES" (Radio) 7 days. Gross: $12,000. Average: $1,714.
- "THE COUNTRY DOCTOR" (20th-Fox) 7 days. Gross: $12,000. Average: $1,714.
- "THE COUNTRY DOCTOR" (20th-Fox) 7 days. Gross: $12,000. Average: $1,714.

Little Fluctuation on Cars

(Continued from page 1) the studio heads accorded to David's, the famous picture company, were the first car of the new line, and the studio heads followed it.

The studio heads attributed to Howard's demands for less inter-

ference. It was learned from Guild headquarters that the mediation or negotiation stopped early to back Howard if the studio executives failed to recog-

nize his requests.

Lynch to Coast 'Change

LOS ANGELES, March 27.—Clayton Lynch, M-G-M branch manager at St. Louis for the past 12 years, was today appointed manager of the M-G-M exchange here. He succeeds J. J. Milstein.

"Pasteur" Is Only Draw in Seattle Chill

SEATTLE, March 27.—Cold weather was a blow to all grosses except at the Fifth Avenue where "The Story of Louis Pasteur" made $7,400, over the normal mark by $400. It was held over.

The other house to reach par was the Liberty which had a combination of "Don't Gamble with Love" and "Sunset of Power." The take was $4,100.

Total first run business was $3,450. Average is $330.

Estimated takings for the week ending March 21:

- "FOLLOW THE FLEET" (Radio) 3 days. Gross: $2,500. Average: $833.
- "DON'T GAMBLE WITH LOVE" (Col.) 3 days. Gross: $2,000. Average: $666.
- "THE COUNTRY DOCTOR" (20th-Fox) 3 days. Gross: $2,500. Average: $833.
- "SUNSET OF POWER" (Col.) 3 days. Gross: $2,000. Average: $666.
- "NEXT TIME WE LOVE" (Univ.) 3 days. Gross: $2,000. Average: $666.
- "THE COUNTRY DOCTOR" (20th-Fox) 3 days. Gross: $2,500. Average: $833.
- "SILLIE BILLIES" (Radio) 3 days. Gross: $2,000. Average: $666.
- "TANGERINE PARK" (Para-entertainer) 3 days. Gross: $2,000. Average: $666.

Expect Garbo to Sail

GOTHENBURG, March 27.—Greta Garbo is expected to sail tomorrow for the United States on the Gipsy-

holm.

Wall Street

Board Shows Six Advances

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Price Reactions on Bonds

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(Quotations at close of Mar. 27)
Ex-Colonels Now
Frankfort, Ky., March 29—There are 17,000 former colo-
nels scattered about the country today as a result of a ruling by Attorney General B. M. 
Vincent of Kentucky. Hundred-
eds of them—some say thousands, but film men are 
careless with figures—are in
the picture business.
According to the Attorney 
General, a commission in 
Kentucky expires when the 
Governor who grants it 
goes out of office. Ruby Lafoon 
has been a private citizen for 
some time, and his successor, 
Albert B. Chandler, hasn't de-
veloped into much of a colo-
nel-commissioner.

Para. Options 
Upon Circuits 
Are Extended
A 90-day extension of Paramount's 
options to repurchase the 50 per cent stock 
interests in the A. H. Blank and 
Karl Hoblitzelle circuits has been 
agreed to by the theatre operators, it 
was stated on Saturday.
The current options expire April 
1, and April 4, respectively. New ex-
tensions were made necessary by 
the postponement last week of the regular 
meeting of the Paramount board, which was scheduled to act on 
the options. Indications now are that the 
new extension will be ratified today at a meeting of 
the Paramount executive committee.
Negotiations for a new five-year

Reservations Top 700 
Mark
On George Schaefer Dinner
Reservations for the testimonial din-
er to George J. Schaefer to be held 
at the Astor tonight totaled the 
ticket committee over the weekend. The volume of reservations and sales 
boosted attendance estimates to more 
than 700, with tickets remaining 
on sale throughout today.
The ticket list indicates that practi-
cally every company executive of 
importance in the east will attend. A 
partial list of those who have made 
reservations includes Austin Kough, 
Louis Phillip, Arthur Israel, Norman 
Collyer and Ed Cuddy of Paramount; 

No Additional 
Studio Shifts, 
Ottersson Says 
Details Being Set for 
New List, He States
Albuquerque, March 29.—No 
Further important studio changes are 
contemplated and production details 
are being set for next season's lineup, 
asserted John H. Ottersson, Paramount 
president, here today en route to the 
coast.
"I think everyone will be pleased to 
know this," he added.
"William LeBaron will have full
charge of production on the coast," 
Ottersson declared. "I am going out 
to look over stories arranged for 
production during the coming season."
According to Ottersson there is 
the Winfield Sheehan deal that it was 
"definitely off, but that discussions 
might possibly be renewed later." 
No additional producers are to be 
lined up, the list now being complete. 
No new chairman for the editorial 
board would be named to succeed Jeff 
Lazarus, he said, as that was a prob-
lem for studio executives to handle.

Ohio Houses Urged 
To Secure Licenses
Columbus, March 29.—The Ohio 
L.T.O. is urging all exhibitor-members 
to take out theatre licenses if they have not already done so. The 
new tax law provides that every theatre 
must have an operating license in 
order to participate in the returns of 
three per cent tax on grosses. The 
license deadline is April 1, with a $100 
daily penalty thereafter for failure to 
secure a license. 
The unit also suggests that members 
cooperate to the fullest possible 
extent with the Red Cross, by giving 
benefit performances and running 
slides appealing for funds for that 
organization.

Senator Seeks Vote 
On Jersey Censoring
Trenton, March 29.—Senator Hor-
ace G. Prall, Hunterdon County 
Republican, declared yesterday that he 
will seek a vote by the Miscellaneous 
Business Committee tomorrow on his 
film censorship bill.
The censorship measure was intro-
duced Feb. 24 but no action has been 
taken upon it because the Miscellane-
ous Business Committee chairman, 
Senator Clifford R. Powell, Burling-

can't answer the objections on April 11.
Cunliff contended the bondholders'

APPEAL GIVEN ON 
ST. LOUIS RULING

Warner Flood Loss 
Mostly in Grosses
The greatest damage to Warner 
threaters in the flooded areas of New 
England and Pennsylvania was repres-
ented by loss of income, rather than 
actual physical damage, declared Jo-
seph Bernhard, general manager of 
the circuit, following a survey of 
properties in the flood sections.
Considerable repairs will be neces-
sary in the Johnstown and Pitts-
burgh theatres, Bernhard reported, 
but it will be 90 days before the 
shing and redecoration. There was 
only slight damage to property and 
machinery. The income loss, however, 
was expected to be more than made up 
in the next several months through 
increased employment on flood repair 
work in the affected sections, he said.

Editors Rush Big 
List of Features
Hollywood, March 29.—Predicting 
a flood of pictures at an early date, 
studio editors worked feverishly on 
99 features last week.
This was the principal center of 
company activity with actual camera 
work doing a notable. Only 33 fea-
tures and one short were being filmed, 
against 41 features and two shorts for 
the week preceding.
The production high spot of the 

Distributors to Take 
Dismissal Order 
To High Court
St. Louis, March 29.—Federal 
Judge Charles B. Davis has allowed 
Warner, Paramount and RKO to ap-
pear direct to the U. S. Supreme Court 
from the ruling of Federal Judge Jo-
seph West Molyneux of Minneapolis 
here on Jan. 29, which permitted the 
Government to drop without prejudice 
itself anti-trust case against the 
companies named.
The defendants' attorneys have filed 
an assignment of errors which charged 
that Judge Molyneux erred when he 
ordered the action to dismiss and 
replied at the opening of the civil 
case in that he failed to hold the issues 
involved as having been previously 
decided, in view of the not guilty 
verdict in the earlier case Nov. 11.
The appeal was opposed by Harry 
C. Blanton, U. S. attorney for this 
district, on the ground that since the 
civil case had not been decided on its 
merits, the ruling could not be appealed. 
The appeal has been doubtlessly 
delaying the trial of the new civil 
case brought against the three com-
panies and various individuals by the 
Government, which is now pending in 
New York Federal court.

Planes Will Speed 
Prints in England
By BRUCE ALLAN
London, March 22—A timetable 
has been prepared under which, it is 
claimed, every important city in the 
U. K. can be supplied with prints 
four hours after they are in the London 
printers' works. A large number of 
planes are available and wires will 
advise each exhibitor exactly when a 
film will arrive.
G. B. will take over a building at 

Trustee Objects to 
Skouras Firm Claim
St. Louis, March 29.—Nelson 
Cunliff, trustee for Skouras Enterprises, 
Inc., has filed with John A. Hope, 
receiver in bankruptcy, objections to 
claims totaling $3,876,793 against the 
company by the bondholders' protec-
tive committee. A group of ordered 
attorneys for the committee to file an 
answer to the objections on April 11. 
Cunliff contended the bondholders'

TEN CENTS
MOTION PICTURE

Insiders' Outlook

By RED KANN

Hollywood, March 29.

ON the elusive, yet laudable, ambition of Vai making intelli-
genious product for the dear American public, these several
touch, picked more or less from the random mail of a Hollywood
producer, may be interesting, as they are:

Dear Miss

I have seen you in a picture by the name of — and I must add out that
you have answered a question that I could never have answered myself
because you never knew that my favorite actres but now I find out that
it is you and nobody but you, because you see I do not care for
women actresses that is I never did until I seen you upon the screen becauce you remind me
so much about somebody that I really know (I hope this will not hurt your feelings). Every
actor ever wrote, always wanted money for their pictures, I hope —

Klondike Annie — and a stage show headed by Fred Waring and orchestra
headed up well in a second and final week at the Paramount. The gross
was $33,000. The Roxy also fared well with the second and final week of
"Love Before Breakfast" and a stage show featuring Pinkly Tomin. The gross for the week was $25,500.

Jobless Town Hits House

PLAINFIELD, Conn., March 29.—The Lily, owned by Henry Fontaine, is still closed, with no prospect of operat-
ing for the present. With the failure of employees and the governor to fulfill the devotion to regular
operations, the town is almost entirely unemployed and may be deserted. A canned goods benefit was run by the Montgomery for the benefit of the unemployed.

MPPDA in Annual Meet

The annual meeting of the board of the M. P. D. A. will be held at the Grand Central Palace, New York, on
Table of Will H., Hays, president, and
department heads will be submitted. Four or five new directors will also be elected to the board.

Bank Night Scores

Waterbury, Conn., March 29.—Bank Night received a favorable decision when City Prosecutore_itchell Myers
announced it would not be considered as violating the state lottery law. Re-
connection was followed by Fred Doren's operation of Bank Night at the Hamilton last week in defiance of the
Warner. J. Adolph Johnson, Bank Night agent for Connecticut, stated that Mrs. Lena
at the Waterbury Bank Night for Prosperity Night at the Lido, and that
Warner's Capitol and State will also use the plan, although no date had been
set.
The Greenwich test case has as yet not been decided, but the Pickwick continues Bank Night, without inter-
vention from officials.

Dramatists to Vote

Upon a 60-40 Split

A general membership meeting of the Dramatists' Guild will vote on a proposal to substitute a 60-40 split of
royalties between producer and producer for the present sliding scale on royalties, at the Biltmore, April 8. The
amount of all royalties to the player

Screen Writers' Guild

Hits Duffly Bill Wire

Hollywood, March 29.—A wire signed and certified by the president of the
House of Representatives committee on the Duffly Bill in Washington, resulted in a near split in the Guild's ranks

New Orleans Starts

Daylight Time Move

NEW ORLEANS, March 29.—An
official of the Southern Railway System, already morning the daylight saving time has been started here by the executive committee of the
commission. The committee has recommended that the association petition the Federal Council of

The movement gained momentum last year, but the Commission Council found that under the political condi-
tions of that time it had no authority to act.
A hero's IMMORTAL COURAGE...
A rogue's HILARIOUS TRICKERY...
A woman's UNSHAKABLE LOYALTY...

portrayed by three great stars at their greatest
... make this an entertainment solid with the
ingredients that make the crowds pay and pay!
Notable Portrayal
By Wallace Beery

"A MESSAGE TO GARCIA"
20th Century-Fox

Producer: Darryl F. Zanuck
Associate Producers: Raymond Griffith
Direction: George Marshall
Screen Play: W. P. Lipscomb and Gene Fowler
Photography: Rudolph Mate
Assistant Director: Booth Cracraft
Cast: Wallace Beery, Barbara Stanwyck, John Boles, Alan Hale, Herbert Mundin, Mama Barrie, Enrique Acosta, Juan Torena, Martin Garrajila, Blanca Vischer, Jose Luis Tortosa, Lucio Villegas, Frederick Vogeding, Pat Moriarity, Octavio Giraud.

The message of this robustious adventure picture, with its story straight out of revered American history, its strong line-up of cast and its budgetary production values, is one of profits and more profits at the little glass cage. Darryl Zanuck has struck it rich.

For this is as high-tension a discharge of entertainment voltage as could be devised. It brings vividly to life the heroic Spanish-American war story immortalized by Elbert Hubbard and almost every American. It packs a swift succession of hairbreadth escapes that makes the Perils of Pauline and all her successors seem childish play on the front lawn. It brings to the screen a serio-comic character portrayal designed for the cinema hall of fame.

Sergeant Dory, the renegade ex-marine who helped Lieutenant Rowan get through the Spanish lines and into the interior of Cuba, as played by Wallace Beery, emerges as engaging and heroic a scalawag as any modern Falstaff. Not since Beery's Viva has he had such a chance or enacted so superbly well-rounded and engaging a portrait.

John Boles plays the unscrupulous Lieutenant Rowan, bearer of the message to Garcia, and his too, is an impressive portrayal, vigorous and dynamic. Barbara Stanwyck is the high-bred and courageous Cuban girl of history who, in the screen version, not only aids the lieutenant but accompanies him on most of the perilous trip. Miss Stanwyck is not an exotic Latin but she gives a forthright and unaffected performance that combines appealing beauty and convincing heroism.

Events move rapidly from the very beginning and the pace never slackens. Following a brief prologue in which President McKinley gives Rowan the message, the lieutenant is found as a Canadian stoker on a British lug off the coast of Ireland. A Spanish ship has wind of him and the villainous Captain Krug has been hired to capture him at all costs. Krug intercepts the boat and in the first of many chases Rowan swims ashore under a blanket of bullies. In a low Cuban bodega he is picked up by the disreputable but resourceful Dory. For a price the mercenary ex-sergeant offers to get him through the lines to the ranch of the Cuban Maderos and he is forced to accept the doubtful aid. From this point onward the comical rogue dominates the story, pitting his wits against the relentless Krug.

They see Maderos shot down by Krug's men just before his lovely daughter (Barbara Stanwyck) arrives. In those circumstances they meet and the girl resolves to help the Cuban cause by seeing Rowan through. Soon the three alone are working their way through the pathless and musimac tropical swamps, constantly harassed by the ever-following Krug.

Beery unwittingly leads Boles to the stronghold of Krug. He himself is captured by the Cubans and escapes General Garcia into a ride to the rescue of the tortured Boles and, as it happens, of the wounded girl. It is a gory and spectacular finish.

This is a grand job of picture-making throughout and there are a host of credits earned. The skillfully devised script by W. P. Lipscomb and Gene Fowler is carefully built on Lieutenant Rowan's own published account and knowledge to vast amount of research for picture purposes is evidenced. Tact has been used to avoid wounding Spanish sensitivities. With the employment of the foreign Krug for everything beyond the Spanish code of honor in war.

The direction of George Marshall is unsparring vigorous in its development of never-slabbering pace and menace and of pungent and telling detail at every turn, however swiftly taken. The photography of Rudolph Mate, with its multitudinous problems of night-lightings in uncanny places, is impressively atmospheric. And he is splendidly aided by the art contributions of William Darling, Rudolph Sternad and Thomas Little.

Of the extensive and admirable support Alan Hale stands out as the merciless Krug. Herbert Mundin supplies a touch of comedy as a cockney tinware peddler lost, with his stock-in-trade, for weeks in the jungle. This is a bit hard to take but is dramatically justified at the end. The numerous Spanish parts are taken by members of the studio's gifted Spanish stock company, with handsome, young Juan Torena notable as the girl's soldier brother. And Enrique Acosta as General Garcia are a treat to see. There are also meritorious bits by Mona Barrie, Blanca Vischer, Martin Garrajala and Jose Luis Tortosa.
**MOTION PICTURE DAILY**

**HOLLYWOOD PREVIEW**

**Sky Parade**

(Paramount)

Hollywood, March 29.—Aided by the exploitation it has received, "Sky Parade" should do nicely as juvenile entertainment. The story is simply told and punctuated by news headlines to cover the transitions in aviation from the armistice to the present.

William Gargan, Kent Taylor and Robert Fiske, army buddies, follow commercial air careers after returning from France. When Fiske is killed attempting a transatlantic flight, Gargan and Taylor with the help of Katherine DeMille raise Jimmie Allen, his orphaned son. The fliers, later, as heads of an airline, perfect an automatic pilot which Grant Withers, also a buddy—turned-crook, tries to steal. Jimmie is left stranded in the flying plane and during the ensuing melee lands safely, through the wireless instructions of Gargan, which provides a smash finish for the youngsters.

Otto Loring directed, inserted, is well played by Sid Saylor. The brine Marlowe and Mr. Moore. The picture should do best bidding. Production Code No. 1890. Running time, 67 minutes. “G.”

**Desire**, on Dual, $6,400, New Haven

New Haven, March 29—"Desire" on Dual, "Sky Parade" on Eagle's Brood," was top draw here last week. It went $1,000.00 over the normal take at the Paramount in New Haven.

"Colleen" and "Boulder Dam," also a dual, at the Roger Sherman, grossed $3,500, over $2,500, over normal, at the Palace in New Haven.

"Voice of Bugle Ann," in its second week at the College, was for $2,000, over a first normal, by $100. "Little Lord Fauntleroy," and "Voice of Bugle Ann" took a pair $7,500 at the Poli, a benefit vaudeville show and a concert by Charles Kullman were opposition.

First total run business was $21,800. Average is $19,300. Estimated takings for the week ending March 27:

- **WIFE VS SECRETARY** (M-G-M)
  - College, $1,699; 35c-90c, 7 days, Gross: $4,600. (Average, $643)

- **THE EAGLE'S BROOD** (Para)
  - Easton, $1,300; 25c-40c, 8 days, Gross: $4,200. (Average, $525)

- **LITTLE LORD FAUNTLEROY** (U-A)
  - Voice of Bugle Ann, $990; 35c-50c, 7 days, Gross: $2,700. (Average, $386)

- **COLEEN** (W.B.)
  - Boulder Dam, $2,200; 35c-50c, 7 days, Gross: $5,800. (Average, $836)

- **ROGER SHEARMAN** (W.B.)
  - Colleen, $2,200; 35c-50c, 7 days, Gross: $5,800. (Average, $836)

**WIFE VS SECRETARY** (W.B.)

**ONE WAY TICKET** (Col)

Riverboat, $1,300; 30c-50c, 7 days, Stage: Royal Swedish Bell Ringers, Li, Czyr, Czyr, Bros, and Betty, Jack Friedlander, "A Visit of the Old Man," Fiske, the Ford. Gross: $4,800. (Average, $686)

**WIFE VS SECRETARY** (M-G-M)

**This Man** (Para)

Wisconsin—$3,000; 75c-40c, 8 days, Gross: $23,000. (Average, $2,875)

New Films for Danubia

In addition to "Az Uj Földesur," Danubia has acquired two more new releases, and has taken over Kerck (Keep Smiling), released March 8, and "Legy Jo Mudhaligal" (Be Good Until Death), scheduled for the early part of April.

**Set Saunders Party**

New Haven, March 29—Lawrence Tibbett and Grace Moore will be present at a cocktail party April 16 for Matt Saunders, winner of the February Quigley award.

**Set Saunders Party**

High Low Change Class

Columbia...355 $345 $355
Columbia...65 $65 $65
Consolidated...52 $51 $52
Eastman Kodak...137 $137 $137
Loew's...94 $94 $94
Paramount...100 $100 $100
Paramount 1 mil...75 $75 $75
Paramount 2 mil...10 $10 $10
Pathe...110 $110 $110
RKO...75 $75 $75
Reliance...125 $125 $125
Sun...165 $165 $165
Warner Bros...12 $12 $12

**LITTLE Carb Activity**

Net High Low Change Class

Columbia...355 $345 $355
Columbia...65 $65 $65
Consolidated...52 $51 $52
Eastman Kodak...137 $137 $137
Loew's...94 $94 $94
Paramount...100 $100 $100
Paramount 1 mil...75 $75 $75
Paramount 2 mil...10 $10 $10
Pathe...110 $110 $110
RKO...75 $75 $75
Reliance...125 $125 $125
Sun...165 $165 $165
Warner Bros...12 $12 $12

**Bond Off Slighly**

Net High Low Change Class

Columbia...355 $345 $355
Columbia...65 $65 $65
Consolidated...52 $51 $52
Eastman Kodak...137 $137 $137
Loew's...94 $94 $94
Paramount...100 $100 $100
Paramount 1 mil...75 $75 $75
Paramount 2 mil...10 $10 $10
Pathe...110 $110 $110
RKO...75 $75 $75
Reliance...125 $125 $125
Sun...165 $165 $165
Warner Bros...12 $12 $12

**Quotes at close of March 27**

**Quip of the Day**

Production problem having to do with one of the smaller companies:

"The unit has four pictures finished and five vice-presidents."

**Problems**

No make another picture or drop one vice-president.

**DAN D. HALPIN**

General sales manager of A. C. Crompton, Pref. left for air Saturday for the coast. He will be gone two weeks.

**THOMAS A. KILROY**

First Division purchasing agent, was home nursing a cold last week.

**AL FREDERICK**

First Division vice-president, is due today from a trip to exchanges.

**FAY Wray**

Is heading west. Toward the Gold Coast.

**BILL JAFFE**

Still on the coast, returns in about 10 days.

**J. R. MCDONOUGH**

In town from the coast.

**DENNIS KING**

Dined from London shortly now.

**Wall Street**
Out Hollywood Way


“Preview” Is High Despite DenverSmash

DENVER, March 29.—In spite of the heaviest snow of the winter three films were in the big profit classification downtown. “Preview Murder Mystery,” with a Major Bowes’ unit on the stage, grossed $8,000, over par by $3,500. “Miracle,” with a stage band at the Denver, reached $9,500, up by $2,500, and “Wife vs. Secretary” was $3,000 to the good on a gross of $9,000 at the Orpheum. “Colleen” was moved to the Broadway and “Wife vs. Secretary” was held over at the Orpheum. “Little Lord Fauntleroy” took a big $5,000 at the Aladdin and was held over. Total box run business was $40,500. Average is $27,750.

Estimated takings for the week ending March 26:

“LITTLE LORD FAUNTLEROY” (U.A.)
ALADDIN—$5,100, 26c-40c-6c, 7 days.
Denver, $800. Average, $143.

“THE COUNTRY DOCTOR” (20th-Fox)
BROADWAY—$3,500, 25c-6c, 7 days.
Greenfield, $500. Average, $71.

“HITCH HIKE LADY” (Republic)
CENTRE—$1,300, 25c-45c-6c, 7 days.
Stage show. Gross: $3,000. (Average, $428).

“PREVIEW MURDER MYSTERY” (Para.)
DENHAM—$1,500, 25c-35c-40c, 7 days.
Stadium. Gross: $1,700. (Average, $243.)

“WIFE VS. SECRETARY” (W.B.)
DENVER—$2,500, 25c-45c, 7 days.

“DOWNTOWN—$1,900, 25c-35c-40c, 7 days.
Stage band. Gross: $2,500. (Average, $357).

“DANGEROUS WATERS” (W.B.)
PARAMOUNT—$2,000, 25c-45c, 7 days.
Gross: $1,500. (Average, $214).

White Bulles Ohio House
CINCINNATI, March 29.—Maurice White, president Cohill Theatres, Inc., organized several months ago to lease and operate the Hollywood, in College Hill, a suburb, has purchased the theatre and building outright at a reported price of $150,000.

The property, on which the lease had four years to run, includes two stores and several offices, in addition to the theatre. Abe Libson and Ben L. Hedingsfield are associates.

The same interests have just acquired a large corner site in the same suburb, on which they expect to erect a business block to contain a de luxe theatre.

Delay Winchester House
WINCHESTER, March 29.

The town will have no theatre while the present selectmen hold office. The town voted last April, 2,475 to 1,717, “that the voters of the town recommend to the selectmen that they issue a permit for a motion picture theatre in any open areas in town, to be open on weekdays only.”

The licensing board is the Board of Selectmen. In a report to the next town meeting, the selectmen ordered that the matter be referred to the incoming board. Lack of a suitable location by a substantial applicant is given as the reason for the refusal to take action.

May Cut Pensacola Films
PENSACOLA, March 29.—Films here may be reduced to a three-day a week schedule if the pending city amusement order is adopted. It was a wire read to the City Council from the Saenger interests, which have two houses in this vicinity.
NEW YORK HAS GONE

Center Theatre
April 3rd
“The HOUSE of a THOUSAND CANDLES”

Roxy Theatre
March 27th “DANCING FEET”
April 3rd “LAUGHING IRISH EYES”

Globe Theatre
Extended Run
“The LEATHERNECKS Have LANDED”

Fox Brooklyn
April 3rd
“The LEATHERNECKS Have LANDED”
April 10th
“DANCING FEET”
April 17th
“LAUGHING IRISH EYES”

RKO Circuit
“The LEAVENWORTH CASE”
“DANCING FEET”

Loew Circuit
“The RETURN of JIMMY VALENTINE”

Republic is only nine months old!
David O. Selznick’s initial production for United Artists, hailed critics as “greater than his ‘David Copperfield,’” has been selected great deliberation . . . to play the most important season in picture at the world’s largest theatre!
NOW IN ITS 4TH RECORD WEEK AT THE ALDINE THEATRE, PHILADELPHIA... this production has already established itself as one of the outstanding box-office attractions of the year!

RELEASED THRU UNITED ARTISTS
Another RCA First

A. C.

OPERATION

FIRST

FROM RCA

The first permanently-installed sound projection equipment operated completely by A.C. came from RCA Photophone. This made installation much less expensive, reduced first cost and maintenance, made operation much simpler. The industry adopted A.C. operation with tremendous rapidity because it had real cash value.

This is but one of many RCA Photophone basic contributions to your profits. When equipping or modernizing your theatre, be sure to get the full RCA Photophone story.

Warner Flood Loss Mostly In Grosses

(Continued from page 1)

burg open tonight, and the Stanley and Penn are expected to open April 1.

Still Closed in Hartford

HARTFORD, March 29.—The Poli, Palace, Allyn and Crown were still closed without lights yesterday. Warners’ Service, over 3,000 of its seats bonded, is still closed, and the WPA group sought other quarters. Conditions in this city and surrounding towns were such that the city to itselfs for several days, they still were unable to do normal business.

Benefit in New Haven

NEW HAVEN, March 29.—A midnight benefit show, consisting of items of vaudeville, will be staged for flood sufferers at the Poli on April 1, with the cooperation of the managers of the Sherman Inn, Roger Sherman and Paramount. Harry F. Shaw, Poli division manager, and a member of Governor Curry’s committee on flood relief, will be master of ceremonies. Other benefits in the area are planned for the Poli, Waterbury, on Tuesday, and the Poli, in cooperation with the Allyn, in Hartford, on April 12. In Shelton, clothing matrons are planned, and in the Palace, Rockville, a benefit matinee today.

Flood Relief Show in N. O.

NEW ORLEANS, March 29.—First run managers here will stage a big midnight Red Cross flood relief benefit at the Orpheum on April 1. Musicians, stage hands, ticket sellers and executives are offering their services.

Baltimore Helps Cause

Baltimore, March 29.—Morris A. Mechanic of the New staged a successful benefit for flood sufferers at the Orpheum on April 1. Approximately 1,100 paying 50 cents each to see a show featuring stage and radio performers.

Reservations Top 700 Mark On George Schaefer Dinner

(Continued from page 1)

change, Moe Streimer, Ed Mullen, Meyer Lieberman, David Burke, Artistic Director, Abe Birkenhead, Grace Smith, Brown, Sam Kifkin and Leon A. Herman will attend.

From Universal, R. H. Cochrane, J. Cheever Cowdin, P. D. Cochrane, William McKay, Charles B. Paine, F. J. McCarthy, W. L. Mannerheim, Mr. Schine and Adolph Schinell. From RKO, Ned E. Depinet, Jules Levy and Nate J. Blumberg will head a delegation of the officers reserved by that company. From Warners, A. W. Smith, Jr., Gradwell Sears, Clayton Borley’s committee on bond sales, Joseph Bernhard, Mort Blumenstock, William Patterson, Abel Vigard and Ed Hinchey. In addition, officials of this company’s Philadelphia, Newark and New Haven exchanges will attend.

“These Three” Heavy Draw in 2 Coast Spots

Los Angeles, March 29.—“These Three” drew the big money in a hurry in two spots—the Hillstreet and Pantages. At the former the $9,800 take was $1,800 to the good, and at the latter the $10,000 gross was $7,600 over par, a total of $20,700 for the two houses.

“Trail of the Lonesome Pine” was also a big-profit maker at the Paramount. With the aid of a stage show that included Al Lyons and his orchestra, the film ran up to $25,350. Normal for the house is $18,000.

“The Man From Snowy River” was at the Palace, and “Hell’s Hinges” was at the Strand. 

Bondholders Insist On Madison Sellout

Madison, Wis., March 29.—More than 150 bondholders of the Beecroft Building Co., owner of the Orpheum, Strand and Parkways here have declared themselves for absolute forfeiture of the properties and have indicated they will vote against the reorganization plan recently approved by Federal Judge Patrick T. Stone.

It was asserted that the theatres were going behind each year and that no theatre in the United States has been successful in reorganization. It was further charged that the reorganization plan is designed to protect the bondholders but merely the debtor.

To Retain “Broadway”

Gus Edwards will use the name Gus Edwards and the Shubert Show Window on the theatre at Broadway and 53rd St., where he will present his vaudeville show, as a result of a request from John E. Gratke, managing director of the Broadway Ass’n, that he retain the word Broadway in the name of the house.

Denver Totals Show Conditions Improve

Denver, March 29.—Local film men see an indication of better times in several sets of figures published during the past week. Post office receipts are up $15,000 ahead of February, 1935, and are above any year since 1929. Postal savings show a gain of nearly $75,000 over last year.

Bank clearings for the first two months of this year were $121,821,405, as compared with $177,941,889 in the same period last year. Building activity locally is ahead of other sections of the country, having increased more than 100 per cent in permits over the first two months last year. Totaling $996,406 this year, they were only $485,414 in 1935.

Nick Grinde Assigned

Hollywood, March 29.—Nick Grinde, director who recently signed a term contract with Warners, will direct “Public Enemy’s Wife,” as his first assignment.

Paul Graetz, German comedian, who also signed a term contract recently, will play in there’ll be Millions in It,” as his first American picture. Graetz has appeared in several Warner pictures made abroad.

Form Laboratory Firm

Down, March 29.—Hollywood Film Industries, Inc., has been formed here to establish a laboratory, listing a capital of $250,000. The incorporators are M. L. Rogers, L. A. Irwin and M. A. Townend.

“Colleen” $9,600 Providence Leader

Providence, March 29.—Musicals continue to make big money. This week “Colleen” clicked into the big money at the Majestic where it pulled $9,000. The usual take is $7,000. No other house in town reached par, poor business being due to heavy rains and several sporting attractions.

“Love Before Breakfast” and “The Leathernecks Have Landed” were $10,000 under the usual $7,000 gross at the RKO Albee and “Manhunt” and a stage revue also was $1,000 below the $7,000 per at Fay’s. “The Days of Shark Island” fell below the usual $12,000 gross at Loew’s State where it pulled $10,000. The Strand, with “Woman Trap” and “Bar 20 Rides Again,” did $4,000 for four days, the films supplanting a three-day run of Laughing Irish Eyes and “The Preview Murder Case.”

Total first run business was $36,400. Estimated takings for the week ending March 29:

“LOVE BEFORE BREAKFAST” (Avco.)

THE LEATHERNECKS HAVE LANDED” (Republic)

RKO ALBEE—$2,300, 7 days.

$9,000. Average ($7,000)

“COLLEEN” (Para.)

“BOULDER DAM” (W. B.)

MAJESTIC—$1,600, 25c-40c, 7 days. Average ($8,000)

$9,000. Average ($7,000)

“WOMAN TRAP” (Par.)

“BAR 20 RIDES AGAIN” (Param.)

STRAW—$1,000, 25c-40c, 7 days. Average ($6,000)

$8,000. Average ($7,000)

“MASHUNT” (W. B.)

FAY’S—$1,000, 25c-40c, 7 days. Average ($6,000)

$10,000. Average ($7,000)

“PRISONER OF SHARK ISLAND” (20th-Fox)

“VOICE OF SILENCE” (M-G-M)

LOEW’S STATE—$1,000, 25c-40c, 7 days. Average ($6,000)

$10,000. Average ($12,000)
**Pine** Kansas City's Winner for 2nd Week

Kansas City, March 29.—"The Trail of the Lonesome Pine" continued to be a box-office success in its second week. It took $12,500 at the Newman, over average by $5,500, and was held again.

"Love on a Bet," strengthened with Earl Carroll's Vanities on the stage, topped $6,000 over average by $1,000, with a stage show and "The Widow from Monte Carlo." The Fox, with a featured player, "There: No Mercy" took an extra two days because of the strong showing made on a straight 25-cent policy. The picture took $3,700 over average, $600.

Total first run business was $45,200.
Average is $38,400.
Estimated takings: $53,000.

Week Ending March 19:
"LOVE ON A BET" (Radio)
Average: $3,250.
Average, combination halls: $5,000.
PRISONER OF SHARK ISLAND (M.G.M.)
MIDLAND — (1,000), 25c-25c, 7 days, Gross: $1,000. (Average, 150c.)
WIDOW FROM MONTE CARLO: (W.B.)
TOWER — (2,000), 25c-25c, 7 days, Stage: Medley & Duprey; Reilly, Throver & La Davis, with G. Roberts, and Alvan Quart. Gross: $6,000. (Average, $700)

Week Ending March 20:
SHOEN NO MERCY" (2nd-Box)
UP TO MORNINGS — (2,000), 25c, 3 days, Gross: $1,500. (Average, under 35c, policy, $1,500)

Week Ending March 21:
TRAIL OF THE LONESOME PINE" (Para.)
NEWMAN — (1,000), 15c-25c-5c., 7 days, 2nd week, Gross: $1,250. (Average, $700)

Meyer Stern Injured

Oshawa, March 29.—Meyer Stern, manager of Capitol Pictures exchange, who was recently ribbed by fellow members by being made chairman of the "claims' complaint" committee because of his alleged aptitude for criticism, slipped and fell on his doorstep while returning from an evening at the club and suffered rather severe lacerations and bruises about the head.

Pits Heads Company

FREDERICKSBURG, Va., March 29.—Benjamin T. Pits is head of the Amaret Building Corp., chartered recently. Other officers are: vice-president and secretary-treasurer, Roger Clarke.

G. B. Appoints Lind

SALT LAKE CITY, March 29.—Carl Lind has been appointed manager here, replacing F. Shepherd, who in turn replaces C. F. Rose. Rose has been transferred to Las Vegas.

Set 279 Jolson Dates

Warners have booked a total of 279 Eastern dates for Al Jolson's "The Singing Kid."
Says:
LONDON SUNDAY PICTORIAL
(March 1, 1936)

"Listen to the MOTION PICTURE DAILY which is an exception among American film journals in that it can be believed . . . ."

The reward of sound journalism is the prestige of integrity—the reader who believes the publication believes its advertiser.
Charles Skouras...
of the Skouras-operated theatres:

"Capra’s new picture – Mr. Deeds Goes to Town – is everything that anyone could expect! Grand entertainment! Surefire boxoffice!"

Bob O’Donnell...
general manager Hoblitzel circuit:

"Capra has given us a picture that will never be excelled! Gary Cooper’s performance the most important he has ever done! Jean Arthur is tremendous!"

Marco...
of the Fanchon-and-Marco-operated theatres:

"Capra has outdone himself! Cooper marvelous! Story great! Should be acclaimed by press and public as tops!"

Jos. Von Herberg...
of the Jensen-von Herberg theatres:

"Another Capra masterpiece! A worthy successor to It Happened One Night that will make exhibitors happy, for it is the kind of picture that will get the money!"

The avalanche of enthusiasm roars on ... as every branch of the industry joins in acclaiming the new Capra masterpiece!

National release date April 12th
Opening Radio City Music Hall, April 16th
Nine Hundred Pay Tribute To Schaefer

Many Industry Leaders At Dinner in Astor

By J. M. JERAUD

That George Schaefer dinner started out to be just a colossal party—about 300 guests; by Saturday it had become super-colossal—500 reservations. All day Monday it grew and grew and by the time the maitre d'hotel, or whoever it was put on the banquet at the Astor, had the tables set last night, more than 800 places were ready. It was stupendous.

It might even have become super-stupendous, but if Mrs. Astor had tried to take any more artichokes and ordinary vegetables out of the Imperial Valley there would have been nothing left except El Centro and a couple of irrigation ditches. It was a "speechless" banquet—meaning there were only two speeches, (Continued on page 4)

New Group Seeking Mergers of Unions

A merger of all projectionists' and stagehands' unions in New York is the aim of the United Union organization headed by Bernard Dicoff, which, although formed two years ago, is just now making an active drive on the unions, and is trying to make it as a chartered union under New York state laws, is not affiliated with the A.F. of L. Last summer it was involved with stagehands' Local 1 and operators' Local 366 in a picketing controversy on 42nd St.

Officers in addition to Dicoff are: Charles Axelrod, vice-president; George Sofia, secretary; Louis Skerl, treasurer; Harry Baker, sergeant-at-arms; Thomas Liccardo, business manager.

(Continued on page 6)

Theatres Pay Ascap $800,000 for 1935

Theatres contributed approximately $800,000 of the $4,505,829 gross income from music royalties collected by Ascap in 1935, according to the society's estimate in connection with its annual financial report made public yesterday.

The 1935 gross compares with a gross of $3,475,930 for 1934. Net last year after deduction of administration expenses and allowance for foreign royalties was $3,262,556, as compared

(Continued on page 7)

After 30 Years, Laemmle's Business Career Nears End

By SHERWIN A. KANE

Carl Laemmle yesterday walked into the comfortably pleasant office on the 12th floor of the RCA Building reserved for his frequent visits to New York, to begin what is destined to be his last visit there as the executive head of Universal, founded by him 24 years ago.

Outside, coming from the elevator, he had paused to exchange greetings with the man at the floor reception desk. Inside, almost hidden behind a flower-decked table and a stack of waiting mail, the little man, known officially to the industry as "Uncle Carl," greeted his company executives, associates for years. On Thursday he will transfer his controlling interests to the group headed by Standard Capital Co. and Charles S. Rogers, and retire, he said, forever, from the industry of which he has been a vital part for 30 years. He might have remained, had he chosen, as chairman of that board or as a member of that body following the transfer of control.

"There is no point in my doing either," he remarked. "My home is

(Continued on page 6)

M.P.T.O.A. Group to Meet Distributors

Members of the M. P. T. O. A. master committee which will be designated to confer with distributor representatives here on trade practices and industry self-regulation will be drawn from the organization's executive committee, it was stated here yesterday. Indications are that the meetings will not get under way before May at the earliest.

Executive committee members who are expected to serve on the committee are Ed Kuykendall, M. P. T. O. A. president; O. C. Lam, Rome, Ga.; Jack Miller, Chicago; Samuel W. Piaski, Boston; Lewen Pitzer, Philadelphia, and Charles E. Williams, Omaha. Morris Loewenstein, M. P. T. O. A. secretary, is an ex-officio member of the committee, but became

Republic Sets 26 For 1936-37 List

Republic's 1936-37 list will have 26 features, W. Ray Johnston, president, said yesterday after conferences with Nat Levine, production head, and other company executives, at the Waldorf-Astoria.

At the same time Levine made it known that he is building up a stock company and is on the lookout for new writing talent. Approximately 75 per cent of the current program has been completed, he said, and three, "The Harvester," "The Glory Parade" and "The Girl from Mandel's," are now in production.

"The outlook for Republic's product shows the planning and sincere effort that has been put into it," Johnston said. "Our picture budgets have been increased, and that alone

No Delay for Federal Case Is Anticipated

Supreme Court Appeal Is No Stay, Say Lawyers

The Government's new anti-trust action against Warners, RKO, Paramount and industrial defendants filed recently in Federal court here is not affected at this time by the order signed by St. Louis last Friday granting the defendant distributors leave to appeal to the U. S. Supreme Court from Federal Judge Joseph W. Molyneaux's order dismissing without prejudice the Government's earlier civil action against the distributor defendants, attorneys here said yesterday.

The Supreme Court appeal, it was said, does not automatically arrest proceedings in the new civil action. However, if the appeal is decided in the distributor defendants' favor it would have the effect of nullifying the district court proceedings here.

The right to appeal was granted the defendants by Federal Judge Charles B. Davis at St. Louis in line

(Continued on page 7)

No Shifts Made in MPPDA Directorate

Anticipated changes in the directorate of the M.P.P.A.D.A., following the resignation of the late Charles E. Loew, company executive roster failed to develop yesterday when the entire slate of officers, headed by William D. Hays, and directors were reelected at the association's annual meeting.

Frederick L. Hearst was again named president; Carl E. Milliken, secretary, and George Borthwick, assistant secretary.

Directors who attended included M.

(Continued on page 7)

David Loew in Town To Close Film Deal

David L. Loew arrived in New York from Hollywood yesterday to close a distribution deal for a series of features he will produce starring Joe E. Brown. The comedian, now under contract to Warners, will become available to Loew toward the end of the summer.

The contracts, covering six pictures to be made over a period of two years, will launch Loew, former vice-president of the company his father, Marcus, founded, on his own as a producer.
Hollywood, March 30

**TALES from the Hollywood hills:**

Most Shubbs, blowing the foam from a glass of buttermilk, was wailing:

"Last week I had a protection beef. So I went to Charlie Skouras’ lavish complaining office. Was I impressed and did they do an amazing display! Like real showmen.

"In one corner was a Chinese lamp with oil. In another a calendar from the Chase Bank and some crying towels. Also was there a cutout of Georgie Raft throwing a bull and a statue of Harry Houdini escaping from a safe. Seeing all this, I didn’t have the heart to complain, even to Skouras.

"So I took a crying towel and chased a child home."  

**» » »**

Into a Hollywood night spot walked a Twentieth Century-Fox official. "What did you think of The Country Doctor?" he asked the head waiter.

"I haven’t seen it, but I’ll tell you this," answered the captain, knowing his onions as well as his patrons. "Anyone who has had a child, anyone who will have a child, in fact, anyone who ever was a child will enjoy it."  

"That’s great," replied the executive who heard what he wanted to hear. "Your opinion is more valuable to me than these—turning to a group of studio satellites—become you represent the public."  

**» » »**

Fred Meyer’s thumbnail description of a preview in Hollywood where all theatres twin bill:

"A major preview is the same as a triple feature under a different name."  

**» » »**

A legend, no doubt, but with reasonable room for veracity, is the comment attributed to the producer who ranted:

"I don’t want anyone working for me who thinks he’s as smart as I am."  

**» » »**

Leonard Goldstein, that droll fellow, says:

"Harry Goetz will release ‘The Last of the Mohicans’ as ‘Positively The Last of the Mohicans’..."  

**» » »**

Gene Fowler: "So long, I’m going back to my office and to work."  

Harry Brandt: "Boy, that news! I’ll send a photographer along."  

**» » »**

A producer, who stemmed from identical ranks himself, talking to another independent:

"No man so ignorant would be anything but an independent."  

**» » »**

"It’s super-colossal and more than that," a producer described his latest endeavor. Actually...  

**» » »**

"If my clients don’t get jobs soon, I’ll have to go to work myself," moaned an agent the other day.

**» » »**

During his interregnum, Joe Shea described himself as the best dressed man on the Hollywood dole...  

**» » »**

Lincoln Conspiracy Trial Due April 27

Lincoln, March 30—Trial will be begun in Federal Court here on April 2 of the conspiracy and collusion suit brought by State Theatres, Inc., against local exhibitors and distributors for $444,000. The defendants are Lincoln Theatres Corp., Twentieth Century-Fox, M-G-M, Universal, United Artists, Warners, RKO and Paramount.

The action was specifically brought by G. L. Hooper of Topeka, principal stockholder of State Theatres, and the Monroe family of Beatrice, Neb., which operated the house. Evidence was compiled by Carl Hard, Independent Theatres, Inc., executive, who will bring a similar suit against the same defendants for $1,353,000 immediately after this suit is concluded. Former State Attorney General Paul Good is counsel for the plaintiff.

Bradt to Decline Presidency of ITOA

Harry Brandt will definitely decline to run again as president of the I. T. O. A., he declared yesterday. Last week, when a meeting of the organization’s board of directors at the Astor, Brandt was unanimously recommended for reelection.

That action was taken despite Brandt’s repeated indications that he did not want to retain the post. The board’s recommendation is not to have been submitted to a meeting of the organization at the Astor tomorrow.

Merger Details in Work

Only final details remain to be ironed out in the complete merger of the I. T. O. A. and the T. O. C. C., it was indicated yesterday. The merger of the two local exhibitor organizations has been definitely canned, with only the clarification of details standing in the way of conclusion of the consolidation.

Bradt Withdraws

**Suit Against Union**

The action of Harry Brandt seeking an injunction to restrain the Film Exchange Employees’ Union from picketing the Globe, Brandt house on Broadway, has been dropped.

A Supreme Court Justice Carew last week reserved decision on the application.

The withdrawal followed settlement of the employees’ strike at the Republic exchange, from which 11 union members had walked out. The union had concentrated on the picketing of houses in which Republic pictures were eligible, a film, "The Leathernecks Have Landed," playing the Globe, led to the picketing of the house.

**Tax Bill Dead in N. J.; No Censorship Action**

Trenton, March 30—The state tax bill which provided for a four per cent levy on gross receipts of places of amusement, including theatres, was defeated tonight for the fourth time and is now considered dead. The vote was 31 to 35.

No action was taken by the Senate Miscellaneous Business Committee today on the film censorship bill, which calls for a $2 fee on each 1,200 feet of film examined and for each print. Senator Horace G. Prall, sponsor of the measure, said he will press for a favorable report later in the week.

Independents’ Plea

**Denied in K. C. Case**

Kansas City, March 30—Judge Merrill E. Otis has denied, but not dismissed, the independents’ application for a temporary injunction against Fox. Judge Otis based his denial on the fact that he had not submitted a clear supporting case.

Fox Midwest and other defendants are expected to answer on April 6, probably with a motion to dismiss.

Edward A. Cuddy

Bosnia, March 30—Edward A. Cuddy, division manager for M. & P. Theatres Corp., has been ill at his home.

Para. Signs 2-Year Deal with Skouras

Paramount and Fox Theatres have signed a two-year contract for release of Paramount product. The deal covers the forthcoming 1936-37 list and the 1937-38 season.

Spyros Skouras, confirming the completion of the negotiations stated that the three guilds endorsed "the continuance of the friendly and co-operative relationship between the two companies."

**McLeod Seen as Director**

Hollywood, March 30.—It was reliably reported here today that Norman McLeod will sign as an M-G-M director following the completion of the Paramount film "Early to Bed."

Moray in Hollywood

Hollywood, March 30.—Norman Moray, 20th Century-Fox's shorts man, is here on a general swing around the country. He will probably leave Wednesday.

Otterson on Coast

Hollywood, March 30.—John E. Otterson, Paramount president, arrived here today for studio executive conferences.

Davis-Slesinger Married

Hollywood, March 30.—Frank Davis, associate producer at M-G-M, and Tess Slesinger, writer, were married yesterday at Yuma, Ariz.
Here's one for the book...

HOME OFFICE ASKS FIELD FOR ADVICE!

Yes, Gentlemen, we're asking you!

Because "Under Two Flags" is so rich in advertising angles, it has us dizzy!

For instance, how would you bill its four great stars? ... Ronald Colman ("Beau Geste"), Claudette Colbert ("It Happened One Night"), Victor McLaglen ("The Informer"), Rosalind Russell ("Rendezvous")? We want to shout about each one, but type isn't made of rubber.

Would you place them over or under the title, "Under Two Flags"?... a title made famous by Ouida's novel and play.

How about the burning love story?

How about the spectacle? ... the cast of 10,000 ... the limitless sweep of the Sahara ... the hordes of blood-mad Arabs and heat-crazed Legionnaires?

And the men whose showmanship sense has come to guarantee entertainment? ... Darryl F. Zanuck ... Director Frank Lloyd?

Any one of the above is a great sales slant. But you tell us how to do them all justice in one ad!
Nine Hundred Pay Tribute To Schaefer

(Continued from page 1)

Will H. Hays' and Schaefer's. Both were good. Entertainment followed.

There have been testimonial dinners in this industry before—lots of them, but this was different. Practically every important figure connected with films in New York was there, and cities all over the eastern section of the country also had representatives present.

The dais was one of the most distinguished that the industry in the East could muster. From a vantage point in front of it, one saw, from left to right, Nate Spingold, one of the top flight executives of Columbia; James Mulvey, eastern representative for Samuel Goldwyn; J. Robert Burkin, a vice-president of M-G-M; Nathan Burkan, a director of United Artists; Harry D. Buckley, vice-president in charge of United Artists theaters; Leo Spitz, president of RKO; Nicholas M. Schenck, president of Loew's, Inc. and M-G-M; Sidney R. Kent, president of Twentieth Century-Fox; Frank C. Walker, who formerly ranked high in the higher councils of President Roosevelt and now again is active in the industry; as general manager of the Comerford circuit; Austin C. Keough, general counsel of Paramount and vice-president of its various subsidiary corporations; Edward Ratty, a member of the law firm of O'Brien, Driscoll and Rattery; Chester L. Plimpton was president of the Theatre Owners' Chamber of Commerce; W. G. Van Schmus, managing director of the Music Hall; Mar-
There's $100,000 wound on this reel!

Show it for all it's worth on CONSOLIDATED CERTIFIED PRINTS

There it is—a thousand feet of negative—the only record of months of effort, the only collateral on a hundred thousand dollar investment. The dividends it will bring depend on its performance at the box office. But its performance at the box office depends on the quality of its theatre prints. That's why it is so important to use Consolidated Certified Prints. They're an accurate transcription of all the sound and action brought to your negative by talented actors, inspired directors and skilled cameramen. They're scientifically made in the world's largest and finest film laboratory to "show your picture for all its worth."

CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK  HOLLYWOOD
M.P.T.O. Group to Meet Distributors

(Continued from page 1)
of illness is not expected to be able to serve on the committee. It is expected that L. C. Griffith may be named to the committee in his stead. Morgan Walsh of San Francisco, chairman of the executive committee, may be unable to serve because of business demands on his time and may be replaced by Hugh Bruen of Seattle. Major L. E. Thompson of RKO, representative of affiliated theatres on the executive committee, is also expected to serve on the master committee.

Knykendall returned to his home at Columbia, Miss., late last week following the close of hearings on the Pettengill Bill in Washington. He is expected here late in April when arrangements for inaugurating the meetings with distributors will be completed.

Among matters listed for discussion when the meetings are held are an unconditional minimum rejection privilege of 50 per cent cancellation of contracts; removal of all conditions from the present 10 per cent cancellation privilege of the executive committee upon the cancellation to 20 per cent establishment of local grievance boards; negotiation of uniform clearance and zoning plans; elimination of overbuying; unfair and cut-rate competition, including double featuring and unmeritorious programming; and the original provisions of the M.P.T.O. (Continued on page 1)

After 50 Years, Laemmle’s Business Career Nears End

in California. I can’t cross the continent every month for a board meeting. Wherever I am, at any time, I will be at the service of the company if it called upon, and I could do no more as a member of the board.”

His last message to the Universal personnel, just given to the company house organ, Universal Weekly, Laemmle says:

With the production of “Show Boat” I bow out of moving pictures as an active figure. My interest and enthusiasm for them will never leave me. All the best songs. For 30 years. I have put my heart and my soul and sometimes my very breath into the business, plus all I could borrow on many occasions. I have tried to so conduct Universal meetings when I left it the industry would feel that I had done more for the business than it had done for me. I hope I have succeeded.

“I have tried, too, to accumulate by my efforts enough money to leave my family in comfortable circumstances. Everyone in this business has that very laudable ambition. I believe that I have lived up to it.”

There is another ambition in life that is just as understandable. I have that, too. That ambition is to retire. Universal, the company will be placed in the hands of R. H. Cochrane, without whose loyalty, good sense, unflagging courage and daily advice this company could never have weathered the storms that beset it or achieved the measure of success it has attained. I am happy to turn it over to him and to the men who surround him in the new business setup.

“My heart and my interest will always remain with Universal. I feel that because it has always been a fighting company, and a fair fighting company with a consideration for others, it also has a warm spot in the heart of the people. I have been one of those who have worked with the men, and my advice to those who I suppose would now like to ask the same consideration for the new Universal that they have always given Universal and me.”

Penn MPTO Hits Charges

PHILADELPHIA, March 30.—The M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware, at its last meeting, passed a resolution protesting the adoption by United Artists of the new copyrighting score charges, herefore not practised in this territory. A letter was addressed to George J. Schaefer, vice-president and general counsel of U. A., voicing the protest.

Letters were sent to all exhibitors in the territory, advising them of the U. A., policy, and urging them to register protests. The letter to Schaefer said in part: "(The organization) asks that this pernicious thing be immediately eliminated as it is a step backward and not forward."

Theatre Bills Killed

ALBANY, March 30.—Three bills affecting theatres have been killed in committee.

The Dix Assembly bill requiring 30 seconds of film showing fire exits has been voted down in the Education Committee. The Morgan bill calling for a one-cent tax per foot on film has been lost in the Taxation Committee, and the G. W. County bill providing for a day of rest a week for engineers and firemen in theatres has been voted down by the Labor and Industries Committee.

Brandt, Bolognino Pool

Harry Brandt and Lawrence Bolognino have pooled their interests in the Circle, Columbus and Park. Brandt says the Columbus will be closed.

Set Mickey Mouse Circus

Hollywood, March 30.—Fanchon & Marco have signed with Walt Disney for circus rights to Mickey Mouse. Plans are being made for a 30 or 40-week tour under a one-ring big top with Singer’s Midgets appearing as the cartoon characters. The circus will be the largest ever to carry the usual complement of animals and clowns, though the plan now is to have no actors in minatures. The tour will start on this coast in about two weeks.

In Hotel Post

Frederick Wynne-Jones, former manager-director of Ufa Films Inc., American subsidiary of the German company, has entered the hotel industry as reception manager of the Hotel Knickerbocker which he will endeavor to develop as a Times Square rendezvous for film men.

Wynne-Jones is now recovering from an extended illness.

Oakie Aids Flood Show

NORMAN, March 30.—Jack Oakie, visiting relatives in Greensboro, was present at a personal appearance at the Empress to benefit performance to raise funds for the Hartford flood victims. A personal appearance at the Palace in Bridgeport was canceled when word was received from the Red Cross that sufficient funds had been raised.

Para. Holds MacMurray

HOLLYWOOD, March 30.—Fred MacMurray, who has been given a new contract which provides for his appearance under the Paramount banner for the next seven years.

Music Union Plans Walkout for Today

A strike of 150 arrangers, copyists, proofreaders and pianists against 30 members of the Music Publishers’ Protective Asn., has been called definitely by Local 802 of the A.F.M. for this morning, in an effort to obtain higher wages and union recognition. Attempts on the part of John G. Paine, chairman of the publishers’ group, to negotiate the matter, were rebuffed on the ground that the terms he offered were unsatisfactory. A meeting of all prominent band leaders has been called for 11 A.M. today to discuss the situation.

New Group Seeking Merger

(Continued from page 1)

Republic Sets 26

For 1936-37 List

(Continued from page 1)

should prove that we have confidence in our pictures.”

Present at the conferences besides Johnston and Levine, were: E. H. Edens, the executive vice-president; Moe J. Siegel, production executive; Herman Gluckman, president of the American Machinists; Sam Horwitz, division sales manager for the middle west; Norton V. Ritchey, general manager of the foreign department; N. K. Loder, treasurer; Morris Goodman, sales manager of the foreign department; Lou Litten, eastern story editor; Sam Hacker, contract manager; and Claude Ezell, vice-president of Republic Pictures of Texas.

Sign Karloff for Two

HOLLYWOOD, March 30.—Boris Karloff has been signed by Warners for two more pictures following the success of “The Walking Dead.” He will play the part of a sea serpent in “The Mermen,” and will be made into the world’s tallest man for the production of “S.O.S. England, as well as the third he still has to make for Universal.

To Discuss Time Change

Cleveland, March 30.—A proposed daylight saving ordinance and flood relief will be the principal topics of discussion Wednesday at a business meeting of the Cleveland M. P. Exhibitors’ Asn. to follow a luncheon.

Wall Street

20th-Fox Issues Up on Board

High Low Close

Columbia... 1313 112 112
Consolidated... 121 10% 10%
Eastman... 159% 159% 159%
Loew’s, Inc... 149% 149% 149%
Loew’s, Inc., Ltd... 107% 107% 107%
Parth., Ltd... 105 105 105%
Pathé... 110 110 110%
Paramount... 135% 135% 135%
Paramount 1 pfld... 72% 72%
Paramount 2 pfld... 71%
Paramount 3 pfld... 71%
Pathé Film... 100 100 100%
E. 15th Century... 25% 25% 25%
E. 25th Century... 25% 25% 25%
Wardner Bros... 110 110 110%
Warner Bros., Inc... 110 110 110%
Sonatone Gains 1/4 on Curb

High Low Close

Consolidated... 3% 2% 2%
Technicolor... 33 30 30
Wisconsin... 17 14 14
Paramount Only Bond Advance

High Low Close

General Theatre... 97 97 97
Paramount Pict... 95 95 95
Warner Bros... 96 95 95

(Quotations at close of March 30)
No Delay for Federal Case Is Anticipated

(Continued from page 1)

with the procedure directing qualifications brought by the Government to go directly to the high court without a hearing before the circuit court. Circuit Court had granted a stay on this appeal. The defendants point out in their appeal papers that they had sought denial of the Government's motion for leave to dismiss its civil action without prejudice when the motion was made, Jan. 29. They stated that they also petitioned Judge Molyneaux, and were denied, a motion to dismiss the Government's case with prejudice, the granting of a stay pending appeal. The defendants in their application for leave to appeal cite 21 assignments of error in Judge Molyneaux's rulings on the Government's motions and their own motions. They are granted 40 days from March 27 in which to file their record of appeal with the Supreme Court, but because of the volume of motions in the case additional time will be sought of the high court for the filing of the appeal. The appeal will ask the Supreme Court to reverse Judge Molyneaux's refusal to deny the Government's St. Louis motion for a dismissal without prejudice.

Capital Sees No Effect

WASHINGTON, March 30—Justice department officials said today that they do not anticipate that the appeal order issued by Judge Davis in St. Louis will have an effect on pending New York case. It was said that the New York suit is considered as a separate class action and that it was not expected that the action in the St. Louis case will serve to delay it.

Successor for Sarecky

Hollywood, March 30—Following the resignation of Bernard Sarecky, J. Lawrence Wickland succeeded to the post of supervisor on action and serial films at Republic. Wickland had been a serial writer on the Republic staff.

BEAUTIFUL HOME IN LARCHMONT

For sale, owner-built home in Larchmont, N. Y. Tastefully brick over

beauty; slate roof; ten rooms; three baths; leaded glass windows and
deck; hand carved mahogany doors; oak and mahogany built-ins in
garage; copper screened throughout; convenient to station and schools;
restricted neighborhood. This home will appeal to the lover of the beau-
tiful. Must be seen to be appreciated. Address Box 500, Motion
Picture Daily, Rockefeller Center, New York.
TRADE PAPERS JOIN IN....

HOLLYWOOD REPORTER

"Capra's Mr. Deeds Goes to Town is certain of big grosses everywhere! A boxoffice riot! Scores of excellent sales angles!"

DAILY VARIETY

"Spells boxoffice with a smash! Has names, merit and everything it takes! Goes to town as outstanding to pile a lot of dough into exhibitor tills!"

MOTION PICTURE DAILY

"Mr. Deeds goes to town and so will any exhibitor who books this hilarious combination of comedy and romance!"

BOXOFFICE

"Will send grosses soaring! Can't miss!"

FILM DAILY

"Plenty boxoffice! Clicks in all departments! Will please all types of audiences!"

It's unanimous! The whole industry's gone wild about Capra's new "best of the year"...a booming boxoffice bonanza!

Columbia Pictures Corp.

National release date April 12th
Opening Radio City Music Hall, April 16th