No Increases
Are in Sight
At Milwaukee

Business Good, But All
Await Developments

MILWAUKEE, Oct. 1.—To date there has been "industrial" or general increase in ad-
miration prices in the Milwaukee terri-
itory. There have been rumors of com-
plete one-week drops from time to time,
but apparently because local houses have enjoyed fairly good busi-
dness during the past six weeks the boost has not been made. Down-
towners local first runs particularly have been getting a fairly consistent stream of con-
vention business. Accordingly,
prices have remained at an even level for the past several months at the
local first runs as well as at the neigh-
borhood houses.

Houses in some sections of the
state have raised the ante, while in others it has been lowered. The Ri-
voli in Two Rivers is an example of the
former, going from a 25 to 30 cent top, while the Mikado and Capit-

(Continued on page 4)

Kansas City First
Runs Shift Product

KANSAS CITY, Oct. 1.—New prod-
uct deals have resulted in a switch at
first run theatres here. Universal,
pictures, last year shown at the RKO
Mainstreet, will be first run at the
Fox Uptown. Fox National shifted
from the Uptown to the Mainstreet.

Outside of that and the possibility the Pantages and Embassy, soon to be
reopened, to the same setup as the,
majors' excess product, there are no
changes in the first run setup. Loew's
Midland retains M-G-M and United
Artists, with an occasional date open
for an independent release. The Public
Newman, as in the past, will play
Paramount and Warners. Fox will
share playing time with Universal at
the Uptown, while Radio and Colum-
bia will be the Mainstreet's mainstay.

Seattle Exchanges
Win Cuts in Taxes

SEATTLE, Oct. 1.—Superior Judge
John M. Rutledge has reduced tax
assessment made by the county asses-
sor upon several hundred thousand
film owned by Seattle distri-
utors.

The companies sued, claiming the
assessor was in error in his conten-
tion that film is worth one and one-
half cents per foot regardless of age.
The companies also contended that

(Continued on page 4)

Decentralized Fox Theatre
Buying Starts for 1933-34

Decentralized buying of all Fox theatres throughout the coun-
try gets under way with purchase of product for the 1933-34
season. With all house deals formerly handled in New York
under the general supervision of E. L. Alperson, new buys for
the five theatre groups are being handled individually by Edward
Peskay for Skouras theatres in New York, New Jersey and Long
Island; Rick Ricketson for the Denver Rocky Mountain group;
Elmer Rhoden for the Kansas City area; H. J. Fitzgerald for the
Milwaukee zone, and J. J. Sullivan for Fox West Coast.

Sullivan and Rhoden are now in New York negotiating deals.
They have closed for some product and expect to complete the
rest of the list shortly. Peskay also has signed a number of con-
tracts. Ricketson and Fitzgerald will consummate deals locally.

Freedom on Duals Ought to
Go for All, Majors Argue

If duals are to be determined by individual exhibitor decision, the un-
limited freedom idea is handling this tough-to-crack issue should have all
shackles removed and apply alike to individual distributors. This represents
the latest development in the ranks of major companies, sans Universal and
Columbia on twin bills.

Squaringly, in the middle of those heated Washington arguments, pro and
con, last week was deposited word from the majors, presumably all but
Universal and Columbia, that they held to decision for duals either way, but
that they did reserve their individual rights to meet the trade practice as
they saw fit. It was this decision which wiped out of the code picture an
carrier decision to settle twin bills by a two-way 75 per cent theatre vote.

Many exhibitors and all of the independent producers and distributors
realized at once that these victories assure the existence in individual major company contracts for film service of a clause prohibiting

(Continued on page 4)

Fox Midwest
Again Buying
From M-G-M

KANSAS CITY, Oct. 1.—Purchase
by Fox Midwest of M-G-M product
for city houses after a lapse of a year
signifies healing of the breach that
occurred when, last year, M-G-M es-

(Continued on page 4)

Ray Long Is Signed
As Columbia Editor

Ray Long, for 13 years editor of
Cosmopolitan and before that editor
of Red Book, has been signed by
Harry Cohn, president of Columbia,
as editorial executive.

Long has just returned from the
South Seas. He will make his head-
quarters in Hollywood and will
soon be gathering a group of writers about him to
handle the company's future prod-
uct.

Portland Theatres
In Booking Combine

PORTLAND, Oct. 1.—This town has
a new booking combine called Asso-
ciated Theatres, Inc. It will book va-
devile acts as well as pictures.

Officers are: President, G. T. Woodlaw, owner of the 'Circle and
other houses; vice-president, W. A. Graeber of the Egyptian; secretary,
Insiders’ Outlook

FILM wives go lonely again.
The gang is packing bags preparatory to the third descent on Washington, all for the sake of the code. The deputy administrative days this time will be final. He said that twice before and, of course, meant it each shot. But complications began to set in and who knows that they won’t again? After all, Mr. Ford never signed the motor code.

Not so strange after all is the silence blanketing that much-heralded Northern California buying conclave known as Cooperative Film Buyers Association. This was the outfit that was careless enough to talk about $10,000,000 as its total purchasing power, thereby tipping its hand far more than it realized at the time. It was aimed at Fox West Coast, Bob McNell and some others, so the story ran.

As a matter of fact, the whole idea came largely out of the head of William Wagner, operator of the Orpheum in San Francisco, who needed product and thought he’d get it by stirring up things.

Apollinaris, the Greek theatre operator in “Footlight Parade” and the fellow who blames his indignation on overeating, is a take-off on Spyros Skouras. The prologue producers in the same picture sound suspiciously like Fanchon and Marco. “By a Waterfall,” one of three big productions, numbers, has never been duplicated in pictures before. Has dozens of girls above, on and under the water in all sorts of costumes and formations and is different. Negative cost on this one sequence: $97,000. . . . Departure of Ben Kahane for Hollywood indicates the majors know what they want and how far they’ll go on the code.

M-G-M doesn’t want circuit buyers at exchange screenings and the reason is lookings reputedly are being affected by unfavorable comment when a weak sister comes along. Aside from that, Leo says many of those screenings are plotted to get sales reactions and result in returning pictures west for brushing up on their market. How will the independents, along exhibitors, answer new distributor arguments on duals and individual rights? Flip this sheet back to page one for what the majors say.

Men in Money

New Orleans, Oct. 1—Double bills are the rule at the Orpheum since vaudeville was abandoned. The idea seems to have struck the public fancy and it is reported Manager Vic Meyer is now taking over Eastern New Orleans and is publishing the report sheets.

Waring-Nair Knot Tied

Chicago, Oct. 1—Fred Waring, orchestral leader, is expected to arrive today to follow Evelyn Nair, stage dancer and screen player, who arrived from Hollywood by plane for the ceremony.

Eastman Kodak Off 3½ Points

Union Men to Get Money

New Orleans, Oct. 1—Approximately $84,000 belonging to the coders of the Dauphine, and part of the account of the Musicians’ Union, will be released by the Interstate Bank here, which recently went off on a five per cent payment basis, and when reopened will pay full amounts on all accounts.

Evelyn Egan Joins Ryan

Hollywood, Oct. 1—Evelyn Egan, formerly with Christie casting office, has taken over the casting job for Phil L. Ryan productions.

Curb Market Dull

Warner Bros. Off 1¼ Points

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MOTION PICTURE DAILY

Monday, October 2, 1933

Registered U. S. Patent Office
Formerly Exhibitors Daily Review and Motion Pictures Today

Vol. 34 October 2, 1933 No. 28

Martin Quigley
Editor-in-Chief and Publisher

Maurice Kahn
Editor

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Finney at Monogram

Edward Finney, formerly in charge of public relations for United Artists and associated with that company for past several years, assumes his new post today as publicity director and story editor of Monogram Pictures. His first assignment will be the company’s campaign on “Sweetheart of Sigma Chi,” one of Monogram’s most important releases on its current schedule. The first prints are being shipped from the studio, so Pres. and are expected here within the next few days.

More Vaude in Prov.

Providence, Oct. 1—More competition is coming for the vaudeville houses. The RKO Albee which has been on a straight picture policy all summer is back on a combination of vaude and movie bookings starting Oct. 6. The management intends to book in some top-notchers, leading off with Paul Whiteman and his band and following with Morton Downey. Will Fancher’s orchestra has the job in the pit.

Freuler on Coast

Hollywood, Oct. 1—John R. Freuler, president of Monarch Productions, has arrived here after a number of stops and races on route for the purpose of getting the season’s production under way.

BEN BLUE
Now Working In...

WARNER BROS. SHORTS
Produced by SAM SAX

Direction: Leo Morrison

THE MAYFLOWER
61ST STREET, (Central Park West)
New York City

CONVENIENT TO THE FILM AND THEATRE CENTER

1-2-3 Rooms. Full Hotel Service
FURNISHED OR UNFURNISHED

By the Year, Month or Day

Serving Pantries:
Electric Refrigeration

John W. Heath, Manager
Universal's New Deal!

ESSANESS THEATRE CIRCUIT

Edwin Silverman—Emil Stern—Sidney Spiegel

Twenty-two Chicago Theatres—American, Biograph, Broadway Strand, Buckingham, Byrd, Center, Crawford, Crown, Davis, Devon, Embassy, Four Hundred, Julian, Keystone, Lamar, Michigan, Sheridan, Vogue, West End, Orpheus, Irving, Argmore, sign for

UNIVERSAL

—Features, News, Serials and Shorts, 1933-34

Thanks, Messrs. Silverman, Stern and Spiegel, for your confidence in Universal Pictures. We will do our part.
No Increases Are in Sight
At Milwaukee

(Continued from page 1)

Houston Managers on Watch for a Pickup

Hot Springs, Oct. 1—Managers here are watching the national price situation closely but are non-committal on the question of higher scales locally. R. D. McGehee, manager of the Hobbitzelle circuit, which takes in all but one of the Houston major houses, will make no prediction.

The Houston district economic price scale is 30 cents top for the Metropolitan, which includes tax: 40 cents for the Majestic, and 35 cents for the Kirby. robbery talk has not been heard among exhibitors here. The local price scale for matinee prices ranges from 11 a.m. to 6 p.m.

Loew's State has a top of 40 cents, and a 25-cent matinee scale. Manager W. C. Taylor declared he did not believe prices would be raised at his theatre very soon, although it is known that the home office has made inquiries into the possibility of price raising here.

Neighborhood theatres do not contemplate raises, "at least until after Christmas, when we see how NRA takes," as one of the independent managers expressed it. These scales are 15 cents top with 10 cents for children at all times.

The Will Horwitz three “home-folks” theatres have not and will not increase prices one iota, according to the management. These houses have held to the same prices throughout their entire existence. They are still the same.

All three of these, the Texas has for seven years played to five and 15-cent prices until 7 P.M., and then to five and 25 cents, lower floor and balcony alike. The Iris, opened 15 years ago, still plays at five and 15 cents all over the house all the time, and the Ritz, five years old, follows the same policy.

No Increases Looked For in New Orleans

New Orleans, Oct. 1.—No increases in sales are expected here this season. The present policy is to hold meetings on the street, although the Orpheum top is 35 cents.

The A. C. Charles, on a double feature basis, holds to a 25-cent top, and the Liberty, where occasional first runs are set in, maintains a top of 20 cents.

There has been some talk of increases, but managers are said to be inclined to hold them. Managers recently dropped their tops five cents for Sundays and holidays and 10 cents for week days. All three are independents.

Present indications are that prices will be unaltered where conditions are satisfactory to both exhibitor and management, otherwise they will be retained at the existing level. Milwaukee could decide to go 100 per cent to their agreement providing against the mentioning of prices in advertising.

Freedom on Duals Ought to Go for All, Majors Argue

(Continued from page 1)

the exhibitor from running such product on the same bill with another feature. This, those many exhibitors and the independents said they would not say.

Distributors, however, now poise this argument:

"You want double features settled by individual decision. We agree with that, but the common right of individual exhibitors to make an agreement, otherwise we will not sell unless the theatremen agrees not to double our product with another feature, what can the objection be? Certainly that is as much common right as you have to determine that each exhibitor is to figure for himself what he wants to do about twin bills." Majors are understood to feel this is no back-door method of killing off duals. No exhibitor compelled to deal with a distributor whose contacts contain the rider clause, but is privileged to sign elsewhere, according to the attitude reported prevailing in major ranks.

Fox Midwest
Again Buying
From M-G-M

(Continued from page 1)

charging the same as the downtown run, with the usual protection in effect.

Informed opinion is the Fox deal with M-G-M will be an important factor in timing out local price difficulties, and unofficially it is said the Midland will go to 40 cents in 30 days. It is known that last summer Loew's considered stage shows for the Midland at higher admissions, but this fell through.

Recently, the Publicis Newman and the KKO Mainstreet joined with the Independent Theatre Owners' Ass'n, in an effort to get Loew's to raise its local top. Jay Means, president of the independents, informed the New York office Kansas City exhibitors offered to eliminate dime admissions and double bills if the Midland's top were set at 40 cents or more. J. R. Vogel of Loew's promised to be done about it. However, Means says that in view of recent developments, the independents are not sure they wish to stick by their original offer, so the local price situation remains as unsolved as ever.

30-Hour Week
Is Sought in Labor Report

(Continued from page 1)

failure to provide labor representation on the part of the exhibitors?

Possible effects of this recommendation on the labor clauses of the film projection and exhibition codes are causing speculation here.

Referring to jurisdictional disputes between the I.A.T.S.E. and the LB.E.A.W unions and like troubles in other union groups, the council reported it was continuing efforts to adjust such situations "but by reason of conditions growing out of the unprecedented industrial depression and the terrible state of unemployment there has been little we could do." Recommendation is made that all such matters be left in the hands of the executive council to continue efforts towards adjustment.

Seattle Exchanges
Win Cuts in Taxes

(Continued from page 1)

valuation applied only during the first 30 days, and that at the end of six months the rebates would be worth only 10 cents to 25 cents per reeland.

The court held the film worth one and a half cents at six months old, and thereafter had a nominal value of 25 cents per reel.

"Henry VIII" Gets
Big Paris Opening

Paris, Oct. 1. (By Cable)—Opening of "The Private Life of Henry VIII" at the London. Byline here last night was an outstanding social event. Among those present were Princess Louise, sister of King George; Lord Tyrrell, British ambassador; Theodore Mennier, American charge d'affaires; Arthur W. Kelly, Ladrovic Thomas, Charles Laughon and Mrs. Laughon, Maurice Chevalier, Lily Damita, and the former Prince of the Asturias and his wife.

Steerman Back on Job

Pittsburgh, Oct. 1—Ben Steerman, local auditor for Warners, is back on the job after six weeks on the coast. He traveled by air both ways.

New Contract Forms Delayed
By Code Talks

(Continued from page 1)

already closed are regarded as almost certain to gain for exhibitors any advantages accruing from the code and not included in their contracts already signed.

Caused by Uncertainty

Uncertainty as to the treatment the standard contract form would receive was the code was responsible for the employment of individual company contracts in early season selling. Distributors were of the opinion that less contract exhibitors cut their way into an individual contract form, in that the event the code necessitates significant contract differences, which form be the case if both a company contract and a standard form were in use when the changes become effective. This marks the third set-back of efforts to put a standard pact into work in the industry, the first having occurred in 1924 and the second in 1926.

The standard contract was again under consideration by the P. T. U. O. leaders a year ago and after several months of talks was approached by a committee of major distributors, Fox, Paramount, M-G-M, Radio, Universal and Columbia. Anti-trust law objections of motion picture exchanges were the stumbling block at that time that it was decided to make the contract available in addition to individual company contract forms, the standard pact to be used only when requested by the exhibitor. Warner negotiations were still fearful of anti-trust complications, they said, and did not ratify the pact.

Warner Managers in Philadelphia Shift

Philadelphia, Oct. 1.—Warner theatre managers are in the middle of what looks like a general shift.

B. Graffam, who was transferred from the Stanley to the Boyd, while Steve Barutio of the Boyd has gone to the Strand, the former manager of which, A. Anderson, is out. E. Bailey replaces Greaver at the Stanley, going over from the Logan where A. L. Blumenthal is manager. The latter was at the Ogontz. Jack Ross, former manager of the Ogontz, has been appointed Klein. A. S. Steinberg takes over the Stanton management, thereby filling in all of the gaps and shifts.

Old Roxy to Start
Broadcasts Tonight

First of a series of sponsored radio broadcasts from the 7th Ave. Roxy stage is scheduled tonight. The plan is to hold them Monday, Wednesday and Friday nights hereafter. Louis A. Witten will be the announcer, and Billy Jones and Ernie Hare will be featured.
NRA’s Effect
On Anti-Trust
Cases Studied

Delay on Warner-F. N.
Trial Looked For

The possibility that the anti-trust suit brought against Warners by the Department of Justice as a result of the acquisition by Warners of a controlling interest in First National may be indefinitely suspended or dismissed on the adoption of an industry code to which Warners is a party was voiced yesterday by corporation lawyers associated with the case.

The Warner anti-trust suit has been pending in Federal courts here for
(Continued on page 6)

Paramount Will Get
“Angel” on Oct. 13

Mae West in “I'm No Angel” will alight at the New York Paramount instead of the Rivoli, the picture going into the Times Square house on Oct. 13, following “The Tenth Singer.”

Originally allotted as one of the four Paramount films for the Rivoli for 1933-34, the picture was set to go into the U. A. house following “Emperor Jones.” With three new releases on hand, United Artists decided
(Continued on page 5)

Fox Signs Joe Cook,
To Start in Spring

Following closely the engagement of George White, Erik Charell, Charles B. Cochran and Arch Selwyn, Sidney R. Kent, president of Fox, announced yesterday that he had signed Joe Cook to appear in Fox pictures.

Cook is at present appearing on Broadway, and will be unable to leave for the coast until the spring. Dave Chasen, Cook’s assistant, will also appear in the films with him.

BIP and ABC Merger
Completed, Says Dent

With the merger of B.I.P. and A.B.C. approved by the board of directors of both companies, the new name of the company is Associated British Pictures Corp., Maurice Arthur Dent, a director of both companies, stated
(Continued on page 6)
Most Stocks Show Loss

<table>
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<tr>
<th>Columbia Pictures, etc.</th>
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<td>Loew's, Inc.</td>
<td>314</td>
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<td>728</td>
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<td>738</td>
<td>737</td>
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All Curb Stocks Rise

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Paramount Broadway Slumps 4 Points

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<td>315</td>
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<tr>
<td>Paramount Palace, 6, 47, 11</td>
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<tr>
<td>Warner Bros. 6s 29, wd.</td>
<td>53</td>
<td>52</td>
<td>52</td>
<td>-1</td>
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Purely Personal

DICK HENRY, foreign booking agent of Columbia Pictures in Canada, arrived by mid-week.

CHARLES L. O'BREILLY and SAM SOWIN leave for Washington today for the code conference.

Mrs. Talmadge Buried

Hollywood, Oct. 2.—Funeral services for Mrs. Margaret Talmadge, mother of Natalie, Norma and Constance Talmadge, were held at the Hollywood Church today. Mrs. Talmadge died Friday.

Dowling's Mother Dies

Mrs. Bridget Dowling Goucher, mother of Eddie Dowling, died at her home at Limerock, L. I., Sunday. She was in her 75th year.

Cohen Deal on Palace Off

By mutual agreement RKO and Sydney S. Cohen have dropped negotiations for a lease of the Palace by the latter. Herman Whitman has been appointed manager and the present vaudeville policy will be continued.

Intelligent Trailers Supreme Screen Service

<table>
<thead>
<tr>
<th>General Film Library, Inc.</th>
<th>Morris &amp; J. Konrad, Inc.</th>
<th>World's Largest Shot Sound Library Over 30 Million Feet Available</th>
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<tr>
<td>270-7th Ave.</td>
<td>480-4th Ave.</td>
<td>NEW YORK</td>
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</table>
Agent, Star Clauses Not Settled Yet

(Continued from page 1)

Schenck and Harry M. Warner were here today to discuss problems in connection with the new film industry revision. Articles 9 and 10 with Rosenblatt, who expects to receive final suggestions from the latter by the end of the week. It is understood here that, while these two articles are still incomplete, and were major subjects of today's discussions, there are still other code problems which Rosenblatt took up with the producer representatives today with a view to obtaining their reactions.

In order to make time for rewriting the film industry's code, which Schenck today turned over to Deputy NRA Administrator A. D. Whiteside, who is in charge of the general retail code, Warner is revising equipment industry's code, on which a hearing will be held Tuesday. Rosenblatt explained that the equipment industry comes within the retail classification and he felt that it should come under Whiteside's jurisdiction.

There is a suggestion here that the equipment industry may be covered by the general retail code now under consideration. It is pointed out that particular conditions exist in the industry which would make the general retail code inapplicable.

Reports are current here that some action may be taken in the final film code which would restrict the pay-roll of employees to a certain proportion of compensation exclusive of salaries to industry executives. Rosenblatt refused comment when asked if such a proposal had been suggested by the President in his report to the manufacturers committee.

The revised code will be submitted to exhibitors first on Wednesday afternoon and later to producers and distributors, Rosenblatt said.

Iowa-Nebraska Men

Line Up Code View

(Continued from page 1)

organized by Martin states that 300 of the 600 houses in the territory are closed. They ask equality between independents and circuit houses on the right to buy, favor zoning and protest, elimination of blocking book-

ing, and control of double features, admissions and premiums.

Charles E. Williams, president of the MPTO unit, is attending a meeting of the independents.

I.T.O.A. Brief Printed

The I.T.O.A, brief filed at the first Washington hearing on the industry code in support of the exhibitors' proposal for the make the code more effective in this region, has been printed, according to the California NRA a busy one. He reports it has already settled eight pending appeals and is in the process of five new complaints of NRA violations.

Warner Busy on NRA

Hollywood, Oct. 2.—Jack L. Warner, is busy here today in connection with the California NRA a busy one. He reports he has already settled eight pending appeals and on this present term contract.

Cleveland Dual Ban

To Start on Oct. 15

CLEVELAND, Oct. 2.—Oct. 15 is the new date for the dual ban to go into effect locally. The Cleveland M. P. Exhibitors' Ass'n six weeks ago voted to eliminate duals by limiting the policy to a maximum of three days or Saturday or Sunday. Whether the new plan will go into effect on the scheduled date is not yet known. The ban will be of double bills to one a week carries with it a penalty of $100 fine for each infringement.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY ACT OF CONGRESS, FEB. 14, 1909.

Publication Title: MOTION PICTURE DAILY. Number published per month: 40. Location of known office of publication: New York, N. Y. Location of headquarters of publisher: New York, N. Y.

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Amount of stock owned by the publisher, or by officers, or by managing editor, or by persons connected with the publishing of the publication: None.

Given under seal of the publisher at New York, N. Y., this 3rd day of October, 1933.

Anna Melber,

Business Manager.

Sworn to and subscribed to before me this 30th day of September, 1933.

Anna Melber.

(Commission expires March 30, 1934.)

Paramount Will Get "Angel" on Oct. 13

(Continued from page 1)

Paramount has exercised Dorothy Wick's option for twenty-six more weeks on her present term contract.

Duals "Unfair"—Meyer: Johnston Fights Control

(Continued from page 1)

where no one else is affected," Meyer writes. "It's true that competition doesn't injure the competition doesn't the injured party also have some rights? Individual
differences have arisen in their territories, that have forced a large number of theatres to duals against their wills. They have forced others to close because of decentralized business and shortage of product."

Meyer asks why there should be so much opposition to leaving the problem to local settlement by a 75 per cent vote.

"As it is because of fear that most ex-
histories run single feature of double feature programs if they could be assured that the recitalist few will be taken out of the business. Some of the old char-
ter and again start double feature competition."

Later in the letter Meyer insists that his control in the code would not hurt the business of independent producers.

"There has been said by so-called independent producers," he goes on, "about putting the independent producer in the business under an assumption with no basis in fact; that the statement is flatly contradicted by the successful distribution at the present time of independent producers in many territories where there is little or no double feature. In so many cases the agreements made by these double feature producers, why haven't they closed up their exchanges in territories where double features have been abolished? Why did they ever open exchanges in territories where all, or nearly all, of the territories are running double feature films?"

"But to follow through their line of reasoning to its logical conclusion, what about the producers of short subjects? They actually own their own studios and can provide year round employment to several times as many people as are engaged in double feature production. The larger and largest studios are engaged in the production of short subjects, so essential to small country town theatre operations in such a program. Therefore, can it be shown that independent producers are injuring the business by elimination or greatly restrict the use of short subjects? Are these short subjects producing employment?"

Meyer says continued double feature forces many theatres into cheaper classifications and that their quality is not as high as that of the double feature producers can 'survive,' which provides the greater amount of employment.

"Meyer says continued double feature forces many theatres into cheaper classifications and that their quality is not as high as that of the double feature producers can 'survive,' which provides the greater amount of employment.

Holds Wick's Option

Hollywood, Oct. 2.—Paramount has exercised Dorothy Wick's option for twenty-six more weeks on her present term contract.

Cleveland Dual Ban

To Start on Oct. 15
Eastern Production
A Fact—Not A Rumor

FIVE GREAT FEATURES MADE FOR RELEASE
BY FOUR MAJOR DISTRIBUTING ORGANIZATIONS

“EMPEROR JONES”
Krimsky-Cochran Production
A UNITED ARTISTS Release

“MOONLIGHT AND PRETZELS”
Rowland-Brice Production
A UNIVERSAL Release

“TAKE A CHANCE”
Schwab-Rowland-Brice Production
A PARAMOUNT Release

“THE GREAT ADVENTURE”
Arnold Production
A PARAMOUNT Release

“MIDNIGHT”
All Star Production
Release to be announced

SHORT SUBJECTS IN PRODUCTION

24 TWO REELERS
for
EDUCATIONAL-FOX RELEASE

Watch Our Announcements of Future Feature and Short Subject Productions

EASTERN SERVICE STUDIOS, Inc.

Executive Offices
FISK BLDG., BROADWAY AT 57th STREET, N. Y. C.

TELEPHONE COL 5-6074
The studio pictured here formerly operated by Paramount is located in Astoria, L. I., 15 minutes from Times Square, consists of five stages, the main stage being 217 feet by 120 feet. Stages, projection rooms, cutting rooms, dressing rooms, etc., are equipped to the highest degree for productions, regardless of their size. Productions recently completed at the above plant include "Moonlight and Pretzels" and "The Emperor Jones."

Most Complete
"Wide Range" Recording and Re-recording Facilities in the World

AT THE SOURCE

New York and the great island of Manhattan is the place

Where the people are
Where the money comes from
Where the market is and selling begins
Where the scientific laboratories serve the modern screen
Where the technicians are taught and made
Where the stories come from
Where the literature and drama of the nation originate
Where the stars of the world are created
The neighbor of Broadway, the capital of the amusement world and its creative arts:

EASTERN SERVICE STUDIOS, Inc.

This studio is located in the Bronx, New York, consists of two stages, the main stage measuring 98 by 72 feet in size, with some modern facilities available as offered in the Astoria plant. Recent productions completed at the above studio include "Midnight," series of Lambs' Club shorts, Tom Howard shorts, and a series of Two-Reel Musicals for Universal release.
Production in East Zooming To New High

(Continued from page 1)

Kahane Says Code Coal Is Now Twenty Days

(Continued from page 1)

NRA's Effect On Anti-Trust Cases Studied

(Continued from page 1)

use of studio facilities on a "per day" cost basis and hiring of players at prices below the standard current on the coast are the principal factors which are proving intriguing and of course, any concern which has made some product here and propose continuing without interruption.

Additional impetus will come to the movement when features turned out in New York in the last few months have had full opportunity to demonstrate their value at the box-office.

The general anticipation is that the New York experiment will then emerge from that classification and take hold again as a permanent ad-junct to the Hollywood scene.

Won't Replace Hollywood

Those interested in eastern production declare they have no idea of attempting to suggest any replacement for Hollywood. They say they appreciate the fact that millions are invested in the Fox Motion Pictures deadline ents on the coast and add, further, they understand why Hollywood probably will continue as the principal source of production. At the same time the obvious advantages of New York and its closeness to sources of talent and materials to not be discounted. Neither should they be overlooked for the freshness which they bring to the film production viewpoint is argued.

As an evidence of confidence that pictures can and will be made in New York in increasing numbers. Erpi, which now controls the Eastern Service Studio, formerly the Paramount plant, is seriously considering complete renovation and modernizing of that studio or construction of an entirely new one on a site close to Times Square.

Report Consolidated Gets Biographic Plant

Consolidated Film Industries last night was reported to have taken over the former Biographic studio in the Bronx and to have placed George Hirliman in charge, thereby indicating that the company is now prepared to continue financing independent producers in the East.

The plant will be remodeled. Chester Erskine will operate there.

"March of Years" Is Up to a Total of 26

"March of the Years," a short series in the Life Motion Pictures News, shows that the stories of former years, now are being made as one-offers and the total number increased from 13 to 26. Colombia distributes.

The first six are complete, while work starts on a new batch each week at the Fox Movietone News studio. Louis de Rochemont is director and Beverly Jones, his assistant. Peter Nashen is president of the producing company.

against any form of a salary-control board.

A committee met late today to decide on the immediate formation of the Screen Actors' Guild to include the entire profession. J. T. Reed, head of the Academy, has given no statement. He has called a special meeting of the board of governors and executives of all the studios to decide on action to be taken by the Academy. The conference was still in session at a late hour yesterday.

Novis, Wife in Hospital

Hollywood, Oct. 2—Donald Novis and his wife, the former Juliette Burnette, are both in the Hollywood Hospital. He is recovering from a tonsil operation and she from a more serious one.

BIP and ABC Merger Completed, Says Dent

(Continued from page 1)

yesterday, John Maxwell is chairman of the board.

The new British International Pictures Corp. and Associated British Cinemas Corp. gives the new company control of more than 183 theatres operated by Associated Artists of Great Britain. B.I.P. at their meeting last week voted a five per cent dividend, Dent said.

Directors of Associated British Pictures Corp. are Maxwell, Dent, in charge of distribution; Sir Clement Kimlock Cooke, Bart; K. G.: E. J. Scrimgeour, and James Denny Bright. Several changes will be made, Dent stated, in effect economies.

M-G-M to Do Film In Brazil Jungles

Hollywood, Oct. 2—Having reached the finishing stages on an Arctic picture, M-G-M is now planning a tropical production. The Tarato Indian country in southern Brazil is the locale. It will be called "Jungle Red Man." Plans have been under way for the last ten months with E. J. M. Manix in charge.

Harry Ranf will be the producer, with director, Edwin Carewe; Harold Noice, exporter, as technical adviser. Forty-passenger Pan-American planes will be used for transportation, with Miami as the starting point. It is expected the trip will last nine months.
NOT CROWING...JUST GROWING

and now

Joe COOK joins

the ever-growing "who's who" of FOX manpower!

- To star in two a year for FOX...the first to start production this coming spring.

- Joe Cook... merry maestro of nonsense and cock-eyed machinery... star of "Rain or Shine", "Earl Carroll's Vanities", "Fine and Dandy"...topping them all with his current Broadway smash "Hold Your Horses."

- And with him, stooge Dave Chasen... of the matted hair, wild eyes, waving palm.

- They'll lift your mortgage and throw it over their left shoulder.

JOIN THE UPSWING WITH FOX
Johnson Asks
More Ads to
Speed Upturn

WASHINGTON, Oct. 2.—A plan to speed national industrial recovery, which will be based on "aggressive and consistent advertising," is under development here by Administrator Hugh S. Johnson, who will seek that the public's advertisers and advertisers throughout the country within the next few days.

Communications have already gone out to the manufacturers and advertisers setting forth the NRA's reasons for believing that the turning point in the nation's buying power has been reached and proposing two courses of action for immediately increased sales. One is "aggressive and consistent advertising," and the other is the introduction of new and improved merchandise. There is no longer has been a sheet from the market in the belief that the public lacked the buying power and the inclination to do business.

General Johnson, in his communication, points out that the NRA has collected "indispensable evidence" that the American public is now ready and able to buy. In substantiation, he says that the "fair of spending" which has rested on the shoulder of the public from buying is being dissipated by the following NRA evidence pointing toward a more secure future:

Cities Statistics

"Factory employment was up 24 per cent in August, 1933, as against the same month last year.

"Industrial production was up 71 per cent in July, 1933, as against the same month last year.

"Business failures showed a decrease of 47 per cent in August, 1933, as against the same month last year.

"Farrell's is up 13 per cent on July, 1933, as against the same month last year.

"Supporting his contention that "pub-
lished is past," General Johnson offers the following evidence, compiled from NRA surveys:

"Payrolls were up 40 per cent in August, 1933, as against the same month last year.

"Carloadings were up 23 per cent in August, 1933, as against the same month last year.

"Automobile factory sales were up 38 per cent in June, 1933, as against the same month last year.

"Steel ingot production was up 40 per cent in August, 1933, as against the same month last year.

"In view of these developments," Administrator Johnson's communica-
tion states, "we believe that the opportu-
tune moment is at hand for American industry to bend every effort toward increased sales. There is no reasonable doubt that the public is beginning to shop again and to look toward replacements for its worn-out possessions.

"American industry must help the public to find the goods it needs. The modern method is advertising. The American public looks to advertising for news of good merchandise and good values."

Looking 'Em Over

"Bombshell"
(M-G-M)

Hollywood, Oct. 2.—Detailed review of "Bombshell," covered by Motion Picture Daily in a flash wire on Friday:

"Laughs toppling masts, numerous shots of "Bombshell" at a neighbor-
hood house prevailing the other night. Such loud and lusty laughter, rolling in such volume and in such rapid succession, rates "Bombshell" as one of the fluffiest and most amusing films in the last.
CROWDS are flocking to the Criterion Theatre, New York, NOW, to see the impossible on the screen at $1.50 Top

3½ Stars!

"One of the most extraordinary films of the year."
— N. Y. Daily News

"One of the really notable products of the screen."
— Variety

"A lusty melodrama of the frozen wilds."
— N. Y. Times

"Thrills are intense."
— N. Y. Mirror
PLAY IT NOW!

Universal gives you the year’s biggest quick-money opportunity!...Set it in immediately for a quick cleanup!...Play it NOW – Now, while the crowds are flocking to its two-a-day showing on Broadway!...Now, while the word is flaming all over the country that it’s a BIG ONE!...Now!...NOW!!...NOW!!!


A UNIVERSAL SPECIAL
Not Covered in Any Code

**THE** code may tell the industry how to go on double features, the right to buy, designated playdates, picture cancellations, score charges and the like, but it won't, because it cannot, supply any cure-all for quality production. The keystone of the entire celluloid structure rests on what the public gets from the screen. And that's a job for the business itself to handle.

Waging a difficult fight against Hollywood's indifference and obstructionist tactics, against technical facilities in studio, camera and sound which are not all they should be, against labor unions which are not as cooperative as they might, there is, nevertheless, building up slowly and surely an answer to the one vital issue which the code cannot furnish. It is Eastern production.

**HOLLYWOOD** will continue to remain the chief stamping ground. Any idea designed to interest the major companies in pulling up stakes for a trek Eastward would be as futile as it would be pointless. The Gold Coast has the edge, for whatever the reasons may be and so it will continue.

Out of its complete dominance of the situation, however, have grown practically all of the evils which bedevil production today: provincial, insular points of view and dictatorship complexes which decide the road down which a nation's entertainment is to travel; nepotism, cliques and cliques and a social system that is vicious of itself and, what is more to the point, vicious because of the consequences it heaps on the commercial task of turning out pictures that will make investments profitable.

Hollywood is the big "I am," the great "know all," the land of cloud walkers. As long as its supremacy remains unchallenged, just so long will the industry continue to take it where it hurts most.

**PRINCIPALLY** because the tail has been wagging the dog has Hollywood been successful in maintaining its divine right of production. Whatever is determined for the rest of the picture business usually is forgotten, sidestepped or soft-pedalled when the West Coast is discussed. As matters stand today, the policy is a very sure one.

For Hollywood runs along without the competition necessary to awaken it. Hollywood never seriously arouses itself because it has had nothing to worry about. The conclusion of all this is something pretty swell for the coast, but economically serious for the industry.

**NOT** only by virtue of the fact that New York is headquarters for the country; that Hollywood sends its scouts to Broadway when it wants new talent; that in Gotham is the center of art, literature, life and living does some part of production rightfully belong here. Three thousand miles away that it may be, Hollywood and how it is going are plenty of reason for a studio revival in the East. The coast, for its own good, needs to know that studios and picture makers somewhere else on the map are fairly, but squarely, gunning for some of its long undisputed honors.

When Hollywood turns out bad pictures, the inherent right of New York for a real place in the production sun merely accentuates itself. When Hollywood turns out good product, it still needs a check, lest all traces are kicked over in the adulation that has a habit of following performance in this business.

**NEW YORK** may not make better pictures than the coast. Certainly all factors being equal, it can make them as well. Carry the argument further and what do you get? Let's assume Eastern product falls below the Hollywood standard. The fundamentals don't change and by that is meant merely this:

That it would prove profitable for the major companies to produce part of their output in New York even if the results are disappointing. The constant questioning of Hollywood's supremacy as a production center thereby will be sufficient to keep determination high, the will determined to keep on the coast the halo which now surrounds its august habitants.

Hollywood is too tight a community, too set in its ways, too satisfied with its status. It needs to be jogged out of its complacency for its own welfare and for the welfare of the industry as well.

**GAINING** impetus now as you read this is a revival of production in New York. There are technical crudities to overcome, but they will be surmounted. There is no patent, neither is there any mystery about turning out film. Eastern production, therefore, will reach its stride—quickly if Hollywood stops throwing curves; slowly if it does not.

The move is on the way more seriously than in some years. It deserves to be encouraged for the good that is in it and for the indisputable quickening in quality production that will follow in its wake.

K A N N
Finance

Must Have It

To Aid Studio

Plans in East

The big stumbling block to the rebirth of production in the East is money, or rather, the lack of it. Such is the opinion of observers watching with interest the move to New York back on the map as a producing center. Attention in the East-West tussle is centered chiefly in the plan of a group of independent producers to make screen transcriptions of their Broadway successes on an independent basis, with the Eastern Service Studios in Astoria selected as the laboratory in which to try out their experiments.

"To achieve success in the venture," says one at the forefront of the movement, "we have got to have a finance corporation to help the legitimate independent producer until he can show the majors what he can do in a big way. He must be staked at the beginning. Money is the important thing. Turning out the releases would be a problem at all, especially if the stuff can be gotten as cheap as that now being turned out by the majors."

How It Started

The venture has had an auspicious beginning. Of the first two productions made at the Eastern Service Studios both found immediate acceptance on public showing. The first, "Moonlight and Pretzels," a Universal product, is reported to be playing splendidly at the box-office. The film was made with a cast of stellar names, the majority from the Broadway stage.

The second was "Emperor Jones," which was produced by John Krimsky andHandle with Care, the United Artist's release. With Paul Robeson in the main part, it went places in its first week at the Rivoli. It is con-

viction that this film could hardly have been produced in the manner it has in any other place but New York, where the colored population of Harlem afforded a limitless field for the choice of talent necessary in casting. It is even doubted whether the colored star would have considered making the film on the coast.

Tonight the play The Theatre Guild put on several seasons back, has been turned into a picture at the same studio by Chester Erskine, well-

known in a Broadway director, and will be released soon.

More on the Way

Two other pictures have been practically completed at the Eastern Service plant. One is "The Great Adventure," based on Arnold Bennett's play. It is in the D. W. Dowlings, with Roland Young, Lil-

lian Gish and Montague Love in the cast.

The other is a film version of "Take a Chance," the Schwab and Maudel musical comedy that was a Broadway hit a couple of seasons ago. The producers are William Rowland and

Monte Brice, and the players include Jimmy Dunn, Cliff Edwards, June Knight, Lilian Roth, Lillian Lehman and Buddy Rogers. Dunn was bor-

rowed from Fox to appear in the film. Laurence Schaw, co-producer of the Broadway show, has had a hand in the production.

One of the chief difficulties sur-

rounding picture production on the east is, of course, the overhead. Es-

mates made by those in a position to know are that such costs can be cut down 45 per cent when pictures are made under conditions such as obtain at the Eastern Service Studios, the management of which has nothing whatever to do with actual film produ-

ction.

The organization simply rents time. There ends its interest. We "just run a factory," in the words of the original. Included in the rental is the cost for use of all equip-

ment essential to producing. A pro-

ducer pays from $350 to $1,000 a day for use of the studio and is relieved of all worries about overhead.

Sets are built on a contract price. The June Knight, for example, in which transpired about one-third of the action of the film, was built for that star. There was no cut in costs. This elimination of overhead gives some clue to the low cost of produc-

ing both "Emperor Jones" and "Moonlight and Pretzels."

While the cost of the complete production of the former is about $12,000, it is no less true that the latter was turned out for $110,000, everything included. Ex-

pert estimate is that the film would not have turned the producers twice what much had been made on the west coast.

Operated as it is, the Eastern Service Studios cut expenses further in that there are no supervisors and no relatives to take a chip off the old block. Their names are taken care of.

Those backing the movement for production in the East are not at-

tempting to put Hollywood off the map. They are more sensible than that. They know such a thing could never be done.

"We don't expect to bring Holly-

wood here," they say. "There is too much money on the coast to pull Hollywood down."

The future is not so much the old-time tradition in Hollywood that pro-

ducers on the coast. What we pri-

marily hope to make are such pictures as cannot be made on the coast as effectively as here—musicals and other types of pictures that cry for the many types that can be gotten only on Broadway."

Impartial observers do not agree with the contention of the coast pro-

ducers that more "flips" come out of the East than out of the West. They believe, in fact, that the reverse is

(Continued on page 24)

Vitaphone, Content with N. Y.,

Has Made 1,000 Shorts in East

One of the most powerful arguments for production in the East is the history of Vitaphone production at the old Vitagraph plant in the Flatbush section of Brooklyn.

A group from shorts to studio facili-

ties or to hurdle the jump between one season's schedule and the next, the plant has been in continuous operation since Warners started work in 1927.

Since that time, over 1,000 shorts have been made on the one lot. Six hundred were two-reelers and the remainder in one reel.

In the roster of performers is numbered practically every name of note in the world of vaudeville, radio, opera, musical comedy and night clubdom.

So far this season, out of a planned program of 139 shorts, the studio has completed 65. Thirty of these are two-reelers; 35, one-

reelers. Vitaphone's budget has been stepped up 30 percent, indicating, from another angle, Warners' confidence in the future of musical shorts and in the East as the place to make them. The average negative cost on one-reelers runs between $12,000 and $35,000. Average negative cost of one-reelers is approximately $15,000.

East Is Only

Spot to Make

Shorts-Sax

Shorts depending on stage and radio names for drawing power can be produced profitably only in the east, according to Sam Sax, production head at the Vitaphone studios in Brooklyn. The reason for this, he says, is chiefly that New York is the clearing house for talent of every nature. With stage and radio talent right next door to the studio, Sax is getting the desired performers on a moment's notice and at reasonable remuneration is considerably simplified, in Sax's opinion.

The producer believes that shorts of the type produced by Vitaphone would be successful in the eye and where else but in New York, because they feature names big on Broadway and the air waves and not strictly screen personalities.

"In the east," asserts Mr. Sax, "we can produce all manner of short sub-

jects and comedies, and get as close as we can to the truth of what comedians are those long associated with pictures."

His Reasons Why

Since Vitaphone shorts for the greater part are miniature musical comedies, they require few performers of the musical comedy stage and broadcasting studios. It is obvious New York alone can best provide them. "New York is the market for names," as Sax puts it. He holds that "on the coast you can't get the right kind of acts, the right kind of bookings."

Sax admits that musical shorts can be made on the coast, but certainly not with the big names. He says that "it is impossible to list the big names not of the screen world but of the realm of musical comedy. It is the backbone of the stage that audiences clamor for in musical shorts. Sax de-

claims, explaining that screen stars, however strong their pull at the box-

office in feature pictures, would be complete "flips" in films demanding genuine ability as "entertainers" as distinguished from actors.

"Can you show me," challenges Sax, "one single musical short produced in the coast with a big name in the cast?"

Sax asserts that while many of the musical shorts turned out in Holly-

wood have big names on the eye and ear, they have in their casts no names that mean anything to picture audien-

ces.

Not in Hollywood

Sax says "it is inconceivable our type shorts can be made in Holly-

wood," except occasionally because there is little musical comedy talent identified with big names out there, but also because the "importation" names—those material from the east would make the coast of shorts production prohibitive and would disorderize the whole produ-

(Continued on page 24)

Erpi May Build Up-to-Date

Studio Over on Long Island

A new studio, designed to equal in equipment and facilities any existing plant on the coast, is in the offing on a site close to the present one. The need for the revival of production in the East now under way, assumes more pretentious proportions.

As Erpi, which controls Eastern Ser-

vice Studio, the former Paramount plant in Astoria, is understood con-

vinced that the equipment needed, if it now stands, was built for silent pictures. While talkers are now being made, Erpi is again on an $7,500 production and production often has to be confined to

one floor, particularly if the upper stage is housing a musical. It has been computed that $100,000 or a small fraction of that is necessary to re-

equip the studio. Erpi officials are reported favorably inclined toward construction of an entirely new plant but have indicated they can get out of the old plant because of (Continued on page 24)
Twenty-One years experience, a skilled personnel and flawless materials combine to make Consolidated Prints the finest medium through which to bring your valuable productions to the screen. Every modern scientific device that can add to the excellence and dependability of release prints is to be found at Consolidated Park. And our own chemical and technical engineers are constantly seeking further means of improving a product that is already recognized the world over as the best.
THOSE INTERESTING

COMPOSITE SHOTS

in the pictures you show have called for new ingenuity on the part of the producer. What is more, the photographing of the backgrounds has definitely demanded a special new type of raw film. Eastman Background Negative—recently announced and now widely used—is the answer. Possessing unique characteristics, it dovetails perfectly with this important technical advance. It greatly enhances the beauty, effectiveness, and value of projection background “shots.” Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN

BACKGROUND NEGATIVE
In the latter part of the Nineteenth Century a serious young man from romantic New Orleans, who was destined to play an important part in the history of motion pictures, settled in Little Old New York. That young man was Jules E. Brulatour, whose untiring efforts and vision have won him honor and position in the world of arts and science for his contributions to the cinema.

As organizer of several early producing companies and a pioneer in Eastern production, Mr. Brulatour and his organization take this opportunity to welcome back to New York some of its producing activities. New York may well be proud to have instigated the fourth largest industry in the world, and we are proud to join the happy family in this event.

J. E. BRULATOUR, INC.
Eastman Films

NEW YORK    CHICAGO    HOLLYWOOD
Lower Salaries and Costs Presaged in Production East by Wayne, Says Krimsky

Reduction of star salaries and production overhead in the development of new talent and headline names are the outstanding opportunities offered producers by eastern production facilities, according to John Krimsky, of Krimsky and Cochran.

The young producer, whose "Emperor Jones," distributed by United Artists, is now getting under way in key cities, first run as it is written, promises to be an important eastern production of keeping overhead charges in the neighborhood of three per cent as against seven per cent in the West. An average of 20 and 25 per cent. With technical and labor costs about equal on both coasts, Krimsky believes the bulk of the saving could be realized on talent, including east, director and author.

With a plentiful supply of talent available in the East, the producer states that not only is talent less costly here than it is in Hollywood, but that much of it, unless developed, will be developed quickly into new star and drawing material for pictures.

Wouldn't Evacuate Hollywood

Krimsky is not an advocate of a producers' evacuation of Hollywood in favor of the East. He is content to see Hollywood retain its position as the world's production capital and, therefore, speak almost exclusively from the viewpoint of the small, if numerous, and sometimes merely occasional, producer. Krimsky believes that there is enough film income in the east for a large amount of new production activity which can go on without disturbing Hollywood's major activities at all. But he also believes that the facilities offered producers by the eastern production centers is an opportunity growth here so economically sound that it may attract and develop enough activity ultimately to be a rival for Hollywood to reckon with.

Production's most significant opportunity here, in Krimsky's opinion, is the chance it has of staging on a foundation free of Hollywood's excesses. Foremost among these he names long-term contracts at exorbitant salaries for personal services. Eastern producers, he believes, can escape this pitfall because of what Krimsky describes as the "availability of almost limitless talent" which can be developed under capable direction at a reasonable cost. He sees an important advantage in the producer's proximity here to the "stage capital of the world" and the industry's year-round activity.

Planning Record Films

"To see play material myself and to be able to personally contact authors and publishers is an advantage the eastern producer will always have over his fellow-producer in Hollywood who must rely on agents to do that work for him," Krimsky said.

Krimsky and Cochran will also engage in legitimate play production, Grif ford Cochran is now in Europe searching for play and story material. They plan to confine their activities to about three pictures and one or two plays a year, limiting actual production, however, only to the availability of the type of story material they desire. They hope to put their next production, as yet not decided on, into work before the end of the year and expect to open a legitimate play here this season. United Artists is slated to have first choice at distribution rights to all its pictures, but no contract to this effect is in existence.

50% of "U" Shorts Are Eastern-Made

With New York supplying a greater variety of stage and radio talent to draw from than the West Coast, especially for musicals, approximately 50 per cent of Universal's short subject product on the way to the Manhattan studios, it was computed yesterday at the company's home office.

Of the series of 16 radio shorts produced at the Eastern Service Studio by William Rowland and Monte Prodl, four have already been delivered to Universal for early release. These include four starring Morton Downey, four loose Nick Kenny and two Walter Winchells.

Appearing in these one or two "shorts" are the same names of the stage screen and radio as Buddy Rogers. Lew Brown, Ray Henderson, the Four Greats, and the old Reliables, like Maude Williams, Pat Whiteman and his orchestra, Texas Guinan, Little Jack Little, Jack Fulton, Peggy Leacy, the Staggs Sisters and more.

Says Give East a Chance

Defending eastern production against some critics, who are inclined to hold the whole idea in contempt, Krimsky declares:

"It is just a question of giving it a chance. Here the "superiority feeling" of Hollywood that leads it to believe nowhere else can pictures be produced as well.

"The east is not inferior to the West in the way of being able to turn out top-notch work in this business," the producer continued. "The true position of the East is that it is the east to a great degree is just such a feeling of inferiority on the part of people who hope to see New York flourish again as a center of production. We shall never be able to encourage the effort to steal some of Hollywood's glory until we get rid of this inferiority complex here in the East."

Krimsky considers a considerable influence the fact that talent is easily available to producers in the East. The intimation is that Educational may have been prompted by just such a consideration in deciding to transfer some of its activity to the east.

Picking Broadway Talent

Already the company is taking advantage of the world of talent that has been opened to it with the adoption of several by names snared from the Broadway stage being considered for parts in films. Among these is an addition in the East, as well as an operator for the legitimate stage, are the two reel versions of "Broadway Meets the West."" The film is being produced and worked here in New York. The first is called "Broadway Meets the West." The second version of "Broadway Meets the West," written by Hellinger himself and directed by Ray Cavanaugh.

In addition to a musical, the series of 16 radio shorts includes "The Broadway Babes," which are also being produced by Krimsky and Cochran. The series is being produced by the West Coast Service Studio.

Produced for Universal by Ben Prod, three of the series of 13 Goofy-like Newsreels, in which the regular newsreel style is spoofed and varied, have already been finished, and the fourth is in preparation. The idea was first used on the air by George Frame Brown, who is writing and directing the film.

Although they were filmed in the far corners of the earth by Rowland-Breisach Prod, Columnist Mark Hellinger's series of one-reelers entitled "Broad- ways of the World." are being edited and prepared here in New York. The first is called "Broadway Meets the West." It was written by Hellinger himself and directed by Ray Cavanaugh.

In addition to the universal's extensive series, Krimsky and Cochran have included in the series this season, one musical feature, "Moonlight and Pretzels," was recently presented to the world's critics by the Rowland and Brice organization.

Distribution is not yet set.

N.Y. Is Place To Do Shorts Is Contention

That the production of shorts, comedy or otherwise, can be carried on to greater advantage in the East than on the coast is the belief of Raymond Klune, recently named eastern production manager of Educational, which plans to turn out half of its new season's program in New York with the Eastern Service Studios as the scene of operation.

Klune is of the opinion that the output of shorts, comedy or otherwise, can be turned out to greater advantage in the East than on the coast. "Many ways the making of pictures in the East is better than on the coast. Technically alone, production here need not bow to the West for a minute. With the vast technical facilities at our disposal, we have every opportunity to match the West in any department of production," stated Klune.

Says East Is Contention

"It is a question of giving it a chance. Here the "superiority feeling" of Hollywood that leads it to believe nowhere else can pictures be produced as well."

"The west is not inferior to the East in the way of being able to turn out top-notch work in this business," the producer continued. "The true position of the West is that it is the West to a great degree is just such a feeling of inferiority on the part of people who hope to see New York flourish again as a center of production. We shall never be able to encourage the effort to steal some of Hollywood's glory until we get rid of this inferiority complex here in the East."

Klune considers considerable influence the fact that talent is easily available to producers in the East. The intimation is that Educational may have been prompted by just such a consideration in deciding to transfer some of its activity to the east.

Picking Broadway Talent

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Distribution is not yet set.
Makers of release prints for the industry

EXPERIENCE THAT BEGAN WITH THE BEGINNING OF THE MOTION PICTURE-
FIRST TO PERFECT AUTOMATIC MACHINE DEVELOPING AND MODERN METHODS-
FIRST TO APPLY THIS FAST EFFICIENT TECHNIQUE TO SOUND-ON-FILM PRINTS-
LOCATED AT BOUND BROOK, N. J., FOR SWIFT SERVICE TO ALL THE UNITED STATES,
CLOSEST TO AIRPORT AND RAIL TERMINALS FOR THE NATION.

PATHE LABORATORIES

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officing at 35 West 45th Street, New York
Eastern Production Seen as “Tonic”

Held Infusing New Life in Stage Effort

THAT production in the East would act as a “tonic” on Broadway, helping to inject new life into the legitimate stage, is fervently hoped by Eddie Dowling, the driving spirit behind the movement for eastern production. Dowling has been working toward the crystallization at the Eastern Service Studios in Astoria, New York.

Dowling is emphatic that what he has started is far more than any anticipation of Hollywood’s supremacy. He makes it clear that the whole idea is one of self-help, independent of any financial assistance from the West. Production in the East, he says, will help the legitimate stage producer in that it will permit him to convert play properties into pictures and devote the profits thus made to putting on other Broadway productions, while the film industry itself will be brought close to the source of all talent—writing, acting and direction.

25 to 50 Would Do It

“If only 25 to 50 pictures were produced in the East a year, it would be just enough to be a tonic on Broadway,” asserts Dowling. “If the picture companies turned out but five to 10 pictures a year out of a million pictures here, the effect would be to put Broadway back on Broadway. It is a matter of common sense and I hope they will say this. Working in the East will bring tremendous advantages to the film people so less. There can be no question of reducing the stage industry and the source of the talent of the world. Why should picture companies import the best talents from the other provinces of the country—from New York at a tremendous outlay of money when by producing in the East they would have all the talent they wanted within reach. No more would the film industry have to go out of its way to procure the right people. Broadway and the film industry would meet.”

Dowling points out that, with production in the East, a stage producer could give his attention to Broadway and screen without sacrificing the one or the other. He would be in a position to continue his activities in the theatre while engaging in production. In a quarter of an hour he would be able to step from his office on Broadway to the studio.

Must Bolster Source

If the industry expects to get material for pictures it ought to have enough interest in building up the source of such material, according to Dowling. That, he points out, is Broadway. So, he reasons, producers should not look at the prospect of seeing the legitimate stage expire. Rather, he maintains, they should strive to keep the stage flourishing for only then would they be able to help themselves. Solution of the whole problem, he says, will lie in the return of production to the East.

“The picture people,” says Dowling, “are killing their source of supply and then complain they can’t get material for pictures. The picture business, if it proposes to produce anything worthwhile, must absorb new material. That is the only way we can gain any advantage of the stage. The death of the theatre would hardly be a thing for producers to cheer over. The big companies never help to build this source. And never will they be as interested in their material as they should be.

It is Dowling’s contention that any good Broadway stuff would get before the public if the Broadway producers have the chance to make pictures. This statement seems to provide the key to his purpose in starting his venture.

A stage producer, according to Dowling, should do film production with the same advantage of an offer from a picture company to work on the west coast he believes is risky business for a theatrical producer who continues his individual picture work, he maintains, submerges his personality and makes him just another picture in the Hollywood swamp, with initiative gone.

Dowling puts the matter plainly and says that when a stage producer goes out to Hollywood to make pictures, for the films he merely succeeds in becoming “a good golfer.” Dowling says that when a producer transfers his activities to pictures, it affects the labor situation in the show business. It means less shows on Broadway, with the result that many players are thrown out of work. This only intensifies the difficulties and Dowling asserts, making matters worse instead of improving them.

Why it is easier for a Broadway stage producer to make pictures in the East, picture production in the East has the added advantage of eliminating expenses entailed by producers in bringing performers to the coast. Furthermore, he points out, the film companies, if they are clever, will need only the lure of fancy salaries as an inducement for required stage personnel who may be necessary to complete pictures.

The producer’s plans are flexible. He is figuring on six to 24 pictures to be made in New York each season, and promises that 25 per cent of his budget will be financed by Erpi. Aside from his deal with Arthur Hopkins on “The Great Adventure,” Dowling is reported dealing with other stage producers. The arrangement carries indications he will have first call on vehicles those producers control.

Recalls Native New Yorkers From Coast to Work in East

The staff Eddie Dowling has gathered around him at the Eastern Service Studios is composed wholly of native New Yorkers who have been recalled from Hollywood in order to help back the good old days when New York was a production center of note. Chief among these Dowling has returned to the East are Ben Jackson, his chief of negotiations; Art Edeson, former New York producer, and Arthur Ellis, film editor. The trio are referred to by him as “our three key men.”

In effecting the move in appointing New Yorkers to his staff, Dowling asserts that “this is the old home town for a majority of the best talent of the film studios.

The whole West away,” he adds, "because they were expert in their lines. We will bring them back again for the same good reason.”

Dowling says he can give “examples by the score” of graduates of the hard school of the theatre who have left New York and need only to be recalled, if we elect to make our films right here at home, less than 25 minutes of Broadway.”

He’s For It

Across from the Eastern Service Studios in Astoria is a luncheon room that has been proving the food of Paramout's accidental production in the East. It is used to be jammed with film folk in those days, since it happened to be the only dining place near the studio.

Dowling asks whether he would be favored production in the East, the proprietor jumped at the idea with a big "Yes.”

Plan 10 Pictures In Jersey Studio

With 10 pictures planned by Bud Pollard and a number of independents signing for space to produce for the Astoria market, the New Pollard Studios at Grantwood, N. J., expect to be kept busy for the next several years. Pollard is known as the Royal. Pollard is giving a party on Oct. 14 for the press and independents' production representatives at the studio.


Oscar Micheaux is now making an all-colored feature there and expects to have it completed in a week. Kine-matograph plans to make three "exploitation specials" and Gem Pictures produces "Dramatic at Large," "The Green Jade," "Strange Woman of the World," "Kings of Laughter" and four others, titles of which are not yet set.

The "development of motion pictures during the past few years," he asserts, "makes it almost imperative that there shall be two production points in this country. New York and Hollywood will become equally important production centers. The close relationship between the stage and the screen, the latter drawing from the former everything from complete plays to the technical data, is one of the most important reasons for a film center in New York. Also, New York has Broadway, that industry, which is both stupendous and unique, presents the danger of retarding creative growth.

"New York, the city of the next year, will probably see a 100 per cent increase in production. Broadway stage players will find it necessary only "to cross a bridge instead of a continent.”

Futter Will Make 26 Shorts In East

A minimum of 26 shorts will be made in the East by Walter Futter this season. He set up a series of 13 "Curiosities" and another series of 13 John C. Medbury "Travelaughers," One of the former and three of the latter will be released by Columbia, is recording at the Astoria studios, Brooklyn. The "Curiosities" series are being done at Futter’s studio at 279 7th Ave. A release on these has not been set yet.

Although Futter has opened business headquarters in the RKO building, he will complete the series in a few months and will make two features there this season for Distributed Pictures.

Christie in Ranks of Old Hands in N.Y.

THE movement to set New York up as a rival to Hollywood in the business of making pictures is being led by A.爪l Christie and his plan to produce in the East.

For 22 years has he produced a picture in New York, which he quit in the early days of his career to try his fortune in Hollywood as a creator of comedies. And now he is back to do his bit in the drive to re-establish New York as a picture-producing center. Christie is already at work in the city. He is doing a two-reel comedy for Educational at the Astoria studio and has put together a series of 10 pictures, with Tom Howard featured. He is sold on production in the East. The outlook to him appears bright. He feels changing conditions make production in the East inevitable. New York, he holds, is the top market and the make pictures—because New York has everything pictures require. And New York has Broadway, which the industry draws much of its lifeblood. So Christie is convinced New York will become a center for pictures.

"The development of motion pictures during the past few years,” he asserts, "makes it almost imperative that there shall be two production points in this country. New York and Hollywood will become equally important production centers. The close relationship between the stage and the screen, the latter drawing from the former everything from complete plays to the technical data, is one of the most important reasons for a film center in New York. Also, New York has Broadway, that industry, which is both stupendous and unique, presents the danger of retarding creative growth.

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FACTORIES IN
BINGHAMTON, N. Y.
East Is Only Spot To Make Shorts - Sax

(Continued from page 14)
We Gave You
- "Moonlight and Pretzels"
  A UNIVERSAL Release

We Give You
- "Take A Chance"
  A PARAMOUNT Release

We Are Going to Give You
- More of the same type in the very near future

Watch For Our Announcement

WILLIAM ROWLAND-MONTE BRICE PRODUCTIONS

1776 Broadway  New York City
Weiss Plans
All Activity
In the East

Producing independently in the East, Louis B. Shub, plans to make a
number of pictures under various cor-
porate names, including Exploitation
Pictures, a Stage Play Production
and International Stageplay
Pictures, Inc. He is supervising all
pictures himself.

Already completed are "Enlighten
Thy Daughter," which was produced
at the Photoflex Studios at Irving-
ton, N. Y.; "Drums o' Voodoo," with
an all-colored cast, at the Atlas
Studios in Long Island City; "Before
Morning," with Leo Carrillo, Her-
bert Rawlinson and a number of other
stage stars at the same plant.

Distribution will be through state
route executive J. J. Cullen who or-
ganizes a colored stock company
provided "Drums o' Voodoo" gets over.
The picture will be roadshowed in vari-
ous spots before being nationally re-
leased.

Weiss expects to start his next pic-
ture in about five weeks. Studio is
not yet set.

Jafa's List of 4
To Be Put Through

Plans of Jewish American Film
Arts (Jafa) to make four features in
Yiddish and English will go through
the company declared yester-
day.

The company recently finished "The
Wandering Jew" in Yiddish only with
Jacob Ben-Ami and a number of the
cast currently appearing in "The
Romance of a People," pageant deal-
ing with 4,000 years of Jewish history
now running nightly at the Kings-
bridge Armory in the Bronx.

George Jafa who directed the first, will
handle the remaining four while Herman Ross will be the pro-
ducer. "The Wandering Jew" was
made at the Atlas Studio where the
others probably will be made as well.

Edwin Hill Series
May Be a Feature

On schedule as a series of 12 shorts, Master Art Products is considering,
but has not yet decided, making "The
Human Side of the Yiddish Play
feature. Edwin C. Hill, newspaper-
man and radio newscaster, will be
featuring "Pet Superstitions," another of
Master Arts series, may be partially pro-
duced in the East as well.

All "Wide Range"

The Eastern Service Studio-
s in Astoria, occupying the
former Paramount production
headquarters in the East, is
said at the Atlantic Studio
where first plant in the United States
at the moment provided with
complete 8mm "Wide Range"
sound recording equipment.

Plans Four More

Chester Erskine, Broadway stage
producer, recently completed "Midnight" at the
Biograph studio in the Bronx, has
plans for four more fea-
tures at the same plant.
He will not only pro-
duce, but direct.

Supports current that
"Midnight" will be released
through KKO, although no
deal has been struck as yet.

Paramount Making
Shorts List Here

All Paramount shorts are being
made in the East. "Paramount Head-
liners," 13 strong and each in one
reel, are down on the schedule for production at the company's newrel
rading house in New York. The
planes of the pictures will be made on
the East. Availability of talent is the
determining factor.

Other shorts made here include
the 12,"Screen Souvenirs," 13,"Para-
mount Modern Silents," 12,"Betty
Songs." The last three series are produced by Max Fleischer, who
has always maintained headquar-
ters in New York.

Pinnacle Will Make
Four Features Here

Pinnacle Pictures, latest of eastern
productions, is in formation with a
planned schedule of four features.
First is "Grey Riders," written by
Pat Powers, not the film executive,
but a former state trooper.

The company expects to get its
initial picture in work next month.
It's subject is an adventure with
Fidelity sound. No studio has been selected as yet.

Jack McKee is the prime mover be-
hind the enterprise. He declares east-
ern financial men are his backers.

First Magna Ready;
Planes Hanging Fire

Magna Pictures, headed by Meyer
Davis, orchestra leader, has completed
one musical short and, for the time
being, has no immediate plans for fur-
ther production.

Completed is "That's the Captain," with
Arthur Tracy, Baby Rose Marie,
Joe Keaton and others. Ray McCague, former
Vitaphone director, is the com-
promoter.

One Starmark Ready

"Get That Venus," produced by
Starmark for release through Regent,
has been finished. Produced at Fort
Benton, Montana, the $25,000 pic-
ture cast includes Ernest Truex, Jean Ar-
thur, Molly O'Day, Herbert Rawlin-
son and Tom Howard.

Keaton May Do Two Here

Buster Keaton may make two pic-
tures in the East when he completes a
personal appearance tour now un-
der way. Joe Rivkin of the Leo
Morrison office is working on a deal.

Audio Yet to
Finally Set
Its Program

Scientific shorts, re-edited for the
atmosphere, will be released by the
Audio Prod., recently formed by Erpi, with
W. A. Bach, long an executive with
that company, as president. While
Audio's early pictures are for
KOKO, its plans are not definitely set as to number.

Whatever production is undertaken,
however, will be centered in the East-
ern Service Studios in Astoria and
the Bronx.

They will undertake the production of
a series of short pictures, animated
or otherwise, when a series presents
itself to us that seems unusual and
entertaining," said yesterday.

"We shall cooperate with producers
in a consulting capacity in the many
instances where our facilities and specialized experience can
enable us to be of service. It is
impossible at this state to give specific
figures on all our plans.

Dicker for Six at
Oceasides Studios

Six features are planned for pro-
duction in the Hayes & Beall studios
at Oceasides, Long Island. Max Hayes
says negotiations are practically set
and that all will be ready for release
in a few days. Three stages with the
necessary sound equipment are ready.

Goldwyn to Film "Oz"

Hollywood, Oct. 2.—The Wizard of Oz is to be made into a screen
musical extravaganza by Samuel Gold-
wyn for release by United Artists.

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Brown Favors
Contact Trips
By All Talent

KANSAS CITY, Oct. 2.—Studios should
encourage feature makers to go out in the field at
least once a year and freshen up on
lookout points by mingling with those in other
industries, and with exhibitors themselves, believes
Clarence Brown, M-G-M director.

He is seeking the opinion of those to do
just that during a west-to-east coast
flight, which primarily and officially
mp the route of the "Night
Flight Derby."

"Exhibitors are losing thousands of dollars a year by
not exploiting to the
mass the possibilities of pictures with
name values," he said.

Brown believes star lending is detri-
tal to the studio which has
borrowed players under contract. The
practice is all right as far as minor
actors are concerned and as a means
of providing temporary relief to major
actors, but where major players are
involved, it proves a boomerang, the
competitive booking system or them.

Concerning the recent trend toward
the making of "Music to America" Brown
said these would be acceptable if on
a percentage of the gross. Basing the
split on the percentage of profits would be
rejected by important players, di-
rectors and writers, he declared.

Amplifying his view that directors should
be kept busy and "on an unedited version," he
said it was a mistake to sit in Hollywood
and depend on the ideas of others in
blocking the way, without getting out once in a while."

The same applies to previews, and
for this reason studios have been tak-
ning their plays to San Diego and
other points outside the Hollywood
sector for audience reaction before final edit-
ing. "The key is," says Brown, "the
viewing of pictures where they are ac-
tually ready and not before, as a re-
sult of the making up of scenes where
is inadmis-
te."

Brown stayed overnight in Kansas City
and met a number of people, in-
cluding T. C. Ten Eyck of Kansas P. Wolberg, M-G-M district manager;
Frank Hensler, branch manager, and
John H. Bowman, manager of Loew's
Midland.

Warner Lease Suit
Filed in Milwaukee

MILWAUKEE, Oct. 2.—Suit for
$10,000 has been brought against
Warner by the Baker Building Co.
of Racine, charging breach of a lease.

It alleged that under the lease which
the circuit holds on the
Rialto there is an agreement to keep the house set for a period of 10
months each year.

It is agreed that Warners have been
paying the rent due under the lease,
but that the circuit has not operated the theatre for the spec-
ifed period. It is alleged that because of failure to keep the theatre open the
rest of their interest has been damaged.

Wanger Coming East

Hollywood, Oct. 2.—Reports persist
Walter Wanger is leaving M-G-M to
rejoin Paramount in the east. No
confirmation can be had.
A SMASHING INDICTMENT OF PARENTAL PRUDERY
WITH
HERBERT RAWLINSON - MIRIAM BATTISTA
AND A CAST OF BROADWAY STARS
Including
CLAIRE WHITNEY  ROBERT E. KEANE
WESLEY BARRY  LILLIAN WALKER
ARA GERALD  RUSSELL HICKS
BETH BARTON  ED MAC DONALD
CHARLES EATON  EUNICE REED

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CABLE: WEISS PICT N.Y.
Hatch and Newman
Open N. Y. ‘Change

Stanley W. Hatch and Arthur Newman, both well known for many years in distribution in the East, yesterday opened a New York exchange called Beverly Hills Prod., which, besides Beverly product, formerly handled by Invincible, will also distribute in this territory other series and individual one, two and three reel subjects. On the program for 1933-34 are 15 Elmer Clifton subjects.

“U” Cameraman Shot
HAVANA, Oct. 2—Joseph Gibson, a Universal newsreel man, was among those wounded in riots that took six lives recently when police tried to break up a Communist parade here. Gibson, who received several bullets in his leg, was not seriously wounded. Newsreel shots taken by him were confiscated by police.

JOHN HENRY MCKEE
DIAGNOSE DIRECTOR
AMERICAN VERSION
“NONE SO BLIND”
Released through HELBER PICTURES, INC.

Announces his association with
Pinnacle Productions
Starting January 1st, 1934
to direct the following feature pictures:
"GREY RIDERS” By PAT POWERS
"RIVER TRAMPS” By JACK FRANCIS
"FOG BOUND” By SAMUEL JOHN PARK
"CATASTROPHE” By JOHN HENRY MCKEE

Now on location for De Frenes Motion Pictures
Will consider offers until December
Sole Representative
General Play Company
551 Fifth Ave. New York
Phone: Vanderbilts 3-4557

Rental Ruling
To Affect Big
Publix Claims

More than $30,000,000 in possible future rent claims against Publix Enterprises are affected by a ruling handed down by Referee Patrick last week disallowing an amended claim for approximately $620,000 which the owners of three Missouri theatres sought leave to file early in September.

A similar ruling on all or a majority of the claims by the leaseholds would eliminate one of the major reorganization problems faced by Irving Trust Co., trustee in bankruptcy for Paramount Publix, it was stated yesterday. An Irving Trust representative estimated that approximately $8,000,000 in future rent claims were already pending, awaiting a ruling of the referee. The filing of any new claims at $22,000,000 in addition to the present claims is believed to hinge on the disposition of those now awaiting rulings.

The Missouri claim was based on future rents for the period of leases on the Paramount at Springfield, Paramount at Joplin, and Electric at Kansas City, formerly operated by Publix-Dubinsky. The leases aggregated approximately $2,000,000 and the claim of $620,000 was filed by the owners in accordance with Missouri bankruptcy laws. While Referee Davis’ ruling refusing to allow the claims is not now binding on Publix Enterprises’ trustees as establishing a precedent in such cases, they said, it is regarded as strengthening their position in contesting similar claims now pending. One such, filed by the Georgia Realty Co., involving about $2,500,000, will be heard by Referee Davis on Thursday.

Decision Reserved
On Appeal by Zirn
Decision was reserved yesterday by the U. S. Circuit Court of Appeals on the motion of Samuel Zirn, counsel for a group of Paramount bondholders, for permission to appeal a decision denying an earlier motion to remove the Paramount trustees in bankruptcy and Referee Henry K. Davis.

Zirn and attorneys for Davis and the Paramount trustees were given until Wednesday to file additional briefs on the motion, with a ruling expected from the court in about two weeks.

Zirn’s first motion to remove Trustees Charles D. Hilles, Eugene W. Leake and Charles E. Richardson and Referee Davis was denied by Judge Francis G. Coleman of U. S. District Court here last June. His motion, as well as his appeal yesterday, was based on alleged affiliations and contracts between financial and film interests which, Zirn charged, were prejudicial to the interests of general creditors. His motion charged Davis with bias.

"Scandals" on RKO Time
George White’s “Scandals” is not going out over Loew time, as stated in the Motion Picture Daily on Friday. White says his show is now playing RKO time under an arrangement made by himself.

Publix Tennessee
Group to New Unit

Publix Enterprises trustees yesterday were authorized by Referee Henry K. Davis to form a new corporation to take over newly negotiated leases on four Chattanooga and Nashville theatres from the trustee in bankruptcy for Tennessee Enterprises, a Publix subsidiary.

The theatres involved are the State, Tivoli and Rialto at Chattanooga and Paramount at Nashville. Assignment of the leases to the new corporation was contingent upon purchase of the equipment in the State and Paramount for $40,000 by Publix Enterprises. The purchase was approved by Referee Davis over a single objection filed by Georgia Realty Corp., lessor of various southern theatres to Publix Enterprises, the validity of whose claim for over $2,500,000 on future rents will be ruled on Thursday by Referee Davis.

Three other petitions of the Publix Enterprises’ trustees scheduled to have been heard yesterday were postponed to Thursday on the petition of attorneys for Paramount Publix bondholders. The petitions involved settlement of claims involving about $250,000 against A. H. Blank; a proposed settlement of claims aggregating more than $2,200,000 involving Karl Hoblitzelle and the Interstate Circuit, Texas, and approval of a contract negotiated by the Publix Enterprises with Frank Perry involving the settlement of about $250,000 in claims against Virginia and Tennessee theatre subsidiaries.

STRAND, MILWAUKEE
To Open on Oct. 7

MILWAUKEE, Oct. 2—With the Strand scheduled to reopen Oct. 7 as a Warner house, all first runs will again be functioning for the first time in many moons. The Strand, formerly operated by Midwesco, has been dark for many months and before that was operated only intermittently. The 1,400-seat house is being redecorated before reopening.

Reopenings during the past several weeks have around the state have been numerous and local exhibitors report improved business with a 25 per cent increase in attendance at downtown houses and an increase of approximately 25 per cent reported by neighborhood exhibitors.

The Hollywood, local neighborhood house formerly operated by the A. E. T. Corp., reopened Sept. 28 under the direction of the Hollywood Theatre of Milwaukee, Inc., while the Rosevelt, formerly the Iris, reopened Sept. 30 under the direction of John Ludwig. Reopenings in the state include the Empire at Manitowoc, under the operation of R. H. Bogel and the Falls at Sheboygan Falls by Mike Lencione.

Associated Film Expands
KANSAS CITY, Oct. 2.—Associated Film Distributors of Kansas City, independent firm, is completing a program of expansion with branches in Des Moines, St. Louis and Memphis already established and a fourth to be opened in the southwest, according to Marvin Godwin, general manager.

“Most Complete Laboratory
Service in the East”

With an expert staff of technicians and a modern, perfectly equipped plant, we offer an unusually complete laboratory service for producer and distributor.

Specializing in
NEGATIVE
and
SUPERIMPOSED
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—A New Alliance of Stage & Screen

EDDIE DOWLING

provides at

Eastern Service Studios, Astoria

a background of modern studio facilities, technical staff, equipment and organization whereby recognized stage sources may find the opportunity to participate in the production of the film versions of their own stage successes, with complete independence, confidence and the assurance of competent, friendly, dignified contractual relations, in co-partnership.

Our First Picture to be released by Paramount

ARTHUR HOPKINS in association with EDDIE DOWLING presents ARNOLD BENNETT’S comedy

"THE GREAT ADVENTURE"

Starring LILLIAN GISH and ROLAND YOUNG

Other Announcements To Follow—Producers, Writers, Acting and Directing Talent—Communicate With

EDDIE DOWLING

Eastern Service Studios—Astoria—Long Island
RAvenswood 8-8300
Behind the Make-Up

BY ED DAWSON

J. EDWARD SHUGRUE and Jerrold Krimsky of Filmchoice are taking it a little easier now that John Krimsky is back from Europe and "Emperor Jones" has been opened.

Joe Rock, producer of "Kraakatau," will soon step into a swell spot with one of the film companies.

Arthur Edeson, first cameraman on the "Great Adventure," is on the coast. Made it via the air line.

George Fay, formerly of M-G-M's production department, is the latest of the west coast, who come back east to work.

Louis Weiss has just finished his latest picture, "Enlighten Thy Daughter," which he produced at the Photocolor studios in Irvington-on-the-Hudson.

Ray Klune, formerly with D. W. Griffith and United Artists, is in complete charge of production for all Educational pictures to be made in the east.

That fellow, Jack White, can hardly wait to start work on the first of the Educational shorts he is to direct here. He's all around the town looking for likely prospects.

Joe Kane, sound technician over at Eastern has a collection of 9,643 photographs of his year-old daughter. By the time she reaches 21 Joe will have quite a collection at present speed.

Paul Floresco directs all the dance routines in Vitaphone's Eastern productions, is a daddy for the second time. His new pride and joy is a boy.


Dolph Singer has been put on in the comedy department of Vitaphone. Eddie Moran has been transferred to the music department of the same outfit.

All for Bruce

Watched funny, little Eddie Bruce with his inevitable cigar and oddly shaped hat go through his paces in the Vitaphone short in which Molly Picon was featured. Bruce, we understand, will be in the "Easy Aces" short to be shot today at the same studio. What we cannot understand is why this ace comedian is not featured in a short of his own.

Buster Keaton, who has been doing the rounds of little ol' N' York these past few months, has started work at a St. Louis theatre, in a vaudeville act in which he uses seven stooges.

Duke Ellington will go to the coast to make a picture for Paramount when he finishes his Texas tour in December. The Duke has made a number of short subjects, but this will be his first feature.

Lynn Shore's West Coast studio over on 57th St. has been busy on the fourth of the Mentone shorts to be produced there. The entire cast was composed of actors from the Catholic Actors' Guild.

Frank Tours and Max Manoe, who used to be on the Paramount-Publix musical staff, did the arranging of the musical score for the John Krimsky, Gifford Cochran, "Emperor Jones" production.

Fred Waller, Paramount News director, and Bill Steiner of Eastern Service have been putting Borrah Minevitch and his Har- monica Rascals through their paces for a Paramount short.

Bill Miller, who recently finished shooting "Get That Vems" for Star- Mark Prod., expects to fly to Chicago any day now to take location shots of "The Century of Progress" for Paramount.

Mrs. Evelyn Oakie, Jack's ma, packed up her rocking chair a few weeks ago and is now East to make personal appearances in connection with "Too Much Harmony," the Paramount picture in which she made her debut.

Roland Young, who has just completed work as the movie lead in the Eddie Dowling production, "The Great Adventure," is now rehearsing for the lead in the new Max Gordon stage play, "His Master's Voice," which opens soon on Broadway.

According to Marion Stone, owner of the Stone Film Library, recognition of film libraries has been confined to this city and Hollywood until this year. Now, Mrs. Stone says she has been getting calls from all over the world for atmospheric shots.

Jerry Wald, head of the casting and story department of Mervyn Davis' Magna Pictures, has been loaned to Warners to write an original dealing with radio. Edward G. Robinson and Dick Powell are slated to play the leads. He is on his way to the coast.

Alex Gray appeared at the Roxy the past week and sang practically every old number he knows. What we want to know is why he omitted the swell number he did in the Kowland-Brice "Moonlight and Pretzel" flicker.

Mickey Mouse's fifth birthday was not only celebrated with big parties but was also honored with numerous broadcasts over many stations. No more bands and orchestras were ever grouped together for an occasion of this kind. The happy rodent deserved it all.

Ralph Staub, who has been a shorts director for the past six or seven years for Columbia, has taken Ray McCarey's place out at Vitaphone. McCarey has been taking a much-needed rest, but is all set now to direct for Meyer Davis' Magna Pictures.

George Twelvinger, director; Carl Berger and George Hinners, cameramen, have left with their equipment for Kingston, Jamaica, to take shots for an English quota. They will probably run into Harry Squires and Bert Pike, who are down there on the "Joan Lowell" job.

Joseph Henabery has finally achieved the goal he has coveted these many months. He is now the undisputed champion ping-ponger of the Vitaphone directors, having recently beaten Roy Mack and Ray McCarey. Championship of the entire studio is a toss-up between Jack Henley and Cy Woods. Running a close third is Atvos Otvos.

EAVES COSTUME CO., Inc.

Costuming the East's Biggest Productions:
"MIDNIGHT"
"MOONLIGHT & PRETZELS"
"EMPEROR JONES"
"TAKE A CHANCE"
"GREAT ADVENTURE"

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NEW YORK CITY

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TWELVE TWO-REEL NRA DRAMAS
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Features recently produced at these studios:

"CHLOE" "A HIRED WIFE" "PLAYTHINGS OF DESIRE"

Directed by
MARSHALL NEILAN

Directed by
GEORGE MELFORD

Directed by
GEORGE MELFORD

Starring
GRETA NISSEN

In production

"HONORABLE WOMEN"

Directed by
LUTHER REED

Production Manager
RAYMOND FRIEDGEN

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Sun Haven (St. Petersburg), Florida
"We Supply EVERYTHING But the Picture"

THEATRES or STUDIOS

Will find our Service and Prices in line with present day budgets.

LIGHTING EQUIPMENT  CARBONS
SCREENS  CURTAINS and DRAPES
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WOODSTOCK, VA.
DETROIT, MICH.
SAN FRANCISCO, CAL.
DES MOINES, IA.
WACO, TEXAS

NEWCASTLE, WYO.
FORT MEYERS, FLA.
OSHKOSH, WIS.
BELOIT, KAN.
ATLANTA, GA.
CLARKSVILLE, ARK.
PORTLAND, ME.

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after two years as director of production for:

Gaumont Theatre
Olympia Theatre
Moulin Rouge
Paris, France

Again At
PARAMOUNT
New York
INDEFINITELY

I have created over a hundred stage productions, sixty per cent of which are suitable for short and feature musicals.

We are proud to have done the picture and sound track negative developing and rushes for the

JOHN KRIMSKY & GIFFORD COCHRAN PRODUCTION

“The Emperor Jones”

A UNITED ARTISTS Release

Produced at EASTERN SERVICE STUDIOS

Our reputation in this field continues to be recognized in the Industry as the Producers’ assurance of consistent quality.

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(Formerly the Royal Studios)

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DEBRIE SUPER-PARVO - The Silent Camera

By ALVIN WYCKOFF

A—Knob for shifting of Ground Glass; B—Focusing Dial; C—Focusing Tube (Fr); D—Speed Indicator Dial; E—Footage and Turn Counter; F—Locket and Switch with Electro-Magnetic Cut-out; G—Hand-crank and Opening for removal of Motor; H—Automatic Fade and Lap Dissolve; J—Hand Fader; K—Knob for Locking Case; L—Ground Glass; M—Intermittent Pressure Plate; N—Register Pins; O—Film Punch;

"All ready for action! Quiet please! Turn it over!"

Long pause.

"Well, what about it, why don’t you start?"

"We have started, Mr. Director; the camera is running."

"I’m sitting only 18 inches from it and I can’t hear it."

"Mr. Mixer, you have the microphone right up to the camera, could you hear it?"

"No, Mr. Director, I couldn’t; I don’t think it was running."

"Mr. Director, we haven’t turned it off yet; so I will open the door of the camera to prove that it IS going."

The door was opened and the camera WAS running—the purr of the mechanism could now be plainly heard.

Astonishment reigned supreme—never before had I heard anything mechanical for the use of exposing motion picture film that was so quiet. I remained for hours to study this new camera. It was a revelation in every way.

A most perfect mechanical contrivance, superbly automatic in every feature, very compact and light; as easily handled as the best cameras of the silent days. Perfectly balanced at any angle of tilt either forward or back.

Due to unique arrangement, electrically, it is impossible to jam and ruin the mechanism. No set aperture to drag the film past; aperture and pilot pins working in perfect synchronous action, eliminating any possibility of even the slightest suggestion of a scratch. Perfect focal contact over the entire screen.

Four hours after its first demonstration the camera was purchased, with cash paid, by one of the prominent commercial studios located in the East. Here, it seems to me, is the answer to that long desired demand for a high class motion picture camera that would do away with the cumbersome blimp and free the cameraman from the dread of missing an important scene due to the handicapping of the instrument he must work with in an effort to constantly improve his art.

ADV.

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MERCURY FILM LABORATORIES INC

723 SEVENTH AVE., NEW YORK, N Y

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President

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PAUL ROBESON in Eugene O’Neill’s

EMPEROR JONES

with DUDLEY DIGGES

The box-office thrill of the year

Directed by DUDLEY MURPHY

Released thru UNITED ARTISTS
Cutting Down Of “Nuisance” Taxes Planned

House Leader Lays Out Congress Program

WASHINGTON, Oct. 3.—Elimination of as many nuisance taxes as possible will be sought at the next session of Congress by the House Ways and Means Committee, according to Representative Robert L. Doughton, North Carolina, chairman.

Plans now under consideration by Doughton contemplate the use of revenue from liquor taxes to permit repeal of a number of devices included in the last tax law, including, possibly, gasoline and check taxes.

The aim of the committee, according to Doughton, will not only be (Continued on page 3)

Brandt Will Make Code Report, Quit

WASHINGTON, Oct. 3.—Joe Brandt, appointed official adviser on the film code to the NRA over the weekend by Deputy NRA Administrator Sol A. Rosenblatt, will submit a report on the code to the (Continued on page 3)

NRA Consolidating Its Work on Codes

WASHINGTON, Oct. 3.—Not officially announced, but anticipated here for some time is a reorganization of the NRA which was spurred into (Continued on page 3)

Honeymooning

That Niagara Falls honeymoon of Arthur Loew’s was Niagara Falls, Long Island, if there is any such place, say some of his friends. Loew made appearances at his office both Monday and yesterday and has been seen about town inspecting new apartments. His literal-minded secretary is being blamed for the Niagara Falls legend.

“Where will I tell callers you are?” she asked Loew the day he left his office to be married.

“Niagara Falls,” he replied. And so she did.

Code Attempts Likened To Oil Industry Delay

Supply Code Is Rejected By the NRA

WASHINGTON, Oct. 3.—For the first time since the creation of the National Recovery Administration proposals for a code were rejected during the course of a public hearing today when R. Dameron, assistant to Deputy NRA Administrator A. D. Whitehead, to whom the motion picture supply code had been transferred by Sol A. Rosenblatt, stopped the hearing on the ground that the National Theatre Supply Co. and the Independent Theatre Supply Dealers Ass’n, proponents, were not “truly representative” of the industry.

Efforts of the recovery administration officials early in the hearing to (Continued on page 3)

Government Silent On Anti-Trust Law

WASHINGTON, Oct. 3.—While the Justice Department, following its usual course, will make no statements on litigation pending between the Government and business, there are no known instances where the department has actively pursued antitrust law cases since the enactment of the National Industrial Recovery Act.

This is in keeping with the Administration’s attitude on relaxing laws (Continued on page 3)

Code Should Prevent Any Dual Bars, Says Schechter

WASHINGTON, Oct. 3.—Failure to include a clause on double bills in the code will leave independent producers, distributors and exhibitors without the protection they seek, declares Jacob Schechter, counsel for the Federation of the M. P. I. Industry. His remarks were made today in reply to statements by Fred S. Meyer, chairman of the committee on public relations of the M. P. T. O. A. and W. Ray Johnston, president of Monogram, which appeared yesterday in the motion picture daily.

“Elimination from the code of any reference to double features will not accomplish the results so earnestly contended for by independent producers, distributors and exhibitors,” (Continued on page 3)

Article 10

Washington, Oct. 3.—“You can lead a horse to water, but you cannot make him drink.”

That’s how Article 10—the so-called anti “star raiding” clause, now fortified with more and sharper teeth—stands tonight, according to a spokesman who ought to know.

Draft by Rosenblatt Not Expected to Be Complete

By RED KANN

WASHINGTON, Oct. 3.—Films are following oil in this current attempt of being made to appease all conflicting groups in the codifying procedure to be set up under the NRA, but with little success.

Almost step by step what has happened in the oil industry’s code hearings has been repeated up to this point in the film industry’s, and in the opinion of the observers who have made a study of NRA history to date there is no reason to suppose the code for the film industry will be pushed through in any way. That means the government, unilaterally against its will, finally will be compelled to write it.

Of the codes drawn and signed by President Roosevelt and now operating, not one represents 100 per cent harmony of ideas. There is no expectation that any code framed for the film industry will be any different from the others in this respect.

Tonight, on the eve of the third effort to bring opposing industry groups into line, the situation which cropped up during the first and second (Continued on page 8)

Actors’ Move Stirs Coast Speculation

HOLLYWOOD, Oct. 3.—What effect withdrawal of a number of well known actors will have on the Academy is a subject of speculation today. Some talk is to the effect that directors will join with the insurgent actors in forming an Actors-Directors’ Guild similar to the Writers’ Guild.

Others incline to the belief the action was hasty. A third group says that even if the actors form their own (Continued on page 3)

And He Meant It!

Arthur Mayer, after reading the list of 14 actors who walked out on the Academy of M. P. Arts and Sciences, cracked:

“That would make a great east for one picture.”
Arguments Heard in Big Electrics’ Suit

WILMINGTON, Oct. 3.—Arguments heard today resulted in Judge John P. Nields in U. S. District Court on a request for a bill of particulars in the antitrust suit brought by the Stanley Co., Duovac Radio Corp., General Talking Pictures against A. T. & T., Western Electric and ERI.

The hearing was on motion of the defendants preliminary to final hearing. Decision was reserved.

“Itchy” Set in Canada

Joe Goldberg, general sales manager of Resolute Pictures, has closed with Canadian theatrical Films Ltd., for distribution in Canada of “Itchy Scratchy,” produced by Walter Flanders.

Contract has also been set with Ben Judell for distribution of the subsequent film, produced by the Stanley Co., Milwaukee, Indianapolis and St. Louis. Territories previously sold include New York, New England, Philadelphia, Washington, Pittsburgh, Cleveland, Cincinnati and the Southwest.

Fritz Friend Dead

DTooT, Oct. 3.—Fritz Friend, formerly with Principal and Warners, died today after a long illness. The Film Board of Trade is seeking word of his funeral. He lived in Omaha for several years.

**The Thrill Hunter**

(Business)

Buck Jones’ fans will like this comedy melodrama in which the hero provides a goodly quota of thrills and laughs. He takes the role of a cowboy who brags about his exploits as an auto racer and an airplane stunt man in China and as a result is given a job by a Hollywood movie company when they hear his story while on location. He gets the lead in a picture and is acclaimed as the city’s big hero. He is given the key to the city of Hewitt and a large reward. The girl now believes he has the spunk to make good and agrees to become his partner.

This is one of the number of exciting shots on the auto race track and in the air, which, in addition to the final rescue scene, will keep the youngsters well satisfied. George B. Seitz directed.

**Spilled Salt**

(Mystery)

An amusing situation to the “Pet Superstition” series which describes through the medium of a completely staged dramatic episode, the origin of the popular custom of throwing salt over one’s shoulder after spilling in order to ward off evil. The subject describes the origin of the custom as about 2,000 years ago, an outgrowth of an incident which saved a man’s life. Interesting and amusingly presented. Running time 9½ mins.

**Boss Tweed**

(Business)

This is the first of the “March of the Years” series and, although dealing primarily with the Tweed graft ring which operated in New York immediately after the Civil War, this series shows the periods bounded by the appearance of the modern corset and the airplane. The reel has dramatic interest but suffers from poor continuity. Running time 9½ mins.

Sales Faster—Sears

Sales in Warners western and southern territories have been much faster this year than last, says Gradwell Sears, sales head for these territories, in spite of the late start. Ninety-five per cent of his major deals will be complete by the end of next week, he asserts.

Shift Denver “U” Shift

DENVER, Oct. 3.—The following changes have been made by Jack Langan, manager of the Universal exchange in his selling staff: Lon Hoss has been transferred to the Dallas, Texas, exchange; Sam Feinstien has reigned and J. H. Hommell and E. L. Walton have been added.

Warner Men at Opening

All Warner theatre managers east of Denver have been instructed to attend the premiere of “Footlight Parade” at the Strand tonight. This is the first time this has been done, it is claimed.

Principal Distributing

Principal Distributing Corp. will distribute the series of 13 short films produced by Newsliahs, Inc., with Irvin S. Cobb starred.

Expect Studio Officials

Columbia studio executives are expected in New York within the next week for home office round-robin.

Majority of Stocks Off

<table>
<thead>
<tr>
<th>Stock Name</th>
<th>High</th>
<th>Low</th>
<th>Close</th>
<th>Change</th>
<th>Sales</th>
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<tr>
<td>Columbia Pictures, etc.</td>
<td>305</td>
<td>295</td>
<td>295</td>
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<td>100</td>
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<td>Consolidated Film Industries, ltd.</td>
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<td>154</td>
<td>154</td>
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<td>700</td>
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<td>Eastman Kodak, etc.</td>
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<td>125</td>
<td>125</td>
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<tr>
<td>Fox Film “A”</td>
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<td>154</td>
<td>154</td>
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<td>L. O. &amp; E., Inc.</td>
<td>209</td>
<td>204</td>
<td>204</td>
<td>-6</td>
<td>700</td>
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<td>Lovelace, Inc.</td>
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<td>274</td>
<td>274</td>
<td>+2</td>
<td>600</td>
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<td>Pathé Exchange “A”</td>
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<td>RKO</td>
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<td>254</td>
<td>254</td>
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<td>544</td>
<td>544</td>
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Technicolor Rises Three Quarters

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<td>114</td>
<td>114</td>
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<td>815</td>
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Paramount Public Rises 3/8

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<td>346</td>
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<tr>
<td>Keith P. 6, 6%</td>
<td>458</td>
<td>458</td>
<td>458</td>
<td>-6</td>
<td>3,000</td>
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<tr>
<td>Lea’s 64 1/2, w.w. deb rights</td>
<td>818</td>
<td>818</td>
<td>818</td>
<td>+2</td>
<td>600</td>
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<td>Paramount F. 1, 6%</td>
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<td>599</td>
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<td>30</td>
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<td>800</td>
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<td>The 75 76, aa</td>
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<tr>
<td>Warner Bros. 68 39, wd</td>
<td>454</td>
<td>454</td>
<td>454</td>
<td>+16</td>
<td>700</td>
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RKO May Split Its Printing Contracts

New one-year contracts for Radio Pictures and Pathe will probably split this year’s work between Consolidated Film and Pathe are under consideration and may be closed before the week, it was stated yesterday. Pathe’s participation is understood to be, in part, a consideration for RKO indebtedness on stocks outstanding since the RKO-Pathe acquisition.

Reports that the new contracts, which are in the works, would necessitate the building of a west coast laboratory by RKO were denied by RKO executives yesterday as without foundation.

Contest Winners Coming

Eight winners, four boys and four girls, in Pathe’s contest of talent will arrive in New York tomorrow aboard the Manhattan. They will leave here Monday evening. The eight are Nita Harvey and Sidney Towson, representing England; Lo- retta Walker and George H. Allport, Ireland; Gwenhill Gill and Robert Sinclair Scott, Scotland; Lucile de Tolt and Donald Tidbury, British, South Africa.

Book Winter Garden Acts

Acts already booked for the Winter Garden Sunday concerts which start November 27th are: Howard Brothers, Ethel Merman, Fred Keating, Jack Pepper & Co., Sergei Flash, Connolly, Pat Cline, King & King, Clancy & King, and Hal LeRoy. RKO bookings have already been handled by Edgar Allen of the Edward Davidoff office.

It is me like

CAMERON MACPHERSON

and

JOSEF BERNE

who produced

“BLACK DAWN”

That merit reviews like these: VARIETY—“A poignant, well made drama, depth rating and should grace any bill.”

HOLLYWOOD REPORTER—“Worthy of a good deal of attention, if not whole-hearted commendation.”

NEW FILM TIMES—“One of the most distinctive film efforts turned out in months. It is one of the most sincere and worthwhile pieces of cinematic art produced in Hollywood in recent years.”

“...also an excellent musical score by Cameron Macpherson.”—Tanner Lane.

HOLLYWOOD SPECTATOR—“The best motion picture production of the war. It will thrill any audience...”

Private showing of “Black Dawn” can be arranged through

Joy and Polhemus Agency

HOLLYWOOD, CALIF.

HOLY 3991

6607 Sunset Blvd.
Supply Code Is Rejected By the NRA

(Continued from page 1)

ascertained the percentage of the industry represented by proponents were unsuccessful when witnesses questioned did not have data immediately available. Later return to the subject developed that the two signers of the proposed Theatre Accessories, which Warners control; Walter E. Greene, representing 29 branches of the Independent Theatre Supply Dealers, represented by W. A. Wileck, Carbon Products Co.; D. A. Williard, National Carbon; Stuart K. Brandon, representing important producers such as Robert Robbins, Electronics Tube Co.

Government Silent On Anti-Trust Law

(Continued from page 1)

aimed at monopoly during the two-year life of the NRA. Consequently, it is an official slant on the impending Warner-First National litigation is impossible to obtain, the inference is that it is not improbable the action may not be pursued, or, at least, that it will be left in status quo.

This, however, has no bearing on the anti-trust case filed against specific companies by individuals or other corporations. Matters like the latter proceed under the normal operations of the Federal law.

The Warner-First National case has been pending in the U. S. District Court for the Southern District of New York for the past two years. It is due to be called this week, but it is expected a postponement will be granted until November.

Brandt Will Make Code Report, Quit

(Continued from page 1)

NRA as part of his new duties, and with its adoption will retire from the picture.

His post is likened to the coordination jobs of S. R. Kent, Charles L. O'Reilly, who resigned their normal posts in the industry once the tentative master codes had been submitted.

MPTOA to Meet in L. A.

WASHINGTON, Oct. 3.—The next annual convention of the M.P.T.O.A. will be held in Los Angeles during January, Ed Kynkendall stated today, and it probably will run for three or four days.

Code Should Prevent Any Dual Bars, Says Schechter

(Continued from page 1)

asserted Schechter today. "For the preservation of the right to do business, that an individual company may not be denied any provision shall be inserted in the code to the effect that the policy of showing double features should be left to the determination of each exhibitor and that any interference with such a policy shall constitute an unfair practice.

"The statement of the major companies that they are willing to abide by such individual decisions, with the co-operation of other companies, is a contradiction of terms and a play upon words as it is called. The industry is the master, not the servant.

"What we object to is that, by the insertion of such reservations in the agreements, the major companies are thereby impose limitations upon the right of the exhibitor to determine his own policy and also limit the right of the exhibitor to do business with other companies.

"If the point contended for by the major companies is correct, it is not conceivable that they may impose additional restrictions in the agreements such as the following: That only features of other 'approved' or 'favoured' distributors may be shown; that only shorts approved by the distributor may be shown; and similar restrictive covenants—all of which restrictive covenants are repugnant to sound business judgment as well as being repugnant and contrary to law.

"Beyond this it must be remembered that the major companies have never doubted the right to permit some favored exhibitors to show double features, inserted code rights to other—perhaps competing—exhibitors. Also they would, of course, refuse to themselves such rights, yet refuse the same to their customers. And finally it is not to be doubted that 'master agreements' made between the several major companies would contain no such restrictive covenants. Thus it is quite apparent that the major companies would reserve for themselves and their favored customers special rights and privileges which they would refuse to grant to independent exhibitors.

"No stronger club for complete submission and extermination of independent producers, distributors and exhibitors has ever been conceived by major companies who dominate the industry. That is contrary to the principles and intent of the NRA goes without saying. Realizing this, independent producers and distributors have determined to resist such attempts to the maximum degree.

"Schechter refused to explain specifically his last sentence.

Actors’ Move Stirs Coast Speculation

(Continued from page 1)

of the guild they can still function as a branch of the Academy.

J. T. Reed, head of the Academy, issued a statement in which he said that the "optimism of Academy members and the fact that the industry is the master, not the servant, and that only shorts approved by the distributor may be shown; and similar restrictive covenants—all of which restrictive covenants are repugnant to sound business judgment as well as being repugnant and contrary to law.

James Creelman in Washington to represent the guild until the code is finally drafted.

WASHINGTON, Oct. 3.—Lester Cowan, national representative of the Academy of M. P. Arts and Sciences in the code negotiations, had nothing to say today regarding the walkout of a number of actors.

Hearing Delayed on Detroit Injunction

DETROIT, Oct. 3.—Argument on the temporary injunction obtained recently by the I.W.W. of the Mayfair Theatre Co. and Al Rutenbush of the Bernhard Theatre Co. against Mid-Monday, the big booking combine, was scheduled to come up today, but it was postponed until Oct. 10.

Cutting Down Of “Nuisance” Taxes Planned

(Continued from page 1)

immediate relief of the public from bothersome taxes, but also the creation of a permanent tax law which will not require amendment from year to year.

There is considerable doubt whether the elimination of nuisance taxes will extend to admissions, which have been found to be one of the easiest to collect. There is a possibility, however, of increases in exemptions, but it is not expected that the collections will be returned immediately to the $3,000,000 figure prevailing before the depression.

While Doughton voices the intention of easing the tax burden this winter, observers in Washington point out that much may occur to nullify his program. Relief expenditures of the Government are expected to increase materially with the advent of cold weather. Seasonal slackening of industrial activity may reduce tax receipts. The Federal financial burden is now very heavy and is becoming heavier, and considerable doubt exists whether the present administration will approve tax reductions until indications of better times are seen.

NRA Consolidating Its Work on Codes

(Continued from page 1)

action today. It provides for a consolidation of activity into fewer and more experienced hands and places code deliberations for all industries under four deputy administrators.

Arthur D. Whiteside, who sprang into the newspaper headlines through his handling of the retailers’ code is one of four, and Sol A. Rosenblatt will be answerable to him under the rearrangement.

Whether or not this means the film code, when ready, will pass through additional hands before reaching General Hugh S. Johnson and the President after it has been approved by Rosenblatt is not clear, although a report is in circulation that this will be the case. Rosenblatt says, however, that this is not so.

MATTY KING Presents

KING, KING and KING

(The Original)

"TAPPING TO THE KING’S TASTE"

Just returned from Hollywood

Appearing in Pictures for M.G.M and UNIVERSAL

Now-CAPITOL THEATRE, N. Y. —Now

Direction: WM. MORRIS AGENCY
James Cagney
plus
Joan Blondell
Dick Powell
Ruby Keeler

"Are Back Again!"
Tell Them... "Gold Diggers' Stars"
New York will cheer tonight! staged under water, which thing like the spectacle scene Warner Bros. never made any. a show like this... But even Only Warner Bros. could make
Prepare For The Biggest!

Margaret Sullavan
John Boles
Edna May Oliver
Billie Burke
Benita Hume
Reginald Denny
Onslow Stevens
Franklin Pangborn
Berton Churchill
Robert McWade
Hugh Enfield
Arthur Hoyt
Mabel Hoyt
Joyce Compton
Bramwell Fletcher
Dorothy Granger
Lucille Powers
Barry Norton
Ruth Clifford
Betty Blythe
Walter Catlett
Edgar Norton
Gay Seabrook
Noel Francis
Craford Kent
Geneva Mitchell
Sidney Bracy
Caryll Lincoln
Jean Darling
Julia Carter
Frank Beal
Huntley Gordon
Lita Chevret
Lew White
Vivien Oakland
Bert Roach
Mary Doran
George Meeker
Dick Winslow
Matt McHugh
Sammy Cohen
Norma Drew
Jimmy Butler
James Donlan
Otto Hoffman
Harvy Clark
Edmund Breese

RATED by everybody who knows anything about it as the greatest Universal Picture since "All Quiet on the Western Front!"

Dialogue by William Hurlbut

ON YESTERDAY

A JOHN M. STAHL
CROWDS OF THE SEASON!

The cavalcade of American life as seen through the soul of a woman wronged in a great love!

Ben Bard
Creighton Hale
Natalie Kingston
King Baggot
Wm. Davidson
Lloyd Whitlock
Virginia Howell
Jason Robards
Robert Bolder
Lynn Cowan
Maidel Turner
George Irving
Eddie Kane
Geo. Hackathorne
Eleanor Jackson
Mildred Washington
Warren Stokes
Marie Prevost
June Clyde
Jane Darwell
Oscar Apfel
Tom Conlon
Louise Beavers
Tom O'Brien
Herbert Corthell
James Flavin
Leon Waycoff
Cissy Fitzgerald
Ida Darling
Marion Byron
Sheila Manners
Jean Hart
Herta Lind
Robert Ellis
Julia Faye
Richard Tucker
Florence Lake
Jack Richardson
Astrid Allwyn
Natalie Moorhead
Dorothy Christy
Jean Sorel
Ferdinand Munier
Bruce Warren
Hans Furberg
Churchill Ross

Suggested by the book by
Frederick Lewis Allen
Theatres Get Cut in Taxes in 4 Boroughs

Theatres in all boroughs except Richmond and two of the principal official owned film companies, Loew's and the Paramount, benefit by 1934 assessment cuts made public by James T. Hays, president of the Department of Taxes and Assessments.

Loew's building is cut from $3,500,000 to $3,300,000. The Paramount building gets a drop from $14,400,000 to $13,000,000.

Manhattan theatres which receive cuts are: Loew's State, from $4,550,000 to $4,300,000; Palace, from $1,590,000 to $1,450,000; Mayfair, from $1,900,000 to $1,800,000; 7th Ave, Roxy, from $4,300,000 to $4,000,000; Rialto, from $3,050,000 to $2,050,000; Carnegie, from $750,000 to $500,000; Globe, from $1,250,000 to $1,150,000; Strand, from $3,620,000 to $3,350,000; Rivoli, from $1,625,000 to $1,700,000; Capitol, from $2,900,000 to $2,700,000; and Hollywood, from $1,150,000 to $1,125,000; Lincoln Square, from $1,400,000 to $1,350,000.

Due to the fact that both the RKO Music Hall and the RKO Roxy were under construction last year when the assessments were made valuations were increased sharply this year. The Music Hall was raised from $2,700,000 to $11,500,000, and the RKO Roxy was boosted from $3,500,000 to $4,600,000.

In the Bronx two theatres received cuts. They were: Keith's Fordham from $290,000 to $260,000; and 188th St., from $1,500,000 to $1,400,000.

Reductions in Brooklyn were granted in several spots. Theaters benefitting were eastern Paramount, from $5,300,000 to $4,800,000; Strand, from $700,000 to $670,000.

In Queens the cuts were: Famous Players Studio, from $1,000,000 to $980,000; Shubert Theatre, Jamaica, from $440,000 to $400,000, and L. I. Amusement Corp., from $580,000 to $490,000.

Universal in Rush With Seven in Work

Hollywood, Oct. 3—Universal claims a new production peak with seven features in work, five ready to start in a few days and four in the cutting room.

Those before the cameras are: "Circus of the Red Hearts," "Dangerous Women," "Bv Candlelight," "Horse Play," "Bombay Mail" and "Peril of Justice.""}

COMING!

RIN-TIN-TIN Jr.

A MASCOT SERIAL

THE DOG HERO OF YOUNG AMERICA IN

The WOLF DOG

with FRANKIE DARRO

Star of WILD BOYS OF THE ROAD, AND MAYOR OF HELL

Washing: Oct. 3—Cooperation of the film industry, and particularly of those in the NAAs' "Buy Now" drive is being sought and will Hays and heads of leading companies have been asked to develop an organized plan for industry participation.

In a communication sent company executives by Frank R. Wilson of the NRA bureau of public relation, it is pointed out that there will be benefit directly by the national mass movement to bring into the theatre districts in large numbers throughout the three months of the "Buy Now" drive.

This great national movement to stimulate buying," Wilson wrote to industry executives, states, "affords an opportunity for the theatres which they should embrace on the basis of self-interest alone. It affords them not only an opportunity to build business but an opportunity to increase their local prestige by participating with the merchants of their community in the execution of campaign plans.

John C. Flinn of Paramount, liaison officer between the film industry and the NRA, has been designated to discuss with Hays any organized plans which the industry may develop.
**No Reference to Big Points, Including Block Booking, Stuns Exhibitors; Fireworks Impend at Conference as Result**

By RED KANN

Washington, Oct. 4.—The right to buy, score charges, double features and block booking—four hotly contested points which were wrangled over in prior attempts to formulate an industry code—are passed up entirely in the proposed industry code, drawn by the NRA through Deputy Administrator Sol A. Rosenberg and made public early this evening.

Members of the exhibitor code committee, grabbing mimeographed copies of the text of the code, immediately went into a hurried meeting to learn what the NRA thinks about the points battled over to and fro on and off, here for weeks, and emerged stunned by what their eyes told them.

Tonight there were meetings on several floors of the Mayflower. The M. P. T. O. A. was confering and endeavoring to organize a battle front. Charles L. O'Reilly, who fought vigorously for the right to buy in some form or other, was in the vanguard of a second session. Over at the Wardman Park Allied's cohorts were in a huddle, and, according to reports, were considering withdrawing from the code deliberations, so "burned out" were they reported to be.

Independent producers and distributors, dissatisfied by what some observers considered a victory for twin bills, in that the code did not even refer to them, gathered in Jacob Schecter's room to find out not what they proposed to do, but how to do it. They are fixed in their determination that no code can be a fair one so far as they are concerned unless it contains an expressed provision designating that the exhibitor is to re-

**Separate Code Set For Minor Groups**

Washington, Oct. 4.—Narrow gauge interests which argued they were not subject to regulation in the film industry code and so should have a code of their own are on their way to winning their point. In the NRA draft it is held sub-standard film interests are not to be included.

**Golden Is Named as Film Code Advisor**

Washington, Oct. 4.—Nathan D. Golden, chief of the Motion Picture Section of the Bureau of Foreign and Domestic Commerce, has been named industrial advisor on the film and theatre supply and equipment codes by Edward B. Stettinus, Jr., liaison officer between the Industrial Advisory Board and the National Recovery Administration.

**Right to Buy, Scores, Duals Out of NRA Code**

Star Salary Fixing Body Is Expected

WASHINGTON, Oct. 4.—Article 10 in the producers' code, which, in its re-drafted form, was presented yesterday to Deputy NRA Administrator Sol A. Rosenberg, is understood to provide for a salary-fixing commission to control star income. Inability of all Hays member companies to view the proposal in the same light is reported to be the inside reason why the article originally designed to end star raids has not been completed.

The clause in its new form is said to follow the mandate laid down re-

(Continued on page 11)

**Four More Players Leave the Academy**

Hollywood, Oct. 4.—Four more actors resigned from the Academy today, boosting the total to 18. They are: James Dunn, Aubrey Smith, Claude King and Reginald Barlow.

Others, more conservatively inclined and showing a willingness to await further code developments at Washington before taking action, expressed confidence in the Academy's efforts in the actor's behalf.

Meantime, those who have resigned are holding another meeting here tonight to map a program and later will meet jointly with the Actors' Guild.

(Continued on page 11)

**K. C. Independents Write to President**

KANSAS CITY, Oct. 4.—Protesting I. A. T. S. E. demands that the industry code impair two men in a booth on small houses, the Independent Theatre Owners of Greater Kansas City early this week sent personal letters to President Roosevelt.

(Continued on page 11)

**No Monopolies**

Washington, Oct. 4.—Viewed as referring back to the conversation understood to have been held between Deputy NRA Administrator Sol A. Rosenberg and President Roosevelt, when the same observation was made, is Section 2 of the new NRA code.

It reads: "No provisions of this code shall be interpreted or applied in such a manner as to permit or encourage unfair competition; or eliminate, oppress, or discriminate against small enterprises."

**Code Authority Vested With Unlimited Powers**

WASHINGTON, Oct. 4.—The Code Authority, the impending "supreme court" for the industry, will have practically unlimited powers under the code draft drawn by Deputy NRA Administrator Sol A. Rosenberg and made public this afternoon.

While the duties of the Authority are outlined in full, its membership is left blank. Rosenberg explaining that the final membership has not yet been determined. However, Motion Picture Daily's exclusive story of Wednesday morning listing all but two of those reported to be slated to conduct the operation of this highly significant body is understood here to be authentic, and its publication aroused the widest interest among the industry's codifiers here.

Those reported by Motion Picture Daily to be slated for membership on the code authority are: Sidney R. Kent, president of Fox; Nicholas M. Schenck, president of M-G-M; Harry

(Continued on page 11)

**Significant?**

Washington, Oct. 4.—"Did you get your copy of the code?" a top-line executive was asked tonight.

"Yes, and I'm going to give it plenty of study. As a matter of fact, after they all study it he's going to have a question of how many will sign it," he replied.
MOTION PICTURE DAILY

Thursday, October 5, 1933

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JAMES A. CRON
Advertising Manager

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“Purely Personal”

ARNOLD ALBERT, who has been in the Warner home office publicity and advertising department for the past seven years, has taken a post as assistant advertising director for seven Real Neth houses in Columbus.

A. W. Smith, in charge of eastern and Canadian distribution for Warners, and S. CHARLES EINSTEIN, advertising and publicity director, are in Boston to discuss plans for “Footlight Parade” with Publix managers in New England.

HELEN HAYES will hand out the prizes to the winners of the transcontinental air derby staged in conjunction with the showing of “Night Flight” on the stage of the Capitol tomorrow night.

WILL DALTON, organist at the Grand, Columbus, O., comes to New York today to confer with Warners on a musical arrangement of the song numbers in “Footlight Parade.”

CHESTER HALE and his dancers, together with BERTY DAVES and JAMES HANLEY, songwriters, has been signed by Educational for its first musical short show in the East.

ALICE RONSON, featured in “Her Unborn Child,” which opens at the George, will make several personal appearances there during the run of the film.

THOMAS J. MARTIN, assistant comptroller of Warners, is the father of a boy, born to MRS. MARTIN at the Fitch Sanitarium in the Bronx.

FEED ASTAIRE sailed yesterday aboard the Steamer Roma for a stage engagement in London. His wife accompanied him.

NORMA TERRIS has been signed for the lead in the second three-reel short to be produced at the Vitaphone studios.

JOHN FOGARTY, radio tenor, will be guaranteeing services for Bowes broadcast Sunday morning.

PEGGY HEATON, west coast fan dancer, is flying here to begin a tour of RKO houses.

MRS. FRANK BORZAGE, wife of the director, has arrived at the Warwick from Hollywood.

CHICK YORK and ROSE KING headline at the Palace beginning tomorrow.

LILLIAN MILES opens at the Palace tomorrow.

“Neilsen’s Son Passes”

Anthony Neilsen Neilson, 3rd, only son of Rutger Neilsen, died yesterday morning at the Broad Street Hospital from a complication of peritonitis. The funeral will be held Friday morning at 10 o’clock from the parents’ home. 125 West 12th St. Interment and services will be at St. Peter’s Churchyard, Perth Amboy, at 2:30 o’clock.

Mae West Gets New Paramount Contract

Hollywood, Oct. 4.—Mae West signed a new contract with Paramount today which calls for two pictures a year for the next four years. The actress has the option of writing her own stories, selecting her own cast and working for a percentage of the grosses on the eight pictures, under the terms of her new deal.

Berkeley Signs 8 Girls

Busby Berkeley, Warner dance director, has signed eight girls in his search for talent to appear in the company’s musicals. They are Grace Moore, Rickey Newell, Jane Vance, Blanche McDonald, Margie Murphy, Margaret Ritter and Clare Augeret. The eight will leave for the coast today or tomorrow.

Para. Claim Settled

A compromise settlement for $6,000 of an $11,000 lease claim against Paramount Publix for rent due on the Empire, 40th St. and Broadway, was approved yesterday by Reteree Hugo Hays, as reported in Motion Picture Daily on Sept. 12.

Zukor on the Way East

Hollywood, Oct. 4.—Adolph Zukor left here on an eastward trip, where he is scheduled to arrive Sunday.

Howard Dietz, M-G-M advertising and publicity director and Adela Rogers St. Johns, writer, were other eastbound travelers.

Up for SMPE Discussion

Wide range recording and reproduction, theater projection and illumination will be the chief subjects of discussion at the fall convention of the SMPE at the Edgewater Beach Hotel, Chicago, Oct. 16-18.

“Looking ’Em Over”

“I’m No Angel” (Paramount)

Hollywood, Oct. 4.—“I’m No Angel” will be a box-office success. Patrons are eager to see it and should be in for a good time.

Following her skyrocket rise in “She Done Him Wrong,” Mae West gyrates through “I’m No Angel,” a vivid, provocative personality. Her tremendous popularity which swept the country in the wake of the repeat runs on “She Done Him Wrong” evidences the girl’s powerful pull with the cash customers.

“I’m No Angel” plants Mae as a torso toser in a small time circus. All types of men are attracted to her. On each she leaves the imprint of her individuality. When she appears as a big shot, with her black and angular and high-bright beauty, she becomes the head-liner as a lion tamer, with the thrill of putting her head in a lion’s mouth for a kick-off finish for her act.

Mae West is a star in her own right, with her humor of the big screen, bucking in the sunshine of fashion and wealth. A lawyer, friend of her sweetie, comes to ask her to break off and becomes enmeshed himself. Later, when he finds a former flame in Mae’s apartment, he tries to give Mae the air. Mae, having fallen hard, uses him for breach of promise, climaxing in a court room scene which is a honey for speed, laughter and that Mae West personality.

But the gal’s romance isn’t the show. Mae West is the whole thing, and that’s what they want to see. The typical Mae West songs are there—tuneful, laded out in subdued picnicale.

Mae West fans will surely get their money’s worth from this picture. Mae wrote the story, screen play and dialogue.

Wesley Ruggles does a craftsman’s job of direction. Cary Grant, as Mae’s heavy push, adds just the right note. Ral Harold, Bill Barton, Kent Taylor, Gregory Ratoff, Irving Pichel contribute fine performances. Nat Pendleton in a bit is swell.

Mae West sure spreads her wings in “I’m No Angel.” Most of her wise-cracks will be whipped over the three-point-two and the teacups. “I Found A New Way To Go To Town” will be hummed.

Mae West is a major attraction. Exhibitor showmen should cash in with first-class results.

Vic SHAPIRO.

“Doctor Bull” (Fox)

WASHINGTON, Oct. 4.—Typical Will Rogers vehicle on a par with his average release. Which means pleasant and adequate entertainment.

Will steps into a new characterization as a country doctor, liked by some as a country doctor distinctly different from the man we know him by.

For 20 years he serves his constituency at the usual sacrifice of comfort and, as his reward, finds himself threatened with removal. About this time, typhoid breaks out and Rogers determines to stay on the job whether the town likes it or not. Later, through a serum of his own concoction he makes it possible for Marion Nixon’s crippled sweetheart to walk again. This draws the fickle townsfolk rallying to his side again and paves the way for Rogers’ long-delayed romance.

“Doctor Bull” has Rogers and less than the usual quota of wisecracks. It is somewhat shy on story as well.

KANN

Now “Overland Bus” AMPA to Fete James

Hollywood, Oct. 4.—“Overland Bus” has been selected as the first title of the M-G-M film formerly called “Transcontinental Bus.”

All Stocks Show Rise

Columbia Pictures, etc., 2445... Consolidated Film Industries, etc., 27. Eastman Kodak, etc., 27. Fox Film “A,” etc., 27. Fox’s, etc., 27. Paramount, etc., 27. Pathe Exchange, etc., 27. Warner Brothers, etc., 27. Warner Brothers, etc., 27.

Curb Stocks Steady

Columbia Pictures, etc., 235... Sentropy Safety Control, etc., 235... Technicolor, etc., 235... Paramount, etc., 235... Warner Bros. 235... Warner Bros., etc., 235... Paramount F. L. Jumps 3 Points

General Theatre Equipment 6& 63.5... Keith B. F. 6s. 6s. 6... Paramount, etc., 6s. 6s. 6... Paramount, etc., 6s. 6s. 6s. 6... Warner Bros., etc., 6s. 6s. 6s. 6s.

Lillian Miles opens at the Palace tomorrow.

Neilson’s Son Passes

Anthony Neilsen Neilson, 3rd, only son of Rutger Neilsen, died yesterday morning at the Broad Street Hospital from a complication of periitonitis. The funeral will be held Friday morning at 10 o’clock from the parents’ home. 125 West 12th St. Interment and services will be at St. Peter’s Churchyard, Perth Amboy, at 2:30 o’clock.
In the old days
you scratched your message on a smoked glass slide and hoped your patrons would believe you
but nowadays

a nationwide organization of five hundred specialists are on the job day after day combining actual scenes from the pictures themselves with high-power selling talk to produce National scene trailers . . . trailers that actually sell your show to your patrons.

... an organization that checks, double checks, triple checks every booking, every playdate, every day to see that you get the best trailers in the field at the right time every time.

★ What a combination to drag them in . . . punch, realism, service.

Yes sir, it pays to get the best because the best always pays best.

NATIONAL SCREEN SERVICE

trailers -- worth more because they sell more
AT YOUR M-G-M EXCHANGE! Eight page press book showing how to tell the public that your theatre is the leading show shop in your town. The Major theatre is the one using the Major product. Tell the folks!
A few of the ads that tell your public the good news!

JOIN the CELEBRATION of the greatest screen entertainment of years on the screen of the STATE THEATRE

What a celebration! We have just signed a contract which will bring to you all the great stars of Metro-Goldwyn-Mayer at this theatre during the coming season! M-G-M's Tenth Anniversary is a year of greater, happier hits than ever before. We are proud to have been able to insure you the utmost in entertainment!

We have the LION ON THE DOTTED LINE!

T'S LEO, the soaring lion of M-G-M. We have signed him on the dotted line to present the world's finest motion pictures on the screen of our theatre during the coming season. Are we elated! And will you be happy as his great stars of fandom are brought to you in their happiest hits!

The World's Greatest Stars Are M-G-M

NORMA SHEarer CLARK GABLE
GRETA GARBO WALLACE BEERY
MARLE DRESSLER JOHN BAFFMORE
HARRIET DAVIES ROBERT MONTGOMERY
MILDRED HAYES

Stars in Short Features, too!

HAL ROACH DE LUXE COMEDIES
LAUREL & HARDY LUCY COMEDIES
LILY THOMPSON CHEE & CHONG
GENE KELLY, AL STAFF
WALT DISNEY'S MUSICAL COMEDIES

M-G-M "CRIME DOESN'T PAY" SERIES
M-G-M ODDITIES

See the World's Finest Entertainment First and Regularly at The Theatre of The Stars

LISTEN TO HIM ROAR

A AND no wonder Leo roars! Norma Shearer, Greta Garbo and all the other great stars of the Metro-Goldwyn-Mayer family are back again. Never such a group of stars at a single studio before! They are busily engaged in making the happiest hits of all entertainment history to celebrate the 10th Championship Year of this leading motion picture company. Watch for these stars in the great successes that are on the way!

★ NORMA SHEarer
★ GRETA GARBO
★ CLARK GABLE
★ JEAN HARLOW
★ JOHN BARRYMORE
★ JOAN CRAWFORD
★ WALLACE BEERY
★ MARIE DRESSLER
★ LIONEL BARRYMORE
★ HELEN HAYES
★ RAMON NOVARRO
★ ROBERT MONTGOMERY
★ MARILYN DAVIES
★ ED WYNN
★ LEE TRACY
★ LAUREL & HARDY
★ JIMMY DURANTE

The home of the world's finest entertainment

CONTENTS OF M-G-M SERVICE PRESS SHEET!

8 pages with press stories, exploitation tie-ups and ads, 6 col., 4 col., 3 col., 2 col. and 1 col. Mats are at your branch! Get some today, FREE!
With GEORGE BARBIER, Lucille Gleason, Verree Teasdale, Donald Meek. Produced by Carl Laemmle, Jr., from the Sam H. Harris play, "Oh, Promise Me," by Howard Lindsay and Bertrand Robinson. Directed by Eddie Buzzell. Presented by Carl Laemmle.
"SPINACH!"

What's "spinach" got to do with the film business or with the box-office? . . . PUH-LENTY, Mister, PUH-LENTY! . . .

Because when this picture gets circulating, "SPINACH" is going to be the country's newest wise-cracking byword...It's going to be just as famous as Eddie Cantor's "quack-quack" or Mae West's "Come Up and See Me Sometime!". . . How? . . . Why? . . . What? . . . Where? . . . You'll find out all about it when Zasu Pitts tells it to the judge and jury in the funniest breach of promise case ever framed into court.

Special Note To Theatre Managers:
You can give your personal guarantee in your newspaper ads that this picture presents the funniest courtroom sequence ever filmed!

and ZASU PITTS in OH, BABY!"
Minimum Wage for Theatre Staffs

Right to Buy, Scores, Duals Not Included

(Continued from page 1)

tain the right to set up his own theatre policy.
As a matter of fact, the only group here that seemed content, or, perhaps, resigned, was the major company contingent which met Rosenblatt for a few moments at 9 o'clock, and 45 minutes later left in a group for Loew's Palace to see a picture. Someone was re- maining at the New York Palace, Nicho- mas S. Schenck replied he was sure it was. It was "Stage Mother," which happens to be a picture which exhibitors were reluctant about being quoted, but once that was hurdle they had plenty to say and apparently didn't have to go. The exhibitors declared this may or charged labor provisions as proposed are unfair and that many of their theatres are closed if the suggestions drawn by Rosenblatt are finally adopted.

Ignored Issues Stir Advocates

Those, principally, M. P. T. O. A. men, who were present at the meeting chaired by a 75 per cent exhibitor vote in each territory are disturbed because the code presented had nothing to say about double features, the right of the right to buy fact they have been ignored entirely and declared the issue will not rest where it now does. However, two references in the code are believed to have a bearing on the right to buy. One is Clause 2 under the exhibitors' proposals which declares: "No exhibitor shall contract for a lease to exhibit motion pictures that such exhibitors possibly shall require for exhibition in any theatre, or theatres with the intent and effect of preventing the operating exhibitor from contracting to exhibit such excess number of motion pictures.

The Second Clause

The other appears under the four principal tasks delegated to proposed local grievance boards and reads "the commission of any other similar acts with the intent and/or effect of depriving without just cause the complaining exhibitor of a sufficient number of employees to operate such exhibitor's theatre.

Rosenblatt is said to feel these two restrictions tied in with the wide powers designed for the grievance boards will automatically open the market and allow the right to buy to prevail. Many exhibitors believe this may not happen. They say they are not sure about that, but that they are sure the term "employee" is a part of a right to buy formula outlined in specific language.

Fireworks Due Thursday

The fireworks are scheduled to pop beginning at 10:30 Thursday morning when Rosenblatt meets the exhibitor contingent. How much argument he will allow in view of the fact that the ground on all major points was thoroughly gone over at earlier code meetings remains to be seen. His code contains a number of proposals which appear in the originally submitted tentative code, but the language in practically all instances is his.

Highlights of the N.R.A. Code

Table of contents

"Washington Oct. 1.—Highlights of the revised industry code made public yesterday by Deputy NRA Administrator O. S. Rosenblatt and the disposition it makes of some of the industry's important issues follow:

Right to Buy—Onto its cancellation privilege granted exhibitors without payment for pictures cancelled.
Optional standard contract—Approved with the provision that its contents must not conflict with code content.

Exhibitory boards provided for with membership of four; two representatives from each branch of industry involved
Local boards to be established with membership of two distributor and two exhibitor representatives and a fifth "outsider"; the boards to be endowed with almost unlimited powers.

Owing—Outlawed wherever designed to curb competition. Minimum admissions—Enforceable as specified in exhibition contracts with two-for-one admissions and other price reduction practices banned.

Clearance and Zoning—To be established 18 months in advance by local boards comprised of two distributor, two first run and two subsequent run representatives and one outsider.

Premiums—Any locality where 75 per cent of exhibitors vote to outlaw them.
Designated play dates—Banned as regards pictures bought on flat rates and permitted under certain circumstances in percentage engagements.
IN THE $100,000 A WEEK CLASS
AT RADIO CITY...
WITH
"MORNING GLORY"
AND
"ONE MAN'S JOURNEY"

ANN
VICKERS

by
SINCLAIR LEWIS

with
IRENE DUNNE
WALTER HUSTON
CONRAD NAGEL
BRUCE CABOT
EDNA MAY OLIVER

Directed by John Cromwell  •  A Pandro S. Berman Production
MERIAN C. COOPER, Executive Producer

RKO Radio Pictures
Chorus Girls
Win 40-Hour
Week Ruling

(Continued from page 8)

...motion houses follow: Chorus girls win a 40-hour week and one day off every week, with full pay. They are not to be employed beyond 9 o'clock in the morning. Minimum weekly wages in de luxe theatres are $38. For traveling companies the minimum is $35. For houses other than de luxe it is $25, although by whom, or how, this minimum is to be defined is not mentioned. The practice of breaking in or trying out acts without pay is ruled out.

In this regard the code says the minimum salary must prevail, and this goes for principals and chorus girls.

Principals are to have rehearsals limited to four weeks, with a guarantee of reading flats, costumers' and stage hands' employment. When chorus girls are hired, they are to be guaranteed two weeks' work at not less than minimum salaries.

Acknowledging the difficulty of setting minimum for principals, the code says uniformly that those who have had their years' experience are to get a $40 minimum net and $25 where experience is under that period. The minimum per day wage is to be $7.50.

Chorus transportation is to be paid in full. Exhibitors or stage producers are to supply all wardrobe, including hats, wigs and stockings to the chorus, and the same goes for principals one day per week.

Lists Unfair Practices

Listing three unfair trade practices aimed at producers, with the notation more are to come, the code calls it unfair for any producer to attempt to inveigle an author, dramatist or actor engaged in legitimate stage work to work from local contract in order to sign up for pictures. It also dubs it unfair for producers to make contracts for the studio space to conspire, agree or take joint action in refusing any responsible producer such facilities. Negotiation in the employment of extras is the third.

Unfair trade practices applying jointly in the distribution field include a ban on disturbing relations between producer or distributor and "outside or associated producer" under contract with the idea of breaking contracts. To end this, the code proposes that no offers be made an outside producer at any time prior to 60 days before the termination of the existing contract or 60 days prior to the date on which an outside producer is committed to deliver his last contracted picture. Producers in this class are men like B. P. Schulberg and Charles Rogers. What is behind this provision was not clear late tonight, but it is the subject of some speculation.

Where the exhibitor buys film flat the distributor has no right to designate playing times, and the code, unless it is so interpreted by Rosen-
Adherence to Code of Ethics
Pledged Again in Article 6

Washington, Oct. 4.—Although making no specific mention of the Hays code of production ethics, an indication that the NRA is for its continuation is reflected in the provisions of Article 6 of the code submitted today by Deputy NRA Administrator Sol A. Rossen. The article reads:

The industry pledges its combined strength to maintain right moral standards in the production of motion pictures as a form of entertainment. To that end the industry pledges itself to adhere to rules established by and within the industry to assure the attainment of such purposes.

NRA Can Legislate a Code
By Presidential Signature

WASHINGTON, Oct. 4.—It may be known and again it may not, but under the provisions of the NRA codes may be written and enacted for industry by Presidential signature regardless of whether or not industry itself approves.

Once a code is signed by President Roosevelt, it is a law and becomes compulsory upon the industry for which it has been designed. This vitiates the impression prevalent in the mind of B. B. Kahane, Radio president, who told a Motion Picture Daily reporter in Albuquerque Monday night that Administration intervention in the preparation and adoption of a code for the film industry must have the agreement of the industry itself.

There is nothing in the text of the National Industrial Recovery Act to compel this or any other industry to sign a code. The question of delaying the Blue Eagle and public opinion is, however, something else. If Henry Ford’s refusal to sign the motor code resulted in refusal of a number of state governments to use his machines on official business. In Mississippi, according to reports current here, over 300 orders for Fords have been cancelled to date.

The NRA has, too, a powerful weapon in its possession, about which little has been said and no use made so far. This is the licensing provision of the act which vests in the President not only the power of licensing business but also of revoking permits which automatically would put a company out of business. The Administration has been loath about using this power and probably would not except in the most extreme of circumstances.

Under the law, there is a penalty provision for violations as well. It entails a $500 fine for the first offense and a like sum every day of off-ense thereafter.

K. C. Independents
Write Roosevelt

(Continued from page 1)

and Gen. Hugh S. Johnson, NRA administrator, stating that small exhibitors could not stand the additional expense.

Local independents were urged to write to Washington by Jay Means, association president. It is understood exhibitors in other cities are doing the same, and that letters deal also with other code matters, in addition to labor demands. One subject mentioned is the right to buy.

Radio Switches Stars

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Miss Hepburn has been assigned to “Trigger” under the direction of John Cromwell, while Barrymore will star in “Long Lost Father.”

Guamont to Sell ‘Waltzes’

Direct distribution of “Waltze” Time is to be undertaken by Gau- mont-American Corp. of America, according to Arthur A. Lee, executive vice-president. Heretofore the company’s product has been handled through American distributors.

Radio to Put Five
In Work on Monday

Hollywood, Oct. 4.—Radio will put five pictures into production next Monday.

They are “Hips Hips Hooray,” “Little Wild Birds,” “Rodney,” “Triggers” and “Long Lost Father.”

With the new films, the first of the week will find seven in work. “Man of Two Worlds” and “Flying Down to Rio” are now filming.

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Hollywood

Personal

Hollywood, Oct. 4—Claude Raines, London and New York stage star, has completed work in Universal’s “Invisible Man” and has gone to New York. He will return after a visit at his home in Lambertville, N. J., to do the lead in “The Man Who Reclaimed His Head.”

Edmund J. Holden, who yodels Japanese dialect over the air, has been signed by Paramount to write Japanese dialogue for an Oriental character in “The Yodeler.” Holden will also assist on direction (Paramount).

Ken Maynard combines business with pleasure by trekking to the mountains for a deer hunt and remaining there where his company will join him in a week.

Sally Eilers’ next assignment for Fox is in opposite George O’Brien in “Heir to the Horrors,” if the actress can get together with the studio.


Barbara Kent, Donald Dillaway and Phyllis Barry have leading roles in “Marriage on Approval” (Monarch).

J. M. Kerrigan and Joe Barton are additions to the cast of “Pardners,” the Will James story, (Paramount).

The Irene Dunne-Clive Brook vehicle, “Behold We Live” has been changed to “If I Were Free.” (Radio).

John Blystone, who just returned from Europe, gets the megaphone job on “Coming-Out Party.” (Lasky-Fox).

Chief Standing Bear has a part in “Mississippi” beside ace as technical adviser on the film. (Ward).

Charles Grapevin has been spotted in “Little Wild Birds,” featuring Dorothy Jordan. (Radio).

Steffi Duna, European stage actress, has been signed by Radio to play in “Man of Two Worlds.”

Jane Murfin is collaborating with Lucu Vollmer on the screen play of “Trigger.” (Radio).

Irene Dunne grabs the featured role in “Her Excellency,” the Governor” (Radio).

Alan Dinehart added to the cast of “Ross Country Cruise” (Universal).

Judith Allen signed to a new long-term contract by Paramount.

Mark Sandrich has been signed to a new contract by Radio.

Joseph Schublura goes into “Viva Villa” (M-G-M).

Earle Fox joins the cast of “Bedside.” (Radio).

Sand for the Girls

Kansas City, Oct. 4. The fair ones in Kansas City are saying John McManus, manager of Loew’s Midland, has found a new “sand” for the girls. The new recipe for facial beauty. Prior to the opening of the season for Sand for Beauty, Mr. McManus had girls on the street handing out 10,000 sachets containing common sand. Now McManus says, “This envelope contains ‘Beauty Sand’—open only in the sanctuary of your boudoir. Place a few grains of ‘Beauty Sand’ in your left hand, look the mirror, and you’ll see your right shoulder each night for three consecutive nights prior to seeing ‘Beauty, for Sale,’ at Loew’s Midland. The results will amaze you.”

“Glory,” Portland

Holdover, $4,000

Portland, Oct. 4.—In its second week at Hamrick’s Music Box, “Morning Glory” again went to the top of the bills with an intake of $4,000 and was transferred to Hamrick’s Oriental for a third week next week. “Penthouse,” the new Broadway, which opened first in the average, Disney’s “Three Little Pigs” scored for and first for a short offering and had a second of $2,500 in New York. Their first run business was $20,500. Average is $17,900. Estimated takings for the week ending Oct. 30:

“MORNING GLORY” (Radio)
HAMRICK’S MUSIC BOX—$6,000; 25c-35c-40c, 7 days. Gross: $3,520. (Average: $503.)

“HEAD LINE SHOOTER” (Radio)
HAMRICK’S ORIENTAL—$2,600; 25c-35c-40c, 7 days. Gross: $1,800. (Average: $257.)

“PENTHOUSE” (M-G-M)
BROADWAY—$2,936; 25c-35c-40c, 7 days. Gross: $2,600. (Average: $371.)

“BETTY” (Universal)
UNITED ARTISTS—$320; 25c-35c-40c, 7 days. Gross: $225. (Average: $32.)

“TARZAN, THE FEARLESS” (Print)
LIBERTY—$1,900; 25c-35c-40c, 7 days. Gross: $1,500. (Average: $214.)

“VANDUEREN” (Leicester)
VANDUEREN—$2,500. (Average, 1,186.)

Ten Sign for RCA Sound

Ten new installations of RCA Victor High Fidelity reproducers have been signed for in the last few days. Three are B. & K. houses, the Luna at Kankakee, the Radio in Beavercro, and the LaSalle in LaSalle, Michigan; one is in the Met, Philadelphia; and the others are: Gotham, 138th St. and Broadway, Orpheum, Memphis; Metro, Durand, and Queen, Big Springs, Oklahoma; Armdore, a Roberts house, Chicago, and Hunt’s Century, Audubon, N. J.

Eddie Garr

Available for Pictures

NOW—Loew’s State, N.Y. C. NOW

MANAGEMENT
Harry Young—Bond Bldg., N. Y. C.
Phil Ofin—Simon Agency

Attention to Picture Producers!
Revamping of Publix Units Gets Approval

Blank, Hoblitzelle and Perry to Head Each

Reorganization of three important Publix Enterprises, Inc., units nearing completion yesterday when Reference Henry K. Davis approved a plan of the trustee to form new corporations for the theatres operated by H. Blank in Iowa and Nebraska, Karl Hoblitzelle in Texas and Hunter Perry in Virginia and Tennessee.

In the reorganization of the Nebraska-Iowa situation, the trustee will receive a large sum in cash, and will retain one-half of the newly issued common stock. Blank is to contribute $25,000 toward forming the corporation, and will receive a portion of the common stock. In addition, Blank is to manage the theatres (Continued on page 16).

New Deal for Roxy Is Seen by Spring

Reorganization of Roxy Theatre Corp. and lifting of the house out of receivership is expected before next spring. When this happens, Harry Arthur, in all probability will take over the house as one of the links in his eastern circuit.

Ever since Co-Art Theatre Corp., represented by Arthur and Irving Lesser, entered into an operating deal (Continued on page 16).

New Lineup of FWC By Jan. 1 Planned

Reorganization of Fox West Coast circuit by Jan. 1, 1934, and the retention of the Skouras Brothers as operators, is understood the purpose of Charles Skouras' trip to New York. He is believed to be conferring with his brother, Spyros, and Chase National Bank representatives on the new setup for the west coast string.

"Diggers" Argument Ended on 35% Deal

With the settlement of differences between Warners and the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware and the I.T.O.A. on percentage terms for (Continued on page 16).

Split in Code Parley; Ind’p’ts Battle Majors

Labor Terms Start Heated Discussions

WASHINGTON, Oct. 5.—The exhibitor committee, shorn of many of its members by the withdrawal of Allied, the Independent Theatre Owners' Ass'n and the Chamber of Commerce from the deliberations, late tonight was arguing back and forth with Abner Rubien, attorney for the I.A.T.S.E., on changes in labor provisions of the NRA draft submitted by Deputy NRA Administrator Sol. A. Rosenblatt, Wednesday.

Final adoption of the labor clause, as presented by the NRA, is now regarded as remote. Exhibitors present and propose battling to a finish the proposal setting up the I.A.T.S.E. (Continued on page 6).

Lesser Will Set Up European Branches

HOLLYWOOD, Oct. 5.—With the appointment of Louis Hyman as sales manager for Principal Distributing Corp. in the U. S. and Canada, Sol Lesser, president, leaves for the east tomorrow and sails for Europe on the "Ile de France" on Oct. 14. He expects to be away two months to set up international distribution deals on the Continent (Continued on page 11).

Go for M. P. Daily

WASHINGTON, Oct. 5.—Distribution of Motion Picture Daily at a meeting of independent producers, distributors and exhibitors who withdrew from the code parleys late today almost halted proceedings. When copies were deposited at the entrance to the Chinese room of the Mayflower a football formation made a rush for them.

Legal Phase Of Star Pay Cuts a Worry

WASHINGTON, Oct. 5.—Would any effort to fix salaries as it is understood to be advanced in the troublesome Article 10 of the producers' code, hold water legally? This is the question on which executive of M.P.P.D.A. member companies are reported to be in disagreement and which is believed to explain why the draft has not yet been completed. Harry M. Warner, president of Warners, is in the vanguard of those who favor a salary fixing commission, according to inside reports (Continued on page 11).

Dissatisfied with NRA Draft and Withdraw; Now Organizing

By RED KANN

WASHINGTON, Oct. 5.—The code parleys split wide open today. A battle which tonight appeared more intensive and more bitter than any which has thus far marked the tumultuous sessions since the codifiers gathered from all over the nation marched on the Capitol for the public hearing on Sept. 12 began to break when independent producers and distributors represented by the Federation of the M. P. I. Industry and the Independent M. P. Producers' and Distributors' Ass'n, and independent exhibitors represented chiefly by Allied Independent Theatre Owners' Ass'n, and the Theatre Owners' Chamber of Commerce of New York informed Deputy NRA Administrator Sol. A. Rosenblatt of their withdrawal from the code deliberations.

Thus it was that the fireworks forecast in Motion Picture Daily this (Continued on page 5).

O'Reilly Move May Realign Authority

WASHINGTON, Oct. 5.—What will be the effect on the code authority set-up of Charles L. O'Reilly's walk-out on the NRA and the code and his joining forces with Allied, I. T. O. A. and scattered independents is causing considerable speculation here tonight. O'Reilly, who was exhibitor (Continued on page 6).

New Code Disturbs Cameramen's Union

HOLLYWOOD, Oct. 5.—The Cameramen's Union is in a state of excitement over what its members charge is a cleverly worded evasion of the principles at issue in the code submitted by Deputy NRA Administrator Sol. A. Rosenblatt. An attempt is to be made tonight to devise a way of protesting.
Hollywood Personalities

Hollywood, Oct. 5

EDWARD SUTHERLAND'S next Paramount directorial assignment will be "Funny Page."

CHARLES R. ROGERS has handed DOROTHY WILSON, formerly a stenographer on the Radio lot, a seven-year contract. Her first will be in "Eight Girls in a Boat." (Para.)

JEAN CONNORS, winner of the recent RKO theatres beauty contest in New York, has been signed a contract by Radio and may go into "Blonde Poison."

GEORGE O'BRIEN and his wife (MARGARET CHURCHILL) are planning a trip to Italy following completion of "Frontier Marshall" (Fox).

EARL CARROLL'S "Vanities" has been bought by Paramount. The legitimate producer will come west and assist in the production.

HARRIET LAKE, musical comedy actress, is now under contract to Columbia. Her first will be "Let's Fall in Love."

FRANK DOLAN's "To the Victor" has been bought by M-G-M. Dolan will work on the script.

HERBERT MUNKIN and SALLY KELLY will get the leads in "Heir to the Hoosier" (Fox).

LEE TRACY gets his sixth journalistic role in "Advice to the Lovelorn" (20th Century).

MARION GERIN is back on the Paramount lot after an European vacation.

TAYLOR HOBES has been signed by Educational for "What a Wife!"

JUDITH ALLEN is emoting in "The Thundering Herd" for Paramount.

MONTY BLUE has been cast in "The Thundering Herd." (Para.)

JIM CROMWELL has been given a new Columbia contract.

Most Issues Rise Slightly

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Chevalier on 10%

WASHINGTON, Oct. 5.—Maurice Chevalier's one-picture deal with M-G-M calls for a flat 10 per cent of the world's gross on the "Merry Widow," which, if the world anticipates, may hit $4,000,000. The picture is planned in English and French. This is believed here to be a record deal. If the anticipated take materializes, Chevalier's end will be $400,000.

Einstein's Names Kennedy

A. J. Kennedy, working out of the Warner Seattle branch under N. H. Brower, has been added to S. Charles Einfield's national exploitation staff. His job will be to cooperate with exhibitors in key situations on the west coast. Sam Clark has a similar post in the midwest operating out of Chicago and Carl Leserman and Allen Glenn handle the southwest out of Dallas.

Moray in N. E. Deals

Norman H. Moray, Vitaphone salesman, is back from the New England trip with two new circuit deals set—one with the Pinansky-Mullins houses in 70 spots, and the Interstate Circuit in 10 towns. Tom Story, Warner Boston manager, sat in on the deals.

Claim Rivoli Record

United Artists claims a new one-day attendance record for "The Bowery" at the Rivoli—16,000. During the first two hours it is claimed, 2,750 paid admissions were chalked up.

RKO to Have Straw Vote

RKO theatres are going to conduct a straw vote on plans for installing ballot boxes in all the New York houses. It starts today. The count will be announced daily.

M-G-M Signs Four

HOLLYWOOD, Oct. 5.—M-G-M has given new long term contracts to Charles Brabin, director; John Meehan and Leo Burins, writers, and Ted Healy, comedian.

To Dine Marie Dressler

Marie Dressler will be honored at a dinner to be given by the Actors' Dinner Club at the Hotel Roosevelt next Tuesday. The affair is being sponsored by a committee headed by Mrs. Oliver Harriman. Others on the committee are Samuel L. Rothafel, A. C. Blumenthal, Robert Selzer, Irving S. Cobb, Bernard Macfadden, Gen. John F. O'Ryan, George Gordon Battle and Frank L. Poll, former Secretary of State.

WASHINGTON, Oct. 5. Marie Dressler will be the guest of President and Mrs. Roosevelt tomorrow.

Gaiety Lease Extended

Fox has extended its lease on the Gaiety as a result of the business done by "Berkeley Square." The plan had been to turn the house back some time next week after the run of the three specials, "Pilgrimage," "The Power and the Glory" and "Berkeley Square," but, satisfied with the results, Fox has decided to hold the house indefinitely.

Meyers New Comedy Head

HOLLYWOOD, Oct. 5.—Zion Meyers has been placed in complete charge of next year's production at Columbia Studios. Rollie Asher will act as general assistant on story and production.

BEN BLUE

Starring In Series

WARNER BROS. SHORTS

Produced by SAM SAX
Directed by RALPH STAUB

Direction: LEO MORRISON
morning began to crinkle with a vendetta while the morning was a few hours old.

The meeting with the exhibitors' committee was scheduled for this morning at 10:30. By 11 o'clock delegates and attorneys acting for Allied, the I. T. O. A. and the T. O. C., arrived. All calls were put through to the Wardman Park where Allied maintains headquarters and the word was passed that one would be along in a few minutes.

It was not long after Tom Murray, who acted as secretary for the exhibitors' committee in New York, reached the Mayflower and delivered Rosenblatt a letter in which the insured group declared was "astonished not alone by what is contained therein (referring to the NRA code) but equally so by that which is omitted.'

**Protests Are Voiced**

Protests were voiced that the code drawn by the undersigned representatives of the various independents and distributors would not meet the objections of the code in its new forms are declared to resolve around restrictions reputedly imposed on the independent exhibitors. A protest was made by the undersigned representatives of the code and a statement by the undersigned representatives of the independents was that a letter was given in the White House at 10 A.M. which said that the matter would be handled by the independents.

**Text of Letter**

The text of the letter follows:

The undersigned representatives of the various independents and distributors have read with amazement the first revision of the proposed code for the motion picture industry submitted by you yesterday. We are amazed at the fact that the proposed code contains a number of provisions which are not only unreasonable but also unworkable.

We were privileged to participate in the hearing and to express our views on the proposed code, and we have been left with the impression that the proposed code is not only unreasonable but also unworkable.

We have given freely of our time and substance in an effort to formulate a code which would effect the policies of the National Industrial Recovery Act.

We have presented facts showing the prevalence of the industry of monopolistic and unfair practices, the existence of which had been readily admitted in discussions before you, and to which you have frequently adverted, and we have been left with the impression that the Administration is cognizant of these conditions and of the need for their correction.

It is our view that the document presented is a departure from the content of the National Industrial Recovery Act, as it not only fails to correct monopolistic and unfair practices and to prevent oppression of small enterprises, but on the contrary leads to promote and perpetuate such practices and oppressions.

The inevitable effect of the proposed code is to deny to all interests in the industry unaffiliated with major producers the relief which they had the right to expect, and to place the industry manifestly unfair and harmful practices from which in the past it has been possible to protect themselves by relief and protection through the courts.

Fails to Hit Abuses

"Further, the proposed code fails to deal with any major abuses that affect the picture industry as a whole, such as the major provisions which have been urged to permit the industry to go forward under the N.R.A., for example: provisions intended to insure to exhibitors the opportunity to procure sufficient product, prevention of unfair discrimination, and the like. As a matter of fact, the pictures, the right to exercise individual discretion in vital policies in theatre operation, etc.

In setting up boards of administration and for hearing grievances presented by independent exhibitors of influence of major producers and their affiliated interests, that no such board or boards would be reasonably acceptable from practices dealt with in the proposed code.

We therefore, on the basis of those considerations, and since two months already have been consumed in discussion of these matters, and not by any good purpose will be served by renewing such discussions. We, therefore, prefer to present our views in writing, and we shall be glad to have a definite and final answer. Y. W. Sol A. Rosenblatt not only of various proposals discussed during the past months, that the manner in which those proposals have been dealt with or ignored in framing the proposed code.

To Present Analysis

"We respectfully advise you that we are prepared to present our views to the early part of the moment an analysis of what we deem to be the present tendency of the proposed code, and a statement embodying our suggestions with regard to same.

The business and investments of the independents and exhibitors being at stake, we cannot proceed further except in the manner herein indicated to the Hon. Y. W. A. Rosenblatt."

The letter was signed by Abram F. Myers as chairman and general counsel of Allied; Jacob Slichter, counsel for the Federation of the P. I. O. S; James H. Logan, counsel for the Independent M. P. Producers and Distributors' Ass'n; Milton C. Weissman, counsel for the Independent M. P. Exhibitors' Code Protection Committee; H. M. Littlefield, general manager of the Theatre Operators of Michigan; Charles L. O'Reilly, president of the Theatre Owners of America; Chamber of Commerce; Nathan V. Rosenblatt, president of the Independent Exhibitors of New England; Carl Bard, president of the Motion Picture of Nebraska, and also Allied of Nebraska; David Barrist, chairman of the board of managers of the First National Theatre, Detroit; Abram Pennsylvania, Southern New Jersey and Delaware; James C. Ritter, president of Allied States Ass'n; Aaron Saperstein, president of Allied States of Illinois; and others.

**Walkout Sets Back Code Again**

**Independent Plan Analysis Of Grievances**

The new developments made no change in Rosenblatt's plan. He felt that this careful omission of the legislature delegation had turned out as per schedule.

Action of those who pulled out amid the severe criticism during the day and evening, principally from M. P. T. O. A. and affiliated theatre ranks. The impression voiced was that the objectors to the code had made a mistake, and that by withdrawing they had indicated they had no intention of bargaining for what they considered their rights.

Several affiliated theatre men said there was much in the submitted code which was not to their liking but that they saw little advantage in checking out of the proceedings.

Sherman and the defection works out—and nobody is inclined to go positive on guesses—one definite conclusion lost sight, and that
"FOOTLIGHT PARADE" TOPS "GOLD DIGGERS"" opening gross at N. Y. Strand's "tremendous world premiere of the biggest and brightest of the Warner musicals." (N. Y. American).

ROUSING OVATION for her greatest work to date greets arrival of Ruby Keeler accompanied by hubby Al Jolson and Ma.

HUNDREDS OF PREMIERE NOTABLES included famous Langdon W. Post, political lighter.


100 BICYCLING BEAUTIES pedal to opening as one of dozens of flash advance stunts.

GETTING A LOOK at what they'll have to beat in next Warner musical, New York's prettiest, just selected and signed to Warner contracts by Busby Berkeley, attend premiere.

WARNERS BUY "HEAT LIGHTNING," unique legit drama, after sensational Broadway reception.
LOVELY LOBBY STAFF which greeted over 5800 Strand patrons at first two performances of "the kind of musical only Warner Bros. can make."

GIANT WIRE from "Footlight" stars congratulates Strand on new all-time record.

“A BIG NIGHT IN THE MOVIES, OF THE MOVIES AND FOR THE MOVIES" was film critic Regina Crewe’s comment on this milling mob which closed entire Broadway block to traffic.

ARRIVES TODAY! First print of Paul Muni’s *The World Changes* is shipped to New York for preparation of elaborate campaign which will herald early release.

AND STILL THEY COME—in rain-soaked morning after opening, setting new first-day house record!
Battle Begins on Labor Terms

Affiliated Theatre Men Shy Clear of Arguments Over Labor

Washington, Oct. 5.—Affiliated theatres are shying clear of the fight in their labor dispute with the producers. Representatives of men and therefore the proposed plan permitting I.A.T.S.E. men to sit in on the settlement of disputes involving non-union, or unaffiliated operators.

In their initial excitement exhibitors, other than affiliated, hurled many direct charges at producer-controlled representatives. Several insisted the labor provisions, as drafted by Deputy NRA Administrator Rosenblatt, were intended by the exhibitors with the express idea of forcing many small houses to close.

One exhibitor remarked: "No more theatre mergers are necessary if this stand. Major circuits won't have to buy more houses. Those houses simply will pass out of the picture."

Following by a committee meeting with Ruben, but minus the presence of Rosenblatt, who shifted the scene in another of those events.

A. Employees associated with organization—projectionists, theatre managers, booking agents, clerks, journeyman painters, electrical workers, engineers, catering service personnel, stagehands, other skilled mechanics and artisans, and musicians, who are directly and regularly employed by the exhibitors, shall receive the minimum wage and work the maximum number of hours per week, fixed as of Aug. 25, 1933, as the prevailing scale wage for such employees.

B. Employees associated with organization—projectionists, theatre managers, booking agents, clerks, journeyman painters, electrical workers, engineers, catering service personnel, stagehands, other skilled mechanics and artisans, and musicians, who are directly and regularly employed by the exhibitors, shall receive the minimum wage and work the maximum number of hours per week, fixed as of Aug. 25, 1933, as the prevailing scale wage for such employees.

The prevailing scale wage shall apply to the employees of all theatres and for the purposes of this section shall be deemed to be that scale and the exhibit shall not be subject to the provisions of Section 5 hereof, and the determination of any dispute as above specified, the employee herein referred to as a "representative of the National Recovery Administrator shall designate such important person as the employer.

Stay on Changes

C. Pending the determination of any dispute, the rate of wages then paid by the exhibitor in such theatre or theatres in such community, and the maximum number of hours then in force (and not more than the hours provided for in this code) shall not be changed so as to decrease wages or increase hours.

D. In the event that there exist in the particular community, any theatre, whether such employees are affiliated with the American Federation of Labor, then a representative appointed by the American Federation of Labor, shall designate such important person as the employer.

E. In the event that there exist in the particular community any theatre, whether such employees are affiliated with the American Federation of Labor, then a representative appointed by the American Federation of Labor, shall designate such important person as the employer.

Boards to Decide

(a) If the question at issue arises with the organization of such employees affiliated with the American Federation of Labor, then a representative appointed by the American Federation of Labor, shall designate such important person as the employer.

(b) If the question at issue arises with the organization of such employees affiliated with the American Federation of Labor, then a representative appointed by the American Federation of Labor, shall designate such important person as the employer.

(c) If the question at issue arises with the organization of such employees affiliated with the American Federation of Labor, then a representative appointed by the American Federation of Labor, shall designate such important person as the employer.

Install Wide Range

Buffalo, Oct. 5.—Basil Bros, have installed wide range sound equipment in an event. Victoria, Genesee and Broadway theatres.

Code Parole Splits with Lines Drawn

MPTOA Will Stick 'Till Code Is Set

WASHINGTON, Oct. 5.—Regardless of what other exhibitor organizations may do, the M.P.T.O.A. will stick it out on the Washington office. A new code is finished, or Rosenblatt sends the delegation home, declared Ed Kuykendall, president, today.

"We cannot accept some of the provisions as they are phrased. The provisions that are in this code that we can work them out, and so we propose staying on the job," he said.

"Ninety per cent of the increased operating cost under the code is going to be borne by exhibitors and therefore we feel we are entitled to some consideration in framing trade practices which will prevail."

Particularly disturbing to the M.P.T.O.A. delegation are the labor provisions.

Supply Dealers in Haze on Rejection

WASHINGTON, Oct. 5.—Supply dealers whose code was the first to be rejected by the NRA, cannot figure it out. Many provisions in the tentative draft were drawn from other codes already approved by the NRA, and, as a matter of fact, were actually clipped and pasted.

Despite this, the draft was entirely rejected, necessitating a rewrite. About two-thirds of it is acceptable but one-third has been ordered re-drafted. This work is largely in the hands of J. E. Robbins, president of the Independent Theatre Supply Dealers Assoc'., who now is seeking definitions on unacceptable points from various NRA officials, including representatives of the legal, planning and research, consumers and labor divisions. When clear, the new code will be mailed throughout the country and a second hearing will be held here.

I.T.O.A. Expands Offices

Headquarters of the I. T. O. A. have been enlarged, but no weekly meetings will be held there. Tuesday gatherings will be continued to be held at the Astor Hotel.
WHO'S AFRAID OF THE BIG BAD WOLF?

*with a bow to Walter Disney*
these PARAMOUNT PICTURES will keep

"8 GIRLS IN A BOAT"

"THE SKY'S THE LIMIT"

"SHE MADE HER BED"
Maurice Chevalier, "THE WAY TO LOVE"

"TILLIE AND GUS"
W.C. Fields, Alison Skipworth and Baby LeRoy. Directed by Frank Capra.

"HELL AND HIGH WATER"

"WHITE WOMAN"
The wolf away from your door for many years!

**Take a Chance**

James Dunn
June Knight
Lillian Roth
Cliff Edwards
Lillian Bond
Dorothy Lee
Lona Andre
Chas. Bala Rogers

**Dorothea Wieck**

"Cradle Song"

**Alice in Wonderland**

Fredric March
Gary Cooper
Miriam Hopkins

Noel Coward's
DESIGN FOR LIVING

Ernst Lubitsch
Production

The illustrations are reproductions of Paramount Press Sheet Covers

it's the best show in town!
and the BIG, BAD WOLF got it in the end!

New York PARAMOUNT Theatre

Paramount's "TOO MUCH HARMONY" brings best business in 10 months.

S A E N G E R Theatre NEW ORLEANS

Paramount's "TOO MUCH HARMONY" brings best business in 15 months.

METROPOLITAN Theatre BOSTON

Paramount's "TOO MUCH HARMONY" Best business in 14 months.

PARAMOUNT Theatre LOS ANGELES

Paramount's "TOO MUCH HARMONY" Best business in 12 months.

NEW MAN Theatre KANSAS CITY

Paramount's "TOO MUCH HARMONY" does 200% of average business.

UNITED STATES Theatre PATerson, N. J.

Paramount's "TOO MUCH HARMONY" Best business in 8 months.

A L A B A M A Theatre BIRMINGHAM

Paramount's "TOO MUCH HARMONY" 200% of average business.

PARAMOUNT Theatre SPRINGFIELD

Paramount's "TOO MUCH HARMONY" Best business in 2 years.

PARAMOUNT Theatre NEW HAVEN

Paramount's "TOO MUCH HARMONY" Best business in 12 months.

if it's a PARAMOUNT PICTURE it's the best show in town!
**“My Woman”**  
(Columbia)

Fairly entertaining, this melodrama of a song and dance team who are doing their turn in a Panama cafe until Helen Twelvetrees sells Victor Jory, head of a broadcasting company, an idea that she should be given an audience only returns to the States. In order to get Wallace Ford, her husband, to go to the States, S. Miss Twelvetrees tells him that the audition is for him and not her.

Back in the States, the heroine gets her husband the tryout, she refuses the chance, much to the disappointment of Jory. Ford becomes the sensation of the day, gets swell-headed and falls for Claire Dodd with the result that he leaves his wife. On his own he is a flop and writes finis to his radio career. The heroine returns to the tropical cafe and her act as a blues singer. Shortly after Ford returns admitting his wife was his only pal after all.

The show angle will hold the interest generally and this should be played up in advertising, publicity and exploitation stunts. Victor Schertzinger directed.

**“East of Fifth Avenue”**  
(Columbia)

Average melodrama of a heterogeneous boarding house group, the joys of some of them and the sorrows of others. In this group are Wallace Ford, Dorothy Tree, Mary Carlisle and Walter Byron, around whom the story centers. Miss Tree, a show girl, waits the return of Ford, expecting him to own up to the wrong he has done. When he does return, he brings Mary Carlisle, with whom he has married while in New Orleans playing the horses.

Miss Tree seeks to commit suicide as the only way out, but is counseled by Wallace Connolly and Louis Carter, who are about to celebrate their golden wedding anniversary. While Ford is away from the house, his wife and Byron, a poet, find in each other a new dream world.

Ford wants to quit horse betting. He tries to get a loan of some money from his friends for the last big clean-up so that he can get into the garage business. Turned down by his pals, Miss Tree takes $1,000 from the Connolly home and leaves a note explaining the loan. She gives the money to Ford and he bets it all on a nag. Spotted by Ford the note, finds the money missing she dies of heart failure. Ford wins on his bet and Miss Tree returns the money to Connolly, who later commits suicide, keeping a death pact with his wife. The hero learns his wife and Byron have blown the coop, but he finds a renewed happiness in Miss Tree.

**Lesser Will Set Up European Branches**  
(Continued from page 1)

The continent. Headquarters will be here.

Distribution outlets are planned in London, Paris, Rome, Barcelona, Vienna, and Stockholm to supplement the 24 franchise holders in the U. S. Max Gluckmann will handle South America and Mexico distribution also has been set.

Upon Lesser’s return production will get under way on “Chicago Sal,” “Peck’s Bad Boy” and an untitled Harold Bell Wright story. About 200 subjects will be released by Principal including the Tarzan series, six James Oliver Curwood stories, two special adventure series and many other novelty shorts.

**“Tarzan” to Be Sold As 9-Reeler Abroad**

Sol Lesser, president of Principal Pictures Corp., has decided to release “Tarzan the Fearless” in nine reels abroad, eliminating the serial form, which was distributed in the United States in addition to the feature.

**Spellman Radio Ed**

HOLLYWOOD, Oct. 5—Howard Spellman, former New York attorney and writer, has been signed as story editor for Radio.

**Looking ‘Em Over**

**“Midshipman Jack”**  
(RKO Radio)

Pretty good melodrama of cadet life, which, in addition to bringing out the rigid observance of rules and regulations (which the midshipmen, has as its main plot the romantic adventures of shore Cabot, Betty Furness and John Darrow, Arthur Lake, as the dissatisfied plebe and his sister, Florence, supply a number of laughs. As one of the four students who failed to graduate, Cabot is put in charge of a group of plebes, new students. Frank Albertson is made his assistant.

Lake gives Albertson a lot of trouble, but at times Cabot is forced to intercede to save the former from a beating.

Meeting Miss Furness, the commandant’s daughter, Cabot starts a romance with her which has him breaking regulations so that he can be with her. To displease Cabot’s buddy, has been put on guard as the heroine and, noticing the sudden interest of Cabot, tells him that he is engaged to her. The heroine denies this and tells Cabot she is interested in him only.

While out maneuvering in a sub chaser, Cabot’s craft crashes into a seaplane in restricted waters. The hero takes the blame and is expelled for the affair, although it was Albertson’s fault. Albertson, seriously injured in the crash, tells cabot he is going to own up to the accident. His story is heard by the commandant and his daughter, and the hero is ordered back into service with full honors. Miss Furness likes the idea of Cabot making a hero of himself and takes him under her wing for the rest of his life. Christy Cabanne directed. Glendon Alvaine was associate producer.

**“Police Car 17”**  
(Columbia)

Melodrama concerning the activities of a radio car division of the police department. It will star Tim McCoy, although the hero is a cowboy and, being a cowboy make-up for a policeman’s uniform. Evelyn Knapp is fair in the leading feminine role. Edwin Maxwell, as the gang leader, handles a difficult role well.

Meeting Miss Knapp, a school teacher, on one of his rounds, McCoy takes a fancy to her. He learns she is the daughter of Wallis Clark, a police lieutenant, who has been injured by Edwin Maxwell, head of an underworld clique. Although the heroine is going with one of Maxwell’s henchmen and doesn’t know it, the hero continues his love making to Miss Knapp. The gang pulls a jewelry robbery and two of the thieves are killed. The other thief, Cabot, gets out of it well. McCoy learns where they have been taken from Bond and arrives just in time to save the heroine’s father from being murdered. It’s meat for youngsters who like copper-gangster yarns.

**SHORTS**

**“Strange As It Seems”**  
(No. 2)  
(Universal)

Plenty of curiosity to hold the interest of the most jaded fan. In particular there are shots showing a Navajo Indian shaving with a piece of tin and a farmer scratching his nose with his nether lip. Well worth while. Running time, 10 mins.

**“The Seventh Wonder”**  
(Monogram)

One of the series of “Port O’ Calls” produced by William Dizor. The Seventh Wonder of the World is the Panama Canal and this subject covers it from all angles. Scenes of Panama itself, and some of its interesting highlights are also pictured. Deane H. Dickson is the monologist and is clear in describing the effect at all times. Running time, 9 mins. —

**“Butterfly”**  
(Audio Productions)

Second of a series by Erpi Picture Consultants. It is a film showing the laying out of eggs, caterpillars and other phases of insect development. Interest for child audiences. The narrative by Dr. Clyde Fisher of the Metropolitan Museum. Running time, 10 mins.

**“Five and Dime”**  
(Universal)

Oswald and his cartoon characters get all messed up in a five and dime store and their antics provide some good laughs. Repetition of “I found a Pound Million Dollar Baby in a Five and Ten Cent Store’ becomes monotonous after a while. Running time, 8 mins.

**Legal Phase of Star Pay Cuts a Worry**  
(Continued from page 1)

Aligned with him are reported to be Sidney R. Kent, president of Fox; Nicholas M. Schenck, president of M-G-M and Loew’s, and George J. Schaefer, general manager of Paramount. Those opposed are understood to be R. H. Cochran, vice-president of Universal; J. C. Cohn, vice-president of Columbia.

Meeting behind closed doors all day except for an interlude this afternoon to see the Senators lick the Giants, producers were at it again this week with one article as the reported battle ground over which they are again mulling. Warner is record on wage thus already with fixed ideas on salaries. He previously has aimed his views on the way to adjust the economic balance in the industry, and that is to trim top salaries and add to the bottom.

**Sets Deadline for Claims**

St. Louis, Oct. 5—Under an order of United States District Judge Thomas B. Davis in the receivership suit against the St. Louis Properties Corporation, a group of bondholders, to be paid $90,000 by the corporation not heretofore presented must be submitted to the receiver within 90 days from September 29, otherwise such claims will be barred from participation in any dividend which may be made in the case.
Back Stage and Off Record

By FRANK SCHAFFER

From abroad:
Every film studio in Italy is working overtime and show business is excellent. . . . Warners may build their own theatres in Holland. . . .
Germany expects to do big business with "Cavalcade," "State Fair" and "Zoo in Budapest." . . . A new studio has been built in Hammer- stadt, England, to be known as Triumph Film. Reginald Smith is man-
ing director. . . . Alscase-Lorraine needs foreign pictures. France only delivers about 200 a year, Germany only a few and America even less. . . . About 165 features are scheduled to be made in Germany in the new season. . . . A little over four million people in Germany are out of work, or more than a million less than last year.

The Royal Court Theatre in Liverpool is now a music hall playing eight acts of vaudeville. . . . "The Sign of the Cross" and "Rain" are, for the time being, forbidden in England. . . . "Moonlight and Melody" will be known in England as "Moonlight and Melody." . . . Gambling casinos on the style of Monte Carlo will be built in Carlsbad, Baden-
Baden and other German summer resorts. . . . Most American tours booked to appear in London engage "classical"instead of "vaudeville." . . . Poland has only one studio. Makes about a dozen pictures a year but needs 250—a chance for America to cover the market better. . . .

In 1923, the Rose imported from abroad a midget troup to be known as Ferdinand Singer's Midgets (no relation to Leo Singer) and has paid the troupe over $20,000 in salary in six years. Yet these little folks have never paid the Government a cent of income tax. They are not yet at the World's Fair in Chicago. . . . Of the about 25 eating places on West 47th St., between Broadway and Sixth Ave. The only one frequented by actors and executives is Gerson's, next to the Palace stage entrance. . . .

John Ringling, the circus king, looks worried and his hair is bunched up. He's a bit worried, too. He's taking a trip to The World's Fair, is getting stouter and Bessie Mack is reducing on a "Webers Tea" diet. . . . Ed Davidow, booking agent for "legit" shows, would like to reduce his large quar-
kers in the Bond Building, but by doing so, this might hurt his business reputation. . . .

Bert Lahr says: "The world is a comedy to those that think; a tragedy to those who feel."

And Walter Kelly says: "If we cannot live so as to be happy, let us at least live so as to deserve it." Since Gomez and Vinona started the "Bolero" many dancing acts now are doing ditto.. . . Russell Patterson may do the scenery for the "White Horse Inn." . . . Mills-Kirk-Martin, comedy trio, will lose one of their members. It will be Harry Martin, who has an offer to go on the air. . . . The House of Morgan, who appeared for five weeks in Chicago, says she didn't get to the World's Fair, because she was too busy applauding Milt. . . . Cliff Hall, Jack Pearl's partner, is getting along nicely. The auto accident has marr ed his face and neck with 47 stitches. He resumes his broadcasting with Pearl Oct. 7. . . . "Count" Bennett has secured the right for America of the stage play "Die Stadt Ohne Juden." . . .

Dake Kramer and Jack Boyle are partners again. . . . Theodore Dreiser very often takes his meals at La Petite Bretone on West 55th St. During luncheon hours one may see there many film actors in their make-up from the Fox studio. . . . Did you see the five carat diamond ring on Hatty Alhoff's finger? She tells everybody it is a present from an admirer. As a matter of fact, it is an heirloom from her father. . . . One hundred and twenty-five musical bell ringers from Sweden will visit America. They pay their own fares both ways, but will listen to dates for vaudeville or picture theatres. . . . George Price who works strenuously for the A. B. A., sans pay, is an idealist.

Erik Charell, European producer, can't understand why American managers plaster beautiful lobbies with cheap card boards. . . . For-
mer Ambassador Gerard, passing the Capitol Theatre, made the same remark. . . . Roy Smeck has a patent on a "pick" for banjos, guitars and "ukeles" and collects $50 a week in royalties. . . . "Zit Cosmopol-
tian" is still the feature sign of the Martin Theatre. Single majorists and comedians with stools will soon be no longer in demand, says a broker of a major vaudeville circuit.
BAIT

FOR 20 MILLION PEOPLE!
INDIANA POLITICIANS SAY...

"IF YOU CAN'T LICK 'EM

..JOIN 'EM"

Can you imagine this? The other day an exhibitor said to one of our salesman, "I'm afraid to play those Culbertson pictures... they may teach my customers to play Bridge and keep 'em away from my theatre"... how's that for an excuse to pick your own pocket?

There are only twenty million bridge players in the country and that's about one-third of the adult population of every man's town, and a lot of 'em are staying away from the theatre right now!

When you go fishin' you've got to have bait, don't you?

You buy star pictures because you know they've a following... you buy popular novel pictures because they've been read and people want to see what the characters look like! In other ads we've told you a lot of interesting and surprising things about this fellow Ely Culbertson... bridge wizard and showman. Showed you where and why he gets more fan mail than a Hollywood queen... told you about his 4,000 teachers and their 600,000 pupils... showed you why he commands the front page of every newspaper, why one of his books sells more copies than the ten "best seller" authors.

—It's because twenty million people are interested in him, what he says, what he does that they'll lay their dough on the line to see him. Those are the folks that right now are dealing out the cards... the ones you want to pull into your theatre... and Mister, Ely Culbertson and his "My Bridge Experiences" are the bait! Bring those people in six times and you'll be just six times better off than you are right now... and, besides, you've got a pretty good chance of convincing them that yours is a right nice opera house and that the movies after all are a nice change from staying home every night.

Well, we've told our story... RKO-Radio has the pictures ready... six of 'em, honeys! Funny, thrilling and darned good entertainment for everyone. When you book 'em, give 'em the works... advertise 'em as you would your biggest feature. There's a real showman's campaign book ready, filled with ads, publicity, stunts... we've posters, lobby displays, novelties galore to lure 'em in. This ain't no side-show—it's a circus!

Yes, sir, they're playing bridge right now! "If you can't lick 'em... join 'em."
Twin Cities Give $10,500 To "Dr. Bull"

MINNEAPOLIS, Oct. 5.—"Doctor Bull" was the only attraction that displayed any strength in the Twin Cities this week. It was $500 up at $5,300 in the State here, and across the river it reached par, $5,000, at the Paramount.

"Pilgrimage" held up to $1,500 at the Lyric here and reached $800 for four days at the Tov in St. Paul.

The total five Minneapolis houses totaled $16,700 where average business is $17,200. St. Paul's four, usually grossing $14,000, did only a $13,400 business.

Estimated takings:

**Minneapolis**
- Week Ending Sept. 28: "BEAUTY FOR SALE" (M-G-M) $3,000. (Average, $876.)
- "VARMLANNINGARNA" (State Rights) $2,500. (Average, $1,875.)

**St. Paul**
- Week Ending Sept. 29: "DOCTOR BULL" (Fox) $2,200. (Average, $550.)
- "PILGRIMING" (Fox) $1,500. (Average, $300.)

Chicago, Oct. 5.—"Lady for a Day" on the screen with Lou Holtz heading the stage bill was the strength in the top spot this week. It gave the RKO Palace a fine $29,500, indicating the important part played by the Lou Holtz vehicle in the week's business is the fact that it was spotted into the B. & K. McVickers for a second week.

"Bureau of Missing Persons" was good for 10 days at McVickers, showing a good, slow pulling power, with $16,000 in the tol.

Total first run business was $122,500. Average is $1,200,000.

Estimated takings:

**Week Ending Sept. 29:**
- "PADDY, THE NEXT BEST THING" (Fox) $1,800. (Average, $720.)
- "BUREAU OF MISSING PERSONS" (M-G-M) McVickers—(2,100), $3,000; 30c-40c-60c, 7 days. Gross $1,200. (Average, $160.)

**Week Ending Sept. 28:**
- "I LOVED A WOMAN" (Univ.) CHICAGO—(4,000), 30c-50c-60c, 4 days. Gross $9,500. (Average, $2,375.)
- "LADY FOR A DAY" (Col.) PALACE—(2,500), 30c-50c-75c, 7 days. Gross $3,300. (Average, $471.)
- "GOODBYE AGAIN" (F. N.) TOWER—(1,000), 15c-25c, 4 days. Gross $400. (Average, $100.)
- "TURN BACK THE CLOCK" (M-G-M) PALACE—(3,000), 25c-40c, 7 days. Gross $1,200. (Average, $169.)

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... and so on...
Revamping of Publix Units Gets Approval

(Continued from page 1)

under a special contract in which the trustee reserves the right to buy back Black's stock under certain conditions.

Hoblitzelle will also be retained as manager of the new corporation formed out of the Interlantic Circuit of Dallas. He will make a cash payment of $25,000 to help form the new corporation and receive one-half of the common stock. The trustee will retain the other 50 per cent. Hoblitzelle, in his new contract, is to arrange for the leasing of several theatres in his territory, and it is said that he has already done this.

The Virginia-Tennessee question involved three corporations, the Virginia-Tennessee Corp., of which the bankrupt held all of the common stock, Public-Virginia and Public-Newspaper, of which the bankrupt held three-quarters of the common stock. Perry is to manage the new corporation, and will receive 49 per cent of the common stock, for which he will pay $10,000. The trustees also reserve the right to buy back the common stock from Perry. The hearing on the reorganization will continue Oct. 23.

New Deal for Roxy

Is Seen by Spring

(Continued from page 1)

with Howard S. Cullman, receiver, early in January, the house has steadily been improving from a business standpoint. It was reopened Jan. 22 with "The Death Kiss." Cullman has about $250,000 in receiver's orders, which are expected to be satisfied by early next spring. About $35,000 is needed to swing the deal for Arthur. The receivership will continue Dec. 15 and in all probability Cullman will be reappointed. He was continued as manager on June 15. Operating net for the house is now around $20,000 a week. Last week the Roxy grossed $24,000 and is headed for $35,000 for the current week. F. & M. Stage shows, Inc., in which Arthur is interested, has been producing the stage attractions since Jan. 22 and the house has had only three or four losing weeks since then.

"Diggers" Argument Ended on 35% Deal

(Continued from page 1)

"Gold Diggers of 1933" is the understanding that exhibitors will not have to pay more than the 35 per cent of gross. The deal also carries no guarantee and are understood to provide that if exhibitors do not break even on the run of the musical the 35 per cent will be readjusted accordingly.

In making deals for the picture, exhibitors do not have to include the 59 other Warner-First National films. Also, the exhibitor does not have to take "Gold Diggers" with the other product. Warners also have the right to either sell the musical independently of the 59 other pictures or include it. The company has been selling the picture on a 50-50 basis in a number of spots.

Fox and Rex Bell in Deal; Wife May Quit

Hollywood, Oct. 5.— Fox Studios and Rex Bell are said to be in the market for a deal calling for the cowboy-actor to appear in a series of selected pictures.

It is also reported on reliable authority that his wife, Clara Bow, is definitely through with pictures and will retire from the screen permanently with the completion of her current Fox film, "Hoopla."

Attention to Picture Producers!

COLONEL F. MAYBOHM

and his

RUSSIAN REVELS 1933-34

Available for Short and Feature Pictures

LAST WEEK

PALACE, N. Y. C.

THIS WEEK

EARLE, PHILADELPHIA

with RKO, BOSTON AND PROVIDENCE to follow

—Personal Direction—

MURREL-HODGDON OFFICE, 137 WEST 46th STREET, NEW YORK

Just Collects Taxes

Cincinnati, Oct. 5.—Carlos A. Harrison, manager of Keith's, says a movie house under his control recently sold tickets in the hope of making a profit. Now it is merely a tax-collecting agency.

Simon Is Upheld in Fight With Webbers

The Simon Agency has been upheld by the board of arbitration of the Artists' Representatives' Ass'n in its arbitration of the Simon and Warner-First Circuit agreement. Mr. Simon, who sold out his interest in the firm of Weber & Simon last December, were soliciting acts on its list and trying to book them with the RKO circuit. Among the players involved were said to have been Hobart Bosworth, Estelle Taylor and Morgan & Mack.

The arbitration board's ruling is that all acts on the list of the Weber & Simon firm at the time of the split-up shall continue to be represented by the Simon Agency and at such time as a written release is issued to any of them. The board forbids the Weber brothers from soliciting any of these acts.

The ruling was made known in a letter to the Simon Agency signed by Charles, Simon, and M. L. Mattingley, secretary of the board of arbitration of the Artists' Representatives' Ass'n.

House at Hamilton

Now Extends Credit

HAMILTON, O., Oct. 5.— Employees of local industries, who occasionally over-extend themselves between paydays, are not obliged to give up their money just before the Blaito by reason of depleted finances.

Manager John A. Schwalms removed his habits and is supplying credit for admissions to a reasonable extent upon the patron's promise to pay. "They invariably call and settle up when the next payday rolls around," Schwalms says.

Three Pigs' Big in L. A.

 LOS ANGELES, Oct. 5.— Present popularity for booking dates on "Three Little Pigs" bids fair to exceed the demand of "She Done Him Wrong" at least in Los Angeles territory. There are at present twelve prints on hand for this territory and are being engagements or extended runs surpassing six play dates and the surface of demand has just been scratched. Simultaneously the distribution of this particular cartoon to the thematic music and words of "The Big Bad Wolf," which has been popularized over the air to such an extent that it is becoming a force of habit with most everyone to either hum, whistle or sing the song, and you can't get away from associating the song with "Three Little Pigs."

Warner Feting Officials

Hollywood, Oct. 5.— Harry Warner will entertain 500 national, state, county and city officials Friday at a luncheon, at the Warner-Fair National Studios in honor of the Congressional Naval Affairs Committee.

Actors Take Over Charter Of the Guild

Hollywood, Oct. 5.— Actors who have the Academy have decided to take over the charter of the Actors' Guild, which is affiliated with the Writers' Guild. Present guild officials have made way for new officers, who are as follows:

President, Eddie Cantor; first vice-president, Adolph Menjou; second vice-president, Fredric March; third vice-president, Ann Harding; secretary, Kenneth Thompson; assistant secretary, Morgan Wallace; treasurer, Groucho Marx; assistant treasurer, Lucille Gleason. All of these and the following constitute the board of directors: Ralph Bellamy, Boris Karloff, Claude King, Robert Montgomery, Frank and Ralph Morgan, Chester Morris, Ivan Simpson, Spencer Tracy.


The new organization decided to permit all classes of actors to join. It aims to be as strong in the screen field as Equity is in the stage. The guild will grant a franchise with local autonomy remains to be seen, though it is strongly hinted as a possibility. A general mass meeting for actors is to be held Sunday night. The aims of the organization will be discussed and a membership drive will be started.

Ohio Censors Ease Up on "Baby Face"

COLUMBUS, O., Oct. 5.— "Baby Face," which the censors barred from Ohio a few months ago after having deleted certain portions in the hope of passing the picture, and which Beverly O. Skinner, censor chief, declared "dangerous," has made a legal appeal. The decision has not been released and will be shown in several situations where it was released in the versions censored.

Discuss Distribution Of Educational Films

GENEVA, Oct. 5.— Discussions on distribution of educational films and the removal of duties and other restrictions tended to improve the world distribution highlighted an international conference here today.

Columbia Signs Friml

Hollywood, Oct. 5.— Rudolf Friml has been engaged by Columbia to write the book and score for the Grace Moore picture to be produced as "The Laughing Child." Friml, husband of the operatic star, will play opposite his wife.
Universal's New Deal!

UNITED THEATRES of CALIFORNIA

(Eugene Emmick, M. Naify, R. A. McNeil, Sam Levin)

sign for

UNIVERSAL
—Features, News, Serials and Shorts, 1933-34

Thanks, Messrs. Emmick, Naify, McNeil, and Levin for your confidence in Universal Pictures. We will do our part.
**Aimee’s Week On Broadway Dismal Flop**

One of the outstanding developments of last week on Broadway was the flop of Aimee Semple McPherson at the Capitol. With the evangelist on the stage, the theater was sold. The Sadie Skaggs held over, but on the screen, the take fell off to $28,365. The previous week, with “Beauty for Sale,” there had been a vaudeville and a vaudeville stage show, the gross was $39,000.

“My Weakness” at the RKO Music Hall was an outstanding hit. It went to $87,116 for the week, topping the mark set by “The Power and the Glory” the previous week by $12,595.

The Paramount had a fine week with “The Great Ziegfield.” Aimee Semple McPherson, “Dinner at Eight” was good for $19,416 in its fifth week at the Astor.

The much-talked-about “Emperor Jones” held up to $22,000 in its second week at the Rivoli. It took $36,450 in the first week.

**Estimated takings:**
- **Week Ending Sept. 27:**
  - **BERKELEY SQUARE** (Fox) Gross: $18,960, 4th week, 7 days.
  - **HARMONY ROAD (F.R.O.)** (Para) Gross: $18,915, 6th week, 7 days.
  - **HOLLYWOOD (14,245)** Gross: $18,905, 7 days.
  - **MY WEAKNESS** (Fox) Gross: $17,960, 7 days.
  - **SINGING MAMA** (M-G-M) Gross: $17,950, 7 days.

**Week Ending Sept. 28:**
- **SOLITARY MAN** (M-G-M) Gross: $17,900, 7 days.
- **LADY FOR A DAY** (Col.) Gross: $17,850, 7 days.
- **TOO MUCH HARMONY** (Paramount) Gross: $17,800, 7 days.
- **SONG AND DANCE MAN** (Kol.) Gross: $17,750, 7 days.
- **LINCOLN** (M.G.M.) Gross: $17,700, 7 days.

**Week Ending Sept. 29:**
- **S. O. S. ICEBERG** (Univ.) Gross: $17,650, 7 days.
- **LADY FOR A DAY** (Col.) Gross: $17,600, 7 days.
- **THE GREAT ZIEGFELD MOON** (Para) Gross: $17,550, 7 days.
- **ROXY** (RKO) Gross: $17,500, 7 days.
- **RIO** (M.G.M.) Gross: $17,450, 7 days.

**Stock to Start in N. O.**

**New Orleans, Oct. 5.—** Gus Couts, former manager of the Saenger, is opening a dramatic stock company of 12 people at the Palace, a former RKO house, which has been closed for the past three or four years. At the present, the company will open Oct. 8, with a 30-cent top.

**operator Heads Union**

**Grand Island, Neb., Oct. 5.—** Roy M. Brewer, newly elected president of the Nebraska State Federation of the IATSE operators’ local of Grand Island. He has been active several years in local and state union circles.

**Hoehle Goes to Pitt**

**Pittsburgh, Oct. 5.—** Harry Hoehle, for a long time musical director at the Penn, has been named to a similar post at the Pitt, which opened last week under a combined picture and vaudeville policy.

**‘Twas Hot—Also Wet**

Tampa, Oct. 5.—The Central, leading colored theater here, had a booth fire. The film in the upper magazine of one of the projectors caught, and the heat set off the sprinkler system, giving the customers a drenching.

It was a hot night anyhow, and then the code had not as yet prohibited the giving of premiums, so the stunt went over big. In fact the audience seemed to enter into the spirit of the thing, and did a good business as it scurried through the exit.

Frank Young manager, says: “Nobody put up a squawk or asked for a pressing club ducat.”

The loss to the theatre was slight. The final check showed very little damage up to a projector whose film was destroyed and the theatre needed a good scrubbing.

**“Harmony” Is $23,000 Wow On the Coast**

Los Angeles, Oct. 5.—“Too Much Harmony” put the Paramount on easy street last week with a gross of $23,000, or normal by $5,000. Roscoe Ates on the stage helped.

“Doctor Bull” was also a strong draw at Loew’s State, when it took $16,000 for a two-day run. The State’s policy of reserving “Dinner at Eight” held up to $17,192 in its fourth week at Grauman’s Chinese.

It was something of a disappointment at $8,800 at the RKO, “Gold Diggers” demonstrated that time hasn’t impaired its drawing power by selling $13,000 at Warner’s Downtown, second run.

Total first run business was $103,922. Average is $80,000, without the Filmarite, Criterion, Los Angeles and Orpheum.

**“Penthouse” Leads Pickup In Pittsburgh**

Pittsburgh, Oct. 5.—Business all over town last week hit a new peak for the fall season, with the fourth take being considerably beyond average right down the line.

Leading the way from a tie with “Emperor Jones” is ‘Shanghai Madness’ which, helped by generous space in the Hearst paper and good notices, it did $36,100, the best figure here in some time. Next in line was “One Sunday Afternoon” at the Warner, at $6,300.

Herman’s new offering, “Herman and Eddie” took $4,750 at the Stanley, gathering $10,000, while “Shanghai Madness” fell away at the Fulton, after a great start, to $3,250.

The Davis picked up a bit with “Ladies Must Love” to $2,200, although that is not profitable and the house may soon switch to second runs, possibly on a split week.

A new first run site was added to the market sector last week when the Pitt opened as a combination vaudeville and picture house.

Total for the four first runs was $40,000. Average is $33,500.

Estimated takings for the week ending Oct. 5: 5

- **LADIES MUST LOVE** (Univ.) Gross: $17,192, 3 days.
- **SHANGHAI MADNESS** (Fox) Gross: $11,800, 6 days.
- **TORCH SINGER** (Para.) Gross: $10,000, 6 days.

**Cord” and Show $11,800, Buffalo**

**Buffalo, Oct. 5.—** “The Silver Cord,” helped by a strong vaudeville show, hit $11,800, over normal by $1,000, at the Great Lakes last week.

“Morning Glory,” also with a vaudeville show, was good for $16,000, up by $1,000, at the Buffalo, “Voltaire” and “Midnight Mary” were strong at the Hippodrome and Century.

Total first run business was $47,500. Normal is $4,300.

Estimated takings for the week ending Sept. 29:

- **MORNING GLORY** (Radio) Gross: $11,800, 3 days.
- **THE SILVER CORD** (Radio) Gross: $11,800, 3 days.
- **MIDNIGHT TOP** (M-G-M) Gross: $11,800, 7 days.
- **THE OUTSIDER** (M-G-M) Gross: $11,800, 7 days.
- **BRIEF MOMENT** (Colombia) Gross: $5,800, 8 days.

**Renew Union Contracts**

**Ponca City, Okla., Oct. 5.—** The leading operators’ union has renewed contracts for two years here with the Ponca, Murray and Roxy Theatres. At Enid the Four Griffith houses continue to operate with non-union stage hands and operators.
Straight 10% Cancellation Is Conceded

Rosenblatt Gains Point From Distributors

WASHINGTON, Oct. 6.—A straight 10 per cent cancellation of some of the pictures which average $250 or less with no strings attached, has been dangled for exhibitors from distributors by Rosenblatt. “It was a tough job,” he said snidely as he made the announcement late this afternoon.

This looks like a compromise between the stand taken by distributors for 15 per cent cancellations in brackets of five and the demands of the M. P. T. O. A. for straight 15 per cent eliminations with no portion of the rentals kicking back to distributors. Allied, at the New York code conference, is understood to have moved for a straight 20 per cent concession. Asked specifically if the 10 per cent privilege meant a partial rebate on rentals to distributors, Rosenblatt replied that the cancellation was flat.

(Continued on page 3)

Actors Summon Big Meeting for Guild

HOLLYWOOD, Oct. 6.—A mass meeting of producers in Hollywood has been called by the Actors’ Guild for Sunday night at the El Capitan Theatre. Representatives of the Guild believe that after they have made their plans known every actor will want to join forces with the new organization, and have called the mass meeting with that in mind.

Strikes Hit Houses In Pittsburgh Area

Pittsburgh, Oct. 6.—Business in the territory immediately surrounding Pittsburgh has been given a terrific jolt in the last couple of weeks by the spread of industrial strikes. Coal miners and steel workers have refused to abide by the code, holding out for recognition of their own unions, with the result that around 15,000 men in Pittsburgh are idle.

Pantages Acquires Orpheum, Portland

PORTLAND, Oct. 6—Interests close to Alexander Pantages today acquired the Orpheum, located in Portland’s new Pacific City. This was the second house he acquired when he started his first circuit 20 years ago.

Look for Finished Code By Wednesday at Latest

Code Workers Worry About Home Critics

WASHINGTON, Oct. 6.—Having worked day and night for weeks, many exhibitors leaders here are concerned as to how members of their respective organizations will view the final terms of the industry code.

To observers it seems safe to assume the general exhibitor body in the field has little or no idea how grueling has been the routine their appointed delegates have been experiencing from the day that code formulation started in New York on.

(Continued on page 3)

Missouri Governor Leaves Taxes Open

JEFFERSON CITY, Mo., Oct. 6—Without specifically recommending a general sales tax, which is known to Governor Guy B.ählen, in his official proclamation calling a special session of the Missouri legislature.

(Continued on page 4)

Federal Ban Upon Strikes To Be Sought

WASHINGTON, Oct. 6.—A move will be made to outlaw strikes by Federal statute when Congress convenes in January. Motion Picture DAILY learned tonight.

Designed for incorporation in the contemplated law will be a provision requiring that all labor disputes be handled locally and if no agreement is reached the controversy will be passed on to the National Labor Board, the findings of which will be binding on labor and employer alike.

(Continued on page 3)

Cameramen’s Kicks Reach Rosenblatt

WASHINGTON, Oct. 6—Cameramen are dissatisfied with the NRA code provision which stipulates that they cannot be relieved of their duties while a picture is in production and be replaced by other cameramen, Deputy.

(Continued on page 3)

Balance of Power Is Shifted On Zone Board Membership

WASHINGTON, Oct. 6—More evenly distributed balance of power between affiliated and independent theatres on the proposed local grievance boards, as well as on the proposed local clearance and zoning boards, was assured today when Deputy NRA Administrator Sol A. Rosenblatt declared that the NRA code proposals covering the personnel of each type of board had been clarified for that purpose.

The code, as now drawn, merely stipulates that each grievance board shall consist of two representatives of major distributors and two representatives of exhibitors and draws no line covering their affiliations. As revised, one distributor member is to be drawn from the ranks of affiliated distributors and one from the ranks of distributors not engaged in exhibition.

Likewise, one exhibitor member is to be drawn from the ranks of affiliated theatre men and one is to be entirely independent. The fifth member, who is impartial, undergoes no change in status.

The addition of the word “independent” makes a vital difference in the contemplated setup of the clearance and zoning boards. The code now designates their personnel as being composed of two distributors, one of them affiliated and one not, plus two first-run exhibitors, one of them affiliated and one not, and also two subsequent-run exhibitors. The all-important word goes before “successor,” making it compulsory for subsequent-run exhibitors to be independent and entirely free of affiliation with any producer or distributor.

May Revise Clause On Standard Pacts

WASHINGTON, Oct. 6—The provision in the NRA code that the optional standard license agreement is to prevail is apt to undergo revision along with other proposed changes.

Analysts here are querying whether distributors would have the right to write in rider clauses such as the one now existing with some distributors whereby they agree to sell their product only to those exhibitors who agree not to couple it with.

(Continued on page 3)

Article 10 to Be Completed Today

WASHINGTON, Oct. 6—The deadline on Article 10 of the producers’ code, which Motion Picture DAILY has stated will include a salary-fixing commission, is Saturday afternoon. When submitted, according to Deputy.
"Charlie Chan's Greatest Case"

What is perhaps the greatest surprise in this addition to the Charlie Chan mystery series is the fact that Chan is the head of a populous family of Americanized Chinese offspring of all sizes and ages, and that, in the event he is not successful in solving the double murder with which he is here concerned, he will be obliged to go back to the laundry business in order to support the brood. Which, moreover, is probably the explanation of why this particular case is Chan's "greatest."

The story and the unravelling of the murder mystery involved follows the usual method in that it is the bulk of the murder to a number of persons and achieving the denoument by a ruse performed in the presence of all the suspects and calculated to cause the guilty one, who, incidentally, is to be designated, to incriminate himself by duplicating evidence associated with the crime. Needless to say, Chan is not obliged at the conclusion to return to the laundry business.

The story is engagingly performed and manages to hold the interest. In addition to Warner Oland, the cast includes Heather Angel, John Warburton, Virginia Cherrill and Robert Warwick.

"The Torch Singer"

(Cloudette Colbert) is seemingly miscast as a torch singer in this melodrama which is not fair entertainment. Ricardo Cortez tries hard to carry the picture but fails. Baby LeRoy, shown in a short scene, got over great with a Paramount audience yesterday.

Levy Closes with B. & K.

Jules Levy, RKO general sales manager, has been named for showing of the company's entire 1933-34 list in 36 de luxe spots.

Make Mexican Tieu

MEXICO CITY, Oct. 6—Ambrose Dowling, in charge of sales for RKO Export Corp., has just effected a tieup with Station XEW, one of the largest in Mexico and Central America, to broadcast radio picture news once a week.

Warner Pd. Makes 3-Point Rally


Capitol Releases Set


"The Mad Game"

("Fox"

Hollywood, Oct. 6—This is an important program release, translating front-page kidnapping reports into virile drama. The film, distinctly anti-kidnapping and approved by the Rays organization, should give the live exhibitor a chance to cash in on the publicity now appearing throughout the country. Spencer Tracy gives an outstanding performance as a gangster turning the tables on the snatch racket boys. The real showman is apt to clean up with this one.

"Purely Personal"

"PAT" DONAHUE, formerly with Paramount, is the new script girl and general secretary to Educational at the Astoria Studios.

FRANCES DRAKE, American actress, who has been appearing on the English stage and screen for the past two years, is en route to Hollywood under Paramount contract.

ERNEST TRUES has been signed by Educational for the first of its series of "Star Comedy Specials" as yet untitled. Work is to start next week at Astoria.

ALICE MACMAHON has postponed her return to the coast until early next month, in order to attend the opening here of "The World Changes."

MARQUIS HENRI DE LA PALAISE has left Astoria, husband of Connie Bennett, to make the Lafayette for a short visit to France.

MAX KUPFERNSTELN of the Earle Theatre, Philadelphia, has transferred his family from Boston, where he formerly worked.

COLEEN MOORE will leave for the coast within two weeks to start work in "Success Story" for Radio under her new contract.

LEE SHUBERT has returned from Washington where he attended the opening of "Her Mask of Wax."

WILLIAM MORRIS, JR., has arrived from the coast after almost a year's absence from New York.

STOFNAGLE & BUBB have been signed to do an Educational short at the Astoria Studios.

JACK WHITE starts work Tuesday on the Astoria Studios on his second Educational comedy.

RALPH GREENE is in Pittsburgh on a special exploitation stunt for "Lady for a Day."

RICHY CRANE, JR., has been signed by SAM SAX for a Vitaphone short.

SYMON GOULD has left New York for Hollywood.

"Technicolor Up 3/4 in Quiet Market"

Warner Bros., Inc., has increased its Technicolor production to 1,600 feet of high speed only a year ago. This year the Technicolor usage is expected to exceed 2,000 feet.

"Pathes in 5-Point Rise"

Mr. and Mrs. Jack E. Warner, Inc., have added five new Pathes to their roster of Pathes, starting with "Pathes of the West" at the Astor.
No Radical Changes is Prediction
Looking for Code Windup
On Wednesday

(Continued from page 1)

Jack Miller, chairman of the committee, expressed himself as being in accord with that thought. He is now divided on whether or not the motion was pulled. His motion will be considered by the executive board.

Other code developments today brought about clarification in the setup of the proposed grievance and clearance, and arbitrating boards to divide the balance of power between affiliated and affiliated distributors and exhibitors.

A straight 10 per cent cancellation on pictures averaging $250 or less in price would be offered for exhibitors who work with Rosenblatt, who said the arrangement worked out to be flat for no strings attached. Changes in the standard option and duress clause also loomed as a possibility.

On Saturday Articles 9 and 10 of the proposed code will be reported, according to the deputy administrator, and a meeting to discuss each held.

Code Workers
Worry About Home Critics

(Continued from page 1)

Richard Dix Improves

Hollywood, Oct. 6.—The condition of Richard Dix, who was burned in his motion picture of "Drums" for the past ten days, is greatly improved, although he will not be able to return to Hollywood for another week.

Straight 10% Cancellation
Is Conceded

(Continued from page 1)

and carried neither compromise nor concession of any kind on the part of the exhibitor.

This is an important change in the NRA code, which originally granted a 15 per cent cancellation, but remaining to be cleared up is what effect this unexpected development will have on the proposal that the standard option and duress agreement is prevailing. That agreement contains distributors' cancellation clause of five, five, and five.

Rosenblatt was queried on this point and he replied: "I don't know."

The original cancellation proposal drawn by distributors conceded a 15 per cent cancellation privilege on the basis of a first five per cent without payment, the second five with payment of half the contract price and the final five on payment in full.

Federal Ban
Upon Strikes
To Be Sought

(Continued from page 1)

indicated that the proposed code would fit in with the functions of the National Labor Board was a separate development today. This was the appointment of the board of four additional members, making a total of 11, because the board's work was piling up at a rate too heavy for the seven members to handle.

The appointments came from President Roosevelt at the request of Senator F. Wagner of New York, who is the board chairman. The appointees are: Edward N. Hurley, Chicago; Anton Finch, Thomasville, N. C.; George L. Berry, president of the Printing Pressmen's Union, and Father Francis Haus, professor at Catholic University here.

Hurley and Finch will be industrial advisors to the National Labor Board, in order to maintain the balance of the board's personnel which now is made up of employer and employee representatives.

Senator Wagner today expressed the opinion that the addition of the National Labor Board will become an important function of the government and indicated that he planned to have created effective boards throughout the country composed of one industrial and one labor advisor and a third disinterested party for adjudication of local labor disputes. The National Labor Board will have the right to appeal from the rulings of the content local boards, Senator Wagner indicated.

In this respect it is interesting to note that the proposed method of handling labor disputes under the NRA film code follows along somewhat similar lines, and that labor is expressly prohibited from striking and employers prohibited from declaring lockouts pending determination of any dispute which may arise.

Therefore, if the contemplated law outlawing strikes is passed at the forthcoming Congress session, the existence of local labor boards such as Senator Wagner has indicated and who will propose would find machinery in existence all over the country to carry out its purposes.

Cameramen's Kicks
Reach Rosenblatt

(Continued from page 1)

Administrator Sol A. Rosenblatt, it will be acceptable to producers and NRA alike, although today he continued to refuse to divulge what its provisions will be.

Article 10, which, according to general expectations, will impose the severest of restrictions on agents, is ready, he said, adding he would discuss it on Saturday with Ed Goldin, representing many Hollywood agents; Louise Silcox, representing the Authors' League; Frank Gilmore, representing Actors' Equity; and Lester Cowan, representing the Academy. From producer quarters it was learned that it is ready in its form rough and not final.

Article 10 is still in the fire-works," today Rosenblatt said in declaring the deadline was Saturday.
Hollywood Personalities

Hollywood, Oct. 6

Max Wett's next picture, "It Ain't No Sin," will have its locale in New Orleans where most of the picture will be filmed.

Chester Conklin will not appear in "Alice in Wonderland," after all. The role of "The Walrus" in which he was cast has been cut out.

Charles Erwin, Wallace Clark, Doris Lloyd and Alan Mowbray added to the cast of "Long Lost Father" (Radio).

Bill Cagney's first screen role will be opposite Ginger Rogers in "Sweet Sheep," William Seiter directs (Radio).

George Barb Brown has been added to Sol Wurtzel's publicity staff at the Fox Western Avenue Studio.

Rochelle Hudson goes into the cast of "Odd Thursday" (Fox).

Leslie Banks gets a role as heavy in "I Am Suzanne" (Lasky-Fox).

Notables to Flock To Dressler Dinner

Many notables have accepted invitations to serve as an honorary committee in connection with the testimonial dinner to be given for Marie Dressler at the Hotel Roosevelt Tuesday evening. Mrs. Oliver Harriman is chairman and Miss Maida Reade vice-chairman of the committee.


Mrs. Franklin D. Roosevelt, Amelia Earhart, Secretary of Labor Frances Perkins, George M. Cohan, Orris Skinner and Helen Hayes will sit at the speakers' table with Miss Dressler.

The dinner will be placed on the air by WJZ from 9:30 to 10:30 P.M.

Plans are under way for a national observance of Marie Dressler's 64th birthday on Nov. 9. Marie Dressler Birthday Clubs are to be organized across the country, with special programs in theatres, radio "salutes" and greetings by telegraph, cable, and even television. Mrs. Ralph Hitz is heading the movement in New York.

Renee Adoree Services

Hollywood, Oct. 6—Funeral services for Renee Adoree will be held Monday morning at 11 o'clock at the Hollywood Cemetery.

In Washington Once More

WASHINGTON, Oct. 6.—Dave Barrist says throwing his lot with the insurgent group has nothing to do with the M.P.T.O. of Pennsylvania affiliation with American Federation of Labor. He insists he's here attending code pow-wows as a representative of an individual unit and that Deputy Administrator Sol A. Rosenblatt so understands it.

Bill Jaffe of the Burkan office, who is attorney for Columbia, ran into a heavy cold and has been compelled to spend much time in bed.

When the ball game came along codifying was dropped. Seems Ed Schiller hadn't missed the National M.P.T.O.A. He insists he's here attending code pow-wows as a representative of an individual unit and that Deputy Administrator Sol A. Rosenblatt so understands it.

Bob Rubin hopes fund hopes. He thinks he will be home for Thanksgiving dinner. Others aren't so sure.

Freddie Meyer managed to get plenty of rest back home in Milwaukee between the second and third code stanzas, but that's all behind him now.

Most of the codifiers found much of Rosenblatt's phraseology extremely legal. This accounts for the sundry interpretations placed by different men on the same clauses.

Sherman Krellberg has been around, but on private, not code business.

Harry M. Warner gets in his golf, everything notwithstanding.

S. R. Kent continues to smile. Also to have his doubts about this code business. One of his principal concerns is when he will be able to get back to New York to conduct normal film business.

All of the New York group shudder whenever its members think of how desks are piling up with this and that.

And Carl Laemmle is enjoying Europe.

Will Hays, it seems, is keeping far in the background.

Earl Bright, his secretary, continues to hope she'll see New York again this year.

Harold B. Franklin was seen today walking up and down the Mayflower lobby, immersed in thought. Everybody was properly sympathetic.

Not much emanates from the Willard where the Labor Group holds forth. Much, however, is going on there.

Mrs. Ed Kuykendall, tired of waiting for her husband, gave it up as a bad job and returned to Columbus, Miss., today.

Nate Golden is codifying on his own. It's the Supply's Dealers' Agreement, however. He's Government Advisor on that one.

Strikes Hit Houses In Pittsburgh Area

(Continued from page 1)

Allegheny county alone are out of work.

The drop in grosses has alarmed local circuit chiefs, with Ambridge, Pa.; Clairton; Pa.; Weirton, W. Va.; Steubenville, O., and Monessen, Pa., all within a radius of 30 miles, particularly hard hit.

Business has further been affected by the riots among pickets, non-union state and local police and police, respective National M.P.T.O.A. He insists he's here attending code pow-wows as a representative of an individual unit and that Deputy Administrator Sol A. Rosenblatt so understands it.

Missouri Governor Leaves Taxes Open

(Continued from page 1)

ture for Oct. 17, left up to the lawyers the form of additional taxation that is needed to tide the state over the financial emergency.

Governor Park proposed that the legislature decide among a general sales tax, a gross levy—either one of which would hit theatres—or any other method of raising revenue.

The governor indicated, however, he would be more specific in his recommendations after the legislature convenes.

Hiking of the corporation franchise tax and outright removal of the five-cent general property tax were among the recommendations.

Set Pittsburgh Campaign

PITTSBURGH, Oct. 6.—Mort Blumenstock, head of the Warner theatre advertising department, is here lining up a campaign for the opening of "Footlight Parade" at the Stanley Oct. 16.

Missouri Governor Leaves Taxes Open

(Continued from page 1)

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Roy Disney Eastbound

Hollywood, Oct. 6.—Roy Disney, business manager for Walt Disney Productions, left for New York to day to attend a conference at the United Artists home office.
See No Price Jumps Ahead In Baltimore

Night 25c Neighborhood Rate Is Standard

Baltimore, Oct. 8.—There is no talk here at present about raising admission prices. Executives of Associated Theatres, Inc., of which J. Louis Bonsen, managing director, believe the present top night price of 25 cents for adults will be kept as the standard for residential houses.

Ishad M. Rappaport, Hippodrome, says he has not gone into the matter of increasing prices. The Philip J. Scheck interests have not raised scales for adults at night from 20 to 25 cents, for the Lord Baltimore. A 25-cent top night price for adults or adults will be maintained by the Frank H. Durkee interests (Continued on page 7)

Richardon Theatres Are Feeling Pickup

Richmond, Oct. 8.—Business is on the upsurge in local houses. The improvement was first noted in June and it has been accelerated by the NRA drive, according to leading managers. One indication of the return of better times is the amount of redecorating and remodeling now under way. The Broadway, practically reconstructed, will be ready Oct. 29. Work is now under way at the State. The (Continued on page 7)

Midwest Vaudeville Circuit Is Planned

Kansas City, Oct. 8.—A Chicago booking agency is attempting to establish a vaudeville circuit in Kansas, Missouri, Iowa and Nebraska, according to Irwin Dubinsky of Dubinsky Bros. Theatres. Several houses that added vaudeville this fall may be included in the circuit. Dubinsky Bros. recently brought stage shows back to the Electric, St. (Continued on page 7)

Wobber on Another Tour of Exchanges

Herman Wobber leaves today for Detroit on the first lap of a second tour of Fox exchanges in conjunction with sales talks on the Kent Drive. Western Division Manager W. J. Kupper accompanied him. Last Saturday Wobber spoke to New York exchange employees for the second time (Continued on page 7)

$2,000 a Week Viewed as Second Line Salary Top

Poli Believed Set to Regain Circuit Soon

With the foreclosure sale of the FOX New England circuit set for Oct. 26, the houses slated to return to S., Z. Poli on that date. Poli owns $14,000,000 worth of bonds, and in order to get these houses the bidder will have to go above Poli’s interest. The circuit is now being operated by a group of three receivers, represented by Louis M. Sagal. N. L. Nathanson will become financially interested in the group of theatres when he puts up approximately $800,000 for back interest and other accumulated debts. This is a personal interest the Canadian will have in the houses.

Loew’s is understood to take over management of the New England houses the latter part of the (Continued on page 2)

Predicts Early Use For “Radio-Vision”

Kansas City, Oct. 8.—The “radio-vision” theatre, presenting programs transmitted by television, is nearer perfection than is commonly believed. There is research and television experimental circles, according to R. G. Tannehill, with First National Television, Inc., of Kansas City. Development of the “iconoscope” tube, a super photocell holding 3,000, (Continued on page 7)

Cite Unfair Agent Tactics To Prove Check Is Needed

Washington, Oct. 8.—Major producers maintain they have a case against unscrupulous agents. They say they can back up with facts and figures their contention that agents must be checked in the code or producers continue to face losses and increased operating overhead in the form of excessive salaries.

A wealth of data supporting these claims has been submitted to Deputy Administrator Sol L. Rosenblatt for him to ponder over in determining just how far Article 9 of the producers’ code, which deals with agents, is to go.

Typical of the incidents turned over to the deputy administrator and the charges so forth are these:

An actor, signed with a producer on a contract which specifically provided the player could be “fired” to other producers in the event the picture and the role were in keeping with the actor’s standing, refused to work elsewhere because his agent insisted on payment of a bonus before (Continued on page 6)

Nathanson Is Silent About British Cash

Toronto, Oct. 8.—Whether or not N. L. Nathanson secured financing during his stay in England, through which he can make an offer to Paramount Publix for Famous Players Canadian Corp., is still an unanswered question, as Nathanson has not made any public statement regarding his return here recently.

Nathanson is known to be anxious to have control of Famous Players back in Canada under his direction, and one place to look for money is England. Gaumont is linked with (Continued on page 7)

White House Insists on Slashes, Is Report—Producers at Sea

By RED KANN

Washington, Oct. 8.—Salaries up to $2,000 a week are justifiable if those paid that figure deliver, but beyond that level they are not. That goes for Hollywood and New York, for stars and directors, producers and executives.

It is impossible to confirm this because all mouths are remaining tightly clamped, but this word nevertheless is authoritative reported to have been passed on to major producers by Administrator Hugh S. Johnson at a joint conference held in the latter’s office in the Department of Commerce building Saturday evening.

There is every substantial reason to believe Johnson was not talking on his own, but that what he had to say reflected the viewpoint of President Roosevelt, who once before is declared to have informed major companies that as the Administration viewed it many salaries in the industry were excessive and had to be deflated. It is understood there was explained to him the difficulty of working out a formula to conform to this viewpoint and that Johnson in his usual fiery style, accompanied by (Continued on page 6)

First Code Signers

Washington, Oct. 8.—First signatories of the code are understood to be Mack Sennett, Sol W. Walsh and L. S. Hamm, representing the L.T.O. of Northern California, who left for San Francisco late Saturday evening.

Harry Brandt, president of the L.T.O.A. of New York, is understood to be another, while Jack Miller, representing the Chicago Exhibitor’s Assn., is reported to be a third. Miller’s signature, however, is declined to be effective upon the condition and the understanding labor clauses are finally voted as discussed by him as chairman of the exhibitors’ labor committee.
Looking 'Em Over

"The Deluge"
(Samuel Bischoff-Radio)

A fantastic theme, that of the destruction of New York by a deluge, is employed here to supply situations which provide a fair measure of action, suspense and romance, despite the almost incredible background against which the story is pictured. An ending which appears even more incredible than the theme itself has been utilized, as perhaps, the easiest way of solving a romantic "triangle" and more or less provides the climax for all of the unrealities which have preceded it.

Among the survivors of the deluge are Sidney Blackmer, his wife, Lois Wilson, and their two children. They betake themselves into the attic with the girl and children eventually finding a large community of survivors. Sidney Blackmer finds himself on an uncharted island and proceeds to build himself a home. Peggy Shannon, escaping from two male pursuers on a neighboring island, follows the girl to the island, captures her and takes her to the hideout of a gang of outlaws who were driven from the larger island community by the law-abiding element. She is later rescued by Blackmer and the two take refuge from the gang in a cave, from which they are rescued by a posse from the settlement.

Blackmer and Miss Shannon are returned to the settlement, where he is reunited with his wife and family. Miss Shannon, in love with Blackmer, solves the resultant triangle by walking to the ocean's edge and swimming calmly.

Also in the cast are Matt Moore, Edward Van Sloan, Ralf Harold and Samuel Hinds.

Cleveland Dual Ban On Oct. 15 Up Again

Cleveland, Oct. 8.—The Cleveland M. P. Exhibitors' Ass'n has re-affirmed a previous motion to cut duals down to one showing a week starting Oct. 8.

The association is protesting a new advertising policy on films in The Plain Dealer. This newspaper has notified theatres that unless they use a minimum of two lines a day, six days a week, in the theatre directory, they cannot place advertising in the theatre directory of the Sunday edition. Those excluded from the Sunday directory will be obliged to use general advertising space at 55 cents a line with a minimum of 14 lines. The directory space rate is 30 cents a line.

M-G-M Train in Ohio

Cleveland, Oct. 8.—Edie Carriere and the M-G-M traveling studio are in the state making stops in 70 towns in a 10-day period. So far, screen test contests have been arranged to be held in Toledo and Cleveland. The studio train will be in Ohio until Nov. 1.

Seek Schertzinger Testimony in Suit

BUFFALO, Oct. 8.—Permission to have a commission examine Victor Schertzinger, composer and film director, in Hollywood has been obtained here. Edward R. Gompos, composer from Supreme Court Justice Thomas H. Noonan. Schertzinger is to make a deposition and whether ever knew Radnor or ever saw or heard Radnor's songs. "The Eyes of Love," "Secrets" and "Little Boy Blue." Schertzinger has sued Schertzinger and Harms, Inc., and its subsidiaries, alleging parts of those songs were "stolen." "My Love Parade" and "Dream Lover" sung by Maurice Chevalier in the Paramount film, "The Parade," and later published by Harms under Schertzinger's signature.

Swanson Refuses Role

Hollywood, Oct. 8.—Gloria Swanson has turned down an offer from Paramount to play a role in "Mrs. Lane's Baby Is Stolen" leaving Joseph L. Mankiewicz another buyer for her services. Reports had Hugues de Mille considering a story for which the star may be waiting.

Loew's Pfd Off Two Points

| Consolidated Film Industries, pbl. | 95¢ | 95¢ | 95¢ | — | 100 |
| Eastman Kodak | 79 1/2 | 79 1/2 | 79 1/2 | — | 100 |
| Fox Film "A" | 155 | 155 | 155 | — | 300 |
| Loew's Inc. | 225 | 225 | 225 | — | 300 |
| Pathé Exchange "A" | 125 | 125 | 125 | — | 150 |
| Pathé Exchange "B" | 145 | 145 | 145 | — | 150 |
| RKO | 185 | 185 | 185 | — | 150 |
| Universal Pictures, Inc. | 225 | 225 | 225 | — | 150 |

Technicolor Gains 1/2 Point

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Paramount Bonds Show Rise

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Universal's New Deal!

CONSOLIDATED AMUSEMENT CO., of HONOLULU

signs for

UNIVERSAL
—Features, News, Serials and Shorts, 1933-34

Thanks, gentlemen, for your confidence in Universal Pictures. We will do our part.
PARADE

JOAN BOND
DICK POWELL
RUBY KEELER
JAMES CAGNEY

Including
musical hit of hits with 20 stars
WARNER BROS. give you the
LIGHT
PARAD

FOOTLIGHT

IT'S A MARCH TO THE BOX-OFFICE SAYS N. Y. TELEGRAPH!
DIGGERS BY AN EVEN BIGGER MARGIN THAN THE PREVIEW!
AND THE FIRST FULL DAY'S GROSS BEAT GOLD
Capitol Seen

Insisting on This Figure

(Continued from page 1)

fists pounding on desks, informed the producers they would have to arrive at a method among themselves or take as an alternative a method furnished by the NRA.

As sensational as this development was, executives of the major producers declared to have been thrown into further turmoil by a subsequent statement attributed to H. Richey, the NRA Administrator, that he had said the Administration stood ready to itself approve all contracts in a determined effort to cleanse the $2.5 million not exceeded.

Difficult as it is for the major firms to evolve a workable plan here, unless the industry members can reach an accord among themselves, is a threat of an arbiter to be appointed by the government which would charge itself with the responsibility of seeing to it that the separate viewpoints of the industry and the Administration are made one—the Administration in no way.

Producers met at 11 this morning. Their lawyers an hour later, and tonight the negotiation was to have again been submitted to arguments which have been almost perpetual for the past three weeks. Indications are that the salary fixing commission which was written into the original Article 10 in New York was insistent, excessive salaries must be curtailed will remain.

Majors Not Unanimous

Yet though the reason for no unanimity in the major producer ranks. Hays' members are divided on this point, as has been shown in the history of the salary board M-G-M, Paramount, Warners, RKO and Fox, and opposed are Universal, Columbia, United Artists and individual producers such as Samuel Goldwyn, Mary Pickford, Douglas Fairbanks and Charles Chaplin.

The opposing group is believed to be centering its arguments on instances illustrated by a theoretical case such as this: its members say that if an actor's salary is to be fixed by law at $2,000, they will have little or no chance in the bidding for talent. They insist that since talent's income cannot go beyond a fixed figure it will be the actor's inclination to swing toward the producers who are active in the theatre field on the theory that since their earning capacities are to be regulated for them their next best choice would be to place their future with those companies which can assure them the widest of theatre outlets.

While this situation which has no precedent in the history of the business was being gone over and over again those remaining members on the exhibitors' committee met separately and finally worked out a new NRA draft which affect them. Differences in the ranks of the MPOTA are not satisfied with the code as it now stands and propose talking it out until its delegates secure the best concessions they can. Among its rallying cries are elimination of score charges, discontinuance of shorts and series sales, with features and elimination of designated playdates. Ed Kuykendall made his stand a statement issued tonight, in which he said:

"Many suppliers are in circulation concerning what has been written in the tentative code submitted by Deputy Administrator A. Rosenblatt. Let me emphasize the fact that we have from the very beginning followed fundamental practices and will continue to follow our own scores, discontinuance of the practice of shorts with features, elimination of designated playdates, and a labor clause which is fair and equitable.

"More can be accomplished by remaining in sessions and trying to sincerely work out any problems than by running away in showbusiness fashion, as certain groups have done. The MPOTA is made up of the fact that it must safeguard thousands of small theatre owners trust will not be violated."

Confer with Rosenblatt

Further indicating the insurgent group proposed playing along was another letter on Saturday when a second committee composed of Weisman, Harry Brandt, Charles L. O'Reilly and Calvin Bard saw Rosenblatt and agreed to talk again on the labor side of the labor clauses. Rosenblatt said he had departed well satisfied. This committee was called Additional light on other clauses which Rosenblatt is now searching to designate, but in connection with which he remarked they had left him "apparatus.

On Article 10, Rosenblatt persistent stated he did not refuses to comment except in connection with actors also will apply to executives.

Cameramen Approve

Code Crew Provision

WASHINGTON, Oct. 8.—Eastern sound and cameramen are in accord with the producers in the view that the cameramen are not to be switched during middle of production, declared Deputy NRA Administrator Sol A. Rosenblatt explained the situation to a question of NRA procedure under conditions as outlined.

Inequities in Code

Subject to Change

WASHINGTON, Oct. 8.—If inequities in the code assert themselves, changes may be made immediately but only by executive order of the President. Deputy NRA Administrator Sol A. Rosenblatt explained the situation to a question of NRA procedure under conditions as outlined.

Detroit Exhibs File

Mid-States 'Plain'

WASHINGTON, Oct. 8.—Several Detroit exhibitors, also Allied, have filed a complaint with Deputy NRA Administrator Sol A. Rosenblatt. The complaints were filed by Detroit exhibitors, including Exhibitors of Detroit, the Michigan buying combine, in which H. M. Richey and J. C. Ritter are directors, who complained charged Michigan exhibiting bodies attempting to put them out of business. Deputy Administrator described the development as a case of several exhibitors asking the right to buy from members of their own organization.

The Reason Why

WASHINGTON, Oct. 8.—Eddie Golden supplies a kidding answer to the reason the independents formed their own code deliberating body.

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Among what are declared to be actual facts that the producers have compiled themselves, and which will be eliminated upon by throwing away the negotiations into the open are these:

One actor, employed by a major company on a long-term contract for $1,200 a week, is asked to do four pictures a year. A competitive producer for five years.

The contract called for $2,200 the first year, $2,500 the second, $3,200 the third, $4,200 the fourth and $5,000 the fifth. Part of the secret negotiations held that if the existing contract would not be cancelled, the new one would immediately become operative. If not, it was to start at the expiration of the existing pact. It is claimed the actor turrled dissatisfied with his then current contract and gave his employer considerable trouble. Investigation is said to have demonstrated the existence of the secret contract and resulted in the reappearance of the employing producers' cash settlement of the second contract and a revision upward in the existing agreement of thousands of dollars were involved.

In Silent Days Also

Another instance involved an actor, prominent in the silent days, who was engaged to produce an important picture at several times his current salary. The first producer learned of the transaction and threatened that the continuance of the actor's services were necessary to maintain his announced prestige for a new pact at the competition's terms. By the time the actor's contract had run out, the box-office had demonstrated the performer was not nearly so indispensable as the original employer had believed. Yet the studio was "stuck" with a contract which paid him over $1,000,000, the charge has been made.

Directors' Deals Up

Secret negotiations with directors as well are declared to have cost the producers considerable headache as a result of an agreement reached among the directors with the producers from within the producers' ranks themselves. One director, it is alleged, was signed in this fashion by a competing studio at a 100 per cent increase. He was said to have become discontented and a source of considerable concern to the producer who employed him. The new offer was matched, but the director refused to accept it. Production delays resulted.

Almost Wrecks Company

A certain actress and what is alleged to have happened in her case almost caused the complete financial collapse of the employing producers. After this incident occurred. Employed at $1,500 a week on a 40-week guarantee, the manager of the studio had placed upon for a second period, this player was approached secretly by another studio and a substantial salary hike. The employer had no idea what transpiring. At the same time, the player became an insurgent and was uncooperative, playing up and about her pictures through lack of cooperation with the studio. The first manager had reached the conclusion it had better make her happy. The method was via a new contract at three times the original salary for one year and cancelled, the new one would immediately become operative. If not, it was to start at the expiration of the existing pact. It is claimed the actor turrled dissatisfied with his then current contract and gave his employer considerable trouble. Investigation is said to have demonstrated the existence of the secret contract and resulted in the reappearance of the employing producers' cash settlement of the second contract and a revision upward in the existing agreement of thousands of dollars were involved.

so doing. The actor got the bonus, the producer being unable to replace the part.

The incident is also told of a freelance actress, salary $3,000 per week, who had agreed to work for a producer for 10 days, after which she was scheduled for a featured role in an entirely different production. The first producer, however, discovered he required the actress's services for an additional week. At the same time, the second company learned it could get along without her for four days. The agent insisted that both companies live up to the letter of their contracts and pay the performer for both weeks. The matter eventually was settled by arbitration, preceded by threats of action on the part of the producer.

Agents and High Salaries

Unscrupulous agents are blamed by producers for skyrocketing the income of an actor, described as unknown when the producer had him under contract developed him, from $1,000, including bonuses, to $3,200 a week. This is how it was done: Ignoring his contract, the actor walked off the set on the day on which picture he was cast was dated to get under way. The producer was threatened with a loss representing six figures. The actor, seeking further instructions from his agent, demanded $2,250 and said he would not work unless he got it. He did.

Producers Also Blamed

However, the blame for much of the present difficulties, which is prevalent in Hollywood today is not entirely passed on to the agent. The producer has also blackened himself with Rosenberg, which data tells at length interesting incidents which they, have as out of secret transactions conducted by one producer against his fellow-producer.
In Washington Once More

WASHINGTON, Oct. 8—Bob Wilby has some definite ideas about the code. One of his progress would be faster if some of the New York crowd went home.

The W. K. telephone gag was pulled on love B. Harrell the other night. Morgan Walsh didn’t go for it, however.

Add mysterious phone calls: The one Lester Covut got at the Carlton about 1:15 Friday morning and how it demonstrated that he was a gentleman.

The exhibitors’ committee, sans Allied, I.T.O.A. and T.O.C.C., has developed considerable respect for Abner Rubin, attorney for the L.A.T.S.E.

The producers’ group, which has met in what is practically one session since Wednesday, will long remember Article 10.

Eddie Loeb has been bothered with a catarrhal condition in his ear. Well in hand, however.

The split between Administrator Hugh S. Johnson and Chief Counsel Donald B. Redberg over this, as presented by producers codifiers because it indicated all was not so harmonious within the N.R.A.

Henry Herzbrun’s wife is back in Hollywood. Henry is confident he’ll get back one of these days himself.

Albert Warner’s been around to consult with Harry M. on the code.

Tom Murray eats griddle cakes at two in the morning and immediately falls into deep slumber.

George Schaefer has been receiving wired bulletins on the record, being rolled up at the Ontario, Chicago, by “I’m No Angel.” Other circuit men here who have seen the picture describe it as a wow.

Ray Johnston has been attempting to check reports a code for “yes” men is in the making. It was immediately denied that it could or would have any application in Hollywood.

Jack Coln and Bob Cochrane continue to stick pretty closely together.


Said a disgruntled independent: “Here I am burning while Rome is fiddling.”

Complaining exhibitors recall grimly the tense few minutes that preceded the actual delivery of the N.R.A. code by Deputy Administrator Sol A. Rosenblatt. “Let’s tell stories,” he said.

“We got a story all right,” said many exhibitors after they had a chance to hurriedly read the proposed agreement.

Unknown Actor Makes Good

Washington, Oct. 8.—How a player, unknown until the producer to whom he was under contract developed him, increased his salary from $300 to $2,500 a week in two years, is one of the amazing inside stories which war producers have presented to Deputy Administrator Sol A. Rosenblatt as an argument for restrictions of agents through the machinery proposed in Article 9 of their code. Here it is, as presented by producers codifiers:

The actor originally was signed at $300 on a five-year optional contract. The agreement called for a $75 increase in the first six months and an additional $75 at the second six months. The producer, however, voluntarily jacked the figure from the stipulated $375 in the first period to $575, and from the stipulated $450 in the second period to $900. Therefore, when, by contract the actor was entitled to $450, he was getting twice that amount.

About this time, his agent entered the picture and told the actor to ignore his contract. The player waited until an important producer was about to go and then refused to appear. To avoid losses, the producer found himself in a spot where he was forced to receive to demands for a $10,000 bonus as an inducement to the performer to return to work and coupled with it promise of a new contract.

A short time later, the new deal was closed. By its terms, the old contract was thrown out and a new one, calling for $1,600 a week, was signed on an option at $2,500 the following year. The option was exercised, but this year the player was let out because the producer concluded he could no longer bear the traffic.

This is the fairy tale of how an actor, delighted to be paid his original $300, moved himself into the four figure per week classification in about two years.
**“Lady” Pulls Big $12,000**

**Kansas City**

**Grosses in San Francisco Jump Far Above Normal**

**San Francisco, Oct. 8—**This town had a series of remarkable grosses last week. Heading the list was the War-ner’s “The Day and Age,” which jumped and averaged a record $16,000 a day for a total gross of $20,000. “Good-bye Again” was on the screen and the cast and stage were on the stage.

“Lady for a Day” was a knockout at the Golden Gate, hitting $18,000; $5,000. “Headline Showboat,” opening attraction at the Orpheum, was good for $14,500. This is $4,500 more than considered a normal take for the house.

Total business for nine theatres was $95,000. "Pilgrimage" has $91,000. Average is $10,000.

Estimated takings:

- **Week End Sept. 25:**
  - **LADY FOR A DAY** (Col.)
    - MAINSTREET—(3,600), 25c-40c, 7 days.
    - Gross: $12,000. (Average for straight films, $1,700.)
  - **VOLTAIRE** (Warner’s)
    - NEWMAN—(2,000), 25c-40c, 7 days, plus Saturday night show. Gross: $16,000. (Average, $4,000.)

- **Week End Sept. 27:**
  - **BEAUTY FOR SALE** (M-G-M)
    - MIDLAND—(4,000), 25c-40c, 7 days, plus Saturday night show. Gross: $13,000. (Average, $1,857.)

**“Dinner” $7,000, Montreal**

**Montreal, Oct. 8—**Word of mouth advertising helped “Dinner at Eight” to keep up to a $7,000 gross for the second week as a road show at His Majesty’s. The first week’s take was $8,000.

Among the regular runs, leadership was taken by Palace with a $9,000 on “Paddy, the Next Best Thing,” while the Capitol made it part at $9,000 with “Pilgrimage” and “Charlie Chan’s Greatest Case.”

Loew’s fell back to $7,500 with a double bill comprising “Turn Back the Clock” and “Emergency Call,” and there is a possibility that Montreal will return to Loew’s stage before many weeks. The Imperial was good with a $6,000 for the week. “La Fievre,” and the Princess took $6,000 on two British pictures, “Sol- up” for $3,000, and “Bipasha,” the former being the pick of the pair by far.

Total first run business was $42,000. Average is $4,200.

Estimated takings for the week end-
- **Sept. 27:**
  - **THE MASQUERADE** (U. A.)
    - OROBICO (3,000), 25c-40c, 7 days.
    - Gross: $3,500. (Average, $500.)
  - **BROADWAY TO HOLLYWOOD**
    - PARAMOUNT—(2,000), 10c-25c-40c, 7 days.
    - Gross: $4,500. (Average, $643.)
  - **THE POWER AND THE GLORY**
    - DES MOINES—(2,200), 10c-25c-40c, 7 days.
    - Gross: $3,000. (Average, $429.)

**“Power” at $3,000**

**Des Moines, Oct. 8—**“The Power and the Glory” led the procession in the sixth straight week of good business. At the Des Moines the Lasky-Fox feature reached $8,000, or $2,000 over average.

When Ladies Meet” took second honors with $4,000, up by $1,000, at the Garden, and “The Masquerader” was a decided draw at the Orpheum at $7,500.

Total first run business was $28,000. Average is $4,200.

**Ohio House Ends Splits**

**Akron, Oct. 8—**The Palace, which opened 25c-75c-50c, with a split week policy of vaudeville, has switched to full week programs. The same switch has been made at the Canton Lynx. Both houses are now under the Monarch banner. The acts divided time between the two houses.

**Antony Estate Bankrupt**

**New Orleans, Oct. 8—**The Bernard Antony Estate, operators of the Ideal, which closed recently, has filed a voluntary petition in bankruptcy in the U. S. District Court listing assets of $83,437.25 and liabilities of $611,156.

**“Jones” Hits $18,000, Big Boston Gross**

**Boston, Oct. 8—**“Emperor Jones” demonstrated its drawing powers here last week with an $18,000 take at Keith-Strand against a $2500 advance. This is $2,000 over average and is exceptional in view of the strong competition.

Total grosses were slightly under last week, due, probably, to the opening of the football season, but all were strong. The week opened with “Midshipman Jack” and a stage show headed by Jack Benny’s revue and vaudeville, was $1,000 up at $17,000 at Loew’s State. “Too Much Harmony,” with Eddie Duchin’s orchestra, topped the Metropolitan’s $20,000 par by $2,500.

Total first run business was $102,500. Average is $19,500.

Estimated takings for the week end-
- **Sept. 26:**
  - **MIDSHIPMAN JACK** (Radio)
    - BOSTON—(2,500), 10c-25c-40c, 7 days, Jack Benny revue and vaudeville. Gross: $18,000. (Average, $2,500.)
  - **THE PILGRIMAGE** (Fox)
    - THE LAST MAN** (Paramount)
    - FEXWAY—(1,000), 25c-40c, 7 days.
    - Gross: $9,000. (Average, $1,286.)
  - **THE SOLITAIRE MAN** (M-G-M)
    - LOWEST—(3,700), 25c-40c, 7 days.
    - Gross: $7,000. (Average, $1,000.)
  - **TWO MUCH HARMONY** (Paramount)
    - METROPOLITAN—(4,350), 30c-65c, 7 days, orchestra. Gross: $33,500. (Average, $4,800.)

**House in Missouri Has 26th Birthday**

**Kansas City, Oct. 8—**The Booth at Kich Hill, Mo., oldest house between Kansas City and Joplin, has just celebrated its 26th anniversary. The observance was made by the Miss Rola Booth, who built the house and has been operating it since. The entire community turned out to see the festivities, which were attended by several Kansas City exchangemen. The celebration was made possible by a big publicity campaign and continued all week, with a change of program daily and gifts for the kiddies.

**Post Radio Plugs Films**

**Cincinnati, Oct. 8—**Pictures playing Keith’s are plugged daily over WBFE, local radio station of the Cincinnati Post, located in the Sinton-St. Nicholas.

Highlights of the picture and cast are given between announcements of baseball games and other sports events.

“Be Mine” N. J. Hit

**New Orleans, Oct. 8—**After doing $2,400 at Skaher’s Tudor, “Be Mine Tonight” was taken over by Manager Harry S. McLeod as a second tier, and as a result of clever ad-
dvertising via radio, women’s clubs and broadsides in the daily newspapers is packing the St. Charles.
The Leading
Daily
Newspaper of the
Motion
Picture
Industry

MOTION PICTURE
DAILY

NEW YORK, TUESDAY, OCTOBER 10, 1933
TEN CENTS

VOL. 34, NO. 85

Circuit Court Refuses Move In Para. Case

Linz Seeks Court Relief on Rentals

DALLAS, Oct. 9.—Clarence E. Linz, receiver for Southern Enterprises, has asked the Federal Court for relief from delinquent rents and for a new trial on four first runs in Texas. The houses are: Melba, Dallas; Kirby and Metropolitan, Houston, and Worth, Fort Worth.

When the receivership was begun in February over $500,000 in back rents was due on these houses, according to Linz. Since February he has paid rents at the rate of 10 per cent of the gross. The leases have from 12 to 22 years to run.

He also asks the court to approve rental reductions on 15 houses.

Roxy Loses Appeal Over Use of Name

WASHINGTON, Oct. 9.—Samuel L. (Roxy) Rothafel today lost his attempt to get the U. S. Supreme Court to entertain an appeal from a U. S. Circuit Court of Appeals decision upholding the right of the Old Roxy to continue to use the name. Judge Martin L. Manton handed down a judgment in the case.

Protests by MPTO Of Maryland Urged

Baltimore, Oct. 9.—Members of the M. P. T. O. of Maryland were urged at a meeting today to telegraph to Administrator Hugh S. Johnson protesting against the draft of the exhibition code submitted by Deputy NRA Administrator Sol A. Rosenblatt.

Rosenblatt Denies Any Plan Now Exists for Fixing Salaries

WASHINGTON, Oct. 9.—If any man who attended the meeting with General Hugh S. Johnson told you there was any discussion about limiting salaries to $2,000 per week, they are liars. I have never heard that discussed by, or with, anybody at any time," stated Deputy NRA Administrator Sol A. Rosenblatt in denying Motion Picture Daily's story of today that Johnson, presumably speaking for President Roosevelt, had informed major producers on Saturday evening that salaries were to be held to that maximum.

 Asked specifically if Article 10 of the code called for a salary fixing board, the deputy had nothing to say. Pressed for details of the meeting with Johnson, Rosenblatt merely replied that a number of matters were discussed, but refused to say what they were. On that portion of Motion Picture Daily's story of today where it was pointed out that Johnson populated remarks to producers by pounding his fists on desks, Rosenblatt said he had never heard the administrator do anything of the sort. Other newspapermen in Washington, however, have not only heard Johnson has done this many times, but say they have been in his office and actually have seen him do it on various occasions.

Insurgents' Strike Talk Stirs Among Coast Actors

WASHINGTON, Oct. 9.—Whether or not insurgent groups will have their promised analysis of the code by Wednesday appeared questionable today, for it has been learned they feel the code situation represents Armageddon for the independents and that the time has come to present their views in writing.

The impression prevails among them that they have not been listened to in private conferences. No record of the proceedings in such conferences has been made. They are known to feel their case.

Coast Indies Talk Over Stand on Code

HOLLYWOOD, Oct. 9.—The first of what may be a series of meetings of independent producers here to decide whether or not they will sign the NRA code draft was held at the Roosevelt Hotel today without a decision resulting.

The meeting, called by the I.M.P. P.A., was presided over by M. H.

Reports Nathanson Seeks Circuit Buy

TORONTO, Oct. 9.—N. L. Nathanson has left for New York on a mission reported to involve an offer to purchase Famous Players Canadian Corp. from the Paramount Publich trustees. His trip followed conferences here with Major Andrew P. Holt, who is said to represent Gault.

Doubt Legality--Academy Asks for Hearing On Article 10

By RED KANN

They're Happy

WASHINGTON, Oct. 9.—Nicholas M. Schenck spent an hour and one-half closeted with Administrator Hugh S. Johnson this afternoon. Motion Picture Daily learned late tonight. The results were reported to be extremely satisfactory from the viewpoint of the latter, although what actually transpired did not come to light.

WASHINGTON, Oct. 9.—Despite the insistence of the Administration that excessive salaries must be checked neither the legal precedents nor the legal machinery are believed in existence to enforce any arbitrary limitation on the earning powers of creative talent. For that reason, it is reported, Article 10 in the producers' code, now the stormy petrel of the entire code deliberations, will (Continued on page 3)

Chicago Theatres Start Code Wages

CHICAGO, Oct. 9.—Jack Miller, head of the Chicago Exhibitors' Assn., today stated that B. & K. Warners, RKO and Essaness were putting into immediate effect the new NRA Administrator Sol A. Rosenblatt's labor code for their employees in lower brackets.

Miller denied that he had actually signed the code, but stated that he had authorized Ed. Kynkendall, president of the M.P.T.O.A., to do so if (Continued on page 3)

Say Labor Snagged Supply Men's Code

WASHINGTON, Oct. 9.—Difficulties which the supply dealers' code ran into are largely influenced by labor's contention that clauses covering union men were written carefully and provided only for the President's 40 cents per hour minimum for mechanical (Continued on page 3)
Looking 'Em Over

"The Good Companions"
(Fox-Gaumont-British)

Several good tunes and a title which, despite its British origin, is widely known here through the J. B. Priestley novel on which the picture is based, are the principal assets of this Fox importation.

The story involves the chance meeting of two men and a girl who have cut loose from old ties and struck out on their own in search of adventure. They encounter a stranded music hall troupe and the girl, Mary Glynn, decides to stake the show on a small farm, inherited by her. In 10 weeks the fund has been exhausted and the troupe, unsuccessful, is forced to break up. Rice and other various trials, including an attempt on the part of a rival producer to break up a crucial performance attended by an important London producer, Jessie Matthews, ingenue of the show, and Edmund Gwenn, author of its lyrics, are seen for starring with a London company.

"Rust Rides Alone"
(Columbia)

Tim McCoy in another western which has him saving the ranch of the heroine's father from the clutches of the villain and winning the girl after it's all over. There are no fireworks and hard riding in the later reels which will give the youngsters the action they crave in this type of feature. There is a dog, Silver, who aids McCoy and he should get over with the juveniles as well. Receiving a note from Barbara Weeks' father that the latter's son has disappeared, McCoy takes to sleuthing and learns that Rockliffe Fellows has him stowed away on his ranch as a means of getting the girl's father to sell the ranch. With the aid of Dorothy Burger, daughter of Fellows, and Wheeler Oakman, the hero clears the country of its greedy clique.

Two B'way Theatres
Boost Their Prices

Increases in admissions have been made at the Rivoli and Strand. New prices for the Strand have been effectuated at evening admissions 10 cents, while on Sunday 20 cents has been added to the 12 noon to 1 p.m. show and 10 cents to the 1 to 2 p.m. performance. On Saturdays loges are priced at $1.10 and on Sunday this figure is boosted 15 cents. No increase has been made at the morning Rivoli shows, but from 1 to 1 p.m. an additional 20 cents is now charged. From 6 to 10:30 p.m. the price has been boosted 19 cents, and from 10:30 to closing, 20 cents.

Retakes for "Clouds"

Hollywood, Oct. 9—Columbia's "Above the Clouds," which has been going back six weeks, has gone back for retakes.

Most Stocks Slump Slightly

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Technicolor Gains One Half

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Trading in Warners Heavy

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Legal Snags on Salaries Are Seen

Pay Control Is Believed Pushed Aside

(Continued from page 1) Eventually emerge without any provisions of this nature.

Will Will Rosenblatt Say?
Spontacle, too, is what Rosenblatt's answer will be. Since he has ruled that he will not reply to questions outside of press interviews, there appeared little point in attempting to obtain a statement. An effort was made, despite this, but the deputy administrator could not be contacted.

A check of code developments in other industries, however, brought to light no case quite like the Academy's. Rosenblatt may grant the request, if he likes, and be may not. The granting of public hearings will, of course, be a part of the entire program. They were not released as they were made, and the public hearing was called for the first time.

Concessions for Salaries

The question of whether important changes will not strike out for themselves by producing new visions, and, as employer of television, the NRA properly could not restrain them from doing so.

The picture is the situation as it is reliably understood to prevail at midnight. The latter-day aspects of code deliberations have been subject to wild speculation, rumor, and considerable change, with the result that situations of the situation unless early today are being dropped or altered as new developments stalk the picture.

Snags to Salary Curb

There appears little reason to doubt that the Administration would prefer that some sort of a bill called skyrocketing salaries. It is the hitch legally and practically which makes any observance of it difficult and, in the opinion of some, impossible.

Tonight unmet among remaining exhibitor delegates is a moment. They want to get back to their business and, not so privately, several are inquiring why Rosenblatt has remained braced about in the last couple of days that Johnson proposed taking a hand in the code formulation but would not do so. The report seems well defined that the administration made it clear to major producers on Saturday that neither the President nor Johnson himself contemplated interfering with Rosenblatt. The exclamation point is the situation unless pronounced insignificant to New York society, but the picture is the situation as it is reliably understood to prevail at midnight. The latter-day aspects of code deliberations have been subject to wild speculation, rumor, and considerable change, with the result that situations of the situation unless early today are being dropped or altered as new developments stalk the picture.

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No Delay for Independents' Moves

Washington, Oct. 9.—The old theatre has the name under a contract made about the time of its construction in 1925. Under an agreement made later use of the name was to have terminated Sept. 11, 1932, Rothafel, in the meantime, had contracted to permit Radio City to use the name.

Suit to prevent use of the term "Roxy" at the old theatre was brought against its receivers by receivers for RKO and Rothafel personally. A special master and the U. S. District Court held that the Old Roxy might not use the name, but the Circuit Court of Appeals, with Judge A. N. Hnnd dissenting, held that it might.

After the decision the RKO receivers dropped the case, but Rothafel attempted to secure a review by the U. S. Supreme Court.

RKO recently stated the new name for its Roxy would be RKO Center.

In Washington Once More

WASHINGTON, Oct. 9.—They’re burrowing in at the Mayflower now. Topcoats are beginning to appear and the codifiers are settling down for a long siege.

Sol Rosenblatt, it might be well to remember, made no promises that the battles will be finished Wednesday. He merely said he hoped and planned so. There’s nothing certain about all of this.

Bill Jaffe’s been having a tough time. That cold of his didn’t clear as rapidly as he and the doctor thought. The stream of visitors into his quarters has been steady. Bill is flattened at the attention he has been getting from topline executives.

Much long distance telephoning between Washington and Hollywood on that of Davil, Article 10.

Nathan Burkan has been very active on the agency situation which means Article 9.

Dave Palfreyman is improving. He spent several days in bed last week.

Harry Cohn called his brother. The Mayflower operator reported no Jack, so John S. Cohen, Georgia Hoffman, and some pictures on the New York Evening Sun. As a matter of fact, Jack had not left the hotel all day.

E. A. Schiller emerged from 936 about 6 o’clock Sunday and hit the air for the first time that day. He developed a yen for oysters and satisfied it across the bar at O’Donnell’s.

Ed Rafferty has found out that holding on to his sense of humor is an important something in a killing kind like this.

Schiller, incidentally, dropped in on Carter Barron, city manager for Loew’s here, and wondered if he’d get by the doorman at Loew’s Fox. He did. Three newspapermen groaned and cursed their luck.

The telephone gag was pulled again the other night. Julian Brylawski of the local M. P. T. O. A., Sam Wheeler, Fox manager, and Nelson Belt of the Washington Post bit hard.

Rosenblatt was looking forward to a day in the country on Sunday. He spent it in his office—from 9:15 on. Twelve hours later he was seen hurrying into the upper regions of the Mayflower.

Profile of the Day

Rosenblatt declared sound technicists were now satisfactorily satisfied with the provisions which stipulated that they could not be relieved of their duties during a picture in production.

Rosenblatt is working hard to get the name of Radio City back.

Coast Indies Talk

Over Stand on Code

(Continued from page 1)

Hoffman, president. Other meetings will be called, it was said.

J. A. Fazenda Dead

Hollywood, Oct. 9.—Joseph A. Fazenda, father of Louise Fazenda, is dead from a heart attack. He was 73 and had been ill a short time.

Reports Nathanson

Seeks Circuit Buy

(Continued from page 1)

ment-British financial interests. Nathanson is now operating partner of the Paramount Canadian theatres.

The acquisition of additional theatres by Famous Players Canada is understood to have been sidetrack ed by the negotiations reported to be under way between Nathanson and Paramount.

Neither Ralph A. Kohn, in charge of Paramount’s British theatre operations, nor S. A. Lynch, in charge of the company’s theatre reorganization, could be reached last night for comment on the reported offer by N. L. Nathanson.
Actors’ Guild Will Not Join Equity-Cantor

Hollywood, Oct. 10.—Edgar Cantor, in an exclusive interview today, spilled the persistent rumors that the Actors’ Guild would affiliate with Actors’ Equity, with local autonomy. He also denied the organization would ever affiliate with any other group, though he said that inside sources not connected with the guild that the possibility existed of becoming affiliated with the American Federation of Labor.

Cantor emphasized that the guild is a Hollywood organization for Hollywood actors in all classifications engaged in screen work, that they are in no way a belligerent body, but that they think the final code is adopted it will be fair enough to all actors.

Deny Nathanson Is To Get Big Circuit

Reports from Toronto that N. L. Nathanson, head of Famous Players Canadian, was here to negotiate for outright purchase of the Paramount Canadian subsidiary, were denied yesterday by Ralph A. Kohn, head of Paramount Publicity theatre operations. Operating reports of the Paramount studios have revealed the Famous Players Canadian circuit to be among the most profitable theatre properties of Paramount, which is regarded here as a strong argument against the likelihood that it will be disposed of.

Warner Anti-Trust

Suit Off to Nov. 6

Trial of the Department of Justice anti-trust suit against Warners, an outgrowth of the company’s acquisition of First National was adjourned again, this time to Nov. 6, when the case came up on the U. S. District Court calendar here yesterday.

Although official expressions cannot be obtained from either Attorney General Homer S. Cummings’ office or acting as attorney for the company, it is generally believed that the matter will be disposed of in the near future.

About 85% of Code Settled, States Deputy

WASHINGTON, Oct. 10.—Estimating 85 per cent of the industry code is now in final form, Deputy NRA Administrator Sol A. Rosenblatt today said. The new code for the nation’s theatre industry is essentially an independent agreement which will be forwarded immediately to the labor, consumers’, research and planning, industrial and labor boards of the NRA, for immediate study in the expectation that these five boards, which must pass on all industry codes, will be ready to submit reports by the end of the week.

Rosenblatt said he had reason to believe these bodies had nothing of a pressing nature ahead of them.

Demountable Plans For Theatre Sets

Demountable theatres, made of interchangeable steel beams and ranging from 270 to 600 seats each, have been patented by Pix Theatres Corp., newly organized under New York state laws. Frank R. Wilson, formerly vice-president of Principal Distributing Corp., and John S. Clarke, Jr., are the sponsors and say the plan which was patented in Washington two weeks ago makes possible construction of several theatres.

Allied’s Anti-Code Fight

By Wires Irks Rosenblatt

WASHINGTON, Oct. 10.—Insurgent exhibitors will get no consideration in last-minute deliberations to formulate a code, Deputy Administrator Sol A. Rosenblatt strongly intimated tonight upon discovering that a flood of telegrams received in protest that the NRA code had its origin in an organized campaign sponsored by various Allied States units.

While awaiting copies of the second NRA draft, which now looks as though it would be the final code for the industry, Rosenblatt was given two bulletins. One was dated Oct. 8, and sent out by Allied of New Jersey. The second, dated Oct. 9, was sent out by the M. P. T. O. of Eastern Pennsylvania, Southern New Jersey and Delaware. Both bulletins were sent to members of those organizations and ordered the recipients to flood President Roosevelt and Administrator Hugh S. Johnson with electric messages, which included such language as: "The 85 per cent code is a phony deal, and the bill we’re fighting is the genuine one."

Still Speculate on Allied Dual Stand

WASHINGTON, Oct. 10.—Curiosity is still rife over why Allied informed Deputy NRA Administrator Sol A. Rosenblatt recently that its delegates could not agree on disposal of the double bill question.

A man who says he has had access to the vote on the issue, as taken at the code-forming conferences in New York, asserts the record shows all
Looking 'Em Over

"The Big Bluff" (Tavern)

Regional Denny in the role of a bungus lord held a Loew's New York audience in titters. Doing an act on a small town stage, Denny and his performers are recruited by Donald Keith at his home. The reason here being that he knows Chudwick is a crook out for new victims. The hero falls in love with Claudia Dell, sister of Keith, and the romance almost goes on the rocks until it is revealed that Denny is in reality a lord. The thief is apprehended just as he is about to make a cleanup at a party in Keith's own penthouse.

In addition to Denny, Miss Dell, Chudwick and Keith are J. D. Prouty, Phil Head and Alden Gray. It seemed to please an afternoon audience at the Broadway house.

Krimsky to Delete "Emperor" Dialogue

As a result of protests registered by Negroes, a new colored dramatic leaders and teachers of the race here, John Krimsky, co-producer with Gifford Cochran of "Emperor Jones," has agreed to delete the word "nigger" wherever it appears in the picture's dialogue from prints booked into colored houses. The week, the film 34 times. A revised print with the deletions made was shown in a colored house in Washington last week.

The original print will be left unchanged for all bookings at white houses, Krimsky states.

McKee Film Workers Name Their Leaders

The McKee for Mayor campaign committee has appointed Wayne Pierson of Weldon Pictures board leader of its stage, screen and radio division. J. J. McCarthy of Paramount appointed associate chairman, and Charles L. O'Reilly, president of the T. O. C. C. chairman of the motion picture division. The campaign committee will stage a luncheon at the Motion Picture Club for all interesting members of the industry some time next week, the date to be announced later.

Meyer Golden Passes

Meyer Golden, one of the foremost producers of units for RKO vaudeville and picture houses, died early this week of heart attack while asleep. He was 63 years of age. Golden had been ill for the past 10 years and returned from abroad about a week ago while he had gone to take a cure. He is survived by two sons, Maurice and George, who will continue in the business. Among his various productions are "Russian Art," "Garmark," "Blue Bird," "Four Blondes" and "Night in Spain."

Arlish Arrives Today

George Arliss arrives from England today aboard the Europa. The actor will proceed immediately to the reading of "The House of Rothschild," a 20th Century production, with "Sentenced" following.

Most Stocks Slump Slightly

Curb Stocks Inactive

Warner Bros. Rises 3/8

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Cohn on Way East

Hollywood, Oct. 10.—Harry Cohn has left here to attend a meeting of Columbia directors in New York.

BEN BLUE
Starring In Series
WARNER BROS. SHORTS

Produced by Directed by SAM SAX RALPH STAUB

Direction: LEO MORRISON

COLUMBIA IN TOKYO

Columbia will open a distribution branch in Tokyo this week, the company states. This addition to Columbia's foreign distributing organization will be followed later with the opening of additional branches in the Orient, according to the company's plans.

Pollard Opens Oct. 21

"But" Pollard will formally open his studios at Granowitz, N. J., Oct. 21 with a dinner-dance. The Art Kahn and Paul Sabine orchestras will supply the music. "The Dead Halls" will be the first feature to be put in production at the plant.

Educ's Signs More Stars

Educational has signed a number of stage and radio stars for its shorts to be produced at the former Paramount Astoria studios. Among those signed are Milton Berle, Lilian Roth, Bob Hope, Tom Patricola and Ernest Trask.
KATHLEEN NORRIS'
sensational seller

Stirring revolt of a wife against a man who used their marriage as a smoke screen for his indiscretions...and repaid her loyalty by refusing her the right to motherhood. A woman's picture of tremendous emotional appeal...with gorgeous settings, stunning gowns.
Well, I see "FOOTLIGHT PARADE" is in! Grossed about 25 percent over "GOLD Diggers" th first week-end in New York, they tell me......I'm figurin on jumpin my scale an holding it a week longer than "Diggers."

Yea, an by the time you got them set in you'll have about half a dozen more backed up waitin for dates. I oughtta be giving 'em this football show "The College Coach" right now, but that means moving back the new Chatterton an Kay Francis pictures.
The only thing that's worryin' me is that Warners are firin' so many big shows at me I can hardly handle 'em. "Parade" is gonna tie up my first runs for 3 weeks anyhow, an' that means I gotta hold off all that time with Stanwyck in "Ever in My Heart," Muni in "The World Changes," an' Powell's "Kennel Murder Case."

Jim's the big winner tonight, isn't he? Boy, he needs it with that product he's stuck with! Can you picture me playing shows like "Anthony Adverse," "Wonder Bar," and "Convention City" right across the street from his shooting gallery? Better stick to poker, Jim, an' give up show business, when you gotta buck opposition like that!
Salaries-Fixing Plan Is Out Of New Code

New Code 85 P. C. Completed

(Continued from page 1)

meetings with various groups. What these meetings would be and with whom they would be held or how far they would be carried out to outline, although one of them will be with the exhibitor committee on labor Wednesday morning, Volunteering the information that some groups had signed, Rosenblatt was silent on details. He refused to list the names of the groups by industry divisions. Another possibility is that some clauses as they now stand will be affirmed, and other interest centers around what was Article 9 in the producers' code, which now is listed as Part 4. It provides for the right of agents who produce have insisted, must be controlled in code authority. Producers are forbidden to transact business with agents who offer gifts or gratuities to producers or employees. They may be required to furnish or enter employees under written contract from their present employment, to knowingly make false representations to procure the same.

Substantial portions of the second revised code have undergone changes in text and position in the document as it is now presented. The other half of the code, likewise as they appeared in the first NRA draft. The preamble now embraces the trade associations generally, as the original 17, and while many are identical with those which appeared in the draft No. 2, some are not.

Definitions of agents' and artists' bureaus are included. Also eliminated is the definition of a contract.

Authority for Same

Exposition of code authority and its function is essentially the same, while just as the first draft had left blank personnel of this important body, likewise does the second, Rosenblatt said. It was difficult for him to name the names of those who will serve on it. There are, however, three new clauses in the code, as previously reported. These are listed as Numbers 8, 9 and 10. The first vests in the body the right to use such facilities as it deems necessary in order to carry out its purposes. The second grants them the power to make rules and regulations governing the conduct of producers, distributors and exhibitors among themselves, and with each other. These are listed as Numbers 8, 9 and 10. If approved by the administrator, "Number 9 gives code authority the right to use facilities of regional and local trade associations, if it so desires, to further its purposes.

Number 10, which exhibitors consider a concession, stipulates no member of code authority shall sit on any matter involving the company or his own interests "directly or as a class." The labor provisions, troublesome clauses in the eyes of the exhibitors, indicate that men have lost their fight to have the prevailing wage scale for operators as of July 1, 1933, when summer cuts went into effect, prevail. The code reiterates that the scale as of Aug. 23, 1933, when summer cuts had been made, "is to be the rule." Exhibitors tonight were studying these provisions anew and had not indicated to Rosenblatt whether or not they would accept them.

No Secret Agreements

The article, now listed as Part 5 of the producer section of the code, states that "no agreements or understandings, or fomenting discord among employees under contract to another, are permitted. This provision, which had been described prior to the last 30 days of an expiring contract, but freelance producers are covered in a separate section. However, the contract producer makes a bid for service within the confines of the limiting clause he is compelled to inform the employing producer of his offer and to outline fully the terms and conditions of his proposal.

Authority Is Vested with Full Powers

becomes apparent culprits will be forbidden from leaving one producer for another and continuing the same violation.

Section 8 of this division in the code is loaded with dynamite. It empowers code authority to "impose restrictions, prohibitions or conditions" as it may deem proper upon the distributor and exhibitor of pictures produced and to be produced, "in a substantially, if not persistently or violently vio-

late any of the provisions of this part." The registrar will be appointed and removed by code authority.

Other major changes include the readjustment in the personnel of grievance and zoning and clearance boards as announced by Rosenblatt and published in the Motion Picture Daily last Wednesday. The new code contains detailed terms of the 10 per cent care- cellation privilege as reported on the same day.

Code Delaying Union Parleys In K. C. Area

KANSAS CITY, Oct. 10—Code discussions are delaying new labor contracts in the Kansas-Missouri territory, according to Felix Snow, stage employers' business agent in Kansas City and regional representative of the I. A. T. S. E.

A number of unions which expired Aug. 31 have not been renewed by Fox Midwest and other theatres in Kansas, pending completion of the code, said Snow. The same holds in Kansas City, Kan., where theatre owners have presented union demands to the district NRA representative. The operators' union in that city has decided to await adoption of the code before pressing its claims.

The A. T. S. E. general office has sent out instructions to that effect, it is said.

Outcome Hinges on Clauses

Outcome of Dubinsky Bros. fight with the operators' union in St. Joseph, Mo., also hinges on labor clauses in the industry code. A recent attempt to conciliate differences under authority from the National Labor Board, met with failure when the union local refused to waive existing contracts providing for two men-in-a-boat.

Contracts calling for two men to a shift to Dec. 1, the Dubinskys ask a reduction in manpower at their three houses in St. Joseph and allege they were forced to sign present contracts under duress. To fight the union, they said, meant violence in the form of stench bombs and fire.

No Cheers on Labor

Washington, Oct. 10.—Reten-
tion in the second NRA code was submitted to producers Aug. 23 as the determining date on which operator wages are to be prevailed. No cheers from the exhibitor committee tonight.

They had been moving for July 1 as the day that the exhibitors generally believed they would win their point. Aside from the date, the changes in the labor provisions are slight and generally clarly form-

ulas under which disputes are to be determined.

At a late hour tonight the exhibitor committee and other ordliders were still studying the new code and had not signified to Rosenblatt whether they were willing to accept his decisions on labor. They will meet with him Wednesday morning in an effort to finally reach a solution.

If the employing producer meets terms and conditions, the bidding ends, but the player can retain the right to determine whether he prefers to continue with the old employer or join the new one. The producer can cancel an existing contract for at least one year, or for three pictures, inclusive of options and where the weekly minimum salary is not less $250 per week, or more than $2,500 per picture, the employing producer is to be given the right to match the offer within three months after the contract so involved expires in all of those instances where the offer can be increased by at least $10 per week, or less than $10,000 per picture. Other classes of players covered are those who are employed under a contract who earn not less than $250 per week, or $2,500 per picture, as well as those written contract for a period of more than one year where the salary is the same.

Registrar Is Provided

Replacing the administrative com-
mittee proposed originally by pro-
ducer, a registrar cloaked "with full power and authority to de-
termine the good faith of any offer made." He will also designate whether the period in which to meet competing offers is to be three or six months. The registrar will be appointed "by the post formerly held by Edwin J. Loeb, prominent coast attorney, under the arbitration agreement signed some time between the Academy and major producers.

If code authority, or any commit-
tee, appoints it, the registrar discovers any producers or employees has refused to meet the mandate of this clause, it may order all producers or employees from contract with the produ-
ger for whatever period code au-
thority may designate. The teeth in this clause are the provisions code authority the right to call it an unfair trade practice for any distributor or exhibitor to sell or to show any pic-
ture produced by, or with the aid of, such person regardless of how or where such picture is made. Thus it
Rosenblatt Explains Why Right To Buy Cannot Be Put in Code

Washington, Oct. 10.—Why the right to buy did not and, in his opinion, could not go into the code was explained by Deputy NRA Administrator Sol A. Rosenblatt tonight. He has said in exculpation of himself and others with whom he worked exactly on how any right to buy arrangement would work in any given case.

This can be pointed out how the value of films depended on the run and cited the local Washington situation where one first run gives the distributor more money than all the subsequent combined. In a case, for instance, where a picture that the small theatre charging 10 cents could not deliver the same performance in money as a larger theatre charging 50 cents, and he asked where the distributors was

This, in other words, is another slant on the right to sell which Rosenblatt has maintained all through the parleys is just as important to the industry idea that there are provisions limiting over-buying and providing for settlement of disputes through grievance boards and the code authority will prove the answer to the right to buy question, although not

under that slogan.

These boards are four in number and cover every field of exhibitor activities.

(a) Zoning and Clearance Boards, to control the competition of product from unfair discrimination and excessive price wars.

(b) Grievance Boards, to correct the erroneous nature of product and playdates, unfair competition between theatres and any violation of local rules or unfair practices or injustice done.

(c) The Code Authority, a national board with unlimited powers and government representation to review the findings of any of the preceding local boards on appeal.

Under this system of self regulation we have the power to deal with any problem that may arise.

2. Labor—We have successfully opposed the demands of labor for two men in the movement. Their claim actually opposed their demands for A. F. of L. intervention in non-union theatres.

Uniform Standard Contract—An understand stand contract of identical and uniform fully approved the demands of distributors and approved and enforced by Government author ities.

4. Definite Availability and Forced Re sale—It did not become obvious where there was a possibility of prior risks to insure availability of product within a given time to the subsequent run thereby preventing the arbitrary withholding of product by the theatre owners.

5. Eliminations—A flat elimination of 10 per cent. The price per picture is $250 or less on group sales of $500.

6. Designated Playdates—On a given day of the week the exchange cannot be arbitrarily forced by the exchange without the consent of the exhibitor at the time of contract, and even if the time had been sold it may be changed if unsuitable to exhibitor’s satisfaction on the designated date.

7. Tying Shorts with Features—Sharp restrictions designed to prevent forced buying of more product without the exchange.

8. Forced Booking of Shorts with Features—Under a law where optional arbitration clause is not granted a short feature may be booked. It is

9. Overbuying—Prevented where done for the purpose of depriving competitor of product.

10. Substitutions—Definitely defined with the exchange liberties and others rights.

11. Poster Exchanges—We have success fully eliminated the demands of distributors to eliminate poster exchanges.

12. Intermediation and Coercion—By threats of competition to induce exhibitor to sign a contract is prohibited.

13. Distributors’ Employers—Prohibited from using positions to interfere with competitors and to act in such an interest direct or indirect in competing through the code.

14. Non Theatricals—Prevented where unfair competition to established theatre.

15. Office Records—Confidential In for mation and its divulgence by a distribute or is prohibited.

16. Price Adjustment—Provided for where contract is bought on an average price of picture and all pictures not

17. Compulsory Identification—All pictures must be designated by reference to a star, director, author or descriptive synopsis of contract.

18. Selective Contracts—Notice of selection or rejection must be given within 21 days of date of availability, thus specifying up availability for subsequent runs.

19. Unfair Competition— Rebates, script books, lotteries, coupons, throwaways, two weeks advance booking is prohibited.

20. Premiscious—Prohibited by vote of 75 per cent of theatres in a given clearance area.

21. Interference with Possession—Interference with negotiations or personal pres entation of a theatre by one exhibitor over another is prohibited.

22. Inducements to Breach Contracts—Or to procure unfair advantages or to deprive another of product are prohibited.

23. Exhibitor as Distributor’s Agent—Under no conditions to forward film exhibitor for this purpose acts as the distributor’s agent.

Dual Features and other similar matters—The M.P.T.O.A. has always maintained that these matters are for local determination, and it has never sought to dictate to its members. We are of the opinion that conventions throughout the country are so varied that these problems should be left to local determination.

Rosenblatt to Talk To Wisconsin MPTO

WASHINGTON, Oct. 10.—Deputy NRA Administrator Sol A. Rosenblatt today declared Dr. Lowell and senders of other wires on the above point does not understand the pur pose of the code on this point. He pointed out that the original exhibitor proposal might have had the result pointed out by Dr. Lesslow, but that the code as revised today indicates the intention to restrict that type of showing. This is covered in Part 4 under provisions covering distributors in the new code form.

Independents In Hollywood Wire Protest

Hollywood, Oct. 10.—Sam Wolf, counsel for the Independent Producers, today wired Deputy NRA Administrator Sol A. Rosenblatt declaring the code did not represent their interests and pro viding for their protection, and re quested a hearing.

The legislation believes the code is unfair and imposes a great burden insofar as adding further cost to production without a guaranteeing sufficient return. The fact that double billing is entirely left out of the code leaves it wide open for major companies to rubber stamp their contracts prohibiting exhibitors from showing their product in connection with another picture, members asset.

Regulations as they stand do not prohibit notorious and vicious practices of the majors which so-called would prove vastly detrimental to independents, the wire stated. Wolf further declared most every major point for which independents have been fighting for has been left out of the tentative code.

WASHINGTON, Oct. 10.—Independent producers in Hollywood today wired Deputy NRA Administrator Sol A. Rosenblatt that they faced extinction if any code restrictions on deals were made.

Rosenblatt’s reply was to the effect that the code did not even mention independent producers at all, and if not even mentioned, please tell me how independents figure they will go under?”

Educational Film

Users Ask Change

Dr. A. Lawrence Lowell, head of the M. P. Research Council and ex president of Harvard, has sent President Roosevelt a letter of protest signed by 90 members of the committee in which it is asked that “provisions now in the codes be removed which may, if retained, prevent schools, churches, and other non-commercial agencies from renting and exhibiting current films in their libraries, either with or without fee.”

WASHINGTON, Oct. 10.—Deputy NRA Administrator Sol A. Rosenblatt today declared Dr. Lowell and senders of other wires on the above point does not understand the purpose of the code on this point. He pointed out that the original exhibitor proposal might have had the result pointed out by Dr. Lesslow, but that the code as revised today indicates the intention to restrict that type of showing. This is covered in Part 4 under provisions covering distributors in the new code form.
"A SMASH! Has everything a picture should have! One of those pictures that should exploit itself even more than all the tricks of showmanship could. Certain to bang off a swell tune in any box-office!"
—HOLLYWOOD REPORTER

"An uproarious affair! On entertainment value or any other way you look at it, this looks in the bag!"
—FILM DAILY

"Tab this as a record wrecker. A cinch to sell! They've handed you everything!"
—MOTION PICTURE HERALD
What it Means
CHENCK presents
ZANUCK
ACTION

“Gorgeous, stirring show...a gold standard
money-maker... grand entertainment.
Sets a prosperity pace for production
merit and box-office sensations!”
— MOTION PICTURE DAILY

“Gets the new company away to a
grand start! A money magnet
at any theatre!”
— VARIETY

“A knockout show with all money-
making ingredients, including
pathos, comedy, brilliant direc-
tion, exquisite mounting. Story
great!” — SHOWMAN’S ROUND TABLE

RAFT • JACKIE COOPER in
ERY

AT THE RIVOLI, NEW YORK
THE REVIEWS! THE BOX-OFFICE REPORTS!

Directed by
RAOUL WALSH

WITH THIS UNITED ARTISTS RELEASE
About 85% of Code Settled, States Deputy

MOTION

"One this groups completely asked mention request no before ...

No Indie Walkout, Declares Johnston

Denying that independent producers and distributors had walked out on the code conference in Washington, W. Ray Johnston, president of Monogram, before leaving yesterday to attend resumed conferences with Department of Justice and postmaster auditor Sol A. Rosenblatt today, stated:

"We asked the administrator for a week's time to give attorneys representing independents a chance to analyze the situation and offer suggestions for revision of the code. During that time," Johnston said, "some of the independent producers, distributors and exhibitors left Washington to spend the weekend at their homes. You will find them all at the roundtable in Washington, however, when the independent meetings are resumed Wednesday."

Johnston was accompanied by Harry H. Thomas, president of First Division, and Schecter, attorney for the Federation of the M. P. Industry, Inc., arrives at the Capital today from Indiana.

Still Speculate on Allied Stand Dual

(Continued from page 1)

exhibit will be on the committee voted for settlement by local autonomy on the basis of a 60 per cent theatre vote in each zone. He adds the one dissenting vote came from a representative of affiliated theatres who failed to offer any alternative.

ITOA Discusses Code

Discussions of code developments in Washington yesterday highlighted the weekly session of the I. T. O. A. Harry Brandt, president, and the committee return to the capital today after detailing the code events at the Astor yesterday.

Insurgents Get Little Attention

Academy to Take Stand Upon "Raid"

WASHINGTON, Oct. 10. The attitude of the Academy of M. P. Arts and Sciences on Article 10, covering star "raids," as it appears in the second draft code. Article 10 has been presented today, will be determined following a meeting of the organization being held in Hollywood tonight.

Lester Cowan, executive secretary of the Academy, who is in attendance at the code sessions here, maintains that the purpose in its present form is much more than the original clause which was included in the producers' code in that it affects considerably more players.

Tonight Cowan did not expect to receive a report from the Hollywood afternoon's decision until 3 or 4 o'clock Wednesday morning in view of the time difference between the east and west coasts.

Deputy NRA Administrator Sol. A. Rosenblatt denied today that any request for a public hearing on Article 10 had been received from Cowan, while the latter contributed to a recent mystery by insisting that a letter containing such a request had been dispatched to the deputy administrator last night. Merely to rectify the misunderstanding, Cowan proposed to send Rosenblatt a wire reminding him of the original communication.

The possibility of a public hearing being held on the article is considered extremely remote, since Rosenblatt has stated several times during the week that no more open sessions would be held on any points. From now on it's private conferences, if anything, he maintains.

Cleveland Pledges Support to Allied

CLEVELAND, Oct. 10.—Resolutions pledging financial support to Allied code were passed yesterday at a meeting of the Cleveland M. P. Exhibitors' Association which was attended by independents from northern Ohio. The action was taken following addresses by Sidney Samuelson of New Jersey Allied and Col. H. A. Cole of Texas.

Samuelson and Cole left here last night for New York, expecting to stop off at Buffalo. M. B. Horowitz was named as delegate of the Cleveland exhibitors at further code negotiations in Washington, with Myer Fine as alternate.

No Film Help Given For "Buy Now" Work

The NRA Buy Now campaign is in full swing, but to date there is no evidence that the film industry has participated in the move, according to M. B. Wilson, head of the movement.

Academy's Anti Code Fight

By Wires Irks Rosenblatt

(Continued from page 1)

ed, "how nearly 40 wires, all dated Minneapolis and sent to me direct, purporting to express the code objections of northwestern exhibitors whose operations, in many cases, are hundreds of miles from that city, could have originated there spontaneously. Minneapolis is the home of Mr. Steffes, head of the North- west Allied unit and former national president of Allied."

Says It's Countrywide

It was Rosenblatt's assumption that if this sort of "propaganda machine" functioned in territories for which he had proof it "was also functioning all over the country as well."

"General Johnson will be interested in secondment," the latter added.

Rosenblatt offered photostatic copies made of the New Jersey and Penn- nsylvania association's letters and intends to send them to the White House as well as to General Johnson, he said. "I had been wondering about these wires," Rosenblatt said. "They all contained stock phrases and my suspicions were further increased when I found that certain gentlemen were interested to investigate, and their findings are what I have just given you word of%

"In the face of this development and also in view of the fact that the second draft, a copy of which is included in Rosenblatt's opinion, is 85 per cent complete, it appeared inevitable tonight that the code analysis containing the independents' objections will be completely disregarded."

"Riders" for Sales Pacts Are Approved

NRA code: "Individual distributor's sales policy provisions may be inserted in the schedule of such (the standard optional contract), but shall not be contradictory to any provisions thereof."

Much "beefing" from independents on this added provision is destined to be heard. Their contention has been that the sanctioning of a distributor's right to add clauses not already in the standard contract will result in a ban on double billing by independent distributor decision to prohibit coupling their pictures with any other feature on the same bill.

Paras Buys Two Plays

Hollywood, Oct. 10.— Paramount has purchased the film rights to "Riders" and "Double Door," two plays, the former by Kenyon Nicholson and Charles Robinson and the latter by Elizabeth McFadden. Carole Lombard has been given a new contract by the company.

"Actors' Guild Will Not Join Equity-Cantor

(Continued from page 1)

be acceptable and avert any possible controversy."

"Asked his reaction on salary control, Cantor said: "One can't control the earning power of talent any more than one can control the creative ability of the artist." He added the earning power of any artist should be measured by the profit he can command.

The guild membership now totals 750, of which 58 are Academy members. Three more actors resigned from the Academy today, making the total of resignations 27.

"About this one..."

Hollywood, Oct. 10.—The mass meeting of the WPA's Guild held for Thursday for final discussion of revisions in the various codes, particularly that relating to the signing of contracts, has been postponed to Sunday night.
K. C. Women Form Better Film Group

KANSAS CITY, Oct. 10.—The Better Film Council of Greater Kansas City has been organized under the sponsorship of the second district, which includes all of Kansas City's Clubs, comprising groups in Kansas City and vicinity. The announced purpose is to secure the production of pictures suitable for children.

Five reviewing committees of members each are to be appointed to review all pictures presented at first runs. The Film Council's approval, which will be based on the committees' recommendations, will be extended to members of participating organizations. Other committees will have charge of "family night" selections, publicity and a speakers' bureau.

"It is not our plan to take any militant or fighting stand for censorship," according to Mrs. Mason C. Alderman, president of the new council, "but we do intend to take an active interest in the kindergarten pictures that are being shown to our children and to cooperate with the exhibitors in seeing that the first type of entertainment is offered.

"We will preserve at all times a complete independence of action from the motion picture industry. Committees of women from our council will attend previews or first runs, consult with managers on certain points and publicize what we consider the outstanding and worth while pictures through the radio."

Cleveland Men Plan Exhibitor Expansion

CLEVELAND, Oct. 10.—Plans are under way to expand the Cleveland M. P. Exhibitors' Ass'n, to include all territory served by Cleveland and Cincinnati exchanges. This is contingent on success of the organization in fighting for a repeal of the 10 per cent amusement tax. A mass meeting of all Ohio independents has been called by G. W. Erdman, secretary of the association on certain points and publicize what we consider the outstanding and worth while pictures through the radio.

New Kansas Taxes Loom

TOPEKA, Oct. 10.—Indications are Gov. alf Landon will call a special session of the Kansas legislature to convene the last of this month. Taxation of the state will be taken up, among other problems.

"Sweetheart of Sigma Chi" (Monogram)

Hollywood, Oct. 10.—Monogram's ace musical should click mightily as fine entertain. ment. Almost every college drama balanced with romance is topped by an exciting crew race spectacular. Bester Crabbe, Mary Carlisle, Florence Lake, Charles Starrett and Fredrickic are the name draws. Should be profitable to Monogram franchise holders and satisfactory entertainmen for motion pictures.

VIC SHAPIRO

In Washington Once More

WASHINGTON, Oct. 10.—"He's sold us out," yelled Fred Mayer as Ed Kuykendall ordered double orders of beer and raspberry ice.

"You're crazy," replied Kuykendall. "I've heard so much about double features, I unconsciously order my mind that way now. Besides, some of my own gang is giving me the raspberry so regularly, I can't resist ordering that kind of ice cream.

Meyer is openly jealous of Kuykendall and his ability to pack away food. Says he'd give 10 years of his life to eat one meal like Ed's. That is, if he survived the code that long.

Carter Barron, city manager for Loco's, varied the routine Monday night with a party in atmosphere for "The Bowery" at Loew's. It opens here in a couple of days.

Ben Berinstein will have earned all expense money if the M. P. T. O. A. crowd continues to play hearts and horses with him.

David Podell, who does special law work for Paramount, is here.

General relief today over improvement in Dave Palfreyman's condition. He's suffering from a boil and had to undergo several minor operations. His wife has joined him from New York.

The other patient, Bill Jaffe, is coming along, too.

Eddie Golden and Al Friedlander are sticking it out to the last. They are reportedly the only representatives of the insurgent group around now on the code.

Jack Cohn's phantom balloon team and the gags built around it are adding a much-needed lighter touch to the grip.

The majors are recuperating from their exploration trip through the Department of Commerce building last Saturday. A lot of new shoes were broken in that day.

Nate Burkam expected to pull out of here last Saturday. He's still around.

Jack Cohn had a dinner party planned for Herman Robbins and some others when the second code bent delayed it. On Saturday, he telephoned his wife he expected to leave that night, found Article 10 interfering again and had to call off the delayed dinner which had been set back to Sunday and then didn't make that. Now his wife isn't answering his phone calls.

That dazed film man roaming the streets the other night was not punch drunk. It seems he had completed reading the NRA code for the second time and it got him.

Sam Dembow and George Skouras are here again, although neither one knows why. So they went into a bet, along racial lines. George bet Sam there were 16,000,000 Jews in the world. Sam maintains there are not more than 10,000,000.

Second bet narrows it down. George says if there aren't 16,000,000, the total is between 15,000,000 and 16,000,000. Sam figures the number hits between 12,000,000 and 13,000,000. Meet 'em at stake on that one.

Third involves the Greeks. Skouras would. He insists there are not more than 300,000 in the United States. Sam holds the number is over 350,000. An overcoat changes hands on the third of the trio.

Charlie Kranz, local United Artists manager, who numbers countless exhibitors among his friends, has been visiting the gang at night.

Taylor New Warner West Va. Zone Head

PITTSBURGH, Oct. 10.—Marshall Taylor of Warner Brothers' New England zone has just been appointed district manager of the West Virginia division in Harry Kalmine's Pittsburgh territory. He succeeds James G. Balmer, who resigned recently to become general manager of the Harrioson amusement company.

Warners have also filled the long-vacant post of Main Line district manager with the appointment of Eddie Moore, city manager for the city's two Johnstown houses. He takes over the post formerly held by Gilbert Josephson.

No successor to Moore at Johnstown has been named. The Main Line territory includes Greensburg, Altona, Johnstown and other spots.

Goldstein Is Named Variety Club Head

PITTSBURGH, Oct. 10.—Harry Gold- stein, Paramount manager here, has just been elected president of the Variety Club. He succeeds John Maloney, M-G-M branch manager, and will be inducted into office at the club's annual banquet at the William Penn Sunday night, Oct. 22.

Other officers are: First vice-presid. ent, Harry Kalmine, zone manager for Warners; second vice-president, M. J. Collen, manager of Loew's; secretary, James G. Balmer, Harry Amusement Co.; treasurer, L. L. G. Beindorff.

Eight directors selected were: Ben Kalmenson, Jules Lapidos, Art Levy, Frank Smith, Bill Benswanger, John Cohn, Philip Benswanger and Harold G. Cohen.

Demontable Plans For Theatres Set

Washington, Oct. 10.—No further action is expected in Congress both this year and next for the passing of the measure to give the N.R.A. fourteen months grace in its enforcement of the codes for the building of new theatres.

This house weighs under 60 tons including seats, furnishings and decora. tion and will be equipped to project standard width films. The trend is that if these demolutable houses don't pay in one location they can be dis. mantled and put up on an open lot or plot elsewhere.

The backers maintain cheapness of construction is expected to be the at. tractive. They hold that financing of regular theatres will be difficult for the next 10 years and so contemplate opening their proposition to financing on a monthly basis, just as an individual might buy an automobile.

Wilson and Clarke, state architects, are making plans for theatres beyond 600 seat. ing capacity, but the immediate plan is to furnish plans to three thousand theatres a seating a few less than 300, a second about 450 and a third about 600.

Warner Anti-Trust

Suit Off to Nov. 6

Washington, Oct. 10.—Deputy N.R.A. Administrator Sol A. Rosen. blatt confirmed Thursday on MOVIE PICTURE DAILY's story of yester. day stating that the first signatory to the complaint filed by Independent Thea tre Owners of Northern California through Morgan Walsh and L. S. Alonzo also took the same atti. tude toward the reported signing of Harry Brandt, president of the I. O. A. and Jack Miller of the Chicago Ex. hibitors Ass'n.

Rosenblatt Refuses To Talk on Signers

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"Broadway Through a Keyhole" (20th Century-U.A.)

Hollywood, Oct. 10.—The second from 20th Century is released on the crest of a tidal wave of box-office publicity. The late Jules Win- chell's name and the recent Jolson-Winchell incident with publicity; the fact that there will have fans ready and eager to storm the doors. The picture will be called "Broadway Through a Keyhole" and the evening shows will have special lawn show- manship and word of mouth publicity following to big business.

VIC SHAPIRO
You'll laugh with tears in your eyes!
You'll thrill while stifling a sob!

TURDAY'S MILLIONS

turns all picture formulas upside down and hits the market just when football excitement is at fever heat!

**“Voltaire” Is Twin Cities’ Lead, $8,000**

MINNEAPOLIS, Oct. 10—“Voltaire” was a good draw both here and in St. Paul last week. It reached $4,000 at the Century here and took the same at the Como in St. Paul. Both houses were packed. 

“Torch Singer” was up to $6,000 at the Century. Elsewhere business was just fair.

Total first run business was $18,100 in Minneapolis. Average is $17,200. In St. Paul the total was $13,900, just $100 under normal.

Estimated takings:
- Minneapolis: Week Ending Oct. 5: 
  - “VOLTAIRE” (Warners) 
    - CENTRAL, 2,350, 7 days. Gross: $4,000. (Average, $571.)
  - “TURN BACK THE CLOCK” (M-G-M) 
    - LAWRENCE, 2,700, 7 days. Gross: $3,500. (Average, $500.)
  - “TORCH SINGER” (Para.) 
    - STATE—(2,300), 25c-45c, 7 days. Gross: $6,000. (Average, $857.)
  - “THE REBEL” (Univ.) 
    - WORLD—(2,000), 25c-45c, 7 days. Gross: $1,300. (Average, $186.)

**Warner Pittsburgh Houses Make Shifts**

PITTSBURGH, Oct. 10.—The first of the policy changes in Warner theatres to follow on the heels of Joe Fernand’s and I. J. Hoffman’s recent visit here has just been announced. It puts the Sheridan Square, in East Liberty, and the Warner, downtown, on a day-and-date policy for first-run releases. The first picture under the new arrangement will be Universal’s “Love, Honor and Oh Baby,” withSlim Summerville and ZaSu Pitts. The Sheridan Square has been operating for the last year as a second run house on a split week.

Some time ago, the Warner and the Enright, also in East Liberty, tried the day-and-date stunt, but it was dropped after a short trial.

**Hyattsville to Open**

Baltimore, Oct. 10.—By a vote of 435 to 255 Hyattsville, also, has decided on an open Sunday for films. The ordinance becomes effective after the official canvass of the ballots.

**Balto. Theatre Opens**

Baltimore, Oct. 10.—The Little Theatre, owned by Herman Blum, with Herman G. Weinberg managing, has been given a formal opening.

**Broadway, Aided by Show, 100% Above Par in Denver**

DENVER, Oct. 10.—“Broadway to Hollywood,” helped by a stage show, was a sensation here last week at the Orpheum. Its gross of $14,500 was the best business the house has ever taken. Holdouts were the rule all week.

“This Day and Age” was not far behind “Broadway to Hollywood” with $10,000, a business-getter at the Denham, in six days, it piled up $10,000, above what the management thought the first run business would be. The house returned to its regular schedule Thursday.

Total first run business for the week was $39,750. Average was $27,500. Estimated takings for the week ending Oct. 5:
- **HEADLINE SHOOTER** (Radio) 
  - Tabor—(200), 25c-45c, 7 days. Gross: $3,000. (Average, $430.)

**Portland Piles Up $3,000 for Paddy**

PORTLAND, Oct. 10.—“Paddy” piled up $3,000, the best thing so far for the Liberty, taking high honors for the week with $3,000, or $1—

After two weeks at Hammerick’s Music Box, “Morning Glory” went a third week at the Oriental, keeping up its average of $1,200.

“Turn Back the Clock” at the Broadway brought in $900 over the week. Also announced by garnering $1,200, up $2,000 at the Erlanger.

Total first run business was $21,200. Natives, including the Erlanger, is $24,300.

Estimated takings for the week ending Oct. 7:
- **ONE MAN’S JOURNEY** (Radio) 
  - HAMMERC’S MUSIC BOX—(2,000), 2sc-35c-40c, 7 days. Gross: $24,000. (Average, $3,429.)
  - **MORNING GLORY** (Radio) 
  - HAMMERC’S ORIENTAL—(2,000), 2sc-35c-40c, 7 days. Gross: $7,000. (Average, $1000.)

**“Harmony” Hits Big $10,100 in Buffalo**

BUFFALO, Oct. 10.—“Too Much Harmony” had them paying $10,100 at the Hippodrome last week to the tune of $10,100, a remarkable showing. The total was $5,200.

“Three Cornered Moon” was also a mild sensation, aided by a stage show at the Buffalo. The take was $17,800, above the week’s average.

“Dinner at Eight” added to the general impression that good times had returned and earned $12,000, up by $2,000 at the Erlanger.

Total first run business was $60,000, next week, including the Erlanger, is $44,300.

Estimated takings for the week ending Oct. 6:
- **TWO CORNERED MOON** (Para.) 
  - BUFFALO—(3,000), 25c-45c, 7 days. Stage: Howard and Jane Thurston & Co. Gross: $10,500. (Average, $1,500.)
  - **NO MARRIAGE TIES** (Radio) 
  - CENTRAL—(2,500), 25c-45c, 7 days. Gross: $4,300. (Average, $650.)

Paper Praises “Pigs”

Baltimore, Oct. 10.—Writing of Walt Disney’s “Three Little Pigs,” the Baltimore Post commented editorially: “This little piece of Disney’s seems to be the augury of a new art unit development promising a perpetual library of the cinema comparable to the libraries of the printed word. What could be more natural than the most exalted artistic genius in this mechanical age should grow up in the moving pictures? Disney is a joy for the present and a 1,000 years for the future.”

**Take Kansas City House**

KANSAS CITY, Oct. 10.—W. P. Humston and W. L. Norris, Weber shareholders who own them here, have taken over the Century, a downtown, suburban house, to be used as a demonstration theatre. The house has been renamed the State.

**“Penthouse” Gets $7,000 In Cleveland**

CLEVELAND, Oct. 10.—“Penthouse” went $1,000 over average to $7,000 at all Cleveland houses since cool weather arrived. Business took a tumble all over the city. “Dinner at Eight,” opened a roadhouse engagement at 65c led by three pictures. Good evening crowds. Most theatres were disappointed. “Narrow Corner” at Lake also went over average. Others just got by.

Total first run business, exclusive of “Dinner at Eight,” was $35,000. Average was $3,650.

Estimated takings for the week ending Oct. 6:
- **SING, SINNER, SING** (Majestic) 
  - ALLEN—(3,300), 25c-45c, 7 days. Gross: $1,500. (Average, $451.)
  - **BRIEF MOMENT** (Col.) 

COLUMBUS, Oct. 10—Divisional headquarters for Loew’s theatres advertising have been established here by William A. Finney, western division. It is a place where is an interchange of ideas and helpful hints by managers. The division embraces the territory from Columbus to Kansas City.

**F. & M. in St. Louis**

ST. LOUIS, Oct. 10.—Fanchon & Marco acts are now being booked by the St. Louis under a special booking arrangement. Reports that the house would be turned over to F. & M. are denied by Harry Koplar, who says there absolutely will be no change in the management.

**Filder Opens Exchanges**

DENVER, Oct. 10.—Lon T. Filder, former Paramount exchange manager, has opened exchanges here and at Salt Lake City. He will market Principal Pictures.

**Colorado Houses Slash**

DENVER, Oct. 10.—Scales at the Chief theatres in Pueblo and Colorado Springs are 25 to 40 cents to a straight 25 cents. Both houses are owned by the Westland Theatres Corp.

**Switches to First Run**

WILMINGTON, Oct. 10.—The Rioto formerly a second run, has changed its policy and is now showing first run Fox features and short subjects.
**“Lady” Pulls $20,000 Top, Philadelphia**

PHILADELPHIA, Oct. 9.—“Lady for a Day” put the Stanley in the big money last week with a $20,000 take, a remarkable figure for the average. The stage showed was headed by Frank Fay.

“Lady for a Day” went to $14; 500 at the Boyd. This, too, is big money. "Emperor Jones” was the third high draw of the week, garnering $9,330 at the Aldine.

Total first run business was $93,200.

Estimated takings for the week ending Oct. 5:

**“EMPEROR JONES” (U. A.)**

ALDINE—3,000-3,500-4,000-

Days.

Gross: $9,900. (Average, $7,900.)

**“TOUGHOAT BLOOD” (M-G-M) (Second Run)**

ARCADE—2,50-3,00-3,50-4,00-

Days.

Gross: $9,000. (Average, $2,200.)

**“TOO MUCH HARMONY” (Para—BOYD—2,500—3,00-3,50-

6 days. Gross: $14,500. (Average, $2,400.)

**“EMANCIPATION” (Para—River) EARLE—(2,000—4,00-3,50-6,00-

6 days. Gross: $8,000. (Average, $1,300.)

“MY WEAKNESS” (Fox)

FOX—(1,000—3,50-3,00—6,00-

6 days. Stage: Alice, Pauline Lord, and the Millers Brothers. Gross: $3,135. (Average, $1,045.)

**THE MASQUERADER” (U. A.)**

KARLTON—1,000—3,00-3,50-6,00-

Days.

Gross: $4,000. (Average, $1,333.)

**TARZAN, THE APE” (First Run)**

KEITH’S—3,50-3,00-6,00-6,50-

Days.

Gross: $8,000. (Average, $2,666.)

**“LADY FOR A DAY” (Col.)**

STANLEY—3,00-3,50-6,00-8,00—

Stage: Frank Fay, Diamond Brothers, Roy, and Lillie. Gross: $3,000. (Average, $750.)

**“BUREAU OF MISSING PERSONS”**

STANLEY—(2,000), 3,00-3,50-6,00-

Days.

Gross: $9,000. (Average, for 6 days, $7,500.)

**“F.P.” and “Yes” High for Montreal**

MONTRÉAL, Oct. 9.—“She Had to Say Yes” (F. N.) and “F. P.” (Second Run) were the big attractions at the Capitol. The only two attractions in town to show strong last week. “F. P.” took $9,500, which was $500 over normal. The unusual combination of “Emperor Jones” with “Parole Girl” at the Princess brought $6,000, which was slightly under mark. The Imperial had a second week of “La Plume” with a take of $11,000, which is usual $2,000, as compared with $2,400 for the first week.

Total first run business was $37,500. Estimated average is $39,000.

Estimated takings for the week ending Oct. 5:

**“F. P.” 1st (Empire)**

**“SHE HAD TO SAY YES” (F. N.)**

CAPITOL—(2,000), 3,50-4,00-3,50 ful.

Days.

Gross: $9,750. (Average, $3,250.)

**“AN AMERICAN IN PARIS” (Warners)**

IMPERIAL—(1,415), 2,50-3,50-6,00—6,500—7,500—8,000 (10 days)

Days.

Gross: $12,000. (Average, $2,000.)

**“MAHOMA” (Para) **

LOEW’S—(1,110), 2,50-3,50-6,00—6,500—7,500—8,000—7,000—8,000—7,000 (10 days)

Days.

Gross: $5,000. (Average, $1,000.)

**“BROADWAY TO HOLLYWOOD” (M-G-M)**

PALACE—(2,000), 2,50-3,50—6,00—7,50—8,000 (10 days)

Days.

Gross: $1,125,000. (Average, $1,100.)

**“EMPEROR JONES” (U. A.)**

PRINCESS—(2,275), 2,50-3,50-6,00—6,500—7,500 (10 days)

Days.

Gross: $6,000. (Average, $650.)

**“Lady” Leads Seattle with $8,000 Take**

Seattle, Oct. 10.—“Lady for a Day” at the Roxy was the top attraction of the week just closed, registering about $1,500 over the average of $5,500, “Broadway to Hollywood” at the Fifth Avenue and “One Man’s Journey” at the Blue Mouse in the neighborhood.

“Torch Singer” at the Paramount and “The Sphinx” at the Liberty were the other two attractions.

“Morning Glory” in its second week at the Music Box was just fair. It appears that there were too many good attractions for any one house to register unusual business.

Total first run business was $30,000. Estimated takings for the week ending Oct. 7:

**“MAN’S JOURNEY” (Radio)**

BLUE MOUSE—(950), 2,50-3-60-6,50—7,000.

Days.

Gross: $5,000. (Average, $700.)

**“BROADWAY TO HOLLYWOOD”**

FIFTH AVENUE—(2,790), 2,50-3-40-

50—6,50—7,000.

Days.

Gross: $7,000. (Average, $1,000.)

**“THE SPHINX” (Monogram)**

LOVE AVENGER (Wide World) LIBERTY—(1,300), 1,50-2,00—7,000.

Days.

Gross: $1,500. (Average, $250.)

**“MORNING GLORY” (Radio)**

MUSIC BOX—(950), 2,50-3-50-6,50—7,000.

Days.

Gross: $3,500. (Average, $500.)

**“TORCH SINGER” (Para)**

PARAMOUNT—(950), 2,50-3-40-6,50—7,000.

Days.

Gross: $3,000. (Average, $500.)

**“LADY FOR A DAY” (Col.)**

ROXY—(1,700), 2,50-3-50-6,50—7,000.

Days.

Gross: $1,000. (Average, $600.)

No Notes, So Court Rules No Violation**

COLUMBUS, Oct. 10.—A decision handed down by Judge Benson W. Hough of the Columbus, Ohio, Court here may establish a precedent in copyright infringement cases.

In the suit of the Famous Music Corp., New York, against Raymond F. Crawford, night club proprietor, Steubenville, Ohio, for $250 for the alleged use of an orchestral number without permission of the copyright owner, Judge Hough ruled that since the evidence showed that the selection was played by ear rather than by note, there was no violation of the copyright, and found for the defendant.

**Nimmer in Seattle Job**

SEATTLE, Oct. 10.—Morrie Nimmer, former commissioner here for Evergreen, has just been made manager of the Coliseum at Seattle, having been put into the job at Portland, Ore.

Al Baker, former manager of the Coliseum, is at Columbus Hospital here, and when recuperated is expected to be set in the Fox at Spokane, also under the Evergreen banner.

**Rush for “Angel” Tickets**

HOLLYWOOD, Oct. 10.—Although the ticket sale for the premiere of Mac Weiss’s “I’m No Angel” has not been opened to the general public by Grauert or any of the local booking offices, calls phoned in to Paramount studios so fast that an extra girl has joined the publicity department to handle the calls.
"MAEDCHEN IN UNIFORM?"

Shot at sunrise on the battlefield of Paramount's "DUCK SOUP", you see reading from right to wrong: Daniel Boone Marx (Groucho), Zeppo Marx (Zeppo), Mussolini Marx (Chico) and Harpo, the Little Corporal, completely disguised as a standing army.

The FOUR MARX BROTHERS in Paramount's "DUCK SOUP"
Directed by LEO MCCAREY
Dissatisfaction Over Code Threatens Delay

Roosevelt for Pay Halt; Daily Story Is Confirmed

WASHINGTON, Oct. 11.—Confirming MOTION PICTURE DAILY's story of Sept. 21 that the Administration had evidenced an active interest in excessive salaries, it was stated at the White House today that the President had requested Deputy NRA Administrator Sol A. Rosenblatt to learn whether immature persons were receiving unconscionable salaries for the work performed. The request included producers, directors and executives. The President is said to have heard reports juvenile stars and directors are being paid salaries four, five and six times that received by the Chief Executive.

The story is this: In the morning the President held his regular set conference with accredited White House correspondents. Among them was Warren Francis, Washington correspondent for the Los Angeles Times, whose paper had assigned him coverage of the film code to the practical exclusion of all other stories.

Francis, at press interviews with Rosenblatt, has been firing many questions concerning salaries and salary-fixing commissions at the

MPTOA Men Now Against Signing Code

WASHINGTON, Oct. 11.—After an all-day meeting of the exhibitor code committee, which began at 9:30 o'clock this morning and continued until about 8 o'clock tonight it was agreed that the M.P.T.O.A. cannot subscribe to the code in its present form.

Members of the committee hold sharply divergent views. Their objections center principally on the labor provisions.

Ed Kuykendall, president, has not (Continued on page 4)

Trustees of Para. May Attack Deals

An attack on the validity of deals by which Paramount Publix acquired theatres for an exchange of stock carrying repurchase agreements may be launched by trustees of the bankrupt, it was revealed yesterday at a creditors' hearing before Referee Henry K. Davis.

Known to be affected by the trustees' scrutiny which is now under way (Continued on page 5)

Job for Lawyers

Washington, Oct. 11.—Lawyers will have to call on lawyers to explain the clause covering open negotiations for stars, according to lawyers themselves. "It's a great break for us provided we can figure it out," declared one of the lawyers.

Theatres Must Help Pay Code Authority

Washington, Oct. 11.—The nation's theatres will meet their need of the code authority grievance and zoning board maintenance by paying the fines on the basis of the number of seats or investment. Which it will be is not believed determined as yet. It is likewise difficult to compute how expensive the machinery will be. Undetermined so

Rosenblatt Declares For Living Wages

WASHINGTON, Oct. 11.—Expressing the opinion that neither President Roosevelt nor NRA Administrator Hugh S. Johnson wants labor standards lowered and that industrial peace can exist only when capital and labor go forward jointly, Deputy Administrator Sol A. Rosenblatt, addressing the American Federation of Labor (Continued on page 3)

Many Groups at Odds on Revised Clauses in New NRA Draft

By RED KANN

WASHINGTON, Oct. 11.—This business of setting up a code for the film industry piled up more shingles today and tonight after various groups had had a chance to study what the revised code as prepared by Deputy NRA Administrator Sol A. Rosenblatt provided. Coming as no surprise as a consequence was the failure of the negotiators to finish their job by the promised Wednesday. It seems inevitable now that the parley will run to the end of the week at least, unless the NRA should arrive at a decision that the industry had it in less than ample time to ponder over the draft and determine to close out any further discussion. This, however, is remote, for Rosenblatt, in response to a direct question, stated at his regular afternoon press interview that he had set no deadline beyond which the code deliberations may go. The situation at a late hour tonight was this:

The exhibitor division continues to be divided. Allied and independent producers and distributors, back in force in Washington again, did not complete their announced analysis today and have asked Rosenblatt to extend until Friday morning the time in which they may finish and present it. The M. P. T. O. A. is discussing the second revision clause by clause, and at the end of a full day's session (Continued on page 4)

Chorus Code Terms Cause New Protest

WASHINGTON, Oct. 11.—Dissatisfaction on the part of Chorus Equity Ass'n over work and wage provisions of the code covering chorines in vaudeville and presentation houses developed after Mrs. Dorothy Bryant, secretary, declared that the revised code seeks to bind independent (Continued on page 4)

On the Code

Further developments on the code appear on pages 4, 5, 6 and 7 in today's issue.
H. B. Franklin Quits as RKO Theatre Head

(Continued from page 1)

leaving RKO with the "best of feelings" for the company. No successor to Franklin has been named and RKO executives were unwilling in the few interviews given to the press to discuss the resignation of Aylesworth, RKO president, either to affirm or deny reports which linked several RKO theatre men to the post vacated by Franklin. Among those mentioned were Nate Blumberg, Orpheum Chain; Fred N. Koerner, RKO district manager, and Phil Reisman, Franklin's assistant.

It was stated unofficially that in the event a successor to Franklin has not been named by Sunday, Reisman, in all probability, would be in charge of the theatres, reporting directly to Aylesworth and to J. R. McDonough, Aylesworth's assistant, until the post has been permanently filled. RKO executives have refused to comment on reports that Franklin's resignation was an ousting of conflicting authority among Aylesworth and McDonough. The latter could not be reached yesterday for comment. However, Aylesworth is not expected in New York from radio code conferences in Washington until tomorrow, and the RKO statement announcing Frank's resignation stated that the resignation had been accepted by Aylesworth yesterday. The RKO statement follows.

Formal Statement Made

"Mr. M. H. Aylesworth, president of Radio-Keith-Orpheum Corp., announced today the resignation of Mr. Harold B. Franklin, Mr. Franklin after the expiration of his vacation, will probably enter independent motion picture production, probably under some arrangement which will continue his relationship with the RKO group."

It was later said that the announcement came from Aylesworth by wire. "The RKO theatres are operating at a profit and, as far as I know, my job is done. The figures speak for themselves. I have had production ideas in mind and have wanted to put them in practice for some time. I believe that this is the best time to do it."

Franklin came to RKO in February, 1932, as an executive advisor on theatre operations, later becoming head of all RKO theatre and president of K-A-O. He has been active in the industry since 1914, and in that time has been vice-president of Publix for five years, president of Fox West Coast Theatres for five years, and for a time, just prior to his association with RKO, headed Hughes-Franklin theatres.

Grainger Closes Four New Deals for "U"

James R. Grainger, general manager of Universal distribution, has closed four more deals in the San Francisco territory for Universal Sunday, Oct. 22, at the request of Golden State, T. & D. Junior, Blumfield and the Consolidated Amusement Co. Printers and sets are included in the deal, with each classification calling for price increases and preferred playing time for the greater portion of the product.

Sally Must Cover Up

Sidney S. Levine, new city license commissioner, has ordered Sally Rand to put on more clothing in her act at the Paramount. The fan dancer wears a light veil during the first part of her act and drops it shortly after. The commissioner stated in his edict that unless more clothing was applied he would revoke the license of the theatre. He claims the act is "immoral and indecent."

"Newslaughs" for "F.D."

The Irving S. Cobb "Newslaughs" for "F.D." will be screened at the White House Sunday, Oct. 22, at the request of Louis McHenry Howe, secretary to the President. Herman Freedman, president of Newslaughs, Inc., will fly to Washington for the occasion, with Cobb accompanying him.

Sues Over Fox Story

Suit to recover $100,000 in alleged damages against Upton Sinclair, author, and William Fox was filed in the Supreme Court yesterday by Mrs. Upton Sinclair Presents who claims she was misquoted and maligned in "Upton Sinclair Presents William Fox."

Majority of Issues Slump

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Paramount Publix Up One Half

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HOLLYWOOD FLASH! Two M-G-M pictures premiered this week: "BOMBSHELL" and "MEET THE BARON." You'll hear more about them.

EXTRA! "NIGHT FLIGHT" TERRIFIC!

Salt Lake City sends the first amazing report. Beats "Hell Divers" and "Tugboat Annie" previous record holders! Capitol, N.Y., biggest in two months! Held over 2nd week! Wirespour in from everywhere.

In Studio, Goldwyn Mayer

In Record Producer Wheel

Metro-Goldwyn-Mayer
Protests Follow Study of Draft

Objectors Are Making Delay Seem Likely

(Continued from page 1)

found most of it yet to be traversed. The labor provisions have been changed, and so has the code, but not in an extent which finds them unwilling to subscribe to the code in its present form. There is considerable change among the spokesmen of whom have been away from their businesses and homes for weeks and are now in Washington.

Academy Protesting

The Academy, through Lester Cowan, is opposing former Article 10 on the ground that it affects thousands of producers factors in Hollywood and that it was prepared with no appreciation of the place which the individual holds in the making of pictures. It will recommend to Rosenblatt that a hearing on that phase of the code be held in Hollywood where creative workers have opportunities to personally present their side of the case. In producer ranks, too, it is reported there is no unanimity of opinion on what was Article 10 in the first producers’ code. Some elements there maintain the language is extra-legal and that the clause is not clear in intent as it now stands. This is understood to have been the subject of another private conference of major producing interests on the ninth floor of the Mayflower.

Mrs. Dorothy Bryant, representing Chorus Equity, is another who has complaints to make. She asserts her interests are not protected in the revised code on the ground it does not bind exhibitors to the work and pay conditions framed to govern chorus girls in vaudeville and presentation houses.

Labor Men Complain

At the Willard, which is the stronghold of the labor division, complaints are being aired openly around the lobby that the code as proposed fails to give organized labor all that it feels it should have.

Rosenblatt admitted today that the remaining 15 per cent of the code is still undetermined, and ruled that the two sides were not yet in agreement as to the NRA is concerned. Representatives of agents, however, do not agree, and today met with J. Robert Rubin in an effort to effect changes in the phraseology of this provision, which is one of the most drastic in the entire code. Rosenblatt denied that these two articles which have raised so much discussion were dropped into the code as a stop-gap in order to make it possible to present a complete, although not as yet completed, code for the NRA to study.

Roosevelt for Pay Halt; Daily Story Is Confirmed

(Continued from page 1)

deputy and today reversed his line of approach when opportunity came to the President of a discussion. The answer is understood to have pertain ed to the original thought voiced by the Administration several weeks ago rather than to indicate that the request for information directed at Rosenblatt was brand new. Motion Picture Daily’s first story thus is now officially confirmed and the administration of such a commission and the right of any code to regulate maximum salaries eventually resulted in scrapping the plan after many weeks of day and night sessions.

Indications are, however, that the Administration continues to favor salary restrictions as a general step for the industry’s own good. The practicality of setting up the machinery to do so is something that has not, and probably won’t be, solved.

In Washington Once More

WASHINGTON, Oct. 11.—Hollywood troubles were unburdened by Jack Cohn, Columbia vice-presxy, last night. He was telling the yarn of a Scenarist who had been signed by one of the major studios at $125 a week. Later, the writer went to another major at $350 and shortly beyond that came realization he was not so good. The studio sought to break the contract and the ranking executive invited the screenwriter to lunch to talk it over.

The head of a third plant saw the two together and figured Number 2 man had run into something good. He began negotiations and, largely on the strength of the send-off which Number 2 gave the writing man, signed him at $750.

Just then, Eddie Golden interrupted with: “When does the original studio sign him again?”

A sad day for Sam Dembow. He loses all three bets with George Skouras. The latter claimed world Jews totalled 16,000,000. The American Jewish Year Book gives 15,191,218. The Department of Census asserts Greeks in the United States are 363,000. Skouras figured there were 300,000. The result of all this is that Denbow helps outfit Skoura for the fall with a hat, a suit and an overcoat.

How he hired a swank woman’s orchestra to play near-symphonic music for a Department of Health picture dealing with disease in Boston years ago is one of the prize yarns Golden has been telling around the lobby. It’s a panic.

From the sick bay: Dave Palfreyman improving steadily. Bill Jaffe, ditto.

Nathan Burkam has been gong with his hats. His latest creation, Washington bought, represents his fourth since the code got going. The plan now is to wear it at all times in, out, and during producers’ meetings.

Harry Cohn is here and tonight wanted to make a statement on the code. Here it is: “I have nothing to say, but don’t quote me.” Then he left for a night football game.

Fred Meyer in again. Several teeth have cracked on him. He says it’s from chewing the code.

Allied descending on the city again today. Back for the third time are H. M. Richmond, W. A. Cole, New in Glenn Gross. Expected Thursday are Sidney Samuelson and Nate Yamin.

MPTOA Men Now Against Signing Code

(Continued from page 1)

given up hope of a satisfactory solution, however. In a statement tonight he said:

“We have not had time to completely analyze the last edition of the code as submitted by Mr. Rosenblatt on the evening of Oct. 10. So far we have found several changes as to the phraseology in quite a few provisions. Some of them in our opinion are completely at variance with the intent and meaning of the provisions.

“We have not yet found time to get Mr. Rosenblatt’s interpretation of the changes. Therefore we are reluctant to approve or condemn them. There have also been some important changes in the salary provisions which we think are fundamental. Therefore we are continuing an analysis of the last-litter of changes and will meet with Mr. Rosenblatt at his convenience, but as early as possible to discuss these changes and to be sure that our M.P.T.O.A. men feel deprived of their rights originally agreed upon.”

Barrist Insists Penn Unit Still in MPTOA

WASHINGTON, Oct. 11.—David Barrist of the M.P.T.O.A. of Eastern Pennsylvania, Southern New Jersey and New York, declares this unit is a member of the national M.P.T.O.A., despite the fact he was among the signatories to the insurgent move. He so told the M.P.T.O.A. men here tonight.

Chorus Code Terms Cause New Protest

(Continued from page 1)

contractors of stage units, but not the exhibitors who book them.

Mrs. Bryant claims that contractors played no part in framing the terms and were not even consulted, and consequently they are not bound by them. Unless the code terms, which are satisfactory, are made enforceable upon exhibitors such as the large circuits, Mrs. Bryant says the code will not give her group the protection it was promised.

It is understood that Mrs. Bryant was named as the new NRA Administrator Sol A. Rosenblatt that the code authority would take care of any exhibitor situations but he insists that the enforcement language belongs in black and white and in the code.

WASHINGTON, Oct. 11.—Hollywood extras are gratified over terms of the industry code applying to them and are discussing it with Deputy NRA Administrator Sol A. Rosenblatt. The wire was signed by Allan Garcia, chairman of the extras code committee.
Cowan Urges Leaving Out Old Article 10 from Code

WASHINGTON, Oct. 11.—Academy of M. P. Arts and Sciences today advanced a resolution to drop Article 10 in the producers' code, now Part 5 of the producers' section of the second code, pending a hearing and probe in Hollywood of the situation pertaining to stars and producers by Referee NRA Administrator Sol A. Rosenblatt.

Lester Cowan, executive secretary of the Academy, is responsible for the recommendation, which he says, is based on the need to determine what effect this article will have on production. He feels that the article, designed to eliminate talent "raiding" and restrain a producer from making an offer to a player until 30 days prior to the termination of his service with a rival producer, will thereby contribute to the "puppeteer of the Government" he feels is involved on the subject of the Academy.

The Academy secretary claims creative talent has not been given a fair shake here on three counts. The first is that coddlers from the major companies are eastern business men and that not one of them is experienced directly as a producer and therefore not intimately informed on the vicissitudes. The second is that the being represented here by lawyers rather than producers, and that they have a vested interest in the protection of the system, says Cowan. The third is that the production industry is unique and cannot be handled like the labor equation in other fields because in pictures individuals rate so vitally.

Cowan says he has no idea whether Rosenblatt will withdraw the article or change its wording. He warns, however, that if the disputed article goes into the code the entire production system in Hollywood faces danger of being undermined in 90 days.

Sees Artists Made "Serfs"

"This article," he asserts, "will sow seeds of unrest. It will make serfs of our artists. It will mean that they will be used in a community where enthusiasm and freedom should prevail are far more damaging than has been realized and imperil the whole NRA program. It would have been here long before about star salaries, but nothing about quality production."

Cowan says the Academy also ob-

MOTION PICTURE
DAILY

Thursday, October 12, 1933

Myers Is Hopeful-Cowan Insistent

Myers Doubts His Group Is To Be Ignored

(Continued from page 1)

(Continued from page 1)

Motions Picture Daily's story of this morning had been telephoned to him from New York:

"I can scarcely credit statements attributed to Mr. Rosenblatt concerning the activities of certain exhibitors in warning protests against Mr. Rosenblatt's draft of the motion picture code. Mr. Rosenblatt infers the analysis of his code being prepared by representatives of independent exhibitors, distributors and producers will be ignored because certain exhibitors and others have exercised their right under the first amendment to the Constitution 'to petition the Government for a redress of grievances.' This is a position which a government officer cannot sustain and I sincerely doubt whether Mr. Rosenblatt, on mature reflection, will carry out his implied threat."

Confiming Motion Picture Daily's Tuesday story that the analysis would not be ready today, Myers said Friday morning was now a more likely date for the submission of the completed analysis.

"The independents," he said, "have respectfully asked that they be allowed until Monday morning to file their views on Mr. Rosenblatt's code, and if that request is disregarded or denied such action will make an independent investigation government procedure."

The question of whether or not Rosenblatt will give any consideration to the independents' code analysis depends on the rapidity with which various NRA boards scrutinize the second code form and submit their reports on it, according to Rosenblatt.

Indications are heavily against the reopening of discussions on the trade practices in consideration of the second code, which has already been torn apart and pieced together again in the weeks of conferencing.

Rosenblatt Declares For Living Wages

(Continued from page 1)

this morning, declared a minimum wage was not enough unless that minimum was a living wage. Speaking as an official of the NRA and thereby reflecting its attitude, he solicited applause from hundreds of labor delegates when he declared the hourly wage established over a long period of years must not be destroyed nor impaired.

"If men are worthy of their hire they must be paid commensurately with their work," he said and cited instances where he had been informed that some operators paid as low as from 85 cents to $2.25 a week. These men, he said, might just as well be out of work. Whether or not he referred to the amusement industries it was not stipulated.

Theatres Must Help Pay Code Authority

(Continued from page 1)

far, as well, is how overdues will be apportioned among the three major branches of the industry.

The new code gives the code authority the privilege of hiring whenever it wants at any salary. Members of the code authority, too, to present their case, and their testimony. The overdues will be determined. All of this cost will be added to the industry overhead in addition to the $90,000,000 which is reliable estimate of the increases to labor.

Say Detroit Allied Endorsed Code Stand

WASHINGTON, Oct. 11.—Sixty-five members of the national organization, Mid-States Theatres is putting them out of business, Richey said: "I'm for them. They want the right to buy and do so I."

Trustees May Attack Para. Theatre Deals

(Continued from page 1)

are the deals by which Paramount acquired 176 theatres belonging to the Famous-Friendly circuit, Detroit; Great States circuit, Illinois; Dent Circuit, Texas and New Mexico; National Circuit of Arizona, and the Hostetler circuit of Iowa and Nebraska, during 1930 and 31.

Ralph A. Kohn, head of Paramount Pictures, were at a hearing last May before Referee Davis that Paramount had acquired these theatres by issuing stock which was subsequently repurchased at a guaranteed price of $70,766,360 at a time when the value of the stock aggregated $3,409,852.

It was revealed at a hearing last week that Charles D. Hillies, Eugene V. Lenke and Charles E. Richardson, the Paramount trustees, have retained an independent accounting company to give such reports as may be required by the government. Pending completion of the accountants' study, Referee Davis has placed the theatre trustees and their attorneys in the transaction by which Paramount acquired a half interest in the Columbia Broadcasting System.

Isseks Explains Move

Yesterday, Samuel S. Isseks, counsel for the trustees, stated that in causing the accountants' investigation of the stock purchase the trustees "had no concern regarding the advisability of attacking them."

Additional bonuses paid to Adolph Zukor, Jesse L. Lasky, Sidney R. Luft and Meyer J. Isco, were revealed by Isseks yesterday. The payments were for the years 1927 and 28. In all, Lasky and Isso each received cash bonuses of $250,000; Kent, $196,000; Katz, $131,000; and Zirn, $58,000. The total of all bonuses paid was $750,837.

In 1928, Zukor and Lasky received salaries of $130,000 and bonuses of $4,572, shares of stock having a market value of $52 per share; Kent and Katz received salaries of $104,000 and bonuses of $3,677 shares of stock of the same market value, while Kohn received a salary of $45,000 and a bonus of 1,065 shares, also at the same market value.

It had been previously testified that for 1929 the five executives received a total of $2,250,000 in bonuses in addition to their salaries, and in 1930 they received a total of $756,837 in bonuses. No bonus payments were made in 1930 or '31, it was testified.

Kohn submitted yesterday to a two-hour grilling by Samuel Zirn, attorney for a Paramount bondholders group, who attempted a further inquiry into the Columbia Broadcasting and Film Productions Corp. deals without eliciting new information. Zirn's examination will be terminated at the next meeting Oct. 18, Referee Davis ruled yesterday.
Important Clauses Are Clarified

Authority's Powers May Be Extended

WASHINGTON, Oct. 11.—Extension of the code authority's power to cover future contingencies is provided for in a modified article A of the industry code. New rules can be made from time to time covering relations between producers and their employees, but hearings must be held on these before the administrator approves them.

Some of the important new provisions covering labor provide that where members of unaffiliated unions can settle disputes through representatives of contractors, employees, and non-union workers can choose their own representatives. This clears up the contention that the first National Industrial Recovery Act failed to cover the territory of the I. A. T. S. E. into territories where it is not now represented.

The next new provisions covering agents and the much-discussed 10 per cent cancellation clause are provided below.

While the complete personnel of the code authority is still a secret, the code authority has appointed representatives of a number of labor groups to take part in the discussions. A temporary code authority has been named, which will work out the details of the code.

The new provisions and the discussion clauses are as follows:

Provisions covering labor are extended by the new provisions in article A of the code, which is approved by the president of the United States. The provisions provided for in this article are designed to protect the interests of labor.

A. Employees shall receive a minimum wage of 75 cents per hour, except that maximum wages shall not be more than 90 cents per hour. The provisions of this article shall be subject to the approval of the administrator.

B. Employees shall have the right to organize and to bargain collectively through representatives of their own choosing, and the provisions of this article shall be applicable to employees engaged in the manufacture or sale of goods and services.

C. Employees shall have the right to engage in self-employment, and the provisions of this article shall be applicable to employees engaged in the manufacture or sale of goods and services.

D. Employees shall have the right to engage in the production of goods and services, and the provisions of this article shall be applicable to employees engaged in the manufacture or sale of goods and services.

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Code Provides For New Rules As Need Arises

Washington, Oct. 11.—If it works in practice as it looks on paper, the code authority will prove a boon to the industry, in the opinion of many exhibitors, who are awaiting the setup to see how the personnel breaks down into the major industry divisions, asserting this will tell the story through the hearings of some members of the grading and clearance boards, since the entire machinery having to do with exhibitor and distributor complaints will be controlled by the new code authority.

Elimination of over-buying and general enforcement of all trade practices are among the duties which these territorial clearing houses are to handle. Exhibitors realize this and some of them are concerned over what the speakers of their future and fate rest almost entirely.

The code authority, after notice and hearing, may prescribe additional rules for the conduct of producers, distributors, and exhibitors among themselves and each with such employees, which rules shall be submitted to the administrator, and approved by him, shall constitute rules of fair practice and as to the sale of pictures manufactured, shall constitute a violation of this article.

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Talent Signing Provisions Cited
Producers Can
Match Offers
Of Others

Any such offer shall not execute any pro-
ducer, nor shall any former employing producer have been afforded an offer to match such offer for the period of employment contained in such offer for his continued services, and all such offers shall be made in writing, in order to effectuate the provisions hereof, and such offer shall be good for a period of six months, unless as to whether the period within such period shall be extended at the option of the former employing producer.

The registrant shall have power, authority, and duty to enter into any such agreement or arrangement as is necessary or proper to effectuate the provisions hereof, and to exclude an offer from the consideration of the former employing producer for the period of employment contained in such offer for his continued services, and all such offers shall be made in writing, in order to effectuate the provisions hereof, and such offer shall be good for a period of six months, unless as to whether the period within such period shall be extended at the option of the former employing producer.

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The FOURS MARX BROTHERS in Paramount's "DUCK SOUP" Directed by LEO McCAREY.
Coast Talent
Bitter Over
Clauses 9, 10

"Passive Resistance" Is
Talked by Some

HOLLYWOOD, Oct. 12.—Resentment
among actors and writers over the
inclusion of Article 9 and the old
Article 10, the agents' and "star raid-
ing" clauses, in the production code
has reached the point where there is
talk of Gandhi-like "passive resis-
tance."

The prediction is made openly that
insistence on inclusion of these arti-
cles will stir up so much trouble that
they will cost producers more in the
end than the present competition for
talent.

Another mass meeting, to be held
at the El Capitan Sunday night, has
been agreed upon between joint emer-
gency committees of the Actors' and
Writers' Guilds. Non-members will
be admitted and an effort will be
(Continued on page 6)

Says 466 Get 51% Of Coast Payroll

WASHINGTON, Oct. 12.—In Holly-
wood 466 individuals got 51 per cent
of million expended in studio pay-
rolls, Deputy NRA Administrator Sol A. Rosenblatt stated today. This
was due to light in response to pressing
queries from daily and press assis-
tance reporters which asked the
White House statement of Wednes-
day on salaries as something entirely
new, when as a matter of fact Mотор
Picture Daily published it exclusiv-
ely on Sept. 21.

Queries influenced Rosenblatt to
remark: "A large portion of the prob-
lem with respect to salaries is raised
(Continued on page 6)

Mystery Solved

WASHINGTON, Oct. 12.—The
great Rosenblatt-Cowan mys-
tery was lifted this afternoon when
the deputy administra-
tor acknowledged receipt of
the Academy letter request-
ing a Hollywood hearing on
the former Article 10. Rosen-
blatt characterized the report as "ridiculous" and then add-
ed: "All of these points were
covered at the public hear-
ings here."

Split Within Hays Ranks
On Three Issues Averted

Code Authority Reduced to 10
Film and Three Government Men
WASHINGTON, Oct. 12.—The code author-
ity will be composed of 10, not 12, film men and three
government representatives, the latter without vote.

Continuing to decline to make known its personnel, Deputy NRA
Administrator Sol A. Rosenblatt has made his final selections
nevertheless, the Motion Picture Daily learned today. With the
reduction of those empowered to vote to 10, it is a foregone con-
clusion that among those included are S. R. Kent, Nicholas M.
Schenck, H. M. Warner, George Schaefer, R. H. Cochrane, Ed
Kuykendall, Nathan Yaminis, W. Hay Johnston. The other two are
unknown, but probably one will be Charles L. O'Reilly. It has
been definitely determined that labor will not be represented.

Code Remains About Same;
Major Executives Depart
WASHINGTON, Oct. 12.—Progress
toward a final completion of the code
made no appreciable advances today
in the face of a careful statement
made by Deputy NRA Administrator
Sol A. Rosenblatt that he hoped to
battle argued points with various
groups by Saturday.

If that objective is attained, it
will be minus alterations in former
Article 10, over which the battle of
weeks continued to rage.

Today head and ranking executives of the major companies fulfilled their
eagerly anticipated wish and left for
New York on the Congressional Lim-
nit. The departing code was includ-
ed Sidney R. Kent, Harry M. War-
ner, Nicholas M. Schenck, R. H.
(Continued on page 6)

IATSE Seeks
Definitions
On Contracts
WASHINGTON, Oct. 12.—I.A.T.S.E.
men are demanding a clear-cut deci-
dion on how thousands of existing
contracts with exhibitors stand, and
today began to swing theirs way A.
P. F. L. influence to bear on high
Administration officials in an effort
to find out.

Way the inference is that the
code will not be retroactive by the
simple expedient of making no men-
tion that it will, or that it will not.
(Continued on page 4)

Capital Gets
Detroit Jam
On Bookings
WASHINGTON, Oct. 12.—Several
moves are under way here today to
obtain protection for Leon Kirm and
A. Ruttenberg, Detroit exhibitors and
Allied members, who claim they are
being throttled and their theatres
facing extinction because Mid-States
Theatres has bottled up most of the
in Bookings.

One effort is being made by Ed
Kuykendall, M.P.T.O.A. head, while
(Continued on page 4)

MPTOA Men Confer
With Lawyers
WASHINGTON, Oct. 12.—M.P.T.O.A.
representatives at a late hour tonight
were discussing changes in the NRA
code with Hays lawyers. Included
was the clause covering 10 per cent
cancellations which they, declare, re-
quires further clarification, not as to
intent, but as to language. Whatever
(Continued on page 4)

It Means Johnson
WASHINGTON, Oct. 12.—Ex-
actly to whom reference is
made throughout the code
when the word administrator
is mentioned was cleared up
today when Deputy NRA Ad-
ministrator Sol A. Rosenblatt
made it clear that the term
meant the administrator of
the NRA. In other words,
General Johnson.
Looking 'Em Over

“Ever in My Heart”

(Warner)

This is a sentimental and emotion-stirring story made genuine and believable by acting and direction that is noteworthy. In selling it, a special effort should be made to attract women's patronage. It is greatly to the picture's credit that Barbara Stanwyck, in a possibly different role, admirably supported by the comparatively recent stage recruit, Otto Kruger, delivers a performance that will cause her old admirers to thrill and should win new ones.

The story is that of racial hatreds during the World War. Married to Kruger, a naturalized American of German descent, Miss Stanwyck remains loyal and devoted to him as, after America's entrance into the war, friends desert them and adversity overcomes them. Both to spare his wife new hurts and in rebellion against the animosity shown him because of his race, Kruger eventually leaves her and goes into the service of his fatherland, later being assigned to espionage work. The two meet again in an army base in France where Miss Stanwyck, now a canteen worker, saves him from a spy's death by hiding him in her billet for a night. In the morning, rather than aid him to deliver the information she knows him to possess to the German command, and unable to give him up because of the love between them, she administers a poison in a drink and Kruger dies in her arms.

The acting throughout is admirable, and Archie Mayo's direction is flawless, making a picture strong, forceful and effective in drama. Also in the commendable supporting roles are Ralph Bellamy, Laura Hope Crews, Ruth Donnelly, Frank Albertson, Walls Clark and Nella Walker.

SHORTS

“Black Dawn”

(Cameron Macpherson)

Here is a fine featurette. Simply, directly, without concession to the accepted tenets of Hollywood, it tells the tale of a farm girl, love-starved by a tyrant father. When into her life walks a youth seeking work, she senses for the first time a promise of freedom from the monotony of her existence. The insanely jealous father dies of a stroke when he surprises the two in each other's arms. She asks her lover to go and reconcile herself to her fate. Josef Berne has done a fine job of directing and the photographing also is impressive. The gangsters, Julie Hayden, Ole M. Ness and Frank Ekdal are real and sincere, if a little amateurish at times.

For audiences that demand quality, “Black Dawn” is the thing. Running time, 35 mins.

“Elephant Trails”

(Fox Magic Carpet)

An interesting subject which shows new arrivals at work in Asia. Their labor consists mostly of loading, carting and unloading enormous teak trunks which have to be killed three years before cutting. The wind-up shows the elephants on a stampede which makes authenticity. A novel subject. Running time, 16 mins.

Bernays Discusses Tie-Ups

Edward L. Bernays, public relations executive for a number of big commercial exploitation men, A.M.P.A. members, details how "overt acts" and "group" tie-ups can be effectively and effectively in selling pictures to the public.

All Markets Closed

Yesterday being Columbus Day, a legal holiday, all financial markets were closed. Operations will be resumed today.

O'Brien's Father Dead

Hollywood, Oct., 12.—Dan O'Brien, father of George, died in San Francisco yesterday after a long and serious illness. He was 58 and retired from the Frisco police force after 27 years of service.

“Parade” Sets Record

“Footlight Parade," in its first week at the Strand, tied the house record with a gross of $65,724, Warners report.

Ben Blue

Starring In Series

WARNER BROS.

SHORTS

Produced by SAM SACH

Directed by RALPH STAUB

Direction: LEO MORRISON

Purely Personal

Emanuel Cohen, Dave and Arthur Low, Eugene Picker and a number of other executives yesterday attended Yiskoh services held at the 47th St. Temple. This is the prayer for the dead.

Wallace Beery, who returned from abroad yesterday with Mrs. Beery, will leave the Hotel Warwick today to resume picture work on the coast. He will fly to Chicago first.

Patricia Bowman, formerly prima ballerina at the RKO Music Hall, started rehearsals yesterday for the "Ziegfeld Follies."

Jean Consors, who won the RKO biggest encore leaves for Hollywood next week to appear in "Blonde Poison" for Radio.

Sidney Skolsky left for the coast yesterday to become Hollywood correspondent and columnist for the Daily News.

Juliette Compton, British film player, will arrive Saturday on the Sutendaun. She is on her way to the coast.

Edward Fontaine, mid-west district manager for Paramount, is in town for conferences with Nell Andrew.

George Arliss will stay in town a few days before leaving for the coast to begin work for 20th Century.

Major Ernst Udet, aviator featured in "S.O.S. Iceberg," sailed on the Europa last night.

Al Jolson will leave Saturday for the coast to start work in "Wonder Bar" for Warners.

Al Wilkie arrives on the coast tomorrow. He's on the same boat with Bill Pinte.

M. H. Aylsworth returned from Washington yesterday.

Mike Marco leaves for the coast tomorrow.

Milt Kusel was ailing yesterday.

Goebel Drops Appeal

Appeals from their conviction in the National Diversified Corp. mail fraud cases have been withdrawn by Otto E. Goebel and his sisters-in-law, Irene and Elizabeth Plant. They were sentenced to five years in the sale of $3,000,000 worth of securities to promote clean films. They notified Assistant Federal Attorney Rosenthal they could not afford to have the record of the case printed.

U.A. Adds Exploiteers

Monroe Greenthal, head of the United Artists exploitation department, has added 20 men to handle "The Bowery," "The Life of King Henry VIII," "Broadway Thru a Keyhole" and other new product. About 40 men will comprise the staff when it is in full swing.
"FOOTLIGHT PARADE" TOPS "GOLD Diggers" by 27 per cent in first week at N.Y. Strand as nation-wide parade of bigger-than-Gold-Diggers records starts today in Pittsburg, New Haven, other key spots. Here's detail of Strand front that's helping drag 'em in.*

NEW YORK HAILS NEW STANWYCK at Hollywood Theatre opening of her greatest love story, "Ever in My Heart."**

"WILL TAKE ITS TOLL" at the turnstile" predicts coast preview of "From Headquarters," Warners' mystery-packed revelation of cops' scientific "clue machines."**
Salary Control Worries Majors

Split in Hays Ranks Averted
On 3 Problems

(Continued from page 1)

Nathan Burkan, Edward Ratley, the latters' consecutive to the financial United Artists; Joseph M. Schenck, Samuel Goldwyn, Mary Pickford, Douglas Fairbanks and Charles Chaplin. Universal and Columbia made it clear at the public hearings they opposed any restrictions on duals, which was later admitted by some persons who understood to have frowned on them. Cochrane also opposed tying in shorts with feature sales. These two companies and interests identified with United Artists also consistently opposed any plan designed to regulate maximum salaries.

Fears Loss of Players

The chief argument was that such limitations would induce hardships, perhaps leading to their destruction, on the theory that a given player would prefer to cash his lot with producers fortified with a large number of theatres, thereby assuring for himself top circulation with the public, if he so desired.

There was another extremely vital angle brought out, and this was: Considered a danger which had been overlooked until brought to light, was the possibility that salary-fixing might lead to price-fixing of rentals. It was stressed that any regulation via government approval designed to direct salaries downward might boomerang in a direction not contemplated, in that exhibitors might insist the principle applies to prices they pay for pictures as well.

This was seen by those who advanced the proposal as a potential danger hitting at income of the national distributors with possible serious and grave status of several of them. Major producers had no idea any steps might be taken on salary control when they came to Washington for the first time.

The first inkling came as a complete surprise and almost a shock. It was passed on from the White House to the big companies through Deputy NRA Administrator Sol A. Rosenblatt. This and other Administration thoughts on the matter in which the industry should re-arrange itself under the aegis of the NRA virtually floored major executives when they were informed about them, and were the direct reason for the first recess on Sept. 16, when they informed Rosenblatt they required time to reflect on their plans in view of the word he brought.

Sought Salary Formula

During succeeding days they sought to evolve a formula on salaries, but this brought about stern resistance on the part of Columbia, Universal and United Artists, and earlier, this week resulted in plans to drop it when it became apparent legal precedent for its establishment and legal machinery, to make it enforceable did not exist.

The Motion Picture Daily has substantial reason for the statement that major producers never sought nor asked for salary-fixing. One reason for this is the realization that talent earning capacity might not easily be regulated without similar procedures being applied to executive salaries as well. While at the moment, at least, the American film industry is not any stronger in this point than it was, the Hays group continues to be one, there remains at least one group which will have to be threshed out. This is the headache formerly known as Article 10.

Columbia and United Artists are not in favor of it as it now appears in the code, and Universal is reported to regard it in like manner. The arti- cle, when enacted, is to be the law, so that these companies win their point. Efforts will be made to re-draft it in order to include their views, which, it is believed, would be less restrictive of the principle that the proposals will add to production problems and overhead by making it more difficult to hire talent.

MPTOA Men Confer

With Hays Lawyers

(Continued from page 1)

agreement in altered phrases in that provision and in others is reached will be presented to the deputy administrator at his meeting with exhibitors at 10:30 Friday morning. In a statement issued through Edge Kykendall reported progress in his group's analysis of the code. It is understood much of the strained re- lines developed on Wednesday were cleared away today, although all is not harmonious on the MPTOA.

One is that the MPTOA has agreed to clear up several clauses controver- sional and objectionable in point of language and have the result made to progress to present all of our recommendations to Mr. Rosenblatt.

Aug. 23 Date on Pay
Blow for Cleveland

Washington, Oct. 12.—Establishment of Aug. 23 as the prevailing date for the operation of the Cleveland exhibitors $150,000 a year, according to M. B. Horwitz, Cleve- land independent exhibitor, who ar- rived here to-day. He said Cleve- land theatre men on Sept. 1 signed a new deal at a 10 per cent slash.

IATSE Seeks
Definitions On Contracts

(Continued from page 1)

code specifies Aug. 23 as the date on which the code to prevail, are to understand there are to be understood to be contracts which pre-date this starting point.

It is understood that the I.A.T.S.E. is very much excited over this situa- tion. Rosenblatt got a number of calls from him to have a meeting, which further clarification on this new phase in code deliberations and was unable to give final opinion on this phase. The I.A.T.S.E. is still agitating this, but since Rosenblatt is ad- hering strictly to his decision not to comment on any agreements, it is agreed upon press interviews, no effort was made tonight to check this with him.

Two Clauses Not Clear

The M.P.T.O.A. group today con- tinued to experience difficulty in reaching an agreement as to their members on the labor provisions. Con- fusing to some of them are two con- tradictory clauses in the code as it now stands. One is that the exhibitors of any group are to be established and the other, in Section 6 hereof, which defines the determination of any disputes as above specified, the employers herein embraced and provided for shall not strike and the exhibitors shall not lock out such employers.

The other is Section 10 under labor which reads:

"In order to effectuate the forego- ing provisions of Section 6 hereof and in order to effectuate that the parties will attempt to mediate and settle all disputes,"

"Clearer language is necessary, ex- hibitors say." Rosenblatt today with Rosenblatt at 10:30 Friday morning this will be one of the major problems of the day.

Rosenblatt today announced one change in regard to labor. This con- cerns cities or towns where there are no operator unions, or any unions af- filiated with the I. A. T. S. E. In those instances the minimum per hour scale is 80 cents, which is the President's minimum for me- chanical workers. In the code, as now written, disputes over this provi- sion are to be determined by con- ferences between a representative of the operator group and a representa- tive of exhibitors, with the operator's dis- cussions on existing minimum wages and maximum hours for the class of theatres as involved. It does not necessarily follow that the scale in such situations cannot rise above 80 cents, but Rosenblatt at least guarantees operators, not organized, that wage minimum.

Miss Dee to Wed McCrea

Los Angeles, Oct. 12.—Frances Dee and Joel McCrea are engaged to marry. The date of the wedding has not been given out.

Capital Gets
Detroit Jam

On Bookings

(Continued from page 1)

Deputy NRA Administrator Sol A. Rosenblatt said recently, reported to have privately interceded with at least one company president here in behalf of Kirrn and Rutenberg.

Kirrn operates the Kramer, 2000- seat house. His opposition is the Senate, operated by Ben Cohen and situated on Mid-State. Despite this, Cohen will have available Paramount, Fox, Warners, U.A. and Universal product, because the pictures have been sold to Mid-States, of which Cohen is a member.

A section has been brought against Mid-States under its former name of Cooperative two years ago when the booking com- bine was in a hot scrap with M-G-M and refused to buy its product. Kirrn says he can handle the show, in which he is his own. Thus precipitating a break with Mid-States, and consequently he has been outside even since.

Needs 260 Features

Today he has M-G-M and may get Columbia and Radio, but he says his house needs 260 features yearly, because of duals. He asserts he doesn't have four on his list. Other houses in sections where Mid-States has no members are getting all the product they need, he admits.

Rutenberg says he is interested in the Iris and is using Mid-States, along with Lew Kane, operator of the Mayfair, like- wise, and other houses, under its old name, his break also came when he purchased M-G-M product two years ago.

"I have been crucified ever since," he says. "I don't even know what picture I'm going to play a week from Sunday. I had Warner-First National for 14 years. Now I can't get it because the product has been switched to Mid-States.

The Iris seats 900 and changes thrice weekly, also using doubles, making the total picture requirements 260 weekly. Like Kirrn, Rutenberg has M-G-M, but also Radio. He maintains he can't get by on these two alone. He also says he had to close the house past summer because his film was closed out.

Both Kirrn and Rutenberg, who are here with Sol Marks and Adrian Rosen, their attorneys, declare all they want is a fair product split to permit them to stay in business. The situation is extremely interesting, be- cause it indicates that while the ma- roons refuse to sell the Chicago buying combines, as alleged by several of them, by Aaron Saperstein, they are doing that very thing in another key city less than 300 miles away.
HOT FROM HOLLYWOOD!

Two New Season M-G-M Pictures PREVIEWED TO TERRIFIC ACCLAIM!

JEAN HARLOW
in a role they'll cheer, with
LEE TRACY
("It's a Wow!" says Hollywood Reporter)

"BOMBSHELL"

with FRANK MORGAN
FRANCHOT TONE—PAT O'BRIEN
UNA MERKEL—TED HEALY
Directed by
VICTOR FLEMING

JACK PEARL JIMMY DURANTE
"MEET THE BARON"

with ZASU PITTS
TED HEALY and his Stooges
EDNA MAY OLIVER
and The
Metro-Goldwyn-Mayer Girls

Directed by
WALTER LANG
"Will give good account of itself in all spots," says Coast
Daily Variety

"AT YOUR SERVICE! FREE!"

At your M-G-M exchange! Eight-page press book with press stories, exploitation tie-ups and ads, 6 col., 4 col., 3 col., 2 col. and 1 col. Showing how to tell the public that your theatre is the leading show shop in your town. The Major theatre is the one using the Major product. Tell the folks! Mats are at your branch! Get some today, FREE!
Hollywood, Bitter, Plans Meeting

Coast Talent
Bitter Over
Clauses 9, 10

(Continued from page 1)

made a frame to protest to be sent to President Roosevelt and Deputy NRA Administrator Sol. A. Rosenblatt. The Academy protest has already been sent. It was framed at a meeting attended by President J. T. Reed and the executive committees of all branches. In this protest it was asserted that the two controversial articles might result in costly strikes and lower the quality of pictures.

Eddie Cantor to Go on Air Over Salary Cuts

Hollywood, Oct. 12.—With writers and actors incensed over the revised Article 10, now $ in the code, dealing with blacklisting and anti-radiating, Eddie Cantor, president of the Actors Guild, goes on the air Saturday night to urge all interested creative branches of the industry to attend what is expected to be the largest mass meeting in the history of Hollywood at the El Capitan Sunday night. Principal speakers at the session will include Cantor, Lucille Gleason, Frederic March, John Howard Lawson, Ralph Block and Oliver H. P. Garrett.

Says 466 Get 51% Of Coast Payroll

(Continued from page 1)

by reason of the fact statistics show that the total cost of salaries and labor expense in producing pictures an average of 466 persons received 51 percent of the total salary and labors paid, although more than 12,000 are salary and general labor employees.

Asked if code authority prerogatives could be construed as controlling salaries, Rosenblatt was noncommittal.

Chicago Combine to Stay—Saperstein

CHICAGO, Oct. 12.—Denying reports from Washington that he intended disbarring his cooperative buying organization because distributors refuse to sell him pictures, Aaron Saperstein declared this afternoon that the Northwestern Theatre Corp., will book for its 45 members if it cannot buy for them.

"We have not given up," he said. "The code dashed this and other leading points. That is why we walked out. However, Allied has renewed its efforts to get a definite ruling and in the meantime we are marking time. Theaters in need of pictures are being given permission to buy direct."

MOTION PICTURE
DAILY
Friday, October 13, 1933

Rathern in Eastern
Post for Principal

Harry Rathern has been appointed eastern sales manager of Principal Distributing Corp. Louis Hyman continues as western sales manager with headquarters in New York. The company plans to roadshow "Thunder" to 14 cities.

Stewart in New "U" Post

KANSAS CITY, Oct. 12—Jack Stewart is the new Universal salesman in northern Kansas, succeeding Dan Myers, resigned.

No Successor
For Franklin Named As Yet

No successor to Harold B. Franklin, who resigned as head of RKO theatres on Wednesday, was named by M. H. Aylesworth, RKO president. No return from Washington code conferences yesterday.

Broadway rumors, however, continued to make nominations to fill his former position, a master who had managed a theatre, and a few who had not been considered. In Union, a group of among yesterday's nominees in point of frequency of repetition was Major L. E. Thompson, operator of head of Trans Lux theatres. Mentioned earlier were Nate Blumberg, Orpheum Circuit executive; Charles Beal, Loew's manager; Phil Reisman, Franklin's assistant; Herschel Stuart, former assistant; and a group of others who, according to some RKO executives, were "disqualified for reasons more or less obvious."

Returns on Monday

Meanwhile, whose resignation is effective Sunday, left for a week-end vacation at a nearby resort. He plans to return to New York Monday and will leave for the west coast shortly thereafter to make plans for his announced independent production of "The Painted Lady." According to present plans, in about three weeks to establish eastern headquarters in Radio City. Prior to that, according to reports, Franklin declined to reveal who his proposed production associates would be. If the production venture is successful, he may release through RKO Radio.

Mountain Announces Lineup for 1933-34

D. J. Mountain, president of Showmen's Pictures, Inc., has just sent out his 1933-34 production announcement, a 16-page book in black and white. In a foreword he says several of the pictures features have already been completed. It is also stated that the company has acquired the Alexander Bros. Studio in Hollywood. Mr. J. is vice-president in charge of production, with Sam Katzman as production manager.


"Angel" Set for 2 Weeks

"I'm No Angel" opening day and date at the New York and Brooklyn Paramounts today is set for a two weeks' run in both houses.
"A WOMAN'S PICTURE, AND A HELUVA GOOD ONE"

IRENE DUNNE
WALTER HUSTON

in
SINCLAIR LEWIS'
GREATEST NOVEL

Ann Vickers

with
CONRAD NAGEL
BRUCE CABOT
EDNA MAY OLIVER

Directed by John Cromwell
A Pandro S. Berman Production
MERIAN C. COOPER
EXECUTIVE PRODUCER

IRENE DUNNE shines as Lewis' heroine ... her intepretation of Ann is a beautiful performance ... she makes the positive honesty and capability of Ann shine through her every action and word.

N.Y. Daily News

Ann Vickers seen with Irene Dunne in fine portrayal ...
Miss Dunne is superb.

N.Y. American

Ann Vickers is a woman's picture and a heluva good one ... chalk up a winning performance for Irene Dunne in the title role.

Motion Picture Daily
Groucho Marx, as Rufus T. Firefly, Dictator of Fredonia, takes a few steps in the right direction in PARAMOUNT'S "DUCK SOUP"
Propose Way to Check Salaries

Penalties As Required

Academy Hits Strike Talk As "Extreme"

Hollywood, Oct. 13.—Strike talk by extremists will do "immeasurable" harm to talent as a result of government disapproval and adverse publicity, states the Academy of M. P. A.

The statement emphasizes the tendency of individual branches to "break up" into small groups and attempt to gain their ends by strikes and similar tactics.

"These are extreme measures," the Academy statement continues, "which must face governmental disapproval and extremely adverse publicity. If such strikes should be lost, the setback to creative artists will be immeasurable."

The Academy believes moral force is the only force which can be used effectively in an industry composed of artists and intense individualists. The strength of any artists' strike (Continued on page 2)

Academy Will Push Battle on Article 10

Washington, Oct. 13.—The Academy of M. P. A. and Sciences has no intention of letting up on its fight on former Article 10. Lester Cowan proposes leaving for the coast Saturday, but before pulling up Washington stakes says he will file a brief of protest with Deputy NRA Administrator Sol A. Rosenblatt. He reiterated tonight that the only fair way in which (Continued on page 2)


Allied Move Flop

Washington, Oct. 13.—On the basis of an early analysis of wires urged by Allied on its members in protest against the N.R.A. code, the campaign is a complete failure. Thursday's telegram totaled 129, and Friday's 465, as against 100,000 cited by Sidney Samuelson of New Jersey Allied, as necessary to have in the White House by Wednesday of this week.

Labor Victor,

Aug. 23 Stays As Wage Date

Washington, Oct. 13.—A complete victory for operators developed today when Deputy NRA Administrator Sol A. Rosenblatt informed M.P.T.O.A. delegates that the Aug. 23 date which sets the prevailing wage scale, is final.

Exhibitors, whether affiliated or independent, had fought for July 1, when the summer cuts went into effect in many situations throughout the land. The M.P.T.O.A., therefore, today said it found itself confronted with one of two alternatives, either to go back and reopen all labor negotiations or to accede. Acting as spokesman for this group, Fred Meyer of Milwaukee declared the latter course wiser and gave three reasons.

"First, the I.A.T.S.E. had withdrawn its demands for one man for (Continued on page 3)

Cleveland Pact to Stand—Rosenblatt

Washington, Oct. 13.—M. B. Horkowitz, Cleveland exhibitor, declares he was informed today by Deputy NRA Administrator Sol A. Rosenblatt that the contract with operators signed by independent Cleveland exhibitors and effective as of Sept. 1 would stand, and that the Aug. 23 prevailing date for operators' wage scales, as provided in the code, would have no effect on the compact signed by the Cleveland exhibitors. (Continued on page 3)

No Further Salary Talk by Executive

Washington, Oct. 13.—The White House statement on the proposed investigation of industry salaries will not be amplified beyond what has already been said, it became clear today (Continued on page 3)
Arillis Says Actors' Pay Not Big Enough

George Arillis thinks actors' salaries are not high enough. He expressed this view the other day when somebody asked him his ideas about the suggestion from Washington that the government should investigate the stage.

The only way the government could regulate actors' pay, he said, would be to end competition between companies.

Arillis will leave for the coast next week to start "The House of Rothschild" under his new 20th Century contract.

Mayors Order Clean Up

As a result of the excitement created by Sally Rand's fan dance at the Paramount, License Commissioner Sidney S. Levine has ordered, at the request of Mayor O'Connell, a cleanup of all places where "shameless and vulgar" displays are made.

J. V. Allan Weds Today

James V. Allan, assistant to Gradwell Sears at the Warner home office, will be married in New York today to Gertrude Barden of Cleveland. The couple will make their home here.

Educational Signs Wells

William (Billy) K. Wells has been engaged to supply comedy material for a number of the pictures Educational is making at the Eastern Service Studios in New York.

Public Houses Go to Trendle

As a Manager

(Continued from page 1)

bankruptcy for Paramount Picurcs, was later effective for 10 months only, at the end of which time the Paramount trustees, crossed, L. A. L. Hills, Eugene W. Leake and Charles E. Richardson, may either enter into a new management deal or again obtain the courts' permission to dispose of the theatres outright.

Balaban, early last summer, made an offer for the Detroit houses which involved his advancing $200,000 against operating expenses. This was later changed to provide for an issue of $1,500,000 income bonds, which was matched by Trendle. Balaban contended that he had been given reason to believe his offer would be accepted prior to Lynch's entrance into the company and such Palicx partners.

Hille, Eugene W. Paschal, in the little-recognized towns in New York and extended influence in Balaban's behalf. They felt, it was said, that Balaban was not pressed to the extent of his offer because of his record as head of Paticlics, B. & K., Publix Michigan, and in the home office.

Lunch Blocked Deal

Lynch, however, maintained that he would make only what he considered to be the best deal for Paramout. Both offices were held and the matter dragged out until yesterday, when the Paramount trustees were authorized to withdraw their petition for dissolution of the companies. Lynch's offer was accepted in Balaban's behalf.

Neither Trendle nor Balaban appeared at yesterday's hearing before Referee Davis, but attorneys for both were present and stated that the offer of outright sale of the houses would be permitted to stand for another six months, in the event the Paramount trustees again decide to dispose of the houses.

The Detroit theatres involved in the deal include the Michigan, Binghamton, United States, Riviera, Ramona, State and Fisher. They were originally acquired by Para- mount from Trendle and John Kun- sky in 1929 for 65,000 shares of Para- mount stock at a guaranteed repur- chase price of $75 per share. In ac- cordance with this guarantee, Para- mount bought up the stock in Sep- tember, 1931, for $4,875,000, when the stock was selling at $81 per share.

Attorneys for the Paramount trustees revealed that they were in- structed to sell such stock repurchase deals with a view to attacking their validity. The deal also prohibited either Trendle or Kunsky from re- engaging in theatre business in the Detroit area for 50 years, except with Paramount's approval.

Referee Davis also authorized the Paramount trustees yesterday to pay taxes and interest due the Long Island stockholders, amounting to $62,000, which have been in default since Feb. 1, last, on condition that an agreement under which foreclosure proceedings will be withdrawn can be arranged.

There is an unpaaid mortgage of $203,000 from Trendle to John Kunsky, which installments of $60,000 are due and unpaid. Carrying charges of the mortgage are payable in the amount $93,000 annually. The compromise settlement is to be arranged in the near future between the Para- mount trustees and the mortgagee.

Appeal Is Allowed On Par. Trustees

(Continued from page 1)

appeals court will hear and review his arguments for the removal of the trustees.

The bondholders' attorney is ap- pealing from a ruling of Federal Judge Francis G. Coleman handed down in U. S. L. C. C. in June, disqualifying his motion for the removal of the trustees. At that time Zirn charged that three of the trustees were disqualified for the trustees' posts because of former affiliations with what Zirn charged are creditor banks. At the bondholders' hearing, Zirn charged, was disqualified because of his former association with Fox.

Eastman Off Two and a Half

Columbia Pictures Off One

Columbia Rises One Point

Paramount Publix Off One

Report Shows Para. Claims

$246,000,000

Total claims filed against Paramount Pictures aggregate approximately $246,000,000, of which about $175,000,000 is said to be in the form of secured claims, and many additional millions of unsecured claims which were filed in duplicate, according to Mr. J. F. Moomaw, counsel for the Paramount trustees.

The period for filing of creditors' claims expired Sept. 14, and the tabula- tion of all claims legally entered during the months' period ending on that date was completed yesterday. The claims office maintained by Paramount at 140 Nassau St. was closed.

The Paramount trustees, Charles D. Hilles, Eugene W. Leake and Charles E. Richardson, will contest all about $30,000,000 of the creditors' claims filed, it was said. In the un- contested group will be the various bond issues and the approved claims of general creditors for merchandise, services and the like.

It was stated that the $246,000,000 claim total, approximately $71,000,000 of which were claims which were filed in duplicate, is large portion of the various Para- mount Broadway bond issues which were filed both by individual bond- holders and by the various bond- holders' protective committees with which the claims were registered. Among other large claims said to have been filed in duplicate was that of General Motors Corp., a theatre building and lease organization, for approximately $6,000,000.

Gering to Direct Sidney

Hollywood, Oct. 13—Marion Ger- ing has been assigned to direct Silv- eresque, following her return from Europe, "Good Dame."

Rogers to Make 12

Hollywood, Oct. 13—Charles R. Rogers will make 12 instead of eight as an independent producer for Para- mount this season.

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SEEDEN SOUND STUDIO

Let us score your sound track
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dy
Penalties to Check Salaries

White House Attitude May Be Reason

(Continued from page 1)

person to enter into the employ of such employer.

"If the code authority finds that such employer has done so, the code authority shall have the power, with the approval of the Administrator, to impose an assessment against such employer, equal to the amount of the unreasonable excess payment to such person, not, however, to exceed the sum of ten thousand dollars ($10,000.00) and to make public its findings, but nothing in this part shall in any manner impair the validity or enforceability of such agreement of employment. All such assessments shall be paid to the code authority for use by it in the administration of its functions."

The new clause seemingly is designed to get a clamp on such offenders through a system of penalties. Significant to note in the phrase which makes it clear that nothing shall be done to impair the validity or the enforceability of such agreement of employment. The definition of what is known as a "worker," while a producer or an employer may be chastised for countenancing excessive salaries, his reward is to be a fine while the salary which may occasion it will continue under the terms of the contract that legalizes it.

Purpose Behind Revision

Apparently the tenor of the clause was admitted at stage 2 of the Act, the revision, under present Text and Change 2, Article C of the National Industrial Recovery Act, in which it is quoted as an added language that maximum salaries cannot be fixed under the scope of the act.

At the same time it is understood that the definition of what is meant by a "worker," the term used to describe the code authority for the purpose of the agreement of employment, has been included in the proposed revision.

Washington was devoid of all coders except a handful tonight. The M. P. T. O. A., by statement of Rosenblatt, is now satisfied with the code. The depot did not say how well satisfied, but the M. P. T. O. A. is generally taken to mean that Mr.... who owns a lease of one of the major battles. How the M. P. T. O. A. feels about the situation as of tonight is outlined in detail elsewhere in this edition.

Labor Set Straight

Studio labor, which ran into a sudden and unexpected overtime provisions, was straightened out today at the conclusion of an eight-hour session in Rosenberg's office. It was agreed that where union help works $4 a week for a period of 14 hours, the 54-hour limit after the picture is finished, Pat Casey, his job finishing, left for home.

Analysis of the insurgent group, first proposed for Wednesday and then for today, failed to meet its own demands. Abram F. Myers expects to deliver it to Rosenberg on Saturday. The depot expressed himself to consider it, but if the 54-hour limit is not revised before the code is ready to go to Administrator Huey S. Johnson, a third revision of the mediation offer and may be ready by Monday. Accompanying this will be Rosenberg's analysis of the draft and what it proposes to set for the industry. This will be the third and undoubtedly the final code.

Home Stretch in View

Indications that the final lap is in sight in the case of the NRA is borne out by a session between the deputy and legal rights of the Rehabilitation Administration which terminated at 1:15 Friday morning. Present were attorneys for the Hays organization.

Meanwhile matters stood tonight the end of the road was not yet in sight on former Article 10, acceptable as it may be to the majors of the code, including Paramount, Warners, Fox, M-G-M and RKO. It is not insofar as Universal, Columbia and United Artists are concerned.

In fact Rosenberg admitted this afternoon that the article is being furthered with much hope he had anticipated no further drastic changes.

A report in circulation today that the Code Adjointu Board of the NRA had suggested modications in master agreements between major circuits and major distributors is denied by Rosenberg who said he had not heard about.

Connecticut MPTO Sends Code Protest

Hartford, Oct. 13.—Protests against the present setup for grievance boards in the revised NRA code have been sent to President Roosevelt by Sol A. Rosenblatt by the M.P.T.O. of Connecticut, and a request has been made for a meeting.

In a wire the M.P.T.O. group says grievance boards as at present constituted seem to favor affiliated theatres and producers.

Colle on NRA Work

Kansas City, Oct. 13.—Arthur Colle, office manager at the Paramount exchange here, and secretary of the Kansas City chapter of the Illinois member of the NRA organization stating the local 12-week Buy Now campaign. Cooperation of exhibitors is to be obtained in running trailers.

Nizer Estimates

Washington, Oct. 13.—The code's 10 per cent picture cancellation clause will cost distributors $20,000,000 annually, Louis Nizer, New York Film Board expert, told MP.T.O.A. delegates during a conference late Thurs- day. There have been changes in the trade practice section of the code. Some provisions were raised at this estimate.

Sales executives of major companies attending Motion Picture Daily early this week the cancellation clause would cost them $8,000,000. If a film is canceled the maximum number of picture permits by the provisions.

No Further Salary Talk by Executive

(Continued from page 3)

at the regular press conference with President Roosevelt.

Asked to clarify his reference to "immature players," in view of the various interpretations of the term which have been made subsequently by many newspapers, the President once more disavowed the fact that some investigators had quoted the word "immature," adding that he had been surprised to learn that some newspapers had singled out Jackie Coogan as a representative of the type of player the Chief Executive had in mind.

"Did you refer to physical or mental age?" the President was asked by William O. Williams, Los Angeles Times correspondent.

The President apparently found the question amusing, for he laughed.

Allied of Milwaukee Wires Code Protest

Milwaukee, Oct. 13.—Opposition to the code was wired President Roosevelt by F. J. McWilliams, president of the Allied Independent Theatre Owners of Wisconsin, following a meeting here.

The message protests the code "fails to correct monopolistic and unfair practices and the present oppression of small theatres, and tends to promote such practices." The wire urges the president to withhold his signature until an analysis of the code can be made.

One of the features of the proposed code specifically objected to by the Wisconsin Allied unit is block buying.

Wallace Beery Leaves

Wallace Beery spent one night in the Warwick and took off by plane yesterday for the coast. He ar- rived Thursday on the Rye. As soon as he reaches the coast he will fly his own plane to Mexico City to start work in "Viva Villa."

Detroit Group LINING UP FOR An MPTO UNIT

WASHINGTON, Oct. 13.—Declaring they are determined to challenge the supremacy of Allied to Detroit exhibitors from that city who are here seeking relief from alleged iniquities of Mid-States Theatres, buying combine in which H. M. Richley and J. C. Ritter of Allied are charged with being officers, are making arrange- ments to form the M.P.T.O. of Detroit and to affiliate with the national M.P.T.O.A.

Rosen Has Power to Act

Adrien Rosen, Detroit attorney, stated today he has authority to act for or on behalf of any of them new members of Allied. Plans to definitely crystallize the new exhibitors and to propose the formation of the first competition Allied of Michigan has had to face will take shape in meeting called for that city on Oct. 17.

Rosen, like Sol Marks of May, Rosen and Ruttenberg, who is also here, is representing this group in opposing Mid-States buying activities through suits filed to restrain them. He states that, aside from the Mayfair, Iris and Kramer, there are 17 other Detroit houses which are suffering through inability to buy product, since they are not members of Mid-States.

These houses, he asserts, include the Royal Oak, Redford, Oriole, Grand, Madonna, Colony, Globe and New Plaza representing total investment of "over $1,000,000."

Fail to Get Anywhere

A three-hour meeting with Richley on Wednesday night at which efforts were made to reach an amicable settle- ment of the situation failed to get anywhere, according to Rosen.

In the meantime, relief sought by Ed Kayekendall, president of the M.P.T.O.A. for the Iris and Kramer, is declared to be on the way. It was stated today that "three major exhibitors" had promised to service these houses, but who they were something neither Rosen nor Ruttenberg wanted to discuss.

Stars on Radio for NRA

Three noted film stars and a radio headline offered their services in a series of radio talks to help push the "Buy Now" drive of the NRA.

The first to go on the air was Marie Dressler, who was tied to New York last night over the NBC network. Also this evening Mary Pickford will speak in behalf of the NRA from the coast, with a second radio appearance scheduled for the following Saturday, Charles Chaplin will speak from Hollywood on Oct. 23. Kate Smith is listed for a talk on Oct. 19.
Johnston Answers Salary Queries

He Condemns Many Salaries As ‘Grotesque’

Looking ‘Em Over

“Saturday’s Millions” (Universal)

With the start of the football season, Universal is the first to come through with its big motion picture effort. The story of a hero, handles a difficult role well. Leila Hyams, John Mack Brown, Andy Devine, Mary Carlisle, Ernie Nevers and Erny Pinekert comprising the supporting cast. It is not the opinion that his friends flock around him because he is the football hero of the hour, Young decides to get as much out of the game as possible. He takes to betting and also breaks other rules which get him into certain relations with Miss Hyams for another girl, who when she has him stuck on her, tries to get him to lose the game.

From being in a maelo with Paul Porcasl injuries his right hand. He goes into the crucial game to win, but when the deciding play comes, the hero fails to come through. He thinks he’s through, but, surprisingly, it is all a set-up. Andy Devine does the heroing and that patches up another wound. Andy Devine and Mary Carlisle furnish the comedy interludes and they drew plenty of laughs at the Old Roxy yesterday. In general the picture seemed to get over.

Edward Sutherland directs.

A. Yes, that is right. I have had this thing presented to me, and all of them and they split up and each make it different. I am not criticizing them because they have the public and the public audiences have some rights in the matter. I think that the companies are and they are depicted in the picture, because the money is taken out and given to somebody, whereas the public is not given to stockholders or in the price they pay at the box-office. I am in sympathy with that opinion that should be considered in the code. I am not up to date and do not put me down as saying these things because I do not know what to say yet.

O. Are the producers fighting over this question of control?

Calls Huge Salaries "Abuse"

A. No, but there is a good deal of feeling in the country and it is strongly represented here in correspondence and letters that. I think all but one of the large companies are in the receivers' hands and the stockholders and the public audiences have some rights in the matter. I think that the companies are and they are depicted in the picture, because the money is taken out and given to somebody, whereas the public is not given to stockholders or in the price they pay at the box-office. I am in sympathy with that opinion that should be considered in the code. I am not up to date and do not put me down as saying these things because I do not know what to say yet.

O. The producers counter by saying that some 20 or 30 years get tremendous prices while some labor also gets high salaries and should also be cut.

A. Yes. I believe a union labor leader from out whose salary is reported to be to me to be $800 a week was making representation on this code.

Q. Would you take the position that it is necessary to strike today?

A. I have not taken any position at all.

Q. I think this is a most peculiar day of circumstances.

O. Do you think something will be done about scaling down salaries?

A. Have not been able to see a way yet to scale them down. This law says there is nothing in it that shall be administered so as to create a maximum as well as a minimum wage.

Johnson’s view of the film code came as a result of a statement that he made after the regular Friday press conference.

Replies to Questions

Queries shot at him from various newspapers through department part of the discussions held with industry leaders last Saturday in the Department of Commerce Building.

A logarithmic transcript of those portions of the interview pertaining to the film code follows:

1. Do corporations in this country, and particularly the reason the President issued his order to vary movie salaries and executive and management in the film is because he had been shown a list of 46 individuals who drew $1 per cent of the producers’ payroll. What will happen to producers who make such mistakes?

A. I have no idea. I never made the mistake at all, and I am not reporting them.

2. Rosenblatt has asked these questions for quite a while, but they are not going to reveal the public their salary lists, the companies operating in his 23 districts, to each other. It will be under an agreement that this be revealed to the President, or me, for his information, but they will not reveal the salary lists to each other. That is a very important point.

3. In the following question relating to pictures Johnson was asked:

Q. Returning to the movie code, last week you had several conferences with the producers over the week end. Can you give us some idea what you talked over?

A. We can and we will.

Q. Was it confined solely to salaries or were other problems taken up?

A. Explains Whole Controversy

1. Well, there was quite a general discussion, but it was mostly on that. I can tell you what that controversy is, and I am a piping Mr. Johnson.

Q. What is it that Johnson claims as that second thing, that the companies makes somebody up and makes a contract with him and that see a lot of publicity, etc., in distribution of an article that builds that person up against the competition, and builds that person up and then puts him on an estimate. I am not sure what you mean by this.

A. What they claim is that on an establishment that makes somebody up and makes a contract with him and it is a lot of publicity, etc., in distribution, and builds that person up. And he has to do it for the company that he is leading in the courts. And second, and most important, is that after having had that enormous investment put into a person he is put into the case to put as me and not expressing any opinion on the matter. They claim that they have a close, that other producer, for the purpose of capitalizing on his investment, be sure that not that salary up until it is to the point where they cannot go any further. And it is merely by making another offer.

Q. That is the entire ratifies problem that is not phase of the salary problem?

A. That is the one that the producers are insisting on.

Q. You say they claim it. Two or three groups?

Academy Hits Strike Talk As “Extreme”

If and when the time comes that we can finally depart, we will be able to do so with self-satisfaction, and with the knowledge that we put up a fight, and the net results show some gains and no losses, and no surrender of any of our inalienable rights and privileges.

Ben Bernstein, president of the M.P.T.O. of Southern California, while not a national affiliate, finds himself in complete accord with the M.P.T.O. stand.

Fred Wehrenberg left for St. Louis today, but others are standing by until the final code goes to Administrator Hugh S. Johnson.

Labor Victor, Aug. 23 Stays As Wage Date

Academy Will Push Battle on Article 10

AMPA to Talk Code

Discussions of the advertising, exploitation and publicity section of the code are slated to come before the A.M.P.A. either at next Thursday’s or the following meeting, according to John C. Flinn, president.
New Setup of Fox Theatres Up in Parleys

**Division Heads Wind Up Talks with Bankers**

Reorganization conferences of various Fox theatre units now in receivership are understood to have been held in New York. Charles Skouras, Mike Rosenberg, Reeves Espey, Arch. M. Bowles and Frank Newman are understood to have held conferences daily with Sypros Skouras and Chase National representatives which are believed to directly involve the new setup of various Fox theatre units in the west.

Reorganization of Fox Metropolitan Playhouses is scheduled to come (Continued on page 2)

**Weshner Appointed Wisconsin Manager**

Dave Weshner has been appointed Wisconsin zone manager for Warners by Joseph Bernhard with headquarters in Milwaukee. He will have 30 houses under his supervision, the theatres being in Milwaukee, Racine, Sheboygan, Kenosha, Madison, Appleton, Green Bay, Chippewa Falls, Eau Claire, Oshkosh and Menomonie. Most of the houses formerly were operated by Brachman & Saxe and Fox theatre interests.

Weshner left for Milwaukee Saturday and will meet Moe Silver there (Continued on page 2)

**Publix Enterprise Problems Up Oct. 23**

Formation of a new organization to take over the Tennessee Enterprises, Inc., the proposed sale of Augusta Enterprises, Inc. to Arthur Lucas and William F. Jenkins, formation of a new organization to take over the lease of the Palace, South Bend, and the proposed transfer of the assets of Publix-South Bend to J. J. Kiser as trustee are scheduled to come up (Continued on page 3)

**Dellis Looking Over Schine Ohio Houses**

**EAST LIVERPOOL, O., Oct. 15—** George R. Delli, until recently city manager of the local Constant Circuit, consisting of the American and State, but now co-owner of the Palace, at Lockport, N. Y., is said to (Continued on page 3)

No Legal Bar to Fines
For Producers Is Seen

**Rosenblatt Seeks Code Clause Making Signatures a Contract**

Washington, Oct. 15—Deputy NRA Administrator Sol A. Rosenblatt is seeking an added clause to the code making the final form of a contract between all signatories and the President.

He has discussed this with Hays lawyers, it was learned over the week-end, and met with opposition. The objections are reported to hinge around the reputed belief in the minds of major distributors that this would be too definite a commitment, if the constitutionality of the NRA is ever attacked and the law declared illegal by the United States Supreme Court.

Washington has been full of rumors for weeks that a legal test of the NRA and the unlimited powers accorded the code authorities under each Recovery Administration is to be made.

**Fear a Super-Combination, Says Independents’ Brief**

**WASHINGTON, Oct. 15.—** Alleging that the codes submitted by Deputy NRA Administrator Sol A. Rosenblatt "offend" Section 3-a of the National Industrial Recovery Act and that the proposed set-up of code authority, grievance and zoning boards "would create a huge super-combination," independent producers, distributors and exhibitors filed their analysis with the Assistant Attorney on Saturday. They now rest their case.

The brief was prepared in separate sections and consolidated here by Abram F. Myers. It represents the views of a number of organizations and was signed by Jacob Schechter, attorney for the Federation of the M. P. Industry; Mitchell Klup, attorney for the Independent Motion Picture Exhibitors Code Protective Committee, and Milton C. Weisman, attorney for the Independent Theatre Owners Ass’n of New York.

Using its base line the argument that code authority, grievance and zoning boards will not be balanced boards because representation among major divisions of the industry is not equal, the analysis charges the code, as now drawn, with setting up a "quasi-judicial boards to determine the respective rights of exhibitors and distributors." (Continued on page 6)

**Columbia Men Aim Hot Shot At the AMPA**

**WASHINGTON, Oct. 15.—** Notwithstanding the arbitrary date of Aug. 23, mentioned in the scale for operators, it is learned from authoritative sources that both Deputy NRA Administrator Sol A. Rosenblatt as well as the L.A. T.S.E. officials have given their assurance that where existing scale work hardships by reason of unfair classification the may be reclassified and (Continued on page 2)

**Ohio MPTO Not in Wire Moves—Wood**

**WASHINGTON, Oct. 15.—** Deputy NRA Administrator Sol A. Rosenblatt has received a wire from P. J. Wood, business manager of the M. P. T. O. of Ohio in which he (Continued on page 7)
Columbia Men
Aim Hot Shot
At the AMPA

(Continued from page 1)
of definite value to the less fortunate members of the so-called profession of press-agentry." The letter is signed by Louis Lustig, Gregory Dickson, Ed Olmstead, Arnold Van Leer, Ben At- weal, George Brown, Les Kaufman, Leo Freedman, Fred Marshall, Hor- tense Schorr and Louis Goldberg.

The letter, in addition to seeking exclusion from membership of others who don’t advertise, publicize and exploitation men, suggests that A.M. P.A. members be forced to take care of its unemployed. "Being a member of the organization should imply certain qualifications for a job in the industry," the letter, which would guarantee the employer "a certain amount of experience and brains. A.M.P.A. members must be forced to do so. If they did, there would not be anything in the code as ridiculous as a $500 minimum for publicity men."

Declaring that they have kept away from meetings because of their views, the signers say they are still interested in A.M.P.A. and would like to see it climb back to the position it "attained seven or eight years ago." They say they are looking to Film to jack it up so that it will be of definite value to its members "instead of a weekly conclave of wise-crackers."

Since Film took office the meetings have been serious, but whether all the complaints made by the Columbians will be acted upon is not known yet.

Public Enterprise
Problems Up Oct. 23
(Continued from page 1)
approval at a meeting of Public Enterprises creditors before Referee in Bankruptcy Henry K. Davis on Oct. 23. Another subject scheduled to come up is the proposed conversion by Acme Theatre Corp., to the Volunteer State Life Insurance Corp., of the Lakeland (Florida) Theatre in sat-urday. It is a mortgage indebtedness of $41,703.75.

New Setup of Fox Theatres
Up in Parleys

(Continued from page 1)
up shortly with George Skouras set to operate theatres he is now handling. J. J. Sullivan, Fox West Coast film buyer, has left New York for several weeks lining up film buys for the new season. He left last Friday. Rosenberg is of Principal Theatres, Los Angeles; Espee of Fox West Coast, Los Angeles; Bowles of northern California division of F. W. C., San Francisco, and Newman of Ever- green Theatres Amusement Corp., Seattle. All are in receivership except the last named circuit. Bowles, Charles Skouras and Espee leave for the coast today. Newman and Rosenberg de-parted last week. Reorganization of the units is expected by Jan. 1, 1934.

Weshner Appointed
Wisconsin W.B. Head
(Continued from page 1)
today. All Wisconsin managers will meet Weshner at a special meeting today. Prior to leaving Saturday, Weshner stated he did not contemplate any revolutionary changes in the present setup but was first going to thoroughly digest the situation. He recently returned from upstate New York and a special assignment.

Dyer Sound Patent
Hearing Is Started

(Continued from page 1)

Dyer alleges infringement of a pat-ent he holds on long-playing phonograph records, claimed to be superior for sound recording with this process. The trial was brought to a abrupt close later in the day when Joseph Maxfield of New York, expert wit ness for the defense, was taken ill, forcing a postponement for a number of days.

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By the Year, Month or Day
Serving Pantries
Electric Refrigeration
JOHN W. HEATH, Manager

Jump in “U” Sales
Reported on Coast

Hollywood, Oct. 15. — James R. Rangier, general manager of Universal distribution, is here on his swing around the country with the news that some for several months and the company’s product have been signed this year that were for the same period last year. This increase, it is reported, will push “Saturday’s Millions” into the major first runs, with “Only Yesterday” and “The Invisible Man” following it. Granger is re turning to New York via Dallas, New Mexico, Charlotte, N. C., and Wash-ington, D. C.

Last week’s sales were over $1,000,000 without any estimate of percentage pictures, according to Granger. It was the greatest week’s business in the history of Universal, he states.

Dellis Looking Over
Schine Ohio Houses
(Continued from page 1)
be making a survey of several houses of the Schine circuit in this terri tory, pending negotiations for acqu isition in the formation of a cir cuit of his own.

Before his local connection, Dellis managed Constant’s Palace at Canton.
BE KIND

TO THEIR EARS

or else...

It's twenty to one (and that's no sport's bet) the house with old type sound doesn't even begin to approach the attendance of the house down the street with a brand new High Fidelity System.

And that stands to reason. Six years ago the show business was for the eye only. When sound came in, anything was good...at first. But now, it's different. Folks come to see and hear. And they're not taking nor liking sound that's frayed at the edges.

High Fidelity Sound means new life for your house...new patronage and new profits. Hardly a week goes by without an enthusiastic report bearing us out on this...reports of exhibitors who claim that purely from a box office standpoint, their High Fidelity Equipment is the best paying investment they have.

This we pass along to you with the reminder that times are on the up and up. More recreation for workers and more money...better product and new headliners all mean bigger crowds willing to stand in line to pay you money, IF you give them sound in tune with the times...IF you give them

HIGH FIDELITY SOUND

PHOTOPHONE DIVISION

RCA VICTOR CO. Inc.

Camden, New Jersey

Right you are! Please have your representative get in touch with me immediately with facts and figures about a High Fidelity installation in my theatre.

Name:__________________________
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**UNIVERSAL AWAY**

Leading Theatres Recognize Quality First of New Season’s Releases

**SATURDAY'S**

<table>
<thead>
<tr>
<th>Theatre, Location</th>
<th>Date</th>
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<tbody>
<tr>
<td>*Paramount, Los Angeles</td>
<td>Oct. 19</td>
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<td>Roxy, New York</td>
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<td>Lafayette, Buffalo</td>
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TO FLYING START!

of Universal's New Product—
Hits First Runs Everywhere!

MILLIONS

To Play

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* "Saturday's Millions" is the first Universal picture ever booked in this theatre*
In 48 Pages and 18,000 Words

Washington, Oct. 15.—The independents' analysis of the N.R.A. code was made public yesterday in a 48-page brief running 18,000 words in length.

The argument was divided into three major divisions. Eighteen pages were devoted to code authority, grievance and zoning boards, and efforts to prevent may be dominated by local producers. Thirteen pages concerned analyses of trade practices.

The final 15 dealt with omissions in the code, as the independents see them. Much attention was paid to the right to buy in this section.

The proposal as currently drafted, in which the producers' rights will be taxed for board maintenance "for the benefit of the major producers"; that the right of code authority to conduct independent investigations of alleged violations and in so doing to call for appearance of documentation, books, records, and testimony is tantamount to forcing independents "to furnish evidence against themselves for use in criminal cases."

The independents say the clause should be deleted.

The proposal, as currently drafted, in which the independents contends that the provisions are provided for the purpose of dominating local producers; that the six votes accorded each board the two first runs, affiliated and independent, will stick together since both of them are interested in extending licenses and subsequent runs as far as may be possible. The independents say that this is unfair to distributors who are not affiliated with either.
No Legal Bar To Fines Seen
By Rosenblatt
(Continued from page 1)

Billboard Coming
Back in Milwaukee
MILWAUKEE, Oct. 15 — Billboards are receiving the call in increasing numbers by local boards quite consistently, having plugged "Emperor Jones" in this manner last week and "The Bowery," current attraction. Fox's Wisconsin is using the boards to advertise Billy Rose's "Crazy Quilt."

RKO Day and Dating
"Angel" Around N. Y.

All RKO theatres in New York and New Jersey will play "I'm No Angel" day-and-date for one week, starting Oct. 18, but theatres in other parts of the country will begin the picture winds up at the New York Paramount. Houses with week-plus policies will change for the run.

Authority Is Set
Washington, Oct. 15.—Asserting again, as he has many times in the few last days, that the code authority personnel is set, or almost entirely so, in his mind, Deputy Manager Bill Fublix, of the Loew's Washington, said today that the names may appear in the final code form. As the draft was released publicly, the clause so dealing was left blank.

Want Right to Buy Clause
From the standpoint of "the unprivileged independent," the most important matter in the code has been omitted, the analysis continues, this is the right to buy.

"If the exhibitors have not considered in this regard is the removal of obstructions to the free flow of commerce and the elimination of unfair competitive practices which is the very policy of the Industrial Recovery Act. . . . There can be no code of fair competition worthy of the name if this subject is not honestly dealt with. . . . We readily admit that the adoption of this principle makes necessary a re- examination of the distributors' present sales methods and policies," reads the brief, in highlight, in this connection.

Returning to the stand taken originally by Myers on foreign films, the brief maintains imported product should be sold on its merits and not made a condition of sale with domestic product. The independents, therefore, argue for inclusion of a clause so specifying.

Salacious pictures will continue as "an abomination" because exhibitors are compelled to buy in bulk, it is further argued.

The code makes no mention of score charges, the independents are also disturbed. The argument holds, generally, that scores are an inheritance of the days when exhibitors meddled discs.

The final specific point has to do with secret rebates which were ruled out in the second NRA revision, although present in the first.

Hollywood Studios
In Production Rush
Hollywood, Oct. 15.—Despite a general feeling of dissatisfaction over the proposed code here, production activity is at a new high level with a total of 56 features and seven shorts in work with 36 features and ten shorts slated to start within the next 10 days. In addition to this there are on hand for the final stages of 16 features and 12 shorts in the same stages.


Both pictures were held over as was "Waltz Time," at the Mayfair, which opened last week under management of Kathryn Turner.

Operators' Scales
Up in K. C. Houses
KANSAS CITY, Oct. 15.—Under new contracts negotiated by the three downtown first runs here with Local 170, I. A. T. S. E., operators' salaries have been increased from $90.00 to $82.00 per week.

The new scale now is the basic scale at Loew's Midland, the RKO Mainstreet and the Publicx House. Two operators, now employed after a shift, are employed at each house.

Technically, the new scale is not considered a boost over the previous scale, as the old wage represents a cut from a $120 top provided in basic scale contracts effective Sept. 1, 1938.

Contract negotiations between the union and these theaters were extended. Cuts three months apart brought the top down to $90.00, then $87.

Before the bank closes last April, the union granted a further reduction, according to $90.00 until last night.

In negotiating new contracts, the union sought to restore salaries to the $87 level, but after several weeks of dickering finally compromised on $82.50, which is retroactive to Sept. 1, this year. The new time, however, means that the new contract has been discarded in favor of 12-month agreements.

Still in progress are new contract negotiations with Local 21, I. A. T. S. E., comprising stage employes and electicians. The union, last April, conceded a 20 per cent slash, from approximately $84 to $67.15, and now demands a 25 per cent increase, which would restore salaries to the old level.

The major circuits are insisting on a lower figure.

Cincinnati Grosses
Show Decided Gains
CINCINNATI, Oct. 15—There are two definite indications here that business is on the up and up.

The RKO Palace, vaudeville, with "Strike Me Pink" and "Rafter Romance" on the screen, grabbed $18,500, the best stanza this house has ever grossed.

"Dinner at Eight" roadshow at the Shubert, ran up an estimated $17,000, which is ahead of any roadshow picture in the past several years. "I Loved a Woman" registered around $14,000.

Both pictures were held over, as was "Waltz Time," at the Mayfair, which opened last week under management of Kathryn Turner.

Adjacents May Come in Labor Terms
(Continued from page 1)

salaries readjusted, according to the merits of each of such cases.

The fact that Rosenblatt has indicated to M. B. Horwitz, Cleveland exhibitor, that the contract for operators dated Sept. 1 calling for a 10 per cent reduction will not be affected by the Aug. 23 date was recognized here over the weekend as constructive as establishing a precedent for contracts signed after the date provided for in the agreement.

I. A. T. S. E. men, however, are known to feel this clarifies a portion of the labor situation, but still remain contrary to bargaining the condition contracts prior to the specified code date. It now appears that labor may not be able to score by complete a victory as the surface indications pointed this Friday night.

A man familiar with labor provisios in detail yesterday declared the new Section 10, which calls upon labor and exhibitors to "pledge themselves to the joint effort," is what a condition contracts prior to the specified code date. It now appears that labor may not be able to score by complete a victory as the surface indications pointed this Friday night.

Concerns New Deals
What is referred to there concerns disputes over existing contracts. The new Section 10 goes further and concerns negotiations for new deals. As, for instance, exhibitors are playing a certain scale and insist upon a reduction which the union opposes, the "attempt to mediate" provision holds out to the possibility of mediators broadens the intent rather than narrows it down. Elsewhere in the code union members, distribrers and employes are banned from lockouts pending determination of any disputes as above specified.

Ohio MPTO Not in Wire Moves—Wood
(Continued from page 1)
said his association is not a party to a campaign by wire to influence the President on the code. He said in part:

"I have been directed by a large group of independent theatre owners in Ohio to convey to the President and his administration will formulate a code that will be fair to independent theatre owners and to the industry as a whole."

MOTION PICTURE DAILY understands that Administrator Hugh S. Johnson is burn up over the Allied telegraphic campaign.
**Behind the Make-Up**

Cliff Hess, song and story writer for Vitaphone, recently had four teeth pulled. He says he is going to have the rest fixed before Mayor O'Brien puts that bridge tax through. He signed another year's contract the other day to write songs for forthcoming Vitaphone musicals.

Completion of the Arnold Bennett "Great Adventure" production, still in charge of the main studio of Eastern Service in Astoria. Jack Aichle, who has been cast, had his artistic directive for backgrounds of scenes of the company originally had.

Milton Singer, Lee Stewart's assistant at Vitaphone, is a good studio casting man, but at rod and reel casting he is back on the job now with a foot bandaged and a cane. He claims he had a big fish on the hook and it pulled him off the boat and into the propeller.

W. Davee, former studio manager of the Vitaphone, is now the charge of the main studio of Eastern Service in Astoria. Jack Aichle, who has been cast, had his artistic directive for backgrounds of scenes of the company originally had.

The drug store across from Vitaphone has been forced to order additional stocks of witch hazel and arnica since the 14 dancing beauties at the studio have taken up bicycling. The girls have been practicing and night for the past two weeks for a scene in the Molly Picon three-reel musical that Joe Henabery is directing.

Chester Erskine, the well-known stage producer, a short time ago turned his talents toward production and recently completed one of the first of the pictures to be made in the East in four or five years. The picture is called "Midnight," and will soon be released by a major company. Erskine intends to produce four or five more this season. The old biographical studios in the Bronx are being rehabilitated for that purpose.

John Henry McKee, formerly with Harris & Cohen, William A. Brady, Charles Frohman, the Shuberts and many other stage producers, has just concluded rehearsal of "Dealing in Livestock," an N.R.A. production. This young fellow has had a busy time of it lately, what with staging the American version of "No Sense Blind," which is to be released by Helber Pictures, and directing "Ring Producers," he is now negotiating with Fimsic Prod., to direct four of their 1934 output.

**Harmony** Is **Harmony** Is

VICKERS at $9,378 Draw At Music Hall

"Ann Vickers" shored the RKO Music Hall gross up to $9,789, above the previous week's draw on "My Weakness" by about $3,000. Olive Borden was "The Bowery" at the Rivoli which got off to a flying start with $45,300, more than twice the second week's take on "Emperor Jones," which preceded it. 

"Stage Mother" on the screen, the Capitol, at $27,877, showed some improvement over the previous week, when Aimee Semple McPherson kept Paramount-Daughy in large numbers. "Too Much Harmony" was good for $3,500 in its second week at the Music Hall. 

Estimated takings:

**Week Endling Oct. 4:**

**BERKELEY SQUARE** (Fox) CAMEO—(500), 2c-40c, 7 days. Gross: $4,155.

**WILD BOYS OF THE ROADS** (F.N.) RKO-THEODORRE—(5,450), 2c-85c, 2nd week, 7 days. Gross: $8,217.

**ANN VICKERS** (Radio) RKO MUSIC HALL—(5,945), 2c-1$1.65, 7 days. Stage show. Gross: $3,789.

**LOVE A WOMAN** (F.N.) STRAND—(2,000), 2c-85c, 2nd week, 7 days. Gross: $2,520.

**Week Ending Oct. 5:**

"THE POWER AND THE GLORY" (Fox) CAMEO—(5,000), 2c-40c, 7 days. Gross: $7,500.

"STAGE MOTHER" (M-G-M) CAPITOL—(1,000), 2c-1$1.55, 2nd week, 7 days. Stage: Russell Sisters, Herb Williams, Evelyn, Albert & others. Gross: $7,377.

"THE POWER AND THE GLORY" (Fox) PALACE—(2,000), 2c-75c, 7 days. Stage show. Gross: $1,535.

"TOO MUCH HARMONY" (Para.) PALACE—(1,000), 2c-85c, 7 days. Stage: Ethel Merman, Borrah Minevitch and others. Gross: $8,377.

"BRIEF MOMENT" (Col.) ROXY—(6,200), 2c-85c, 7 days. Stage: Gloria Swanson, David Schoeder and band. Gross: $7,500.

**Week Ending Oct. 6:**

"O.S. ICEBERG." (Univ.) CRITIC—(1,001), 2c-85c, 2nd week, 7 days. Gross: $5,500.

"DON'T STARE AT PETZELTS" (Univ.)—4 days.

"SECRET OF THE BLUE ROOM" (Univ.)—2 days. ROXY—(5,000), 2c-85c, 7 days. Gross: $11,130.

"THUNDER OVER MEXICO" RIALTO—(2,000), 4c-65c, 2nd week, 7 days. Gross: $9,750.

**Week Ending Oct. 8:**

"DINNER AT EIGHT" (M-G-M) ASTOR—(1,012), 2c-85c, 6th week, 7 days. Gross: $17,740.

"THE AVENGER" (Monogram) MAYFAIR—(2,000), 2c-85c, 7 days. Gross: $8,000.

**Week Ending Oct. 10:**

"THE BOWERY" (U.A.) RIVOLI—(2,000), 4c-85c, 7 days. Gross: $45,000.

**Kansas City**

DELCHE (Radio) PARAMOUNT—(650), 2c-85c, 7 days. Gross: $7,500. (Average. $1,000.)

"THE BIG BRAIN" (Radio) TAILORED—(2,000), 2c-85c, 7 days. Gross: $3,400. (Average, $500.)

**World Changes** Oct. 25

Warners will open "The World Changes," in which Paul Muni is starred, at the Hollywood Oct. 25.

"Penthouse," At $58,000, Chicago High

**Chicago** Oct. 15—Some of the leading Loops here have the big con-clave found time to patronize Loop theatres and as a result good takings were made there. B. & K.'s Chicago had a fine week, the gross being $58,000 with "Penthouse." Also good were B. & K.'s Loop and Sally Rand heading the stage show. "Penthouse" got a big play in the newspapers and went into the record for a second week in the Loop.

The other outstanding spot was the Looped at Chicago which "Vollare" crashed through for a strong $19,000 for its first week. "Lady for a Day" also made money at $12,000 for its second Loop week following a previous week at the Palace. Total first run business was $130, 800. Average is $120,000.

Estimated takings:

**Week Ending Oct. 2:**

"THE POWER AND THE GLORY" (Fox) ORIENTAL—(3,494), 3c-40c, 7 days. Gross: $14,000. (Average, $2,000.)

"VOLLARE" (Warner's)

**Week Ending Oct. 5:**

"PENTHOUSE" (RKO) 7:00—CHICAGO (4,000), 2c-85c, 7 days. Stage show. Gross: $8,500.

"ONE MAN'S JOURNEY" (Radio) PALACE—(1,490), 4c-85c, 7 days. Stage: Lou Holtz, June Knight, Lew Fisk, & Co. Gross: $2,200. (Average, $323.)

**Week Ending Oct. 6:**

"LADY FOR A DAY" (Col.) (Second Loop Week)

MCCVICKERS—(1,850), 3c-65c, 7 days. Gross: $1,500. (Average, $214.)

"TURN BACK THE CLOCK" (M-G-M) ROUSESTUV—(1,191), 2c-85c, 7 days. Gross: $3,900. (Average, $514.)

**Tec-Art Equipment Brings in $25,000**

Hollywood, Oct. 15.—The two-week auction of equipment formerly owned by the bankrupt Tec-Art Stu-dio, was held in the neighborhood of $25,000.

The trustees' original estimate was $17,000 for the entire lot. Prescient, having taken over the studio, is speeding ahead with plans to prepare the sound stages and offices for immediate production, an announcement to be forthcoming soon.

"A Man's Castle" (Columbia) Hollywood, Oct. 15. This first Screen Guild production for Columbia is a tender, beautiful film in the "Seventh Heaven" mood. It reveals radiant romantic amide the setting of a writer's colony of unemployed. Spencer Tracy projects a great hearted role. Lor-etta Young gives her best performance to date. Frank Borzage's direction hits the heart of the production and fine entertainment. An extended review will appear in Motion Picture Daily later.

VIC SHAPIRO
Goldsmith Is Renamed Head of Engineers

Election Marks Opening Of Chicago Session

CHICAGO, Oct. 16.—Dr. Alfred N. Goldsmith was re-elected president of the Chicago M. P. Engineers by a margin of one vote over L. A. Jones of Eastman Kodak Co., at the society's convention which opened here today. Other officers elected are: O. M. Glunt of the Bell Telephone Laboratories, and A. C. Hardy, vice-presidents; H. H. Kurlander, re-elected secretary, and T. E. Sheaf of Bell Telephone, elected treasurer. W. A. Hopkins of Fetch & Loub was elected a director and Herbert (Continued on page 2)

Franklin Returns; Will Remain Here

Abandoning his original plan for a three-weeks' visit in Hollywood, Harold B. Franklin, who resigned last week as head of RKO theatres, returned yesterday from a week-end vacation undecided on immediate future plans.

"I need a rest," Franklin said yesterday, "and I may spend two or three weeks here in New York just cleaning up." (Continued on page 2)

Neuman Forms New Circuit in the West

PORTLAND, Oct. 16.—The Empire Amusement Co. has been incorporated by Frank L. Newman, Sr., Al Rosen-berg and Al Finklestein, with headquarters in Spokane, to operate a circuit of subsequent runs.

This is understood to be one of the units which will operate under reorganiza-tion plans for Fox theatre units throughout the country. Newman was in New York last week confering with Syros Skouras on theatre realignments.

N. Y. Lawyers Buy Fox N. E. 1st Bonds

HARTFORD, Oct. 16.—First mortgage bonds of the Fox New England Theatres, Inc., valued at $3,326,000, were sold at the Fox Capitol Theatre here today by Special Master Thomas J. Stellacy for $650,000. The purchasers were John A. McNaughton and W. B. F. Rogers, attorneys of 15.

Theatre War Gets Hotter About Frisco

Low-Priced Houses Fight Top Chargers for Lead

SAN FRANCISCO, Oct. 16.—A battle is raging on here. Mobilization of all entertainment forces has been going on during the past few weeks and, it looks like a fight to the finish between the high-priced houses and the low-priced houses.

Among the top chargers here (55 and 65 cents general admission) are the Warfield, Paramount and Golden Gate. Lining up on the other side are Orpheum (40 cents); United Artists (40 cents); Fox (25 cents); Embassy (40 cents), and St. Francis (25 cents).

The Orpheum and Fox, biggest fighters of FWC, have started stage units. The former has F. M. & M stage (Continued on page 2)

NIRA Wins First Wisconsin Decision

MILWAUKEE, Oct. 16.—Labor won a preliminary victory here when Circuit Judge John J. Gregory granted an injunction restraining the Simplex Shoe Manufacturing Co. from interfering with attempts of its employees to unionize. In the first decision in the country bearing on the provisions of the national industrial recovery act, the judge held that the shoe firm had (Continued on page 4)

Coast Actors Wire President on Code

HOLLYWOOD, Oct. 16.—Charges that any attempt to control actors' salaries would be contrary to the spirit of the NIRA were made at a meeting of 1,500 actors at the El Capitan Sunday night. After a series of speeches by Eddie Cantor, was preceded, and John Howard Lawson, Ralph Block, Fredric (Continued on page 4)

Hearing on Indies' Analysis Expected

A hearing in Washington on the independent group's code analysis will be held either late today or some time tomorrow, W. Ray Johnston, president of Monogram, stated yes-terday.

Johnston said that the independ-ents who returned to New York (Continued on page 4)

Detroiter's Booking Suit Is Postponed

DETROIT, Oct. 16.—Hearing on the suit filed against Mid-States Theatres Corp. by Leon Krim and A. Ruttenberg, which was to have come up to-day, has been postponed 30 days, the temporary injunction continuing in force meanwhile. A meeting has been called for Wednesday to organize a local M.P.T.O. unit.

No Finish Date

WASHINGTON, Oct. 16.—“How soon in your opinion will the code be in the President’s hands for signature,” Deputy NRA Administrator Sol A. Rosenblatt was asked today, “I have no idea,” was his four-word reply.

Allied Calls For Chicago Code Meeting

WASHINGTON, Oct. 16.—Alleged today issued a call for a general mass meeting of its members at the Congress Hotel in Chicago for Oct. 24, because its leaders feel the gravity of the situation requires they present to independent theatre owners and other interested persons full details as to the procedure followed by the Deputy NRA Administrator Sol A. Rosenblatt in preparing a code. The statement read in is that it was the consensus of opinion that while leaders who have been at- tempting the conferences were fully (Continued on page 4)

Pending Code Points Prove Troublesome

Many Changes Coming, Rosenblatt Says

WASHINGTON, Oct. 16.—While the code in its revised form may be 15 per cent set as Deputy NRA Administrator Sol A. Rosenblatt declared last Tuesday, the final 15 per cent is proving troublesome, but a revised draft may be ready Tuesday.

Today the deputy acknowledged that many changes were impending, “some of them important,” and that for that reason the code Commission under the Admin-istration’s plans. This is in keeping with the commission’s present scope.

The plan, as discussed here, would provide that violations are to be turned over to the Department of Justice for action, since the commission has no enforcement powers.

Code Violation to Go to Trade Body

WASHINGTON, Oct. 16.—Violations under the Code are heading for study and clearance through the Federal Trade Commission under the Admin-istration’s plans. This is in keeping with the commission’s present scope.

The plan, as discussed here, would provide that violations are to be turned over to the Department of Justice for action, since the commission has no enforcement powers.

Courts Open

WASHINGTON, Oct. 16.—Nothing in the NIRA will prevent a disgruntled individual from suing through the courts, it became known today. Deputy NRA Adminis-trator Sol A. Rosenblatt so stated when he was asked what would be the procedure if an individual refused to abide by a decision of the code authority.
Goldsmith Is Renamed Head Of Engineers

Griffith of International Projector Corp., was re-elected to the board. Most of the members were registered here by noon with the expectation that the meeting will attract twice the crowds.

Golden of the University of Chicago, addressing the luncheon session, stressed the educational value of films and took issue with the code attempts to bar historical pictures from showing outside of theaters.

Goldstein, in his address later, said he saw no threat to theaters from educational picture competition. Proposed changes in the constitution and by-laws occupied the afternoon session and the creation of five new executive posts. The president was still being debated as the meeting closed tonight.

U. A. Appoints Two To Foreign Offices

Two new appointments have been made by United Artists in its program of foreign expansion. Willard G. Truesdell, former Cartwright department here, has been named district manager for the company in the Scandinavian countries, the Baltic States and Germany. He will sail for his new post on Oct. 20 aboard the Paris and will make his headquarters in Stockholm.

Landon, in charge of his company's advertising there, also a vice-president of the Film Board of Trade here. Robert Mochrie is vice-president and Jack Greenberg remains as secretary.

Blumenstock Given Dave Wesher Post

Mort Blumenstock, who has been handling foreign Warners' sales and publicity in the east, has been named successor to Dave Wesher, who last week was appointed manager of the company's theaters in Wisconsin, with headquarters in Milwaukee.

Market Falls Off Heavily

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Technicolor Loses One and a Half

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Pathé Rises Two Points

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<tr>
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</table>
Universal's New Deal!

DUBINSKY BROS. THEATRES

Edward Dubinsky, General Manager,

Operating 16 theatres in St. Joseph, Mo., Leavenworth, Kan., Jefferson City, Mo., Kansas City, Mo. and Fulton, Mo., signs for

UNIVERSAL

—Features, News, Serials and Shorts, 1933-34

Thanks, Mr. Dubinsky and associates, for your confidence in Universal Pictures. We will do our part.
Pending Code Points Prove Troublesome

(Continued from page 1)

in almost as many interpretations as there have been interpreters. Do not overlook the emotionally conflicting viewpoints and bring sharply into the open the need for clarification and simplification to say all things, which obviously is what Rosenblatt is endeavoring to do.

The result of all this prompted the deputy's statement that the third draft may not bear a close resemblance to the second.

May Drop Big Fines

Indicative of the state of flux of the code is the fact that the new clause applying cash penalties up to $10,000 generally on those employ- ers who encourage executive-director-ship ( woes that such however such salaries may be defined, may not be included in the final code, said Rosenblatt. It is not that no final decision has been made yet either way.

Asked what clauses remain to be cleared up, Rosenblatt replied: "We are still clearing them up. A lot were cleared up today.

Whatever they may be, however, the deputy refused to say.

Reports that the revised code might make wartime exhibitors of some of the features were routed out when, in response to a question, Rosenblatt replied: "I do not expect the members of other industries having to do with the practical use of the code were clarified as well. For instance, Rosenblatt was asked who would determine an issue in the case of a deadlock on the code authority. In reply, Rosenblatt said that such issues would be settled by the "NRA."

Denied by Rosenblatt previously, but continuing to circulate on the internet nevertheless, the possibility that the legal division of the NRA is dubious about some current code clauses. As for this, Rosenblatt said, Rosenblatt replied that all points raised are being answered"; thereby confirming a report that some doubts must exist.

Ends Doubts on Boards

Doubt over the operations of the grievance and clearance boards was also removed. Exhibitors have been inquiring how long those boards are to remain in office. Rosenblatt stated he hoped they would continue to function as long as the code was effective. The only thing that could have a bearing on the permanence of whatever original personnel is to be named, therefore, would be the transfer of a district supervisor to a new territory by his company, unless the code authority determines that this would remove any given number of the board's personnel.

In exhibit minds, as well, is a lack of information on how clearance schedules are to be setup. A case in point has been cited locally. Baltimore, 100,000 is the largest city of its size in the country without exchanges.

"Would Washington zone Balti- more and if so how could Washing- ton exhibitors be expected to know Baltimore's problems:" is the query summarizing this point. Rosenblatt explained there will be one board for each territory. Exhibitors in such a zone are expected to come forward with their ideas and comments and "insist on righting wrongs."

Acting on an exhibitor's request, Morton Pictur Distributors, Inc., Rosenblatt said he had been "pulling any punches" on grievance board duties and if restrictions of any kind were planned for them. Rosenblatt replied that if such an idea existed, it was erroneous, because it was not intended to place any limiting powers upon them. Interesting too was his answer to the queries whether the clause pro- viding cash penalties had been or- dered, suggested or recommended by the President. The answer was that it had not. He also said he had re- ceived no protests from coast play- ers, directors and executives on this clause, but did not preclude the possibility that such protests may have gone directly to the President, as the request accounts for the week afternoon declared. In that event the probability is that such messages would be discussed with the adminis- trator from the White House, sans comment, but as communica- tions which he should see since they bear directly on the code, which he is charged with handling.

Binding Exhibitor Groups

How exhibitor organizations are to be bound by the code also developed from the questioning. The point was raised, and would be handled by the admi- nistrator of any theatre organization, whether, because they might be dis- tinguished from the facts, who rea- sons, repudiated the delegate who had represented them. Rosenblatt replied that exhibitors in the case of film sales, for example, could not be bound unless their delegate had been properly with power of attorney. If they were not present, he said, the signature, and then would prove binding.

Code supervision will rest with the clearance and grievance boards, and it will be obligatory upon them to see the code is enforced. There is no plan to appoint sub-deputies, Rosenblatt said, but the idea is something Rosenblatt declared he had not heard.

For a number of groups or companies have signed actually or in escrow, it also developed, Rosenblatt expects to con- tinue as deputy "long enough boards that any wrongs are righted" was the rejoinder to a question along those lines.

Rosenblatt Answers Moral Tone Queries

Washington, Oct. 16—Repeatedly protesting that the proposed code did not adequately provide for a moral tone in films, Grace Abbott of the Children's Bureau of the Labor De- partment, today saw Deputy NRA Administrator Sol A. Rosenblatt, who, adding that he was not adjudged to re- move any given number of the board's personnel.

In exhibit minds, as well, is a lack of information on how clearance schedules are to be setup. A case in point has been cited locally. Baltimore, 100,000 is the largest city of its size in the country without exchanges.

"Would Washington zone Balti- more and if so how could Washing- ton exhibitors be expected to know

Coast Actors Wire

President on Code

(Continued from page 1)

March, Oliver H. P. Garrett, Lucille Gleason and Morgan Wallace, a tele- gram was sent to President Roosevelt in which it was said: "The latest amendment to the code makes plain speaking necessary." In the telegram we charged that salary facts had been misrepresented to the Administra- tion.

This statement by one of the speakers was to the effect that if the code goes through in its present form talent will be lost to let producers write and direct their own product.

Much verbal fire was directed at the $10,000 fine for producers in the re- mark of what was Article 10. The speakers were apparently un- der the impression that this gives the administration power to repeal or change any contracts. What they meant was not clear. Rosenblatt is in charge of the code.

Hearing on Indies' Analysis Expected

(Continued from page 1)

from Washington over the week-end expected to be notified of the hearing this by noon today and would leave for "Washington immediately thereafter." John Hutter, lab organizer, was expected to return to Washington for the hearing on the code analysis before Deputy NRA Administrator Sol A. Rosenblatt, as will other members of the independent group of counsel. Mr. Rosenblatt was also asked to give a more complete analysis to the Wisconsin Supreme Court.

Most of Cleveland

Duals End by Vote

(Continued from page 1)

featurings at the Saturday matinee performance provided does not extend later than 6 P.M. The general rule adopted for duals by the exhibitors association held that one day for double feature programs shall not be any Saturday or Sunday.

N. Y. Lawyers Buy

Fox N. E. 1st Bonds

(Continued from page 1)

Broad Street, New York City. The bonds were ordered sold by Judge Ed- win A. Thomas in Federal Court here last month.

On Friday Stellacy will offer for sale the Fox New England Theatres Corporation, a subsidiary of the Capitol Theatre. Later in the day the Fox New England property in Massachusetts will be sold at the Poli Theatre in Springfield. Sales are by option.

When McNaughton was reached by Motion Picture Daily at his home at midnight, last night, he refused to reveal whom he represented, but said he had purchased the bonds as part of a reorganization plan now under way.
New Company
To Take Over
Poli Circuit

Halsey, Stuart in Move
For Reorganization

Following the public auction of
Fox-New England Theatres assets in
Hartford and Springfield on Fri-
day a new corporation shortly will
take over operation of the former
Poli houses in N. Y. Z., Poli and Halsey,
Stuart & Co., will be in control.
John A. McNaughton and W. B.
Rogers, New York attorneys, were
acting for Halsey, Stuart & Co., on
Monday when they purchased for
$350,000 a block of first mortgage
bonds with a face value of $3,350,000
at a sale held by Special Master
(Continued on page 5)

File Receiver
Suit vs Midland, K. C.

KANSAS CITY, Mo., Oct. 17.—A
suit in equity was filed in Circuit
Court here today seeking an account-
ing of profits and a temporary re-
ceiver for the Midland Investment
Co., which owns Loew's Midland
and the adjacent Midland office building.
The plaintiffs are Herbert M. Woolf,
M. B. Shambler and F. H. Reid, all
of this city, owners of half interest in
(Continued on page 5)

Sound Improvement
Hailed by S. M. E.

CHICAGO, Oct. 17—Erpil's Wide
Range and RCA- Victor's High Fidelity
sound mark another epoch for the
industry, declared Dr. Alfred N. Gold-
smith at the second day's session of
the Society of M. P. Engineers' con-
vention here today.
"The next step in the development,
this is rapidly being seized upon by
theatres and is introducing greater pro-
gress," declared Dr. Goldsmith. "It
(Continued on page 5)

No Reorganization
Date Fixed—Zukor

No estimate can be made yet of the
time required to complete the re-
organization of Paramount Publix and
bring about the discharge of the com-
pany's bankruptcy. Adolph Zukor
(Continued on page 5)

Code on Last Stretch;
3rd Draft Looks Final

Views Vary on Maximums

Washington, Oct. 17.—"I do not believe under this act that it is
legal to fix maximum salaries," declared Administrator Hugh S.
Johnson at a press interview today. He was referring, of course,
to the NRA.
Whether or not the cash penalty clause for encouraging un-
reasonable salaries will remain in the final code, although it is
in the third revision, remains to be seen. Johnson thinks it is
"incompatible with the law." The NRA legal division can't agree
either and already has handed down several varying opinions,
The General said.

Pickup Holds
Steady Gains
In K. C. Area

KANSAS CITY, Oct. 17.—Business
improvement which first became evi-
dent several weeks ago is maintain-
ing a steady pace in the Kansas-Missouri
territory. The upsurge is concretely
reflected at box-offices of first rank
here, where weekly grosses have in-
creased from 70 to 100 per cent over the
low point of last summer.
The gloom which held suburban exhibitors for three years is giving
way to an assured optimism. Profits
(Continued on page 5)

Agents' Issue
Is Hollywood
Job Via Code

WASHINGTON, Oct. 17.—Holly-
wood, which has been complaining
about unethical agents, today got the
right to handle them on home grounds
through code authorization for the
appointment of an agency committee
of 10, made up of production fac-
tors. This removes any direct check
on agents by code authority itself,
as provided in the second NRA code
draft, and marks one of the most sig-
ificant revisions between that and
(Continued on page 4)

Zukor Asserts Theatres
Are Help for Producers

The obligation of large producers
to their own theatre organizations
in the few years past they would have
been free, likewise, of the obligation
delivering the best pictures of which
their facilities were capable. In the
circumstances that existed from 1929
through last year, Zukor said, pro-
ducers consequently would have lim-
ited production activity to only suffi-
cient pictures to keep studios open,
and those pictures would have been of
inferior quality, he intimated.
The necessity for protecting the
huge investments in theatres empires,
however, resulted not only in the ef-
forts of major producers to maintain
a steady flow of good product from
studio to affiliated theatre but also in
keeping the film market open and vir-

Shifts Agency Control—
Many More Points
Clarified

By RED KANN
WASHINGTON, Oct. 17.—The indus-
try will have a code ahead of the ex-
pectations of many of those who par-
ticipated in formulating it, for today
the final stretch was entered upon
when a third revision came out of the
overworked NRA mimeograph room
on its way to members of the Recovery
Administration's advisory boards, then
to General Hugh S. Johnson, who
knows pretty much step by step what
has been going on, and finally the
President.
The third draft, it is a dead cer-
tainty, will undergo few changes. As
a matter of fact, Deputy Administra-
tor Sol A. Rosenblatt contemplates
issuing no more even if various of the
NRA advisory boards insist that revi-
sions are necessary. In the event
that happens, the changes will go to
Johnson plus the code in its present
form, which is close to the finish line.
The next immediate step in carrying
the document through its successive
(Continued on page 4)

Mrs. Bryant Given
Assurance on Code

Chorus Equity Ass'n. has been as-
sured by Deputy NRA Administra-
tor Sol A. Rosenblatt that a clause will
be added to the code giving the code
authority power to fix penalties for
theatre operators who transact busi-
ness with an independent contractor of
(Continued on page 4)

It's "Separable"

Washington, Oct. 17.—Un-
der miscellaneous provisions in the
third code draft appears this:
"Part 4—The provisions of this
code shall be separable."
This is what is known as a
"saving clause," current in
much legislation and is de-
signed to protect a law — or
in this case, the code — in
the event one section, pro-
vision or clause may be ad-
judged unconstitutional at
some future date should a
test case be instituted.
Looking 'Em Over

"Before Dawn" (KKO-Radio)

This title fails to properly identify the picture as the mystery "thriller" it is, though unintentionally, thrust into the ‘Thriller’ by it is not likely to be disappointed. Story, cast and action make a good picture of its kind; offering suspense, thrills, romance and the lighter touches of Stuart Erwin's slenderness and working with a good story.

A fugitive gangster who has secreted one million dollars in stolen gold in the home occupied by his wife and housekeeper in America, dies in a Vienna hospital after confessing to his brother, an attending physician, played by Warner Olander. The latter comes to America in search of the loot. The gangster's wife dies mysteriously shortly after preparing to make away with the gold upon learning that her husband is dead.

The movie quickly once the stage for action has been set. Considerable suspense is created by Oland in a sinister performance as the scheming doctor who stops at nothing to gain the loot. Erwin's performance as the detective is on the light side as is that, for the most part, of Digges as the girl's avaricious father, almost as eagerly as Oland to discover the hiding place of the gold.

"Life in the Raw" (Fox)

Photographed beautifully among the snow-capped hills of the west and with enough action to keep the western fans more than satisfied, this melodrama with George O'Brien in the leading role is entertainment plus for those who go in for this kind of picture. Romance, robberies, gun fighting and hard riding are interspersed evenly so that there is not too much of any at one time.

Claire Trevor, on her way to visit her brother in a small western town, is arrested at the station by Warner Richmond. He leaves her in the open country on the way to the ranch for resisting. O'Brien comes to the rescue and takes her to her brother's cabin. After O'Brien leaves, the man's sister enters and her brother is mixed up with that express office holdup. He is being goaded by Richmond, who always manages to keep in the background.

Both Miss Trevor and her brother leave town. O'Brien meets the heroine and while he is with her she nabs him as the thief. He escapes and lands in a nearby town where he is arrested again but this time the heroine's brother helps him to escape. The brothers concedes and then O'Brien learns that his brother is the leader of the gang. In a sudden moment, the hero is arrested with the aid of the sheriff and his deputies, corals the whole string of outlaws. The brother gets probation and O'Brien and the heroine get life.

The story features a scene where Miss Wilson's spiritualistic gifts, and she shares the reward for the recovery of the loot with Erwin, who, in addition, wins the girl for his bride.

(Continued on page 8)

Loew Gains One Point

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Miss Wiegck in "Fane"

Hollywood, Oct. 17.—Dorothy Wiegck has finally been assigned the winning female role in "Miss Fane's Baby Is Stolen," scheduled to go into work immediately at Paramount, Balance of the cast has not yet been assigned.

Sells 15 Royer Films

The entire line-up of Fanchon Royer for 1933-34, consisting of 15 pictures, has been sold by J. H. Hoffner Co. for England through Interworld Films, Ltd., the firm's London affiliate.

Baxter's Uncle Passes

Columbus, Oct. 17—Clarence E. Baxter, 63, resident manager of the Norwich Hotel, died here. He was an uncle of Warner Baxter.
Here’s to Exploitation!

A gold mine of angles in this glamorous production. Adolphe Menjou and Benita Hume as the best-dressed pair in Paris... flinging open the door to a dozen sure-fire angles...now when clothes are the topic of the day. See the press book for stunts that will make your showman’s heart beat faster.

What a Woman’s Picture!
Peggy’s affaires were the toast of Paris... the talk of Europe. Men desired her... envious women slandered. While... within her heart... she locked the secret that would have silenced lying tongues.

The Worst Woman in Paris?

Benita Hume
Adolphe Menjou

Harvey Stephens Helen Chandler

Written and Directed by Monta Bell

Jesse L. Lasky Production

Join the Upswing with Fox
Third Draft Of the Code Looks Final

(Continued from page 1)

steps to the White House is up to the barons, who are the first subject of the first draft. It is the one of the first copies of the third draft went by air mail to Edward N. Hale, II, and James Lee, of the Office of the Governor, who is in Chicago, Ill. His indisposition may occasion some delay, although this is dubious. Presaging quick action is that five-page N.R.A. agencies is the fact which an independent report of the research and planning board already is in Rosenblatt's hands.

Draft No. 3 varied little from its predecessor, although many changes in phrasingology, all for the sake of clarification, are included. In addition, several clauses, notably former Article 3, and former paragraphs 4 and 5 of the producers' section as well as that portion of the code dealing with personnel of grievance and zoning boards, highlighted the new portions.

An agency committee in place of code authority is proposed to control the "bad boys." The elimination of one little word makes considerable difference. Phrases of grievance and clearing and zoning boards are involved. Where Draft No. 2 designated the second distributor to be the "principal," the restrictive adjective has been eliminated, thus empowering state right to sit in the event that code authority so designates them.

Article 10 Much Changed

One of the nightmares of the major producers' sessions — former Article 10 — has undergone much change. Modified considerably, states Rosenblatt — and gives the producer to whom talent is under contract three days to meet a competitive offer instead of a "reasonable opportunity," as stipulated in the second draft. The effect of this will be to make talent whose contracts expire available to producers faster and, it is believed, do away with the charge that efforts might be made to keep players from competing studios by exercise of the three and six-week clauses which are included in the second draft, but without definite limitation of the period during which new contracts are either to be signed or rejected.

Independent producers and distributors are scheduled to hold a meeting with Rosenblatt on Thursday. In view of the progress of the code toward completion, only the most unusual and the strongest of arguments will persuade the deputy to make further revisions, it is understood.

Brandt Discusses Code

Code discussions during the last week in Washington were the main topic which Harry Brandt, president of the I.T.O. A., which at the regular meeting of the organization yesterday at the Astor. About 25 members attended.

Washington, Oct. 17.—The administrator — meaning General Johnson wherever his name appears in the code — is authorized to go beyond the defined intent of various clauses in the third N.R.A. draft and order fair practices and harmony to prevail in Hollywood and the independent parts.

Part 4 (A), producers' section takes care of that. It's new in the code and provides:

Should the administrator determine at any time upon a fair hearing, that a set of fair practices should be adopted governing relations between producers and any one of the following classes: writers, directors, technicians, actors, agents, a special statement of that purpose. The producer and the class interested in such fair practices in each instance shall be entitled to equal representation on such committees.

Board Personnel Is Again Cleared Up; Balance Better

(Continued from page 1)

Mrs. Bryant Given Assurance on Code

(Continued from page 1)

Washington, Oct. 17.—Those who are interested in seeing how far agreement between independents and majors will find considerable satisfaction in the second clarification of the personnel of grievance as well as clearance and zoning boards.

It was only a few days ago that Deputy Administrator Rosenblatt provided a greater balance of power on clearance boards by ruling that the existing three-man panels, was to be made up of "two representatives of subsequent run under the producers' and the word "national" was removed from the distributor section, opening the door to possibility of selection of an independent administrator to serve with the other distributor who is to have theatre affiliations.

Similarly on grievance boards, the second distributor member now is designated merely as "a distributor without circuit theatre affiliations, but with an understanding that, from point of an independent, provided code authority so decides. The other distributor shall be not affiliated.

In no code form heretofore was Part 3 of Article V which seeks to establish the type of men to serve. Read the text:

'All members appointed to serve on respective clearance and zoning boards shall be persons of good repute and of good standing in the industry, and shall upon acceptance of appointment subscribe and file with the administrator an oath to fairly and impartially determine whatever issue is presented to the board to which such member has been appointed to such boards and shall contain in its membership more than one representative of any distributor or exhibitor.'

Mrs. Bryant said she did not anticipate further alterations being made in the code provisions affecting her group, the code has the approval of Chorus Equity, Mrs. Bryant said.

Rosenblatt's promise to include in the code the clause described above removes the organization's last and most urgent or objection. Mrs. Bryant had complained in Washington that the code as it stood at the time soundly excluded the independent contractors, she, who, she said, do not sign the code and will not be parties to it, but did impose any obligations on the exhibitors who deal with independent contractors. She is now satisfied that inclusion in the code of the proposed clause will remedy the situation which Chorus Equity feared might result from the wording of the first draft.

Can Order Fair Practices

Agent's Issue Is Hollywood Job Via Code

(Continued from page 1)

the third revision which was made public late this afternoon.

The check on this, through the producers, representatives will be named by code authority; the board shall consist of one agent, one writer, one director and one technician, each to be appointed from nominations as to each class named respectively by agents, actors, directors and technicians, in such equitable manner as may be prescribed by the administrator.

If the committee is concerned, the third code draft is far less drastic on the licensing angle which, if any, at least made the code draft. Almost every draft probably the most drastic.

A Less Hard Word

Thus, the revamped provision talks about a less harsh word, "registration," which was "licensing." Section 3 explains it to be done:

In effect, in order to effect this part, the agency committee may recommend to the administrator uniform forms and conditions for and an appropriate procedure for the registration of all agents with whom producers may transact business relating to the production of motion pictures and for the suspension, revocation or cancellation of any such registration and appropriate rules and regulations affecting the agent as provided for herein. Such recommendations of the agency committee, together with the recommendations of the independent producers and members thereof, shall be submitted in writing to the administrator, who, after such notice and hearing as he may prescribe, may approve or modify such recommendations. Upon approval by the administrator, such recommendations shall have full force and effect as provisions of this code.

No one is done deprived of the right of registration without afford- ing such agent a full and fair opportu- nity to be heard, and without the approval of the administrator. Should it at any time be determined to provide for the registration of agents, as well as the independent persons regularly transacting business as agents at such time shall be entitled to registration as a matter of course, provided application is made to the agency committee within 30 days thereafter.'
Pickup Holds Steady Gains In K. C. Area

Zukor Asserts Theatres Are Help for Producers

New Company To Take Over Poli Circuit

File Receiver Suit Vs Midland, K. C.

Actors' Guild Roll Aims at 1,500 Mark

Zukor Asserts Theatres Are Help for Producers

(Continued from page 1)

that had vanished are now returning, and a large sentiment holds theatres generally in this region will be out of the red this winter.

Typical is the optimism of E. S. Young, owner of the suburban Central. He had been taking on the chin since he acquired the house over two years ago. Since Sept. 1, however, he has noted a decided pickup.

Harring a few towns in Kansas which depend on payrolls of a single industry, exhibitors visiting here report a box-office spurt and say the outlook is cheerful, especially in farming communities, where the government has been buying up surplus hogs or is about to distribute millions of dollars in compensation to wheat farmers.

That the pendulum is swinging toward better times is borne out by film salesmen traveling Kansas and western Missouri, and within the last several months has to provide in the increased business of equipment firms and supply houses. This is especially the case in the sound equipment field.

Sound Improvement Hailed by S. M. P. E.

(Continued from page 1)

has brought about a naturalness of speech, more delicate and subtle expression, clear music and more dramatic action.

These extended frequency sound systems, Dr. Goldsmith said, with a new film emulation and improved camera systems, will make the pictures more real to the audiences. The audiences more easily, virtually to the screen all the intimacy of a stage show. The audiences will not be "looking at" the pictures of films in the future. This does not necessarily mean all color, he explained, but does mean increased use of color to enhance certain dramatic color combinations.

Papers on Wide Range were read by S. K. Wolff and F. L. Hopper of E. F. Cohen.

W. K. Laurie Dickson, early associate of Thomas A. Edison in the development of the kinematograph, was made an honorary member of the society.

Missouri Governor Seeks Sales Tax

JEFFERSON CITY, Oct. 17.—Governor Park today asked a special session of the legislature to enact a one-per-cent sales tax to raise $9,000,000 annually. If passed the tax will be levied on theatre admissions and probably film rentals.

Robinson Made Director

Hollywood, Oct. 17.—Charles R. Rogers has elevated Casey Robinson, Paramount scenarist, to a director’s post.

His first assignment will be “The Handsome Brute,” adapted from James Cain’s “American Mercury” story, “Baby in the Ice Box.”

Zukor Asserts Theatres Are Help for Producers

(Continued from page 1)

ually at normal for the theatres of the average city. Without that enforced flow of product, Zukor said, “the theatres not only of America but of the world were enabled to remain open and the motion picture industry of the world was saved from collapse.”

On the Depression Angle

Zukor’s argument was that if the facilities of the major studios and their corporate distribution organizations could not have been operated during years of depression or lesser organizations, in the event of a shutdown, or near shutdown, of the former, it required, he intimates, both an initial financing and a continuing revenue which world conditions would not at the time provide.

Voicing his fundamental belief in the practicability and need for theatre ownership by companies with large production investments such as his own, Zukor broke a personal silence which has lasted for almost three years, during which time he has consistently declined to speak for publication.

In the interim, there has occurred the voluntary bankruptcy of Paramount Publix, generally attributed to the losses and obligations incurred through theatre operations.

Not To Be Stopped

Zukor revealed his belief that Paramount’s difficulties were not the result of theatre ownership, as such, but of a combination of circumstances, universal economic and corporately political, either of which, had he not participated in their separation, might not have proved financially fatal.

Neither of the two contributory circumstances, world depression and centralization of theatre management, produced loss of producer ownership of theatres to be in error, Zukor indicated.

He believe the localization management operation of theatres to be sound,” he said. “The partnership theatre deals which are in vogue today are making will receive their first test this season. I am confident that the results will be all that will be shown in which he will be of service for producer affiliation to circuits of more than six or eight hundred theatres.”

Shulberg Readies Three Sidney Films

HOLLYWOOD, Oct. 17.—With the return of both Sylvia Sidney and B. P. Schulberg to Hollywood, the latter is readying three Sidney starring vehicles to be placed in production in the following order: “Reunion,” with Herbert Marshall opposite; “30-Day Princess,” with Carey Grant, and “Good Dame,” with George Raft. A fourth story for Miss Sidney is now being scrutinized for, leaving this number to use other star names for the balance of his eight pictures on the new Paramount program.

Paramount, Reade Set

Paramount yesterday closed with Walter Reade for his complete line-up of features and shorts for his theatres in Ashbury Park, Freehold, Plainfield and Long Branch, N. J., and the Kingstown, Kingston, N. Y., area.

(Continued from page 1)

ment. If it is the purpose of any one of the groups, the effort should be to take over the control of the theatre, not to help producers. There is no question of as far as I am concerned, that the motion picture industry of the world was saved from collapse.”

There is no question of as far as I am concerned, that the motion picture industry of the world was saved from collapse.”

Hold Circuit Desirable

“As the industry is now constituted,” Zukor added, “I believe circuit ownership to be not only advisable, but imperative as well. If no producer owned theatres, or if all theatres were owned by one person, there would be no necessity for affiliated circuits, since in either case pictures would attain a market on their own merits.

As it is, a company with a big production investment requires the assurance its theatres give to go ahead with its production plans.”

The man who returned only recently from the Paramount studios, concluded by paying tribute to Emanuel Cohen, who is his production head, and his studio organization.

“Our pictures have been coming along,” he said with a show of enthusiasm, “and even better ones are on the way. A great deal of credit is due Emanuel Cohen and the organization which he has developed. He has gathered about him a staff that is valuable and loyal.”

No Reorganization Date Fixed—Zukor

(Continued from page 1)

told Motion Picture Daily yesterday.

“The reorganization work left to be done is largely routine,” Zukor said, “but how long it will take to complete cannot be said at this time. Men have worked day and night for some time and the process is thus far as is the encouraging.”

Those who have been in the theatre business for as long as Nicholas M. Schenck, David Bernstein and Edward A. Schiller.

The plaintiffs allege Loew’s concession of a reorganization and rights to collect rentals from the theatre. They charge that the membership is declining which should be equitably distributed as dividends. The court is asked to prevent Loew stockholders from acquiring control of the company. It is determined whether the rental contract has been observed and to compel stockholders and directors meetings to be held in Missouri. It is charged that the defendants failed to advise with the company in matters concerning the company.

Midland Investment Co. officers are Schenck, president; Woolf, first vice-president; Schiller, and vice-president; Bernstein, treasurer, and Shanberg, secretary. Shanberg is now in the east.

Actors’ Guild Roll Aims at 1,500 Mark

HOLLYWOOD, Oct. 17.—The Actors’ Guild is gathering momentum in organizing important names of actors. The roll is expected to reach 1,500 before the week is over, Jimmy Durante and May Robson are the latest stellar names to join.
NEW YORK CRITICS RAVE AS THOUSANDS POUR INTO 'ROXY'S' MAMMOTH RADIO CITY MUSIC HALL

"A masterpiece! Worth whatever price they charge to see it." — Regina Crewe, N. Y. American

"Don't miss it! Extraordinary fun! You'll applaud Laughton with cheers." — Bland Johansson, Daily Mirror

"Magnificent! Superb entertainment! Brilliantly constructed!" — Rose Pelswick, Evening Journal

"Handsome! Striking! Brilliantly depicted! Admirably told! Here is acting in its richest and grandest manner!" — Richard Watts, Herald Tribune

"A never-to-be-forgotten performance!"
Kate Cameron, Daily News

"Nothing less than triumphant! Laughton's performance one to cheer about!"
— Wm. Boehnel, World-Telegram

"Nothing so entertaining, so completely grand! Deserves all superlatives at command of movie gazer!"
— Martin Dickstein, Brooklyn Eagle

"Laughton never more effective! As beautiful a group of women as ever surrounded a tyrant!"
— John S. Cohen, Evening Sun

"Directed with rare skill! Will make motion picture history!"
— Thornton Delchany, Evening Post

CHARLIE IN THE PRIVATE

Released thru
THE WORLD OPENS HIS EYES IN ITS HISTORY!

S. LAUGHTON
LIFE OF HENRY VIII

UNITED ARTISTS

Presented by LONDON FILMS
Directed by ALEXANDER KORDA
“Angel” Hits $24,100, Top Detroit Take

DETROIT, Oct. 17.—For the first time in more than a year, first runs here went over their total average grosses, the biggest being $27,800 against a $27,000 average. I’m No Angel,” playing the State nine shows a day and taking up $2,100 for that time, led the field. Average for the theatre is $12,000.

Ben Bernie and his aggregation at the Downtown with “No Marriage Ties” on the screen, got $16,500 against a $10,000 average, and the Fox, with “Charlie Chan’s Greatest Case” and a variety show, managed to go to $15-400, $400 over par, while “The Boy- ers” was in deep trouble at the United Artists with $12,300.

Estimated takings for the week ending Oct. 12:

"NO MARRIAGE TIES" (Radio) DOWNTOWN—(2,320), 25c-65c, 7 days. Stares: Ben Bernie and band. Gross: $16,500. (Average, $2,357.)

"THE BOY-ERS" (Paramount) FISHER—(2,975), 15c-40c, 7 days. Gross: $15,500. (Average, $2,214.)

"CHARLIE CHAN’S GREATEST CASE" (Fox) Fisk—(5,100), 15c-40c, 7 days. Stares: Harry Rose, Al Norman, Albee Sisters, Novak & Day. Gross: $14,250. (Average, $2,035.)

"STAGE MOTHER (M-G-M)" MICHIGAN—(4,800), 25c-50c, days. Stares: Rita Brothers, Lanny Ross, Sylvia Frotte. Gross: $2,350. (Average, $307.)

"THE BOWERY" (U. A.) UNITED ARTISTS—(1,115), 15c-40c, 7 days. Gross: $13,200. (Average, $1,886.)

"I'M NO ANGEL" (Paramas) STATE—(1,525), 15c-40c, 7 days. Gross: $12,050. (Average, $1,721.)

Deans Changes at "U"

Hollywood, Oct. 17.—Denying rumors of a change in the executive structure at the studio, Carl Laemmle, Jr., today issued a statement that Fox-Mastroy will continue as assistant to Carl Laemmle, Sr., and cooperate with all executives. The story was that Mastroy would be made executive studio manager.

Mae West Grabs $5,000

"I'm No Angel" grossed $5,000 in the first five days at the New York Paramount. It has held a second week and is likely to be held a third.

"Angel" Drive On

Paramount is making a drive for executives and others to see "I'm No Angel." There’s no limit on the amount of repeat runs on the Mac West flicker.

"U" Buys Two Stories


Vickerses and "Flight" Twin Cities’ Leads

MINNEAPOLIS, Oct. 17.—“Ann Vickers” and “Night Flight” divided boxoffice honors in both the Twin Cities, with “The Masquerader” a close second.

Minneapolis’ five houses grossed $18,600, where the average is $17,200.

Projected earnings for the week will total $15,000, well above the usual $14,000.

Estimated takings:

MINNEAPOLIS:
Week Ending Oct. 12:

"THE MASQUERADE" (U. A.) CENTURY—(1,640), 25c-40c. 7 days. Gross: $1,900. (Average, $271.)

"CHARLIE CHAN’S GREATEST CASE" FOX—(2,360), 25c-40c, 7 days. Gross: $1,800. (Average, $257.)

"NIGHT FLIGHT" (M-G-M) STAY—(2,800), 25c-40c, 7 days. Gross: $1,600. (Average, $233.)

"FANTEGUTTEN" (Norwegian) Varsity—(720), 5 days. Gross: $1,200. (Average, $171.)

ST. PAUL:
Estimated takings for the week ending Oct. 12:

"NIGHT FLIGHT" (M-G-M) PARAMOUNT—(2,320), 25c-40c, 7 days. Gross: $1,900. (Average, $271.)

"THE MASQUERADE" (U. A.) CENTURY—(1,640), 25c-40c, 7 days. Gross: $1,900. (Average, $271.)

"ANN VICKERS" (Radio) ROKEKUHM—(2,000), 25c-40c, 7 days. Gross: $1,400. (Average, $200.)

"FAN CROW CORNER" (Warners) TOWER—(1,000), 15c-25c, 4 days. Gross: $800. (Average, $200.)

"THE BOWERY" (U. A.) TOWER—(1,500), 15c-25c, 7 days. Gross: $2,100. (Average, $300.)

Majestic Takes On Three B. I. P. Films

Majestic Pictures has acquired American distribution rights to three B. I. P. pictures featuring American players, thereby boosting Majestic’s current release schedule to 12.

The deal, negotiated between Herman Gluckman, Majestic president, and Arthur Dest, B. I. P. vice-president, gives Majestic Thelma Todd, Stanley Lupino comedy; a Ben Lyon and Sally Eilers farce comedy, and a romantic comedy drama with Constance Cummings.

Majestic thus has six pictures ready for release on the current schedule, the first of three of the company’s original schedule of 12 having already been completed.

Educational Busy on 11


The coast studios are busy on "What a Wife," "Easy Mark Anthony," "The Midnight Male" and a "Folksy of Youth" comedy.

"Looking ’Em Over"

(Continued from page 2)

"Skyway"

(Monogram)

Comedy and melodrama are combined in an entertaining picture, which yesterday met with the approval of a Loew’s New York audience. Ray Walker has a pleasing personality and he got over with the patrons. As a happy- go-lucky in the mail service, he’s always getting into trouble until finally he is freed by his pal, Crawford, daughter of Claude Gilling-water, a bank president, and a romance ensues. The girl is anxious to have him settle down and arranges with her father to get Walker a job in the bank.

Walker leaves his job when the bank executives turn down a proposition to finance a new air route which would take mail from steamer 400 miles to the city. He then is reunited with the bank, the hero is accused. George Hays, the vice-president, is the real culprit. How Walker takes him off a steamliner en route to South America is amusing. He vindicates himself and takes the heroine for a spin to Yuma and a preacher, Lucien Littlefield and Arthur Vinton also do nice work in a thoroughly enjoyable attraction.

"Rainbow Ranch"

(Monogram)

Rex Bell comes through with another performance which his followers will go for in a big way. He supplies plenty of action as the hero who doesn’t hesitate to fight it out with anyone, whether in the Navy or in the cow country.

When Bell arrives at the ranch he learns that one of the cow men has bought up most of the land in the vicinity of his aunt’s property. The culprit has even dammed the water supply for the cattle. Bell visits the village attorney, and just as he is about to learn who murdered his uncle, the barrister is killed. The hero is held, but later is cleared when the girl’s father fails to match the bullet of the killer with that of Bell’s gun. Tracing the bullet further, the culprit is revealed as the man who has been trying to force the hero’s aunt out of her property. That makes it a case for Bell and Miss Parker to join ranching and names. Also in the cast are Robert Kortmam, Henry Hall and Gordon De Maine.

"Before Morning"

(Louis Weiss)

The mysterious death of Lora Baxter’s illicit lover brings a series of complications which involve suicide and murder. When the body of the victim is shipped to a sanitarium to make it appear as though the man had died instead of at Miss Baxter’s ranch, Leo Carrillo is assigned to the case. After much cross examination in which the heroine and the dead man’s wife are the pivotal factors, the hero elicits the result he is after.

When first appointed to the case he was told of heart failure, and later that he had committed suicide when he swallowed wrong pill, Carrillo discovers that nicotine poison was put into one of the pills and this caused the death. Reason: The woman who wanted to marry another man and couldn’t do it while her husband was alive.

There are some good exploitation possibilities for plugging this independent release.

SHORTS

“The Wolf Dog” (Mascot)

“The Wolf Dog” runs Brin-Tin-Tin, Jr., back to the screen. Moving at a fast pace, it has most of the ingredients a child story demands. The story tells of a youngster who stumbles to children’s ranch to which he has fallen heir. Two persons are anxious to get him out of the way and claim part of the money for themelves. At the start he’s a friend of Tin-Tin, manages to escape these two men provides a series of thrills. In the cast are Dan Taylor, Fred Kohler, Nate Hamilton, Henry B. Walthall, Dickie Moore, Lane Chandler, George Lewis and Niles Welch. Running time, 20 mins.

“Peeping Tom” (Universal)

Fourth of the Louis Sobol series which Rowland-Brice are producing for Universal. The New York Evening Journal columnist introduces the picture.

Lovers of Robert Burns will enjoy this panoramic view of the poet’s favorite. There are a number of winter cracks, some witty and others old. Running time, 20 mins.
Universal’s New Deal!

INTERSTATE THEATRE CORP.

Eddie Anson, Harold Stoneman

UNIVERSAL
—Features, News, Serials and Shorts, 1933-34

Thanks, Messrs Anson and Stoneman, for your confidence in Universal Pictures. We will do our part.
“Flight” Is Kansas City Top, $14,700

KANSAS CITY, Oct. 17.—“Night Flight” was No. 1 attraction, drawing the crowds to Loew’s Midland for a take of $14,700, above par by $4,700.

“Ann Vickers,” at the RKO Mainstreet, was No. 2, up by $800, and grossed $7,500, while “My Weakness,” a Fox Uptown attraction, was better than average draw with $3,500.

The Public Newman played “Golden Harvest” as a three-day filler-in between “To Much Harmony” and “I’m No Angel.”

Total first-run business was $28,200. Average, including three days at the Newman, was $9,380.

Estimated takings:

- Week Ending Oct. 11: “GOLDEN HARVEST” (Para.)
  - New York...2,590, 26c-ec, $5,250.
  - Average...$2,050.

- Week Ending Oct. 12:
  - “ANN VICKERS” (Radio)
    - MAIN STREET...2,010, 26c-ec, 7 days gross...$1,240.
  - Average...$170.

- Week Ending Oct. 13:
  - “GOLDEN HARVEST” (M-G-M)
    - MIDLAND—(4,000), 26c-ec, plus 7 days...$4,190.
  - Average...$1,050.

Eight New Theatre Concerns for Penn.

HARRISBURG, Oct. 17.—Recent applications for state charters have been filed with Richard J. Beaminsh, secretary of the Pennsylvania State Board of Motion Picture Censors.

Colonial Amusement Co., Inc., Phoenixville; Lewen Pizor, Jennie Pizor and Rosalie Coone, all Philadelphia, and Herman Coone, Phoenixville, incorporators. Capital stock...$10,000.

- Westmoreland Theatre Co., Inc., 228 Vine St., Philadelphia; James P. Clark and Jack H. Greenberg, both Philadelphia, and Dorothy Dennis, Stoneboro, Captains. Capital stock...$5,000.

- Lyric Theatre, Minersville, Inc., of Minersville, Lewen Pizor, Dorothy Pizor and Ruth Pepper, all Philadelphia, Capital stock...$5,000.

- Beaver Valley Amusement Co., Pittsburgh, Alexander Cooper, Benjamin Greenwald and Rebecca Goldberg, all Pittsburgh, Capital stock...$10,000.


- Burtshare Theatre Co., Scranton; T. L. Hoban, Ann Coleman and L. F. Casey, all of Scranton. Capital stock...$2,000.


Williamson Savoy Open

WILMINGTON, Oct. 17.—The Savoy, second and third run Stanley-Warner house, has opened for the winter season. No manager has been named.

“Flight,” $5,300 Over Par, Leads in L. A. At $19,300

LOS ANGELES, Oct. 17.—“Night Flight” came up to expectations at Loew’s State last week, and made a gross of $19,300, over par by $5,300. This was the biggest business in town.

“Dinner at Eight” held up at $17,257 in its fifth week at Grauman’s Chinese, and “Gold Diggers” was still good at $11,000 in its third week of its return engagement at Warners’ Downtown. Elsewhere things were quiet.

Total first-run business was $91,687. Average is $907.50.

Estimated takings for the week ending Oct. 11:

- “DINNER AT EIGHT” (M-G-M)
  - New York...2,700, 26c-ec, 7 days...$19,100.
  - Average...$2,700.

- “GOLD DICKERS” (Warner)
  - New York...2,100, 26c-ec, 2nd week...$11,000.

- “GOLDEN HARVEST” (M-G-M)
  - New York...1,500, 26c-ec, 7 days...$7,500.

- “LADY FOR A DAY” (Col.)
  - New York...1,500, 26c-ec, 7 days...$7,500.

- “RED HEAD” (H. Brgelated)
  - MAIN THEATRE—BROOKLYN...65c-ec, 7 days...$4,500.

- “THE MUSKETEERS” (U. A.)
  - New York...2,500, 26c-ec, 7 days...$8,000.

- “FLAMING GOLD” (Radio)
  - NEW YORK...1,000, 26c-ec, 7 days...$3,000.

- “CURTAIN AT 4” (Majestic)
  - “THE FILM PARADE” (Blackstone)
  - “GOLDEN HARVEST” (M-G-M)

- “FLIGHT” (Paramount)
  - New York...3,000, 26c-ec, 7 days...$18,750.
  - Average...$3,125.

- “FLIGHT” (Paramount)
  - New York...3,000, 26c-ec, 7 days...$18,750.
  - Average...$3,125.

Harmony $8,000

Hit, Indianapolis

INDIANAPOLIS, Oct. 17.—“Too Much Harmony” at the Circle did big business last week with a gross of $8,000, which is $4,500 better than usual. The Palace with “Stage Mother” hit par with a gross of $4,500.

Total first-run business was $23,350. Average is $2,050.

Estimated takings for the week ending Oct. 11:

- “MY WEAKNESS” (Fox)
  - APOLLON—(1,100), 26c-ec, 7 days...$2,000.

- “TOO MUCH MARMON” (Para.)
  - RCLE—(2,000), 26c-ec, 7 days...$8,000.

- “STAGE MOTHER” (M-G-M)
  - PALAF—(2,000), 26c-ec, 7 days...$4,500.

Emporia House Open Sunday Until Test

EMPORIA, Kan., Oct. 17.—City police will not interfere with Sunday shows at the Lyric until after a test case has been heard in the October term of the district court.

Mr. E. Briles, manager of the Lyric, operated his theatre recently without being molested, although he was arrested twice the Sunday before. He was freed on his own recognizance, but gave bond and appealed to the higher court.

The two Fox houses here have so far remained dark on the Saturday night.

“Pigs” Pittsburgh Hit

PITTSBURGH, Oct. 17.—After receiving almost 1,000 calls weekly from customers inquiring where they could see “The Three Little Pigs,” the Pen is now playing a return engagement of the Walt Disney short in conjunction with “Night Flight.”

“Don’t Bet,” Whiteman Big Boston Draw

BOSTON, Oct. 17.—Downtown theatres continued their steady forward movement with every first-run going well above average.

RKO Boston was high for the week, but added to its “Don’t Bet” and Paul Whiteman and his orchestra on the program. The box office went $4,000, above par to $20,000. It was the highest gross here in a long period of months.

Metropolitan, with “Golden Harvest,” and RKO Keith’s, with “Ann Vickers,” did $3,000 and $2,500 above average, respectively, while the others were well up.

Total first-run business was $106,500. Average is $9,500.

Estimated takings for the week ending Oct. 11:

- “DON’T BET ON LOVE” (Univ.)
  - FENWAY—(4,000), 26c-ec, 7 days...$9,500.

- “I LOVED A WOMAN” (F. N.)
  - FENWAY—(4,800), 26c-ec, 7 days...$10,000.

Pittsburgh Tries Portable Equipment

PITTSBURG, Oct. 17.—Earl Rosser, formerly manager here for both the Harris interests and later Warners, has been exhibited with a motorized equipment. Rosser has picked up a truck outfitted with portable equipment and is going in for entertainments in private homes and clubs.

He’s also planning to invade the thinly populated, surrounding communities which have no local theatres.

Regal Has “Henry VIII”

TORONTO, Oct. 17.—Although “The Private Life of King Henry VIII,” a British production, is being released in the United States by U. A., Canadian distribution is controlled by N. L. Nathanson through Regal Films, Ltd., and not by Canadian United Artists. It will be released as a roadshow in Canada.

Open Australian House

SYDNEY, Oct. 17.—Australian production has progressed to the point where the State’s “all-Australian” house has been opened here. Two years ago the first “All-Australian” house was opened with “Lost Productions” “Squatter’s Daughter,” was the first feature.

Open Montclair House

MONTCLAIR, N. J., Oct. 17.—Ralph Rudin & Konheim opened the Montclair recently, making the second local house in the circuit. The other is the Bellevue.
Something always happened in the old neighborhood when "Red" was out on bail!

There are Dames, Skirts, Frails, Babyfaces, Funnyfaces, Angel Faces, Redheads, Blackheads, Boneheads, Cuties, Snooties, Beauties, BUT YOU NEVER KNEW A GAL LIKE

"AGGIE APPLEBY
MAKER OF MEN"

She Took 'Em Apart—and Gave 'Em the Works!

starring
CHARLES FARRELL
WYNNE GIBSON
with
WILLIAM GARGAN
ZASU PITTS

BETTY FURNESS  BLANCHE FRIDERICI
DIRECTED BY MARK SANDRICH
A PANDRO S. BERMAN PRODUCTION

THERE'LL BE A PANIC AT RADIO CITY MUSIC HALL WHEN "AGGIE" BLOWS IN!
Facm you on this page is your future star

DOROTHEA WIECK

in Paramount's

"CRADLE SONG"

From the screen play by Marc Connolly, author of "Green Pastures". Directed by Mitchell Leisen

Paramount gave you two major stars during the past year, Mae West and Bing Crosby...... That Paramount is again developing a real star is indicated by these letters from well-known showmen:

*"We agree with you that Dorothea Wieck has tremendous possibilities."  
John J. Friedl

"Regarding Dorothea Wieck, I am very enthusiastic about the possibility of her becoming an outstanding personality in our business."  
Mike Marco

it's a PARAMOUNT PICTURE, it's the best show in town!
Censors Here Ban 10, Cut 317 in Year

Ten films were rejected in toto and eliminations were made in 317 of a total of 1,762 examined during the fiscal year ending June 30, leaving 1,435 passed without cuts, according to the annual report made public yesterday by Irwin Essmond, director. During the previous year, the last under Dr. James Wingate’s regime, 23 films were examined and made eliminations in 256. Thus, in spite of the fact that the total number of films dropped by 273, the number of cuts was down by only nine.

Scenes considered “immoral or tending to corrupt morals” drew the strongest critical attention from the board. Under this heading, 1,124 eliminations were made. Eliminations (Continued on page 9)

McDonough Is Put in Posts Of Franklin

No Successor Named for Theatre Operations

J. R. McDonough, assistant to M. H. Aylesworth, was elected yesterday to the executive posts in RKO subsidiary companies left vacant by the resignation of Harold B. Franklin, Aylesworth stated at the close of an RKO directors’ meeting.

The actual RKO theatre operating duties will probably be designated to someone within the theatre department in the near future, it is understood, with the appointment to be made either by McDonough or Aylesworth.

The posts to which McDonough was elected yesterday are: President (Continued on page 9)

Report Marxes Set For U.A. Release

Hollywood, Oct. 18.—Though both parties refuse to discuss it, rumors here are to the effect that the four Marx brothers and United Artists have reached a deal for release of their next picture.

Reports are also current that Harold Lloyd is talking terms with United Artists.

Loew Midland Suit Goes Over 10 Days

Kansas City, Oct. 18.—Initial hearing scheduled for Thursday in the suit for a temporary receivership and an accounting of profits filed Tuesday against the Midland Investment Co., owners of Loew’s Midland, by Herbert M. Woolf, M. B. Shambaugh and F. H. Reid of this city, who hold half interest in the company, has been postponed.

Pix Will Test Some Demountables Here

Pix Theatres, Inc., recently organized to market demountable theatres throughout the country, will establish two or three experimental houses before the end of the year.

Key Cities Show Steady Gains Since Low in June

Box-office reports gathered from 20 cities over a period of one year show there has been a slow, but steady, improvement since the second week in June when a new low of $948,712 was recorded. This improvement has continued, with the second week in July until it reached $1,292,201 for the week ending Sept. 15 and 16.

For the 23rd week of the year’s average, which ended Sept. 22 and 23, the total was $1,229,831. This is $397,663 below the high point reached Oct. 20 and 21 last year.

Business for the week ending Sept. 22-23 fell off slightly in 13 spots, but in seven others there were slight gains over the preceding week. These (Continued on page 10)

Hope to Have Code Settled By Saturday

WASHINGTON, Oct. 18—The hope that the film code could be presented to Administrator Hugh S. Johnson by Saturday night was expressed today by Deputy NRA Administrator Sol A. Rosenblatt, following receipt of a report from the Labor Advisory Board.

The board’s report, the deputy said, was highly conclusive and exhaustive, with no points of criticism which will necessitate changes. Reports from the Consumers’ and Advisory Boards are hoped for tomorrow.

Anticipating that none of the advisory boards will raise any serious objections to any points in the code, Rosenblatt today began writing his report to Johnson. The report will be lengthy and clearly set forth the negotiations leading to the development of the revised agreement made public yesterday. Deputy’s reports to the administrator are confidential, since arguments for adoption of various provisions are often supported by statistical evidence.

Allied “Bungling” Charged in Detroit

DETROIT, Oct. 18.—The charge that independents would have fared better at Washington code conferences had not Allied States leaders “bungled things” at the sessions and “bolled” the hearings, was made today at a meeting of Detroit exhibitors gathered to discuss formation of a new independent exhibitor organization.

A second meeting to complete the (Continued on page 3)

Chase Film Moves Coming Up Friday

WASHINGTON, Oct. 18.—Film security operations of the Chase National Bank will be fully aired Friday by the Senate Banking and Currency Committee now investigating Wall Street activities.

Under the questioning of Ferdinand Pecora, counsel for the committee, it was disclosed today that the Chase Securities Corp., a subsidiary of the bank, had carried $20,714,442 of Fox debentures and $10,700,000 of General (Continued on page 6)
Purely Personal

JACK BROWER, Warner western district manager with headquarters in Los Angeles, left last night by plane with plans for stopovers in Denver and Salt Lake City to handle deals on "Footlight Parade."

CHARLES JUBELS will write, direct and help in the supervision of Educational shorts Oct. at the Eastern Servic Sts. under the terms of his new contract.

RAY FOSTER, Vitaphone cameraman, had a double celebration yesterday, his 10th wedding anniversary and his daughter's seventh birthday.

MARION NIXON is back from Europe where he saw one picture abroad and plans to leave in a few days for the coast.

TED LEWIS will rush back from Boston Friday morning to start a week at the Capitol.

RUBY KEELEY will leave for the coast next week to start work in "Sweethearts Forever" for Warners.

Expect Early Ruling On Statewide Offer

MILWAUKEE, Oct. 18.—The referee in bankruptcy is expected to turn down the proposal of the Screen Producers of Wisconsin, Inc., to put out a nationwide offer made Oct. 16 of $16,000 in cash for the bankrupt Statewide Theatres, Inc., by Wisconsin Amusement Enterprises, Inc. The offer provides for the withdrawal of all claims of Fox-Wisconsin Co., Wisconsin Amusement Enterprises, Wescos Corp. and Fox Film.

Opinion of creditors regarding the offer was divided at the hearing today and it is expected that it will be granted.

President Signs Scroll

Nicholas M. Schenck has received word from Washington that President Roosevelt has signed a large parchment scroll conveying birthday greetings to Marie Dressler. The scrol is to be sent around the country for the signatures of governors before being presented to her in Hollywood on Nov. 9.

Wurtzel Starting Five

HOLLYWOOD, Oct. 18.—Sol Wurtzel plans to put five features into production for Fox in two months. Three going into work this month are: "Sleepers, East of Eden" in "Strange in the Night" and "Heir to the Hoohah," Early next month he will start "305 Nights in Hollywood" and "Murder in Trinidad."
Hope to Have Code Settled By Saturday

(Continued from page 1)

Restrictive conditions of play and price agreements which an exhibitor may cancel pictures, the third revision of the NRA code provides.

While still subject to the objections to the revised code, the motion picture industry, after many months of discussion with the distributors, has prepared the revised floor plan of the code, which the delegation to the NRA has been able to endorse.

The new code, which will go into effect on Saturday, October 13, will affect the distribution of films across the country, with the primary aim of reducing the number of films released and thereby increasing the revenue for exhibitors.

However, the new code has been met with some opposition from the exhibitors, who are concerned about the impact on their business.

Still Hearing Objections

Although consideration of the code is nearing its conclusion, Rosenblat is still meeting with representatives of the industry who object to the objections to the code, and on Thursday he will confer with the independent film industry regarding the code. The opportunity to express their concerns, and make suggestions, has been indicated by it, and it is indicated that no new changes are to be expected as a result of the representations still being heard by industry members who are still here.

While there is a bare possibility that the code may be read for sub-...
TELL THEM!

BOMB

Another 10th Championship Year
1000 LAUGHS
when it
EXPLODES!

Dukas and sheepdogs—babies and boy-friends—press agents and autograph hounds. The beautiful "Bombshell" of Hollywood was platinum T. N. T. It's all fun!

Jean Harlow
Lee Tracy

In the side-splitting comedy of the movie colony

FRANK MORGAN • FRANCHOT TONE
PAT O'BRIEN • UNA MERKEL • TED HEALY

DON'T COME IF YOU HATE TO LAUGH!

EXPLOSION.

DYNAMITE!

WAS HER FACE RED!

And all because Gentleman Preferred Platinum Blondes!

The Bombshell/Shell/Metro-Goldwyn-Mayer was the topic of the world. Lola was set to take over all Hollywood and turn a mad whirl with parties on one side and sharp shops on the other. Rich millionaires in the land, rich actresses, rich press agents. The press agent made her a story! But she saw right in all things. She was in love and babies—"Bombshell" was as explosive as it was. The

Guarantee! "You'll laugh your head off in..."

Don't, baby!

Where Did You Get That Swish?

"Hey Lola, Give us a Kiss"—The Platinum Blonde

Jean Harlow
Lee Tracy

Starting THURSDAY
at the
CAPITOL

A M E T R O - G O L D W Y N - M A Y E R S C R E E M A T !

Size—2 Cols. x 180 lines

A M E T R O - G O L D W Y N - M A Y E R S C R E E M A T !

Size—4 Cols. x 170 lines

It from Metro-Goldwyn-Mayer
NEXT WEEK

THE WORLD CHANGES

thanks to WARNER BROS.
McDonough Joins Put in Posts Of Franklin

(Continued from page 1)

of Keith-Albee-Orpheum, B. F. Keith theatres Corp., and Radio City Theatres, Inc., and affiliated theatre companies, and vice chairman of RKO Radio Pictures.

McDonough, a former RCA executive, was named to RKO in New York last March by Frances Steiner, the company's head office and advertising department here as a service to exhibitors operating the theatres.

With the new system, the theatre will be complete theatre, with all, such as projection machines and sound equipment. The standard size movable will be of 28 seats, with structures up to 600 seats planned for the future.

The company's plans, Clarke said, are to replace obsolescent houses with the movable with their modern theatre equipment and design at a cost of less than $50 per seat. It is believed that the market for about 1,000 of them exists in rural and neighborhood sections. The structures can be transported to new locations if original ones prove unprofitable, Clarke said.

Shifting St. Louis Orchestras Sought

St. Louis, Oct. 18—Alternating orchestras for the purpose of spreading employment is being sought by the musicians' union here. It is said that 100,000 or more of the 500 symphonies and about 50 are out of work at present. The union leaders figure alternating orchestras would furnish part time work for $5 more men. The current scale is $75 per week.

CINCINNATI Men Form Variety Club Branch

CINCINNATI, Oct. 18—A Variety Club, to be affiliated with the club at Pittsburgh, is being planned here by organizations at St. Louis and Columbus, was formed here this week with a representative charter membership of theatre, exchange and newspaper men.

Bill Gehring, Fox manager, was appointed temporary president.

Those Scribes

Hollywood, Oct. 18.—An inter-office memorandum is floating around Fox Studios to the effect that one of the local scribes stepped up an ash tray and standard on his way out after a studio preview and the management would appreciate any information leading to the apprehension of the culprit.

Chase Film Moves Coming Up Friday

(Continued from page 1)

Theatres securities, which were heavily written down, the exact amounts not known. However, it was asserted by W. W. Aldrich, president of the bank, that the amount written down is more than the amount written off.

Loew Midland Suit Goes Over 10 Days

(Continued from page 1)

postponed 10 days in Circuit Court here today.

Mr. Loew's intentions vigorously to resist the receivership action is indicated in the fact that James A. Reed, former United States senator, has been retained as counsel by Louis B. Polidoff, general counsel for Loew's.

J. R. Ringolsky, chief counsel for the plaintiffs, denies reports that Shankberg and his associates are seeking to oust the chairman of the control of the Midland and the entire structure adjacent to it. The attorney assures his clients seek only distribution of accumulated dividends.

Drawing Power Sets Salary Says Beery

KANSAS CITY, Oct. 18—Wallace Beery, on a gap week, has a book office deal should receive a salary commensurate with his drawing power. He feels that this is the interest taken by the Administration in salaries of front rank actors.

"Perhaps there should be some control of salaries paid to juveniles," he said. "Some of the children have parents or guardians wise enough to put some of the money away in a safe place. For the benefit of those young actors who will not benefit from their earnings, it would be some control should be established.

"In my case, I have climbed from the lowest rung in the ladder to what I have earned good fortune. My acting is something individual with me. If I invented some- thing, I would consider it commer- cial to its value to the world."

Trade Board Probe Of Salaries Begun

WASHINGTON, Oct. 18—Investigation of salaries paid executive officers and directors of corporations engaged in interstate commerce, public utilities, having capital and assets of more than $1,000,000 in value, was authorized by the court on New York stock or curb exchanges, is being made by the Federal Trade Commission, acting on action of a resolution passed at the last session of Congress.

The spokesmen of investigation, salary will be held to include any compensation, fee, bonus, commission or other payment, direct or indirect, in cash or otherwise, for personal services.

A questionnaire asking for information as to salaries is being distributed among some 2,000 corporations listed on exchanges. Returns are to be in the hands of the commission by Oct. 25, and a report will be made to the Senate at the beginning of January.

The questionnaire calls for the following information: total assets, net sales, income, number of directors and executive officers and total compensation for 1932 or 1933; names and official positions of directors and executive officers and the compensation of each last year; the total amount of all compensations other than salaries at the time compensation was paid or delivered to directors or executive officers, and the compensation of the commission by Oct. 25, and a report will be made to the Senate at the beginning of January.

Big Turnout Looked For in Ohio Tax Row

CINCINNATI, Oct. 18—The entire membership of the newly-formed Ohio Valley Independent Exhibitors' League of the United States and the Ohio Allied unit and the Greater Cincinnati M. P. Exhibitors' Ass'n., is planning to attend the meeting at the Deshler-Wallnus, Cincinnati, on Oct. 31, to devise ways and means of combating the per cent rate increase which became effective Sept. 1.

Independent exhibitors throughout the state are cooperating both through organizations and individually.

Pending action by exhibitors, it is understood that Sam Lind, interested in several houses at Zanesville, O., proposes to make a test case of tax collections and reports.

Exhibitors estimate that their business has decreased approximately 30 per cent by reason of the admission impost.

To Lecture on "Mickey"

BUFFALO, Oct. 18—Exhibition of Walt Disney's original "Mickey Mouse" and "Silly Symphony" drawings in the Albright Art Gallery here will be expected to draw crowds among Buffalo artists and art patrons, Director Gordon B. Washburne announced. The show is known as "The Art of Mickey Mouse," which has stirred up a lot of criticism, and been as warmly defended. All of which is not making Jack Kaplan, manager of the Buffalo United Artists exchange, feel bad.

Says Latinos Ask Quality, Bar Dubbing

The demand in Latin America is for good American make, Monroe Isen, manager for Universal in South America, told Motion Picture Daily yesterday that the domestic market for South America for dubbed pictures, he asserted, adding that all of films and two-thirds of the entire $100,000 per cent 90 per cent are produced in the United States.

"These houses," said Isen, "won't show dubs. Quality pictures in English meet with greater acceptance than dubbed pictures, even though the latter are in the native tongue.

The popularity of American films among South Americans is ascribed to Isen to the fact that they are becoming educated to our pictures. Their liking for the Hollywood product is such, according to him, that they have no appreciation for films made in South America in their native tongue. The reason for this, he indicated, was that the films turned out by native producers—amounting in all to not more than half a dozen a year—were inferior to those imported from the United States.

Like Comedy Best, He Says

Isen said that while all types of American pictures were popular among Latin Americans, comedies were the favorites. He added that good comedy is able to bar the barriers of language, being easiest to understand. He declared "more pictures are released in South America in any given month than in any other part of the world." He gave the number as 30 a month on the average.

Theatre attendance in South America dropped 30 to 50 per cent, but no one expected such a de- cline as poor theatre business had not been felt there sooner was that "the depression seems to have been slow in coming to South America."

On his first visit to the United States in three and a half years, Isen plans to spend more than a month in New York before returning to his headquarters in Buenos Aires. He is lining up new Universal product for the South American market.

"Angel" Passes Censors

HOLLYWOOD, Oct. 18—Paramount's famous "angel" picture, which anticipated action on the part of censor boards on the current Mae West picture, is screening in New York, Pennsylvania, Illinois and Kansas has passed on "I'm No Angel." The picture was cut in the Ohio censor board cut one line.

M-G-M Fire Injures Five

HOLLYWOOD, Oct. 18—Fire of unknown origin, which did not occur at M-G-M this morning slightly injured five workers. Damage was estimated at $5,000.

20th Takes U. A. Lease

HOLLYWOOD, Oct. 18—Twentieth Century today closed a deal taking lease on United Artists studio property from Douglas Fairbanks and Mary Pickford.
Looking 'Em Over

"Big Executive"
(Paramount)

The moral of this picture is the Richardsons always get their man, financially and romantically. The man happens to be Richard Cortez and the Richardson is Miss Young, and a bit of advice from Jack, where the battle of financial giants, Bennett representing one of the past era and Cortez one of the modern wizards.

The story is a romance in their stock dealings and the former threatens to wag the latter out. A romance between Bennett's granddaughter, Miss Young, and the hero develops. This prevents fireworks for a while. While hunting one day Cortez accidentally kills his wife, but he is not convicted. Later, however, a letter arrives from the wife, prior to her death turns up which makes the killing appear premeditated. When Cortez shows it to Bennett, the latter resolves to wreck the hero and he up to the average of Cortez innocent, Miss Young decides to stand by him and deserts her grandfather.

Sharon Lynn, as secretary to Cortez and in love with him, although she loses out to Miss Young, is effective in the small role.

"Man of Sentiment"
(Chesapeake)

This is a mixture of a character study of Christian Rub as a hospital recorder and a romance between Marjorie Marsh and William Bakewell. When Bakewell brings Miss Marsh to the hospital after he has run her down with his car, Rub takes an interest in the couple and watches the romance develop.

The affair runs amuck shortly after when the hero brings the heroine to his home for family approval. Dr. and Mrs. Smith, who are Bakewell's parents, disapprove of the romance, believing that the girl is after the hero's money. Bakewell is put out at this and both lovers decide to wed and start out on their honeymoon without money. Miss Marsh calls on Owen Moore, a former lover, for financial aid. Moore frames the meeting by calling Bakewell to his home while the heroine is there. The hero falls for it and calls the whole affair off.

Marsh is brought to the hospital later when she is on the verge of catching pneumonia. Rub visits Bakewell's parents and gets them to lend financial assistance. The hero later turns up and rectifies his hasty decision at Moore's home and all's well again between the lovers.

"Harmony" $6,500
Wow in Oklahoma

Oklahoma City, Oct. 19—"Too Much Harmony" played to full houses at the Criterion last week, sending the gross to $6,500, above average by $1,500. This is the best business the Criterion has seen since "Singin' in the Rain."

"Private Detective D.2" at the Capitol was the next best, going over average of $3,000 by $500. The Liberty
flopped with "Pilgrimrace" the first three days, but "Ann Carver's Profession" the last of the week, made $3,000. The suburban Victoria had one first run, "Halu-so, I'm a Bum," which took $700 in four days.

Total first run business was $13,700. Estimated takings for the week ending Oct. 14:

"Too Much Harmony" (Paramount) $6,500.
"Private Detective D.2" (Warner) $3,500.
"Pilgrimrace" (20th-Fox) $700.
"Ann Carver's Profession" (Col) $3,000.
"Hello-hola, I'm a Bum." (U. A.) $700.

"Mary Stevens" Is Buffalo Sensation

Buffalo, Oct. 18—"Mary Stevens, M.D." was a sensation here last week at the Great Lakes. It pulled up a gross of $2,500 more than double the usual take, aided by a state show headed by Earl Carroll's "Vanity Fair." "Penthouse" was also a remarkable grosser, with a take of $2,400 at the Buffalo. This is $900 over average.

Other first runs suffered as a result. Total first run business was $70-80. Normal, including the Erlanger, is $300.

Estimated takings for the week ending Oct. 13:

"Penthouse" (M-G-M) $11,000.
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Duran Gets Manager

Hollywood, Oct. 18—Jimmy Duran, who heretofore has been his own business manager, has signed an actor-manager contract with Ralph Farkum.

Hollywood Personalities


Betty Furness, who will play in "Just Off Fifth Avenue," has been signed by Radio to search for 50 girls in eastern finishing schools for parts in the picture.

Emerson Treacy, Paul Nicholson, William Robertson, James Farley and Sam Goodfellow will have roles in "Wild Birds." (Radio).

Constance Bennett's latest film for Radio will be released as "After Tonight," instead of "Without Glory" or "The Woman Spy."

Yakima Canutt, Wally Wales, Lane Chandler and Art Mix are in the supporting cast of "Sagebrush Trail" (Monogram).

Leonard Fields is to become a director for Monogram as soon as he finishes writing "Diary of a Bad Woman."

Norman Foster is going to Honolulu for a two-week vacation when he finishes "7 Lives Were Changed." (Fox).

Will Rogers plans to spend a vacation touring the cast by plane as soon as he completes his "Mr. Stitch" for Fox.

Robert Barret, Donald Meeks and Horace Cavanagh added to the cast of "Hi, Nellie." (Warner's).

Grant Whystock, film editor, has returned to Hollywood from New York to rejoin Reliance Pictures.

Lew Brown's return to the Fox lot has reunited the trio of DeSylva, Brown and Henderson.

Robert Benchley is doing additional dialogue for "Once Over Lightly." (Radio).

Natalie Moorhead and Herbert Bunton have gone into "Long Lost Father." (Radio).

Henry O'Neill and Ferdinand Gottschalk cast in "King of Fashion." (Warner's).

R. N. Bradley will direct "West of the Divide" and "Blue Steel." (Columbia).

George Wagner is responsible for the dialogue of "Born Tongh" (Monogram).

Willy Pogany signed by Salient Pictures to design the sets for "Matting." (Radio).

George Bitholon has been engaged by Monogram to supervise "Squirrel." (Radio).

Donald Cook has been loaned by Columbia to Radio for "Fury of the Jungle." (Radio).

Irene Dunne will be teamed with John Boles in "Stingarees." (Radio).

Warrin William has started work in "Redside." (Warner's).

Jean Muir goes into "As the Earth Turns." (Warner's).
“Berkeley” Is $9,000 High, Philadelphia

PHILADELPHIA, Oct. 18—“Berkeley Square’’ got off to a good $9,000 start at the Locust, but business on the whole skidded here last week. “One Sunday Afternoon” and Aimee Semple MacPherson didn’t do as well as at the Stanley, as receipts of recent weeks and “Walls of Gold” was below average at the Fox.

“Emperor Jones” finished with a good $6,500 at the Aldine and “Too Much Harmony” got four days on a second week at the Boyd and is booked to reopen at the Karlton.

Total business was $82,270. Average, $440.

Estimated takings for the week ending Oct. 17

EMPEROR JONES (U. A.)

ALDINE—(2,400), 7c-5¢-6c-¢, 6 days. Gross: $1,050. (Average, $7.00.)

THREE CORNERS (Para.)

ARCADIA—(4,000), 4¢-6¢-8¢, 6 days. Gross: $2,300. (Average, $4.00.)

“TOO MUCH Harmony” (Para.)

BOYD—(2,400), 4¢-5¢-6¢-¢, 6 days. Gross: $7,500. (Average, $3.12.)

“SOLITARY MAN” (M-G-M)

EARLE—(2,400), 7c-6¢-5¢-4¢, 6 days. Stage: Russian Rebels, Bob Hall, Four Dudes, Texas Kid, O’Donnell and Blue, Strong and Lee, Dorothy Martin & Co., Milton and Grazia. Gross: $11,300. (Average, $1,000.)

“BOWLS OF GOLD” (Fox)

FOX—(5,000), 3¢-5¢-7¢-¢, 6 days. Stage; Benny & Joe. Gross: $15,000. (Average, $2,500.)

“LADY FOR A DAY” (Col.)

KARLTON—(1,000), 3¢-6¢-9¢-¢, 6 days. Gross: $6,250. (Average, $1,000.)

“DR. BULL” (Fox)

KEITH’S—(2,000), 25c-35c-4¢, 6 days. Gross: $5,500. (Average, $916.)

“BERKELEY SQUARE” (Fox)

LOCUST—(1,800), 5¢-7¢-9¢, 6 days. Gross: $9,000. (Average, $1,500.)

“ONE AFTERNOON” (Paramount)

STANLEY—(2,000), 4¢-6¢-8¢-¢, 6 days. Stage; Aimee Semple MacPherson, the Brittons, Rodolfo Galli, Ayres and Rene, Oklahoma Dudes. Gross: $18,000. (Average, $3,000.)

“WILD BOYS OF THE ROAD”

STANTON—(1,700), 3¢-6¢-9¢-¢, 6 days. Gross: $6,000. (Average, $1,000.)

No Cleveland Film Blaze for 8 Years

CLEVELAND, Oct. 18—There has been no fire in a Cleveland exchange in eight years, according to Mrs. Georgia Moffet, secretary of the Film Board of Trade, who led the observance of Fire Prevention Week here.

She handled the observance in a big way, with a meeting of exhibitors addressed by Fire Chief Granger, a gathering of exchange employees addressed by Judge Lee Skeel, president of the Cleveland Safety Council; a meeting of operators, also addressed by the fire chief; an inspection of all exchanges by the Film Board of Trade; a fire drill and inspection by several city officials.

Majestic in St. Louis

ST. LOUIS, Oct. 18—Majestic Pictures Corp., recently opened an exchange of its own here in the quarters formerly occupied by Educational at 3334 Olive St. Andy R. Dietz is branch manager. George Stern is his assistant.

Key Cities Show Steady Gains Since Low in June

(Continued from page 1)

Week ending Sept. 22-23

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Comparative grosses for the last 52 weeks, compiled from day-by-day box-office reports published in Motion Picture Daily show this:

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“Bowery” Is Pittsburgh’s $14,000 Lead

PITTSBURGH, Oct. 18—It was all “Lady, a Day here last week. At the Penn, “The Bowery” took $14,000, which almost doubled the previous week’s “Stage Door Canteen” at a newspaper after easing along through the week, wound up strong to get $1,500.

After a great first week, “Dinner At Eight,” in its roadshow engagement at the Nixon, fell off to $6,900, but held this hold here third week. This is due to the fact that the house, doesn’t have a legitimate booking until Afternoon 23. “One Year Later and “Sally,” gave the Nixon a nice week with $4,900, while “Love, Honor and Oh Baby” piled up for the Warner slightly and $2,000 after a dubbed week. “Dr. Bull” was all right for the Fulton, gathering $1,600.

No six first run houses were $3,900. Average is $5,000.

Estimated takings for the week ending Oct. 17:

“TO THE LAST MAN” (Para.) DAVIS—(1,700), 25c-6c, 6 days. Gross: $12,000. (Average, $2,000.)

“DR. BULL” (Fox) FULTON—(2,000), 25c-6c, 6 days. Gross: $4,500. (Average, $750.)

“ONE YEAR LATER” (Independent) PENN—(1,600), 25c-6c, 6 days. Stage: Mel Torme, Robin Sisters, Royal Beggars, Polly and LaTour, Rennick and Remington. Gross: $1,500. (Average, $250.)

“SPLASH” (U. A.) STANLEY—(1,600), 3¢-5¢-9¢-¢, 6 days. Gross: $3,500. (Average, $583.)

“LOVE, HONOR AND OH BABY” WARNER—(2,000), 25c-6c, 6 days. Gross: $4,500. (Average, $750.)

School Books Taken As Theatre Tickets

MINDELEW, O., Oct. 18—Roy L. Patterson, manager of the Gordon, independent, has won the gratitude of many needy families here through the distribution of school textbooks, accepted as admissions on two stated days.

The plan had the endorsement of the Board of Education, and hundreds of children, handicapped in their school work by lack of books, were thus able to continue.

Colorado Bams Companies

DENVER, Oct. 18—Included in the list of 50 corporations barred from further business in the state are seven amusement and allied companies, as follows: Acme Amusement Co., Colonial Art Corp., Colorado Smith Amusement Corp., National Amusement of Kansas City, Oberfelder-Ketchum Productions, Picture Magazine, Service, and the Universal Amusement Syndicate, Inc.

Hooley in New Post

PITTSBURGH, Oct. 18—Jack Hooley, who was assistant manager of the Sheridan Square, has lined up with the Harris Amusement Co., his former employers, and will guide the Family directly across the street in East Lib- derry from his old spot.
“Henry VIII” Boston High With $20,000

Boston, Oct. 18.—Grosses continued upwards for the week with a good hold over the long run on the final day boosting many of the theaters to new marks for the season.

The premiere of the “Private Life of Henry VIII” sent RKO Keith’s into first place with $20,000 for the week, $4,000 above average, while the Metropolitan is president. The new concert of "Bessie" was likewise good for $4,000 above average, supplemented by two other shows handled by his Argentine Orchestra and Joe Laurie's "Golden Memories." RKO Boston maintained good business with “Love and Honor and Oh, Baby” going $3,500 above par, while Loew’s State, with “The Bowery,” was up $2,500.

Total first-run business was $109,000. Average is $95,000.

Estimated takings for the week ending Oct. 12:

**LOVE, HONOR AND OH, BABY** (Fox)
BOSTON—$2,900, 25c-75c, 7 days. Ted King, Alexander Kowals. Gross: $19,500. (Average, $2,786.)

**THE BOWERY** (Warners)
NEW YORK—$3,050, 25c-75c, 7 days. C. S. Gorman. Gross: $20,000. (Average, $2,857.)

**TOO MUCH HARMONY** (Para.)
FENWAY—$1,800, 25c-50c, 7 days. Grace Brewster. Gross: $12,600. (Average, $1,800.)

**PRIVATE LIFE OF HENRY VIII** (RKO-Path)
REID’S—$2,500, 35c-50c, 7 days, 2nd wk. C. S. Darragh. Gross: $17,500. (Average, $2,500.)

**THE BOWERY** (Warners)
LOEW’S STATE—$1,700, 35c-50c, 7 days. J. E. Carter. Gross: $11,950. (Average, $1,707.)

**ADDY, THE NEXT BEST THING** (Fox)

**WILD BOYS OF THE ROAD** (Warner Bros.
PARAMOUNT—$1,800, 25c-35c, 7 days. Grace Brewster. Gross: $12,600. (Average, $1,800.)

**THE WHITE SOUL OF THE NATION** (Para.)
REID’S—$1,700, 25c-50c, 7 days. P. D. Levy. Gross: $11,950. (Average, $1,707.)

**THE POWER AND THE GLORY** (Para.)
FIFTH AVENUE—$2,750, 25c-50c-60c, 7 days. Gross: $19,250. (Average, $2,743.)

**BELIEVE THE SEA** (Col.)
"THE WORLD GONE MAD" (Majestic)
"THE WOLF'S HEAD" (Majestic)
MILLIONS OF DOLLARS" (Majestic)
"ONE SUNDAY AFTERNOON" (Warner Bros.)
PARAMOUNT—$2,650, 25c-50c-60c, 7 days. Gross: $18,550. (Average, $2,650.)

**LADY FOR A DAY** (Col.)
ROXURY, $1,200, 25c-35c, 7 days. Gross: $7,500. (Average, $1,071.)

**Rosen Sets Up Company**
Hollywood, Oct. 18.—March of Time Productions, Ltd., is the banner under its new name, "Rosen Productions," will produce "The Mad Dog of Europe," a story of Germany under the Hitler regime.

The new company has established headquarters at the Associated Studios, where Lynn Rootis preparing the stage production is slated to start about Nov. 1.

Cataract Theatre Opened

NIAGARA FALLS, Oct. 18.—A. C. Hayman has opened the Cataract Theatre closed since last spring, at 1S5-25c with first run single features on a schedule of seven shows a week.

"Emperor" Is Seattle Lead With $5,250

Seattle, Oct. 18. — "Emperor Jones" at the Blue Moon caused a great deal of excitement. It was a good for a total of $1,250 over the normal $4,000.

Charter New N. O. Firm

NEW ORLEANS, Oct. 18.—Roe-Shaw Pictures, Inc., whose capital stock of $10,000, divided into 100 shares at $100 each, has filed articles of incorporation, showing Henry Lazarus, president; Mrs. Henry Lazarus, vice-president; Idaford Lazarus, secretary-treasurer. The new corporation will buy, build and sell theaters, manufacture, purchase and sell films. Lazarus is owner of the Newcomb, Wonderland and Collislee, the latter a neighboring neighborhood house.

Dicker for Canton House

CANTON, O., Oct. 18.—Negotiations are said to be under way by Young and Rinehart, operators of the McKinley and Mozart, independents, to take over the Grand Opera House, and convert it into a vaudeville stand.

The house heretofore has been committed to various policies, some of which have involved a cooperative arrangement with union musicians and stagehands.

C.L&W. Circuit Formed

CHARLOTTE, Oct. 18.—A state charter has been granted to C. L. and W., Theaters, Inc., of which Sam Craver is president. The association will operate a circuit of seven theaters in North Carolina, Tennessee, South Carolina and Virginia.

“Angel” Hits $50,000 as Loop Trade Smashes Par

All in the Family

Hollywood, Oct. 18.—Shortly after Tommy Manning had all of his lower molars knocked out during the filming of a picture, the studio sent the actor a regale for $200 as a token of respect. Instead of using the money for himself he sent his wife to the dentist the next day and called the height of reciprocity.

"WILD "Henry VIII" Boston High With $20,000..."
HE PUTS HIS FOOT IN IT!

Groucho as Rufus T. Firefly, dictator of Fredonia, keeps the door open for further negotiations with the First Lady of the Land in PARAMOUNT'S "DUCK SOUP." Directed by Leo McCarey.
Quigley Urges “Ad” Code Be Given Meaning

Present Rules “Hollow, Insincere” Gesture

The advertising code of ethics should be given meaning in order that the industry shall no longer merit the sort of criticism which has been leveled against its advertising and publicity.” Martin Quigley, head of Quigley Publications, said yesterday in addressing the A. M. P. A. at Sardi’s.

Declaring that he was familiar with the circumstances which, in 1930, caused the industry to adopt the existing advertising code of ethics, the publisher characterized the document as a “hollow and insincere gesture to certain quarters,” and urged A. M. P. A. members to demand the rights which their responsibility under the NRA (Continued on page 4)

Many Reopenings
Mark K. C. Pickup

KANSAS CITY, Oct. 19.—Numerous theatre reopenings are one of the results of the general improvement in business conditions in this territory. More are expected, including the Empress, Pantages and Fox Pantages here.

Salient points in the optimistic vista are:

— Guarantee by the government of $13,000,000 in adjustment payments to (Continued on page 4)

Southeastern Asks Others to Sessions

ATLANTA, Oct. 19.—Invitations have been sent out by Col. Thomas E. Orr, president of Southeastern Theatre Owners’ Ass’n., to the Tri-States Theatre Owners’ Ass’n. and the North (Continued on page 4)

Will Sign Here

Major companies are expected to sign the industry code in New York. No further action in Washington are necessary.

WASHINGTON, Oct. 19.—The code may be signed here or in New York. The city of signing makes no difference to Deputy NRA Administrator Sol. A. Rosenblatt.

The code contains a provision which bars anyone who has not signed it within 45 days after it is approved by the President from filing complaints with grievance boards, zoning boards and the code authority. Complaints, however, may be filed against such parties by code signers.

Warners Put First of Own Checkers Out

With dispatch to the Middle West earlier this week of a vanguard of checkers, Warners are moving along on plans to maintain their own organization, independent of Ross Federal Service, Inc., and the Burns Agency. R. W. Budd will handle the development for the distributors.

The scheme calls for permanent maintenance of supervisors stationed throughout the country. Checkers will be taken on an as-needed basis in various towns, using either local bank representatives or men on the civil service list on a per day basis.

“Angel” Flies to New High Out in Denver

DENVER, Oct. 19.—“I’m No Angel” broke the house record at the Denver opening day and started out even better the second. A midnight preview was sold out in advance and there were standouts for every one of the six opening day shows.

The picture is being held indefinitely.

“Angel” Packs Three Theatres in Houston

HOUStON, Oct. 19.—Houston joined the “big parade” to see Mae West in “I’m No Angel” when 6,100 paying customers saw three simultaneous previews of the film at midnight. These (Continued on page 4)

CODE DELAYED FOR MORE CONFERENCES

Atlanta Sees
No Increases
In the Offing

ATLANTA, Oct. 19.—No admission hikes are contemplated here, according to heads of theatres. However, a re-alignment here, recently taken over by run houses has resulted in a slight advance in scales at the Fox, until re-leasing facilities by a cingle Mosque holding committee and charging 20 cents for matinees and 30 cents nights. This 45 cents semi-suburban de luxe house has been taken over by R. W. Wilby, and prices are now 35 cents matinee and 40 cents evenings, with a 25 cent admission to the balcony at all times.

Wilby already had under lease the Georgia, former Keith vaudeville house, and the Paramount, a de luxe Public house, both showing first runs. Under the new alignment, the pick of five producing companies will be shown at the Fox, next choice to the Paramount and third choice and subsequent runs at the Georgia. Prices at the Paramount will (Continued on page 4)

Argentine Embargo
Effect Stirs Worry

A serious, cumulative effect on the foreign revenues of the industry is likely as a result of the money embargo put into force by Argentina, according to Major Fred Hertz, head of the foreign department of the M. P. P. D.

Several American distributors are known to have withdrawn funds from Argentina within the past two or three months, but others are known to have large amounts on hand (Continued on page 4)

Biograph Revamping Nearing Completion

Renovation of the old Biograph studio, which has recently been turned over to Consolidated Film Industries, is nearing completion and negotiations for facilities to independent producers are being advanced.

Indications are that efforts will be made to induce Broadway producers to use the plant for film versions of stage productions. H. J. Yates, Consolidated president, is devoting considerable time to present to the studio project.

Not Far Off

Bank called exhibitor, theatreman owed bank a lot of money.

“Well,” said exhibitor to banker, “what do you think of this product?”

“What do we know about anybody’s product? We’re not in the theatre business.”

“You will be by Monday,” replied exhibitor.

20th Century May Buy U. A. Studios

Hollywood, Oct. 19.—In another of its rapid expansion moves 20th Century may take over ownership of the United Artists studio. The plant is owned by Mary Pickford and Douglas Fairbanks, and the deal may involve about $750,000.

Joseph M. Schenck, as head of 20th Century, has just taken a lease on the plant from the United Artists Studio Corp., which includes Miss Pickford, Fairbanks, Charles Chaplin, Samuel Goldwyn, Schenck and others.

The Source?

Ann Rommel is author of “Who’s Afraid of the Big Bad Wolf?”, song hit from “Three Little Pigs,” that has taken the country by storm.

Miss Rommel is sister of Sol. A. Rosenblatt, but whether she got the idea from the deputy’s technique is not on record.

Rosenblatt Drops Report To Hear Protests by Independents

WASHINGTON, Oct. 19.—Suspending the writing of his report on the film code for Administrator Hugh S. Johnson, Deputy NRA Administrator Sol. A. Rosenblatt late this afternoon began what promised to be a long conference with a number of independent exhibitors who are in Washington to protest a number of provisions in the final draft.

The already much discussed points of double features, the right to buy and other subjects emphasized by independents were expected to come up for renewed discussion during the conference. However, there is little probability that the meeting will result in any important amendment to the code, which Rosenblatt now is anxious to get off his hands and on its way to the White House.

Among those present at the conferences were W. R. Ray, Johnston, president of Monogram, and Herman (Continued on page 4)
Looking 'Em Over

"Aggie Appleby, Maker of Men"
(Radio)

What seems to be a formidable title conjuring mental pictures of a square-chinned woman who guides the destinies of men is in this case merely the introduction to a series of laughs. Aggie (Wynne Gibson) has a husband who is too rough to suit her. She gets another (Charles Farrell), who is too nice, and finally, to make him like the first. When she finally goes back to the roughneck (William Gargan) she tries to make him something like Farrell. It's the shopping instinct idea and seemed to please an RKO Music Hall audience yesterday.

Happers may be disappointed by the abrupt ending, because all the seeming to be building up to a happy romance between Miss Gibson and Farrell.

When Gargan is jailed at the start for beating up a squad of policemen Miss Gibson goes hungry and sleeps deep until Zasu Pitts, maid in a theatrical boarding house, takes her in and puts her bed in the room of a bachelor she thinks is out for the day. Farrell, scion of an old family, walks in and finds her there. The next day she buys him a striped suit and silk shirt, throws his glasses away and gives him the name of Red Brahan. In no time he is boss of a tough construction company.

By the time Gargan gets out of jail Miss Gibson thinks she is in love with Farrell and he sets out to beat up Gargan. Light, but entertaining.

Three of Richmond Theatres Reopening

RICHMOND, Oct. 19.—Three reopenings are set within the next few days. The Broadway is scheduled to go back into service Friday night. The National, recently redecorated by Wilmer & Vincent, and with new seats, new sound and other features, will have a formal reopening Monday. A vaudeville policy with three shows a day is to prevail and a nine-piece orchestra will be used.

Reopening of the Colonial, originally Friday, has been put back to Oct. 27.

Zanuck to Do 3d Musical

HOLLYWOOD, Oct. 19.—Darryl Zanuck is planning a third musical to follow "Broadway Thru a Key-hole" and "Moulin Rouge." It will be called "The Love School" and was written by Jerome Kingston, who authored "Footlight Parade."

Rialto's Two From W. B.

The Rialto has booked two Warner features for early showings. They are "College Coach" and "The Kennedy Murder Case."

Every Issue Shows Loss

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Bonds Follow Stocks in Slump

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Purely Personal

A VITUS SCHWARTZ, attorney for Charles Farrell and possible, is back with something approaching a record for code attendance in Washington. Schwart was permitted to attend the public hearings clear down the line, not only on behalf of his own cases, but as a general "watchtower" man for all independents.

FRANCIS HALLIDAY will play opposite ERNEST TRUES in "Mister Adams," which Educational places in production today at the Eastern Service Studios.

ASCHIE MAYO, who has been spending a short vacation in New York, returns to Hollywood next week to begin work on Warners' "Blood of China."

MCELROY, LOWELL BRENTANO and EARLE CANNON have sold film rights to their play, "Mudder in the Air," to Commers-Arnau.

GEORGE BURNS, GRACIE ALLEN, SHEP WHEELER and SAM JAFFE are on their way to the coast to work in Paramount films.

EDGAR GOLDEN, who was quite sick in the final days of the code siege at Washington, is entirely on the up-and-up again.

BILL WOLF, Erpi's advertising man, attended the A.M.P.A. yesterday with WALTER EBERHARD.

PAUL MUNT will fly to New York for the opening of "World Changes" next Wednesday.

EARLE SWIGART, Paramount exchange manager, was in town yesterday.

HAL HORBNE leaves on his semi-annual trip to the coast next month.

HARRY GRIBBEN has started work in a new "Big V" Vitaphone short.

LENORE ULRIC has been signed to a term contract by Radio.

SAM DEMPSEY declares he's feeling entirely fit again.

CVRIL CHADWICK is in town from the west coast.

Al Selig Joins Warners

Al Selig has been added to the Warner advertising and publicity department by S. Charles Einfeld as a special exploitation man to handle "Footlight Parade" and "The World Changes." Selig's first assignment will be the handling of "Footlight Parade" at the State in Detroit.

Bachmann to Produce 12

J. G. Bachmann is in town from the coast and plans to produce 12 pictures for the independent market. Financing arrangements are expected to be completed by Saturday when Bachmann is slated to return to Hollywood.
WARNER STUDIO-clears-decks for simultaneous shooting of 8 more new shows, on heels of record production drive which crowded exchange vaults with 12 new unreleased attractions!

"ANOTHER SUCCESS for Miss Stanwyck" (Daily News); "never made a picture like it" (Daily Mirror); "make extra special effort to see her" (World-Telegram) sums up New York's outburst of praise for "Ever in My Heart."*

CHATTERTON TO HIT BROADWAY SOON in daring man-hunting role in "Female," which Variety Dailypredicts "should click in all spots".

9 A.M. LINE at Stanley, Pittsburgh gets "Footlight Parade" latest bigger-than-Gold-Diggers opening, while Variety tags key-spot runs as "socko holdover." New York; "big," Newark; "swell," New Haven.*

DICK POWELL MAKES GOOD in first dramatic role opposite Ann Dvorak and Pat O'Brien in "College Coach," sensationa­lly different football story which debuts next week.*

"HAVANA WIDOWS"* ARRIVES at Warner homeoffice with "wagon"-load of laughs on same day studio completes Cagney's "The Finger Man"* and "The Big Shakedown".*

* A Warner Bros. Picture † A First National Picture Vitagraph, Inc., Distributors
**Code Delayed For Additional Conferences**

(Continued from page 1)

Rifkin, manager of the Boston Monogram exchange.

A revised draft of the code from the Consumers' Advisory Board is expected to be submitted to the deputy late tomorrow morning. Rifkin said the industrial advisory Board will be received is still problematical, but indications tonight are that the code will not be sent along to Administrator Johnson until next week.

Asked again about salary control within the industry, General Johnson tonight told newspaper men he had nothing new to say on the subject. It was agreed on views expressed, but the clause fixing penalties for producers is in no sense an attempt at limitation of salaries, but is a punishment for the violators. In the main, however, our witnesses have requested legislation for reduction to talent to leave the employ of a producer.

Jacob Schechter, attorney for the independents, today nighted the following statement after a meeting with Rosenblatt.

"A perusal of the third revision of the code indicates that some effort has been made to meet a few of the objections to the prior revision which were made in our analysis and suggestions. In the main, however, our suggestions have either been ignored or inadequately dealt with. We stand firmly upon the point raised in our analysis and suggestions, as we believe them to be fair, reasonable and equitable. Only through adoption in the code of our suggestions may the independents hope to survive.

**Schneck and Goldwyn Move Interests Coast**

Hollywood, Oct. 19.—Sharp disagreements between the major executives at the Washington code hearings, as voiced by Joseph M. Schneck and Samuel Goldwyn late in their testimony, have continued to capture the attention of Hollywood to-day as members of the film colony have a hot topic to talk about. The two top line producing factors had to say.

**Southeastern Asks Others to Sessions**

(Continued from page 5 and Southeastern in the Editors Owners Ass'n. to attend the annual convention of Southeastern on Oct. 29-31.

**Atlanta Sees No Increases In the Offing**

(Continued from page 1)

remain 25 cents matinees and 40 cents evenings, and those of the Georgia will be 15 cents matinees or 25 cents after 7:30 p.m. and 40 cents 8:15 and nights, with 15 cents to the balcony at all times.

Lansky Grand will probably continue at 25 and 40 cents, with M-G-M and United Artists pictures being shown exclusively. No statement can be made for the Sidco and Two Brothers, having to have coming to from New York.

A half dozen suburban houses will continue prices ranging from 15 cents to 25 cents, and the Kiallo, a Class B house, with Columbia as its only major offering, will continue the 15 and 20-cent matte scale and 15 and 25 cents at night.

**Irvington Studios Increase Schedules**

Increased production at the Photocolor studios at Irvington is seen with the schedule just released which calls for three series of 13 one-reelers, all produced under "Musical" and "Songs." These will be produced by Photocolor Productions, Inc., and directed by William Shilling, under the supervision of F. E. Nemer, general manager.

"The Stool Pigeon" is now being completed there under the direction of Oscar Micheau.

**Extrav Make a Deal For Joining Guild**

Hollywood, Oct. 19.—A group representing extras has reached a tentative agreement with the Actors' Guild for joining the new organization. Absorption of the extras follow a meeting to be held to-night will raise the guild membership to about 2,500.

**Casting Men Meet To Help Out Extras**

Hollywood, Oct. 19.—Studio casting directors met to-day to discuss solutions to submit to producers in an effort to better general casting conditions. One of their aims is to have all calls for extras filled through the Central Casting Agency.

**Cantor Film Finished**

Hollywood, Oct. 19.—Eddie Can-

**Wants Name Changed**

Hollywood, Oct. 19.—Joan Blon-

**Colonel Mae West**

It's Colonel Mae West now. Yesterday the Paramount star was appointed a colonel on Governor Ruby Laffoon's staff of Kentucky colonels.

**Many Reopenings Mark K. C. Pickup**

(Continued from page 1)

Kansas wheat farmers in exchange for acreage reduction. More than $1,500,000 has been distributed to hog producers in the Kansas City trade territory since Aug. 25 and the use of the government hog reduction program.

The state of Missouri's share in the government's payments will be approximately $125,000,000. This will provide work for thousands in state, county and municipal projects.

Radio stations in Kansas City and the 10th Federal Reserve District are showing the highest gains in dollar volume in recent years, according to the Kansas City Federal Reserve Bank.

An NRA survey showed 10,744 Kansas City firms estimated total payrolls increased by $1,014,323 on Oct. 1, as compared with preceding month, and 152,696 workers were on payrolls than on July 1.

Construction of county courts building and $4,245,703 worth of general work, now being done in Kansas City, is running behind schedule. In Kansas City this year is running ahead of 1932 with 7,040 more vehicles than last year.

The banking situation in Kansas City has returned to near normal with only one major depository remaining closed. The Old National, which was recently reorganized, has released to customers nearly $12,000,000 of deposits.

**Argentine Embargo Effect Stirs Worry**

(Continued from page 1)

which now cannot be returned to them. Any reliable estimate of the amount of American film tied up in commerce outside the U.S. is impossible at this time, Major Herron said, because of the fact that a number of Argentine film producers, now in the South American country through foreign agencies, and not their own offices.

Argentina is the 27th nation to enforce a money embargo.

**Flash Opening Set On "World Changes"**

Warner's will end the run of "Ever in Me Heart" at the Hollywood Sunday night to get the house ready for an elaborate opening of "The World Changes," latest Paul Muni starring vehicle, next Wednesday.

Because the story covers four generations of an American family, the lobby will have a miniature Century of Progress exposition with telegraph instruments, old and new; paintings of Indians sending smoke screens and a production of old and new manners. The front will be done in copper and black. A T.A.T. plane will tow four balloons decorated with neon signs over Broadway.

**Larry Williams Returns**

Larry Williams returned yesterday from the Berrigan's London, where he photographed London street scenes to be used in "The Great Adventure," being produced at the Eastern Service Studios by Eddie Dowling, Inc.

These new shots will be inserted by a new transparency equipment process.

**Quigley Urges "Ad" Code Be Given Meaning**

(Continued from page 1)

code has given them. Failing to do so, he said, the organization's duties will be performed by the courts, with consequent loss of prestige to the association and its members.

Quigley's advice was made to the paragraph in the advertising code which states that "Nudity with meretricious purpose, and salacious postures, shall not be used."

"There is no proper use of nudity in advertising a commodity," the publisher said. "Nudity can only be used for one purpose. This organization should rewrite that clause to make it mean something."

**Points Opportunity**

He expressed regret that the A. M. P. A. had not met with the Washington code conferences, but pointed out that with the inclusion in the code of a clause permitting the industry to "maintain the best standards of advertising and publicity a reasonable and reasonable reorganization of the industry, A. M. P. A. members were given a new opportunity and responsibility.

Others, he stated, the refusal charged made by members of the Columbia advertising and publicity department to join the A. M. P. A. president, that the organization was "wasting in usefulness," whether advertising and publicity was original purposes in admitting to membership others than active advertising and publicity men.

Monroe Greenholt, chairman of the organization's unemployment committee, championed its usefulness with a strong speech. He said a presentation has been obtained for 74 members during the year, while Hal Horne, former A. M. P. A. president, presented an analysis of membership which disclosed that of a total of 147 members, 100 were advertising and publicity men. Of the remainder, 21 were press representatives; six were artists; eight were mechanical, and nine were "lay" managers.

Los Goldberg, one of the signers of the Columbia letter, declined Film's invitation to reply to these statements. Goldberg declared later, however, that he still was dissatisfied and would head a delegation which would present Film with definite recommendations which, he says, would benefit the A.M.P.A.

**"Angel" Packs Three Theatres in Houston**

(Continued from page 1)

figures represent an all-time record locally for attendance at one film for a period of time. The film was opened here for the last time in one film had ever been shown here at three theatres at one time.

Orchestra, in the Majestic, the picture was posted for the Kirby also when advance sales demanded a second showing. At 11 P.M., however, the house was packed, and the demand for more tickets was so great that a third print of the film was ordered at the Metropolitan at 11:45 P.M.

The picture opens at the Metropolitan for a week next Saturday.
Justice Dept. Hears Deputy On the Code

Salaries Discussed with Rosenblatt, Is Belief

WASHINGTON, Oct. 20.—Provisions of the film code today were discussed by Deputy NRA Administrator Sol A. Rosenblatt with officials of the anti-trust division of the Justice Department for some two hours, giving wise to reports that the Recovery Administration is anxious that any clauses which might at any time threaten court action shall be fully satisfactory to the law-enforcing branch of the government.

No information was available as to the subjects discussed, but in view of the knowledge that Attorney General Homer Cummings has submitted (Continued on page 3)

MPTOA Seeks More Revisions of Code

The M.P.T.O.A. continues to find the proposed industry code not entirely to its liking and is understood to have recommended further revisions to Deputy NRA Administrator Sol A. Rosenblatt.

The recommendations developed out of a meeting held in New York by Ed Kykendall and Fred Meyer and have been forwarded to the deputy in Washington.

Allied Seeking Big Turnout at Chicago

WASHINGTON, Oct. 20.—Allied is making a drive to get a big turnout of exhibitors at the Chicago meeting next Tuesday by urging regional leaders to induce non-member independents to attend.

Leaders are also urging regional units to get their members to read (Continued on page 2)

Poli Theatres Sold

On $2,266,000 Bid

HARTFORD, Oct. 20.—Eighteen houses in the Five Poli circuit were sold today at auction to W. F. B. Rogers and John A. McNaughton, New York attorneys, representing Halsey, Stuart & Co., as part of a reorganization plan. The same men on Monday (Continued on page 2)

MOTION PICTURE DAILY

Plans for Reorganizing Paramount Coming Soon

Monogram to Tip Budgets Up by 100%

W. Ray Johnston, Monogram president, has called a meeting of all Monogram franchise holders for next Wednesday at the Hotel Statler in Cleveland to discuss a 100 per cent budget increase on features, with all salaries to be given a minimum of $100,000.

Proposed increases are a result of sales reports to date, Johnston says. Quotas have been so far exceeded on the first five features released on the 1933-34 program, he says, that both he and Trem Carr, vice-president (Continued on page 4)

“U” European Films Still Up: Laemmle

Universal’s plans to produce both in England and France, while not concluded by Carl Laemmle prior to his return from abroad yesterday, are still under consideration and may materialize in the near future, the Universal president said on his arrival in New York. Laemmle reported a wide interest abroad in NRA activities here.

“Europe is watching the National Recovery procedure like a hawk,” he said. “Everywhere people are discussing it and everyone I meet” (Continued on page 4)

“Angel” Breaks 95 Week Para. Record

Chalking up the largest gross in 95 weeks, Mae West’s “I’m No Angel” garnered $83,400 at the New York Paramount for the week ending Thursday night. With six shows a day, 184,000 patrons paid their way in.

The first program to top this intake, according to Motion Picture (Continued on page 3)

RKO Farewell Dinner To Franklin Oct. 25

Harold B. Franklin, who retired as head of RKO theatre operations last week, will be honored by RKO theatre and film executives at a testimonial dinner Wednesday night at the Hotel Waldorf-Astoria, New York. Some 35 officers of the company will participate.

Thompson, Blumberg In Line for RKO Job

Choice of a successor to Harold B. Franklin as operating head of RKO theatres yesterday was reported to (Continued on page 4)
Big Salaries In All Lines May Be Taxed

WASHINGTON, Oct. 20.—High salaries generally, both outside and inside the film industry, may be reached by taxation under new legislation, if a movement said to have been initiated by the President goes through.

L. A. Cummings, who was given a letter to the White House outlining various methods by which the industry could pay its way, told the President that the current Hollywood excitement and the generally disturbed feeling among executives, if it thus develops, is only one phase of a condition which applies as well to railroads, steel, banking and other major industries.

Various investigations showing huge salaries and the payment of bonuses are said to have convinced the President that new investigations are involved and that something should be done for the protection of stockholders.

It is understood that one of the Attorney General's recommendations was that heavy tax-levies be put on corporations paying large salaries, bonuses or commissions to executives. What other recommendations will be made as a result of the investigations of the Federal Trade Commission and other Federal agencies before the next session of Congress remain to be seen.

Schenck on Coast Trip

Nicholas M. Schenck is scheduled to leave New York for Hollywood on Sunday, if the Hotel Pennsylvania is occupied by the president as his old manager tried to extinguish the blaze, but it took Momor to run to the basement and turn in the fire alarm. He was superintendent of the house for 15 years and was recently let out.

Arcturus Sound Starts

Recording of the first of the series of 18 travelogues made in the Mediterranean by F. Herrick Hickok has been begun in the Arcturus Sound Studio, which is headed by James Boring, travel expert. Cineglow sound is being used.

Reeves Recording Three

Re-recording is under way at Reeves Sound Studios for the Mexican picture, "Don Gil de la Calza," for Columbia; "The Daughter of the Regiment," for B. Bogue Pictures, and "The Quest of the Perfect Woman," for Tom Terriss.

Edwin Loeb Leaves

Edwin J. Loeb, attorney for the Ass'n of M. P. Producers, Hollywood, as well as a number of major Coast studios, left for Hollywood yesterday after a visit to the capital. He attended all of the code hearings in Washington.

Fox Signs Patterson

Russell Patterson, newspaper and magazine illustrator, has been signed by Fox to design the sets and costumes for the Frank M. Thomas picture "Fox Movietone Follies." Patterson leaves for the coast by plane next week.

Loney Haskell Dead

Loney Haskell, the monologist, died suddenly yesterday in the headquarters of the Jewish Theatrical Guild, of which he was executive secretary, in the Pond Building here. He was in his 64th year.
Justice Dept. Hears Deputy On Code

(Continued from page 1)

to the President a report on the ques-
tion of salary restrictions, it was pre-
viously reported that the salary clause in
the code for a salary board, as appears to
be believed on the coast. It is not a fair
inference, however, be said, that the clause
in any way will determine salaries.

Says Stockholders Approve

In this connection the deputy ad-
ministrator disclosed that he has re-
garded the objections from stockholders in film com-
panies, approving the Administra-
tion's efforts to restrict salaried

A number of "constructive" sug-
gestions, some of which may result in
slight changes in the code, were received by
the committee yesterday from exhibitors with whom he conferred
until the early hours of this morning.

Rosenblatt indicated that while Abram F. Myers had been
advised of the meeting and some of the independents present had tele-
phoned Myers from Rosenblatt's of-
ce and asked whether he wanted to attend, "they saw fit not to attend.

It was announced that Rosenblatt's action in
omitting from the code definite pro-
visions covering a number of trade
problems has been given by H. H.
Thurby, assistant professor of in-
dustrial management at Harvard Uni-
versity, who was adviser for the re-
coding division on the code.

In a letter received today by the
deputy administrator, Thurby
declared:

Backs Self-Government

"I heartily subscribe to the prin-
ciple of self-government on the part of the
industry as expressed in the
propositions for local boards and code
authority review. It appears to me
impracticable and unnecessary for the
code to state specifically such stand-
ards of competition as the 'right to buy'
and thereby raise questions of a
definitive nature when the practical
approach to the matter is an analysis
of the policy or procedure in a spe-
cific situation which may be brought
before a local board and reviewed by
a national board. No code provision
such practices could be written.

It is my opinion that a serious
problem in industrial regula-
tion as a consequence of localized juris-
diction on problems of trade prac-
tice may be effectively guarded
against, I believe, by this provi-
ded that the interests in double featuring and other
practices."

Allied Seeking Big Turnout at Chicago

(Continued from page 1)

both the code and the independents' analysis submitted to Deputy NRA
Administrator Sol A. Rosenblatt a
few days ago.

Eddie Cantor, the latest bulletin
states, has sent a telegram to Allied headquarters here approving Allied's stand on the code in behalf of the
Actors' Guild.

Komer Head of Unit Planned for Detroit

Detroit, Oct. 20.—First step in the
formation of a new local exhibitor
unit in Detroit is the appointment by
directors met and elected Charles Komer
temporary president. A committee composed of James Robertson, Ar-
thur Barrett and John Odell has been
named to complete the set-up. The
committee will prepare complaints against
the present Allied of Michigan
set-up and make "certain demands for housecleaning.

If these demands are met, the pro-
posed unit will be abandoned. If not,
will become active. It is expected the committee will be affiliated
with H. M. Richey, business manager, and the unit's directors also on the board
of Mid-States. Harry Brown has been
the Great Lakes Theatre yesterday pulled out of Mid-States.

Fred Meyer Leaves

Fred Meyer, president of the
M.P.T.O. of Wisconsin, returned to
Milwaukee last night. He had been
attending the code conferences in
Washington and now is after a rest.

The Wisconsin unit will hold its an-
ual convention early in November,
date so far undetermined.

Manna for the Insurgents

Washington, Oct. 20.—Allied leaders are pained to learn that
some exhibitors have not really studied the code or the 18,000-
word analysis of it prepared by the independents, so here's what
the prose is about:

"Unfortunately," reads the latest bulletin, "we cannot afford
to send copies of the code and analysis to all exhibitors. Leaders
should call the document to be
meets called to urge attendance at the (Chicago) meeting.

One independent operator yesterday was debating a trip to
Chicago Tuesday and said he had heard the exhibitor attendance
would run between 2,000 and 3,000.

He wasn't kidding.

"Angel" Breaks 95 Week Para. Record

(Continued from page 1)

DAILY's box-office figures, was "Finn
and Hattie," plus Maurice Chevalier
on the stage, which netted $85,900 for
the week ending Feb. 6, 1931. The
second best was "Tom Sawyer," which
grubbed $58,500 for the week ending
July 13. "Kitty Foyle" was on a second
run, the initial seven-day take figur-
ing only at $67,400. Next of the big
movies was "Phantom President" with
$85,500 for an eight-day run, ending
Dec. 3, 1931. "Ladies of the Big House"
grubbed $83,500 for the week ending
Jan. 7, 1932, with the "Phantom President" following at
$68,900 on Feb. 23, 1932.

In establishing a new record for the
year, Mae West, peculiarly enough,
previously broke the high for 1933
when she got away $47,500 for a week
chuckled up $66,800 for the week ending
Feb. 23. Incidentally, all the pictures
mentioned have been Paramount.

As one Paramount executive put it
yesterday, "it took 'an angel' to take
the house out of the red." The picture
was expected to be run in for three weeks
and may go four.

Plans on Way To Reorganize Paramount

(Continued from page 1)

stood to be that in preparation by
Dr. Julius Klein, former assistant
secretary of the NRA. He is executive
administration, who, as the representa-
tive of the Paramount bondholders' committee, will head the group.

A. Vanderbilt is chairman, has been
receiving the cooperation of the
administration in the plan for the
past two months. Dr. Klein's initial activities at Para-
mount were described first by Motion

No Plan Perfected

Although any creditor of the bank-
rupt's may submit a reorganization
plan, none has been perfected to date
as it is believed that Klein plan will
probably be the first to be sub-
mitted to creditors. It approved by
the trustees would have to be initialed at once
in U. S. District Court here to have
the Paramount bankruptcy discharged.

Kuhn, Loeb & Co., Chase National Bank and the first bank of Chicago are among Dr. Klein's prin-
cipals. The bondholders' committee which represents holds approxi-
matel $24,000,000 in Paramount bonds.

Despite the fact that a final tabu-
lation of claims filed against Para-
mount has been completed, counsel
for the trustees yesterday declined to
say whether it is an aggregate am-
ount or a breakdown of principal
claims, many of which, it was stated,
have either been filed in duplicate or are
categorized as "discarded."

A statement promised the trade
press yesterday that the present
of the claims which would be contest-
ated was later withheld and attorneys for
the trustees declared that none would be
issued. MOTION PICTURE DAILY
learned last week that the claims ag-
grigate in excess of $24,000,000, ex-
pense of duplication and where
will approximately $35,000,000 of this
amount will be contested.

A Public Enterprise' creditors
hearing scheduled for yesterday
before Referee Henry K. Davis was
postponed to Oct. 27. Petitions for
the settlement of minor claims against
the theater company will be present-
ed to Referee Davis on Monday.

U. A. Sponsoring Ball

The "Bowery Ball," which is to be
held at the Hotel Astor in New
York next Thursday evening, is be-
ing sponsored by the UA. Proceeds will go to the New York
American and New York Journal
Christmas Fund. Among those expected are Marilyn Miller, Irving
Berlin, Milton Berle, Roy Atwell, Gene Autry, the Miller and
Blancan, Olga Blascnak, Jack Benny, Nancy Carroll and Joe Laurie, Jr.

Cowan Starts West

Lester Cowan, executive secretary of the Academy of M. P. Arts
and Sciences, left for Hollywood yester-
day to prepare for the Academy's trip, and presented him a copy of the third revision of the
NRA code and a gold
Monogram to Tip Budgets
Up by 100% (Continued from page 1)

in charge of production, feel the inc-
creased rate. While this has nothing to do with increased costs under the
NRA, Johnston states.

Carr says he is confident Monogram will "take its place among the first
line major companies."

"The only way by which we can maintain the standard we have set in
'The Sweetheart of Sigma Chi, ' 'Broken Dreams' and others is to bring about
a permanent and drastic increase in our present budgets and
make product designed to meet any
type of competition."

Carr left yesterday for Cleveland and will be joined at Ogden by Floyd
St. John, western district manager
and franchise holder for California,
and J. T. Sheffled, western district
manager and franchise holder.
Johnston will start for Cleveland
immediately after his return from the
Washington code hearings, accom-
pounded by Hertha Rikfin of Boston,
J. H. Alexander of Pittsburgh, B. H.
Mills of Atlanta, C. R. Stubbins of
New York, and Edward Golden, gen-
eral sales manager.

Slated to Be Present

Others who will attend will be:
Arthur C. Bronberg of Atlanta, H. H.
Everett of Charlotte, C. A. Thibodeau of
New Orleans, Carl Floyd of Tampa,
Howard Stubbins of Los An-
geles, Sam Seaplew of Detroit, Caz
Frell of Dallas, Sol Davis of Okla-
ahoma, B. F. Busby of Little Rock,
Sam Flax of Washington, Robert
Withers of Kansas City, C. M. Park-
hurst of Omaha, C. J. Furnes of
Portland, H. M. Glenfield of Salt
Lake City, Nat Steining of St. Louis,
Irving W. Matt of Detroit, W. C. W.
Marriott of Indianapolis, J. G. Frack-
man of Milwaukee, J. Berkowitz of
Buffalo, and Presley Onstott of
Guthrie.
Jack Jossey of Cleveland will have
charge of arrangements for the
convention.

HOLLYWOOD, Oct. 20.—Monogram is
rumbling the script of "Manhattan
Love Song," which will probably be
filmed and in before Fox, which also
lays claim to the title, will have dusted the story off for product-
ning.

Leonard Fields, writer, and David
Silverstein, who will direct the Cornell
Wooldridge story, are collaborating on the
script.

Thompson, Blumberg
In Line for RKO Job
(Continued from page 1)

have narrowed down to Leslie Thomp-
on, and W. W. Blumberg, wire men for the circuit, and Nate Blum-
berg, RKO's divisional manager in the
Midwest.

According to the company, how-
ever, R. M. McDonough, who on
Wednesday was elected to posts in
various of the company's theatre units
formerly held by Franklin, had
reached no decision.

"Looking 'Em Over"

"Headline Shooter"

(Radio)

Romance gets crowded in between a series of exciting happenings in
the lives of a newsreel cameraman and a girl reporter. William Gar-
gan is the man and Frances Dee the girl. Some of the stories they
cover are obviously clips from newsreel shots.

They meet while covering an earthquake. Buildings fall about them
as they run from place to place. Some smart cutting makes these shots
hair raising at times. She steals his automobile key to get back to
her office with her story. Their paths cross from time to time until
she finally tells him she is engaged to a man in Mississippi and
announces she is going off to marry him.

Garigan is sent south to cover a spring flood that has broken a levee.
Miss Dee's fiance, Ralph Bellamy, turns out to be a regular fellow
and helps them to get pictures and a story. He returns to New York
with the girl, expecting to marry her, but she starts off on another story
and is finally kidnapped by a group of gangsters. Both Garigan and
her present the pursuers of the Jews from the early ages to the
current Hitler period probably will be limited in appeal to neighbor-
hoods chiefly with Jewish patronage. There are not enough sub-titles
to make it understandable for the average fan. More than half
of the picture is composed of library and newsreel shots.

The picture starts with the present persecution of the Jews and
shows how Jacob Ben-Ami, an artist in Germany, has his master-
piece, "The Wandering Jew," rejected by the Academy because of
the Hitler edict. His German sweetheart, Natalie Browning, also
leaves him to keep within her Aryan rights. During the denou-
ement of this, his servant recounts the previous persecutions of Jews
down the ages and later "The Wandering Jew" comes to life and de-
tails how a new leader arose to guide them to new worlds. The pic-
ture closes with hopes that a new Moses will soon come to aid the
Jews in fighting German oppression.

"Walls of Gold"

(Fox)

Kathleen Norris' melodrama that money cannot buy love is enter-
tainingly transformed to the screen by Sally Eilers, Frank Morgan
and Norman Foster and met with the approval of an Old Roxy audi-
eyesterday.

A successful business woman in her own right, Miss Eilers falls
in love with Foster. When the heroine is introduced to Morgan, the
hero's uncle and a steel tycoon, the magnate takes a personal interest
in her which later leads to a break between the sweetheart and the
marriage of Foster to Mary Mason, the heroine's sister. Morgan
subsequently weds Miss Eilers, and after a honeymoon, starts affairs
with Rosita Moreno and Rochelle Hudson.

Foster goes to South America on a long trip during which his wife
gives birth to a boy. She dies in the hospital and Miss Eilers brings
up the child. When Foster returns he again falls in love with the
heroine and tries to get her to be away from Morgan. She re-
fuses because her husband threatens to ruin Foster if she goes through
with it. At a party at the Morgan mansion, Morgan dies of heart fail-
ure while Miss Hudson threatens to kill him if he doesn't marry her.
This clears the way for the lovers.

"Easy Millions"

(Monarch)

The complications arising from a little lie Richard ("Skeds") Gal-
lagher makes in order to ward off a stock salesman created a load of
laughs yesterday at the Tivoli. After Gallagher tells the fabrication,
the salesman spreads it far and wide and reaches all the hero's
friends and sweethearts. As a result he becomes engaged to three girls
at the same time. He cares only for Merna Kennedy, but when she
catches him in the embrace of one of his other fiances, she breaks off
with him.

Gallagher has a hard time convincing Miss Kennedy of the truth,
but he finally manages to clear it up without any casualties. In the
cast also are Dorothy Burgess, Johnny Arthur, Noah Beery, Pauline
Garon, Bert Roach and Walter Long. Fred Newmeyer directed.

"U" European Films Still
Up: Laemmle
(Continued from page 1)

asked for information of its working.

In 1942, the inquiring official was
the assistant to the president I
was in the Administration.

"Our industry, like every other one,
needs a code," and I was tremendously
pleased at the way ours is shaping up.
The code, as I see it, will be bad
only for the unethical, the dishonest
and the crook, Laemmle said.

"It will be good for anyone who
wants to earn a decent living and for
any company that is honest in its at-
titude toward the public and its em-
ployees."

While abroad, Laemmle signed Jan
Kiepura, star of "The Mine Tonight:'
Francesca Gaal, Budapest screen ac-
cess, and acquired the European play,
"The Terrors of Monte Cristo," which
will be filmed at Universal City this
winter. Laemmle was accompanied on
his European trip by his secretary,
Jack Ross. The two will remain in
New York about a week before pro-
ceeding to the coast.

Chase Investigation
Temporarily Delayed

WASHINGTON, Oct. 20.—Sidelocked
by consideration of stock market op-
erations, the Senate Banking and Curr-
ency Committee today failed to un-
dertake its expected investigation of
operations of the Chase National Bank in the securities of Fox and
General Theatres. It is not expected
that the matter will be reached be-
fore the middle of next week.

N. Y. Cameraman Killed

FORT MYER, VA., Oct. 20.—William
Casel of Brooklyn, 27, a cameraman,
was killed today when he was run
down by horses drawing an army cais-
ton during the filming of scenes for "Romey," with Walter Huston.

Get Marriage License

Frances Dee and Joel McCrea
obtained a marriage license at the Muni-
cipal Building here yesterday.
McDonough's Radio Power Is Extended

**Major Problems in Film End Now Go to Him**

Influence of J. R. McDonough is understood to have been extended to embrace major decisions affecting Radio Pictures. The former executive vice-president of RCA, who stepped into the RPI picture a few months ago and since has advanced to a dominant position in the affairs of the company, particularly in the theatre end, is declared to be acting as a sort of arbiter on problems concerning the film company in those instances where Radio's officials may hold different ideas on solutions.

It is said McDonough, while naturally interested in whatever such problems may be, is in no way interfering with the normal functions of executives of the picture company but only proposes to interject his opinion when sought.

**Theatre Intake on Upswing in Charts**

The largest dollar upturn in box-office receipts since sound has been experienced by theatres in recent months, according to a chart prepared by John H. Lewis of Goodbody & Co., which is based on the reported weekly receipts of 10 theatres situated in five widely scattered cities.

"The crux of the problem of no-

**Studios Sign Over 50 Unknown Players**

HOLLYWOOD, Oct. 22.—The search for talent and the lining up of new faces has reached a new high in Holly-
wood with more than 50 players heretofore unknown, placed under long term contracts by the majors within the last three months.

Paramount leads the field with 11 unknowns. In addition to this number the studio signed eight unknowns.

**Trans-Lux Planning 4 or 5 More Houses**

Trans-Lux has made plans for four of five new theatres to be constructed in different sections of New York, according to Leslie Thompson.

"One of them is planned for Brook-

**Predicts 4th Code Revision**

Back from Washington on Saturday, W. Ray Johnston, president of Monogram, predicted a fourth revision of the NRA code was on the way and "would be ready in a couple of days."

Johnston declared the independent's analysis was being discussed with Deputy NRA Administrator R. Rosenblatt, paragraph by paragraph, and that changes in phraseology are in the offing in order to assure further clarification. Many of those who participated in the insurgent movement are again at the Capital, including Jacob Schedcher, Milton Weisman, Mitchell Klupf, David Barrist and Calvin Bard.

**Grievance, Zone Boards Facing Deluge of Cases**

More than 30,000 complaints and claims annually may be the deluge swapping local grievance and zoning boards which will come into being in each exchange center under the code on the basis of the trend of arbitration, with arbitration boards which nearly trebled from 1924 up to the time compulsory arbitration was suspended in October, 1929, because of the Thalcer decree.

Types of disputes handled under the new defendant system are designed for adjudication through grievance and zoning boards, as the code now stands.

**Allied Heads Gathering for Chicago Meet**

CHICAGO, Oct. 22.—The advance contingent for the code mass meeting called by Allied States, which opens here Monday, arrived today, headed by Abram F. Myers, Allied general counsel and board chairman, J. C. Ritter, president, and H. M. Richey of Detroit.

W. A. Steffes of Minneapolis and Sidney Samuelson of New Jersey are expected to arrive tomorrow. The early arrivals visited the World's Fair grounds, taking advantage of special

**Deputy Pushes Effort to Get Code Finished**

WASHINGTON, Oct. 22.—Forging ahead with his plan to pass the industry code on to General Hugh S. Johnson with as little delay as possible, Deputy NRA Administrator Sol. A. Rosenblatt over the week-end proceeded with the writing of his report to accompany the document. He hopes to have the pact ready for the Admin-
istrator early this week.

Progress, however, is being hamp-
pered somewhat by the illness in Chicago of Edward N. Hurley, head of the NRA Labor Advisory Board.

**Stuart to Handle Arizona Theatres**

Herschel Stuart, recently in charge of Paramount Publix Detroit theatres for the company's theatre reorganiza-
tion department, will be assigned to similar work on the Rickards & Nace circuit, Publix Arizona division. He is slated to leave for Arizona within a few days, remaining

**Chicago Operators In a Federal Probe**

CHICAGO, Oct. 22.—Organization leaders, circuit officials and scores of independent exhibitors have been sub-
poenaed this week to testify before the Federal Grand Jury in the Gov-
ernment's probe of alleged labor

**Price Cuts Stir Up Worries in Denver**

DENVER, Oct. 22.—Two price cuts within the past two weeks at the Or-
pheum have given local theatre men a jolt, and they are wondering if the
THE men who fought the battle and broke their backs won't think so. For that, they have plenty of reason. It is, nevertheless, the truth that the film industry has been accorded favorite treatment among major industries by not enforcing its code. By that, you understand, is meant preferential consideration as the NRA sees it. This is why: the history of other codes hasn't allowed for anything like the scrimmages that have been entered on the record in the picture business. When Hugh Johnson, for instance, met the oil men at eight o'clock on a memorable night not so long ago, he gave some of America's industrial leaders five minutes, informed them the code as the NRA saw it was the one that the President would get and then walked out. Johnson did all of the talking.

Nothing like that happened in this field, the closest to it being the shrapnel fired by the White House in the majors' midst. NRA precedent to date as a matter of fact, demonstrates that where the recovery administration prepared its own code for any given industry, that was the code eventually to be signed. Rosenblatt prepared not one for films, but a second and, later, a third. Even on the three-way try, the job isn't finished yet. So dizzy does the story of the code go that there may be a fourth. This is how and why the industry has been meted out favorable treatment, as the disciples of the Blue Eagle see it.

If the original intent behind all codes had been followed, much might have been different. But, for the purpose, at the outset, was to fly the eagle all over the land. Considerably in the rear and to be framed at a convenient later date were fair trade practices and the elimination of cut-throat competition. Business interests, realizing quickly that furious working hours meant an immediate increase in payrolls, wanted to know where the overhead would come from. The anti-trust laws were relaxed; dubious competitive practices, including sales below cost, will be controlled, answered the NRA. Then along came another industry with a code, for labor only, but coupled with it a code of fair practices. A precedent, for some reason not quite clear, was thereby set for all trailing industries to mimic.

It was natural, it is to be supposed, for the film industry to have done likewise. The labor situation was taken care of studios quickly, then there was not so quickly and not so smoothly, but worked out it was and so the primary purpose of the recovery industry was to mark this business, as it has all others, has been the trade practice end of the code. It has created much bitterness in quarters from which the repercussions are likely to blast for some time. It has caused to be rumored about nasty stories of money that either changed hands or was waiting for hands to grasp. It has sharpened the inherent differences between buyers and sellers, independents and affiliates; in general, created an unrest and an upset which equals any this stormy business has ever experienced and saddled around the neck of the code and those who will administer it a job that need be nobody's envy.

While there were some who found themselves about to cave in and pass out in taxis and subways, the note of the long-distance conferences held on the ninth floor of the Mayflower, the newspapers had no picnic.

(Continued on page 6)

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| Warner Bros                  | 3    | 3   | 3     |        | 400   |

<p>| Eastman Down Two and a Quarter Net Change Sales |
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<p>| Technicolor Off One and a Quarter Net Change Sales |
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<p>| Paramount Publix Gains Half Point |
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**Ben Blue**

**Waring Bros. Shorts**

**Loew’s Vote Dividend**

The regular quarterly dividend of $1.621/2 per share on the outstanding $8.50 cumulative preferred stock of Loew’s has been declared payable Nov. 15 to stockholders of record on Oct. 26.
Grievance, Zone Boards Face Deluge of Cases

(Continued from page 1)

claims have been adjusted amicably by informal negotiation between exhibitor and distributor, and between exhibitors. Under the code, practically all such cases will be filed with grievance arbitration boards.

Records of the arbitration boards for the period from 1924 to 1929 inclusive total that approximately 60 percent of the cases filed in every year were settled or withdrawn. Thus, of the more than 11,000 cases filed with arbitration boards in 1924, 1,029 were withdrawn prior to a hearing date and of the 30,746 cases filed in 1929 up to the suspension of arbitration, 15,533 of them were withdrawn.

Awards Totalled 7,222

Of the 15,413 claims actually heard by arbitration boards during 1929, awards were rendered in 2,731 cases and the claims in 509 cases dismissed. The awards involved claims aggregating $2,271,815. The claims were on file $181,209. Court proceedings were instituted in 107 cases after the claim involved had been submitted to arbitration. The remainder of the cases will be heard at the time arbitration was suspended.

Cases carried to court on the conclusion of arbitration are interpreted as giving an indication of the number of cases which may be brought before the courts. Authority, which is to hear only such cases as cannot be settled by the local grievance and zoning boards, is of the utmost importance to the industry. On the basis of the 107 cases taken to court in 1929, in view of the average proportionate increase in such cases over the preceding five-year period, it is estimated that approximately 175 such cases may be heard by the code authority annually.

New York and Chicago led in the number of claims filed with arbitration boards during the period of their existence. In 1929 New York had 9,973 claims filed and heard $350. Chicago had 2,612 filed and heard 1,442. Other key filing and hearing centers included Philadelphia, Cleveland, Cincinnati, Buffalo, Pittsburgh, Kansas City, Dallas, Charlotte and Washington.

Theatre Intake on Upswing in Charts

(Continued from page 1)

tion picture profits," says Lewis, "is the direction in which box-office receipts are going. If they go upward, conditions are favorable for marked prosperity, whereas if they are downward, it is extremely difficult for most companies to make a profit. Because of the great importance of this factor, we have built up what we believe to be the first index of motion picture receipts in the United States. The period covered is from 1928 up to the present. Our quarterly results in 1928 are assumed to equal 100. Only cities have been included which are free from the influence of office receipts of theatres used. For instance, New York City had to be eliminated for the reason that the opening of the large block of Rockefeller Center theatres so reduced the patronage of other midtown houses as to destroy their value as an index of theatre attendance.

Seven Houses Quit Detroit's Combine

(Continued from page 1)

Seven Houses Quit Detroit's Combine

(Continued from page 1)

A venerable, under fire of attack launched by Leon Krim of the Kramer, Lew Kane of the Mayfair and Al Ruttenberg of the Iris. All former Mid-States members, they are no longer in a position to charge the booking com-

Seven Houses Quit Detroit's Combine

(Continued from page 1)

Chicago Operators Face a Federal Probe

(Continued from page 1)

racketeering by Tom Malay, head of the operators' union and various members of the union.

The Treasury Department is also checking into the Malay income, but secrecy surrounds the names of witnesses.

Halperin in Ohio House

(Continued from page 1)

CINCINNATI, Oct. 22—Max Hal-

perin of his Ohio house here.

It is reported that Halperin and his associates are angling for other subsequent run spots in this vicinity.

Allied Heads Gathering for Chicago Meet

(Continued from page 1)

rates procured by Aaron Saperstein, local Allied chief.

Among early reservations received here, and indicating the size of the probable influx tomorrow, are Cleveland's 7,250, and Iowa's 30. An accurate estimate of attendance was not possible today, although word from the Congress House mass meeting headquarters, was that reservations have been coming in slowly and in modest proportions.

The meeting is slated to receive Allied's report on the final revision of the industry code and will seek to indicate the best methods of attaining it from both exhibitors and public agencies who will attend.

Deputy in Effort to Get Code Finished

(Continued from page 1)

whose report has not yet been re-

ceiving. Indicating that Rosenblatt expects to have the code off his mind and his desk shortly is his intention of going to Atlanta to attend the convention of the Southeastern Theatre Owners' Association. He will speak on the subject of the code. Despite those portions of the code, in its present form, to which objections have been voiced by independent groups were discussed on Satur-

day by Rosenblatt with Abram F. Myers, general counsel of Allied, as well as with Jack Schechter, attorney for the Federation of the M. P. I. Industry, and Mitchell Klut, attorney for the Independent M. P. Exhibitors Code Protective Committee.

Sound Film Rights Up to Appeal Court

ALBANY, Oct. 22.—What is a talk-}

is the question the New York Court of Appeals must answer before it can hand down a decision in the suit of the Kirke La Shele Co. against the Paul Armstrong Co. and Phelan Beale, all of New York, in-volving "Alias Jimmy Valentine," stage hit of two decades ago, which was recently converted into a talkie. The plaintiffs, who assert they were assigned a half interest in the play in 1921, are laying claim to half the profits sought by the sound screen rights, which were sold to M-G-M in 1928 for $15,000, on the argument that the film was similar to the stage work.

Newman Back on Job

SEATTLE, Oct. 22—Frank L. New-

man, Sr., president of Evergreen State Theatres Corp., has just returned to his local headquarters after an absence of a month. During his trip he conferred with F.W.C. officials in Los Angeles, and the company needed to New York for two weeks. He returned via Spokane, where Frank L. Newman, Jr., is city manager for Evergreen houses.
A First National Picture
Directed by Mervyn LeRoy
Vitagraph, Inc., Distributors
THE WORLD
CHANGES

and so does

PAUL MUNI

He's greater than in "Fugitive" in this next big special from WARNER BROS.
**Stuart to Handle Arizona Theatres**

(Continued from page 1) there for several weeks, after which he will return to the home office. Stuart recently operated the Salem, Det-
troit, and 10 Publix houses now are being operated by George W. Trendle on a salary and percent- age basis in accordance with a man-
agement deal recently concluded be-
tween Trendle and the Paramount.

**Price Cuts Stir Up Worries in Denver**

(Continued from page 1) slashes will force subsequent runs to lower their tariffs.

At the time the Orpheum added F. & S. to its second run, up-boosted from 25, 30 and 40 cents to 35, 40 and 55 cents. The crowds held up the first three weeks and turned in more money than the price was grossed. With matinee crowds off all over town the matinee price was cut to the for-
mer 25 and 40 cents.

With "Solitaire Man" the gross dropped to nearly half those of the former three weeks, and the top was lowered to former 40 cents, thus avoiding the tax.

Two first runs, the Denilam and Orpheum, with stage shows, are getting the same prices, 25 to 40 cents, as are the Aladdin and Paramount, which have orchestras and shorts to fill out their programs.

The Aladdin and Denver, running "The Bowery" day and date this week, are in the 25-40 cent price field. The Aladdin is getting 40 cents, showing the feature, shorts and a short organ number, while the Denver is getting 50 cents for the feature, shorts, an organ number and an Indian dance. The Aladdin on the second
night, had a large holdover, while the Denver had quite a lot of empty seats.

The chief theatres in Pueblo and Colorado Springs, under the Westland Theatre Corp, have lowered their top from 40 cents to 25 cents, and the Denver has not changed prices. In the Denver territory it has competition in only two locations.

**Two Camera Unions Call Coast Meetings**

Hollywood, Oct. 22.—With the A.S.C. already operating under an agreement with 11 major studios, the society is contemplating amendments to this agreement and has called a mass meeting of cameramen for the pur-
pose of selecting second cameramen, assistants and still photographers. It will hold an open discussion of the problems confronting
each branch of the organization and make recommendations that will better working conditions, which is turn, will be taken into a new agree-
ment with producers.

In the meantime, the camera union has called a meeting of representatives for the same night the society holds its ses-
sion. This group will discuss the ac-
tion to be taken on the recent studio strike which was revealed here at the Washington code conference. This looms as a showdown on whether the American Society of Cameramen will dominate or the cameramen's union.

**Insiders' Outlook**

(Continued from page 2) on their hands either. Rosen-
blatt was directly responsible for a substantial portion of the appeal of the "cock-eyed" ticket that hit the wires out of Wash-
ington. The deputy was under pressure. Everyone knew it. His usual day started at nine in the morning, and when the hands of the clock had traversed most of the succeeding twenty-four hours. That seemed like a record. It is the way to an amazing consistency of much of the information gleaned at the regular press interviews which he had decreed. The situation was something like:

Rosenblatt ruled he would not talk between or after press inter-
views. On some days, he met reporters at noon and again at five. On vital points, more often than not, he had nothing to say. Anything that developed after he was like playing the field for the week that he had covered. Rosenblatt had arbitrarily ruled he would not talk. Why call him? Nobody did often. When he did dodge questions, he was brusque. When he wasn't brusque, he was inclined to be noncommittal. When he wasn't noncommittal, he would make statements only to change them, the next day.

This happened when the ten per cent cancellation clause was broken upon. The deputy, pressed for specific points of in-
formation, made the unequivocal statement that the cancella-
tion clause was flat and voidings of any description. Checking in with exhibitors that night caused many eyebrows to raise. There were restrictions. Plenty of them, it appeared. The following day Rosenblatt conceded he had denied the night before. He waved indignant when Motion Picture Daily castigated the deputy for specific points of in-
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**Hollywood Personalities**

Hollywood, Oct. 22.—LEONARD FIELDS and David Silverstein have been invited to "Manhattan Love Song" as a writer-director team (Monogram).

KAY FRANCIS has recovered from a siege of pneumonia, and is back in the cast of "Mandaral" (Warners).

SAMUEL HOFFENSTEIN has been engaged by Fox to do the screen play of "All in Good Time" (Fox).

ADRIENNE AMS, Jack La RUE and Roscoe Karns assigned to "Trumpet Blows" (Paramount).

William Pawley has been signed by Fox for a role in "Jimmy and Sally."

CLARK GABLE has been signed for the lead in "Night Bus" (Columbia).

MAX BAER and MARY CARLISLE added to the cast of "Hollywood Party" (M-G-M).

ARTHUR Hohl and Robert McWade grab parts in "Hi Nellie!" (Warner Bros.).

MAU ROBINSON will play the feature roll in "The Witch of Wall Street" (M-G-M).

ROBERT NATHAN'S "One More Spring" has been purchased by Fox.

MORGAN WALLACE spotted in "Queen Christina" (M-G-M).

HARRY POLLARD has been signed to direct "Five Days" (M-G-M).

HELENA PHILLIPS goes into "Chry-
salis" (Paramount).

Matt McHugh has been assigned a role in "Hi, Nellie!" (Warner).

**Massachusetts Poli**

Price Is $875,000

SPRINGFIELD, Mass., Oct. 22.—Massachusetts houses of the Fox New England circuit were auctioned off here for $875,000. The purchasers were John A. MacNaughton and W. B. F. Rogers, the New York attorneys who bid in the Connecticut theatres for $2,226,000 earlier in the day.

They are acting in behalf of an underriders' syndicate headed by Halsey, Stuart & Co. If the plan is approved by Federal Judge Edwin S. Thomas of Oct. 30, S. Z. Poli will head a new company to take over the circuit.

**Hankin Made Warner Main Line Manager**

Pittsburgh, Oct. 22.—A last-
minute change in the arrangement Sol Hankin, formerly of the Pittsburgh zone but more recently of Milwaukee, to be known as Main Line district manager for Warners instead of Eddie Moore, as announced. With

Hankin has been succeeded as zone manager in Milwaukee by Dave Weisner. He takes over the Pitts-
burgh post vacated some time ago by Gilbert Josephson.
Yes, Sir! FOX manpower comes through again!

DECEMBER, JANUARY, FEBRUARY
RELEASE DATES NOW!

*Again the only company to do it.* Great...Isn’t it? Those dates will be met, too... titles, stories, casts, directors! Because the FOX studio realizes what *definite dates* mean to you as a showman and a *business man.* Sound showmanship...that’s the way FOX manpower operates. Going steadily, aggressively forward. Minding its own business and boosting yours. *More than* keeping its promises... *by taking good pictures* and making them *great!*

Now...
AIMED AT THE 3 BIGGEST

THIRTEEN pictures specially produced and dated for the holiday and winter season. Check over each one...

CLARA BOW
again rises to dramatic heights in
HOOPLA
Released November 30th

WILL ROGERS
hits a new hilarity high as
MR. SKITCH
with
ZASU PITTS
Released December 29th

I WAS A SPY
MADELEINE CARROLL
HERBERT MARSHALL
CONRAD VEIDT
Released December 15th

SMOKY
WILL JAMES' great story
with
VICTOR JORY
Irene Bentley, Will James
Released December 8th

AS HUSBANDS GO
with
WARNER BAXTER
Helen Vinson, Warner Oland
Catharine Doucet
From Rachel Crother's stage smash
Jesse L. Lasky production.
Released January 5th

7 LIVES WERE CHANGED
Heather Angel, Norman Foster, Herbert Mundin, Ralph Morgan.
Released January 12th
MONTHS OF YOUR YEAR!

FRONTIER MARSHAL
with GEORGE O'BRIEN
Irene Bentley
Released January 26th

JANET GAYNOR
LEW AYRES
LIONEL BARRYMORE
HENRIETTA CROSMAN
in
THE HOUSE
OF CONNELLY
with Stepin Fetchit
A Henry King production.
Released January 19th

WOMAN AND THE LAW
Victor Jory Claire Trevor
Howard Lally
Released February 9th

ALL MEN ARE ENEMIES
Here, unquestionably, is one of the year's great pictures. A best-seller
on two continents... exultant with
the sheer joy of living... glorified
by the most beautiful romance ever
attempted on the screen. An excep-
tional cast is being chosen.
Al Rockett production.
Released February 16th

What do you say...
And it takes some going to outshine hits like "My Weakness," "Berkeley Square," "The Power and the Glory," "Dr. Bull" and "Paddy." FOX manpower—"not crowing, just growing"—makes this possible. And FOX manpower is proving daily that only such an organization can guarantee you consistently great product ... delivered on time. Be smart ... join that ever-swelling group of happy FOX exhibitors ... and "Put It Here!"

HOOPLA
Released Nov. 30th

SMOKY
Released Dec. 8th

I WAS A SPY
Released Dec. 15th

I AM SUZANNE!
Released Dec. 22nd

MR. SKITCH
Released Dec. 29th

AS HUSBANDS GO
Released Jan. 5th

7 LIVES WERE CHANGED
Released Jan. 12th

HOUSE OF CONNELLY *
Released Jan. 19th

FRONTIER MARSHAL
Released Jan. 26th

FOX MoviETONE FOLLIES
Released Feb. 2nd

WOMAN AND THE LAW
Released Feb. 9th

ALL MEN ARE ENEMIES
Released Feb. 16th

STRANGER IN THE NIGHT *
Released Feb. 23rd

* Tentative Title

JOIN THE UPSWING WITH Fox
Cost in East Below Coast, Says LeBaron

Hollywood, Oct. 22.—Eastern production costs are as low, or lower, than west coast costs, according to William LeBaron, Paramount associate producer.

With modern improvements in lighting, he says, this reason for California production is answered, and the only reason New York has not developed as a film center is because the business "cannot be moved" from the coast.

LeBaron asserts records at the Paramount studios in Astoria under his regime revealed that "our costs were just as low in Hollywood—as a matter of fact, a little lower."

"Many of our chief advantages," declares the producer, "There was the proximity of plants manufacturing items needed, the availability of the majority of the most important writers lived there. New York also presented an opportunity to get away from studio talk and motion picture atmosphere. New York is the center of film distribution. If production could be decreased, New York efficiency naturally would be increased."

Easier to Get Talent

"Production in New York makes it easier, less expensive and easier the more possible to secure certain talent. Many stage stars are denied appearances on stage. We are able to secure them at a time when they are 'hot' because of stage contracts. Others prefer to divide their time between stage and screen. The same is true of opera stars, while radio personalities either have to be taken after they have completed radio contracts—or have failed in popularity—or be brought to Hollywood where the studio would pay the expense of paying for line charges or contracted radio broadcasts of the art."

It is LeBaron's opinion "the ideal situation for film production would be the maintenance of studios both in New York, and one at a time for each production. A studio at New York would cut down the efficient and economic basis on which studios now are geared."

Chicago Critics to Cover Opening Here

Critics of all the Chicago dailies will arrive in town Wednesday as guests of Warner Bros. for the "Hollywood Parade." The World Changes" at the Hollywood.

Another opening night stunt will be the use of a radio pistol by Paul Muni to send a message to Jack L. Warner at the theatre. It's a new invention from the Dumont Laboratories here.
A NEW STAR IS BORN!!

ONLY YEST
Wire from James R. Grainger from studios to Home Office:

"Screened Only Yesterday and in my opinion, based on years experience with various companies, you can safely guarantee to every exhibitor lucky enough to have a contract with Universal that it's the finest love story ever screened... Back Street compares as a two-reel comedy to Only Yesterday... Have never been so enthused in my life... You can immediately set in time in all the houses, and any exhibitor who does not cash in on this attraction should get out of this business immediately. Margaret Sullavan becomes a new star—a star who will rank with the outstanding stars of the screen and I mean the biggest... Boles gives a performance that is almost unbelievable... Sincerely feel we have picture that will create history... A woman's picture based on a human story that is always a surefire theme..."
“Love, Honor” Tops Omaha with $12,000

OMAHA, Oct. 22.—“Love, Honor and Oh, Baby!” with a Jay C. Flippin unit and a fan dance on the stage showed the Orpheum gross up to $1,000 a week, thereby topping par by $3,500.

The opening bill at the Brandeis—“Another Man,” “Saturn’s Saturday’s Entertainment” and “Melody Cruise”—reached $6,000.

Total first run business was $30,525.

Estimated takings for the weekend ending Oct. 14:

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<td>“MELISSA CRUISE” (Radio)</td>
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<td>BRANDEIS—(1,200)</td>
<td>$29,930</td>
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<td>ORPHEUM—(3,000)</td>
<td>$11,000</td>
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<td>“LOVE, HONOR AND OH, BABY”</td>
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<td>“ROYAL” (M.G.M)</td>
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<td>“SATURDAY’S MILLIONS” (Univ.)</td>
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<td>“LADIES MUST LOVE” (W.C.)</td>
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<td>“THE CLOWN” (Brown)</td>
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Looking Over the Shorts

“A Divorce Courtship” (RKO)

Joseph Cawthorne as a judge tries to get Harry Green, a magician, and his wife to call off divorce proceedings and invites them over to his house, hoping thereby to find out what procedure he is with Mae Busch. A new neighbor starts the fireworks in the judge’s home when she asks to use the phone and later calls the magistrate into her apartment to help her open a cocktail shaker. Miss Busch walks in and the woman next door neighbor assumes the role of the wife when the visitors arrive. Further complications are brought into the picture when it is half over the three wives and husbands decide to go in for divorces. Had a neighborhood audience in stitches. Running time, 20 mins.

“Open Sesame” (Universal)

Franklin Pangborn tries to sell Dorothy Christy a country estate for her husband, Henry Arnett, Fred Kelsey, as a private detective, but in thinking he is picking out a love nest for her. Pangborn decides Arnett is insane and complications ensue. They grow acute when two escaped convicts burst into the mansion and start a slapstick, but was good for a number of laughs from a projection room audience. Running time, 20 mins.

“Russia Today” (Corveth Wells)

Carveth Wells, explorer, offers exhibits something of real merit in record of Russian life, under the aged Soviet rule. The film chronicles scenes on a journey from Leningrad across Russia, and much of the interest is due to the narrative supplied by Wells, whose humor and informal delivery are entertaining. The picture gives many side lights on Russian life and Russians that are little known outside of the Soviet. Running time, 42 mins.

“Wonders of the Tropics” (Principals)

Penetrating the jungle of the Amazon in South America, this short captures much of the beauty and color of wild life in the jungle. There are several moments that bristle with excitement. It ought to be first rate entertainment for those who like pictures of this type. Running time, 32 mins.

“She Done Him Right” (Universal)

A “Pooch” cartoon with the pup appearing as star entertainer in a beer garden. In the course of a series of hijinks to make a fortune, much of the fun starts from the villain after a railroad train collision in a tunnel. Running time, 7 mins.

“Grand Uproar” (Educational)

Another of the “Terry-Toon” cartoons which has the animated creatures working with pluck. Youngsters generally will like this. A card stunt designed to bring the animals close to the theatre and how they treat performers who don’t approve. Running time, 7 mins.

“City of the Sun” (Monogram)

In the heart of Africa the camera finds Jaipur, the City of the Sun, where the natives lead a lazy life and those who work engage in carvings, metal work and other works of art. In addition to depicting the life of the natives, the artistic effect of the country is established in a number of its important structures. Deane H. Dickenson gives a word description of the country and this aids in making the number interesting. This is another of the “Port O’ Call” series produced by William Frazor. Running time, 9 mins.

“The Big Benefit” (Universal)

Something new in screening divertissement and sure to bring favorable comment. It’s the third in a series being produced by Montene and has a number of juveniles staging a benefit, with adult as well as children personates a well known actor and later the player being mined comes to life. Among those are Bill Robinson, Rae Samuelson, Jean Lamour and Bobby Jordan. Running time, 21 mins.

“Be Like Me” (Paramount)

Ethel Merman sings two songs in her characteristic style. Her power voice is brought out clearly in this number—“The Man I Love” and “Be Like Me” and “After I’m Gone.” The short opens in a Mexican cafe operetta by the singer. The captain of the marines has ordered all white women to return to America that night, but he makes the heroine’s lover stay over. She learns of the scheme and promises to be true until her hero returns. Running time, 10 mins.

“The Air on and Off” (Universal)

One of the Montene productions of a lot of fun stories. A product of a soap factory decides to go in for a radio advertising campaign. They tune in on various programs and later Winifred Lucas, Hitz Koyke, Leon Belasco, Adelaide Hall, Eddie Garr, Bovard Sisters and Murray, Sam Lieb, Lord Oliver Waldock and Kelvin Keech. Running time, 19 mins.

“The Pied Piper” (United Artists)

This comes pretty close to being a classic with adults as well as children. It is a rippling satire. The music is based on the Mother Goose legend and done in Technicolor. Most of the dialogue is composed of the music, following the comic opera pattern, and there are four good songs. Running time, 7 mins.

“Strange As It Seems” (Universal)

The mixture of subjects is interesting. They include a duck-hilled platitude, a three-eyed lizard, flying frogs, lobsters, cobras, tarantulas, and an armless man throws knives with his toes at a young woman. Running time, 9 mins.

Pickets’ Sign Gone; Arrest Theatre Man

MILWAUKEE, Oct. 22—Manning Silverman, operator of the Murray, Fern and Webster street neighborhood houses and a theatre in Kenosha, has been charged with larceny of a union picket sign valued at $3 and with contributing to the delinquency of a 16-year-old boy.

Operators’ Local 164 has been picketing the Murray charged with sending the boy employed by him to remove the sign from the theatre and had it alleged that he then destroyed it. Silverman denied any knowledge of the alleged incident. He has been employing operators associated with Independent M. P. Operators’ Union, Local No. 110.

“Tango” Game in Seattle

SEATTLE, Oct. 22—“Tango” games, which have been disturbing to ex-employees in the Northwest, are just beginning to hit the West Coast. They are being advertised as “Hollywood Skill Ball.”

The first game to open here has already been closed by local authorities as a gambling game, but four other license applications have been signed by other operators who are planning to fight the gambling charge.

Roach Orders Air Travel

HOLLYWOOD, Oct. 22—Hal Roach has decreed that all east-west business jaunts of the future will be by the air lines.

This was decided by the producer following a visit to New York of Henry Ginsberg, studio manager, who completed the trek in seven days, which included a four-day conference with distribution officials in New York.

DeMond Joins Monogram

HOLLYWOOD, Oct. 22—Albert E. DeMond, author of the Monogram feature, “The Sphinx,” has been signed to do the screen adaptation on “The Ape,” for that studio. Adam Hull Shirk authored the stage play. George Berthelson will supervise the production.
Let's think

PICTURE BUSINESS

The codifiers codificate, but some fourteen thousand theatres are much more concerned about filling a few million seats.

. . . Double bills or single bills . . . this or that . . . there are 365 playing days ahead and they do deserve attention.

. . . Let's think picture business instead of code . . . and let the committees write the code. New product needs much more attention . . . and it is going to get that attention in the annual NEW PRODUCT number of MOTION PICTURE HERALD COMING IN THE ISSUE OF OCTOBER 28
“Footlight” Makes a Hit On Broadway at $55,190

A Couple of Swedes

Hollywood, Oct. 22.—Believe it or not, the two boys who penned the song “When the Irish Are In Me” for Fox’s “Jimmy and Sally” are both Swedes. Their names are Jay Gorney and Sidney Clare.

Providence Houses Bumped by Parades

Providence, Oct. 22.—Grosses here were 71c-25c-40c, with parades and civic celebrations drawing customers away from the theatres.

“Vickers” $6,500 Hit, Indianapolis

INDIANAPOLIS, Oct. 22.—“Ann Vickers” ran away with the big business here last week, grabbing $6,500 at the Circle and topping the normal gross for the house by $3,000. “Night Flight” reached $6,000, up by $1,000 over the previous week.

Try First Runs at 15c.

FRIEDOW CITY, Oct. 22.—First runs at 15c are all the rage, as is Mr. Friedow’s method of doing them. It works, as he claims to have made over $10,000 on one of his first runs in the past couple of weeks.

Burkhardt to Warners

Hollywood, Oct. 22.—Robert Burkhardt, formerly with the local Fox publicity department, has joined the Warner publicist work to work on production and to write personality build-up features.

“Power” and “Bowery” Big Denver Hits

DENVER, Oct. 22.—Some remarkable grosses were chalked up here last week, with “Power” doing $14,000 at the Orpheum, above par by $5,500.

“The Bowery,” running day and date at the Denver Criterion on a 7 week run, had so many standouts that the gross was more than double average, or $7,500. It played 6 weeks and went to $3,000, at the Denver.

“Too Much Harmony,” held over for three days at the Denver, with “The Last Man” for its final week, still filled this house and gave it a gross a little short of double average. Its total first run gross was $4,500. Average was $2,500.

Estimates taken for the week ending Oct. 22.

“The Bowery” (U. A.)

DENVER—(2,600), 25c-65c, 7 days. Gross: $1,660. (Average for week, $230.)

“TOO MUCH HARMONY” (Para.)

DENVER—(2,500), 25c-75c, 7 days. Stage: Fred Nichols; programme, $200. Gross: $1,175. (Average for week, $167.)

“TO THE LAST MAN” (Para.)

DENVER—(1,900), 25c-30c-40c, 4 days. Stage: Fred Nichols; programme, $250. Gross: $1,040. (Average for week, $260.)

“Beauty” Grosses $12,000, Montreal

MONTREAL, Oct. 22.—“Beauty” for Sale ran four straight days with a take of $12,000. This beats normal by $1,500. A strong stage show helped.

“Torch Singer” and “Tomorrow at Seven” pulled $10,000 to the Capitol, above par by $1,000, and the Princess nephew of Sam Everitt of “Brief Moment” and “Narrow Corner.”

“Too Much Harmony” was weak at the Palace with a take of $9,900.

Total first run business was $40,000. Average is $39,000.

Estimated takings for the week ending Oct. 22.

“Torch singer” (Para.)

MONTREAL—(2,900), 35c-75c, 5 days. Stage: Fred Nichols; programme, $250. Gross: $9,300. (Average, $1,860.)

“Tomorrow at Seven” (Radio)

MONTREAL—(2,700), 35c-85c, 5 days. Stage: Fred Nichols; programme, $300. Gross: $8,515. (Average, $1,703.)

“Beauty” (Fox)

MONTREAL—(2,600), $35c-$1.25, 4 days. Stage; Fred Nichols; programme, $250. Gross: $7,120. (Average, $1,780.)

“Power” (Fox)

MONTREAL—(2,600), 25c-65c, 7 days. Stage: Fred Nichols; programme, $150. Gross: $6,500. (Average, $928.)
"U" to Seek Court Aid on Kansas Cuts

Grainger Orders a Suit Over "Oh, Baby"

KANSAS CITY, Oct. 23.—James R. Grainger, general sales manager of Universal, has instructed the Kansas City exchange to file suit against the Kansas censor board to test its authority in cutting "Love, Honor and Oh, Baby." Grainger contends the censors placed too vivid an interpretation on dialogue and plot.

The censor board chairman says Universal has accepted alterations and has been showing the picture in Kansas. The censors say no formal legal action has been started, but that Universal has advised the board a court test is planned.

(Continued on page 6)

Big Circuits Want To Buy Poli Group

HARTFORD, Oct. 23.—Louis M. Sagal, formerly aide and managing director of the Poli circuit during the receivership, today revealed that since the purchase last week of the bonds and houses by a group controlled by S. Z. Poli, several national circuits have approached Poli on a deal to take over the 18 houses.

Sagal would not disclose the names.

(Continued on page 6)

Pittsburgh Agog Over Maloney Fete

PITTSBURGH, Oct. 23.—This town was still talking today about the Variety Club banquet given in honor of John Maloney, outgoing president, at the William Penn Hotel here Sunday night. An estimated crowd of 600 was many personalities high in public and amusement circles.

Representatives of the amusement field on hand included Felix Feld and W. F. Rogers of M-G-M, Jules Levy.

(Continued on page 6)

Coast Studios Have 59 Films Shooting

HOLLYWOOD, Oct. 23.—Production is still above normal with a total of 59 features in work, 35 editing and 24 in the final stages of preparation ready to swing into work within the

(Continued on page 6)

“Nothing to Fear,” He Tells Tri-States

MEMPHIS, Oct. 23.—Acceptance and observance of the industry code was urged upon members of the Tri-States Exhibitors Association today by E. Kuykendall, president of the MPTOA, at the opening of the annual convention.

"Those of us who are on the up and up have nothing to fear from the code," declared Kuykendall. "It may not suit us entirely, but we can’t expect it to. Remember, there will be a grievance committee to which you can take your troubles.

"We have a fair grievance committee in every community and I won’t worry about the code, or anything else."

Practically the entire morning session was devoted to discussion of the code by Kuykendall and to his answers to questions.

H. D. Wharton of Warren, Ark.,

(Continued on page 3)

Indies Seek Statement on Legal Rights

Independent producers and distributors, grouped under the banner of the Federation of the M.P. Industry, are apparently concerned over a definition of what their legal rights may or may not be under the code and are seeking clarification by inclusion of a clause in the document so stating the point, according to Jacob Schechter, attorney for the Federation, who returned from Washington yesterday.

"We asked the administrator," referring to Sol A. Rosenblatt—whether the jurisdictional phases of the code,

(Continued on page 6)

Court Stay Sought On Milwaukee Union

MILWAUKEE, Oct. 23.—The Independent M. P. Operators’ Union, Local No. 110, has asked a circuit court injunction restraining I.A.T.S.E. Local No. 164 from interfering with patrons attending theatres employing independent operators. A hearing will

(Continued on page 5)

Charge Made Wired Protests To Code Faked

Government Is Reported Studying Complaints

WASHINGTON, Oct. 23.—Charges that recent telegrams to Washington protesting against the film code were sent in the names of persons who had no knowledge of the fact have been received by the National Recovery Administration, was disclosed today by Deputy NRA Administrator Sol A. Rosenblatt.

Inquiries in Cleveland and Newark, according to a telegram to Rosenblatt, disclosed that wires purporting to come from certain people were sent without their knowledge, that the first intimation they had of the unauthorized use of their names was upon receiving acknowledgment from Washington.

Investigation is being made by the Administration itself, the deputy administrator said, but affidavits and other evidence to support the charges are received, the matter will be laid before General Hays, who, if the situation appears to warrant such action, refer it to the Department of Justice.

Questions relating to the code were this afternoon discussed by Rosenblatt.

(Continued on page 5)

RKO Theatres May Go Into Two Zones

RKO theatre operations may go into a two-way split under a plan which J. R. McDonough is reported considering. This would divide the country between his eastern, and western management with Leslie Thompson perhaps handling the east and Nate Blumberg the west.

Joe Flunkett, former general manager of the circuit, entered the speculation yesterday as a possible candidate for one of the two posts.

Schenck, Goldwyn Quit Hays Group

HOLLYWOOD, Oct. 23.—Incensed over the attitude of other producers toward Article 5 in the code, Joseph M. Schenck and Samuel Goldwyn today announced the resignation from the M. P. P. D. A.

Tonight Schenck issued the following statement in explanation of his resignation:

(Continued on page 6)
Looking 'Em Over

"King for a Night"

(Universal)

Chester Morris sincerely portrays the role of a small town fighter with the championship as his goal in a drama which will appeal generally.

Helen Twelvetrees, Grant Mitchell and Alice White do some good work in support. Georgia Varvogil, John Miljan, Frank Albertson and Warren Hymer also contribute nice work.

The son of a minister and always ready with his right, Morris gets an opportunity to go to the big city and build his way up to the championship fight. His prospects go to pot when he is O.K. ed by Maxie Kassel who walks in on him. He gets a job as soda jerker and tries to make the fight grade alone, but without success. When his sister, Miss Twelvetrees, comes to town, Miljan, another promoter, takes her to and promises to give Morris the build-up he needs. As a sacrifice, the heroine consents to live with Miljan without her brother knowing it. The fighter finds out about the affair from Miss White, whom he has been courting and who two-times him.

Morris goes to his sister's apartment and finds she has just murdered Miljan. He tells his sister to clear out while he takes the blame. He does, and that night, he is chased after knocking out the champ. He is sent to the clarice despite his sister confessing. His father says the last prayer in a dramatic scene which may call for the handkerchiefs. Kurt Newman directed. Should go over big with fight fans.

Hearings on Taxes

Open in Washington

WASHINGTON, Oct. 21.—Hearings on taxes were began today before a subcommittee of the House Ways and Means Committee, which had hired Treasury experts who are to make recommendations. With heavy revenues from liquor sales as being examined early in the year, members of the committee believe there is opportunity for permanent revision of the Revenue Act of 1932. Elimination from present nuisance taxes. If it is determined upon, it is understood underwriters interests will appeal recall of the admission tax.

Open St. Louis Nov. 3

Fanchon & Marco will reopen the S. S. Kirk and Louis, in New York, F. & M. & took over the house last week from Harry Koplar and closed it for alterations.

Col. Signs Sue Carol

HOLLYWOOD, Oct. 23.—After an absence of over two years from the screen, Sue Carol, ex-clerk in the leading feminine role in "Straight Away" at Columbia.

Eastman Jumps Five and Three Quarters

COLUMBIA Pictures, Inc., 3700 S. Vermont Ave., Los Angeles, Calif., has signed for the leading feminine role in "Straight Away" at Columbia.

J. M. Franklin Adds To Canada Circuit

TORONTO, Oct. 23.—In the construction of the new Dundas Theatre at Dartmouth, Nova Scotia, Joseph M. Franklin, for the RKO Pictures representative in Canada, is adding a fourth to his circuit in eastern provinces of the Dominion.

Joe Franklin controls the Trans-Lux franchise for Canada but this project is in abeyance pending arrangement for securing of necessary shorts for Trans-Lux programs.

Skouras Traveling

ALBUQUERQUE, Oct. 23.—Charles Skouras, en route from New York to Hollywood, was aboard the Chief tonight.

Sue on Milwaukee Rent

MILWAUKEE, Oct. 23.—An action to collect $8,294 in back rentals for the Oriental and Tower, local neighborhood buildings, has been started in circuit court by the M. L. Investment Co. against Statewide Theatres, Ino, Oscar Brachman, John and Tom Saxe. The defendants have answered a claim alleging the rents have been paid.

Forgotten Men

For Bookings and State Rights Wire

JEWEL PROD., Inc., 723 7th Ave., New York City

"Most compelling motion picture this reporter can recall, bar none."—N. Y. Herald-Tribune.

Technicolor Up Three Quarters

WARNER BROS. Rises Two and Three-Eighths

Purely Personal

HELENE TURNER, formerly with Paramount, is now in New York, having recently completed editing three features made at the SunHaven Studios in Florida.

F. RALPH GERVIES, just back from a five-week exploitation tour on "Lady for a Day," has been put in charge of exploitation for the Greater Manta Exhibition Corp.

HERB ROSS decided it was to fishing on Sunday and almost got lost in the fog banks off Sheephead Bay.

MILDRED PATTERTON and BERTY FAULKNER have joined the Gae Foster troupe at the 7th Ave. Roxy.

E. M. GLUCKSMAN and MYRON ROBINSON did their lunching at Schrafft's—2d Street—yesterday.

MILK KUSSL, New York State district manager for Paramount, is getting over a severe cold.

MRS. ADELINE SCHURRLE arrives from the coast next month en route to Russia.

J. J. UNGER, Paramount district manager, is battling a cold these days.

HAL HONE is going in for green and brown combinations.

LYNN FARNOL arrives from the coast next week.

Pecora Supporters Meet at M. P. Club

Film men already members of a committee to further Ferdinand Pecora's campaign for the Senate, have taken out subscriptions for the McKeve ticket in New York meet at the Motion Picture Club to-day, which has formed a committee under the leadership of Joe Brandt.

Serving with Brandt are Louis Rogers, the vice-chairman, and Hal Horne, Jack Alcotive, Leo Leon, Joe Gallagher, Bert Adler, Louis Rydell, A. P. Waxman and Joe Seiden.

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Jack Warner Due

Jack L. Warner is scheduled to arrive in New York from the coast tomorrow and probably will take in the showings of "The World Changes" at the Hollywood in the evening.

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Charge Made
Wired
Protests
To Code Faked

(Continued from page 1)
with members of the President’s staff. Visiting the White House, the deputy administrator is understood to have conferred on the code at length, but refused to say what points were covered. He did not see the President, he said.

See Possible Changes

Indications that a number of changes will be made in the code before it goes to Johnson were seen tonight. Abram F. Myers and his associates had a long conference with Rosenblatt Saturday afternoon, at which it is said a number of suggestions were made, some of which may result in amendments to the agreement. There were, however, Richberg said, no fourth complete revision.

An executive order signed by Pres.

Donald set the full $30,000 the have those matter 23.— carry
ences wood appearance some York advisers. public goes the in row will, Wong, Richberg, F. Chin who to that Broadway,” says, who engaged the the manufacturing the recovery of this the president and, final outcome of the matter probably will be a vote of confidence in the present leaders with instructions to carry along lines heretofore purposed.

The independents’ analytical protest on code clauses will be the basis of tomorrow’s discussion, with little likelihood that exhibitors gathered here will offer anything to materially change it, all of which was taken by Mr. and Mrs. McCard’s statement, which was a firm protest that the code clauses were not aright with anything, or that they were going to affect the independent exhibitors.

In reply to a direct question put to him by Motion Picture Daily, Rosenblatt said on Oct. 15 in Washington, D.C., that there was nothing in the NRA to prevent a disgruntled individual from resorting to court at law in the case of a refusal to abide by the decision by code authority on any disputed issue.

Court Stay Sought
On Milwaukee Union

(Continued from page 1)
be Oct. 28 on an order to show cause why a temporary injunction should not be issued. The A. F. of L. and the Wisconsin federation are also named as defendants.

The defendants are charged with conspiring to boycott the Fern, Murray and Park, neighborhood houses operated by Manning Silvermann.

The complaint alleges that the A. F. of L. union has been insidious and to means beyond moral persuasion to intimidate prospective patrons.

Local No. 164 has been strengthening its position among local independent houses and recently signed up the Parkway, Astor, Jackson, be Davis’ of which had been employing nonunion operators.

Broadway will Seek
Film Talent—Jolson

Hollywood, Oct. 23.—Al Jolson, recently arrived in Hollywood to star in “The Wonder Bar” for Warners, is predicting a comeback for the New York stage.

“Broadway,” he says, “is going to hit back at Hollywood and find some of those famous talent raids.”

“New York theatres are definitely on the comeback and capacity audiences are starting to make their appearance again. Booking offices and theatrical agencies are starting to hum once more and before long, Hollywood is going to lose many stage favorites that have been here during the lean days on Broadway.”

B. G. Signs Miss Wong

London, Oct. 23.—Anna May Wong, who recently signed the “Tiger Bay” for Wyndham Film, has been signed by British Gaumont for the starring role in the talker version of “Chu Chin Chow,” production to begin immediately. Herbert Wilcox made it as a silent.

About 300 at Allied’s
Meet; Course Not Fixed

Indies Seek
Statement on Legal Rights

(Continued from page 1)
as outlined by the code itself, covered all of our rights. If we can see under the NRA, we asked that a clause specifically stating so be included.”

Schechter was of the opinion yesterday that the code is not in its final form. In addition to changes sought by independents, he listed protests from talent groups against Article 5, which was Article 10 in the producers’ submitted code, as among those which are outstanding.

In reply to a direct question put to him by Motion Picture Daily, Rosenblatt said on Oct. 15 in Washington, D.C., that there was nothing in the NRA to prevent a disgruntled individual from resorting to court at law in the case of a refusal to abide by the decision by code authority on any disputed issue.

Erpi’s Appeal Up in
Supreme Court Today

WILMINGTON, Del., Oct. 23.—Hear-
ing is set for tomorrow in the suit brought by Vitaphone against Erpi for an accounting on a series of transactions, involving $40,000, before Chief Justice James Pennewill in the Delaware Supreme Court. Agreement to the issuing of patents and equipment for talking pictures.

Erpi, in an equity suit, attempted to have case dropped out of the court, holding there had been an agreement to have claims arbitrated.

Chancery Court ruled, however, that this defense was not sufficient in law and an appeal was taken to the Supreme Court.

Vitaphone charged the protracted arbitration proceedings in New York were unfair and being willfully protracted at excessive expense.

Frisco Runs “Angel"
All Night as Opener

SAN FRANCISCO, Oct. 23.—“I’m No Angel” was kept going all day and all night for the opening at the Paramount, a stunt unheard of before, except on New Year’s. It is expected to go to $30,000 the first week, twice the normal take of the house.

Hold Norman Foster

Hollywood, Oct. 23.—Fox has exercised its option on Norman Foster and has decided not to lift the option on O. P. Willcox, of whom Foster will be the completion of his role in “Sleepers East.”

Code Signing
Plea Is Voiced
By Kuykendall

(Continued from page 1)
President. During the code discussions, M. A. Lightman, former na-

tive, presented solutions to the problem, but the Loew’s admission prices in Memphis, complaining that Loew houses get only 15 cents for “A” pictures, which must be later throughout the terri-

ity at higher prices.

Lightman Elected President

Later in the day Lightman, ex-pres-

ident of the M. P. T. O. A., was elected by the executive committee of the Motion Picture Daily’s ex-

clusive story at the time of Kuyk-

endall’s election to the national post some time back. Lightman was elected over O. C. Hauber of Jackson, Tenn., and R. X. Williams of Ox-

ford, Miss.

Sentiment among exhibitors was that the drafting of Lightman into office is essentially a vote of confidence in the code, due to uncertainty of the code and because of his knowledge of this situation locally and nationally.

After a full morning of discussion of the code, Tri-State exhibitors unanimously adopted the resolution of the third tentative draft and instructed the secretary of the unit to wire Deputy NRA Administrator Sol. A. Rosen-

belt of its adoption. Dealers were advised that mimeographed copies of the code as it applies to the individual exhibitor will be mailed to them from Tri-State M. P. T. O. headquarters within the next 10 days.

Kuykendall and Lightman were both thanked in a resolution for their work on the code and other industry matters. Mrs. Alma Walton of Memphis was re-elected treasurer, and Mrs. H. L. Smith was re-

elected Mrs. M. S. McCord of Little Rock. The organization picked Mrs. Walton in deference to Mrs. McCard’s request that she be relieved and upon the suggestion of Kuykendall that a Memphian be selected as an aid to Lightman in the handling of code matters.

Other officers elected were vice-president of Arkansas: O. W. McCutchen, Blytheville; Miss, R. X. Williams of Oxford, and of Tenn, W. F. Ruffin, Covington.

Speakers were W. B. Henderson, district NRA director; Mrs. Larry Aker, president of the Memphis Better Films Council, Mrs. Willis Campbell, club woman, and Roy Pierce, manager of the Orpheum.

Leon Krim, Detroit
Theatre Head, Dead

DETROIT, Oct. 23.—Leon Krim, 57, veteran exhibitor, died suddenly last night. He had been ill more than a week, but show business recently. He was the leader in the fight against Mid-Sates Theatres, and received the Mid-Sates orders, made a trip to Washington to present his case to Deputy NRA Ad-

ministrator Sol. A. Kuykendall. Death was due to a stroke. Funeral services were held this afternoon.
**“U” to Seek Court Aid on Kansas Cuts**

(Continued from page 1)

"Scarface" was released after being held up more than a year, and "What Price Innocence" was passed several weeks ago. Eight pictures, which were barred for years, have recently been admitted.

Suits of this type are rare. There were only 31 requests for re-examinations in New York last year and no more than 10 have been handled at the State Board of Censors were made in "Goodbye Again," after the show had wound at the Picture House.

Morris A. Mechanic, proprietor, started the picture in good faith because he had prevailed with a censor board seal attached and ran that print, but it turned out that an uncensored print had been sent to the theaters.

When the screening was finished after it had been discovered by an inspector who had been an editor, the same seal was found stamped, but it had been taken out of the feature. The show had been advertised heavily with two contests running in editorial parts of two newspapers and a full page tie-up ad with a department store. Two shorts had to be obtained quickly to fill the gap.

**Pittsburgh Agog Over Maloney Fete**

(Continued from page 1)

and Edward McElroy of KRO-Radio, Hermann Robbins and George Demowl of National Screen Service, Pat Carney of Art Products, Edward C. Grainger of Fox, Steve Trilling and Clayton Bond of Warners, Harold Keney of NBC, Frank McCarthy and Max Cohen of Universal, George Tyson and Christy Wilbert of Skouras theaters, St. Louis; Lou Astor of Columbia Pictures, Edward Fontaine of the Paramount, Cleveland; Frank Drew of M-G-M, the same city; Fred Roblin of the Paramount, Buffalo; J. Schmeritz of the Fox, Cleveland, and Norman Freccott.

Among those at the speakers' table were Governor George White of Ohio, U. S. Senator James J. Davis and Mayor John S. Herron of this city. George Jessel was another at the speakers' table.

**Seattle Plans Film Ball**

Seattle, Oct. 23.—Bob Murray, manager of John Harrick's Blue Mouse and Music Box theaters, has been appointed chairman of the first annual "Movie Ball," to be held later this month under the auspices of the Olympic Breakfast Club. All of the downtown houses will participate.

**It's Diplomacy**

Hollywood, Oct. 23.—M-G-M's Italian version of "Prizefighter and the Lady," with Primo Carnera and Max Baer stage a championship fight, will show the ambashing Ali knocking out Baer for the satisfaction of the Fascists. Since Baer is a Scotch Jew, fans from Glasgow and Palestine will watch the reverse. The American version, however, shows the fight to a draw.

**Big Circuits Want To Buy Poli Group**

(Continued from page 1)

of the circuits seeking the properties in Massachusetts and Connecticut, but stated negotiations were now in progress.

It is understood that Loew's is bidding for the Poli circuit.

**Schenck, Goldwyn Quit Hays Quits**

(Continued from page 1)

"I have resigned because I am opposed to the policies which the association is attempting to run by distributors in New York who happen to be the bosses of producers belonging to it. Where the real producers, the men who make the pictures, asked their opinion of the code, they were unanimously against it. Unfortunately, the rulers in New York, the proposers of that code, have not consulted them. These gentlemen's attempts to dictate production policy without knowing the temperaments of actors, writers and directors with whom they are dealing have succeeded in bringing about partial demoralization of their studios."

"Some of these gentlemen in their efforts to alibi to stockholders for mismanagement are attempting to place the entire blame of the failures of their employees. Although salaries are partially responsible for the high cost of pictures, this responsibility is only partial. The greatest responsibility lies in the waste of time and indecision on the part of the producing organizations, all of which attempt to make more pictures than they are capable of. Responsibility for this situation rests solely with the New York gentlemen. Rather than belong to an organization that runs in diacritical opposition to a pool of fairness to all, I have resigned."

Schenck announced the resignation of Goldwyn in the same statement, asserting the latter was in "full accord" with his own views.

**“Angel” Nearing Record**

Newark, Oct. 23.—The Paramount is heading for a record with "I'm No Angel" grossing $16,000 for the first three days.

**"Millions" Gets $21,500**

"Saturday's Millions" grossed $21,500 at the Old Roxy.

**Hollywood Personalities**


E DWARD SUTHERLAND, who will direct "Fox Movietone Follies of 1934," has gone into conference with Lew Brown and expects to get started Nov. 1.

MAXINE POLLOCK appears in "Eight Girls in a Boat," as her first under the contract with Charles R. Rogers Productions.

SPANKY MACFARLAND runs rebits for Sardi's in "Miss Fane's Baby Is Stolen" (Paramount).

IRENE DUNNE's next for Radio will be "Age of Innocence." "Stingaree" has been postponed.

LAMBERT HILLYER will direct "Once to Every Woman" (Columbia).

MACK GORBAN and Harry Reville wrote the songs for Mae West's next "It Ain't So Sinful" (Paramount).

TOM REESE, back from a stage tour, deserts he will return to westerns.

SONYA LEVY and SAMUEL HOF-FENSTEIN will collaborate on "All Men AreEnemies!" (Fox).

FRANCES DRAKE's first screen role will be opposite GEORGE RAFT in "The Trumpet Blows" (Paramount).

GORDON WESTCOTT and NELLA WALKER given roles in "King of Fashion" (Warners).

ANN DÖYMAR assigned the femi- nine lead in "The Wonder Bar" (Warners).

LILLIAN HARVEY's next for Fox will be "Lottery Lover."

DAVISON CLARK added to "Wild Birds" (Radio).

SPENCER CHAPERS added to "Hips, Hips, Hooray!" (Radio).

ABBIENCE AMS assigned to "The Trumpet Blows" (Paramount).

JEAN PARKER, 17 years old, goes into "Wild Birds." (Radio).

WALKER CLARK assigned to "Mas- sacred Warning." (Warners).

GEORGE MEEKER and Bob CHANDLER added to "Hi, Nellie" (Warner).

HAL WALDRICK added a role in "Easy to Love." (Warner).

WILLIAM BAKEWELL signed for a role in "Straight Away." (Columbia).

JAMES GLEASON spotted in "Search for Beauty." (Paramount).

PHILIP REED joins the cast of "King of Fashion." (Warners).

HERBERT CAVANAUGH assigned to "Mandalay." (Warners).

J. CARROLL NAISH penciled in the cast of "Sleepers East." (Fox).

EDWARD GARGAN, brother of Bill, goes into "Jimmy and Sally" (Fox).

**New Deals on Publix Houses Are Approved**

Arrangements were completed yesterday on two foundation properties in South Bend, Ind., and two Knoxville, Tenn., houses when Irving Trust Co., as trustee in bankruptcy for Publix Enterprises, was authorized by Referee Henry K. Davis to proceed with lease negotiations tentatively agreed upon with lessees.

The trustee was also authorized to convey the Lakeland Theatre property, Lakeland, Fla., to the Volunteer State Life Insurance Co. to satisfy a mortgage indebtedness of $41,703, as of July 1, and was authorized to sell 25,000 August, and Publix Enterprises, Inc., to Arthur Lucas and William K. Jenkins, Publix operating partners, for $25,000. August Enterprises holds three theatres at Augusta, Ga., managed by Frank J. Miller, who continues in that capacity under the terms of the deal.

In the South Bend lease negotiations a new corporation will be organized to take a lease on the Palace and the new will be made by Publix-South Bend, Inc., in consideration for which the real property and not the theatre will be transferred to J. J. Kiser, trustee for the South Bend subsidiary.

SCHENCK, former partner of Publix Enterprises, Inc., will retain his $2,625 claim of the subsidiary against Publix Enterprises is to be withdrawn.

In Knoxville a new corporation will be formed to take a lease on the Riveria and Strand and there to purchase personal property and equipment in the theatres from the trustee for Tennessee Enterprises, Inc., operating subsidiary of the houses, for $5,500.

A hearing scheduled for yesterday on various lease claims against Publix Enterprises was postponed to Oct. 30.

**Coast Studios Have 59 Films Shooting**

(Continued from page 1)

next two weeks. In the short subject field there are eight working, 10 preparing and 15 editing.

Feature productions shooting lists M-G-M as having eight; Fox, six; Paramount, seven; Roach, Salient and Goldwyn, one each; Century, four; Universal, six; Columbia, three; Warners, five; Radio, seven with the smaller independent organizations totaling 10.

**F. P. Canadian Adds Two**

Toronto, Oct. 23.—Famous Play- ers' circuit in eastern Canada has been enlarged to the extent of two theatres in the taking over of the Empress and Capitol in Moncton, N. B. Fred W. Vincent, owner of the two houses, is now associated with F. P. Canadian Corp.

"Eskimo" to Open Soon

M-G-M is considering plans to put "Eskimo" into the Astor about Nov. 15. The date is not definite yet, it is understood.
Philadelphia
Tips $12,000
To “Bowery”

PHILADELPHIA, Oct. 23.—“The Bowery” knocked this town for a loop last week with a $12,000 gross at the Aldine. This beats par by $5,000.

There were only two strong attractions besides this. “Night Flight” grabbed $8,500, and “Golden Harvest” was good for $15,000 at the Earle. The $18,000 on “Night Flight” wasn’t strong enough for the Stanley and stage shows are being dropped.

The Arcadia had trouble with its second runs. This Day and Age crumbled in triumph. On “My Weakness,” was brought back to finish the week, but also dropped after two days.

Total business was $91,150. Average is $87,100.

Estimated takings for the week ending Oct. 15.

**THE BOWERY** (U.A.)
ALINE—$19,500, 7 days, Gross: $12,000. (Average, $1,714.)

**HORSE FEATHERS** (Para.)
ARCADIA—$6,000, 6 days, Gross: $600. (Average, $100.)

**VICKERS’** (Radio)
BOYD—(3,000), 5c-50c-60c, 6 days, Gross: $10,000. (Average, $1,666.)

**GOLDEN HARVEST** (Para.)
GROSS—$8,500, 7 days, Gross: $1,214. (Average, $173.)

**WORST MAN IN PARIS** (Fox)
EARLE—(3,000), 30c-40c, 6 days, Stage: Nick Lucas, Jay Millis, Roy, Zanuck.

**TOO MUCH HARMA** (Para.)
KELTON—$16,000, 6 days, Gross: $1,500. (Average, $250.)

**CHARLIE CHAN’S GREATEST CASE** (Fox)
KEITHS—(3,000), 25c-30c-40c, 5 days, (2 runs.) Gross: $1,500. (Average, $300.)

**BERKELEY SQUARE** (Fox)
LOCUST—(1,500), 30c-40c-50c, 6 days, Stage: Morton Downey, Sally Ward, Alice Dawn. Gross: $18,000. (Average, $3,000.)

**STAGE MOTHER** (M-G-M)
STANTON—(3,000), 30c-40c, 6 days, Gross: $6,700. (Average, $1,116.)

“I’ll” Reel Goes to Pitt

PITTSBURGH, Oct.—Universal has landed a downtown, first run outlet for its first picture locally for publicity purposes with the Post-Gazette. It has been placed at the Pitt, recently reopened by George Quill. Last year the reel was at the Variety, now playing burlesque.

**“Bowery” $13,100, Exceeds Buffalo Par by Over 100%**

BUFFALO, Oct. 23.—The “Bowery” was the week’s big news, taking $13,100, or $1,100 more than twice the normal business of $4,940, and taking that title away from “Love, Honor and Oh, Baby!” at the Lafayette was the only other film to reach $10,000 average. Total box office run business was $49,400. Normal is $44,300.

Estimated takings for the week ending Oct. 15.

**MY WEAKNESS** (Fox)
BUFFALO—$9,500, 7 days, Stage: Mills Bros., Freiser Sisters, Four Clarion Boys, Ben Felsen & Band Clemmings. Gross: $14,100. (Average, $2,014.)

**GOLDEN HARVEST** (Para.)
CENTURY—(3,000), 25c, 7 days, Gross: $5,500. (Average, $785.)

**GREAT LAKES**—ASHFORD—(3,000), 25c, 7 days, Stage: “Eva,” with supporting company of 40. Gross: $9,000. (Average, $1,286.)

**THE BOWERY** (U.A.)
HIPPODRUM—(2,000), 25c-40c, 7 days, Gross: $13,800. (Average, $1,971.)

**LOVE, HONOR AND OH, BABY**
HOLLYWOOD—$1,200, 7 days, $250. (Average, $35.)

**LOAF**—LAFAYETTE—(3,000), 25c, 7 days, Gross: $6,700. (Average, $955.)

“Angel” Hits $24,500, Big in Cleveland

CLEVELAND, Oct. 23.—“I’m No Angel” opened to the biggest midnight show ever presented at Loew’s State and continued to pack the house all week, grossing $24,500, which is about four times average business. The Hippodrome with the Marlene Dietrich stage show, and “East of Fifth Avenue” on the screen, including a 2120 special Saturday night performance, was so played that one does not know what to $3,000, establishing a record. Ethel Barrymore drew considerable patronage as the “Widow of St. Paul.” Other first run ran average or under.

Total first run business was $82,500. Average is $14,833.

Estimated takings for the week ending Oct. 20.

**CAPTURED** (Univ.)
O. S. ICEBERG—$1,400. (Average, $200.)

**LOVE, HONOR AND OH, BABY**—(Univ.)
ALLEN—(3,000), 25c-30c-40c, 4 week, Gross: $3,000. (Average, $750.)

**EAST OF FIFTH AVE**—(Col.)
WARNERS—LAFAYETTE—(3,000), 30c-35c-40c, 6 days, Gross: $2,500. (Average, $416.)

**INDIA SPEAKS** (Radio)
WARNERS—LAFAYETTE—(3,000), 30c-35c-40c, 6 days, Gross: $2,100. (Average, $350.)

**“WOMAN”** (Col.)
RKO PALACE—(3,000), 25c-30c-40c, 7 days, Stage: Ethel Barrymore, Landt Tele, Stage: “Beverly Young, Three Brothers, Bryant-Rains & Young. Gross: $2,500. (Average, $357.)

**I’M NO ANGEL**—(Cola)
STATE—(2,000), 25c-30c-40c, 7 days, Gross: $2,500. (Average, $357.)

**DISCARNED LOVERS** (Tower)
STATE—(2,000), 25c-30c-40c, 7 days, Gross: $4,000. (Average, $571.)

**MARY’S** (Radio)
FOX—(1,500), 30c-40c, 7 days, Stage: Charlie Foy, Nate Brussell, the Four Hearts, Frankie Crisp. Gross: $1,800. (Average, $257.)

**“WORST MAN IN PARIS”** (Fox)
FOX—(3,000), 30c-40c, 6 days, Stage: Nick Lucas, Jay Millis, Roy, Zanuck.

“Harmoney” at $11,500 Tops Twin Cities

MINNEAPOLIS, Oct. 23.—“Too Much Harmony” was the only film to rise above average in the box office receipts, in both the Twin Cities. It took $6,000 here and $5,500 across the river.

The World in St. Paul, closed during the previous week for decoration, opened this week with the English film, “Good Companions,” taking a $1,000 gross for a starter in a 300-seat house.

The Minneapolis quintet totaled $17,220 and St. Paul’s five grossed $15,000, which is average business in both cities.

Estimated takings:

**MINNEAPOLIS**
Week Ending Oct. 19

**BROADWAY TO HOLLYWOOD**
(C.G.-M)
CENTURY—(2,000), 25c-30c-40c, 7 days, Gross: $3,500. (Average, $500.)

**THE ONLY DAY AND AGE**
LYRIC—(2,250), 25c-25c, 7 days, Gross: $1,500. (Average, $214.)

**BROADWAY TO HOLLYWOOD**
(C.G.-M)
WOMAN—(2,000), 25c-30c-40c, 7 days, Gross: $5,000. (Average, $714.)

**TOO MUCH HARMONY**
PARLIAMENT—(2,300), 25c-75c, 7 days, Gross: $6,000. (Average, $857.)

**MIDSHIPMAN JACK**
(Radio)
RKO ORPHEUM—(2,600), 25c, 4 days, Gross: $250. (Average, $62.50.)

**WILD BOYS OF THE ROAD**
 (F.N.R)
HOLLYWOOD—(2,000), 25c-30c, 7 days, Gross: $2,500. (Average, $357.)

**THE GOOD COMPANIONS**
 (Fox)
WORLD—(2,250), 25c-25c, 7 days, Gross: $1,000. (Average, $142.85.)

Lease Shelby, O., House

SHELBY, O., Oct. 23.—The Opera House, a 700-seater, dark for three years after the lease, H. D. Sheller, closed, and opened as the Astoria which is owned, now has been leased for five years by William and Joseph Felter. Sheller’s lease expired recently, and was not renewed.

William Felter operates the Moose at Norwalk. The house will be redecorated, and sound equipment and seats installed.

Bickert Takes 2 in Ohio

LOXONVILLE, O., Oct. 23.—B. W. Bickert, operating the Ohio here, and the Grant, at Orrville, O., has taken over the old Grange, which is going to be the site of a new theatre, forming the nucleus of a more extensive circuit.

The Grant heretofore has been under lease by Fred Edwards and Charles Clark.

Two Open in South

NEW ORLEANS, Oct. 23.—Two runnings in this territory are the Capital at Jackson, Miss., and the Columbus at Hammond, La.
“Bowery” at $11,500 2nd
Frisco Week

SAN FRANCISCO, Oct. 23—The hottest October weather in more than 20 years kept folks away from the theatres here last week, and as a result boxoffice was slow in general.

“The Bowery,” in its second week at the United Artists, continued high with $11,500, and will probably go for two or three more stanzas. Jean Harlow in “Bombshell” proved the best money maker of the week with $18,000 at the Warner, still a thousand below par. Maurice Chevalier in “The Way to Love” held steady at $15,000 at the Paramount, which was very good considering the weather.

Total first run business was $88,200. Average was $2,800.

Estimated takings:

**Week Ending Oct. 17:**
- **MY WOMAN** (Col.)
  - GOLDEN GATE—$2,800, 25c-45c-45c, 7 days. Stage: Georgia Minstrels. Gross: $2,800. (Average: $400.)

**Week Ending Oct. 18:**
- **BOMBHELL** (M-G-M)
  - WARFIELD—$8,000, 45c-65c-75c, 7 days. Stage, band, girls. Gross: $8,000. (Average: $1,143.)

**Week Ending Oct. 19:**
- **SUNDAY’S MILLIONS** (Univ.)
  - ROYAL--$800, 25c-40c-50c, 7 days. Stage, Rowdy Band, Wolf, girls. Gross: $800. (Average: $114.)
- **PADSY, THE NEXT BEST THING**
  - EL CAPITAN—$2,000, 25c-45c-60c, 7 days. Stage, band, girls. Gross: $2,000. (Average: $286.)

**BROADWAY TO HOLLYWOOD** (M-G-M)
- EMBASSY—$1,300, 40c-50c-60c, 7 days. Gross: $1,300. (Average: $186.)

**Week Ending Oct. 20:**
- **CURTAIN AT 8** (Majestic)
  - FOX—$4,000, 30c-25c-35c, 7 days. Ted Fino-Rite band. Stage: $800. (Average: $114.)
- **LOVE**
  - PARAMOUNT—$2,600, 50c-55c-75c, 7 days. Gross: $2,600. (Average: $371.)

**WILD BOYS OF THE ROAD** (Warn.)
- ST. LOUIS—$1,800, 25c-40c-50c, 7 days. Stage, girls. Gross: $1,800. (Average: $257.)

**GOING** (A. L.)
- UNITED ARTISTS—$1,200, 25c-40c-50c, 7 days. Gross: $1,200. (Average: $171.)

Bing Crosby Deal on “Alice” Called Off

Hollywood, Oct. 23.—Because Paramount will not pay the salary demanded by his brother and manager, Bing Crosby will not appear in “Alice in Wonderland.”

Crosby had under contract to Paramount for four pictures a year at a four-figure salary per picture. The studio had asked the crooner to sign a side-deal for “Alice” in which he was to appear in a short sequence to sing a song, but when Bing’s manager demanded that the studio pay him the usual four-figure salary, the deal cooled.

Paramount is now trying to get Arthur Jarrett to croon in Bing’s place.

**B. & D. Refinancing**

London, Oct. 23—British and Dutch investors will hold a meeting at the end of this month to rewrite its financial structure. The plan calls for a write-off of approximately $900,000. For the first six months of the current fiscal year to April 29, profit was approximately $80,000.

**“Footlight” Hits $24,000**

In Pittsburgh

PITTSBURGH, Oct. 23.—While the Stanley, with “Footlight Parade,” was almost trebling its average gross with $24,000, and the Penn Theatre showing a record high with “Night Flight,” the return engagement of “The Three Little Pigs” last week, the first run houses were all taking it on the chin.

“Footlight Parade” topped even “42nd Street” and “Gold Diggers of 1933” but fell far short of the Penn gathered around $17,000, with “Three Little Pigs” getting almost as much credit as the feature picture itself. The Davis, at $1,000, hit a new low with “Midshipman Jack,” which went out after five weeks, while the Fulton didn’t fare a whole lot better with “Disgraced,” getting only $2,900.

The Pitt, too, slipped to $4,200 with “The Phantom Broadcast” and vaudeville, while the Warner, with “Saturday’s Millions,” did fairly well at $4,700, giving a good opening on the strength of a football tie-up arranged with the University of Pittsburgh.

“Dinner at Eight,” with its roadshow engagement at the Nickson weakly, claiming only around $3,900 for its third week.

Total grosses in six first run houses were $53,800. Average is $9,700. Estimated takings for the week ending Oct. 21:
- **MIDSHIPMAN JACK** (Radio)
  - DAVIDS—$2,900, 25c-40c, 5 days. Gross: $2,900. (Average: $580.)
- **DINNER AT EIGHT** (M-G-M)
  - FULTON—$1,750, 45c-60c, 6 days. Gross: $1,750. (Average: $292.)
- **LIGHT FLIGHT** (M-G-M)
  - PENN—$3,300, 25c-35c, 6 days. Gross: $3,300. (Average: $550.)
- **PHANTOM BROADCAST** (Monogram)

**“Vickers” $5,200**

Draw in Oklahoma

OKLAHOMA CITY, Oct. 23.—“Ann Vickers” at the Criterion for top money here last week, doing $5,200, which is above average by $300. The Liberty, with two changes, came out very well, doing $1,800 on “Tarzan, the Fearless” and $1,600 on “Brief Moment,” which gave that theatre a total of $4,400 above the average.

The Capitol hit par with “Broadway to Hollywood,” taking $3,000.

Total first run business was $11,600. Average is $11,000.

Estimated takings for the week ending Oct. 21:
- **ANN VICKERS** (Radio)
  - CRITERION—$1,700, 15c-25c-35c-45c-55c, 7 days. Gross: $1,700. (Average: $243.)
  - BROADWAY TO HOLLYWOOD** (M-G-M)
  - CAPITOL—$3,000, 15c-25c-35c-45c, 7 days. Gross: $3,000. (Average: $429.)

**“BOWERY” $15,000**

Hit in Providence

Providence, Oct. 23.—Both Loew’s and the RKO Albee skyrocketed to exceptionally big grosses here, catching $15,000 apiece with strong hold. Loew’s is indebted to the smash hit, “The Bowery,” for its high rating, as the vaudeville was mediocre, but the Albee had George White’s “Scandals” in bank rather than the picture, “Love, Honor and Oh Baby.” Both Fay’s and the Majestic knocked out over $7,000 each, catching $7,000 each, while the Paramount was so-so.

Stiff competition between Loew’s and Albee these days with the latter bringing Morton Downey to town next week. Recently Loew’s had the Mills Brothers as vaude headliners.

Total first run grosses were $51,200. Average is $43,500.

Estimated takings for the week ending Oct. 21:
- **POWER AND THE GLORY** (Fox)
  - GEORGE WHITE’S “SCANDALS” (M-G-M)
  - PAVILION—$2,900, 15c-25c-35c, 7 days. Stage: George White’s “Scandals.” Gross: $2,900. (Average: $414.)
  - **THE SILENCE EXILES** (Warners)
  - ESTATE—$1,600, 15c-25c-35c, 7 days. Stage: Stone and Vernon; Mary Hanes; Ed and Morton Beck; Maurice. Gross: $1,600. (Average: $231.)
  - **THE BOWERY** (A. U.)
  - LOEW’S—$2,600, 15c-25c-35c, 7 days. Stage: Stone and Vernon; Mary Hanes; Ed and Morton Beck; Maurice. Gross: $2,600. (Average: $371.)
  - **DR. JIM** (Majestic)
  - RKO ALBEE—$3,000, 15c-25c, 4 days. Stage: George White’s “Scandals.” Gross: $3,000. (Average: $750.)
Sale of Loew Stock Is Set For Nov. 27

Former Fox Holdings of 660,900 Shares to Go

Sale of the 660,900 shares of Loew's Inc., through which William Fox secured a virtual control of Loew's on Feb. 28, 1929, is to be made to the highest bidder on Nov. 27 by the Chemical Bank & Trust Co. Fox is understood to have paid an average of $125 a share for this block.

John R. Hazel and Thomas Nelson Perkins, trustees by appointment of the U. S. District Court since the Government won a Clayton Act decree against Fox Film and Fox Theatres. (Continued on page 6)

Franklin Undecided; Gets Dinner Tonight

Harold B. Franklin's future plans continue indefinite. He declared yesterday he was figuring on a trip abroad "for a change of scene," that he was analyzing a number of propositions and that his plans are more favorably. (Continued on page 2)

IATSE Has Signed Code's Third Draft

The I. A. T. S. E. has already signed the third draft of the proposed industry code, Isadore Bregoff of the firm of Ruben & Bregoff, attorneys for the international, stated yesterday. This binds all affiliate unions throughout the country to the agreement, he said.

Fred Dempsey, vice-president of the I. A. T. S. E., did the signing. Dempsey announced this to the I. T. O. A. at a meeting last night.

ITOA Presents Labor Terms to Five Unions

Efforts to straighten out the local labor situation were resumed last night when the I. T. O. A. and five stagehands' and operators' unions met at the Astor. The first meeting was

Says Coast Code Objections Resulted from Split in Ranks

Hollywood, Oct. 24.—Lack of union in the ranks of the creative elements at the studios resulting in an "open door" for eastern executives to write into the code those clauses which they wanted is blamed for current, widespread dissatisfaction in Hollywood over the pact, declared Lester Cowan, executive secretary of the Academy of M. P. Arts and Sciences, upon his return from Washington and New York.

He continues to feel, he said, that if Hollywood forces band together, whether under the aegis of the Academy or any other unified organization, much can yet be done with the NRA relative to the Article 5, former producers' Article 10, which talent finds objectionable. Cowan also maintains that if Deputy Administrator Rosenblatt came to Hollywood he would carry away with him a different conception of conditions at the studios.

Stagger Plan As An Aid to Musicians On

A staggering system to provide partial employment for musicians now out of work is being discussed between representatives of the five national circuits and Joseph N. Weber, president of the American Federation of Musicians. The initial meeting was held a week ago and the second yesterday morning.

Deputy Administrator Sol A. Rosenblatt is understood to have requested the circuits to get together with Weber in a move to evolve a (Continued on page 2)

Monogram Men Talk Budget Boost Today

Cleveland, Oct. 24.—Officials of Monogram will meet with the company's franchise holders from all over the country here tomorrow at the Statler to discuss expansion of the production budget for the coming season. Monogram will seek acceptance of a proposal to double the cost of

Indies to Take Code Dispute To Roosevelt

CHICAGO, Oct. 24.—Six hundred exhibitors representing 1,762 theatres, gathered here today at a meeting of Allied States, unanimously endorsed a proposal to carry on no further negotiations with Deputy NRA Administrator Sol A. Rosenblatt and appealed to President Roosevelt for a representative to produce a code satisfactory to independents. The attack on Rosenblatt's handling of the code was launched by Col. H. A. Cole of Texas, who acted as chair-

Hammons Sees Code As Help to Talent

CHICAGO, Oct. 24.—While the code in its present form may be a disadvantage to some players in the higher salary brackets, it is a benefit to the rank and file in the industry, declared E. W. Hammons today between trains.

Fox Profit for 26 Weeks Goes Up to $330,777

Fox Films yesterday reported consolidated net earnings of $330,777.61 for the 26 weeks ending Sept. 30.

Since the effective date of the company's reorganization, which was April 1, the company has accumulated a surplus of $62,582.16, its statement pointed out. No mention of the financial condition of Wesco Corp., holding company for Fox West Coast, was included, added the company, because its principal theatre operating subsidiaries are in bankruptcy.

Grass income for the period totalled $15,449,322.63. Of this sum $14,678,330.51 was from sales and rentals of

Chorine Code Shift Report Not Verified

WASHINGTON, Oct. 24—Reports that the code provision specifying that stage talent should be guaranteed one week's work if rehearsals continue for three days was to be changed in a
Looking 'Em Over

“Dance, Girl, Dance”

(Chesterfield)

Niced staged and with convincing performances by Alan Dinehart and Evahn Knapp.

It is the story of a girl betrayed by her second-rate vaudeville partner. She runs her way to New York and is discovered by a woman agent (Mae Busch), who gets a chance in the dance troupe of a night club run by Alan Dinehart. Her girlish charm intrigues him and he finances her on a trip out of town while she has a baby.

When she returns he gives her a chance to sing and eventually asks her to marry him. When Edward Nugent, returns in a repentant mood and she goes back to him.

Comedy is almost entirely absent, but the dance numbers and incidental music give the film production value. A Mayfair audience seemed interested yesterday.

Vitaphone-Erpi Suit Argued in Delaware

(Continued from page 1)

upset a decade handed down two months ago by Chancery Court. This decree would have required Erpi to pay exchange charges. Erpi argues that Chancery erred in holding that Vitaphone is barred from prosecuting the action here under three agreements entered into between the two and that Vitaphone is compelled to submit all disputes to arbitration in New York under a state authorization law.

Vitaphone charges Erpi violated its agreements by charging producers licensed by the latter to use sound equipment $500 a reel royalty, instead of eight per cent of the gross profits derived from the use of licenses.

New Kind of Gift

S. Charles Einfeld celebrates a birthday today—about his 32nd. The Warner publicity and advertising staff, passing up the usual sort of gift, is centering activities on giving him instead its ace Broadway opening in connection with debut of “The World Changes” at the Hollywood tonight.

Next Summerville-Pitts


Franklin Undecided;
Gets Dinner Tonight

(Continued from page 2)

ward production than any other phase of the business.


Robert Schoen Passes

Robert Schoen, 62, veteran local exhibitionist, died of heart failure late Monday at his home in Wood. Services will be held today at Reich’s Chapel at 444 Central Park West. He leaves a widow, Dora, two sons, John and Murray, and a married daughter, Mrs. Gertrude Ashkin.

S. R. Kent Sails

S. R. Kent, Fox president, sailed for Europe last night at midnight on the Berengaria.

Loew Pfd. Rises Two Points

Loew’s, Inc., announced today that its current offering for Universal will be “Where’s Elmer?” from a story by Benjamin Paul Sydney.

Technicolor Off Three Quarters

Technicolor

(Continued from page 1)

plan which would help reduce the unemployment curve among wielders of fiddles, saxophones and drums.

Three specific points have already been advanced by circuit representa- tives. The stagger scheme calls for 25 per cent replacement of new musicians, at prevailing wages. In some instances, it may be determined to set up new rooms in those pictures houses which still use them every fourth week. In others and with the possible exception of key orchestra men, substitutes would be dropped in on the basis of one week in every four. At no increase to the labor cost, therefore, more musicians, in this wise, would be given partial employment and a reduction in incorporated band members to help their less fortunate co-workers.

A third slant, likewise bearing on existing scales, concerns situations where theatre operators incline toward breaking up straight picture policies with occasional stage units requiring orchestras. Theatremen are on all hands that they do and private their policies would be considerably more flexible if organized unions would accept policies “squeezes plays” and allow them more leeway.

More stage units would be used, it has been asserted, if local musicians’ unions would insist in their efforts to capitalize such occasional policy by seeking to force a contract over long- standing agreements.

Weber probably will have to take the issues to his membership through the courts. If he or his employment musicians will relish the idea of the stagger system and the enforcement thereof in their working time thereby entailed was an eventuality that could not be foreseen. Circuit spokesmen inclined toward the belief that the Nicholas M. Seamon-Pearson Federation of Musicians will have a tussle on his hands.

Loew to Fight K. C. Receiver—Friedman

KANSAS CITY, Oct. 24.—Leopold Friedman, general counsel for Loew’s, arrived here yesterday conferences with John McManus, Midland theatre manager, regarding the receivership suit pending against local Loew prop- erties.

After talking with Loew attorneys he said the company intended to re- sist the receivership suit filed this week by M. B. Shanberg and H. B. Woolf and F. H. Reid. He denied Loew’s intention to keep the local or to relinquish the property, as alleged in the petition. A hearing on an application to wind up the receivership will come up early in November.

Friedman left for the coast last night on the Santa Fe Chief with Nicholas M. Seamon who expects to return here next week.
THRILL DRAMA RIPS LID OFF SNATCH RACKET

- Alert FOX manpower first with smash hit showing aroused public's finish fight with kidnap gangs... front-paged by every American newspaper!

- Amazing inside angles on dastardly methods of ransom racketeers... based on actual kidnap cases!

- Timely drama that hits home... and box office!

- Absorbing thrills guarantee sure-fire preferred-time clean-up for any man's house!

EVERY NEWSPAPER IS A HERALD FOR YOUR SHOW

THE MAD GAME

SPENCER TRACY
CLAIRE TREVOR
RALPH MORGAN

Directed by Irving Cummings

JOIN THE UPSWING WITH FOX
Caught

A FIRST NATIONAL PICTURE. DIRECTED BY MERVYN LEROY, WHO MADE "I

- WARNER BROS. WILL INTRODUCE THEIR MOST IMPORTANT
- PRODUCTION SINCE "I AM A FUGITIVE" TODAY AT
A SINGLE MOTION PICTURE, THE FURIOUS DRAMA OF TODAY'S NEW WORLD!

From the mother who gives birth to her son on the dust of a Dakota prairie to the fighting conqueror of millionaires... From the divine love of a farm girl to the dollars that bought the body and soul of a platinum debutante... From good to bad—from old to new—from West to East—from Heaven to hell... this glorious story charges to the climax of all screen drama!

PAUL MUNI

"THE WORLD CHANGES"

5 Women......

One gave him life and turned his face toward the sun... The others killed his soul and left him broken among his dreams!

ALINE MACMAHON, MARY ASTOR, MARGARET LINDSAY, PATRICIA ELLIS, JEAN MUIR, AND 20 OTHERS
MOTION PICTURE DAILY

Wednesday, October 25, 1933

Industry Code Is Passed By Buyer Group

The agreement, although its approval was not conditioned upon their acceptance, makes recommendations.

On reviewing the original draft of the code, the board made a number of recommendations, it is said, only to be told by the legal experts of the Administration that it was going beyond the scope of the law. The suggestions made in its final report are understood to be without the scope of the code and therefore cannot be included and were made apparently with a view of putting it on record with regard to certain matters not covered by the code but on which it believed some action should be taken.

With General Johnson again iterating his opinion that the Recovery Act was next in the list of the bettering of maximum salaries, it is expected that the $10,000 penalty for offering excessive salaries will either be further clarified before the agreement goes to the President or will be considered solely as a restriction of an unfair practice. A more pressing question was whether a code should contain a penalty because of the fact that the Recovery Act itself stipulates the punishment for violations of code provisions.

Issues Order to Protect Codes

An executive order issued today by President Roosevelt paves the way for application of those provisions of the Recovery Act authorizing the restriction of imports which may render ineffective or seriously endanger the maintenance of codes. Forms have been developed on which complaints of foreign competition and applications for relief may be submitted.

Liberal interpretation of the executive order published yesterday releasing nontheatrical enterprises with more than five employees in towns of less than 2,500 in excess of the number of exhibitors from the labor provisions of the film code. No formal interpretations have been issued as yet but it was indicated by the Administration that control of small establishments in small towns will be virtually abandoned.

Chorline Code Shift Report Not Verified

The fourth code draft to apply only when rehearsals last five days could not be verified here.

Mrs. Dorothy Bryant, executive secretary of Chorus Equity Ass'n, said yesterday that she had been officially advised that such a change was contemplated, nor had she been invited to attend any meeting in Washington. Mrs. Bryant said she had signed the third code draft for her organization and felt that the action was warranted because being invited in the event changes in its stage talent provisions were contemplated.

Fox Profit for 26 Weeks Goes Up to $330,777

(Continued from page 18)

Hammons Sees Code As Help to Talent

(Continued from page 1)

While this production change was involved, the majority of the exhibitors think it was transferred to the Film Securities Corp., by means of stock transfers which protected the interests of General Theatres, Fox and the Chase National Bank. Since April 1, $20,-

486,677, or 80% of the single gold bond issue dated April 1, 1931, has been in default.

In their communication to the court the exhibitors ask that the affairs of Film Securities Corp. be wound up and that they be discharged if there are no more duties for them to perform.

Sale of Loew Stock Is Set For Nov. 27

(Continued from page 1)

Claims No Word In On Coast Depletions

(Continued from page 1)

First impression that their withdrawal concerned the M. P. P. D. A. is incorrect. They have never been members of the western affiliated organization, the Association of M. P. Producers.

As a matter of fact, Goldwyn said he had withdrawn several months ago. Schenck, then involved in a row with Warners over the talent acquisition campaign of 20th Century Pictures, declared his intention of doing likewise, but never went through with it. The two producers oppose Article 5 of the proposed industry code which provides for open negotiations on star services.

ITOA Presents Labor Terms to Five Unions

(Continued from page 1)

Hold in Washington next week for three days meetings.

The I. T. O. A. submitted a verbal plan to the unions. For houses seating over 600 are willing to pay $75 for the entire booth operation; $105 from 600 to 900 seats; over 900 varying from $115 to $190, with the exception of the Mayfair, which will pay $280. The proposal also provides that Allied Melodee staffs are to be made members of Local 300.

The boards of directors of Local 1, 4, and 140 of the Stagehands' Unions and Local 306 and 640 of the operators' union met at the I. T. O. S. E. headquarters Thursday to consider the plan, which must be in writing at the time. They will report back to the I. T. O. A. Friday evening at the Astor.

Acquire Mexican Film

Spanish Productions, Inc., have acquired the distribution rights for "Profanacion," a Spanish film, produced in Mexico by Empresa Cinematografica Mexicana, S. A.
Universal's New Deal!

SAENGER THEATRES, INC.,
Seventeen cities in Louisiana and Mississippi

AFFILIATED THEATRES, INC.,
Nineteen cities in Louisiana and Mississippi

UNITED THEATRES, INC.,
Eighteen suburban theatres in New Orleans

sign for

UNIVERSAL
—Features, News, Serials and Shorts, 1933-34

Thanks, gentlemen, for your confidence in Universal Pictures. We will do our part.
When you look at this lovely face, you are gazing on a great future star

DOROTHEA WIECK

in "CRADLE SONG"

Screen story by Marc Connolly, author of "Green Pastures"

Directed by Mitchell Leisen

PARAMOUNT, the company that brought you the only two big stars of the past year... MAE WEST and BING CROSBY... brings an attractive new personality to you, DOROTHEA WIECK, who scored an instant hit in "Maedchen in Uniform."

if it's a PARAMOUNT PICTURE, it's the best show in town.
President's Pen Poised Over Code for Industry

Allied Sees Self Stronger; Code Attack Irks Capital

WASHINGTON, Oct. 25.—Officials of the NRA today refuse to discuss the results of the Allied meeting in Chicago, but considerable resentment was expressed over a report that Allied had agreed to employ a prominent "Democratic lawyer" as impugning the integrity of the organization. It was pointed out that there are probably as many Republicans as Democrats in the Recovery Administration and inference was plain that the political complexion of anyone appearing before it would carry no weight whatever.

Allied sent a letter of criticism of the result.

Enactment at Hand; May Be Signed Sometime During Day

Enactment of a code for the industry was close to the finish line at a late hour last night. The President's pen is poised over the fourth and it is understood, final revision of the document and will dip into its White House inkwell momentarily.

The final draft is expected to show no important changes from the third, although some language has been clarified.

Washington, Oct. 25.—The road carrying the film code to the White House is closed.

It is understood the President has kept himself fully informed with the situation in the industry. Deputy Administrator Rosenblatt earlier this week discussed the code at length with...

NRA Reorganized; Shifts Rosenblatt

Washington, Oct. 25.—Reorganization of the Recovery Administration was completed today by General Hugh J. Johnson. The changes are solely for administrative purposes to relieve the Administrator of much detail.

Under the reorganization four divisions are set up, each under a division administrator, among which are divided the several industries. Deputy Administrator Sol A. Rosenblatt is now attached to Division Four.
MOTION PICTURE DAILY

Looking 'Em Over

"The World Changes"
(First National)

Another in the Warner-First National romance of industry series and very well done in point of acting, chiefly by Paul Muni and Aline MacMahan, and in point of colorful production atmosphere.

The story covers a span of 50 years, starting when South Dakota was a territory and when Buffalo Bill rides Muni, then a young man, with an ambition to blaze a cattle-driving trail from Texas to the Middle Western railheads. His rise to power, his not very successful marriage with Mary Astor, his determination to carry his business empire forward and how, through the pampering of his two sons, that enterprise is run and got an over view of the idea only of the highlights of the story that develops through the years and ends with Muni's death in 1929.

The star kicks in with an expertly rounded, intelligently performed presentation. He grows old rather magnificently. Miss MacMahan, as his mother, once again makes good on the plentiful promise of her earlier performances. Miss Astor, as the insatiable wife, is a surprise and demonstrates more dramatic power than this reviewer ever suspected she possessed. As a matter of fact the large cast does creditable work and reflects the capable direction of Mervyn Le Roy, who had a large canvas on which to block out his story and did it with real competence.

"After Tonight"
(Radio)

Connie Bennett's adherents will go for her latest. This time, the husky-voiced blonde finds herself all messed up in the World War. She's a Russian spy operating on Austrian ground. Gilbert Roland is an officer in the Austrian intelligence department. That supplies the love and the conflict.

Too much inside dope on Austrian troop movements filter across the lines to keep the war comfortable. Roland is turned loose on the hunt and eventually finds the trail that leads to the girl he loves. Looks like a pretty tough spot for him and a firing squad for the heroine. A fortunate bullet fired by one of Miss Bennett's aides in gypsy disguise keeps Roland out of bounds long enough to permit escape, however. Along comes the good old arnautise and ultimate reunion.

Convenient as the story is, its treatment is suspenseful. Secret ink messages taken out of lockets and out of cotton stuffed in a war prisoner's ear may sound theatrical, but they are effective nevertheless.

A satisfying programmer.

K A N N

Wynn Quits ABS

Ed Wynn resigned yesterday as president of the Amalgamated Broadcasting System. He said his desire to give more of his time to his NBC broadcasts and his belief he was cut out to be a commercial and executive has prompted his decision. This was his official explanation.

Fox Rises One Point on Exchange

Consolidated Film Industries. 

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Technicolor

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Warner Bros. Up One Quarter

General Theatre Equipment 6s 40c

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Keck & Kuhne 6s 40c

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Loew's 6s 41 1/4 40c 41 1/4 41 1/4 41 1/4 1

Paramount P. L 6s 47 1/4 47 1/4 47 1/4 47 1/4 1

Paramount Public 56s 80c

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Warner Bros. 6s 95 1/4 wd.

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Purely Personal

JAMES M. BECK, JR., M.P.P.D.A. representative in London, is here for his regular visit of a few weeks, and is spending a large part of it conferring with FREDERICK L. HAHN, head of the M. P. P. D. A. foreign department.

Duke Wellington has three lobby displays on Broadway currently with "The Bowery" at the Rivoli, "Footlight Parade" at the Strand and "I'm No Angel" at the Paramount.

HENRY HERZBERG, JACE ROSS and HENRY SULLSBURY were among those who saw "The Green Bay Tree" at the Cort the other night.

J. G. BACHMAN is still around town. He's looking for a number of stories to take back to the coast for his independent production plans.

DAVE PALFREYMAN was forced to try convincing from his recent illness at home, after several days at work without staging a real recovery.

KEN MORGAN, west coast recording engineer for Epir, is in New York on his annual visit—three weeks of it.

WILLIAM MELSOCKER, in charge of South American for M-G-M, is due in New York shortly.

HARRY COHN, president of Columbia, plans to leave for Hollywood in about a week.

CHARLES L. O'NEILL is another local exhibitor fighting off a bad cold. It has laid him low since Monday.

EDGAR GOLDEN plans to make a tour of all Monogram exchanges within the next few weeks.

HAL HURNE is in the market for a pearl gray dolboy and a tottie-neck sweater for tonight's Bowery Ball.

RICE, LANE and VINE, radio mimics, make their Metropolitan bow at the Roxy tomorrow.

WILLIAM SULLY, eastern district manager for M-G-M, is in Boston for a few days.

AL CHRISTIE was the recipient of a surprise party on his birthday by the cast and staff of "Mr. Adams."

TOM HOWARD will start work tomorrow on an Al Christie comedy at the Eastern Service Studios.

BEN BLUE has been signed to make his third Vitaphone short.

LOU GOLDEN is having trouble with his stomach these days.

A. H. SCHWARTZ is bear hunting at Lake Placid. The score so far is zero.

HARRY BRANDT, president of the I. T. O. A., is nursing a bad cold.
“Ticklish? You’ll scream at Jack Pearl, Jimmy Durante in ‘MEET THE BARON’
(early engagements Baltimore, Memphis, etc., terrific!)
—and watch for my new comedy team
May Robson and Polly Moran!”

“I’m proud of ‘DINNER AT 8’.”

“Shoot the works! Jean Harlow leaps to Top Money Stardom in ‘Bombshell.’”
(Plus Lee Tracy!)

“Garbo’s back! Oh boy!”

“I’ve made a picture called ‘ESKIMO’. Another ‘Trader Horn’”!!!

“Don’t gamble! The public wants STARS! Dressler, Shearer, Davies, Harlow, Beery, the
Barrymores, Helen Hayes, Montgomery—just part of M-G-M’s big family.”

“Receiving congratulations on ‘HOLLYWOOD PARTY’.”

THAT M-G-M LION

YOU’LL REMEMBER NOVEMBER! M-G-M MONTH OF HOLIDAY HITS! Joan Crawford &
Clark Gable in “Dancing Lady.” Ed Wynn in “The Chief.” Marie Dressler & Lionel Barrymore in “Christopher
Bean.” “Prizefighter and the Lady” with Myrna Loy, Max Baer, Primo Carnera, Jack Dempsey. It’s a pleasure!
"Man's Castle"

A FRANK BORZAGE Production

with

SPENCER TRACY
LORETTA YOUNG

Glenda Farrell • Arthur Hohl • Walter Connolly
Marjorie Rambeau • Dickie Moore

From the play by Lawrence Hazard
Screen play by Jo Swerling

A Columbia Picture

ANOTHER SCREEN CLASSIC
"'MAN'S CASTLE' IS GREAT"

"A gorgeously told, poignantly human Borzage romance, 'Man's Castle' is closer to 'Seventh Heaven' than anything the director has done since. Loretta Young's Trina stands alone above anything she has ever done. Tracy, Loretta Young and Borzage ought to spell busy box-places for any showman. Plus a picture that can play on the public's heartstrings as the public likes to have its heartstrings touched, in any age."

Hollywood Reporter

"Deft direction . . . delightful humor . . . stirring pathos."

Photoplay Magazine

"A tender beautiful film in the 'Seventh Heaven' mood. Spencer Tracy projects a great heart-warming portrait. Loretta Young gives her best performance to date. Frank Borzage's direction hits the heart. It is a fine production and fine entertainment."

Motion Picture Daily
Roosevelt's Pen Is Poised Over the Code
(Continued from page 1)

Presidential secretaries and some weeks before, have been preparing for some time for the attempt to bring about an agreement with the Chief Executive himself. Before development of the possibility that Roosevelt's pen had poised itself over the document, indications were today that General Hugh S. Johnson personally might have to make last night and outlined further its plan to create a junior branch for extra leadership and membership plan. The plan would permit the extras to elect their own officers and operate as an auxiliary to the parent organization.

The extra group, headed by Alan Garcia and Frank Woods who have been working with the Academy on work and wage conditions for this classification in the code, also held a meeting tonight.

The third factor in the same situation revolves around another extra group which is opposed to the Garcia-Woods combination. This third angle in the extras' triangle is also working on a membership drive of its own.

The one definite factor in the melee, therefore, is the evident difficulty of solidifying the extras into a single camp.

Allied Sees Self Stronger; Code Attack Irks Capital
(Continued from page 1)

not only a vote of confidence from exhibitors but a mandate to renew the Code. This was agreed to by the board at its meeting last night and outlined further its plan to create a junior branch for extra leadership and membership plan. The plan would permit the extras to elect their own officers and operate as an auxiliary to the parent organization.

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NRA Reorganized; Shifts Rosenblatt
(Continued from page 1)

headed by Deputy Administrator Ar- thur I. D. Smith, met behind closed doors at the Beverly-Wilshire last night to discuss a reorganization plan which would align agents with the Writers' and Actors' Guild. The move failed to get anywhere because of a split in opinion. Some argued that such a change would result in a lawsuit settlement.

Robby Attracts

Lobby of the Hollywood which has been turned into an exhibit noting the progress made in transportation and communication for the run of "The World Changes" attracted a good deal of attention last night. The "special" was held at the Warner publicity office.
Universal's New Deal!

ROBB & ROWLEY THEATRES, Inc.
TEXAS • OKLAHOMA • ARKANSAS
Operating Big Springs, Hillsboro, Laredo, Waxahachie, Corpus Christi, Sherman, Palestine, Dallas, San Angelo, Del Rio, Sweetwater and McKinney, Texas; Durant, McAlester and Muskogee, Okla.; Little Rock, Arkansas,
signs for

UNIVERSAL
—Features, News, Serials and Shorts, 1933-34

Thanks, gentlemen, for your confidence in Universal Pictures. We will do our part.
Wiseman Busy
in Revamping
Para. Finances

(Continued from page 1)
Paramount reorganization plan is be-
ing developed, with Wiseman’s active aid, but may be obtained. This plan will
provide for the administration of the
company by a committee of managers
with the supervision of the secretary of commerce during the Hoover administra-
tion. The committee represents holders of approxi-
mately $25,000,000 of the company’s bonds.

While the reorganization plan is pro-
ceeding at a rate regarded as satis-
factory by many important credit-
ors, it has not yet attained a stage at
which a definite date for submitting
it to creditors can be named. This
coincides with the statement made to Mor-
row last week by Adolph Zukor in which he said
that while important progress toward re-
organization had already been made,
no such date is likely to be reached at
this time.

In that direction, considerable prog-
ress is viewed as having been made.
The key moves in reorganization of the
theatre situation are the partner-
ship-management deals each made or in process. These have af-
fected such important theatre units as Frield, Loew-Bob Calvert, M-G-M, Hobbitt-Hooper, and A. H. Blank circuits, Southern En-
terprises and, now under discussion, Saenger and Publix-B. & K.

Loew Won’t Bid in
Sale of Own Stock

(Continued from page 1)
acquire at prices ranging from about
$70 to $125 a share will be bought in
by the interests that now hold them,
primarily Chase National Bank. Loew
officials are said to regard these in-
terests as friendly.

The proposed sale develops as a re-
ault of a default in a $200,000,000 issue of six per cent gold bonds by Film Securities Corp., to which the original block of stock was transferred in 1931 after the Govern-
ment had won a Clayton Act decree against Fox Film and Fox Theatre for purchase of the Loew interests.

Monogram Meet Opens

CLEVELAND, Oct. 25—Opening ses-
sion of the special Monogram fran-
chise holders meeting got under way
this afternoon at the Statler with
Ray Johnston, president, conducting
the conclave behind closed doors.
Earlier in the day an informal screen-
ing of “Broken Dreams” was held
for the benefit of the franchise men.

Unions Will Reject
ITOA Labo Plan

With the boards of directors of Steaghaus’ Locals 1, 340 and Operators’ Locals 360 and 640 meeting today, W. T. A. T. E. is poised to decide on terms offered by the I. T. O. A. at a meeting at the Astor House last Tuesday night, when the fov
local union heads is that the plan will be
rejected in toto. Another meeting between labor heads and members of the I. T. O. A. will be held at the Astor tomorrow night when, it is un-
derstood, the proposed terms will be
turned over.

According to the plan submitted by
the I. T. O. A., exhibitors will not pay
more than $75 a week for the entire
book of films. The sampling fees up to
600, $105 for houses seating from 600
to 900 and from $115 to $190 for seat-
ing capacities over 900. The May-
fair will not pay more than $280.
The deal also provides that members of
the M. P. P. O. operators must be
sent to Local 360.

Union leaders explain that, with theatres operating 44 hours a week, it is
impossible to apply labor wages for
40 hours a week. They state that as
they have no room for them. Harry Sher-
man recently admitted to Local 360
members of the 600 percent mark in each of
them working on a part time basis.

Doubt If Order on
Imports Means Film

Wash., Oct. 25.—Consider-
dable doubt was expressed here today
on the order denying an order
Page 1 of 4

MOTION PICTURE DAILY
Thursday, October 26, 1933

Foreign Squals

Los Angeles, Oct. 25. —“Three Little Pigs” will
spear in French at the Beverly for three weeks and in Spanish at Loew’s State be-
ginning Thursday.

Gaumont to Release
31 More in America

Gaumont British is adding 31 films to its release schedule for America, as decided here yesterday by Ar-
thor A. Lee, operating head of the
American subsidiary. The pictures are now in various stages of produc-
tion at the Gaumont-British and Gain-
sborough studios in London and are:

“Jack Abey,” “Friday the 13th,” “Tur-
key Time,” “Chu Chin Chow,” “Red En-
Charming,” “Jew Susts,” “Walters from Joway,” “Cantaloupe Street,” “The Clairvoyant,” “Paris in Spring,” “Open All Night,” “Men With-
out Parole,” “Walters from Joway,” “Al-
a Bit of a Test,” “Crazy People.”

These pictures augment 20 already here for release in America. These are:

of the Ritz,” “Love in Morocco,” “Love
Wheels,” “Lucky Number,” “The Man
from Toronto,” “Marry Me,” “Night and Fog,” “The Adventurer,” “A Kiss of
Wales,” “Sleeping Car,” “There Goes the
Bridge,” and “Waltz Time.”

Rosen Files Action
Against Hays Ass’n

Hollywood, Oct. 25.—Charging it
objects to production of the film
“Dog of Europe,” dealing with Adolf
Hitler and the anti-Jewish campaign,
Fox Film Corp. yesterday filed
$1,022,200 against the Hays organiza-
tion. The plaintiff breaks the figures
down as follows:

$7,200 — Actual damages
$15,000 for incurred obligations
$1,000,000 for punitive damages.

Rosen claims the Hays office
objections interfere stage a produc-
tion plan at the Tiffany studio.
Partial Hollywood opinion views the
suit as a publicity move to create ad-
vance interest in the story in which
Rosen is said to be trying to interest
Samuel Untermyer.

Hammons Returns
From Trip to Coast

E. W. Hammons, Educational pres-
ident, arrived in New York yesterday
following a two weeks’ business visit
at the company’s west coast offices.
He described the trip yesterday as
his usual business visit, impelled this
time by the recent division of produc-
tion activity, which now centers half of
the Educational production in the
West. Several additional coast office
departments were established, he
said.

Mt. Ranier Goes Liberal

BALTIMORE, Oct. 25.—Mt. Ranier has voted for Sunday films, 412 to 154.

Kansas Faces
5% Admission Tax Proposal

Several sales tax measures have been
suggested. There is considerable sen-
scion among recent sales tax drive in
favor of the NRA program is one
authorizing non-enforcement of the
state antitrust laws. Both would
make possible extensive public works
construction as a relief move. Strength-
ening the banking laws and giving the
Federal Reserve control over banks is also
planned.

Franklin Satisfied
With RKO Record

Expressing satisfaction over having
in directed RKO activities from business
with the film libraries. Harold R. Franklin, recently resigned head of RKO theatres, addressed ex-
decutive of the company at a farewell dinner given in his honor at the Wal-
dorf-Astoria last night.

Franklin said that he would defer a proposed trip to Europe and might
abandon it altogether in order to give
further consideration to future activi-
ties involving the studio and an
engraved silver coffee set by his RKO
hosts.

Among those at the dinner were:
Mr. Aylesworth, J. R. McDon-
ough, S. L. Rothafel, Ned E. Denin-
et, Phil Reisman, W. G. Van Schmus,
Jules L. Lefever, Robert F. Sisk, C. W. Koerner, H. R. Emde,
Louis Goldberg, J. J. Franklin, J. J.
McCartney, Herbert Yates, Harry
Goetz, A. P. Waxman, Charles Mc-
Donald, J. M. Brennan, John O’Con-
nor, Fred Mevers, Max Fellerman,
Harold Walters, A. C. Brak, William
Howard, Arthur Willy, Louis Cohen,
O. R. McMahon, William Mald-
ard and S. Barrett McCormick.

Consolidated Earned $253,901 in Quarter

Consolidated Film Industries, Inc.
and subsidiaries yesterday reported
for the quarter ended Sept. 30, 20 con-
solidated net earnings of $253,901 after de-
nomination and Federal taxes. This is
equivalent, after dividend requirements
on $80,000 of preferred stock and 10 cents a share (or $1) on $24,973 shares of common stock. This compares with $97,177, or $8 cents a share on 400,000
shares of preferred stock earned in the
same quarter last year.

For the nine months ended Sept. 30, net earnings, after dividends and taxes, equal to 22 cents a share on the common and 40 cents a share on the preferred in the
first nine months of 1932.

Ampa’s Closed Session

The regular meeting of the A. M. P.
A. will be a closed affair today. It is
suggested that Lou Goldberg will
attend and air his views on member-
ship and policy.
Zukor to Give Testimony at Para. Hearing

Trustees Notify Rogers, Creditors’ Attorney

Adolph Zukor will be placed on the stand today at an adjourned meeting of Paramount’s creditors for examination either by counsel for the Paramount trustees or by creditors’ attorney, Sol E. Rogers, attorney for a Paramount bondholders’ group, was advised yesterday by the trustees. Rogers requested at the last creditors’ meeting before Henry K. Davis, referee in bankruptcy for Paramount that both Zukor and John Hertz, Chicago financier and former chairman of the Paramount finance committee, be produced by the trustees for questioning. He was also advised yesterday that the trustees had written to

Hold Sale of Loew
Stock a Formality

Sale of the 600,000 shares of Loew’s Inc., by the Chemical Bank & Trust Co., scheduled to take place Nov. 27, was described yesterday by David N. Bernstein, Loew’s treasurer, as a formal procedure under which holders of the defaulted $20,000,000 bond issue of Film Securities Corp. will acquire the stock.

The transaction, scheduled for a hearing before Federal Judge John C. Knox here Nov. 15, would thus result neither in a change of stock control of Loew’s nor in dumping the shares on the market, in the event the sale is approved by the court.

Midland Hike May End K. C. Price War

Kansas City, Oct. 26.—Disaster loomed for cut-throat trade practices and admissions in Kansas City today when the Independent Theatre Owners Ass’n received word from Col. E. A. Schiller of Loew’s from New York that the company had consented to boost the 25-cent price at the first run Midland in accordance with the demands of local independents in their battle for a “fair practice” deal.

Col. Schiller told the association his company’s action hinged on the agreement of a number of independent producers to eliminate certain practices. It is understood the

Warner Hits Goldwyn and Schenck Move

“Stragglers in Army of Progress,” He Says

“There are stragglers from every army, including the army of progress. It is an unfortunate fact that there are men in our industry who will do or say very wild things indeed to get their names in the papers,” Jack L. Warner, vice-president in charge of production for Warners, last night.

His remarks were directed at Samuel Goldwyn and Joseph M. Schenck, who accompanied their resignations from the Association of M. P. Producers with attacks on the industry code and its limitations on “star raiding.”

Warner said he had been “amused” by the Goldwyn and Schenck statements.

“They were either made simply for the sake of publicity,” he said, “or

20 Supervisors for W. B. Checking Plan

Warner’s theatre checking service, inaugurated by the company to check all its percentage engagements, is now operating with a full field personnel under direction of 20 field supervisors.

Local checkers for every theatre situation have been trained by the supervisors and now comprise the only

Illness Sets Back Signing Of the Code

Rosenblatt Has Cold and Activities Halt

Washington, Oct. 26.—Due to the illness of Deputy NRA Administrator Sol A. Rosenblatt the Code did not go to the White House today as expected.

Consideration of the document was suspended when Rosenblatt was obliged to quit work because of a severe cold. He was forced to go to bed.

In the meantime there is a new gathering of film men meeting here, with Will H. Hays and others known to be here, and others rumored to be here on the day. While it is believed they are here for further discussion of code provisions, in view of rumors current in New York, there was an impression that they might be gathering to observe the last rites which will make the code a law.

General Johnson’s office maintains that he has not received it.

Easing of Salary Penalty Reported

Washington, Oct. 26.—Further easing of the salary penalty clause in the code is understood to have been made, but both confirmation and details are lacking.

Opponents of this provision continue in their contention that the inclusion in a code of a penalty for violation is illegal and an assumption of the powers of Congress, which has specified in the Recovery Act the penalties to be meted out to violators.

Omaha Exhibitors Group Favors Code

Omaha, Oct. 26.—Exhibitors in this territory are for the code. More than 100 of them, representing Allied, the M. P. T. O. and unaffiliated houses

MPTO of St. Louis Hits Part of Code

St. Louis, Oct. 26.—Considerable opposition to signing the industry code in its third revised form has developed among members of the M. P.
**Critics Guests Warrens**

The Chicago film critics who came to New York for the world premiere of "The World Changes" Wednesday night were entertained by the Warners—Harry, Jack and Albert—at a luncheon yesterday in the Warner Club restaurant. Other Warner men present were Gradwell Sears, S. Charles Einfeld, Jacob Wilk and Sam Clark. The reviewers were Hazel Flynn of the American, Clark Rodenbach of the Daily News, Carol Frank of the Examiner and Doris Duke of the Times. The group plans to return to Chicago today.

**Warner Club at Party**

Members of the Warner Club tonight will journey to New Haven to attend a Hallowe’en party to be staged there by Warner employees. Among them will be A. W. Schwalberg, head of the club; Harold Rodner, Ruth Weisberg and Estelle Schrott. Tomorrow the local Warnerites will attend the Yale-Army football game.

**Rosen Heads East**

Hollywood, Oct. 26.—Al Rosen is castbound to confer with Samuel Untermyer on the story aspects of "The Mad Dog of Europe," anti-Hitler film which the former insists he will produce. Yesterday he filed a $1,022,200 suit against the Hays association charging interference with his plans.

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**THE** choice morsel on the street is RKO likely to happen in and around Radio City. J. R. McDonough, who doesn’t like newspaper men and even less queries, there are many—through Bob Sisk, has a lot of eyes turned in his direction. Tongues are hanging out and periphrasis running freely over the name of Harold B. Franklin's successor. The odds seem heavier than before in favor of Leslie Thompson, who formerly handled labor problems for the circuit until he recently joined Trans Lux. One of the factors there is Thompson's insistence that he continue the T. L. connection. That's been eliminated now. He says he have that and RKO as well if he likes and if inside reports are faithful to the truth.

That would keep Nate Blumberg in Chicago, where he is now in charge of Middle Western theatres, and Phil Reisman in New York, where he is now, as well, in charge of film buys. At the same time, however, and fraught with much more significance, is the impending release of M. H. Aylesworth. There are stories afoot and they tie him and the days to come closer to NBC than to RKO. Some quick clumbers of Warner people Daily files yesterday brought to light the original story of McDonough's appointment on July 19 and a phrase or too, significant at the time, but more now, which indicated something was on the way.

Then there is Roxy. He hasn’t had it entirely his own way since Radio City threw open its handsome doors almost a year ago and already his way is reported even less his own. There have been some pointed suggestions made about operating costs at the Music Hall, all of which Roxy isn’t the chewing about. Hand in hand with that, are constantly recurrent reports that Herb Lubin, who had considerable to do with the promotion of the Old Roxy has been talking to its namesake about a return to the 7th Avenue Cathedral. Yet if you believe in denials, you have Howard Cullman's word for it that this is the bunk.

Meanwhile, Franklin is outfitting an office on the 54th floor of the NBC Building. That may be so that he can look down on the RKO-ites.

Paul Muni's new one for Warners, "The World Changes," carries a marked resemblance to "I Loved a Woman," Eddie Robinson's last. All about meat packers and their rise to fortune. The national bunch saw "Million Dollar Melody," first of the "Musical Comedy" series, in the Fox projection room yesterday and came out raving. Jack White produced it on RKO Island. Shocked to some film men: The President, in discussing NRA and codes over the radio yesterday, said all the nation's greatest industries had been codified. So....

It develops that the elimination of score charges, the one trade practice issue emphasized by the M.P.T.O.A. which did not find its way into the code, never was regarded by it as a vital issue. Its greatest importance to the organization was as a "trading point" with distributors. The exhibitors believe the most frequent for elimination of the $5 score charge on the $25 film rental knew when they were doing it if, that their shrouds were answered in the code, that $25 film rental would become $30 with the first picture sold after the code became effective. **Kann**

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**M. P. Club Treasury Needs $5,000 by Sat.**

The Motion Picture Club treasury requires overhauling to meet current outstanding obligations and is faced with necessity of raising $5,000, by tomorrow night. A list of freelles has been sent out to members to aid by paying delinquent accounts. The directors meet today to discuss the situation.

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**May Close Czech Offices**

American companies are expected to close their offices in Czechoslovakia due to failure to agree on new quota terms, it was learned late last night.

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**The Correction**

In publishing a story in last week's issue, which stated the Motion Picture Herald's annual list of "Box Office Champions" yesterday, Motion Picture Daily credited "70,000 Witnesses" to First National.

Charles R. Rogers produced the picture for Paramount release.

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**Hall Out: England In**

E. H. Hall yesterday resigned his post as sales and maintenance department of the RKO circuit and was succeeded by W. B. England, member of the accounting department.

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**Three Stars Colonels**

FRANKFORT, Ky., Oct. 26.—Latest commissisons issued by Gov. Ruby LaFoon have been mailed to Mary Pickford, Clark Gable and Charles Chaplin. Mae West was made a colonel last week.

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**Fred W. Peters Dead**

Dallas, Oct. 26.—Fred W. Peters, for many years cashier of National Theatre Supply, died here. He was known to thousands of exhibitors in this territory.

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**Cohn Leaving Sunday**

Harry Cohn, president of Columbia, returns west Sunday after a few weeks conferring with his brother, Jack, and Nat Spingold.

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**Bun Recovering**

Toronto, Oct. 26.—W. A. Bach, president of Audio Prod., New York, is recovering from an appendicitis operation at the Western Hospital.
NEWS OF WEEK IN PHOTO-REVIEW

STANISLAUS WARNOWSKI AMAZED
at M. P. Herald pool's selection of "Gold Diggers" and "42nd Street" as two top box-office champions of '32-'33. "Never heard of any such pictures", declares noted asphalt valet.*

FIRST SHOTS OF "WONDER BAR" show Dick Powell, in composer role, as latest headliner to join Jolson in Warners' next great musical.

"FOOTLIGHT PARADE" QUEEN gets Warner screen test as part of two-week promotion plug which added Syracuse to the 85% of key spots which are holding over latest Warner music hit.*

"WORLD CHANGES" WELCOMED as "picture to cheer about" at N. Y. Hollywood opening which required this special corps of usherettes to handle mobs of Muni fans.*

"FANS GOING" for Powell's "Kennel Murder Case" at Met. Wash., reports Variety — and history repeats at Thursday's Broadway premiere,*

"COLLEGE COACH" KICK-OFF set for next week. Warners' daring slant on gridiron "graft" expected to register biggest upset of year in football circles.*

KAY FRANCIS CAST for lead in "Mandalay" as first print of her "House On 56th Street" reaches New York.*
Warner Hits Goldwyn and Schenck Move

(Warner. By Monogram 1s Voted O. K."

(Continued from page 1) making the public anxious to do business with the company's stand on the code.

Johnston and Carr are remaining in Cleveland until Friday for a round of golf. They will leave for New York Friday night to complete production plans, Franchise holders, who came to this city from all over the country to attend the meeting left for their homes tonight.

Budget Boost By Monogram Is Voted O. K.

(Continued from page 1)

Midland May End K. C. Price War

(Continued from page 1)

offer is to boost the price at the Midland 35 cents beginning Nov. 4 with the showing of "Bombshell." It is also understood that suburbs ban double bills, dine nights, giveaways, etc.

Jay Means, president of the I. T. O. A., and a committee are sounding out all suburban managers in an effort to determine whether they agree to the conditions set down by the Loew organization. It is reported that Loew's demands in this regard are: that the terms or, at least, their acceptance by a majority of the suburbs. Consensus of opinion here is that agreement with Loew's will end local price wars.

It is expected developments in the near future will bring about stabilization of admission prices and sharp restrictions, if not actual prohibition, of double bills, giveaways, cut rates, two-fers and all similar tactics known as "price evasions" which have brought local suburbs to the worst competitive struggle in history.

The I. T. O. A. has submitted a proposal to Col. Schiller regulating practices among suburbs which they intend to adopt, for which Loew's raised the price at the Midland to at least 40 cents, which is top at other first-run houses. Last week wide means wired Col. Schiller that he and others were prepared to reduce their admissions from 15 cents and 20 cents to 10 cents unless it was understood that any action they were taking against Loew's wired back demanding the independents "do something about double bills."

Since the Midland is considered strong competition to suburbs as well as first runs, every exhibitor wants its price lifted. In fact, the low price is regarded as the crux of the situation in the city and terms, and it is of the greatest importance that boosts in admission prices where they otherwise might be considered proper.

On top of that, exhibitors are balding their haywire prices which prove strong draws at the Midland, claiming that house "milks" the neighborhoods. Fox Midwest is disillusioned because of the way a percentage of a percentage paid to "Tugboat Annie" was pulled at a 25-cent Fox suburb.

Zukor to Give Testimony at Para. Hearing

(Continued from page 1)

approved a report of Cal Bard on the Washington hearings and agreed to retain their joint organization until code practices are firmly established.

Deputy NRA Administrator Sol A. Rosenblatt is a native of this city.

We are eager and anxious to operate under the approved code as the best plan to put the industry on a firm basis and intend to back Rosenblatt in every way with the support of the theatre men.

The committee which it was decided to continue as chairman included: August Herman, Sam Epstein and Walter Creal of Omaha; Phil March of Wayne, Neb., and Lester Martin of Nevada, la.

MPTO of St. Louis Hits Part of Code

(Continued from page 1)

T. O. of St. Louis, eastern Missouri and southern Illinois. As a result Fred Wehrenberg, president, has deferred signing until all members have had a chance to study the forthcoming final draft. Copies are to be sent out to all members at once.

Wehrenberg told members at a recent meeting that there were features of the code he did not like, but that he felt the code was the best possible. He said opposition from independent producers and distributors should not be considered, and expressed the opinion that some independent product was a detriment to the industry.

Since it appears exhibitors in this territory are centering their opposition on the labor provisions of the code, claiming that increased costs will outweigh any advantages they may obtain.

Fox Slumps One Point

Technicolor Off Five Eighths

Paramount Broadway U. Two

May Wed Nov. 10


Nov. 10 is being talked of as the date.

Zukor to Give Testimony at Para. Hearing

(Continued from page 1)

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"Eskimo" at Astor

"Eskimo," produced for M-G-M by Hunt Stromberg, will open at the Astor Nov. 14 instead of Nov. 15 as first planned.
Universal’s New Deal!

E. M. LOEW CIRCUIT


signs for

UNIVERSAL

—Features, News, Serials and Shorts, 1933-34

Thanks, Mr. Loew, for your confidence in Universal Pictures. We will do our part.
Motion Picture Daily
Friday, October 27, 1933

AMPA Malpractices
Aired at Meeting

Reforms in the A. M. P. A. and plans for a constructive and more concrete organization are under way as a result of the complaints of the association yesterday at Saric's. Numerous speakers discussed the recent troubles at Columbia as preferred by Lou Goldberg and agreed in most instances that there was reason for complaint.

Heading the group of complainers was Goldberg who stated that he had no gripe against anyone in particular but his accusation was an indictment against the organization itself for not upholding its original purpose. Other speakers included John Plim, president; Bert Adler, Vivian Moses, Tom Hamlin, Ralph Gervers, Leon Barbourger, Paul Benjam and Martin Starr.

It was brought out that of the 147 members only 37 are in good standing and some of these are not representing Columbia. The fact of some companies replacing employees with new men for less than half the salary of the outgoing men also was critized.

The general tenor of the meeting was to buckle down to bringing the organization back to a commanding position in the industry. It was agreed it would be better to have a small group of bona fide press agents and advertising men active in furthering the welfare of its members than a large and unimportant membership. Plim stated the meeting of the recent committee were not functioning within 30 days he would appoint new committees which would.

The board of directors was ordered to get to work on plans for rehabilitating the A. M. P. A. and report back at the next meeting as to the progress to be pursued. About 25 attended the session yesterday.

“Berkeley” 5-Week Gross Here $46,950

In its five-week run at the Gaity “Berkeley Square” grossed $46,950. For the last three performances Sept. 20, the take was $10,350. It held around $9,000 for the two succeeding weeks and then dropped to $8,800 in the final gross, covering an 11-day period ending Oct. 22, was $10,100.

The takings week by week follow:
   Week ending Sept. 20 ...... $10,350
   Week ending Sept. 27 ...... 9,500
   Week ending Oct. 4 ...... 9,000
   Week ending Oct. 11 ....... 10,100
   Week ending Oct. 18 ....... 8,800

$46,950

Loews to Make Air Tour

Arthur and David Loew and their wives will make a trip around the world by air, starting from the coast on Nov. 15 when they will board the Mason for Australia. The trip will take six months.

Dent Reaches London


Heavy Competition Ahead in St. Louis

St. Louis, Oct. 26.—Local film houses along Grand Boulevard and in the downtown district are in for a lot of competition as several houses recently opened. Aside from the night clubs and a burlesque house and a number of other places, the film houses are also under way under the film houses have virtually had the field to themselves since the summer amusement places followed behind. A recent programming map of the city is about to have a decided change.

The season will open its season with Cornelie Os Skinne in a series of dramatic sketches on Nov. 6. The corporation has also set up a theatre with dramatic stock in a few weeks. While the Little Theatre has perfected plans for putting on three Pittsburgh and Columbus with more or to follow early in 1934.

Evans Heads Variety Club in St. Louis

St. Louis, Oct. 26.—Harold W. Evans, manager of Louis of St. Louis, is president of the recently-formed Variety Club of St. Louis. It is patterned after similar organizations in New York and Los Angeles.

Cincy Variety Club Given Ohio Charter

CINCINNATI, Oct. 26.—Articles of incorporation were filed at the offices of Columbus for the newly-formed Variety Club of Cincinnati. Club rooms will be established at one of the downtown hotels within a week, immediately following which election of permanent officers will be held.

Walter Gould Returns

Walter Gould, general manager for United Artists in Mexico, Panama and Porto Rico, who has been at the home office during the past few days, left for Mexico City yesterday.

H. J. Scherrer Buried

ST. LOUIS, Oct. 26.—Funeral services for Henry J. Scherrer, veteran exhibitor, were held at his home in Clayton. His brother he owned one of the oldest film theatres in this city.

Motion Picture Daily's Hollywood Preview

(Continued from page 1)

Looking 'Em Over

“The Kennel Murder Case” (Warner)

An intriguing mystery, well done and holding the interest throughout. Again Philo Vance comes to the fore, solving a unique mystery after the police have given up the death of Robert Barratt as one of suicide. William Powell, as Vance, has his doubts about the decision reached in the case and sets out to solve it on his own way. For the American debut since “Mae Cheen in Uniform,” Miss Weck presents a fragile portrait, suffused with haunting beauty and promising much for the future.

Sir Guy Standing adds many heart thros in a fine human characterization. Louise Dresser is a cameo as the mother superior. Evelyn Venable, the girl, has freshest acting to her.

A prestige building and quality production, this one should please class trade and stir up talk. Thoughtful showmen might even secure added box-office values by unusual exploitation.

“To the Last Man” (Paramount)

This picture should not be sold merely as a “western.” To do so, may cost the exhibitor admissions which could be attracted legitimately by emphasizing its best and story values which are there, and which, at the same time, need not cost him the patronage of his “western” fans. These latter are in for a pleasant surprise.

Based on a Zane Grey story, “To the Last Man” has more of the rough and tumble, outdoor riding and fighting action than the usual western. In addition, it has dramatic and romantic interest of a high order for this type of picture, together with a cast, direction and technical attention seldom found in action pictures. All performances, photography and settings are also commendable.

The story involves a family feud carried from the Kentucky hills to the western ranchlands; the efforts of one family to end the attendant killings and settle the feud bloodlessly by letting the law punish the aggressors; the failure of this procedure to work and its climax in a fight that resembles warfare in miniature. Mixed in with the feudings which is kept alive by Noah Berry, and the intrigue championed by Jack La Rue in his best villain’s manner, is an interesting and dramatic love affair between Randolph Scott and Esther Ralston that is part of, rather than incidental to the main story. Buster Crabbe is also in the cast.

Surprise to Feld

Reports indicating he had, or planned to resign from Monarch Theatres were described by Milton H. Feld as a surprise to him yesterday. “I haven’t been in town long enough to consider any such plan,” he said.

Three-Way Passage

Hollywood, Oct. 26.—Samuel Goldwyn has given Willard Mack a three-year contract for the right to super- vised, direct and write. Mack is now preparing the script for “Barbary Coast,” which will be Anna Sten’s second picture.
“Bowery” Up To $26,500, Big in Loop

CHICAGO, Oct. 26.—Straight picture houses scored the heavy takes of last week. “The Bowery” at the United Artists rocketed the gross at that house to the fine figure of $26,500—one of the high marks for this house for the year. Across the street at the Oriental Theatre, “Big in Loop” ran through for $40,000 in its second week. This is exceptional second-week business.

B. & K’s Chicago, with “Broadway to Hollywood” on the screen, and Fred Waring on the stage was done some $8,000 after last week to $25,000. RKO’s Palace with “My Woman” on the screen and Guy Lombardo at the stage was strong at $25,500.

Total first run business was $166,000, average $21,500.

Estimated takings:

Week Ending Oct. 17: “I’M NO ANGEL” (Para.) ORIENTAL—3,640, 3sc-60c, 2nd week, 7 days, Gross: $40,000. (Average, $5,714.)

“The Bowery” (U. A.) UNITED STATES—3,600, 3sc-60c, 7 days, Gross: $26,500. (Average, $3,786.)

Week Ending Oct. 19: “BROADWAY TO HOLLYWOOD” (M-G-M) CHICAGO—1,350, $1.50-2sc, 6th-8th days, 7 days; Stage: Fred Waring and Pennsylvania String Ensemble. Chicago World’s Fair Lane, Gross: $35,000. (Average, $5,000.)

LAUREL & HARDY” (Paramount) PALACE—539, 35c-75c, 7 days, Stage: Gay Lombardo, Richey Craig, Jr., Walter Wahi, Gross: $25,500. (Average, $3,643.)

Week Ending Oct. 20: “Too Much Harmony” (Para.) MOVIEMARKS—2,384, 3sc-60c, 6th-8th days, 7 days, Gross: $12,500. (Average, $1,786.)

“The Bowery” (U. A.) CHARLIE CHAN’S GREATEST CASE” (20th-Fox) ROOSEVELT—679, 25c-55c-90c, 7 days, Gross: $9,500. (Average, $1,357.)

New Union Blocked In Pittsburgh Move

PITTSBURGH, Oct. 26.—Efforts of the Independent M. P. Operators’ Union, Inc., to organize here met with a setback when informations were sworn by local officials of the I. A. T. S. E. against three of the new organization’s officers. They are William C. Littel, operator at the Idle Hour and president; Martin T. Joyce, treasurer and operator at the Novelty, and Daniel Gross, secretary and operator at the Roosevelt.

Officials of the new organization were charged with violating a state statute forbidding out-of-state corporation from doing business in Pennsylvania without first obtaining a permit.

Baer Contract Looms

HOIIWELL, Oct. 26.—Max Cantwell, Max Baer’s trainer, has opened a boxing school on the M-G-M lot, which further indicates Baer will soon sign that tert contract.

Radio Opens in Mexico

MEXICO CITY, D. F., Oct. 26.—RKO Radio Pictures has opened its exchange here at 31 de Jose Azuela, with Luis Lezama in charge.

Kansas City, Oct. 26.—The biggest aggregate gross since last January—$45,550 against an average $26,500—was run up locally last week in a week that saw larger grosses downtown than in many moons. The film was “I’M No Angel” and “The Bowery.” The first proved a box-office angel at the Newman, where the Mayer Bros. opus broke all attendance records and pulled $12,500—almost triple the normal take. This is tremendous business for the Newman. The picture was in a second stanza and may go a third.

Loew’s Midland, with its 4,000-seat capacity, took top money with “The Bowery,” which skyrocketed to $20,000, double average. Also on the bill was Walt Disney’s “Three Little Pigs” and Warner Bro’s “Babes In Arms,” and the combination proved a great family attraction. An admission from the two successes, other shows should hardly expect to do much. “The Power and the Glory” was a week’s draw, the new-fangled “narragage” reported missing fire with the Up-town’s patrons. This and “The Mayor of Hell” as a picture to play the Mainstreet this year, both stumbled below the line.

Overall business was $45,550. Average is $26,000.

Estimated takings:

Week Ending Oct. 18: “The Mayor of Hell” (Warner) MAIN STREET—1,406, 2sc-40c, 7 days, Gross: $5,500. (Average, $785.)

Week Ending Oct. 20: “The Bowery” (S. A.) MIDTOWN—41, 25c-40c, 7 days, Saturday midnight show. Gross: $10,500. (Average, $1,500.)

“The Power and the Glory” (Fox) UP-TOWN—1,206, 25c-40c, 7 days, Gross: $2,250. (Average, $314.)

Fox, St. Louis, Heads For New Control

St. Louis, Oct. 26.—With the St. Louis now under the banner of St. Louis and the Rainbow, Film Row is speculating what action will eventually land the Fox.

The receivers are said to have decided they are going to add money, even if they had it, and it is almost certain that a deal will be swung for some one to take over the plant. Many of the Brothers seem to have the odds thrown their way.

Warners Trying New Type Ticket Chopper

If tests of a new type ticket chopper now under way in Warner Broadway theatres prove the development is sound, proof against the former system of “palming,” the machine may be installed throughout the Warner circuit.

Developed by Ralph W. Buell, Warner personnel manager, the ticket machine is designed and manufactured by Continental Theatre Accessories, Warner subsidiary.

Interior compartments of the machine receive ticket stubs for any period of time secretly selected by the house manager. When the stub reaches the box office, the bale of tickets, advised by signal and the cashier notes the last ticket number. The serial numbers of the tickets are checked against the record used during the corresponding time.

Mae Annoys Alderman

Sr. Louis, Oct. 26.—Mae West’s popularity has packed the Ambassador to such a point that Alderman Solnik has introduced an ordinance prohibiting the sale of standing room. It is regarded as just possible that the measure might slip through.

Goldwyn Offices Moved

Headquarters of Samuel Goldwyn have been moved from the 12th to the eighth floor at 729 7th Ave. This now gives the U. A. publicity, advertising and exploitation department the whole of the 12th floor.

The Glazers Returning

London, Oct. 26.—Benjamin Glazer and his wife, Sharon Lynn, will board the Berengaria on Nov. 4 for New York.

Moore Picture Set


University Putting Out Film Programs

MADISON, Oct. 26.—The town without a motion picture theatre, the university without a student theatre group and the school or club desiring to show films for community recreation are now being served by a number of short film programs of films by the University of Wisconsin extension division.

The basic training in visual instruction which has announced it is furnishing film programs singly or in courses of six weekly showings, each including five training films to illustrate comedy and a one-reel travelogue or educational film.

F.W.C. Books “Redhead”

LOS ANGELES, Oct. 26.—Fox West Coast has booked “Redhead,” French talker, following its run at the Filmart—this is an infrequent instance where a major circuit has booked an out-and-out “art” film.
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Zukor Tells Of Friction In Paramount

Kent, Katz Disagreed; Hertz Sought Power

Adolph Zukor took the stand yesterday at an adjourned meeting of Paramount Publix creditors in the offices of Henry K. Davis, referee in bankruptcy, and reported in the course of four hours of testimony what he described as the "highlights" of a series of events involving the successive resignations of high Paramount posts by Jesse L. Lasky, Sidney R. Kent, Sam Katz, B. P. Schulberg and John Hertz.

Showing traces of the physical effects of his recent illness that kept him in a Hollywood hospital for several weeks, Zukor, nevertheless, was at ease on the stand throughout the long session, meeting the questions concerning Paramount affairs put to him by Samuel S. Isacks, counsel for the Paramount trustees, and Saul E. Rogers, counsel for a Paramount bondholders' committee, at whose request Zukor was placed on the stand yesterday, with a disarming frankness.

(Continued on page 2)


John Hertz, former chairman of the Paramount finance committee, begins an association Monday with Lehman Bros. downtown bankers, formerly associated with RKO financing, it was revealed yesterday.

Hertz has already established permanent offices at the bank and arrives from Chicago, his home city, this morning.

(Continued on page 4)

Grainger Back with Optimistic Reports

James R. Grainger, general sales manager of Universal, yesterday returned to New York from a cross-

MOTION PICTURE DAILY

NEW YORK, SATURDAY, OCTOBER 28, 1933

TEN CENTS

VOL. 34. NO. 101

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

Code Signing Is Again Delayed; Fines May Go

All Majors, Except U. A., Said to Have Signed Code

Under His Skin?

Washington, Oct. 27—Complexes which those engaged in the industry have known existed for some years were recognized by General Hugh S. Johnson today when he described the film code as the "most complex" he has presented to him so far.

Added to the distinctions of the film code as well is the fact, made apparent today, that the draft is the first and only code which is regarded by the NRA as covering all trade practices. Impression that the oil code died this now has been dissipated.

Blames Subsequent For K. C. Price Cut

Reduction of admission prices at the Midland, Loew house in Kansas City, developed as a result of the practices indulged by the subsequent runs in that city, stated E. A. Schiller yesterday.

"We have no desire to force them out of business, but we reserve the right to continue ourselves," he said.

Settlement of the situation which has had Kansas City independents in a stew is on the way, as reported in Motion Picture Daily yesterday.

(Continued on page 2)

Kane To Produce for Fox on 2 Continents

Robert T. Kane will produce pictures on two continents for Fox and will henceforth divide his time between Hollywood and Paris.

He leaves the coast with George White in two weeks to start the first "George White Scandals." Following this he will place before the cameras the first Erik Charell picture, a musical extravaganza by the director of "Congress Dances."

Currently two pictures are being produced in France under supervision.

(Continued on page 2)

Stiff Censorship Sought in Kansas

TOPEKA, Kan., Oct. 27—Rigid film censorship would be instigated by the State censor board under a proposal submitted to the Kansas legislative council by Representative C. H. Palmer. Under the measure the censors would classify films into five categories.

(Continued on page 2)
Kane to Produce for Fox on 2 Continents
(Continued from page 1)

of Erich Pommer as part of Kane's activities. These are the French versions of "Framed," which is being filmed by Fritz Lang, with Charles Boyer, French star, in the leading role; and an untitled picture in French starring Henri Garat and Lily Damita.

Following these two French productions Kane is preparing to make a multi-lingual version of "Music in the Air" abroad, to star Lilian Harvey and an American cast.

Kane, it is reported, has been identified with Paramount and has also produced his own pictures. Before joining Fox he was in charge of Paramount production in Paris.

Blames Subsequent For K. C. Price Cut
(Continued from page 1)

with decision on Loew's part to increase Midland admissions from 25 to 35 a week on each booking. Schiller stated he had agreed to do this provided the subsequent runs drop "certain practices."

It is believed he refers to dual features, shown in some theatres as low as 15 cents: two-for-ones and giveaways.

Granger Back With Optimistic Reports
(Continued from page 1)
country trip, bringing with him a story of optimism.

"Conditions are improving and, while not perhaps as much as may have been expected, they are definitely on the plus side. This is particularly true of the Pacific Coast," he said.

He visited eight key cities as far west as San Francisco.

Code Signing Again Held Up; Fines May Go

with the situation through which his discussions some weeks ago with Rosenblatt and his contacts with outsiders. The reasons why Roosevelt himself may now still remain connected, or not, to afinality clause are viewed as threefold:

In the first instance, inclusion of it in the code might be considered as evidence that the government is taking an active part in the establishment of an industry. Secondly, and while it is not believed any individual or group in the industry might launch a contest, that this provision of the code would scare anxious not to entertain even the possibility of such a step in a question so delicate as salary control. There is a serious doubt as to whether such is the case, since there is no place in any code under the NRA.

Thirdly, the President is known to have in his political campaign curbing high salaries in all industries. This is scheduled to take place when Congress convenes in January. While elimination of the much-discussed penalty provision in the film code, therefore, seems inevitable by definition, it is stated that the President, it is also considered extremely likely that he will call upon the Federal Trade Commission to extend its present investigation which covers salaries of executives and corporation directors right down the line.

Denies this, the legal division of the NRA is understood to have approved the code in its entirety, including the penalty clause.

Few Changes Coming

Few, if any changes, are in sight for the code. The third NSA revision is expected to be published in a document which will be enacted into law. Strengthening this belief is the fact that it has received the general approval of the code as it now stands and is reported to have commended Rosenblatt highly for the part he played in which he has attended the code-formulating conferences.

Johnson admitted today he had seen the code five or six times. Coupled with that statement was one in which he said he was not satisfied with it.

As a boy. At a press interview on his departure for exhibition conferences in Chicago and pressed as to what he proposed doing about them, he replied the complaints had been lodged but the hearing would be done to something about them because of Rosenblatt's illness. The deputy has a cold. Johnson was asked earlier what was holding up the code in view of the fact the public hearings on it terminated over a month ago. In re

Again, Johnson said that it was in a very "fluid" state; that he didn't know what was holding it up except to modify his answer by declaring that discussions had been in to see him bringing new ideas with each visit.

If the code is not satisfactory to him and pointing out he had sent it back for revision, the administrator declined to enter objectionable clauses and remarked he "would rather not discuss them."

Code Reported Signed by All, U. A. Excepted

(Continued from page 1)

stars—United Artists is reported to have held out. Efforts to reach Litchman for a statement yesterday proved unavailing.

WASHINGTON. Oct. 27.—"Hun
dreds" of signatures to the code, which remains in its third revised form, aside from minor changes effected for the purpose of clarification, are under
to be on file in Deputy NRA Administrator Sol A. Rosenblatt's office.

Signatories include the M.P.T.O.A. claiming 4,000 members; the M.P. T.I.A., of 1,500 members; and the M.P. T.O., of 250 members; the M.P.T.O., of Arkansas, Mississipi and Tennessee, 175. These exhibitor units are all affiliated with the national M.P.T.O.A.

Hollywood, Oct. 27.—Joseph M. Schenck today said: "I have not as yet read the code since I have not seen a copy of it. Naturally I cannot sign the code until I see it and read it."

Alfred Granger, Felix Jenkins and Clarence Hill did their lunching

Fines May Go

at the 57th Street Schratt's yesterday.

Gwen Miller of Warner's advertising and publicity department leaves for the coast for four weeks.

Lou Lusty has returned to Colum-
bia's New York office. He is in charge of the charge department.

Jules Ruben of Great States Thea

tres in Chicago is in town on prod-

Norma Terres and her husband

Bob Kane is confined to his hotel with a heavy cold.

Stiff Censorship Sought in Kansas

(Continued from page 1)
groups, designated as A, B, C, D and E, according to their morality.

Children under eight would be excluded from pictures in categories D and E. Class D would include films having to do with horror, 'obnoxious' tragedy, saloons, speakeasies, and racketeering, while E films would include those with bedroom scenes, suggestive remarks and situations, questionable jokes and indecent exposure.

The measure provided for fines and jail sentences for violations. The council did not indicate whether it would draft these proposals into a bill to be introduced at a special session of the Kansas legislature on Oct. 30. It is understood the council's action will be governed by Governor Landis' wishes on the industry plans to fight the proposal.

Protest Block Booking

Protests against block booking on the ground that it cuts down the variety that can dodge responsibility for showing undesirable pictures have been signed and forwarded to President Roosevelt by President Emeritus Lowell of Harvard, Mrs. Calvin Coolidge and 250 other members of the M. P. Research Council.

Hold Up "Cradle Song"

Originally scheduled to follow Mae West in "I'm No Angel" at the Paramoun

"Cradle Song" is now being considered as a two-day attraction for the Criterion. Maurice Chevalier will play "Love," follows the West film into the Paramount in about two weeks.
Owes 100,000 Shares

Adolph Zukor, testifying at a Paramount bankruptcy hearing before Referee Henry K. Davis yesterday, said that he owned 100,000 shares of Paramount stock. Asked by Attorney Samuel Zirn if he had pledged any of his stock with a creditor bank of the company at the time, Zirker replied he "didn't recall."

"But," the creditors' attorney persisted, "wasn't it true that you had pledged your stock with the bank at $70 a share then?"

"Whenever it was selling at 70, it was worth seven million," Zirker replied laconically.

Hertz Wanted Control

Pressed further for details of Hertz's resignation, Zukor had difficulty in choosing what he felt to be the proper answer.

"Hertz assumed," he began, and broke off, "tried to be—" he hesitated. "I don't know how to put it, but he wanted to be in the studio and tell them what to make and how to make it, and also wanted to be in the financial end of it. He believed a man who had been in the business for so little time wasn't qualified and this led to his resignation."

Questioned by Rogers, Zukor said that he had known of publicity calculated to create the impression that Hertz was devoting his time to Paramount without compensation, and that he had tried to have Hertz make such a statement.

It was brought out by Rogers that Paramount was still the subject of discussions of chairman of the finance committee by Otto Kahn of Kuhn, Loeb & Co., although Rogers declared that Paramount, at that time, had no obligation to the bank.

"I don't know about that," Zukor replied. "They may have had an agreement. The condition of the company may have warranted it, too."

"Didn't have practical operating experience in the business," Rogers asked.

"Then what do you have in mind as duties for him when he came into the company?"

"The chairmanship of the finance committee and general work on the refunding and reorganizing of the financial structure. Nothing beyond that."

Hertz Salary $60,000

Zukor related that he had arranged Hertz's contract and that his salary, approximately $60,000 per year, was the result of negotiations between them.

Earlier testimony revealed that Paramount had been "privately financed," at least, required no outside financing, up to 1919, when the company first entered exhibition. The company's first loan of $200,000 was handled by Kuhn, Loeb & Co.

Asked how he had happened to secure the use of the title "Paramount," Zukor said that "Kuhn, Loeb & Co. had been on the list of assets of the bankrupt Rialto company and that the credit for the title had been assigned to him."

Hertz also professed himself interested in production and spent several months on the coast assisting Cohen in getting the studio "back in shape," Zukor said. "For some time we had been advocating decentralization in all departments. Katz was against it, and that resulted in his resignation."

At that time, Zukor, whom Zenon had first met during negotiations for purchase of the Balaban & Katz circuit, had become interested in an executive production post.

"Hertz was to be the business man between the studio and New York," Zukor said.

"Whose suggestion was that?" he was asked.

"Zirn's," Zirker replied without any show of amusement.

But you felt that his experience was needed there, through the courage of your convictions, you stood your ground with the result, you knew you were right. Is that it?" Rogers asked.

"It struck me like that," Zirker answered, "again without a trace of amusement."

Resent Davis Remark

A remark by Referee Henry K. Davis, in announcing that Paramount probably had acted "in good faith and honestly" in voting bonus contracts aggre-

Zukor, Sidney Kent, Sam Katz, Jesse Lasky and Ralph A. Kohn, for five years from 1927 to 1932, drew objections from creditors' attorneys.

Saul Rogers, counsel for a Paramount bondholders' group, asked that the referee's opinion be stricken from the record. Referee Davis concurred, but it developed that the referee had not taken down the remark.

Form Film Productions

The result of this was the organization of Film Productions Corp, which pledged 23 negatives as collateral on new notes issued by 12 banks. This deal is now under attack by the Paramount trustees on the ground that it constituted a preferential.

Asked if he knew the transaction constituted a lien on the negatives, Zukor replied. "I don't see how it added that if he had, he would have 'fought it.'"

"Just knew because of the situation which existed that the banks were getting some preference," Zukor said.

"But what it was," Rogers persisted, "what was the legal department to determine."

But you knew the banks did have a preference," Rogers pressed.

"The contract speaks for itself," was the reply.

It was recorded that Paramount's 1931 bank indebtedness of $7,500,000 had increased to $9,600,000 the following year at which time the trustee of Zukor and Katz began their negotiations with the 12 banks, the details of which Zukor said, he did not consider to be "materially important to the legal department to determine."

But you knew the banks did have a preference," Rogers persisted.

As for form, Zirker replied. "I don't see how we had a preference or that the situation was not right when one of the banks refused to renew a note. I don't recall which bank it was or what the date was. But when Kuhn & Co. then began to work on plans to reorganize our finances and get new money, the old agreement was struck out of production at the time, which represented millions."

(Continued on page 4)
Thompson Put In Charge of RKO Theatres

(Continued from page 1)

Three weeks ago, he was moved from his sales manager post at RKO Radio Pictures, Inc., under N. E. Depinet, vice-president. John O'Connor, who was assistant to Depinet on film buying, takes over those duties.

A. E. Reoch continues in charge of real estate matters. Construction and maintenance are included in this department.

Both C. O. Thompson and Reoch will report directly to McDonough.

Reisman's appointment as general foreign sales manager does not affect the status of Frank Dilling who is in South America on company business, it was stated.

Zukor Describes Friction in Para.

(Continued from page 2)

of existing or former employees, as such were used, Zukor replied that at the time the company's prospects were "so good" that it was felt that there was no risk involved in using the repurchase agreements.

"Besides," he said, "if we had issued new stock it would have seriously depressed the prevailing market."

Zirk's examination of Zukor was confined to the closing hour. The attorney said he had waited six months for the opportunity to question the Paramount head, but his line of inquiry was ruled out of order or "immaterial" so frequently that he elicited no new information of importance through his examination.

Zirk inquired whether Zukor "had been in any meeting with Judge Bondy of the U. S. District court prior to the Paramount receivership at which Judge Bondy agreed to make you (Zukor) and Charles D. Hilles equity receivers."

The question, which was ruled out by Referee Davis as immaterial, referred to the receivership of last January materialized at a closed hearing in Judge Bondy's chambers.

Zirk asked that Hertz and Robert T. Swaine, of Cravath, De Gersdorff, Swaine & Wood, Paramount counsel, be given an opening at the next session, Nov. 10.


(Continued from page 1)

week-end to occupy them. Requests that Hertz be placed on the stand for examination in connection with Paramount bankruptcy proceedings have been made by Saul E. Rogers and Samuel Zirk, attorneys for Paramount bondholders' committees. Rogers indicated yesterday that in the event Hertz did not heed the request he would seek to have the former Paramount executive subpoenaed.

Looking 'Em Over

"Meet the Baron" (M-G-M)

If Jack Pearl's first film venture holds up the way it started at the Capitol and pulls in the small towns the same way, M-G-M will be able to give three cheers and a couple of banzai over. Rudy Vallee was on stage the other day, and the audience gave every sign of enjoying the baron's adventures from start to finish.

With five names—Pearl, Jimmy Durante, Zasu Pitts, Edna May Oliver and Ted Healy—to help sell first night audiences, exhibitors have nothing to worry about from that angle. In addition, it has a wonderful story to hold the audience by personality alone, and the producer has dressed it up with a flock of good-looking girls and some snappy incidental music.

Pearl and Durante are deserted in a jungle without water by the real chief of the tribe. After Pearl is rescued by a Lindbergh reception in New York, some typical Pearl broadcasting, after which they are called upon to lecture at Cuddle College, a girls' institution headed by Edna May Oliver, Healy and his stooges are the janitor and plumbers. Pearl develops a romance with Zasu Pitts at the college. In this sequence a shower bath sequence is put on in musical comedy manner and Healy puts over some grand gags. A scene between Pearl and Miss Pitts in an icebox is a riot.

In the end the real baron shows up and Pearl and Durante leave the college in disgrace, but on the way back to the city they are signed up for another broadcast. It's a smart job all around.

"Love, Honor and Oh, Baby!" (Universal)

More of the Slim Summerville-Zasu Pitts comedy in which the ever-shuffling Summerville takes the part of an ambitious attorney out to make a name for himself and enough money so that he can marry Miss Pitts after being engaged to her for six years. Their experiences yesterday caused plenty of laughs at the Old Roxy.

In an effort to grab off some easy money needed for her marriage, Miss Pitts becomes involved in an affair with her employer, George Barbier, which winds up at her home when she spills a jar of honey on his suit and both are caught partly disrobed by her parents. Summerville fakes a rain scene which later becomes the deciding factor in a breach of promise suit filed by Miss Pitts.

When the case is heard, Barbier insists it was raining that evening, and Summerville, defending his future wife, proves by the records that it didn't. Verree Teasdale, Pitts' sister, double crosses the family on the witness stand, and when she insists it was raining that evening she unknowingly makes the case stronger for her sister. As a result Miss Pitts wins the $100,000 suit, which even surprises her future husband.

Donald Meek and Lucille Gleason do good work as Miss Pitts' parents, while Purnell Pratt, Adrienne Dore, Dorothy Grainger and Henry Kolker also contribute uniformly nice performances.

Hollywood

Personals

Hollywood, Oct. 27

CHARLES McDonald, who has been on the coast for the last two years, is recovering from a serious operation at his home in Hollywood.

Joe E. Brown has been made a member of the A. A. U. tribunal which will select the country's outstanding athlete for the award of the James E. Sullivan Cup.

Ruby Keeler arrives in Hollywood Sunday to begin work in "Sweethearts Forever" (Warners).

Laemmle to Coast Today

Carl Laemmle leaves for the coast today. He is going in connection with the announcement that Universal has decided to make four pictures with Jan Kiepura, the continental singer, in Universal City instead of in Paris as originally planned. Laemmle will visit the World Fair in Chicago on his way west.

"Angel" Does $68,200

"I'm No Angel" finished its second week at the Paramount last night with a $68,200 gross. This is only $1,800 under the anticipated $70,000.

At the Paramount, Newark, the same picture broke the house record with $6,300 for the week. Next highest gross was $24,000.

Sells Foreign Film

Arthur Zelik of General Foreign Sales Corp. has sold to Educational the Viennese short film, "A Stroll Thru Vienna."

Managers End Meeting

A two-day meeting of all Warner theatre zone managers called here by Joseph Bernhard, general manager, ended yesterday.

Irwin Heads Authors

Irwin has been elected president of the Authors' Guild of the Authors' League of America.
Allied Bases Campaign on Chicago Meet

Washington, Oct. 29.—That Allied proposes to convert results of its recent code mass meeting in Chicago to a long-term contract was made clear yesterday with the statement in a bulletin issued at Allied headquarters here that the window committee appointed at the meeting “will enlist the cooperation of independent exhibitors not affiliated with Allied with a view to bringing them into the fold of a new and more effective Allied Ass’n.”

“In territories where leadership has fallen down,” the bulletin continued, “the exhibitors will be acquainted with the facts and they will be given encouragement and assistance in rebuilding their organizations along sound and ethical lines.”

Relating that the Chicago meeting directed the Allied management committee to “fight for a fair code and a

Libson May Go Into RKO Midwest Board

CINCINNATI, Oct. 29.—That Ike Libson and Ben I. Heldingfeld, an attorney and associate of Libson, are candidates for posts on the board of directors of the RKO Midwest Corp., is currently reported here, although official confirmation is lacking.

The RKO Midwest bondholders are entitled to elect two additional members to the board in accordance with an agreement entered into with

Report Dix-M-G-M Dicker on Contract

Hollywood, Oct. 29.—Richard Dix and M-G-M are reported to be getting together on a long-term deal, for which he has one more picture to make under his present contract.

Missouri Sales Tax Meeting Opposition

Jefferson City, Mo., Oct. 29.—Indications are that Gov. Guy B. Park’s recommendation for a general sales tax will not have clear sailing in the Missouri legislature, now in special session. While it is expected a one

First at Music Hall

“Only Yesterday,” all-star special over which Universal has been pepped up to the Music Hall, Nov. 9. This is the first “U” to play the big 6th Ave. theatre.

After thrashing the I.T.O.A. wage scale proposition, Local 306 has submitted a special proposal to the exhibitor organization. The scales cover complete booth operation.

For houses seating up to 800, the cost is set at $168; for 800 to 1,200 seats, $242; for 1,200 to 2,500 seats, $326; and for 2,500 or more seats, $410.

Members of the I.T.O.A. will decide on the terms of Local 306 at the regular meeting tomorrow. The result will be forwarded immediately to the union, which will call a directors’ meeting for discussion of the report.

There is a possibility that a compromise may be effected.

The I.T.O.A.’s terms are $75 for

Gell Chosen Pathé Manager in England

London, Oct. 29.—W. J. Gell, formerly managing director of Gaumont Co., Ltd., and Gaumont Ideal, has been named managing director of Pathé Pictures, Ltd., here, effective Nov. 1.

Gell’s new appointments follow upon the consolidation of the Gaumont-British distributing units, with which he was associated, and are understood to be in line with plans for increasing Pathé production here, which was resumed recently.

Denmark Raises New Bars on U. S. Films

COPENHAGEN, Oct. 29.—Warner

Rosenblatt Asks for Horwitz Conference

Cleveland, Oct. 29.—M. B. Horwitz has been requested to appear before Deputy NRA Administrator Sol A. Rosenblatt at his Washington office on Tuesday afternoon. It is believed he may have something to do with Allied’s action in criticizing Rosenblatt’s handling of the code and

Betterment Group Seeks Code Change

Ralph Whitehead, executive secretary of the Betterment Group, has communicated with Deputy NRA Administrator Sol A. Rosenblatt in connection with this section of the final draft of the industry code dealing with vaudeville
**Insiders’ Outlook**

WHY the independents are resentful, also shocked and morose, as explained by one of them who won't go for his name being used, “because he fears reprisal.” “We won’t go to Washington. The Blue Eagle was to protect us. We wanted certain things, but almost before we had a chance to ask for them, they were promised. The right to buy was to prevail, monopolistic practices were to be cut out; small enterprises were to be protected. This was the promise given us voluntarily, mind you. We were told to go home and we did. Return in a week and collect your salvation; it’ll be ready for you. Well, we came back all right, but what happened to those promises? Do you wonder we have let out a howl since then?”

The two Schenks are in Hollywood at the same time. That may mean plainly where Joe’s resignation from the coast Hays association is concerned. Nick has a way of spreading his salt on waters that turn troubled. Also he carries more than casual influence with his brother. Remember, too, the Loew president was for Article 5, which Joe finds irksome, and some other things. The U.A. president was opposed because 20th Century is expanding, needs stars, and finds a wide-open market to its fancy. It’s as simple as that all. Having a bearing on the situation, too, is the fact that the Schenck resignation, like Sam Goldwyn’s, will not take effect until accepted by the association’s board of directors. They don’t meet for some time yet. Even if they did, the session might be postponed. There are ways.

He insists he knows what he’s talking about, says this chap, in shapin Harold B. Franklin’s future for him. It’s a two-way plan, the story goes. One production at the Biograph plant with Consolidated money. Two, a circuit of art theatres, like the Studio theatre in Los Angeles. A third springs from another source: That Franklin had sewed up the Theatre Guild on talkers right. The first year was around for a couple of weeks and trails to the close contact which Herb Yates maintained at RKO during the H.B.F. regime. The second looks like just a yarn. Number three “might be a good idea,” according to Franklin. Fifty-two bucks a head was the tariff on Harold Schenck’s last Wednesday night.

Another slant on the influences prompting Haysian objections to proposed production of “The Mad Dog of Europe” by Al Rosen is that it was less the decree of the M.P.P.D.A. than it was of certain eminent media lechings. The Jewish race in America who foresaw the possibility of the vitriolic anti-Hitler theme as alienating certain sympathy in non-Jewish quarters, was upset, according to this version, that any lack of dignity and restraint might react against the race in its international defense against Nazi tactics. 

There was one major that once had a favorable method of disposing of deposed executives; they were made branch managers in Kansas City. In 1933 it’s different; they’re made foreign managers.... During the first two weeks of the “I’m No Angel” run at the Paramount, no executive or circuit buyers’ passes were honored.... Having read Adolph Zukor’s testimony of how the last Kent, Katz, Schulberg and Hertz resignations developed, you now know all—or nearly all.... The Zanuck-Warner-Schenck “burn-up” is still sizzling. Warner had a chance to crack the latter and Sam Goldwyn over the knuckles the other day on the code and went the limit. Goldwyn must be gulping yet....

**Trading Light in All Issues**

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**Warner Bros. Drops One Point**

**Purely Personal**

A BE SCHNIDER of Columbia Rex, Roy Disney of the U. A. and Disney received quite a trimming early Saturday morn. The tonsorial artist at 729 did a swell job in preserving their youth.

**Hal Horne** is still being patted on the back in manner in which his crew put over that W. J. American Christmas Relief Fund “Bowery Ball” at the Astor.

**Paul Terry** and Frank Moser are readying two new Paul Terry Toons, "Beanstalk Jack" and "The Village Blacksmith," for early release.

**Peter Freuchen,** author of “Eskimo,” arrives from the coast today and will remain here for the premiere of the picture at the Astor, Nov. 14.

**Jimmy MacFarland** of the Rivoli still goes to the Paramount Child’s. He claims his attraction there is the oyster stew.

**W. Ray Johnson** and **Harry Thomas,** president of First Sales Division, arrived in New York Saturday from Cleveland.

**Al Selig,** Warner exploitation man, is back from Detroit where he put on the “Footlight Parade” campaign.

**Tobin Carr** left New York for California Saturday.

**Ben Blue** is headlining the Old Roxy stage show this week.

**“U” Loss for Nine Months Cut $30,889**

In a preliminary report of Universal Pictures for the three months ended July 29, it is indicated the net loss will be estimated $12,492 after taxes and charges. This compares with a loss of $419,338 for the same quarter last year. For the nine months ending July 29, the net loss was approximately $278,474, which is $30,889 less than that for the same period previously.

**THE MAYFLOWER**

61ST STREET, (Central Park West) New York City

**CONVENIENT TO THE FILM AND THEATRICAL CENTER**

1-2-3 Rooms. Full Hotel Service FURNISHED OR UNFURNISHED By the Year, Month or Day

**Serving Pantries**

**Electric Refrigeration**

**JOHN W. HEATH,** Manager
THOSE LIPS --
THOSE EYES --
THOSE LOVELY CURVES --

that make Lilian Harvey the dazzling ... alluring ... captivating creature she is on the screen are the same lips and eyes and soft round curves that make National Scene Trailers the high-power selling-force they are . . .

because the thrilling glimpses of the stars doing their stuff ... speaking their lines in actual scenes from the picture itself cannot be described . . .

the charm of personality ... the sound of the voice ... must be seen ... must be heard ... that's why National Scene Trailers are the most potent piece of screen exploitation at the command of the showman . . .

that's why samplevue trailers by

NATIONAL SCREEN SERVICE

LILIAN HARVEY
singing, dancing, devastating
in
"MY LIPS BETRAY"
coming soon from

are the pride of the industry . . .
worth more because they sell more
A Chinese dagger was the murder weapon . . . but whose hand held it when Archer Coe met his death? Was it the same hand that fired a bullet into his dead body?

In the First Installment:

When Philo Vance and John F.-X. Markham (district attorney of New York County) went to Archer Coe’s brownstone house in West Seventy-first Street to investigate the “suicide” of Archer Coe, it was to find the dead man still sitting in an armchair beside the desk in his bedroom, with a revolver clutched in his right hand and the door firmly bolted on the inside. Markham had been notified of the finding of the body by Raymond Wrede, an intimate friend of the Coe family, who did not think Coe would have shot himself.

Sergeant Heath and Detective Hennessy burst open the heavy door, and a closer examination of the body revealed that though the dead man was clad in a dressing gown, on his feet were heavy street shoes. Doctor Doremus, the coroner, discovered that Coe had been stabbed before he was shot in the right temple. He had also received a blow on the head from a blunt instrument. But the windows of the room were all locked, and there was no other means of entering it.

While Vance tried to reconcile these apparently irreconcilable facts, Gamble, the Coe butler, interrupted him to announce he had found a wounded dog in the entrance hall. The dog proved to be a small brindled Scottish terrier—a good breed, as Vance instantly recognized. There was a clotted wound over her left eye, and the eye itself was swollen shut. Vance took the dog to a veterinary in the neighborhood, hoping to discover the reason for her presence in the house at that time.

On the night of the murder, Vance discovered, only Coe himself had had dinner at home. Hilda Lake, Coe’s niece, had been at the country club and had not come back until after one; Mr. Grassi, an Italian collector of ceramics and a guest of Coe’s (a noted collector himself), had gone out in the afternoon and had not returned until very late; Brisbane Coe, Archer’s brother, had left on the five-thirty train for Chicago.

There were only two other servants besides Gamble—Miss Lake’s personal maid and the Chinese cook, both of whom had left the house before dinner and returned about midnight. It seemed clear that none of these could have been on the ground at the time of the murder, but suddenly Vance startled everyone by stating that Brisbane Coe had undoubtedly been in the house that night because the ivory-headed cane which Gamble had said he carried when he left for the station was hanging over the back of a chair in the entrance hall.

The Missing Man
(Thursday, October 11; 11:45 a.m.)

Vance’s announcement that the ivory-headed stick which Brisbane Coe had taken with him when he set out for Chicago was at that moment hanging over a chair in the front hall, threw a pall of vague horror over all of us. I was watching Gamble, and again I saw the pupils of his eyes dilate. Unsteadily he rose, and bracing himself with one hand on the back of his chair, glanced at Vance like a man who
had seen a malignant specter.

"You—are sure you saw the stick, sir?" he stammered.

"I didn't see it. And Mr. Brisbane never hangs his stick over the hall chair. He always puts it in the umbrella stand. Maybe someone else—"

"Don't be hysterical, Gamble," Vance interrupted curtly. "Who but Mr. Brisbane himself would bring that precious stick back to the house and hang it over a chair in the hall?"

"But Mr. Vance, sir," the man persisted in an awed tone, "he once reprimanded me for hanging it over a chair—he said that it might fall and get broken. Why, sir, should he hang it over the chair?"

"Less noisy, perhaps, than chucking it into a brass umbrella holder."

Markham was leaning over the desk scowling at Vance. "What do you mean by that?" he demanded.

Vance lifted his eyes slowly. "I opine, my dear Markham," he said, "that brother Brisbane didn't want anyone to hear him when he returned here last night."

"And why do you 'opine' any such thing?" Markham's irritation was bordering on anger.

"There may have been sinister business afoot," Vance said.
looking "Em Over

"Galloping Romeo"
(Monsgram)

This western carries its share of action, plot and heroics with a little more love interest than is usually found in the two-gun melodramas. Audiences who like their thrills on horseback should approve of it.

Bob Steele, teamed with a kindly old cavalier of the plains known as "Grizly," endeavors to end the mysterious thefts of money shipment during stage coach transit by taking over the job of driving and guarding the coach. Their first effort results in an attempted hold-up of the coach, which they succeed in foiling. The second results in the discovery of the hero's wife living in the coachman's trunk a method tried in the story and the hero's wife found in the coachman's trunk a method tried in the story and the hero's wife.

Miss Kent, shortly after learns Walthall was right. Phillips turns out to be a gambler and forger and is reported dead in an auto accident. The chief of detectives orders a Modification of the new district attorney's campaign for re-election. Blue refuses to listen to bribes of Robinson and the latter tries to prevent the re-election. He hires Mong, a former servant of Blue, to plant evidence in the district attorney's home that would create a scandal. While Mong is carrying out the job he kills Phillips, who shows up again and is leaving the house with jewelry and cash given him by Miss Kent as hush money. Robinson tries to use the murder as a bludgeon to prevent Blue from running again, but the D. A. comes right back at him and solves the killing. At the same time he cleans up the town of its undesirable.

Audience reaction in a neighborhood house was negative.

"Her Splendid Folly"
(Hollywood)

Willis Kent has produced in "Her Splendid Folly" a film that has numerous selling angles. Set in a picture studio atmosphere, it contains one thrilling sequence in which a speeding car ploughs over a cliff, while a tearful mother, who is seeking love in the approved Hollywood fashion and plenty of hokum.

The story is somewhat off the beaten track. A screen star, killed in the car accident, is of such importance to her producer that he resents the expedition of letting her double pose publicly as her in order that his production may be saved. Of course the public is told that the one killed was an extra girl doubling for the star. Thus her masquerade is not detected. Only the producer, director and her leading man, with whom she is in love, know of the trickry being played on the public. The whole thing blows up when a heavy who had been married to the star demands his marriage rights. There is no other way to save the young lady from going to prison for bigamy but to reveal the truth.

The cast is good. Lillian Bond, playing a double role, pairs up handsomely with Theodore Von Eltz, who is the lover. Alexander Curt, as the producer, plays it with just the right touch of being a star, in the movies—that is, with plenty of exaggerated comedy. Beryl Mercer lends a touching note as the mother of Miss Bond.

"Dinner" $14,000, Chicago

CHICAGO, Oct. 20.—"Dinner at Eight," being roadshowed at the Apollo at 50 cents to $1.50, stands to garner $14,000 for the opening week ending yesterday. The picture is being shown under a three-week lease, with the option of continuing if business warrants it. Sam Blair is here from the cast to handle the showings.
Universal’s New Deal!

YAMINS CIRCUIT

Nate Yamins

Operating the following theatres in Fall River, Mass:
Durfee, Empire, Capitol Park and Strand,

signs for

UNIVERSAL

—Features, News, Serials and Shorts, 1933-34

Thanks, Mr. Yamins, for your confidence in Universal Pictures. We will do our part.
Seattle, Oct. 29.—“The Bowery” sent Hamrick’s Music Box up to $6,000 last week. This is $2,000 over normal.

“The going of the Orpheum has added about 2,500 seats to the local first run picture. Vaudeville and the Group of Missing Persons’ pulled $9,000.

“Dinner at Eight,” as a roadshow at the Metropolitan, did an average business, but local showgoers seem to wait for these roadshow pictures to return at regular prices. “Happy House” at the Fifth Avenue and “Ann Vickers” at the Blue Vixes were below par, and “Solitaire Man” at the Paramount was pulled after four weeks and put on cold, to build up fairly well.

First run total for the week was $39,500. Average is $38,500.

Estimated takings for the week ending Oct. 21:

**ANN VICKERS** (Radio) BLUE.—1,200. 25c-35c-40c-55c. 7 days. Gross: $3,500. (Average, $4,400.)

**PENTHOUSE** (M-G-M) FIFTY.—2,250. 25c-35c-40c-55c. 7 days. Gross: $5,500. (Average, $7,000.)

**CURTAIN AT EIGHT** (M-G-M) LEONARD.—3,000. 7c-9c. 7 days. Gross: $4,500. (Average, $5,000.)

**THE BOWERY** (U. A.) MUSICAL.—1,050. 25c-$1.00. 7 days. Gross: $4,000. (Average, $4,000.)

**BUREAU OF MISSING PERSONS** (U. A.) ORPHEUM.—625. 35c-99c. 7 days. Gross: $3,500. (Average, $4,000.)

**THE SOLITAIRE MAN** (Par.) PARADIGM.—1,000. 7c-9c. 7 days. Gross: $2,500. (Average, $3,500.)

**BERKELEY SQUARE** (Paramount—M-G-M) PRONTO.—1,850. 25c-35c-40c-55c. 7 days. Gross: $6,000. (Average, $6,000.)

**SUNDAY’S MILLIONS** (Univ.) ROXY.—(2,25). 25c-35c-40c. 8 days. Gross: $6,500. (Average, $6,500.)

**SEVENTEEN EIGHT** (M-G-M) METROPOLITAN.—(1,800). 7c-110c-11. 65. 7 days. Twice daily. Gross: $5,500.

**“Angel” Is $10,000 Indianapolis Lead**

Indianapolis, Oct. 29.—Fifteen thousand school teachers in the city during the latter part of last week put their money in a good hunting mood for a change and sent three of the four first runs over par. “I’m No Angel” was the leader with a gross of $10,000, which was $6,500 over par and very good for that house even in pre-depression days.

Total for the four first runs was $25,000. Average is $5,000.

Estimated takings for the week ending Oct. 21:

**WALLS OF GOLD** (Fox) APOLLO.—(1,100). 25c-40c. 7 days. Gross: $4,000. (Average, $4,000.)

**I’M NO ANGEL** (Para.) CIRCLE.—(2,200). 25c-40c. 7 days. Gross: $5,500. (Average, $5,000.)

**ONE MAN’S JOURNEY** (Radio) INDIANA.—(1,300). 25c-35c-40c. 7 days. Stage show. Gross: $700. (Average, $1,000.)

**THE BOWERY** (U. A.) PALACE.—(1,250). 25c-35c-40c. 7 days. Stage show. Gross: $5,000. (Average, $4,500.)

**Silk Express** at $1,300, Portland**

Portland, Oct. 29.—“Silk Express” easily took first honors among the local first run pictures last week, making a gross of $3,000, up $1,200. Great Raymon & Co. on the stage helped.

“Texas Good Ole Oil Baby” was $800 over the normal $3,000 at Hamrick’s Music Box. “Too Much Harmony” was $700 up at the Liberty, and “Midshipman Jack” took a strong $2,500 at Hamrick’s Oriental.

First total run business was $22,300, average $2,190.

Estimated takings for the week ending Oct. 21:

**LOVE, HONOR AND OH, BABY** HAMRICK’S MUSIC BOX.—(2,000). 25c-35c-40c. 8 days. Gross: $3,000. (Average, $360.)

**MIDSHIPMAN JACK** (Radio) HAMRICK’S ORIENTAL.—(2,000). 25c-35c-40c. 7 days. Gross: $2,500. (Average, $350.)

**BEAUTY FOR SALE** (M-G-M) BROADWAY.—(1,912). 25c-35c-40c. 7 days. Gross: $2,500. (Average, $350.)

**-too MUCH Harmony** (Para.) LIBERTY.—(1,800). 25c-35c-40c. 7 days. Variety. Gross: $1,800. (Average, $250.)

**SILK EXPRESS** ( WARNERS) HAMRICK’S PLAYHOUSE.—(1,600). 25c-35c-40c. 7 days. Gross: $1,800. (Average, $250.)

**Publicist Writes Novel**

Chicago, Oct. 29.—Madeline Woods, for many years in charge of publicity and advertising for Great States The- aters, is the author of a first novel, “Second Scandal House,” which came off the press recently. The publisher, Julian Messner, formerly with Liveright, has taken publication on Miss Woods’ next two novels.

Film rights have been negotiated by Miss Woods. In recent months Miss Woods has been booking “The Big Drive,” for which she held a franchise for several western states.

Atlanta Meet Opens

Atlanta, Oct. 29.—First of the three-day annual convention of South- eastern Theatre Owners Ass’n opened here.

Canton Scales Lifted

CANTON, Oct. 30.—Young & Mc Kinley, have advanced admissions from 10 to 15 cents.
Reorganizing
Set on Eight Para. Groups

Four to Go, Report by Trustees Indicates

Reorganization of eight bankrupt theatre subsidiaries of Paramount
Publix and progress in reorganization of four additional circuits is recorded
in the third report of the Paramount trustees filed for the firm on
Saturday, by the Trustees of Henry K. Davis, by Charles D. Hilles,
Eugene W. Leake and Charles E. Richardson.

Circuits already reorganized are: A. H. Blank, Nebraska and Iowa;
Southern Enterprises, Texas; Publix Newport News; Virginia
Theatres, Inc.; Publix Virginia, Inc.; Augusta Amusements, Inc., Georgia;
Downtown Theatres, Inc., Texas; and a 10-months' minimum operating plan
for Publix Detroit theatres.

Circuits on which reorganization is still in progress are Olympic
Theatres, Inc., New England; G-B Circuit, New England; Saenger Theatres,
Southern States, and the Minnesota Amusement Co.

Other Paramount Publix properties affected by plans either completed or
(Continued on page 6)

Para. Claims Put
At $319,000,000

A final tabulation of creditors' claims filed against Paramount Publix
showed a total of about $239,000,000, the third report of the Paramount
Publix trustees records.

Of this amount, the report states, about $85,000,000 represents claims
(Continued on page 6)

Goldwyn Blasts
Warner's Charge

Hollywood, Oct. 30.—Answering
Jack Warner's attack on him last week for the release of his picture
The Producers' Ass'n over its esposal
(Continued on page 8)

Pigs vs. Pastrami

Moe Stroemer, U. A. branch
manager, says that "These
Little Pigs" should have been
named "Three Little Pastrami's" for the benefit of a
number of local exhibitors.

Reorganizing Set on Eight Para. Groups

Heavy Italian
Tax Effective
Soon on Films

Levy of 25,000 Lire is Proposed on Dubs

ROME, Oct. 30.—Italy's new legis-
lation imposing severe tax and dubb-
ing tributes on all foreign films is
expected to go into effect in the near
future following the failure of American
distribution agents' protests to the
government that the new laws
would burden the American export
industry with an unbearable tax of
$1,150,000 annually and comprised
discrimination against American film
producers.

The new legislation specifies that
all foreign films must be dubbed in
Italy and imposes a tax of 25,000
(Continued on page 6)

Sale of Poli Gets
Approval of Court

HARTFORD, Oct. 30.—Judge Edwin
S. Thomas in Federal Court here to-
day confirmed the auction sale of Fox
New England theatres in Massachu-
setts and Connecticut to John A.
McNaughton and W. B. S. Rogers
for $101,000 last week.

Reorganization plan of Poli-New
England Theatres, Inc., is set and
awaits approval of the court. Under
(Continued on page 6)

Like Mae's
"We had an earthquake out
here the other night," said
Will Rogers over the air Sun-
day night. "It shook the
Writers' Club building to its
second mortgage and made
the side shake like Mae
West's. The Chamber of
Commerce probably will say
that's one of Will's bun
jokes, but it happened."

Later:
"Warners are going to make
the life of Napoleon. I over-
heard Jack Warner say he
was going to cut out Water-
loo because the public was
fed up with war pictures."

Academy Asks
"Fair" Trial
For the Code

HOLLYWOOD, Oct. 30.—The Acad-
emy tonight was urged to give the
code a "fair trial over a reasonable
period of time," by Lester Cowan,
executive secretary of the organiza-
tion, who submitted a report on the
Washington conferences to the board
of governors.

The Academy's secretary swung the
lash at the creative talent of Holly-
wood, urging players "to stop parad-
ing their problems in public, to stop
relaxing the past and telling tales on
each other, to forget petty differences
(Continued on page 3)

Rosenblatt
Hits 'Selfish
Theatre Men'

Tells Southerners Code
Will Help Industry

ATLANTA, Oct. 30.—Deputy NRA
Administrator Sol A. Rosenblatt took
a verbal crack today at exhibitors
"who fail to see beyond their own
selfish interests" and declared that the
code would bring them into line to
the advantage of the industry as a
whole.

It was his first public speech since
he took over handling of the film code
and was made at the opening session of
the Southeastern Theatres Owners' As-

Rosenblatt stressed the opinion that
the cancellation provisions of the code
would be an aid to exhibitors and
would enable them to avoid the show-
ing of films which are not approved
by film review boards.

Speakers at tomorrow's session will
be Ed Kuykendall, head of the M. P.
T. O. A.; M. A. Lightman and
Charles W. Piqueut. Officers are to
be elected tomorrow.

Rosenblatt Returns
From Atlanta Today

WASHINGTON, Oct. 30.—Return of
Deputy NRA Administrator Sol A.
Rosenblatt from Atlanta on Tuesday
is expected to be followed by renewed
developments in the industry code,
activity on which went into the decline
(Continued on page 3)

Thompson Goes on
New Job at Radio

Leslie Thompson, who was appoint-
ed assistant to J. R. McDonough in
charge of RKO theatres on Friday,
started his new post yesterday and to-
day will hold his first confab with
circuit divisional managers.
(Continued on page 6)

In Conclusion

Milwaukee, Oct. 30.—Says
Fred Mayer, president of the
Wisconsin M. P. T. O., and
one of the industry's most
persistent codifiers:
"Famous last words: 'For
years they wanted Wash-
ington! They got it!'"
responded with biggesses to this merry madcap affair and classed it as gorgeous hilarity. Its subtle humor and sly thrusts all found haven with the high lifters who can differentiate pate de foie gras from ordinary lives—call or chicken.

Lubitsch's film is not Noel Coward. It's a picture version of the play, adeptly rewritten by Ben Hecht. Film lines deviate from the play pattern, but the plot structure is retained, together with the salient features of this pattern for love. The film is not as frank or as mag, but it's more down-to-earth and more direct, which is in its favor for mass distribution.

The story is of two Paris baronets, one a playwright (Fredric March) and the other a painter (Gary Cooper), who fall for an artist, Miriam Hopkins. She tantalizes them, inspires them, loves them, leaves them, but always has a yen for them. The two pals fight, break up, make up, return to each other and the girl. After one hectic triangular love battle, she scrams and marries a Babbitt advertising man (Edward Everett Horton). Plastered, the two pals pay an unexpected call at her menage, arriving in the midst of a prosaic home party. This sequence has a gorgeous rib-shaking highlight, with a nice surprise twist for a finale.

Lubitsch's hand is evident from fade-in to fade-out. He has directed a saucy, witty drama. Even though the three who love each other shake hands in a comic, saying "No sex," it's still saucy.

Master of the lights and shadows, Lubitsch's revelations find outlet in sly symbolism or subtle subtlety, skinning lightly, piercing deeply, or exploding in madcap merriment. Lubitsch is a lulu.

Cooper takes the palm for his portrayal of the more blunt and rugged of the two lovers. March, suave and polished, registers romance with an ease and grace. Miss Hopkins, alluringly attractive, is a tempting eyeful, Horton is sure-fire for laughs.

Production exceeds the usual high-class Paramount-Lubitsch values. What they have on the screen is a true two-reel picture, a small, quick, funny, fast-moving comic gem.

Looking 'Em Over

U. A. Closes Shorts Deal

United Artists has closed a deal for distribution of Master Art "Organ- logues" in China, Manchuria, Japan, France, Venezuela, Peru, Portugal, Paraguay, Spanish Straits Settlements, Malaya, Siam, French Indo China, Sarawak, British North Borneo and Dutch East Indies.

CASINO CHANGES HANDS

The Casino Theatre property at the southeast corner of Seventh Ave. and 30th St. has been acquired by Haring Properties. The deal was completed through the local branch of the Mutual Life Insurance Company of New York, jointly with Jack Shapiro, from the Mutual Life Insurance Co. Two million dollars is reported to be involved in the deal, which includes a six-story office building.

Report M-G-M May Take Radio Chain

Negotiations have been started, it is reported, between M-G-M and the Amalgamated Broadcasting System, of which Ed Wynn was the head until recently, whereby M-G-M will take over the new company with its 22 stations.

In the deal, it is said, is a plan to make WHN the central station instead of WBNX, and to retain Ota Gygi and his staff as operators. Major Edward Bowes could not be reached for a statement.

Freeman C. Allen Dead

ROCHESTER, Oct. 30.—Freeman C. Allen, owner of the Rochester Post, former editor of the Eastman Kodak and prominent in the life of the city, collapsed and died of a heart attack after exercising in the gymnasium at the Genesee Valley Club.

Allen was a member of a number of Rochester clubs and a director in several enterprises. He was 48.

Century to Move Office

Century Circuit, Inc., operators of theatres in Brooklyn and Long Island, is moving from 152 West 42d St. to quarters on the 31st floor of the RCA Building in Rockefeller Center.

Andy Devine Married

HOLLYWOOD, Oct. 30.—Andy Devine, Universal contract player, and Dorothy Irene House were married Saturday in Las Vegas, Nevada.

Meehan in Town

Leo Meehan is in New York from Hollywood. It is his first trip east in four years.

On Page Eight

All financial markets appear on page eight today.
Academy Asks “Fair” Trial For the Code
(Continued from page 1)
and get down to the business of making good pictures.”

The report, in part, follows:

“Motions pictures have been widely misconceived on the part of most people in the production end of the industry and the national leadership of the Motion Picture producers has been seeking to cultivate the National Recovery Act as applied to the business. From my observation in Washington, D.C., and with Mr. Rosenblatt and other officials, I feel that the NRA industry code will not be the ‘big bad wolf’ that many people fear. As far as I can see, the code is not a set of hard and fast rules which must be lived up to, as the implicating of machinery set up for the stabilization of the industry, the success of which will be determined by the manner in which it is operated.

“It is clear and definite that the code has accomplished its primary purpose, that is, to save jobs, and that the entry of wages, week to week, of salaries, shortening working hours and spreading employment. Reforming and rationalizing the rules of fair trade practice, there are some provisions we believe are being used, particularly in the principle, on the other hand they are surrounded by machinery which if it functions fairly should quickly excise the hogshead of which some provisions are based.

Burden on Code Authority

“This machinery is the code authority, which, in the last analysis, is in the hands of the employers. The success or failure of its operation is on their shoulders, and they can either make it work for fair, constructive and permanent ends or else destroy its own advantage and eventually defeat the whole purpose of the NRA.

“This code is public property, and I am bound to the code authority. We have been assured there will be no ‘star-cham-ber’ sessions, or executive sessions, to administer the code. It is the right of all persons in the industry to watch all workings of the various panels and the burden of the industry’s operation may be determined. If the producers break faith, the burden will be thrown to the Ad- ministration whose very existence depends upon the success of the Na- tional Recovery Code.

“I take this opportunity of making the following recommendations:

1. That as much as the code will be signed by President Roosevelt and what he wants, it deserves a fair trial over a reasonable period of time.

2. Whatever the objections to the code might be, there is a method of procedure to follow that will be based upon facts and presented not in the manner of head charge, but in a manner where it will be possible to wait, if it should be altogether one, the Administration for half a year or so.

3. That the code be altered and should be parroted in the industry’s private language. If the industry has any ideas or beliefs in the industry’s private language, it should be published in the industry’s private language.

4. That the code is not a hard and fast rule, but should be a set of rules for constructive effort, the idea being that if the code is not a hard and fast rule, a hard and fast rule, if it is, will be a hard and fast rule.

5. That all employers, both salaried and wage employees, and all employees, both salaried and wage employees, be accorded the right to make a constructive effort to improve the code, and that in the process employees, both salaried and wage employees, be accorded the right to make a constructive effort to improve the code, and that in the process of constructive effort, the employees, both salaried and wage employees, be accorded the right to make a constructive effort to improve the code.

May Change Air Time

Roxy is considering changing his weekly concert over this coming Sunday afternoon to an evening spot, possibly Tuesday night.

Rosenblatt Returns From Atlanta Today

(Continued from page 1)
during the last few days. Rosenblatt was named District Commissioner of Southeastern Theatre Owners.

It is reported on reliable authority that the film code has brought to the White House yesterday, confirmation of which was impossible late yesterday.

Name Code Official for K. C. Territory

KANSAS CITY, Oct. 30.—Code violations here are to be handled locally through J. E. Wrenn, district manager of the Department of Commerce. He has been made district compliance director for western Missouri, Kansas, Colorado and Nebraska.

All complaints on code violations are to be reported to Wrenn. He is the office will not be an enforcement agency, but will seek compliance through conferences and education. Prosecutions for violations are to be handled through the Federal Courts, according to William L. Van- dewenter, U. S. district attorney.

Burlesque Hearing Is Set for Nov. 9

WASHINGTON, Oct. 30.—A hearing on the burlesque code has been set for Nov. 9 at the Mayflower Hotel before Deputy NRA Administrator Sol A. Domowitz.

The proposal is to make a minimum wage for principals of $30 per week with $20 for chorus in traveling shows and $15 for stock company chorus. A maximum week for actors is set at 52 hours, except during rehearsal.

Film operators, stage hands and musicians are to receive a minimum of $40 for a 52-hour week.

Bosston Takes Jump in Five Of First Runs

BOSTON, Oct. 30.—Another good week, with grosses running about 30 to 40 percent above first run houses. Mr. H. A. Underwood is head of more for Mandell for Mr. and Mrs. Jesse Crawford, at the two successful, completed their third week and additional features were added to the program, including a bridge segment. Grosses showed an increase as a result.

Both RKO theatres and the Metro- politan, including the Capitol, with “The Power and the Glory” and the Boston with “Charlie Chan’s Greatest Case,” were on the “Way to Love.” “Bombshell” at Loew’s State was good for $3,000 above par.

Fox, in the unusual situation of supplying 50 per cent of the first run film for the Boston houses for the week.

Total first run business was $110,500. Average is $15,000.

Estimated takings for the week ending Oct. 19:

“CHARLIE CHAN’S GREATEST CASE” (Fox)

BOSTON—(2,900), 52c, 50c, 7 days. Bar- ron’s State, $3,000. (Average, $15,000.)

“FLAMING GOLD” (Radio)

PENWAY—(1,800), 50c, 50c, 7 days. Gross: $5,500, $5,000.

THE POWER AND THE GLORY” (Fox)

HEATHY—(3,500), 50c, 50c, 7 days. Vaudeville, Gross: $3,000. (Average, $15,000.)

“BOMBSHELL” (M-G-M)

LOEWS STATE—(2,000), 50c, 50c, 7 days. Vaudeville, Gross: $1,000. (Average, $15,000.)

“WAY TO LOVE” (Para)

METROPOLITAN—(4,250), 35c, 40c, 7 days. Total Estimated Revue. Gross: $5,000. (Average, $2,500.)

“DR. BULL” (Fox)

PARAMOUNT—(1,800), 35c, 40c, 7 days. Gross: $1,000. (Average, $9,000.)

Warren Reports for New Warner Zone

MEMPHIS, Oct. 30.—Formation of a new zone of theatres in Kentucky, Tennessee, lower Indiana and Ohio, with Howard Waugh, manager of the local Warner house, in charge was learned here today. William L. Heaton, manager of the Warner Strand, Oshioh, Wis., will take over Waugh’s duties here.

An understood expansion is planned by Warners in this zone, with houses to be added in Tennessee and Kentucky. Centered in the Washburn, Waugh, just back from a week spent in New York, says headquarters will be established either in Memphis or Louisville, with Memphis favored because of the presence here of all major film exchanges. Moe Silver of the Times Exchange, who has been invited to meet Waugh in Louisville Wednesday for a trip over the entire territory, will be asked to decide definitely on Waugh’s next assignment.

Waugh’s idea of subsequent run theatres in key cities as a protection of Warner profits is expected to be adopted here and in Louisville, according to reports.

GUILD NOW UP TO 925

Hollywood, Oct. 30.—Total membership of the Screen Actors’ Guild has reached 925 to date with Will Rogers, Al Jolson, Lew Ayres, Leila Hyams, Jeanette MacDonald, Dorothy Mackaill, Marie Doro, June Knight, Gloria Swanson, have the latest to affix their names to application blanks.

The executive board has elected a council to draw up a code of ethics and practice to be submitted to the members for approval. Personnel of this committee consists of Otto Kruger, chairman; Miriam Hopkins, Frank Conroy, James Gleason, and used as it.

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A Great Show!

Send the following message, subject to the terms on back hereof, which are hereby agreed to.

MILTON B. ARTHUR  
STATE THEATRE  
LONG BEACH, CALIF.

OCTOBER 27, 1933

JUST SAW ONLY YESTERDAY THE MOST MAGNIFICENT AND IN MY OPINION THE BIGGEST BOX OFFICE ATTRACTION THIS YEAR. I WANT YOU TO DATE IT AS QUICKLY AS POSSIBLE AND RUN IT FOR TWO WEEKS. STOP I KNOW YOU USUALLY CHANGE YOUR PROGRAM TWICE A WEEK AND RUN SOME PICTURES A FULL WEEK BUT YOU CAN TAKE MY WORD THAT THIS ONE WILL DO A BIG BUSINESS FOR TWO WEEKS.

HARRY ARTHUR
Opinion of—

ONLY

YESTERDAY

(Note: Harry Arthur, writer of the wire reproduced on the opposite page, is known from Coast to Coast as one of the most successful showmen in the business. He is associated in the management of the Roxy, New York; Paramount, Los Angeles; Orpheum, San Francisco; State, Long Beach, and theatres at Santa Ana, Fullerton, Anheim, California and Boulder, Colo.)
Reorganizing
Set on Eight
Para. Groups

(Continued from page 1)
in work, according to the report, include
Seneca Holding Co. properties, principally the Broadway theatre block from 44th to 45th Streets and the Longacre Theatre building at 45th Street and 6th Avenue, the Paramount and St. Francis theatre buildings, San Francisco; Paramount Theatre Building, Oakland; Paramount Theatre Bldg. and the Rialto, Portland; Paramount, Seattle; the West Coast studio and Paramount Theatre Bldg., Los Angeles; the Vine Street Tract and laboratory, Paramount Ranch and South Broadway Co., Los Angeles. The last named is not recently disposed of by sale. Others involve for the most part default of interest and missed principal on bond issues.

The negotiations under way with bondholders' committees of the properties involved seek a reduction of interest rates and a postponement of the maturities.
The west coast studio and Paramount Theatre Bldg., Los Angeles, are subject to a lien on a $2,000,000 bond issue, a revision of which is now in work, according to the trust under which the semi-annual interest and a maturity of $150,000 principal came due Sept. 1 and is paid out of funds of Paramount at Hollywood. The trustees' report states that the west coast realty problems of the bankrupt are of great importance and that a trustee has been assigned to them exclusively, with permanent headquarters on the coast. The trustee's representative is John A. Dunlop of Root, Clark, Buckner & Ballantine, trustees' counsel.

Para. Claims Put
At $319,000,000

(Continued from page 1)
filed in duplicate and a "large part" of the balance is regarded by the trustees as being "excessive and of doubtful provability." The work of liquidating the provable claims and settling the non-provable ones is now under way, according to the report.

It is unofficially stated that all but $20,000,000 to $35,000,000 of the total claims filed will be contested by the trustees. Of this amount, about $25,000,000 represents bondholders' claims.

Trustees Drop 20
Paramount Leases

Paramount Publix trustees have technically "surrendered" 30 service contracts and 20 leases to date, it is recorded in their third report to the U. S. District Court here, filed Saturday with Judge Lanny Almon. Disaffirming of the contracts, it was explained by a spokesman for the trustees, was undertaken in the light of bankruptcy proceedings which do not necessarily terminate the services involved, but comprises only a formal notice to the parties that the trustees are not accountable under the existing pacts, although the services may be continued. In the case of leases disaffirmed, many do not involve surrender of the premises under lease, but present merely the termination of old leases and their substitution with new leases negotiated on more favorable terms.


Among disaffirmed leases are those for the Para Bldg. Bldg., Los Angeles, Brooklyn, Paramount, Freemont, O.; Paramount, Glenn Falls, N. Y.; Paramount, Hamilton, O.; Florida, Jacksonville; TV, Nashville; Edison Bldg., Los Angeles; Paramount, Middleton, O.; Paramount, New York; Long Island Studio; Paramount, Oakland; Florida, St. Petersburg; Paramount, Santa Monica; MacKee Bldg., Toledo; Paramount, Toledo, and the Penn and State, Uniontown, Pa.

Para.'s Pay Cuts
$2,973,672 a Year

Payroll reductions of home office and field personnel of Paramount Publix for the fiscal year, $2,973,672, are generally up to the present, as compared with May, 1931, it is revealed in the third report of the company's trustees in bankruptcy, filed Saturday with Referee Henry K. Davis.

It is stated that the time of the company's bankruptcy in January of this year, up to August, average payroll reductions at the home office from reductions in both salaries and number of employees was 25 per cent. In the same period reductions totalling $2,385 per week were given in the salaries of the ranking executives of the company.

The following payroll reductions have been made: June, 1931, salaries of home office and field employees were reduced on a graduating scale from five per cent to 25 per cent; July, 1931, all salaries above $50 per week were reduced from five to 10 per cent; April, 1932, a five per cent reduction on the first $50 of all salaries; August, 1932, two weeks' vacation without pay for all home office and field employees put into effect; spring, 1933, all salaries earning over $50 per week given 50 per cent reduction for seven-week period.

The average result of all the cuts amounted to a decrease of 9.7 per cent on salaries of $25 per week, and a 34.8 per cent decrease on salaries of $250 per week. Thus, a $25 salary is now $22.57 and a $2,000 salary is $1,398.57.

Para. Buys "Melody"

Hollywood, Oct. 30.—Paramount has purchased Frank Leon Smith's original story "Melody in Spring" as a vehicle for Mary Pickford and Charles Ruggles.

Lanny Ross, whom Paramount has signed for a long-term contract, will also appear in the picture.

Postpone Publix Meet

Hearing of various lease claims against Public Enterprises, scheduled for yesterday before Referee Henry K. Davis, was postponed to Nov. 6.

Thompson Goes on
New Job at Radio

(Continued from page 1)
Nate Blumberg, new general manager, is expected from Chicago where he has been making his headquarters, either this morning or later in the week.

Phil Reisman, new foreign sales manager, is clearing up current duties in New York. When time permits he expects to assume his new post, for which incidentally, he specifically asked for the next day or two.

Divisional managers gathering in New York to meet Thompson are Nat Holt, Cincinnati; Howard Lilienthal, Chicago; James, New Jersey and Washington, and the following New York men: Charles MacDonald, Lou Goldberg and H. R. Emde.

Sale of Poli Gets
Approval of Court

(Continued from page 1)
the plan S. E. Poli again will take over the circuit of 18 theatres, Louis M. Sagi, his non-in-law, to assume charge of operations. However, several details have yet to be ironed out, but after the Nov. 10 that Poli will operate, Halsey, Stuart & Co. are interested in new seats.

Negotiations by several major circuits for the houses are under way and, according to Sagel, the houses will be sold to another company, unless it is by "outright buy." There has been talk of Loew's taking the houses and operating deal, but when asked about this Sagel said that "deals submitted so far are not satisfactory.

Stars for LaGuardia;
Marquises for O'Brien

Louis Nizer, chairman of the film division of the LaGuardia campaign for mayor, has outlined his plans for an open air parade film and stage celebrities in connection with a Madison Square Garden show. Plans for the Fifty touring cars holding the marquees luminaries, followed by other cars and a parade of balloons, will figure in the line of march from Columbus Circle to 42nd St. and back to the Garden, he declared.

Joseph Granasky and Arnold Van Leer, chairmen of the Democratic Theatrical Division, are finding Mayor O'Brien's "trumpets from the marquee of the Criterion so successful, they say they plan two more this week for their candidate. A Daily Worker's "Drive in" also will feature film, stage and radio personalities, but whether the same as those who will parade for LaGuardia is not known.

Shanberg's Publix
Deal Reported Cold

MINSK GOLD, Oct. 30.—Recent negotiations by M. B. Shanberg and associates of Kansas City for Publix Northwest theatres, comprising the F. & R. group, are now reported "cold." It is understood the Shanberg deal involved a proposal to retire a $50,000 mortgage, held first lien against the Willipol, V. E., a theatre, and the receiver, Hamm quoted as saying that any intended purchaser will be required to furnish sufficient cash to lift the mortgage.

Shapiro Speeding Up
Majestic's Output

Divorcing himself from supervision of sales for Majestic, a post he assumed several months ago, William D. Shapiro has turned to production as assistant to Phil-Goldstone. He is now on the coast aiding Goldstone in speeding up production. The third of 12 releases, "San of Nora Morgan," has just been completed with Zita Johann, John Miljan and Alan Dinehart in the cast.

Shapiro's shift followed entrance of Max Weisfield into Majestic as general sales manager. Weisfield succeeded John Weber, who was appointed foreign sales manager.

Giegerich Rejoins
Celebrity Pictures

Charles J. Giegerich yesterday rejoined Celebrity Pictures which plans a series of cartoons in Cinecolor. Ub Iwerk is production chief of the studio. First release is practically ready. Giegerich is in general charge of the company.
THOSE INTERESTING

COMPOSITE SHOTS

in the pictures you show have called for new ingenuity on the part of the producer. What is more, the photographing of the backgrounds has definitely demanded a special new type of raw film. Eastman Background Negative—recently announced and now widely used—is the answer. Possessing unique characteristics, it dovetails perfectly with this important technical advance. It greatly enhances the beauty, effectiveness, and value of projection background "shots."


EASTMAN

BACKGROUND NEGATIVE
Fox Making Search For Latin Players

HOLLYWOOD, Oct. 30.—Fox Films’ survey of the foreign production market reveals that the Spanish-speaking community is the world’s biggest, with faces appearing in Spanish pictures. To rectify this condition, the studio is promoting a silent campaign for new Latin talent and has spotted scouts both in New York and Hollywood with the intention of strengthening its list.

The new move, according to reports, has been somewhat stimulated by Warners’ entry into the Spanish production field. Although Fox has been substantially entrenched in this department for several years, the studio now has about 12 Latin players under contract.

Ohio Tax Fight to Be Outlined Today

COLUMBUS, Oct. 30.—Independent exhibitors who have been asked to attend the state wide mass meeting at the Deshler-Wallick here tomorrow, when, under the lead of Representative Elmer J. Smith, the manager of the Ohio exhibitor unit, plans will be formulated for an attempt to secure repeal of the 10 cent state tax levied on all admissions over 10 cents, effective since Sept. 1, the meeting was expected to be open to the issue when the legislature reconvenes shortly after Jan. 1.

Failing of the exemption in the lower bracket is said to be the outgrowth of internal dissension in exhibitor ranks.

Exhibitors view the tax as discriminatory and ruinous, contending that the industry should not be singled out to bear this burden, and that their business is being seriously affected thereby.

A general sales tax in Ohio looms as a possibility through the lowering of real estate taxes, as provided by a constitutional amendment which is still on the calendar.

Book on Settings

“Settings and Costumes of the Modern Stage” is the title of a new book from The Studio Publications, Inc. It is reprinted from an English edition.

While illustrations are confined solely to stage technique developed in Europe and this country in recent years, it may be of interest to film studio art departments.

There are two articles on theatre art developments and their trends. One, by Theodore Komisarjevsky, is devoted to Europe, and the other, by Lee Simonson, covers the field in this country. The illustrations, some of which are in color, cover the work of 136 artists, with the names of the players for whom they have worked, in which the articles were taken. — J. M. J.

“Keyhole” Opening Set

“Broadway Thru a Keyhole” will be shown at a midnight preview at the Rivoli Thursday night. Among the Broadway veterans invited are Frances Williams, who is featured in the film; Ruby Valley, George M. Cohan, Kate Smith, Lou Holtz, Nancy Carroll, Helen Broderick, Joe Weber, Bobby Crawford, Fred Allen and Ed Wynn.

Paid After 8 Years

Hollywood, Oct. 30.—The Rip Van Winkle of the films was discovered this week when Louis Becker, extra player, appeared at the M-G-M-HE Stage window to col- lect on a voucher for a day’s work he did eight years ago.

When Becker finished work in “Blarney,” a story featuring Ralph Graves and the late Renee Adoree way back in 1925, for the cashier he had gone home. Subsequently he lost the check and only discovered it recently when rummaging through a suitcase.

Theatre Men Appear Before Grand Jury

KANSAS CITY, Oct. 30.—Following public complaints made by exhibitors regarding the type of shows in certain theatres, the Jackson County Grand Jury in session here summoned them to appear.

It was learned the Grand Jury had decided to inquire into reports of appearances by "morose and obscene" performers. Eugene C. Reppert, director of police, was a witness.

“Craddle Song” to Para.

Plans for showing “Cradle Song” at two-a-day at the Criterion have been dropped by Paramount with datings yesterday of “Betty Blue” and “The Dorothea Wick film into the New York Paramount to follow “I’m No Angel,” which is now set for four weeks.

“Spirit of ’33” Okayed

Seven of the heads of Federal Gov-
ernment departments are reported to have been officially approved by the “Spirit of ’33,” a serial tracing the his-
tory of America which is being made by Edward P. Hurley for distribution by the J. H. Harper Producing and Distributing Co. of New York.

Disney Closes Color Deal

HOLLYWOOD, Oct. 30.—Walt Disney has closed a deal with Technicolor to process the balance of the Mickey Mouse cartoons in color along with his present series of “Mother Goose” cartoons.

Zanft Held Option On Roxy, He States

HOLLYWOOD, Oct. 30.—John Zanft, former Fox vice-president, revealed a bit of history on his arrival from New York when he divulged the fact that he had held an option on the Roxy for a year. The theatre, he added, was to become a link in a circu-
tit which he had proposed developing.

Zanft said he had a hangkering to reenter exhibition but that when Sam Katz came along in January with what looked like a feasible project, he gave up a lucrative brokerage position in New York to become Katz’s partner. Zanft says he thought the time was propitious for the forma-
tion of a theatre circuit, as houses were becoming available as a result of the breaking up of the large circuits.

The original plans were for the the-
atre to be in Zanft’s name, but when Katz and he arrived in Hollywood late March and Katz issued state-
ments to the newspapers about a big produ-
tion company and intentions to draw stars and directors from established companies, he thought it best they should separate.

Whereupon Zanft says he returned to New York without further ado.

He had already made a previous in-
terest in the Roxy and added that since no par-
ticular significance, he said. He was accompanied here by Jack Emanuel, a New York stock broker.

Expect Ontario Tax To Reach $900,000

TORONTO, Oct. 30.—A preliminary report by E. A. Dunlop, provincial treasurer, gives revenue from the amusement tax in Ontario for the fis-
tancial year as now closing as approximately $900,000.

Dunlop stated this was one item which was above government esti-
mates made at the beginning of the year and that tax returns from the the-

tres had amounted steadily in recent weeks pointing to better business. Practically all other receipts are below estimates, except the gasoline tax.

Albert M. Irvin Dead

HAMILTON, O., Oct. 30.—Albert M. Irvin, 64, operator at the Rialto, died suddenly at his home here. He was the oldest projectionist in point of service in this section of the country, having been in the business for nearly 30 years.

Universal Pfd. Rises One Point

Universal Pictures, Inc., was given a boost when it announced that it was raising the price of its stock from $10 to $10.50. The Universal Pictures are now the sixth largest of the major companies.

Goldwyn Blasts Warner’s Charge

(Continued from page 1)

of the clause in the industry code forbidding star-raiding, Samuel Gold-
wyn Monday denied his action was the result of a dispute with the NRA authority, asserting his studio was “the first to join the NRA.”

“We have received no criticism or complaint from the government,” said the producer. “My resignation was based on my refusal to be the member of any organization that harbors any type of racketeer. I resigned long before the NRA points were in dispute. It was Warner who were guilty of the most reckless star-raiding, pin-
ning Kay Francis, William Powell and Ruth Chatterton. When Jack paid an actrees [referring to Con-
stance Bennett] $30,000 a week, this industry became the laughing stock of the business. I had a dance director working under a con-
tact calling for his exclusive services. He became tired and drank during the partnership and people have been alert, as countless people de-
pend upon his direction. On in-
bors we were pirating his services at night. I took the matter up with the Hays office, and I was called in to explain his actions.”

His answer was, “What can I do about it?” Warners could do nothing about it and the association does nothing about it. So I re-
signed.”

Lightman Gets Help Of Court on Pickets

MEMPHIS, Oct. 30.—A Light-
man has secured an injunction in Chancery Court limiting union work-
men to peaceful picketing of the Strand and Princess, his non-union houses.

Granting of the injunction elim-
nated the distribution of cards in front of the theatres and forced the union pickets to confine their loud talking and other boisterous acts.

United Artists Now Offering 20 on List

United Artists is now offering 20 pictures on the front of the new season’s lineup, the exact total still indefinite. This figure does not include three Samuel Goldwyn productions, “Nana,” “Bar-
y Coast” and “Roman Scandals,” which are first reviewed by the home office before a selling policy is set.

K. C. Ball Set Dec. 4

KANSAS CITY, Oct. 30.—The Kan-
sas City film industry will stage its third annual charity ball at the Plaza, Dec. 4. In charge of the affair is Herbert, M-G-M branch manager, is general chairman. Committees will be formed to aid in raising money. These affairs are devoted to relief of needy persons within the local indus-
try.

Minnesota Opens Nov. 3

MINNEAPOLIS, Oct. 30.—Minnesota, the northwest’s largest house, which has been dark for nearly a year, will be definitely opened Nov. 3, ac-
cording to John J. Friedel, general man-
ger of the Minnesota Amusement Co.
MOTION PICTURE DAILY
THE LEADING DAILY NEWSPAPER OF THE MOTION PICTURE INDUSTRY
VOL. 34, NO. 101 NEW YORK, WEDNESDAY, NOVEMBER 1, 1933 TEN CENTS

Para. Again
Hearing Name
Of Nathanson

Activity of Wiseman Is
Reviving Rumors

With Sir William Wiseman, partner in Kuhn, Loeb & Co., assuming an active part in plans leading to a reorganization of Paramount, the name of N. L. Nathanson is again being mentioned as a potential factor of importance in the company's affairs.

Nathanson, some months ago, was a candidate for the Paramount presidency largely at the behest of Wiseman and the banking firm with which he is affiliated.

"N. L." since that time, has assumed the presidency of Famous (Continued on page 6)

Independents Call Meeting on Strike

Declarating they will continue the local film buying strike started Oct. 24 because of the percentage demands of the major companies, members of the ITOA yesterday called a meeting of independent exhibitors in the metropolitan area to be held at the Astor tomorrow afternoon at 3 p.m. Action to be taken will be decided at that time.

Arthur Ables, Nathan Hirsh, Hyman Rachmil, Jack Hattan, Leo Justin, Russell Cohen and Abraham Drogo were named as a committee to review all pictures of First Division and all other independent exchanges and to report back later on looking possibilities.

Ohioans Map Plans To Battle 10% Tax

COLUMBUS, Oct. 31.—Plans for a fight on the 10 per cent admission tax in this state were mapped at a meeting of independents at the Deshler-Wallick here today and moves were made for the formation of a (Continued on page 6)

"U" Probably Will Handle "Midnight"

"Midnight," produced by Chester Erskine, well known New York stage director, probably will be distributed by Universal. The picture was produced at the Biograph studio in the Bronx.

Academy Set for Battle Against the New Guilds

HOLLYWOOD, Oct. 31.—Continuation of the Academy of M. P. Arts and Sciences present plans and a fight to a finish against the new guilds were decided upon by the board of governors at an early hour this morning.

Lester Cowan, executive secretary, was given a vote of appreciation for his work in Washington in connection with the industry code. Members of the board expressed the opinion that the Academy will be much stronger when the truth about the part the Academy played in the formulation of the code is made known. It was decided to start a membership drive and set up a finance committee.

Full publicity on all proceedings leading to the code adoption was decided upon. It will be brought out, it was stated, that prior to the Washington code sessions, the Academy had reached an agreement with producers on provisions affecting creative talent, but that this agreement was negatived by the protests of a few high-salaried players.

It was agreed that the only sensible choice for talent is to cooperate with the government in giving the code a fair trial. There will still (Continued on page 4)

Laemmle for
Star Raiding
Ban in Code

ALBUQUERQUE, Oct. 31.—Carl Laemmle is for Article 6 and its restrictions on star raiding in the industry code, he said here during the course of the westbound Chief on which he is returning to the Coast from a European trip.

He declared he was opposed to secret and premature negotiations for talent as well as other raiding tactics.

The veteran Universal president stated he had not had time to read the code since his return from abroad, but he understood, he said, that there is something in it to benefit everybody. He said he had been informed it gives independent exhibitors a good break.

Company business was very good in Europe, Laemmle said.

‘Harpies’ Goal Of Hot Attack By Rosenblatt

Capping his summary and interpretation of code provisions relating to exhibition with a vitriolic denunciation of “agitators and false prophets” among “self-styled exhibitor leaders without five cents investment in the industry,” Deputy Administrator Sol A. Rosenblatt called upon exhibitors to “refuse to deal” with these “destructive” elements within the industry in his address to the Southeastern Exhibitors As’n at Atlanta on Monday.

Definitely identifying the objects of his attack as those identified with independent exhibitor organizations, at least one of whom he associated with last week’s Allied States mass meeting in Chicago, Rosenblatt’s Atlanta (Continued on page 4)

Banker Explains His Rosenblatt Telegram

ELYRIA, O., Oct. 31.—It is understood that satisfactory explanation has been made to Deputy NRA Commissioner Sol A. Rosenblatt by the Elyria Savings and Trust Co. of the city for a telegram sent to Washington in protest against the film code called “phony,” and which was said to be the basis of explanation by the Department of Justice.

H. H. Nye, official of the Elyria Savings and Trust Co., as is said, (Continued on page 4)

Stanley, General
Again Suing Erpi

WILMINGTON, Oct. 31.—The Stanley Company of America, General Talking Pictures and Duvac today filed a motion in a triple damage suit against Electrical Research Products.

In connection with the new Delaware action, Erpi’s legal department (Continued on page 6)

Says Columbia Sales Have Risen 45.2%

Columbia sales this year are 45.2 per cent ahead of last year at this time, according to Montague sales manager. This is in the face of all the handicaps with which the year started, he says, including a six-week (Continued on page 6)

“Little Women”

(Radio)

HOLLYWOOD, Oct. 31.—Katharine Hepburn, in all her box-office glory, gives another accomplished display of talent in “Little Women.”

Probing deeply into emotional realms, blending pathos with ripping humor, drama and romance portrayed by a select cast thru the heart strings with an appeal powerful and poignant.

Based on Louise Alcott’s famed classic for young folks, the film’s story and sentiment sweep across the family circle of the Civil War (Continued on page 7)
Insiders’ Outlook

HAD to dodge that Nathaniel Shaw monologue this morning persists in the Paramount picture, despite his current job as head of Famous Players Canadian. A lot one that hit the deck early last week, he had to do with Sam Katz and his former love at the crossroads of the world. The downtown group has been talking to Sam about a return engagement, this year. When that passes, it would have nothing to do with theatre. Among the unconfirmed, likewise, is the one that had to do with Harold Franklin getting out of Radio and Katz maneuvering to get in—that is, after Harold had walked.

There’s an undercurrent of something or other in John Zanft’s morning back-pulling on Katz’s recent production venture. Sam’s sale of his expensive-to-build estate, back of Adolph Zukor’s place up New City way, to the Southern Pacific Huntingtons broke yesterday. It happened at least two weeks ago, but what’s more interesting is the fact the estate was turned over for cash. Kidding Herman Robbins and Toby Gruen at the Astor the other day, remarked some one: “It’s about this time for one to start another trailer company so you fellows can buy it out, isn’t it?” Answered Toby: “Is that nice; just when I’m sitting down to lunch?”

More about “Only Yesterday” later, but this much in a hurry: Universal has a peach of a woman’s picture in this one, which John M. Stahl took eight months to make, including the recent technicians’ strike on the coast. In it appears Margaret Sullivan. So what, you say? So this: An unknown, who played the ingenue in the New York stage production of “Dinner at Eight,” she’s got something and shows it in her first picture. The cast is good, but Miss Sullivan is better, much better. She’ll go places by benefit of direction and material. Her story is an interesting one and press agenty plays no part in it. Universal had been tipped off about her, primarily through Charles Beahan.

It was one beluga job to make her submit to a test. When Stahl saw it, he dropped all other ideas and insisted upon her for his lead. He even came a tough road to travel, at last, having to do with contracts and the like. The Sullivan girl simply refused to get excited except for her excitement attendant upon starring Hollywood. Finally came a five-year contract with a clause permitting her to cancel out in eleven days. That was to give her a chance to see if she liked “U” if “U” liked her and if she liked Hollywood. Having finished her first picture, she’s in the swim. When the film gets going, there won’t be any need to depend upon this column and its forecast about her. The proof is on celluloid.

Is Terry Turner returning to RKO and will some of the executives who once worked there work there again? Just a Broadway brand new Broadway rumbling. Those overseas cables would indicate it’s a new campaign of aggression against American films. Not so, say the foreign sales managers, but a repeat of the well defined attitude abroad of trying to meet deficits by new taxables and of giving

Most Issues Remain Steady

Technicolor Up One Eighth

Paramount Publix Drops One

Purely Personal

EMIL LUDWIG, the biographer, gets in from the coast today on his way back to his home in Locarno. He was working for Warners on a picture based on the life of Napoleon.

BILL STEINER, cameraman at the Eastern Service Studio, has gone to Hollywood to shoot a few the other day of the Larry Williams, who recently returned from London, will do the shooting at Eastern Studio.

ANN RONELL, composer of “Who’s Afraid of the Big, Bad Wolf,” has written a song for “Joe Palooka” and is doing the music for “Alice in Wonderland.” MISS RONELL is Sol Rosenblatt’s sister.

JOEL McCREA and FRANCES DEE have been forced to cut short their honeymoon as the result of a call from Radio that Miss Dee proceed to Fort Myer, Va., for her role in “Ridley.”

STEVY TRELLING, vice-president of the Warner Club in charge of entertainment, handled arrangements for the Halloweeen eve party and dance the other night at the clubrooms.

HUNTER STROMBERG, producer of “Esquire,” will come to New York next week to be present at the opening of the feature at the Astor on Nov. 14.

TAMAR LANE, editor of the Film Mercury, Hollywood, is in town at the Hotel Lincoln. He motored across the country.

HENRY KING and his orchestra have been signed for an Educational short to be produced at the Eastern Service Studios.

JAMES MELEON will start work some time on one of the Educational “Song Hit Stories” at the Eastern Service Studio.

C. C. PETTIJOHN, DAVE PALFREYMAN and DAVE HOSGOOD among the dinner guests at the Algrenian yesterday.

PAUL LUKAS arrived from Hollywood by air last night and sails on the Ile de France Saturday.

RUSSELL MARKERT, who has been directing dances for 20th Century’s “Moonlighting,” will come to New York next week to be present at the opening of the feature at the Astor on Nov. 14.

BING CROSBY is back from picture work on the coast to resume broadcasting.

HARRY LICHTIG of LICHTIG and ENGELSTADT, coagents, is in town. At the Warwick.

LUCILLE BALL, show girl in “Roulette Scandals,” arrives here by plane today.

MILT COHEN, Vitaphone’s storekeeper, will take the big leap on December 31.

WILLIAM ANTHONY MCGUIRE has sold “Disillusion” to Fox for early production.

BENNY DAVIS and JAMES HANLEY will do the songs for the Educational short featuring LILLIAN ROTH.
Berkeley Square

RADIO CITY MUSIC HALL (5,945;34-55-57), 'Berkeley Square' (Fox) and stage show. Two-a-dayed at the Gaiety, after an intervening week's rest, this one is doing remarkably well over here and may get $90,000.

—"From Variety"

STARTING ITS NATIONAL POPULAR-PRICE PROFIT PARADE AT RADIO CITY MUSIC HALL...AFTER SIX SMASH WEEKS AT THE $2 GAIETY, NEW YORK... NOW IN ITS FOURTH $2 WEEK AT THE LOCUST, PHILADELPHIA.

JOIN THE UPSWING WITH FOX
attack is regarded as his reply to the criticism of himself and the code contained in resolutions adopted at the Chicago convention.

President Rosenblatt, however, is nowhere mentioned in Rosenblatt's address by name. During the keynote address, the right to buy from the code and dissatisfaction in Allied ranks over representation on grievance and other administrative boards set up by the code, Rosenblatt said:

"One self-styled exhibitor leader, who so far as I know hasn't got five cents invested in the motion picture industry, as recently as nine days ago and two weeks ago is quoted as saying for Chicago, was unable to give me an intelligent answer as to how the 'right to buy' which he advocated would work in a given situation.

Sees Need for Reason

"I have found after the most thorough examination of these buying problems, and after carefully searching my files of letters from exhibitors, that every exhibitor involved in this industry's affairs, who has had the trouble and common sense to think about it as it exists or arises and that this industry cannot be governed by slow motion, for instance.

"I found that from Maine to California $5 per cent of exhibitors' complaints were with respect to unfair and unquestionable clearance and protection and that the remainder of complaints were of general miscellaneous character, including a complaint from an exhibitor from each state for feature motion pictures that such license charge was too high.

Explains Clearance Boards

"In view of all the foregoing, and in order to eradicate the abuses which exist, local clearance and zoning boards and local grievance boards are provided for under the proposed code. I expect their membership to be of great value, impartial and just. A representative of the administrator will sit with each of such boards as just three representatives of the administration and with the approval of the public authority, in order that the public interest may be protected and safeguarded. These boards will not only be carefully supervised and the rights of all persons who appear before them will and must be carefully safeguarded.

"If these boards do not accomplish that for which they are intended, further legislation will undoubtedly have to be formulated.

Decries Advance Criticism

"No man alive is entitled to criticize in advance these boards and their functions. Criticism will come with more grace and justification if these boards fail in that which they are created to do.

"You must know and realize that these boards have no authority or power other than that of the exhibitor who has a determination on whom they will place their orders and to bring a lawsuit. These boards are to determine cases where exhibitors may have no legal rights with which to bring a complaint. Their powers have been designedly been made very broad. They constitute a new and constructive method of halt publication and self-discipline by industry.

"In keeping with their expressed desire, they buy from their own industry before they may lay complaints and grievances, representative exhibitors throughout the country, to be represented on these boards. Will you imagine my amazement when one of these if the code had produced that it is a boon to exhibitors was before me for a lengthy period of time just nine days ago demanding that the jurisdiction of these boards should be strictly confined to matters only within the code. This person, apparently, with the desire to control their industry's right and privilege to an open discussion and an open determination of the problems in the code. Reference to such problem was not contained within the proposed code.

"Now, in the very moment when a majority of local exhibitors in this industry, excepting the late exhibitor's complaints are peculiarly his own. I further found that this industry is governed by lockstep and common sense in such situation as it exists or arises and that this industry cannot be governed by slogans.

"I found that from Maine to California $5 per cent of exhibitors' complaints were with respect to unfair and unquestionable clearance and protection and that the remainder of complaints were of general miscellaneous character, including a complaint from an exhibitor from each state for feature motion pictures that such license charge was too high.

Challenges "Chislers"

"Our President has challenged the chislers of this nation—I challenge the chislers of this industry!

"Our beloved President has warned the industry all changes in the code and I warn the unholy money collecting parasites now circulating among our exhibitors.

"Our objection, as well as this industry, can have no place for industrial tyrants. I tell you that this industry has suffered too long from those who have done wrong and are not satisfied. I ask you to refuse to deal with those who have the hollow and false in the cotton filling industry in attempting to help solve the difficult problems of this nation, including the difficulties of his membership, our cars and others and the rascal evil cures of the professional hangers of this industry who make their living by living off the life blood of independent exhibitors.

Churchmen Act on Code

WESTFIELD, Mass., Oct. 31—Members of the Methodist Church in New Jersey and Minnesota and South Dakota are discussing plans for closing their theatres Dec. 1 as a protest to the ratio of membership on the code authority as it is now reported to be constituted.

The exhibitors contend that the ratio does not give independent theatres the right to buy on their fairness for existence.

Chaney Widow Dead

Hollywood, Oct. 31—Hazel Genevieve Chaney, 46, widow of Len Chaney, star of the Norma Shearer picture "The Vincent" at the Vista Theatre, died here today after a lingering illness that kept her in a hospital bed since Sept. 29.

Sally Eilers-Fox Agree

Hollywood, Oct. 31—The dispute between Sally Eilers and Fox Studios over the picture "Black on the Back" has been settled and the actress is back on the payroll. Her next assignment is still up in the air.

Academy Set

For a Battle Upon Guilds

(Continued from page 1)

be opportunity, it was agreed, to get revision of objectionable items, and the Academy should make every effort to avert changes on the following seven points:

1. Protection for production unit against outside control, who is to be disregarded in the code, with neither limitation of hours nor spread of employment.

2. Free lance actors should receive protection against unlimited hours for a day's pay.

3. The code authority's right to blacklist cast should be done, with no power to deal with offensive or objectionable items.

4. The Academy is still opposed to the present form of Article 5.

5. The code authors lack direct representation in Hollywood. Even if the code authority should be composed entirely of producers, some of them should have the west coast viewpoint and it is important that the authority be entirely dominated by the east.

Jersey Allied Talks Code

With Sidney Samuelson presiding, Allied of New Jersey yesterday held its regular meeting, the first general assembly since the Allied convenion in Atlantic City a month ago.

Discussions centered about developments at the Chicago mass meeting last week.

To Stay "Disillusion"

Hollywood, Oct. 30—Fox has "disillusioned" them out of the code and has handed it to William Conselman to work up into screen material. Irving Cummings will handle the因 copyright reasons, please refer to the original source with proper citation.
Entrancing as an Angel
Dangerous as the Devil!

CONSTANCE BENNETT
in
"AFTER TONIGHT"
with
GILBERT ROLAND
As "K-14", Spy!... she bewitched men's hearts and sent regiments to their death! But her own heart was crying out for the man she must now betray!

That glamorous lady, Constance Bennett in the arms of Gilbert Roland will send tingling thrills up and down the spines of your feminine audience for they've never seen her more alluring...or love scenes more tantalizing...than in this stunning tale of a spy in love and a conqueror the captive of his prisoner!

S. R. O....BANK ON IT!
Para. Again Hearing Name Of Nathanson

(Continued from page 1)

Players Canadian Corp., largest single theatre company across the internation border and important exhibition factor in Canada. The in-
side story has persisted tor weeks that his return to famed players Cia-
tian, a company in the development of which he played a vital part, de-
veloped by way of a compromise in the share involved in the control of the company. The move to headquarter him in New York in complete charge of the company's operations met with opposition from veteran Paramount executives.

When Schaefer was appointed gen-
eral manager of the organization some months ago, the promotion was viewed as Paramount's indirect an-
twer to the recent acquisition reports that Nathanson was on his way in.

Ohioans Map Plans
To Battle 10% Tax

(Continued from page 1)

permanent organization. It was stated that the state is now collecting $300,
000 monthly.

Mr. Charles and Henry Green-
berger of Toledo, John Fekkas of Elyria, LeMette Smith of Alliance, M. J. O'Shaughnessy and A. C. Hetteles of Cincinnati were named a committee to carry out plans for the new organization. They will meet again in two weeks. They will pick out a slate of permanent officers with a member from each Congres-
sional district as a governing body.

Ernest A. Schwartz, president of the Cleveland Exhbitors' Assn., pre-
sided today, with George W. Erdman, secre-
tary. There were 218 exhibitors present.

Upon motion of Meyer Fine of Cleveland, the convention adjourned.

Monogram in S. A. Deal

Ritchey Export Corp., subsidiary of Monogram, has just closed a deal with H. Staunton Wallach to handle Mon-
ogram product in South America. He will make his headquarters in Buenos Aires and will cover Argentina, Bra-
zil, Uruguay Paraguay, Venezuela, Ecuador, Chile, Bolivia and Peru.

Film Series for School

A series of subscription film show-
ing is to be started with "Spring," a Sueit film, is to be put on at the New School for Social Research starting Nov. 18. There will be a number of lectures on post-revolution-
ary Russian films by Joseph Freeman, Joshua Kunitz and Nathan Adler.

MOTION PICTURE DAILY
Wednesday, November 1, 1933

New Sales Plan Set
By Gaumont-British

LONDON, Oct. 31.—Consolidation of N. and F. Film Service, Ltd., and Gaumont-British, Ltd., into a single ex-
dition unit for Gaumont-British Picture Corp., has been completed. The new Gaumont-British Sales unit will be known as Gaumont-British Distributors, Ltd., and its personnel will be comprised primarily of the officers of both companies.

The consolidation is in line with a corporate program calling for expan-
sion of G-B distribution in foreign markets. It will make for a more effective short subject production and, in par-
ticular, the further development of the Graphic, the company's newsreel.

Stanley, General
Again Suing Erp

(Continued from page 1)

yesterday issued the following state-
ment:

"There is nothing new in these
units. The issues involved have been
in litigation since 1920. The action,
which was begun by Erp in 1926, con-
cluded with the signing of a settlement
in the amount of $50,000. Today the
company is seeking to recover that
amount plus interest.

"No attempt was ever made by
Erp to enforce the first of these pro-
visions by legal action against the
other. The action was brought, there-
fore, to establish the validity of the
provisions in the event the company
would have to use them in the fur-
ture. The action was brought in
New York, because it was a
New York company at the time
the activities of the two com-
panies occurred. The action
was brought in New York, be-
cause the company was a
New York company. The
defendant was a New York
company and the
action was brought in
New York. There is no
new matter in the case.

"The action was brought in
New York, because it was a
New York company at the time
the activities of the two com-
panies occurred. The action
was brought in New York, be-
cause the company was a
New York company. The
defendant was a New York
company and the
action was brought in
New York. There is no
new matter in the case.

Jury Quiz Reported
Into K. C. Labor Row

KANSAS CITY, Oct. 31.—Jackson
County Grand Jury has been making
an investigation of alleged operator
racketeering in this city, Marion
PICTURE DAILY learns from authentic
sources. It is understood the investi-
gation was requested by some theatre
owners employing non-union help who
have had labor trouble, was ordered
by Judge Page of Circuit Court.

The Grand Jury is meeting here
before the Grand Jury last week and
union operators were being sub-
poenaed today. Downtown managers
will be called before the jury next
year. Operators' union officials
and prominent, including publisher
Repper, are also expected to
give testimony. MOTION PICTURE
DAILY learns the jury is inquir-
ing into lockouts, bookings, and
violence of the past two years.

"Angel" Big
B'way Noise
In 2nd Week

"I'm No Angel" was just as much of a Broadway sensation in its sec-
ond week as it was in its first. The
theatrical started with $68,000, was the
biggest thing in the Manhattan fall bill and "The Private
Life of Henry VIII" was $90,000.

A special week for "Bombers" included things around the Capitol with a gross of $49,735.

"Footlight Parade" was still strong at $20,012 in its third week at the Strand, and "Dinner at Eight" took $13,203 in its ninth week at the Astor.

Estimates takings:

Week Ending Oct. 22:  

"EVER IN MY HEART" (Warners)  

ROXY-40c-65c, 25c-55c, 2 weeks. Days: $3,600.  

"AGGIE APPLIES HER MAKER OF MEN" (Radio)  

RKO MUSIC HALL-0.949, 25c-65c, 7 days. Days: $4,932.  

"FOOTLIGHT PARADE" (Warners)  

MINOR THEATRE-1.216, 25c-55c, 4 days. Days: $2,912.  

WANDERING JEW (A.A.A.)  

CARDOZO-1.001, 25c-40c, 7 days. Days: $469.  

"BOMBSHELL" (M.G.M)  

CAPITOL-4.000, 50c-75c, 7 days. Stage: Fred Lewis and his reveue. Gross: $8,000.  

"WILD BOYS OF THE ROAD" (F. N.)  

FEDERAL-2.500, 50c-75c, 7 days. Stage: Lewis Stone and his revue. Gross: $7,865.  

"I'M NO ANGEL" (Para)  


"HEADLINE SHOOTER" (Radio)  

FIRST BASE-5.000, 75c-2.00, 4 days. Stage: Thomas Scott and his revue. Gross: $8,500.  

"WALLS OF GOLD" (Fox)  

ROXY-(4.000), 25c-55c, 7 days. Stage: Charles Meyler's revue. Gross: $12,000.  

"CHARLIE CHAPLIN'S GREATEST CASE" (Fox) 3 days. Stage: Charles B. Brackett's revue. Gross: $3,400.  

Week Ending Oct. 27:  

"DR BULL" (Fox)-4 days  

"THE BOWERY" (U. A.)  

RIVOLI-(3.500), 25c-75c, 4 days. Stage: Lewis Stone and his revue. Gross: $7,900.

Says Columbia Sales
Have Risen 45.2%

(Continued from page 1)

delay in getting the selling season
under way.

In round figures the company is $80
accounts ahead of last year at this
date.

During the last three weeks es-
pecially," Montague says, "sales have
broken all records in the history of
the company." The rise represented
not only the important circuits, but
also many independent groups, and
exhibitors from the smaller towns—
Japanese, Chinese, Indians—all in our
viewpoint. And to add to the encour-
agement of the situation last week's business topped everything in
the history of our organization."
The Hollywood Parade

By BILL SWIGART

Hollywood, Oct. 31.—Coditits is getting such a hold on this town that most every group of workers from janitors to associates are forming guilds to combat any unfair articles that may be included in the finished code. There are two groups of extras in the process of organizing separate guilds and for the same reason, something to think about making a trip as a group. Future, after all, it’s in the air, and whatever one does in Hollywood, you will find thousands forgoing in their footsteps. Two more conservative thinkers in this business are sitting by the sidelines waiting for the final delivery of the code and saying nothing. It is their belief the proper time to cross the bridge is when you come to it. It is this group of thinkers and workers that believe everything will be worked out for the best interests of the industry and, if not, there will be plenty of time to rectify the wrong.

There is a distinct feeling among conservatives that the extras, by being put into groups where they have their interests, may have a better chance of doing what they are being sadly exploited. Their average income is so small, monthly does will be a sharp drain on them, say the observers; and, besides, the code agreement on extras already existed is believed to have ameliorated their condition.

It is interesting to note that several producers at one of the studios are reported secretly buying up all the original stock of it in case they can possibly get it. It’s just a precautionary move on their part to protect their interests in case.

Because the manager of a local theatre failed to recognize Jimmy Murray, the actor was refused admittance to see the preview of his own picture, “Take a Chance.” Jimmy offered to buy a seat again at the S. R. O., and had to send inside for some one who knew him before getting in. Such is fame!

Those who never floated stock have a license to cast rocks. This was the general sentiment around town the morning after a well known producer had ridiculously denounced some New York crowd of picture stock manipulators.

This is like carrying caviar to New castle—M-G-M sent three carloads of props to Mexico for the “Viva Villa” company. Among the shipment were 35 typical Mexican guitars.

Stage Shows for Casino

The Casino, at 7th Ave. and 50th St., which has been operated jointly with Haring and Blumenthal, local circuit operators, will be used for stage attractions and not for films. Originally, the Casino was intended, as it was revealed yesterday by Jack Shapiro, of Shapiro Bros., building contractors of 1560 Broadway, the location had been taken over with films in mind. He asserted the decision was made to stage to switch shows when it was discovered after a survey of the picture field that the type of film productions sought for the house were already tied up and it would be difficult to book them. A number of legitimate shows have been lined up, according to Shapiro.

MOTION PICTURE DAILY

Hollywood Preview

(Continued from page 1)

period, depicting the sacrifices and devotions of four bustle-and-bang flappers of that day and age.

The production elicits strong sympathetic responses by simple strokes of homogenous humanity, the prominent feminine draw assured the production may also pique the interest of young moderns by revealing today’s emotions in yesterday’s dress.

Miss Hepburn’s brilliance is aided by the supporting players contributing sterling performances, with laurels going to Joan Bennett, Jean Parker, Frances Dee, Paul Lukas, Edna May Oliver, Douglas Montgomery and Henry Wilcoxon. The audience seem to appreciate Miss Livermore’s direction is smooth and sincere.

With Miss Hepburn’s popularity at its peak linked with unusual entertainment quality, “Little Women” may challenge some of the recent box-office leaders for straight, place or show. “Little Women” is stamped with happy holidays.

Hollywood, Oct. 31

BERT WHEELER, Robert Wool-
ley, Thelma Todd and Dorothy
Lee are set for a cross-country tour in a stage musical called “Dumb Bells.” The comedians wrote the story with Tom Wheelan, and are pool Kalm and Ruby did the music.

WARNER BAXTER’S picture has been placed in the Movietone City Hall of fame along with Janet Gaynor and Will Rogers, the hall being reserved for players with ten or more Fox pictures to their credit.

LEROY PRINTZ and Jack HASKELL have been signed to stage the dance routines in two Paramount films. The former will work on “Alice” and the latter on “Search for Beauty.”

WALTER CONNOLLY has been loaned to Charles Rogers Productions for “Eight Girls in a Boat” (Rogers-Paramount).

DAVID LANDAG, Emerson TRAC
Y and Paul NICOLSON go into the cast of “Wild Birds,” featuring Dorothy Jordan (Radio).

HARRY HOLMAN, Vera Lewis and Morgan WALLACE added to “Once Over Lightly” (Radio).

EL BRENDEL has been spotted in “Hearts and Flowers,” the ZAZU FITTS-PERT KELTON comedy (Radio).

ESTHER MUHR, former musical comedy actress, has been added to the cast of Paramount’s “Cap’n Jericho.”

JOHN BRIGHT has been signed by Radio to work on “We Have a Right to Live.”

RUSSELL PATTERSON, recently signed by Fox, to do the settings for “Fox Follies,” has arrived here by plane.

SINNEY TOLER goes into “Trigger” (Radio).

SAMUEL HINES and JESSIE PRINGLE assigned to “Sleepers East” (Fox).

FRANK CONWAY and PAT COLLINS grab roles in “Rodney” (Radio).

IRENE WARE goes into “Ori net Exp ress” (Fox).

DAMON RUNYON’S “All Scarlet” has been purchased by Radio.

RUSS COLUMBO has been signed by 20th Century for “Moulin Rouge.”

ARTHUR HOHL and DAVID DURAND in “As the Earth Turns” (Warners).

REGNAULD OWEN and BOB ROSSING in “Mandalay” (Warners).

WILLIAM DAVISON in “Massacre” (Warners).

SAM ASH in “The Girl Without a Room” (Paramount).

DOROTHY LEBANE (Mrs. Marion Gering) in “Hi, Nellie” (Warners).

SPENCER CHARTERS in “King of Fashion” (Warners).

WALLY ALBREIT will appear in “Smoky” as a child cowboy (Fox).
“Love,” Show Get $20,000, Philadelphia

PHILADELPHIA, Oct. 31.—Business in Philly took another slipping last night and was mainly tabled on the down grade. The Stanley, however, ended its stage show reign with a good outburst of trade—$20,000—for “The Bowery,” giving the film a third week. L. E./Salinger, manager, slipped a little at the Locust, but trade is consistent and it will probably get two more weeks—making five in all—before the run ends on “Eight,” which opened Monday on a road show basis at the Chestnut.

The White Horse business was $85–300. Average is $89,200.

Estimated takings in the week ending Oct. 31: “The Bowery” (U. A.) $30,000, 12–50c–55c, 6 days. Gross: $30,000. “Broadway to Hollywood” (MGM) $10,000, 25c–50c, 6 days. Gross: $10,000. “A Day in Hollywood” (Univ.) $10,000, 25c–50c, 6 days. Gross: $10,000. “A Day in Rome” (RKO) $10,000, 25c–50c, 6 days. Gross: $10,000.

SHOTS

Perils of Pauline

(Paramount)

Only the title is reminiscent of the earlier serial by the same name. The theme is the same: a woman on a desert island, crammed with action. Two of them run 21 minutes and the third 20 minutes.

The action goes into the China Sea during a typhoon, then into India-China and the jungles. It begins with a hunt for a disc carrying a formula for a deadly gas in a deserted temple, with an accompaniment of shellfire and falling aerial bombs. In the second part there is a typhoon, and in the third a remarkable scene, while a boa constrictor saves Pauline from one of the rhinos.

Evelyn Knapp and Robert Allen are the leads, with James Darke, John Davidson, Tommy Ray and Frank Lasketin in supporting roles.

Manhattan Special

(Universal)

One of the series of the American Explorer. It covers Manhattan’s high-lights and showplaces, including air and ground shots. Some of the historic spots in New York are filmed. A running monologue gave an Old Roxy audience a number of laughs. It’s well photographed and worthwhile. Running time, 9 mins.

Pin Feathers

(Universal)

One of the “Pooch,” the Pup series. It deals with the adventures of a small bird that has to take flying and music lessons. Pooch comes to the rescue as his classmate makes the bird swallow a whistle. All goes well until his big cat grabs the bird. Pursuing birds throw forks and finally drive the cat into a dog pound. Some of the whistling and music are very good. Running time, 8 mins.

Above the Clouds

(Columbia)

Behind the scenes with the newsreel cameramen, or keeping tabs on “Scoop” of the Globe News. In converting the story to the screen, actual incidents in the topics of the day are shown, such as the ill-fated cruise of the airship, Savannah, and others. Some time ago whereby some photographers cooked up an idea that a cat carrying a kitten across the street in its mouth and a policeman halting traffic for the purpose was a human interest picture. It’s entertaining.

Above from this the story concerns itself with Robert Armstrong, who is regarded as an exclusive newsreel man. Actually, his assistant, Richard Cromwell, does all the work and is even responsible for originating news ideas. Cromwell refuses to take the credit for his work and Dorothy Wilson, his sweetheart, argues with him on this point. However, when Armstrong falls down on a submarine crash and Cromwell turns the crank, the assistant thinks he has the stuff, but it turns out to be a mess of tests made by Armstrong when trying to make a girl. Cromwell is fired by Edmund Bruce and Armstrong is assigned to cover Savannah. The crux of the story is that he lays down Armstrong’s new assistant and then he shows his hero up.

By this time Beelee has learned the truth of Cromwell’s past and decides to take him on as a full-fledged cameraman. The Savannah splits in mid-air in lands in the ocean. Among the crew saved are Armstrong and Cromwell. When they get back Armstrong is fired and his former assistant succeeds him.

Angelo” Hits $26,000, Big in Pittsburgh

PITTSBURGH, Oct. 31.—The biggest thing in town last week, and incidentally the biggest here in these past two months, was “I’m No Angel,” which gave the Penn $26,000, more than doubling the usual take and slipping on $4,000 the last. The Warners had a bright business of “Tugboat Annie.” It looked like the days before the depression, where the retailers rapped up at almost every performance.

“I’m No Angel,” surprisingly, didn’t take away the buyers from the other spots, with possibly one or two exceptions, and business all over town was pretty good. At the Warner, “Footlight Parade,” after a great week at the Stanley, had enough left in it to gather $8,500, the best figure this house has given in months, while “Emperor Jones” got enough class patronage at the Fulton to hit $5,000. “Wild Boys of the Road” improved the status of the Davis, which has been faring badly of late, claiming around $3,000. The Pitt and the Stanley, however, were off, the former getting about $3,500 with “Notorious But Nice” and vaudeville act, and the latter around $8,000 with “Ann Vickers.”

Total grosses in six first runs were $54,400, average of $9,066.

Estimated takings for the week ending Oct. 25:

“Way Out West” (F. N.) DAVIS—(2,000), 25c–50c–75c, 7 days. Gross: $3,500. (Average for 6 days, $583.)

“EMPEROR JONES” (U. A.) FULTON—(1,250), 40c–60c, 6 days. Gross: $2,600, with extra midnight show. (Average, $433.)

“SILENT BUT NICE” (Chesterfield) PITT—(1,600), 35c–50c, 6 days. Stage: Gill, Stone, Smith, Strong and Lee. Cast: Robert Brothers, O’Neil and Manners. Director: Wisyet. Gross: $2,000. (Average, $333.)

“Footlight Parade” (Warners) STANLEY—(2,000), 25c–50c, 6 days. Gross: $1,200. (Average, $200.)

Boston Exhibitors

Victims of Holdups

BOSTON, Oct. 31.—Two suburban Boston theatre managers were kid-napped and robbed by bandits yesterday. William Aaronson, 30, manager of the Boulevard, Revere, was about to enter his car at the curb to go to the bank to deposit funds when a stranger pushed into the auto beside him.

“On your down town,” asked the stranger.

“No,” replied Aaronson.

“Oh, you are said the bandits and pressed a gun against Aaronson. Two companions jumped into the back of the car and Aaronson was then ordered to drive to a lonely spot, where he was forced to hand over $500, was thrown out of the car and the bandits fled.

Two hours later Maurice Swartz, manager of the Uptown of Lynn started out on a trip when a stranger slid in beside him. Swartz said he wasn’t going downtown, but promptly changed his mind. He was robbed of $300 and a wrist watch and forced out of his car as the bandits headed back towards Revere. They escaped a police dragnet.

Bowes Promotes Mayo

Waldo Mayo has been named permanent conductor of the Capitol radio orchestra by Major Edward Bowes. This is the orchestra that broadcasts Sunday morning over the NBC network. Mayo has been concert master and solo violinist at the Capit- al for some time.
Figure Five Million Cut In RKO Loss

Irving Trust Reports to Court as Receiver

An estimated reduction in net loss for RKO of nearly $5,000,000 is indicated for the current year, as compared with 1932, on the basis of the first eight months' operations this year, tabulated in the second report of Irving Trust Co., equity receiver for RKO, filed yesterday with Federal Judge William Bondy.

The receiver's report reveals a net loss of $3,356,552 for the eight months ending Aug. 31. With that for continuing at a comparable level for the remainder of the year, net loss will approximate $5,745,000, as compared with net loss of $10,695,503 for 1932.

A breakdown of the current eight-month loss shows the RKO picture subsidiaries charged with $1,414,847 of the total, representing the largest individual loss division. The theatre subsidiaries, exclusive of Radio City, are second with a loss of $977,484. Radio City theatres account for a further theatre operating loss of $134,410 the report discloses.

The net loss of the picture companies, however, is said to be "considerably lower" than that for the same period of 1932 and "involves no cash loss," according to the report, which states further that the cash position of the picture companies on Aug. 31 is "almost identical" with that which existed at the time of the receivership last January "despite the

(Continued on page 6)

Reisman in New RKO Post and He Likes It

Phil Reisman yesterday assumed new duties as foreign sales manager of RKO and, at the same time, transferred his office from the 11th to the 14th floor of the RKO Building.

It was his desire to return to distribution in which practically all of his experience, in the industry lies which led to a request for the post in the foreign department. Rounding

(Continued on page 6)

“Women” Placed in High RKO Brackets

“Little Women” goes on the RKO sales schedule as one of the company's percentage pictures in the higher brackets. A print arrived from the coast yesterday and was screened im-

(Continued on page 6)

RKO Costs Slashed

RKO costs have been trimmed by an estimated $2,136,000 annually as compared with last year, it is indicated in the receivers' second report, filed yesterday. The following estimated reductions in costs are indicated:

- Picture subsidiaries: $1,000,000
- Leases: $475,000
- Payrolls: $400,000
- Taxes: $201,000

Radio Pictures Cut

Loss by $1,000,000

Improvement in operations of Radio Pictures is reflected in the second report of RKO receivers filed with the U. S. District Court here yesterday, which shows an estimated reduction in operating loss for the first nine months of the current year of approximately $1,000,000, as compared with the same period last year.

The reduction in loss was accomplished, despite a decline in total income, from $15,942,541 in 1932 to $14,212,505 in 1933, according to the report. The operating loss, before accrued interest on indebtedness, was $134,410.

(Continued on page 6)

Receivers Report

St. Louis Profit

St. Louis, Nov. 1.—In their final report to the Circuit Court, Roy F. Britton and Henri Chatson, Circuit Court receivers for the St. Louis Amusement Co., claimed a profit of $707,197 during the period of the receivership, from Nov. 1 to Aug. 7. They were removed as receivers by Judge Henry Hamilton on Aug. 8.

During the receivership, they reported, conditions were generally bad.

(Continued on page 6)

New Union in Field Opposing Tom Maloy

CHICAGO, Nov. 1.—A new operators' union known as the Independent Union of Motion Picture Operators, Inc., Local 101, is openly out in the local territory, seeking theatres in competition with Maloy's organization. Clyde Osterberg is the

(Continued on page 6)

Simon Rowson Heads New British Concern

LONDON, Nov. 1.—Simon Rowson is heading a new company just organized here under the name of

(Continued on page 7)

Foreign Bars May Force Out U. S. Concerns

Profits Nearing End in Five Countries

Obstacles to foreign distribution, recently added in Italy, Argentina, Denmark and Czechoslovakia, and continuation of restricted distribution revenue in German markets force a number of American companies now operating on small profit margins in those countries to abandon distribution operations there entirely, in the opinion of some foreign department heads here.

The Italian legislation already passed by the Chamber of Deputies imposes heavy dubbing taxes on foreign versions, at the same time precluding that no foreign-made picture can be exhibited in Italy with its original dialogue. Foreign managers here believe that the new restrictions,

(Continued on page 7)

Majors May End All Selling in Denmark

All American companies are considering pulling out of Denmark because of disputes revolving around the charge that films imported by American firms violate Danish patents for non-commercial purposes. It is understood, Warners—First National, Columbia, Paramount, Fox and M-G-M have taken the writs while United Artists is the only company now permitted to import product into Denmark.

Theatre Creditors Clash in Brooklyn

Sharp verbal clashes marked the meeting of the creditors of Allied Owners' Corp., a bankrupt, in the Brooklyn Federal Court today when Archibald Palmer, representative of the stock-holders, questioned, William M. Greve, one of the three trustees in bankruptcy.

Palmer contended that he could save stockholders $12,000,000 if the records of the concern are examined by

(Continued on page 6)

Oklahomans to Hold Discussion of Code

OKLAHOMA CITY, Nov. 1.—A feature of the program of a convention of the recently organized Oklahoma Theatre Owners' Assoc. to be held after the signing of the code will be

(Continued on page 7)

Code Delay Until Next Week Likely

Johnson Turns It Over To Col. W. R. Lea

WASHINGTON, Nov. 1.—Although it was expected the code would be signed last week and indications piled up earlier this week that the President would sign the measure prior to Hugh S. Johnson's departure Friday for a 10-day tour of western cities, another delay looms and it is anticipated approval of the code by the President will not take place until next week.

In a conference with Johnson late last night, demands of Allied and the code were turned over to Colonel W. R. Lea, deputy administrator acting as executive assistant to Johnson, who conferred throughout the day with the group.

Turning over of the code to Colonel Lea was decided by the Administrator in view of his plans to leave Washington and in order that it might be in the hands of someone familiar with the matter, should it not be ready for submission to the President this week. His action, the Administrator declared, is not in criticism or disapproval of the handling of the code by Deputy Administrator Sol A. Rosenblatt, who, he declared, did a fine job.

It was indicated tonight that Recovery Administration officials would make few changes and none of importance on the basis of representation of the Allied motion tonight, was no in sense in criticism or disapproval of the handling of the code by Deputy Administrator Sol A. Rosenblatt, who, he declared, did a fine job.

(Continued on page 7)

Rosenblatt Escapes Labor NRA Probe

WASHINGTON, Nov. 1.—Activities of the deputy administrators have been under investigation by the American Federation of Labor, it was learned tonight, with indications that charges will be filed in the near future against a number of men who handled the codes of various industries.

While the organization will attack many of the deputy administrators, it

(Continued on page 7)
Looking 'Em Over

“Only Yesterday”

(United)

A double-headed something to wave flags over. One, because it introduces an unknown named Margaret Sullivan, who hadn’t seen Hollywood before this Universal came along, but who won’t be able to play loose after it. Secondly, because “Only Yesterday” is a whale of a woman’s picture. It’ll make the softer sex weep in sympathy and exhibitors in joy.

Miss Sullivan is an actress of intelligence and power. Opening on the day of the Wall Street crash, the film draws a graphic picture of the financial debacle at large and its effect on John Boles, until then successful stock broker. On the verge of suicide, a letter marked “Urgent—Personal” draws his attention. He begins to read the contents and, as he does, the flashback tells the story.

The drama concerns him and Miss Sullivan and gets under way while Boles is stationed in Virginia prior to his departure overseas in 1917. The girl, it appears, has been in love with him since the time she first met him at a party years earlier. Moonlight and romance, as well as the overhanging shadow of the war, are there together. To the girl it is the culmination of a dream. To Boles a passing, but pleasant, incident.

Confronted by impending motherhood, Miss Sullivan joins her aunt, Billie Burke, in New York. There she has her child. In the interim, Boles returns from the front, finds he has a girl and some time thereafter marries Benita Hume. The two principals never meet until 10 years have elapsed. At a New Year’s party in a New York hotel, Boles, struggling with his memory, is irresistibly drawn to the girl; she never having ceased to love him, joins him. Together and in his apartment, they re-create scenes long ago. Early in the story, Boles is a young broker, having refused to divorce her. The situation here is powerful, simple and played beautifully by Miss Sullivan.

About a year later, her heart goes out. By super effort she manages to pen the story of her life and dies. It is this letter which reaches Boles, averts suicide, influences him to end the long-since dormant romance with his wife and sends him to his son.

The cast—a long one—is very competent. Boles does what strikes us as his best work. But nobody in the picture approximates Miss Sullivan’s performance for understanding and emotional depth. She looks like a real star, heading for places dependent upon material and direction. Historically, she has the goods—lots of it.

“Broadway Thru a Keyhole”

(United Artists)

United Artists is selling this second 20th Century feature on the strength of Walter Winchell’s name. This may be good salesmanship with Broadway, but that is no reason to neglect a number of other good sales angles that make it fine entertainment.

It is strong drama with night life touches—music, catchy songs, sumptuous stage effects, a side trip to Florida—but this doesn’t obscure

(Continued on page 7)

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(Continued on page 7)
You'll Remember NOVEMBER

DANCING LADY

Joan CRAWFORD and Clark GABLE (we agree—"Frozen" has the best starred motion picture scene!)

DANCING LADY from MGM (in November—a month of Holidays)

WHAT BIG EYES YOU HAVE GRANDPA!

"HAPPY BIRTHDAY TO YOU!"

"SO-O-O-O-O-O-O!"

IN ALL YOUR DAYS OF SHOWMANSHIP you've never had a picture like this! Enjoy it now!

"I HATE TO BRING THIS UP AGAIN—"

You'll think I haven't got a shred of modesty—But, honestly, haven't I the right to be proud? At the end of every year, when all the shouting is over, and the cold, hard facts are on the books—isn't it all swell to feel MGM's top YEAR AFTER YEAR AFTER YEAR!
"As a thriller it will live up to its advertising. What more can any picture do? . . . Moments you will long remember."

"Lovers of the unusual will thrill over this one . . . Even more extraordinary than 'Frankenstein.'"

"You'll enjoy this immensely . . . Thorough entertainment from beginning to end."

"Here's the answer to a showman's prayer . . . A legitimate offspring of the family that produced 'Frankenstein' and 'Dracula,' but a lusty, healthy, willing-to-laugh youngster who can stand on his own feet . . . This is a new idea if ever there was one . . . A class mystery thriller certain to give an important account of itself both at the box-office and in critical circles . . . Certainly it has never been excelled as a piece of absorbing screen illusion . . . A remarkable achievement."

Hollywood Reporter:

Motion Picture Magazine:

Screenplay:

New Movie Magazine:

Starring CLAUDE RAINS

With GLORIA STUART, William Harrigan, Dudley Digges, Una O'Connor, Henry Travers, Forrester Harvey. Screenplay by R. C. Sherriff. Produced by Carl Laemmle, Jr. Directed by JAMES WHALE. Presented by Carl Laemmle. Another big one from UNIVERSAL
Motion Picture Daily:
"A showman's show! . . . Out of the ordinary . . . An outstanding moneymaker for exhibitors . . . Eerie, fresh and better production than either 'Frankenstein' or 'Dracula' . . . Believable, entertaining . . . In the bag and in big!"

Motion Picture Herald:
"Universal has a showman's natural . . . Oldtimers and new idea showmen can sink their teeth in this one and boost to skies . . . Terrific novelty . . . A real super that will jerk patrons into the theatre."
How RKO Theatre Profit Jumped

The following table contains the second report of the RKO receiver, showing how net profit on theatre operations increased approximately $130,000 through reduced operating costs while attendance, admission prices and theatre income was declining.

First Six Months

<table>
<thead>
<tr>
<th>Year</th>
<th>1932</th>
<th>1933 % 1933 of 1932</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attendance</td>
<td>10,782,328</td>
<td>10,772,890</td>
</tr>
<tr>
<td>Average Admission Prices $2.67</td>
<td>$3.10</td>
<td>94.7</td>
</tr>
<tr>
<td>Total Operating Income</td>
<td>$11,241,270</td>
<td>$11,099,361.52</td>
</tr>
<tr>
<td>Total Operating Expenses</td>
<td>$9,978,572.13</td>
<td>$9,780,496.79</td>
</tr>
<tr>
<td>Net Profit Before Fixed Charges</td>
<td>$1,262,697.87</td>
<td>$1,318,545.76</td>
</tr>
</tbody>
</table>

Analysis of Operating Expenses

Vaudville | $2,336,062.71 | $2,040,160.94 |
Advertising | $1,241,473.40 | $1,416,558.26 |
Other expense | $3,492,165.15 | $1,371,664.30 |

Radio Picture Cuts

Loss by $1,000,000

RKO, payment of which has been suspended, dropped from $1,779,322 in 1932 to an estimated $703,747 for the first six months.

At the present time, the report notes, amortization of films is "decisively unfavorable to the receivables during the period of last year, or during the early months of this year. This factor, together with the maintenance of current operating expenses, has resulted in the pictures being released and increasing theatre attendance, resulted in the picture company's profits in recent weeks . . . and indicate that future operations will show material improvement."

Reisman in New Post; He Likes It

(Radio Photographer's) out his first day, Reisman said late yesterday he liked it, although he wasn't familiar as yet with what the position was worth. Ambrrose J. ("Bo") Dowling will continue with that end of the company, receiver declared. He is now in South America.

"Women" Placed in High RKO Brackets

(Continued from page 1)

mediately. Little else was talked about around Radio headquarters.

RKO declares it has no intention of divulging its total of percentage pictures and points to "Little Women" to the public, for that purpose.

Efforts will be made to get extended playing time at the Music Hall.

Claims Filed Against RKO Total $23,285,143

Total claims filed against RKO aggregate $23,285,143, according to the receiver's report filed yesterday. The bulk of these were in lease claims, which aggregated $17,359,590.

In addition, RKO has been funded in indebtedness of $16,238,708, the report notes. Holders of these securities have been barred by the U. S. District Court of New Jersey.

The majority of the claims will be contested, it was said, and the receiver asked for appointment of a special master to hear and pass on those filed.

How About the Nose?

WASHINGTON, Nov. 1—Jimmy Durante is making plans to copyright his name. Nothing said about his snootiness.

Receivers Report

St. Louis Profit

(Continued from page 1)

but the profit was sufficient to take care of the expenses and was "almost unique for the period." Cash receipts totaled $1,804,666 and cash (other than notes) $1,450,500.

Lambert E. Wolter and Gay A. Thompson, attorneys, have asked an allowance of additional fees. Chouteau has received $16,000, including a $2,975. Lamberts' fees have been $14,550.

The company's balance sheet and operating statement were also presented.

Theatre Creditors

Clash in Brooklyn

(Continued from page 1)

The corporation filed a voluntary petition in bankruptcy listing assets at $19,853,586 and liabilities at $13,623,075. The corporation was incorporated in New York with Loew's King and Loew's Pitkin, as well as a number of other theatres.

Reisman, who has been responsible for the company's receivership, is in South America.

New Union in Field

Opposing Tom Maloy

(Continued from page 1)

head with George R. Harwood as organiser. Offices are located at 1920 S. Washington ave. Both men are former members of Maloy's association.

In the first move of the new union its men were placed in the State Congress. After being opened for a few days, the films were closed and shortly thereafter was the scene of a fire. Investigation of the blaze by the District Fire Marshal George Schleier has led his demand for grand jury action on the ground that he has evidence which should be preserved.

"Henry" for Gately

"The Life of King Henry VIII" will have its first Broadway showing at the Gately on Nov. 15, Harry Brandt having booked the U. A. picture into the house for a trial run. The Music Hall last week showed the English film first run and it is now current at the RKO Roxy.
Foreign Bars May Force Out U. S. Concerns

(Continued from page 1) due to go into effect despite American protests of discrimination, in the near future, will reduce distribution revenues in that country to such an extent that many American distributors now deriving only a small profit from the Italian market will be forced to withdraw altogether.

The Argentine gold embargo recently enforced, although actually in effect for less than two years, has given the distributors a handle on distributors by either curtailing or making difficult withdrawal of money from the country. Several large distributors are able to handle this obstacle, however, by credit exchanges with the Argentinean exporters having cash balances in this country.

Denmark Bars All But U. A.

As an outgrowth of a formal charge that American producers have violated Danish patents on noiseless recording, all large American distributors with the exception of United Artists have been barred for the time being from that market. The Danish government, stringent quotas in Czechoslovakia, India, and other countries, have forced virtually all large American distributor agencies in that country into inactivity.

The German market, never a particularly active one as far as American distributors have been concerned, remains in a more or less stagnant condition. Revenues from that source continue the decline that was begun many years ago.

English, French, Canadian and Australian markets continue in a healthy state. Reports from department heads report, and account for a large part of all foreign distribution revenue.

Jack McCurdy Given Col. Australia Post

Jack McCurdy, former Paramount theatre executive, has been appointed Australian representative for Columbia. He is enroute to Hollywood where he will spend a few days at the Columbia studio before sailing on the "Monte Carlo".

McCurdy will stop over at Indianapolis where he will meet his wife and take her with him. Sailing on the same boat will be Arthur and Dave Lowe and their wives, who will make a trip around the world by airplane, and Sir Benjamin Fuller of the Fuller circuit in Australia.

Simon Rowson Heads New British Concern

(Continued from page 1) Ideal Pictures, Ltd. Under the terms of the charter the company can produce, distribute and rent.

For your information, Ideal Pictures, Ltd., which was absorbed by Gaumont British, is one of the most prominent English distributing companies.
MARX
BROTHERS
in Paramount's
"DUCK SOUP"

Directed by
LEO McCAREY
Loew Reports $4,034,289 Net for Year

Decree of $3,927,025 Under 1932 Total

Loew's, Inc., reports a net of $4,034,289.51 for the year ending Aug. 31 after payment of Federal taxes and dividends of subsidiaries. This is $3,927,025.49 below the 1932 net of $7,961,315.

Gross income from theatre receipts, rentals, sales of films and the like, from the rentals of stores and offices, and receipts from bonds and preferred stocks was $8,938,531.71. Expenses, including theatre operation, film rentals, rent on leased property, overhead and other charges, were $7,961,315.034,289.51, leaving an operating gross of $10,940,702.59.

Interest on debentures, bonds and mortgages of subsidiaries and affiliated companies, depreciation on building...

(Continued on page 4)

Publicity Is Believed Federal Salary Weapon

Hays Association Signs Code

The M. P. P. D. A.—the Hays association—has signed the proposed industry code.

The action was taken as an association step and supplements signatures of individual company members delivered by Will H. Hays to Deputy Administrator Sol A. Rosenblatt late last week in Washington. United Artists is the one major which has not affixed its signature.

Under NRA procedure, administration contact with any given industry is sought through such industry's own trade associations. Thus, in the coal industry where seven or eight associations represent different interests, that many signatures were affixed to the code, in addition to the names of the individual companies operating in the field.

Hollywood, Nov. 2.—So far as could be learned today, the Ass'n of M. P. Producers has taken no action on signing the proposed code. Recalcitrants are Joseph M. Schenck and Samuel Goldwyn, who are on record as objecting to several clauses, including Article 5, the anti-star raiding provision.

Fred Beets, secretary, said it was not necessary for the association here to sign the code as its head had already signed it in the East. The association is awaiting the Presidential signature, he asserted, adding that if the code does not suit it the group will hold a meeting of protest.

Trade Commission Data May Be Turned Over To Stockholders

Data on salaries being paid executives and others by large corporations, now being gathered by the Federal Trade Commission, is reported to be the key to NRA plans for bringing unconscionable salaries into line.

Publicity involving presentation of salary facts to stockholders of corporations which fail to take steps to adjust excessive salaries voluntarily, is regarded as a highly probable procedure after the Federal Trade Commission has completed the collection of its reports.

It is understood, in respect to this industry, that the suggestion has been made by administration leaders that contracts of executives and players be renewed at lower rates at their expiration. Failure to do so in individual cases is regarded as sufficient.

(Continued on page 6)
Derr Off for Coast
With Plans for Six
E. B. Derr, former Pathe executive, left for the coast yesterday following a business trip here in connection with Derr-Sullivan Prod, which he says plans six features. The first starts work in Hollywood shortly, but Derr is bound to details a secret.
Distribution will be through one of the majors, he did say, however.

Blumberg Gets Set
Nate Blumberg, newly appointed general manager of the RKO circuit, currently is sandwiched between meetings of various divisional managers and getting in shape for the set on the 11th floor of the RKO building.
Leslie Thompson, assistant to J. R. McDonough, is now occupying Harold B. Franklin's old office. Reisman is in the 14th floor.

Sam Morris Sails
Rome, Nov. 2—Sam E. Morris, vice-president of Warner Bros., sailed Wednesday on the Rer for New York after spending six weeks in Europe visiting Warner foreign exchanges.

Weiss Gets the Albee
Harry Weiss has taken over a J. J. Franklin's post in managing the Albee, Brooklyn, and Harry Moore has been given Weiss' post as manager of the Coliseum.

Isen Sails Nov. 11.
Monroe Isen, general manager for Universal in South America, sails for Buenos Aires on the American Legion Nov. 7. He has been confering here with N. L. Manheim, "Us" foreign sales manager.

“My Lips” Reviewed
“My Lips Betray,” starring Lilian Harvey, opens at the Old Roxy today. MOTION PICTURE DAILY reviewed it from Atlantic City on July 12.

POSSIBILITY that Roxy would go back to his old hat-trick at the original Roxy was reported to have dimmed yesterday. Herb Lubin, who promoted the 7th Avenue Cathederal, has been working on such a deal, as this column told you a week ago today. The funds attendant upon satisfying various creditors and taking the house out of the receivership under which it has been operating for some time now were being sought from Hayden, Stone & Co., the inside goes.
Yesterday Dick Hoyt, who has had a flyer or two in the picture business—notably Fox West Coast and what good memories will recall as the Richard Hoyt Syndicate—is said to have turned down Lubin's advances. Roxy was willing to return to his old stamping ground at $1,000 a week and five per cent of the profits. Yes, they actually anticipated profits.

Properly annotated and sealed, an official statement of prime importance may bounce out of Hollywood today. It has to do with three names, all of the triumvirate well known in the production end of the business. The move concerns two resignations and one sizable hike in added authority. Involved, as well, may be 20th Century Pictures in what would be a major expansion move. That is, if anticipations turn into facts.

Bulletin: Joe Schenck late night was reported sticking to his guns, said guns having to do with continued opposition to the Hollywood periodically visits. This, despite presence in Hollywood and the persuasion of Brother Nick.

Several of the larger American distributors aren't cheering over the political situation in Germany. Privately, some consideration is understood to have been given to the advisability of withdrawing from the country entirely. Jewish film men are out of Berlin now, practically in toto, but not without memories of them having rather keep in the limbo of the forgotten. One-man—and affinities pursue—was caught by Hitler's storm troopers as he was attempting to shake Aryan dust from his heels and badly mauled. His Paris office intervened sharply and decisively through the proper channels and managed to wheedle out a safe conduct pass.

Indecision on dates for "Cradle Song" and "The Way to Love" at Paramount, New York, has been causing the general help no end of work. Before Mac West opened, "Cradle Song" was booked to follow, but when a print arrived from the coast and hq. executives took a peek, they pulled the date, planning on a two-a-day at the Criterion. "The Way to Love" was then booked to follow Curvaceous Mae. After the company decided to drop plans for the two-a-day, "Cradle Song" was again booked into the Paramount to follow "I'm No Angel," with the Chevalier picture to follow. Early this week it was changed again and now the Chevalier picture opens Nov. 10 with "Cradle Song" set for Nov. 17. Every time the bookings were changed the advertising display in the inner and outer lobbies was switched around. Likewise for the trailers. And so it goes.

Foreign manager had occasion to dispatch a message overseas the other day. The matter was important, also confidential. Therefore, it went in code. As the communication bounces into

Vol. 34
November 3, 1933
No. 106


Subscription rates per year: $6 in the Americas, Canada, Canada and foreign $1.50. Single copies, 10 cents.

Insiders’ Outlook

Purely Personal

Leon Lee, U. A.; Abe Schneider, Columbia, and Abe Goodman of Fox taught the gang a few new twists in bowling the other night at the M. P. Bowling Tournament.

Walter Eserkhart is planning a winter vacation this year and continues to look sad whenever anyone mentions the Romo.

Roy Mack will direct a "Melody Man" featuring Isham Jones and his orchestra and Gypsy Nino, at Vitaphone next week.

Pat Garny is in Chicago on business for Master Arts. From there he goes to St. Louis. Due back in New York next week.

Edgar Bergen, the ventriloquist, starts work today at the Brooklyn Vitaphone Studio on his second short there.

Belle Baker, Lulu Mcconnell and the Radio Rambler's have been signed by Vitaphone for future shorts.

Jimmy Grainger occupies Carl Laemmle's office at "U" when C. L. is out of the city, as he is now.

Paul Gulick is having his troubles publicizing Margaret Sullivan. She doesn't want to be.

George Soudas and Pete Adams of the Paramount, Newark, did their lunching together the other day.

Irving Browning's new short will be ready for release by Principal within the next few weeks.

George Gerhard and Percy Trussell sampling the wares of the Music Hall cafeteria yesterday noon.

Sol Lesser is in London for a few days before visiting other European cities on Principal business.

Al Christie will start another Mack and Maxwell for the Eastern Service Studio next week.

Catherine Swan, assistant to D. A. Doman, Fox story head, is on her way to New York.

Lynn Farnon, Goldwyn's representative, leaves the coast tomorrow for New York.

Lewis Milestone did not return the other day, as first reported. Still abroad.

Heleen Harrison of Freuler Pictures is a serious critic of national economic policies.

James Whale, Universal director, will sail today on the Ile de France.

Columbia Lou Weinberg has discarded cigars for a pipe.

Les Kaufman is in Richmond on a Columbia tour.

Al Santell leaves for Hollywood tomorrow.

Montague Love is around town again.
"INDUSTRY'S LARGEST LIST of contract stars, players, directors, writers" (Variety) celebrates completion of first third of new-season product weeks ahead of scheduled release dates.

WILLIAM POWELL HELD for second Broadway week in his return as Philo Vance in "The Kennel Murder Case." "Thoroughly satisfactory — great — will delight fans" is gist of peppery press praise.*

DOLORES DEL RIO JOINS mounting list of marquee magnets starring the cast of "Wonder Bar," next girl-and-music show from Warners.

3 TIMES THE CROWDS of any previous show at N. Y. Hollywood bring new records daily in first date of Muni's "The World Changes." Crack campaigns put St. Louis and Boston on toes for gala premieres today.*

HIS NEW ROLE in "Massacre," one of 8 films now shooting on Warner lot, shows Dick Barthelmess in this unique make-up.*

ALL ABOARD FOR "CONVENTION CITY"! Menjou, Blondell, Powell, Astor, McHugh, Ellis, Herbert head 10-star cast of Warner laugh special.*
Loew Reports
$4,034,289
Net for Year
(Continued from page 1)

| Year | Property, blds., equip., land. | Due from affiliated companies | Cash | Cash for construction | Accounts, notes receivable | Sinking fund requirements—anticipated
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<thead>
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<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>1933</td>
<td>$69,688,157</td>
<td>$71,409,780</td>
<td>4,153,061</td>
<td>2,094,614</td>
<td>644,831</td>
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<tr>
<td>1931</td>
<td>$71,417,124</td>
<td>$68,928,699</td>
<td>4,421,121</td>
<td>1,974,812</td>
<td>1,769,237</td>
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<tr>
<td>1930</td>
<td>$71,893,107</td>
<td>$67,230,167</td>
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<td>1,853,598</td>
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<table>
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<tr>
<th>Year</th>
<th>Advances to producers, secured</th>
<th>Mortgage and interest payments</th>
<th>Inventories</th>
<th>films in work, completed and released</th>
<th>Books and rights, advertising expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>1933</td>
<td>$1,893,137</td>
<td>$1,555,362</td>
<td>$3,507,415</td>
<td>$1,004,000</td>
<td>$1,000,000</td>
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<td>$1,400,974</td>
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<td>$1,004,000</td>
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<tr>
<td>1930</td>
<td>$1,893,137</td>
<td>$1,555,362</td>
<td>$3,507,415</td>
<td>$1,004,000</td>
<td>$1,000,000</td>
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<table>
<thead>
<tr>
<th>Year</th>
<th>Investments in stocks, mortgages</th>
<th>Advances to affiliated corp.; deposits on leases, contracts, misc.</th>
<th>Deferred charges</th>
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</thead>
<tbody>
<tr>
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<td>$2,031,629</td>
<td>$2,031,629</td>
<td>2,936,947</td>
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<tr>
<td>1931</td>
<td>$2,031,629</td>
<td>$2,031,629</td>
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</tr>
<tr>
<td>1930</td>
<td>$2,031,629</td>
<td>$2,031,629</td>
<td>2,936,947</td>
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</tbody>
</table>

| Total | $969,800 | $3,507,415 | $1,893,137 | $2,031,629 | $2,936,947 |

**Liabilities**

<table>
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<tr>
<th>Year</th>
<th>Common stock</th>
<th>Preferred stock</th>
<th>Bonds, mortgages of subsidiaries</th>
<th>Debit balance outstanding</th>
<th>Accounts payable</th>
<th>Notes payable</th>
<th>Sinking fund liability</th>
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<td>$36,576,580</td>
<td>$19,795,208</td>
<td>$21,173,464</td>
<td>$4,815,426</td>
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<tr>
<td>1931</td>
<td>$36,576,580</td>
<td>$36,576,580</td>
<td>$19,795,208</td>
<td>$21,173,464</td>
<td>$4,815,426</td>
<td>$42,363</td>
<td>$1,000,000</td>
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<tr>
<td>1930</td>
<td>$36,576,580</td>
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<td>$19,795,208</td>
<td>$21,173,464</td>
<td>$4,815,426</td>
<td>$42,363</td>
<td>$1,000,000</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>Dividends payable</th>
<th>Federal state tax</th>
<th>Accrued interest</th>
<th>Accounts receivable</th>
<th>Notes payable</th>
<th>Contingent reserve</th>
<th>Deferred credits</th>
<th>Earned surplus</th>
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<td>$71,469,780</td>
<td>$23,997,870</td>
<td>$1,402,919</td>
<td>$178,913</td>
<td>$107,433,960</td>
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<tr>
<td>1931</td>
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<td>$178,913</td>
<td>$71,469,780</td>
<td>$23,997,870</td>
<td>$1,402,919</td>
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<td>$107,433,960</td>
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<td>$23,997,870</td>
<td>$1,402,919</td>
<td>$178,913</td>
<td>$107,433,960</td>
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| Total | $123,697,591       | $124,784,946       | $129,433,144     | $128,633,361      | $124,223,624 |

**Consolidated Operating Statment**

<table>
<thead>
<tr>
<th>Year</th>
<th>Gross income</th>
<th>Expenses, amortization, etc.</th>
<th>Depreciation, blds., equip., etc.</th>
<th>Net profit taxes</th>
<th>Minority interests, etc.</th>
<th>M-G-M preferred dividends</th>
<th>Net profit</th>
<th>Preferred dividends</th>
<th>Common dividends</th>
<th>Surplus</th>
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<td>$22,220,123</td>
<td>$11,950,094</td>
<td>$2,717,911</td>
<td>$2,717,911</td>
<td>$2,717,911</td>
<td>$2,717,911</td>
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<td>$10,400,000</td>
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<td>$2,000,000</td>
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<td>$2,000,000</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>1930</td>
<td>$23,997,870</td>
<td>$12,000,000</td>
<td>$11,950,094</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
<td>$1,500,000</td>
</tr>
</tbody>
</table>

| *After depreciation. †Represented by 1,464,205 no par shares. ‡Long term. §Represented by 140,497 no par shares. ||Includes long-term notes payable. | Includes call loans. |

**Lawton Gets Injunction**

Stanley W. Lawton, who just leased the Gaiety Theatre, and who is acting as general manager, has obtained an injunction from the Supreme Court restraining the Erlanger interests, owners of the property, from interfering with his operation of the theatre. A dispute over a labor question was the basis of the controversy. Erlanger refused to comment on this action.

**Sally Rand Gets 10 Days**

CHICAGO, Nov. 2—Sally Rand’s sentence of a year in jail has been cut to 10 days by a $250 fine added by Judge McGarry. A new trial was delayed.

**March for LaGuardia**

The amusement world was strongly represented at the Fusion rally at Madison Square Garden last night at which Fiorello H. LaGuardia was the chief speaker. Among those who marched to the Garden in a parade of the motion picture division of the Fusion campaign were:


**Marx Brothers May Stay at Paramount**

(Continued from page 1)

Katz, provided the former Paramount executive could secure finances. This deal is definitely cold as well as any plan for making a picture for United Artists. Before the Katz deal soured, the Marx Brothers had one picture to make on their Paramount commitment and refused to make it until Paramount threatened suit, which resulted in the comics making “Duck Soup.” Harpo Marx is in the coast and will remain here for a week before sailing for Russia.
Thanks for your wire, Mr. Robb. We certainly will keep them coming. "You ain't seen nothin' yet!"

(Note: ROBB & ROWLEY THEATRES, INC., operate theatres in Dallas, Tex., Little Rock, Ark., and in fourteen other cities in Texas, Oklahoma and Arkansas.)
Publicity Is Held Federal Salary Club

(Continued from page 1)
grounds for invoking the penalty clause of the code, which makes an employer liable for $2,000 up to $5,000 for payment of "unreasonably exces-
sive" salaries.

Continued is the practice of pay-
ing excessive salaries by a company cited under this code provision, or the retention of an appreciable number on contracts that are unreasonable, figures would probably invoke Federal Trade Commission public liability of salaries and subsequent stockholder action, it is re-
ported.

Academy for Public Proceedings on Code

Hollywood, Nov. 2.—Full publicity for all operations of the industry code following its adoption is to be sought by the Academy of M. P. Arts and Sciences. Lester Cowan says this will guarantee that the code will work fairly and efficiently.

"It would be appropriate," says Cowan's report to the board of gov-
ernors, "for the Academy as an im-
mediate step to ask the Administrator to make transcripts of the code authority proceedings available to the creative branches in order to carry out the spirit of the code, and freedom of appeal from any unfair actions of officials." Cowan is also in favor of providing machinery for negotiations on working conditions of assistant directors, as this was left out of the code by agreement with the producing com-
panies pending discussions through the Academy.

Akon Men Working Out Their Own Code

AKRON, Nov. 2.—Local exhibitors have started work on a code of their own. Enlarged as a local branch of Liberty, has been delegated to take care of the details.

It is understood the plan is to have all signers post a cash deposit to guar-
antee against violations.

Wisconsin MPTO to Meet

MILWAUKEE, Nov. 2.—Nov. 21 and 22 have been set as the tentative dates for an annual convention of the M.P.T.O. of Wisconsin and Upper Michigan, Inc., at which time the theatre code will be discussed. For A. Rosenblatt, deputy administrator in charge of the code hearings in Washington, has been invited to ad-
dress the convention here.

Muni Creates Award

Hollywood, Nov. 2.—Paul Muni has established the "Paul Muni Award" for cinema excellence in the College of Liberal Arts of the University of Southern California. The award goes to the student show-
ing the greatest proficiency in motion picture study.

This is said to be the first award of its kind by a film star.

Music Code In Deadlock On Discounts

(Continued from page 1)
ue of discounts which had been playing in a dispute settled the con-
test. Proponents of the code de-
clared they would withdraw the agree-
ment as meaningless unless the dis-
counts were retained.

Rosenblatt ordered the discount provision thrown out and the code was applied to implementations. Find-
ning that the code actually contained three agreements for retailers, dis-
counter, and publishers respectively, Rosenblatt ordered the retail group to confer with Deputy Administrator Whiteside with a view to coming up in the under the code, the wholes-
alers to discuss the possibilities of in-
clusion in the proposed wholesale countermeasure as a part of drafting of a code which could meet the approval of the Administration.

Independents Hit Percentages Here

(Continued from page 1)
resolutions. The alleged practice of excessive percent-
ages and preferred playing time de-
mands, respectively, have been declared pro-
ductive by major companies. The I. O. C. has tried the cooperation of the distributors and other exhibi-
tors in an effort to eliminate these demands.

The board of directors of the or-
ganization yesterday met with Felix F. Feist and William F. Rodgers of M-G-M on the local sales policy of the company and other sales managers have been invited to confer on the situa-
tion. Harry Brandt, presi-
dent of the unit, presided.

Until the percentage and preferred playing time dispute are settled, the local buying strike will be continued.

Fox-RKO Downtown Detroit Pooling Set

DETROIT, Nov. 2.—Pool of the Fox-
and RKO downtown Detroit was set up today with the management of the hands of David Idzall for RKO. Idzall has been managing the Fox for some time. Under the terms of the deal, stage shows and the pick of pictures will go into the Fox, with remaining films slated for the Downtown. RKO will book both the films and stage

Arthur Frudenberg, who has been in Detroit for RKO for some time, will remain for a few weeks to co-
operate with Idzall, and will then be given another post in RKO.

See Film Code To Roosevett By Tomorrow

(Continued from page 1)
this year, Cowan has advanced the idea that more and more exhibitors will be ready for signing when he is assured that no further changes will be made.

Plunkett Charges PLAGIARISM of "M"

(Continued from page 1)
damages and charging the defendants with plagiarism of the German pro-
duction "M" in Paramount's "This Day and Age." The complaint, filed in New York Supreme Court by Saul E. Rogers, attorney for Plunkett, sets forth that the defendant and Walter Reade, after obtaining American rights to the work and confirming its distribution, obtain a $10,000 from the bank, plus six per cent interest in both cases, for alleged breach of contract involving installation of various forms of the film in 1929, defendants have filed motion for dismissal on the ground that if the film is not sufficient to give Federal jurisdiction, and that the two separate causes of action in the petition are contrary to this ground.

The bank is involved because of the $1,000 deposited in escrow by McCoy representing its interest on the equipment, which the bank subsequently returned to McCoy.

F. & M. Shows Start New St. Louis Race

ST. LOUIS, Nov. 2.—Theatre man-
gers are watching the St. Louis, to be opened tomorrow night under the F. & M. banner with a lot of curios-
y. The house has been scaled at 25 cents and 40 cents top from 6 to closing.

Opening program includes two fea-
tures, "Pass the Bow" and "49 girls." More shows like this are expected to stir up a new brand of competition.

St. Louis May Pass Standing Room Ban

ST. LOUIS, Nov. 2.—That standing room bill introduced in the Senate at the close of the session was killed because members had failed to get a seat at a showing of "I'm No Angel" in the Ambassador, it is said, that attracted important support and may pass.

Among those behind the bill is the St. Louis Safety Council.
Insiders' Outlook

(Continued from page 2)

the company's own telegraph office, reported the dispatcher: "The code has hit the cables at last."...Al Santell, in from the coast, has been seen around town with Jimmy Grainger. Then, what? Well...The way Nate Manheim, Universal foreign manager, has offered to help Phil Reisman, RKO foreign manager, settle some of the new hurdles which Reisman will have to jump. Phil, incidentally, won't be admitted into the overseas fraternal organization until he slips foreign exchange tables from the New York dailies and carries them in his vest pocket...K ANN

Nat Williams Heads Southeastern Ass'n.

Atlanta, Nov. 2.—Nat Williams of Thomasville, Ga., is the new president of the Southeastern Theatre Owners Ass'n. He succeeds Col. T. E. Orr. Other officers named at the closing session of the association were: Vice-president, Col. James T. Hagan; secretary, Mrs. Lillian Drayer; treasurer, E. H. Thomas.

Southwestern Plans To Start First Soon

Southwestern Producers, Inc., headed by Bettee Toull Boulent, is getting ready to start the first of a series of features. It will be called "Way Down South." Another in preparation is "The Birth of Texas," with the fall of the Alamo as a high light. George Me Forst is in charge of production. Arrangements for release are being made through a major company, according to Southwestern.

May Give "Design" Run

Paramount is considering "Design for Living" as a two-day-at-a-time attraction with a New York premiere at the Criterion sometime in December. Ernest Lathorn, director, arrives Sunday from the coast on a vacation and will look over a number of plays and other material for his next vehicle. He will also attend the local premiere.

Again Denies Film Plans

Katharine Cornell denies stories from Hollywood to the effect that she will appear in "The Good Fairy." The Oscar winner will return to her M-G-M. She says she has arranged a series of one-night stands for the local version of "Wimpole Street" and that M-G-M has agreed to withhold the picture until this tour is completed.

Missouri Tax Bill In

Jefferson City, Mo., Nov. 2.—A bill providing a tax with a sliding scale on theatre admissions was introduced in the Missouri legislature today.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

(Continued from page 1)

four clowns trapse through insane antics, getting as close to the crazy from the nutty to burlesque to slapstick to buffoonery, all resounding in sequences of button-bursting mirth.

Laid in a mythical kingdom, it's a hot, hot potpourri of court etiquette, cabinets, cabinets, diners, fat rooms, dictators, peanuts, and a cartoon with the idols singing "Oh, Oh Suzanna," sleeping with horses, playing xylophones on hussier's helmets while Paul Revere rides. It's all gorgeous lunacy, senseless as a scrambled jigsaw puzzle, full of new, old, but always funny gags and honest laughter.

Leo McCarey's fascination with values is more lavish than their previous operas, Kalmar and Ruby's book, lyrics and music hit a high note in original cogulations, aided by Sheekman's and Perrin's additional dialogue. Margaret Dumont, Louis Calhern and Raquel Torres lead the supporting players. "Duck Soup," unrestrained as it is, should be the stepping stone for exhibitors. It should set the box-office agog and audiences aga.

"Female"

(First National)

Ruth Chatterton's experiences as a hard-boiled executive in search of a lover who will take her for what she is and not for her power and money stack up as delightful entertainment. It will amuse audiences generally as it did the Strand patronage last night. Miss Chatterton does clever work in the major role, while George Brent, Philip Faver, Ruth Donnelly, John Mack Brown, Lois Wilson, Gavin Gordon and a number of others lend capital support.

As president of the Drake Motor Co., Miss Chatterton dominates her employees to the extent that she even orders some of them to visit her at her home after working hours in the hope she may find a romantic soul. All are puppets of her whims, interested in furthering their business, finally deciding to step out incognito and mock Lenten ladies at a carnival. Trying to rule him in a mild way doesn't get her very far.

Later Miss Chatterton finds Brent the engineer she ordered taken away from another company, and when she makes a puppet of him, he resents it. Brent has taken a liking to her, but doesn't respond to her romantic commands. He leaves the company just as it becomes involved in a financial crisis. It is a choice between letting the company pass into other hands or go after her hero. She chooses the latter. However, Brent understands, and with her goes to New York to save the motor company, and the heroine from further pursuit.

"Notorious But Nice"

(Chesterfield)

This Chesterfield production for all its routine story manages to entertain. It poses a love tale against a background of racketeering and night club life and gathers into a single pot a mixture of every situation in film of this kind that is supposed to bring response from audiences. It is a sort of birthday boyhood.

The central theme of virtue vindicated has all the elements calculated to touch a susceptible heart. Never was a blacker plot cooked up to besmirch a woman's name as is conceived by a wealthy lad's guardian to get him away from a girl he loves in order that the boy may be brought to marry his daughter. Circumstantial evidence plus a tale of infidelity concocted by the guardian results in a dissolution of the romance. The wronged girl marries a racketeer in a desperate moment. When the husband is shot by a rival gangster she is held as the killer. This gives excuse for a courtroom scene that turns out to be the finest part of the film by all odds, being genuinely gripping and effectively staged. Everything is straightened out in the end.

The cast is good, with Marian Marsh and Donald Dillaway as the lovers especially worthy of mention. Betty Compson plays a lady of easy virtue with the harshness associated with such a role. Others who do good work are Rochelle Hudson, John St. Polis, Henry Kolker and J. Carroll Naish.

Charlotte Henry to Tour

Plays are under way by Paramount to play New York's Brooklyn girl, who recently won a beauty contest, make a personal appearance tour in key cities where "Alice in Wonderland" will be dated. She plays the leading role in the film which will be completed in two weeks.

AMPA Heats Ryskind

Morris Ryskind, former publicist and now playwright, and Conrad Lichter were guests of honor at the A.M.P.A. yesterday. Ryskind told of some of his experiences working for film companies, while Lichter, a mental telepathist, gave an exhibition of his hypnotic powers.

Hollywood Personalities

Barbara Stanwyck has recovered from her illness and led Wednesday for Hollywood to begin work in "Blood of China" (Warners).

Harry Edwards has started direction of a new Abbott and Costello comedy at Educational tentatively called "Strained Relations."

Sam Scheck, Broadway dance producer, has been signed by Universal to handle the musical routines of "I Like It That Way."

Jesse Lasky and John Eyestone are looking for debutantes for "Coming Out Party."

George Billings and Clara Blandin are going into "As the Earth Turns" (Warners).

Miran Jordan goes to Columbia for "Let's Fall in Love" on a loan (from Fox).

Ketti Gallian, recently signed by Fox, gets the lead in "Marian Gallant."

Shirley Temple and Herman Bing cast in "Mandalay" (Warners).

Noel Malson spotted in "I Like It That Way" (Universal).

Frank Reicha grabs a spot in "Hi Nellie!" (Warners).

Nazi Yarn Stirs Up

Wick Boycott Talk

Hollywood, Nov. 2.—Motivated by an article appearing in Louella Parsons' column today saying that Baron Ernest Von der Decken, editor of a Hitler newspaper, is on his way here to visit Dorothy Wick, and other Nazi groups in Hollywood, Wick, with undercover talk of a talent boycott supplementing a German merchant boycott, was alleged to have asked Wick's column today that Miss Parasole allied in her column.

Local Jews say they cannot understand why Paramount, headed by Adolph Zukor, Ralph Kohn and Emanuel Cohen, should have renewed Wick's contract, if they knew about this.

The studio comes to Miss Wick's defense with the statement that at no time has she discussed pro-Nazi propaganda, adding that she has worked hard since arriving in Hollywood, always minding her own business. The company asserts the fact that the leon is on his way here should not be construed as having any significance.

Kirchuey Heads Board

Dr. George W. Kirchuey, former Columbia Law School dean, has been reelected chairman of the National Board of Review executive committee. Other members are: Mr. Leon C. Howe, Walter W. Pettit, Mrs. Miriam Surto Price, Dr. Myron T. Scudder, LeRoy E. Bowman, Dr. Frank Astor, Judge Davis, Dr. Louis H. Harris, George W. Zehring and Dr. William B. Tower.
"Maedchen in Uniform" definitely proved DOROTHEA WIECK's great potentialities. PARAMOUNT...the only company that brought forth two great stars in the past year, MAE WEST and BING CROSBY...has taken great care to develop these by providing Miss Wieck with an exceptionally fine screen play written by Marc Connelly, author of "Green Pastures."

Directed by Mitchell Leisen
NRA Far from Discard Point; Swope Plan Faces Opposition

WASHINGTON, Nov. 3.—It will be some time before the NRA is broken up, if at all, and its permanent administration turned over to any National Chamber of Commerce and Industry, as suggested earlier in the week by Gerard Swope of General Electric. The plan provides for use of the present U.S. Chamber of Commerce as a nucleus.

Today organized labor, the National Ass'n of Manufacturers, and many prominent individuals and organizations in industry began to load the Capital with their protests to the Swope plan. Another factor, not too easily disposed of, hinges on the original plan to turn over the NRA to the Department of Commerce. This idea is still very much alive.

Laemmle Sees Slight Help From Russia

HOLLYWOOD, Nov. 3.—American producers will benefit little, if at all, from recognition of Soviet Russia, as the type of films made here is taboo in the Soviet, where the screen is used as a medium of political propaganda, said Carl Laemmle, who arrived here today from a trip abroad. Measured by Russian standards, films produced by American companies enjoyed itself for Russian audiences, Laemmle explained.

Picture preferences in Europe are greatly diversified, with as many demands in the way of screen entertain-

Independents Expected to Accept Code

With increasing indications that President Roosevelt would sign the code some time this week-end, or by Monday night at the latest, independent factions here appear reconciled to code provisions in their present form, including membership on the code authority and the set-up of local grievance, clearance and zoning boards.

The present independent attitude is seen traceable to conferences held recently between independent leaders, Administrator Hugh S. Johnson, Col. W. Robert Lea, Johnson's executive assistant, and Deputy Administrator.

Detroit RKO House Goes to Dual Bills

DETROIT, Nov. 3.—With its policy of offering straight sound shows, the RKO Downtown this week is offering a double bill composed of "East of Fifth Avenue" and "Ace of Aces." The agreement made with the Fox, stage shows tabled for the Downtown are being put into the Fox, the latter playing the first of them, Earl Carroll's "Vanities," this week.

Arthur Porden, former divisional manager for RKO, has gone to New York to assume duties there with RKO.

Triple Bills Worry Salt Lake Showmen

Salt Lake City, Nov. 3.—Inauguration of triple bills at the Orpheum and the Playhouse has caused a stir among subsequent runs here. Most houses have been running duals and

White House Is Awaiting Code Today

WASHINGTON, Nov. 3.—With the film code completed and his report ready for signature, Administrator Hugh S. Johnson tomorrow is expected to lay the motion picture situation before the President with codes ready for approval will be taken to the White House in order that Johnson may clear his desk before he leaves on his western trip.

Tomorrow also Johnson or his executive assistant, Col. W. Robert Lea, will issue a statement indicating the code, it is understood, in order that the country may have a clear explanation of the negotiations to deflect reports of controversy and dissenion which have been broadcast.

O'Reilly Asked for Code Clarification

Charles L. O'Reilly, president of the T. O. C. C., sought clarification of various code provisions and their phraseology during his conference Thursday with Col. W. Robert Lea, executive assistant to Administrator Hugh S. Johnson, in Washington, it was learned yesterday. No changes in the code were sought by O'Reilly.

Discussing "Alice" For RKO Music Hall

Paramount and RKO are understood negotiating a deal whereby "Alice in Wonderland" will be booked into the Music Hall for Christmas week. RKO executives are understood to feel that the picture can gross about $150,000 for the week, setting a new all-time record for the 6th Ave. house. Provided the deal is not closed, RKO is considering dating "Little Women" instead.

Three-way Race

Cleveland, Nov. 3.—A three-way competitive program in one house is now current at the Allen where "Three Little Pigs" is pitted against "Lullaby Land," two Walt Disney subjects, which in turn are competing for honors against "The Life of King Henry the VIII." All are U. A. releases.

'I'm No Angel" at $55,000 3rd Paramount Week

Weekend third of "I'm No Angel" at the New York Paramount netted the house $55,000.

The Hollywood, with "The World Changes," grossed $24,740 for the week ending Thursday, while the Old Roxy intake for the seven-day period was $19,000. The Music Hall with "Berkeley Square" (took in $80, 044 for the week ending Wednesday.

It's Churchill

Despite general belief that it was Ann Ronell who wrote the music for "Who's Afraid of the Big Bad Wolf?" the original music and lyrics were written by Frank E. Churchill, member of Walt Disney's staff which turned out "Three Little Pigs." Miss Ronell wrote additional lyrics and is so credited on sheet music published by Irving Berlin.

IITO Dickers for Flat Union Costs

In negotiating deals with Local 306, the I. T. O. A. is deviating from the policy adopted by Dickson by dickson for sum total prices of individual booths rather than salaries for individual operators.

Opinion of the exhibitors is that they are not interested how many men work one, two or five days a week in the booth as long as the projection.

(Continued on page 3)

Houses in Atlanta Opened on Sundays

ATLANTA, Nov. 3.—Blue Sunday passed into the discard in Atlanta last Sunday when the theatres opened for regular operation here, unrestricted for the first time in the history of the city. About five weeks ago, citizens voted about four to three for an

(Continued on page 3)

VAUDEVILLE IS GIVEN BREAK IN CLEVELAND

CLEVELAND, Nov. 3.—Vaudeville here took a sudden spurt this week when the Hippodrome and the RKO Palace put on six acts in a competitive stage show battle. It is rumored Loew's will inaugurate either a presentation or vaudeville at the State around the first of next year.

Loew's has reverted the Stillman policy to duels again with "Tillie and Gus" and "Sigilos of Paris" now.

(Continued on page 3)
Looking ‘Em Over

“Day of Reckoning” (M-G-M)

Uma Merkel gives a grand performance in a role that calls for much more than a display of her comedy talents. In fact, she practically steals the picture from start to finish in the role of a nurse who cares for the children of Richard Dix and Madge Evans.

It’s the story of a man who embezzles to help his wife maintain a social front. When he is jailed she goes to Conway Tearle for aid, and Tearle fixes it so that Dix gets a two-week sentence. In the course of a developing friendship between Tearle and Miss Evans, Miss Merkel cares for the children, in spite of the fact that Stuart Erwin, driven by a milk wagon, is seeking her hand in marriage. Pathetically, she even takes the children to a park across the street from the jail so Dix can see them from a window.

A jealous woman shoots Miss Evans in Tearle’s apartment. He is sent to the same prison with Dix, and Dix attacks him. The big scene of the pictures takes place on the roof of the jail as Dix and Tearle fight on a cornice. Tearle is killed.

Faithful to the last, Miss Merkel gets Erwin to meet Dix when he is released and she restores Dix’s children to him, a farm where she is living with Erwin’s parents.

It has some gripping and highly emotional moments, but Dix has had better roles.

“Eat ‘Em Alive” (Harold Austin-Real Life Pictures)

An interesting six-reel photographic study of reptile and animal life and conflict on the American desert, where Nevada ends and California begins, made by Harold Austin, who turned out “Africa Speaks,” “Monsters of the Deep” and others.

A press sheet on “Eat ‘Em Alive” lists the following encounters as the “eight most important battles in the pictures.” Incidentally, they comprise the story and the content of the film. There is an engagement between a “sidewinder” rattler and a king snake; one between a gila monster and a diamond-back rattler; a mongrel pit dog vs a rattler; a monkey-faced owl vs a snake; a centipede vs a black widow spider; a fitch vs a desert rat; land turtle vs land turtle, and a fitch vs a rattler.

Most of these contests are to the death and for the purpose of obtaining nourishment; the process of mastication in each case being shown in close-up and in lengthy footage, which facts evidently earn the picture its title. So photographically detailed are some of the shots that they may prove revolting to women, children and sensitive males.

Photography is excellent, and the desert setting is picturesque and highly interesting. The film appears to be original and genuine.

Loew Up One and a Half

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Technicolor Gains Quarter

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Pathé Jumps Two Points

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<th>Paramount V. L. 6s “47”</th>
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Five amusement shares listed in the New York Times index of 20 stocks listed on the New York Stock Exchange show a decline of $13,198,707 in paper value for October as compared with September. The decline in points was 1,400.

Brown Joints Supply Company in Chicago

Chicago, Nov. 3.—George H. Brown, former western supervisor of construction for RKO theaters, has joined General Michael Co., a motion picture supply company, who today moved to new quarters at 906 South Waush, and has engaged on the theatre building and decorating end of the business.

Brown came here last August from the coast where he handled receiver-ship problems in connection with a number of houses.

Winchell, Ill., Goes On Another Vacation

Starting Monday, Walter Winchell will take a leave of absence from the New York Daily Mirror on physician’s orders, it was said yesterday. With today’s column, the gossip writer will say goodbye to his readers until he is pronounced fit to return to the wear and tear of a Broadway columnist’s life. Paul Yawitz will bat for him until he returns.

Unconfirmed rumors making the Broadway rounds are to the effect that Winchell has resigned.

Dismisses Connors Suit

Magistrate August Dreyer yesterday dismissed a suit brought by Chuck Connors, Jr. against John Wright, manager of the Rivoli, charging criminal libel in connection with the showing of “The Bowery.”

New Trans-Lux

Major L. E. Thompson is adding a new link to the chain of Trans-Lux houses when he opens the new Trans-Lux Theatre on Madison Avenue, Friday, November 10.

Guy P. Morgan Here

Guy P. Morgan, general manager in Argentina since 1929 for United Artists, is here for a series of conferences with home office executives.

Purely Personal

Peggy Goldberg of the Educational publication department says that the Paul Terrytoon, “Beanstalk Jack,” and Radio City Music Hall were "made for each other" after viewing them together.

Jules Levy and Al Lichtman going opposite ways, met at 6th Ave. and 40th St. yesterday afternoon, and after a handshake both went Lichtman’s way.

Pat Garsky returned to New York from the Middle West yesterday. He was gone two weeks in the interests of the Edwin C. Hill series for Master Art.

Kathrine Hepburn will appear in “Sky Blue” on Broadway for Fred Harris as soon as she finishes her current film for Radio.

Myron Satter, New Jersey Paramount exchange manager, is suffering from a sore back. He claims his back is going back on him.

Mitchell Leichter has formed the Anchor Productions and is planning eight features at the “Bud” Pollard studios.

Morris Segal of Majestic Pictures has bought the rights to “Hell’sHoliday” from Superb for Ohio and Kentucky.

British Equipment Stir Has Subsidized

London, Nov. 3. — Excitement stirred up among members of the Cinematograph Exhibitors’ As’n by the publication of a series of stories in the Daily Film Renter that equipment manufacturers were organizing a combination to boost prices and end discounts has subsided.

After a number of denials from manufacturers and the start of a movement among exhibitors to organize a buying combine, the manufacturers met and failed to reach an agreement.

Warner Deal Near Close

Cleveland, Nov. 3. — The Warner deal to take over the Hippodrome today officially progressed beyond its preliminary stage, with final arrangements to be announced any day.

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Independent Stock Expected to Accept Code

(Continued from page 1)

Sol A. Rosenblatt. It is reported that the latter, including those with Abram F. Myers, Allied States general counsel, were productive of no changes of any significance. The independent leaders were assured that if any injustices to the industry or the public appeared in the administration of the code after it had been in force 90 days, revisions would be made by NRA at that time, providing it had been shown that changes were required.

It was also made clear to independents, according to report, that what they allege to be an unequal representation on the code authority, as between independent and major interests, had little likelihood of working to their disadvantage, even if independent contentions were well grounded. It was pointed out that all actions of the code authority on administrative bodies, subject to review by Administrator Johnson and the courts, could not be challenged by the membership, and that the code authority would quickly discredit itself and be replaced.

Printers were further admonished, it is reported, to reconcile themselves to a 90-day trial of the code in practice, as an evidence of faith, and to view that no vital changes in any phase of its structure would be made prior to that time, and then only if required. A fair chance for the code, so laboriously arrived at, was insisted upon by the NRA officials.

The views of the administration men, it is reported, is that further arguments, pro and con, having to do with the details of the amendment provision as it now stands are theoretical and useless and have all been covered by the forces now behind it. Only practical application of the code can demonstrate whether or not its provisions are sound or impractical, now the administration officials are said to be convinced, and this view point, it is reported, was followed with the dictum that the code must be given a 90-day trial.

Allied Meeting Delayed

DETROIT, Nov. 3—The annual meeting of Allied of Michigan, originally scheduled for about the 4th of December, and rescheduled for Nov. 7, has been postponed until some time in December. Postponement was made to permit the independent code to be completed, so Allied may consider it at the annual convention. H. M. Fitch, the Allied president, said the meeting might be held in Grand Rapids instead of Flint, many exhibitors having expressed a preference for the latter city.

Feud's Over

Hollywood, Nov. 3—W. C. Fields says the feud between himself and Baby LeRoy, under way since the making of “Tillie and Gus,” has been terminated at the last, fields, who blew up recently, declaring that Baby LeRoy had stolen several of his best scenes, not only in “Tillie and Gus,” but stating that during the making of “Alice in Wonderland,” had agreed to let the 960,065 entertainer and the youngerist not cast in “Six of a Kind,” Fields’ next. Paramount officials, however, have maintained indifferent throughout.

Laemmle Sees Slight Help From Russia

(Continued from page 1)

ment as there are countries and racial divisions, said Laemmle. Elucidating, he said that at a meeting of European managers at the Paris office, each executive expressed a preference for immediate recognition by the others. Where some wanted more financial aid to Russia, others said they were opposed, and so on. Likewise, it was found that while in some sections of the continent dubbing is favored, elsewhere superimposed titles with English dialogue are the vogue.

Few musicals made in America are imported by the independent circuit. Only one, produced by the independent’s company, was selected, for the wholesale syndicate. Although the New York Times is a 30 per cent establishment, the company is the only one to get to the furthest post. The other is being held out in San Francisco.

How Amusement Shares Dropped

Five major amusement issues, traded in on the floor of the New York Stock Exchange, had a value of $18,707,000 in paper value at midmorning, according to index figures maintained by the New York Times. The shrinking was part of a general market tendency downward.

The data:

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Total | $11,199,707 |

ITOA Dickers for Flat Union Costs

(Continued from page 1)

machines, are caused by sufficient men. They claim that no matter how many different men operate the code apparatus, the booth will be the same, even though two men may work two days a week and three the next.

Exhibitors say they don’t want to be singled out as not providing enough employment for any of their workers to provide a living wage. They are willing to spend what they can afford for each booth and how Local 360 distributes the employment should not reflect on the exhibitors, they declare.

Laemmle has agreed to negotiate on this basis, and it is understood the stagehands’ and musicians’ pacts will be made the same way.

“Yesterday” Opens Nov. 9

Hollywood, Nov. 3—Premiere of Universal’s “Only Yesterday” will take place here at the reopening of Funtage Theatre, Nov. 9. The picture was previously slated to open Nov. 2, but was postponed through no fault of the producers. It will be shown in stand presentations and subsequent product to follow this run.

Earned $215 a Share

Loew’s, Inc., profits of $4,034,289 for the fiscal year ending Aug. 31, 1933, represent earnings of $2.15 on each of the 1,464,205 shares of common outstanding. The per-share earnings for the previous year were $4.80.

Bowes to Run NVA Show

Maj. Edward Bowes will have charge of the 17th annual benefit for the N. Y. A., which is to be held at the Metropolitan Opera House Nov. 12.

Vaudville Is Given Break in Cleveland

(Continued from page 1)

current there, Abraham Kramer and Meyer Fine have added the Allen to their circuit, making a total of 34. Walter Lynch of Meadowlands, Pa., has been appointed manager of the Allen.
"Angel" Hits
$24,500 2nd Week in L.A.

LOS ANGELES, Nov. 3.—"I'm No Angel," ran away with the biggest gross of the week, according to the second, at Grauman's Chinese. The gross, $24,500, was more than $10,000 over the regular.

"The Bowery," also a holdover, piled up $16,000 at United Artists.

Sweetheart of Sigma Chi" was a good producer for Los Angeles at $4,100, and "Saturday's Millions" and "Ann Vickers" were slightly better than normal.

Total first-run business was $114,300. Average was $95,400.

Estimated takings for the week ending Oct. 27:

"I'M NO ANGEL" (Para.)
CHICAGO—(1,500), 26c-60c, 7 days. Average, $5,500.

"BROADWAY TO HOLLYWOOD"
LOEWE'S STATE—(2,410), 2c-60c, 7 days. Jimmy Grierson and his orchestra, stage show.

"SWEETHEART OF SIGMA CHI"
BROADWAY—(3,000), 2c-60c, 7 days. Daily Gross, $12,500. Average, $1,750.

"EVER IN MY HEART"
WALTER'S RETURN (M-G-M)
WALTER'S RETURN (M-G-M)
WALTER'S RETURN (M-G-M)
12 HEADS (Brechtstein)
FILMSTAR—(1,000), 2c-60c, 7 days. Gross, $1,350. Average, $200.

"SECRETS OF THE BLUE ROOM"
THE LAST TRAIL" (Fox)
ORPHEUM—(2,000), 2c-60c, 7 days. Ten acts vaudeville. Gross, $4,400. Average, $630.

"THE BOWERY"
MIDEVAL (M-G-M)
UNITED—(1,500), 2c-60c, 2 days. Average, $625. Week. 7 days. Sid Grauman prologue. Gross, $10,000.

Tries "Symphony Week"

CINCINNATI, Nov. 3.—Joe Goetz, manager of the RKO Paramount, is experimenting with a "Symphony Week," during which he is showing at least one of the outstanding cartoons on each program. If the idea makes a hit with the public, there is a possibility that it may be continued.

New M-G-M Series

Hollywood, Nov. 3.—The latest Pete Smith series for M-G-M will cram newscast, short subject, cartoon and feature all into one reel and could be titled "Goody Movies" with explanatory remarks by Smith. The first will feature Ruth Selwyn. Jules White will direct.

U. A. Exchange Hires 4

United Artists local exchange is doing its part for the NRA, having added four employees within the last two weeks. Hired were two stenographers, one bookkeeper and a girl in the contract department.

"A New Low"

Hollywood, Oct. 27.—The usual multiple-figure headliner overhead in studio wardrobe departments hit a new low with the announcement by Fox that the title of the film would indicate that the abbreviated sum might represent a new gnat.

Mid-West Daily Now Kinder to Pictures

KANSAS CITY, Nov. 3.—A better break for first-runs and further recognition of the wide reader interest in matters celluloid is being given in the Sunday edition of the Kansas City Star, one of the most conservative newspapers in the country, which has started films to the front page of a section occupying practically one column and real estate. Reviews and motion picture features, formerly on an inside page, now appear on page one. Other papers, including the morning papers, are now filling the second page of the section, likewise in a better position.

Teachers Ask More Children Pictures

SPRINGFIELD, Nov. 3.—The Massachusetts Parent-Teacher Ass'n has voted to conduct a campaign to secure pictures of special interest to parents and children to have exhibitors label them and place them before schools suited for children when advertising their programs, Mrs. Paul Kelsey of Brookline was chosen preside.

A. S. C. Active in South

Tampa, Nov. 3.—The American Society of Composers, Authors and Publishers here has set itself to be on the job all the time in this section. Suits has now been entered against WMBR, a small radio station operated by F. J. and Irene Reynolds, charging copyright violation, and asking for damages of not less than $1,250. The Reynolds, who operate the station, maintain a patent in restraint of trade.

Buffalo Holdover, "Bowery" $7,800

BUFFALO, Nov. 3.—"The Bowery" demonstrated its staying powers in a second week here with a gross of over $7,000, giving the Hippodrome a home normal by $1,800.

Business was generally good, "Night Flight" declined $16,200, nearly $2,000 up at the Buffalo, helped by a stage show. "Turn Back the Clock," with a vaudeville hillbilly act, and "I'm No Angel," forced Louis Helmborn, the manager, to give another. The house opened two hours earlier than usual all week and on several nights was forced to run another complete show, with the vaudeville included on these extensions. Several days saw holdouts from noon till 11 P. M.

"Saturday's Millions" played to steady business most of the week, with standouts Saturday and Sunday, while "Emperor Jones," evidently made to order for the Aladdin clientele, did a big business, with several holdovers.

"Meet the Baron" surprised the picture trade, doing only average at the Denver.

Total first-run business was $45,000, Average was $6,425.

Estimated takings for the week ending Oct. 27:

"SATURDAY'S MILLIONS" (Univ.)
HIPPODROME—(2,100), 2c-60c, 7 days. Gross: $11,100. Average, $1,585.

"S. O. S. ICEBERG" (Univ.)
LAFAYETTE—(2,300), 2c-60c, 7 days. Gross: $2,000. Average, $600.

U. A. Has 60 Prints Out on "Three Pigs"

With 60 prints of "Three Little Pigs," which distributed by Moe Streiner, U. A. new brand manager, states that he is booked solid for the next few months on the U. A. Disney subject.

Repeat runs are coming in so fast that the home office is unable to make an accurate check on the total number up to date. In one instance, it is claimed an exhibitor played the short subject five times instead of the regular, showing it less than three times. The Trans-Lux in New York has shown it eight weeks and the Old Roxy seven.

The entire RKO and Loew circuits are now playing the subject for a $1,500 run, RKO is following subsequent runs and Loew is following RKO.

There's No Set Routine

Booking of "The Private Life of Henry VIII" into RKO houses ahead of Loew's in New York and a number of other situations throughout the country is the first arrangement of its kind in homephone.

Although Loew's holds a franchise with United Artists for pictures from all producers of the latter company, no franchise arrangement held on this English picture, produced by Alexander Korda, was made.

When Loew's was offered the picture, United Artists was told the circuit would not book it until the film was shown in several more cities. The film was not shown in New York or Los Angeles before a reorganization of General Theatres can be brought about.

The company provides, among other things, that General Theatres will transfer and deliver to Fox Film Corp. stock in Fox Movietone News, Inc. formerly known as the Fox-Hollywood Corp. which General Theatres now holds, having received it from Fox theatres in 1931.
Loew-Poli Thought Near An Agreement

Three-Year Plan Awaits Court Sanction

WASHINGTON, Nov. 5.—Administrator Hugh S. Johnson's statement follows:

"(1) Upon receipt of the code of fair competition for the motion picture industry from the deputy administrator I was advised by a certain group of exhibitors that they desired a hearing and an investigation in respect of the conduct of the deputy administrator in the formulation of said code, and in respect of the provisions thereof.

"(2) I personally heard this group and referred the whole matter to W. R. Lea, assistant administrator for industry, who accorded the requested hearing and carefully investigated the representation of the group.

"(3) I have received Mr. Lea's report and discussed it at length with him and I find that the charges made against the deputy administrator are wholly without foundation, and that the complaints made with respect to the code are based principally upon fear and suspicion that just decisions may not be made by the administrative boards set up in the code, and, further, that some of the complaints could not be taken care of in the code without the invasion of legal rights.

"(4) This code, as stated in the report of the deputy administrator, will require most careful supervision and such supervision the administrator proposes to exercise over all of its operations at all times."

Salary Penalty Clause Vexatious—Johnson Clears Deputy

WASHINGTON, Nov. 5.—Details of the film code will be discussed by President Roosevelt early this week with Deputy Administrator Sol A. Rosenblatt and Administrator Hugh S. Johnson's executive assistant, Colonel W. Robert Lea.

It is expected that on Monday or Tuesday the two Recovery Administration officials will go to the White House to confer before the President is to have a full report of the negotiations which led up to the code as it now stands.

This step was decided upon Saturday by Johnson, following a conference with Rosenblatt. So far as can be learned, the code as it goes to the White House this week will be word for word that submitted to Johnson on Oct. 29.

Full examination of Rosenblatt of all charges against his handling of the code was issued Saturday by Johnson in a formal statement.

Complaints made by independent exhibitors against the code, the administrator declared, "are based principally upon fear and suspicion that"

Lull Delays Deals On Saenger Houses

A lull in negotiations for reorganization of the Saenger circuit has developed between E. V. Richards, operator, and S. A. Lynch, Public theatre reorganization head. Lynch has made at least one trip to New Orleans to discuss a plan of reorganization with Richards, and the latter has been here for two weeks with alternate proposals. Neither has accepted the other's overtures to date.

A period of silence which followed Richards' last proposal has lengthened into weeks now and may have to be forcibly broken in the near future.

Closings Abroad Up In Conference Here

Foreign managers of all companies will meet at the Hays office this week to discuss probable closing of branch offices in Denmark and Czechoslovakia. Date of the meeting has not been definitely scheduled, but may be held either today or Wednesday.

New quota restrictions in Czechoslovakia have been announced (Continued on page 3)

East Vs. West

Milwaukee, Nov. 5.—Attempting to crash in on the current curvaceous rage, the Gayety, local burlesque house, matched local run of "I'm No Angel" and Mae West with Mae East—a fan dancer.

Right to Buy In the Code, Says O'Reilly

Although there is no clause in the third draft of the proposed industry code on the right to buy, Charles L. O'Reilly, president of the T.O.C.C., a persistent advocate of the issue, declared on Saturday he believed the much-discussed issue is met by an interpretation which he places on Part 2, Section 5, dealing with grievance boards.

"Each Distributor shall have the right to license all or any number of the motion pictures distributed by such Distributor for exhibition at theatres affiliated with such Distributor, and no Local Grievance Board shall have"

Federation to Awaif Actual Code Working

The Federation of the M. P. Industry is not pressing an active campaign of opposition to the code, leading members of the organization said Saturday.

Jacob Schechter, counsel for the organization, has made a request for a conference with Colonel W. Robert Lea, executive assistant to Administrator Hugh S. Johnson, but has been prevented from fulfilling an engagement by legal affairs which have kept him in Kentucky and Indiana a greater part of the time recently.

No disposition to press opposition to the code was evidenced among Fed-

Myers Denies Being Told Code Settled

Abram F. Myers, Allied States general counsel, told Motion Picture Daily by telephone from Washington Saturday that "Colonel W. Robert Lea did not tell me that no changes"

Receivership Aimed At Sennett Halted

Hollywood, Nov. 5.—U. S. District Judge James has granted a temporary injunction halting further action at this time in the effort to have a receiver in equity appointed for Mack (Continued on page 3)

Expect More Delay In Anti-Trust Suit

Trial of the anti-trust suit brought by the Department of Justice against Warners, as a result of the acquisition of First National, scheduled for (Continued on page 3)

The NRA?

The Capitol is currently presenting not one, but 23 fan dancers at one and the same time.

NRA stuff?
The dancing numbers are peppy, tuneful—with BIG NEW MUSICAL IDEAS!

MAX BAER

THE SCREEN'S NEW "IT" MAN!
BOX-OFFICE MEASUREMENTS!

“Max Baer destined to go places on the screen.” —M. P. HERALD

“Just as Mae West flamed across the screen, so looms the new personality, Max Baer.” —M. P. DAILY

“Baer a surprise. Wins an easy decision!” —HOLLYWOOD REPORTER

“A body that will set the femme fans on edge.” —COAST VARIETY

SHOWMEN!

“PRIZEFIGHTER AND THE LADY” has been previewed East and West. It comes to your screen with more sensational advance attention than any picture in years. Thousands of Exhibitors have contracted for it already and therefore the sole purpose of this advertisement is to urge you to GET BEHIND IT! M-G-M has prepared a SPECTACULAR brand of Showmanship for a SPECTACULAR picture! Joyfully presented by

M-G-M

10th Championship Year Hit!
Chester MORRIS in KING FOR A NIGHT
“Powerful scenes and emotional wallops, with sincere direction and good performances,” says Daily Variety. “SET TO DO GOOD BUSINESS GENERALLY, WITH SPECIAL APPEAL TO THE FAMILY TRADE.”

You’ve never seen THIS HEPBURN!

E L E C T R I C
in “Morning Glory”

D Y N A M I C
in “A Bill of Divorcelement”

... and now, the

V E R Y S O U L O F
R O M A N C E

in America’s best-loved love story
that brings a new enchantment of
sheer loveliness to gloriﬁy the screen!

Directed by George Cukor . . . MERIAN C. COOPER, Executive Producer . . . Kenneth Macgowan, Associate Producer
Katharine Hepburn in Louisa M. Alcott's Little Women

With Joan Bennett, Paul Lukas, Frances Dee, Jean Parker, Edna May Oliver, Douglass Montgomery • Henry Stephenson
Guinan Pulls $14,000 Take Into Seattle

Seattle, Nov. 3—Texas Guinan and her "Century of Whoopee" revue on the stage and "Ladies Must Love" revue on the screen as the Roxy left all competition in the background. At slightly advanced prices, the take was about $14,000, or more than double the average. The Roxy in its early years was a favorite of the Blue Moon continued to play to good business in its second week, and was held over as a result. At the Fox, "Too Too Hot to Handle" was good for an average $7,000. "Beverly Square" at the Paramount played for nine days for a take about $1,000 over the average. The Metropolitan, in its first week as a first run with stage presentations, failed to register big business, with "Parewell to Love" as the screen feature. Total first run business was $50,000. Average was $4,200.

Estimated takings for the week ending Oct. 28:

**THE BOWERY** (U. A.)
BLUE ILLUSION—(Fox), 25c-35c-45c-55c, 7 days. Gross: $1,050. Average: $150.


**THE CONSTANT WOMAN** (W. W.)
LIBERTY—(1,000), 10c-15c-25c, 7 days. Gross: $2,100. Average: $300.

**FAREWELL TO LOVE** (State Rights)

**BROADWAY THROUGH A KEYHOLE** (M.G.M.)

**THREE CORNERED MOON** (Parama)

**BETTY'S SQUARE** (Fox)

**LADIES MUST LOVE** (Univ.)

Gehring Made Cinchy Variety Club Head

Cincinnati, Nov. 5.—William C. ("Bill") Gehring, Fox manager, was recently elected president of the Variety Club of Cincinnati, organized three weeks ago as Chapter No. 4. Other officers are: Marc Wolfe, manager Paramount, Hamilton, first vice-president; Manny Shure, manager Palace, Cincinnati, second vice-president; Joe Kolling, Variety representative, secretary, and Abe Lipp, RKO Road show office.

Directors: Ike Lilson, Stanley C. Jacques, Maurice White and Ed. Mayer.

Seattle Union Row Ends

Seattle, Nov. 5.—Jesse J. van Heerden Jr., who set their differences with the unions. Union organizers, stagehands and musicians are now working. The layoff was the result of Venetian, Bagdad and Ballard Roxy in this city, and the Roxy in Tacoma. C. R. Heffernan, theatrical manager, heads together with the union men being given to Texas Guinan, whose "Century of Whoopee" revue appeared at the Roxy here. It is said he would not appear unless the house was unionized.
"Bombshell," At $50,000, Chicago Top

Chicago, Nov. 5.—"Bombshell" was something of a surprise to the Chicago last week but it made quite a noise at the Chicago with a $50,000 gross and $15,400 take. "Ace of Aces" was good for $2,500 at the Palace.

K. C. Suburbans Get Union Demands Soon

Kansas City, Nov. 5.—While not exactly anticipating trouble, Kansas City suburban theaters are preparing for new contract demands by the I.A.T.S.E. who have been assigned to trying to map a course of action. With current contracts expiring Nov. 30, of five weeks or less are expected to start soon, and the Independent Theater Owners are planning a strike if necessary to avoid a tie in the union. The union granted one-man-in-a-booth operation several months ago.

Influence of labor provisions in the film code on the local situation was discussed at the last meeting of the T.O.C. on this and other code matters has been deferred because of the present uncertain status of code provisions. A representative in Washington is keeping the local organization apprised of developments by long-distance telephone.

St. Louis: Unicorn Memorial

Rocheport, Nov. 5.—Work has begun on the memorial to George Eastman, founder and until his death in 1932 head of the Eastman Kodak Co., which will be placed on the front lawn of Kodak Park here.

The memorial will be in the shape of a replica of their flagship, ship in the middle, in which Eastman's ashes will be placed. Carved allegorical figures on the memorial will represent aspiration and chemistry. New roads are being laid to and from the site for use of the public.

3 Secretaries Now Write

Hollywood, Nov. 5.—Paramount has promoted three studio secretaries to the writing staff. They are Eleanor McGeary, Josef von Sternberg's secretary, who will now be responsible for writing continuity for "Scarlet Pageant," and Mary Flannery, formerly in the employ of Marion Gering, is now working on the continuity for "The Thundering Herd," Jane Storm, recently with Viola Brothers Shore, is busy on the script for "Miss Jane's Baby Is Stolen.

Fischer Buys Fountain

Cleveland, Nov. 5.—Mayer Fischer and associates have purchased the Fountain, long closed, as the third link in their newly formed theatre circuit. RCA Photophone will be installed and the theatre will be renovated. Paul Appel has been appointed manager.

New Zealand Wants British Rejections

Wellington (N. Z.), Nov. 5.—Exhibitors here sent a deputation to the Minister of Internal Affairs to point out that their contracts to screen British films are now just as necessary for distribution as in the past.

As far as the quantity of British films is concerned, it was said, quota devices have become superfluous because the British authorities can more than they are required to show under the quota law. Rejection of the quota law, however, is in the interests of quality, the deputation declared. It is suggested that the percentage of required quota film should be limited to the censorship of a classification of films as "adult" and "universal" grades, and that a higher percentage should be certified by the censor over "U." For the former, 30 per cent is asked, and for the latter 20 per cent.

To Study Medical Films

Baltimore, Nov. 5.—Herman G. Weinberg, managing director of the Little Theatre, has been commissioned by the International Cinematography to make a survey of the film in medicine. The first of a series, called "X-Ray Cinematography." The second of the series now in the works is "The Film as a Factor in Medicine" and is being done in cooperation with the distribution of propaganda to the layman concerning childbirth.

Abbe Halle to Pittsburgh

Pittsburgh, Nov. 5.—Abbe Halle, former manager of the Winter Garden in New York, has been named manager of the Harris-Tarentum, where he succeeds Jack Williams, resigned. He took over his new duties this week.

Another Warner management appointment in the Pittsburgh zone is that of Frederick Thomas, late of the eastern circuit, to the Enright.

First. Div. Finishes 6

Hollywood, Nov. 5.—First Division has finished 6 of its 8 entries. Allied Artists and Columbia are the only two left. They are: "One Year Later," "Dance, Girl, Dance," "I Have Lived," "Appointment Only," "Picture Bride," and "Notorious But Nice.

Royster to Columbia

Kansas City, Nov. 5.—E. C. Royster, Fox salesman in southwestern Kansas, has joined Columbia here to cover the same territory. Charles Knickerbocker succeeds Royster.

Seattle, Nov. 5.—Capacity houses greeted the return of stage shows to a first run here, after more than six months of absence, which the Ozpheum theatre reopened. The house is operated by the Apex Orpheum Co., headed by Harry D. McBride, former F.W.C. city manager in Spokane, is manager. Ernest Rose, formerly at the "All," is Spokane, is assistant. Advertising and publicity is being handled by Harold B. Shaffer. Matinees are 25 cents and evening screens of 40 cents prevail, with 10 acts of vaudeville and a first run featured.

New Orleans, Nov. 5.—Prospects for an early return of vaudeville here seem revere. Since the walkout of all of the booking agents in the State these houses have depended entirely on film and have done fairly well. Their Orpheum is using double bills, while Loew's State is filling out the program with stage shows.

The St. Charles operates twin bills about twice a month, while the Tudor, Globe and Saenger concentrate on high class films. The Liberty is using double bills, while Loew's State is filling out the program with the weekly shows.

It is believed to be the only city in the county with a population over 450,000 in which there are no stage shows.

Cleveland, Nov. 5.—Keith's East 105th St., closed all summer, has reopened with a combination policy of vaudeville the last half of the week and the picture the first half.

Davis, Pittsburgh, Shifted to 2nd Run

Pittsburgh, Nov. 5.—Tightened up on product, due to recent agreement on a deal with Fox this season, Warrers are sending the Davis, 1,700-seat downtown house, to a second run policy. There will be one change weekly.

The first picture under the new policy will be Paramount's "Much Harmony," and as closely as possible the Davis will follow a day-and-date policy with the Enright in East Liberty. Two other Warner houses, the Warner Downtown and the Sheridan Square in East Liberty, are now playing product day-and-date, but under a first run policy.

Ban Rochester Free Beer

Rochester, Nov. 5.—Free beer served in the lobby of Loew's Rochester as a promotion for "The Bowery," was banned when James P. B. Duffy, member of the New York Labor Board, ordered the lobby bar removed.

Start Retakes on "Rio"

Hollywood, Nov. 5.—Radio's "Flying Down to Rio" has gone back for retakes and process shots, having been in the cutting room for a week.
West Opus Is Denver's Top In 2nd Week

DENVER, Nov. 5.—"I'm No Angel" continued to lead in its second week, and stood up on the last two days of the run. Consistent daily holdouts were the rule. The take was $11,600. The screening of "Broadway Thru a Keyhole" at the Aladdin and Denver turned out to be a big hit, but proved a disappointment at the latter, part of the reason being the dime difference in price. Pullled at both houses after six days.

"The Kennel Murder Case" did exceptionally well at the Orpheum. It was pulled after six days to give the house a regular Friday opening, instead of Saturday. "Love, Honor and Oh, Baby" boosted the Paramount over last week, but not much, the house still being below normal.

First run business was $36,000. Average is $37.20. Estimated takings for the week ending Nov. 2.

KANSAS CITY, Nov. 5.—With its first stage run following three weeks of straight film fare, the RKO Midtown experienced a rebound that sent daily grosses to $21,000. Acept of $2,000 for films only. The stage bill, titled "Midway Nights," was built from acts at the World's Fair and featured a line-up, including "The Parrot of Panama," "Ace of Aces" was the screen attraction.

This past continued a potent draw in her second week at the Newman. Grossing $10,000 in eight days against an average $6,800, "I'm No Angel" was the top picture of the week. The stage bill, titled "Meet the Baron" fell $1,000 below par at the Midland, while "Saturday's Millions" on the uptown's bill, grossed slightly better than normal.

Total first run business was $43,300. Average is $13.30.

Estimated takings:

Week Ending Oct. 26: "I'M NO ANGEL" (Par.)
ALADDIN—(8,000) 25c-40c, 6 days. Gross: $3,500. (Average, $583.)
DENNIS—(1,500) 25c-40c, 6 days. Gross: $2,000. (Average, $333.)
"BROADWAY THRU A KEYHOLE" (Warners)
DENVER—(2,500) 25c-40c, 6 days. Gross: $2,000. (Average, $333.)
"THE KENNEL MURDER CASE" (Warners)
ORPHEUM—(2,000) 35c-40c, 6 days. Stage show. Gross: $1,500. (Average, $250.)
"LOVE, HONOR AND OH, BABY" (Univ.)
PARK AVE.—(2,500) 25c-40c, 7 days. Gross: $2,500. (Average, $357.)

New Color Cartoon Series Ready Soon

Celebrity Productions, headed by P. A. Powers, has a new series of musical cartoons in color, based on fairy tales and folk lore, which is to be released soon.


To Teach Pictures In Some States

WASHINGTON, Nov. 5.—Teaching of motion picture appreciation is to be undertaken in representative high schools in several states as a result of a conference between Dr. George F. Zook, U. S. Commissioner of Education, and representatives of a number of educational organizations and state departments of education.

The schools will use Dr. Edgar D. Dukin's "Movie Appreciation Motion Pictures," as a text in the planned experiment to educate boys and girls better in motion picture appreciation.

B'way Show-Window

Astor — "Dinner at Eight" (M-G-M)—reviewed Aug. 29. Gross: "Eat 'Em Alive" (Mutten) — reviewed today.
Criterion — "Joy of Reckoning" (M-G-M)—reviewed today.

Palace—"Bakerly Square" (Fox) Gross: $9,500. (Average, $1,062.)
Paramount — "I'm No Angel" (Paramount) — reviewed Oct. 3.
Radio City Music Hall—"After Tonight" (Radio) reviewed Oct. 25.
RKO — "Kensal Murder Case" (Warners) — reviewed Oct. 1.
"Broadway Thru a Keyhole, 20th Century"—reviewed Nov. 2.
RKO ROXY — "Berkley Square" 
ROXY — "My Lips Betray" (Fox) — reviewed July 12.
STRAND — "Female" (F.N.)—reviewed Nov. 3.

Fox Signs 24 Girls

To 7-Year Contracts

Hollywood, Nov. 5.—Fox has signed a group of 24 girls to seven-year contracts with options with a view to training them for featured roles. The girls will be trained under the direction of William Watson and will appear before the camera first as chorus girls in "Fox Movietone Follies" and "George White's Scandals." The girls are Marabeth Wright, Georgia Spence, Kathryn Barnes, Zelda Webber, Patricia Farr, Anita Thompson, Lucille Miller, Dorothy Drayling, Shirley Amsden, Anna Brown, Lee Bailey, Nadine Dore, Helen Lehig, Iris Shun, Geneva Sawyer, Lynn Bar, Patricia Lee, Marian Weldon, Ardell Unger, Esther Brodcket and Edna Callaghan.

Independents Fight Duals in St. Louis

ST. LOUIS, Nov. 5.—Independent operators are disturbed over the new policy of the F. & M. St. Louis and have protested to the independent exhibitor organizations. Shift in the single feature to duals with a reduction in admission prices at the Strand, is raising charges of unfair competition from the independents.

Exhibitors are understood to have threatened exchanges they will not play film booked into the St. Louis, or, if they are forced to live up to contracts, will ask substantial reductions in rentals. Independents plan to drop admissions to a new low in rebental.

S. & C. Adds Two

Springer & Cofalis has added two local theatres to the circuit, making a total of 38. Newest acquisitions are the completed 600-seat house at 103rd St. and Columbus Ave. and the 800-seat house on the Columbus Ave. house will open next month.

Hollywood, Nov. 5.—After a year's search for an actress, producer-director S. & C. has picked Ketti Gallian, recently signed in France by Winfield Sheehan, for the leading role in "Marie Gallante."
IATSE Using NRA Schedule In K. C. Area

Get Back 20% Wage Cuts Made Last Spring

KANSAS CITY, Nov. 7.—Without waiting for the industry code to go into effect, IATSE stage hands are carrying out code provisions by limiting the working week to 40 hours and spreading the work. This is in force at the reopened Shubert and will be instituted at film houses where stage hands are employed.

On the union's basis of a seven-day and 49-hour week, unemployed stage hands will thus benefit by at least nine hours' work weekly, according to Felix Snow, business agent and regional representative. Downtown first runs have agreed to restore a 20 per cent cut taken by stage hands last spring, when salaries were sliced from $67.15 to $53.70 a week.

(Continued on page 6)

Midland and Loew Suit Is Postponed

KANSAS CITY, Nov. 7.—Trial of the Midland Investment Co. suit involving the partnership dispute between Kansas City stockholders of Loew's, Inc., was continued by Judge Ben Terte in Circuit Court Monday.

Leopold Friedman, the plaintiff, sought to begin the hearing on a petition for a temporary receivership when Senator James A. Reed, Loew's local counsel, (Continued on page 6)

Court Approval Is Given on Poli Deal

NEW HAVEN, Nov. 7.—Reorganization plans for Poli-New England have been approved by the U. S. District Court and it will be a matter of a few weeks before Loew's will pay $10,000 a week rent for the entire group.

Take Poli Nov. 15

NEW HAVEN, Nov. 7.—Reports here have Loew's taking over operation of the 18 Poli-New England theatres on Nov. 15. It is understood Loew's will pay $10,000 a week rent for the entire group.

Seat Slashing Follows Bad Films in Argentine

If the temperamental Latin theatre-goers of Buenos Aires don't like a feature picture they show their displeasure not by leaving the theatre or demanding their money back, but by whipping up a saw-puzzle of seat upholstery and, by way of emphasis, tossing any movable fixture at any breakable object, preferably a mirror, while on their way out.

This behooves a distributor serving the Argentine to press the sale of only the better product, said Guy Morgan, United Artists representative in Latin America.

(Continued on page 4)

Further Halt In Code; Lea Seeking Data

Lacks Conviction Over "Certain Clauses"

WASHINGTON, Nov. 7.—The code is a hard one. Apparently all set to go before the President early this week, tonight Col. W. R. Lea, acting administrator in the absence of Gen. Hugh S. Johnson, indicated nothing of the sort would happen until he was convinced of the soundness of a number of clauses, nature not divulged. It is understood there are many points on which he wants to assure himself.

It is entirely probable, therefore, that the code will remain in the Department of Commerce Building until the return of General Johnson to Washington in about 10 days. About that time the President is expected to be at Warm Springs, Ga., thereby making extremely remote the impression current elsewhere that the code would become operative by Nov. 20.

Col. Lea's attitude is quite a mystery. The impression has been definite that the code as seen by General Johnson prior to his departure was the final one.

(Continued on page 4)

Schaefer Brands as Lies Cohen Reports

"Reports from whatever the source that Emmanu Cohen would be used as head of production at Paramount are malicious and a lie," declared George J. Schaefer yesterday.

HOLLYWOOD, Nov. 7.—Emmanuel Cohen's return from New York has been made.

(Continued on page 4)

Warner Anti-Trust Suit Off to Dec. 4

Trial of the Department of Justice anti-trust suit against Warners, scheduled for Monday, was postponed to Dec. 4, thereby strengthening indications that the government would not press trial of the suit in view of impending application of the film code.

(Continued on page 4)

Strand, Milwaukee, Lifts Warner to 24

Further solidifying its circuit in Wisconsin, Warners have taken over the Strand, Milwaukee, making a total of 24 houses in the state with 21 now active. Dave Weshner, zone

(Continued on page 4)
CLIPPED and pasted from the editorial columns of the powerful Chicago Tribune:

"Too many pictures are put forth with no sense of responsibility to the public. They too often depict the products of a low grade mentality and an even lower grade morality and they constitute a demoralizing influence wherever they are shown. We have no faith in official censorship, which, in this respect, as elsewhere, ignores the worst offenses and the most demoralizing tendencies, while harping upon lesser offenses and easier cures. But certainly more attention should be directed to the general character and tendencies of many pictures which pervert logic and reality and spread false and demoralizing conceptions of life. When this phase of the popular film is given due attention a pressure of opinion may be expected which is the only effective censorship."

This is the story, complete and well put. It is difficult to imagine that there will be any denials. K A N N

Texas Guinan Rites Are to Be Held Here

VANCOUVER, Nov. 7—Texas Guinan's funeral is to be held at St. Malachi's Church, New York. Tommy Guinan, her brother, left here today en route to New York via Chicago. According to present plans, she will be laid in state in both Chicago and New York.

Winchell on Way South

RICHMOND, Nov. 7—Walter Winchell was in Richmond the other night but he was not seen, feeling chagrined and, consequently, later shoved off to Florida "to get some sunshine, because my nerves have got me again." Winchell said he would "travel around somewhere, either continuing in the car or taking an early train. I tried to stick it out in New York, but it was no go," he said.

"The column will be kept up all right," he said. "Same fellow who wrote it the last time that went away will keep it up—Paul Yawitz."

"Invisible Man" to Roxy

Irvings Lester has booked "The Invisible Man," Universal picture, into the Roxy starting Nov. 17.

All Issues Show a Decline

Trading Poor on Curb

Paramount Off 1/2 as Bonds Slump

Chaplin Joins Guild

HOLLYWOOD, Nov. 7.—Charles Chaplin is now a member of the Actors' Guild, leaving Norma Shearer the only important name not enrolled in the membership.
THE SWING TO FOX is based on Dependability

Box-office pictures... delivered on time... the secret of the exhibitors’ swing toward FOX. Now... when you want big pictures to cash in on the rising attendance tide...FOX manpower delivers these great releases:

THE MAD GAME with Spencer Tracy, Claire Trevor, Ralph Morgan. Directed by Irving Cummings. Smash drama of the kidnapping racket. Released October 27th.


LILIAN HARVEY in MY LIPS BETRAY with John Boles, El Brendel. Directed by John Blystone. Lilian Harvey... singing, dancing... at her captivating best. Released November 10th.


CLARA BOW in HOOPLA with Preston Foster, Richard Cromwell, Herbert Mundin, James Gleason, Minna Gombell. Al Rockett production, directed by Frank Lloyd. Hot stuff! Released November 30th.

JOIN THE UPSWING WITH FOX
Further Halts in Code; Lea Seeking Data

(Continued from page 1)

would undergo no change; that it would be enacted as drawn and could be nullified only if inequities in its operation developed.

Colonel Lea, however, is empowered to make changes in General Johnson's absence. If he determines upon this, he would establish thereby a precedent in code deliberations, in violation of the previous understanding that Deputy Administrator Sol A. Rosenblatt's endeavors, plus the fact that three of the NRA advisory boards have approved the document as it now stands. They are certain to register emphatic objection if Colonel Lea sees fit to act.

Certain it is that the agreement would have gone to the White House before President Roosevelt acted, and left the Capital if Colonel Lea, his assistant, had not been out of the city over the weekend. Now the controversies reverse themselves, in that General Johnson is away and Colonel Lea here.

Kuykendall, president of the M.P.T.O.A., is again in Washington with reports that small exhibitors are running the code in conflict with their local compliance boards, although exemptions in towns under 2,500 population have been accorded them under a resolution made by the President.

The entire code situation tonight appeared to be in the dead center of another mess, with confusion and mystery in the race for first honors.

Southeastern or Code

WASHINGTON, Nov. 7.—Southeastern Theatre Owners' Ass'n has expressed approval of the industry code in a telegram to President Roosevelt. The wire, signed by Love L. Harrel, the secretary, assures the chief executive that the association "unanimously pledges its support and cooperation" to him, Administration, House, Senate, and Deputy Administrator Sol A. Rosenblatt.

Breen Coming on Code

HOLLYWOOD, Nov. 7.—Joseph B. Breen, Will Hays' executive assistant on the coast, was eastbound tonight for a three-week study of the code and its ramifications and various interpretations. While in New York he may hop to Washington to attend the conference of Catholic bishops there on immoral films.

It Was Futter

Reference to Harold Austin, producer of "Eat 'Em Alive," as the man who made "Africa Speaks" and "India Speaks" by Motion Picture Daily on Nov. 6, was not accurate for the latter two pictures on the wrong producer, declared Walter Futter yesterday.

Futter made the two films in question.

Wisconsin Dates Set

MILWAUKEE, Nov. 7.—Annual convention of the M. P. T. O. of Wisconsin has been set definitely for Nov. 21-22.

Seat Slashing Follows
Bad Films in Argentine

(Continued from page 1)

leading South American market, who related this item of national behavior, said: "That was in 1923, but it was three years ago. The reasons, he said, were prevailing business conditions there, and a serious problem of overacting. The city, with about half the population of Chicago, has 16 first run houses, or almost twice the number so rated in Chicago. There are about 200 theaters in the city. Morgan believes that the superimposed titles universally used on foreign product in the Argentinean market, have also caused the estrangement of many theatre patrons. He thinks that if dubbed Spanish versions were shown in Buenos Aires, an appreciable amount of lost patronage could be won back. He said that restrictions on the export of money from Argentina are working a serious hardship on American distributors, but denied knowledge of any plans of quitting the market because of the money and credit situation.

The opinion prevails in Buenos Aires, Morgan said, that no further legislation or imposts affecting films would be enacted.

Sheehan Back With
Titles Unchanged

(Continued from page 1)

of vice-president and general manager of the B. B. Pictures.

J. G. Gain follows second with the title of studio manager; George L. Bagual, treasurer; eight associate producers: 10 departmental heads; 17 directors; 25 writers; 20 contract male and 19 female players. This strikes a new low level for permanent contract people on this lot.

Schaefer Brands as
Lies Cohen Reports

(Continued from page 1)

subject of considerable speculation here. One report on his return from New York last week had it the former manager of the 12th Amendment Theatre, frequently referred to with the dialogue interpreter who authors the super-imposed titles in Spanish for the American release. He said a "swell job" had been done by the title writer on "The Kid From Spain," with the result that the picture did exceptionally good business. The success of the pictures, such as "Broadway Thru a Keyhole," Morgan believes, will depend almost entirely on his ability to follow the title writer to translate the bargain of Broadway night life into the language of Buenos Aires theatregoers.

A was to collect his personal belongings and to make room for either William Le Baron, Al Kaufman or B. P. Schulberg.

WARNER ANTI-TRUST SUIT OFF TO DEC. 4

(Continued from page 1)

with its attendant suspension of anti-trust laws for signers of the code.

The suit, which has been pending for more than two years, is an outgrowth of the acquisition of First National by Warners.

WARNERS TO GO WEST

Harry M. and Jack Warner are expected to leave for the coast in about three months. Several changes in the Wisconsin setup have been made.

Securities Ruling

Eases Underwriting

WASHINGTON, Nov. 7.—Operations of underwriters are seen made easier by a new ruling on the Securities Act made by the Federal Trade Commission which administers the law. Official sanction has been granted to elimination of blanks containing information on proposed issues during the 20 days from the filing of application to effective date. The circular, however, may not include any offers to buy or sell during that period.

Appeals Court to Get Publix Briefs

(Continued from page 1)

Samuel Zirn, attorney for a Paramount bondholders' group. The protective committees supporting Trustees Charles D. Hilles, Eugene W. Leake and Charles E. Richardson are the bondholders' group represented by James Doolin, Margaret, Gardiner & Reed, and the general creditors' committee represented by Mr. Burk.

Circuit Court Judge Martin Manton on Monday set Nov. 11, 20 and 29 for the filing of additional briefs in the preliminary to the hearing Dec. 4.

Strand, Milwaukee, Lifts Warner to 24

(Continued from page 1)

manager for that territory, left for his headquarters in Milwaukee Monday after a three-day conference with Joseph B. Breen. Weshner has just moved his family to Milwaukee and expects to be back in the office in three months.

Several changes in the Wisconsin setup have been made.

Iowa-Nebraska Unit Accepts Film Code

DES MOINES, Nov. 7.—Iowa-Nebraska Allied Theatre Owners today approved the industry code with minor changes. The theatremen voted to oppose the proposed 10 per cent admis- sions tax and the alternate 2 per cent gross sales tax at the special session of the Iowa legislature now in session on the ground of being unfair.

Friedman Declares
No Rifts at M-G-M

(Continued from page 1)

Wanger, David O. Selznick and Irving Thalberg "as malicious and totally without foundation."

He said the reports, originating in Hollywood, took the M-G-M executives by surprise, adding that allegations were never more harmonious and everything is running smoothly. Friedman and Schenck is satisfied with the City operations and Thalberg's status remains unchanged.

Ben Holzman, manager for Eddie Cantor, also arrived from the coast yesterday on the same train with Friedman and Schenck.

Publix Will Retain
Houses in Arizona

(Continued from page 1)

son, Casa Grande and Phoenix, Ariz. Herschel Stuart recently made a survey of the territory for the true- tees, and as a result, Paramount Publix will continue to operate the group as heretofore. F. & M. has a theatre in Phoenix and is trying to strengthen its holdings in this territory.
Warners Seen Ready For Foreign Series

Hollywood, Nov. 7. — Warners entry into the foreign production field was seen here, with the announcement by Jack L. Warner of the first of a series of Spanish musicals to go into production at an early date.

Enrico Caruso, Jr., has been signed to a term ticket to sing in the first, with the balance of the series depending entirely on the success of the one.

The studio has not yet assigned a Spanish film supervisor or director.

Borzage Has a “Find”

Hollywood, Nov. 7. — Frank Borzage is waxing enthusiastic over George Breakston, an eleven-year-old French lad whom Borzage selected for an important role in “The Paul Street Boys” at Columbia.

The director feels he has a real “find” in Breakston and is planning to launch him in pictures.

Fox Re-Signs Lachman

Hollywood, Nov. 7. — As a result of his work on “Paddy, the Next Best Thing,” Director Harry Lachman has been presented a new long-term contract at Fox.

Rockett Casts Harvey

Hollywood, Nov. 7. — Buddy DeSylva has granted the request of Al Rockett and has released Lillian Harvey to Rockett for his forthcoming production, “Lottery Lover.”

DeSylva is now looking for an actress to replace Harvey in his next picture, tentatively titled “Bottoms Up.”

Ida Lupino Is Cast

Hollywood, Nov. 7. — Ida Lupino’s first role since signing with Paramount two months ago will be the lead opposite Cary Grant in “The Trumpet Blows.”

Columbia to Start Six Features Soon

Hollywood, Nov. 7. — Production activity is speeding up at Columbia with three pictures in work and six more scheduled to begin during the week.

Those shooting are “Let’s Fall in Love,” “Criminal Within” and “Straight Away.”

Those scheduled for production within the next few days are: “The 9th Guest,” “The Paul Street Boys,” “Whirlpool,” “Night Bus,” “The Most Precious Thing in Life” and “Sisters Under the Skin.”

“I enjoyed directing ‘A MAN’S CASTLE’ more than any picture I have ever made. I owe sincere thanks to Spencer Tracy, Loretta Young, Glenda Farrell, Walter Connolly, Arthur Hohl and Marjorie Rambeau for magnificent performances.”

Frank Borzage

THE MOST GLORIOUS LOVE STORY SINCE “7th Heaven”!

“Man’s Castle”

A FRANK BORZAGE Production

with SPENCER TRACY • LORETTA YOUNG

Screen play by Jo Swerling
From the play by Lawrence Hazard

A COLUMBIA PICTURE
A Screen Guild Picture
Arcturus Objects to Court Reply of RCA

WILMINGTON, Nov. 7.—The Arcturus Radio Tube Co., which recently brought suit against RCA to enjoin the manufacture and sale of certain parts of its apparatus, has filed its objections to the answer filed by RCA to the cause of action in the New Jersey courts to collect a minimum annual royalty of $50,000 under a tube patent licensing agreement, has filed exceptions in Chancery Court to the answer filed by RCA to the bill of complaint.

IATSE Is Planning Washington Office

The I.A.T.S.E., is contemplating opening offices in Washington, where officials of the international union can be in direct contact with governmental executives for code matters. Louis Krouse, assistant to William C. Elliott, president, will be in charge of the Washington office when it is opened.

Ohio Independents Meet Again Nov. 15

COLUMBUS, Nov. 7.—Plans for the formulation of a permanent state organization to which only theatre owners not affiliated in any way with producer or distributor codes would be eligible will be made at a meeting Nov. 15 at the Deshler Hotel here by a committee appointed for the purpose at a meeting of the Independent Theatre Owners in this city on Oct. 31.

On Nov. 16 there will be a general meeting of all independent theatre owners throughout the state at which officers will be elected and a constitution and by-laws will be drawn up. One of the chief topics to be considered at this meeting will be the 10 per cent admission tax.

Midland and Loew Suit Is Postponed

(Continued from page 1)

asked for a postponement to permit denial of the charges by New York stockholders.

Reed said he wanted to obtain testimony of Nicholas M. Schenck, E. A. Schiller and David Bernstein setting forth Loew's side of the controversy in rejection of charges that Loew was not paid on Loew's Midland theatre and office building, that Loew's planned to relinquish the property and default to bondholders and that they would hold the affairs of the company that Kansas City stockholders got nothing.

Loew officials in New York may consider another suit if negotiations and a settlement of the type which will be taken in New York, according to Leopold Friedman, general counsel for Loew's, who stopped off here for the trial on his way to New York from the coast.

The local men petitioned for a temporary receiver pending the adjustment of differences and distribution of $225,000 allegedly available for dividends. The properties have a book value of $3,700,000.

Court Approval Is Given on Poli Deal

(Continued from page 1)

weeks before the plans are put into effect.

New securities for Poli-New England and Eastern Theatres Corp., under which the former company will be issued within the next fortnight or so.

Loew's, Inc., is reported to be buying a block of securities in both Poli-New England and Eastern Theatres and is believed set to take over operations of the 18 New England theatres under a three-year management deal as soon as the securities of both companies are issued.

Public Enterprise Ruling Up Nov. 15

A ruling on a claim for $15,000,000 against Public Enterprise by Sunset Realty Corp. and based on future rents for the Paramount, Palm Beach, Fla., will be deferred until Nov. 15, by Henry K. Davis, referee in bankruptcy, who heard preliminary details of the claim Monday.

Turner Rejoins RKO

Terry Turner rejoins RKO on Monday, succeeding A. P. Waxman resigned. MOTION PICTURE DAILY is informed by insiders in Turner Mayer, who may rejoin the circuit.

Asks Additional Listing

B. F. Keith Corp. has applied to the New York Stock Exchange for additional listing of "The Big Screen," the refunding mortgage 20-year six per cent gold bonds, Series A, due March 1, 1946.

6 Votes Beat Alicoate

John W. Alicoate, publisher of Film Daily was defeated as Democratic candidate for congressional in Harrison, N. Y., by a majority of six votes yesterday.

Brodie from Buffalo

BUFFALO, Nov. 7.—Old timers who have seen "The Bowery" during its two-week run in Buffalo recall that Steen Brodie rescued an unidentified corpse from the morgue, the story goes, hired three or four hacks and gave a swell funeral for the drowning victim. His flair for publicity didn't stop there, though he had been about to mend his ways. A generosity, jeered Buffalo people for being "cheap skates," and a gang from the waterfront wrecked his place, the yarn has it. Brodie then fled Buffalo.

Report of Raid on Fox to Be Probed

WASHINGTON, Nov. 7.—Exposure of an alleged raid on Radio City on Thursday by H. W. Wiggins, carried out through the brokerage house of Pynchon & Co. at the suggestion of E. C. Loew's, was denied by Loew's top officers, and, as a result, may develop when hearings in the Senate stock market investigation are renewed Wednesday.

To Contest Thorpe Suit

Columbia filed an answer in Supreme Court here on Monday in the $100,000 suit brought by Jim Thorpe, Indian athlete, who charges his name and picture were employed in exploitation of the "White Eagle," though he did not appear in the film. Columbia asserts Thorpe withdrew from an agreement to play in the picture after advance advertising had been sent out.

Film Stocks Decline

Film stocks declined $15,104,720 during the month of October on the New York Stock Exchange, bringing down the average price of issues in a free and open share. Market value of all film shares for Oct. 1 was listed at $151, for an average of $97 a share. At the market value listed at $136,278-363, or $3.87 a share.

Canadian Managers In Another Shakeup

TORONTO, Nov. 7.—Another shakeup among Famous Players Canadian managers sends George Rotsky, for years at the Montreal Palace, to the Montreal Strand, where stage shows are to be inaugurated.

Howard Knevel, formerly at the Imperial, has been transferred to the Regent at Ottawa, and Tom McJoy goes to the Imperial, Ottawa, with Ray Tulman in sole charge of the Capitol. Leonard Bishop, formerly with Moorehead and Filman, independent circuit in Ontario, has been appointed manager of the Capitol at Halifax for Famous Players.

This is the second realignment of management under N. L. Nathanson's direction.

Humphrey Sails Today

William Humphrey, prominent exhibitor in Trinidad, British West Indies, sails today for home after weeks here looking over product.

“Square” Big In Music Hall With $30,344

"Berkeley Square" was the big noise among Manhattan first runs last week. It sent the RKO Music Hall take up to $30,344, a whale of a jump after a full session with "Aggie Alpley."

Jack Pearl's much-talked-about "Meet the Baron" failed to stir up much excitement around the Capitol. The gross was $37,820, a decided drop from the previous week's "Bombshell."

"Love, Honor and Oh, Baby" was nothing to get excited about at the Seventh Ave. Roxy, the gross reaching only $19,000.

"Broadway Thru a Keyhole" was strong at the Rivoli at $38,400, and "Kennel Murder Case" was good for $16,000 at the Rialto. "Footlight Parade" took $18,862 in its seventh week at the Strand, its last.

ESTIMATED WEEKEND:

Week Ending Nov. 1:

"THE WORLD CHANGES" (F.N.)
HOEHL-WOOD (1-245), 25c, 8 days.
Gross: $34,290.

"EIGHT SQUARE" (Fox)
RKO MUSIC HALL (5-945), 35c-61.5, 7 days. Gross: $36,931.

Week Ending Nov. 2:

"WANDERING JEW" (J.A.F.A.)
CABINET (2-565, 25c-65c, 2nd week, 7 days.
Gross: $4,040.

"WE ARE THE BARON" (M.G.M.)
CAPITOL—(4-2100), 35c-61.5, 7 days. Gross: $37,920.

"I'M NOT ANGEL" (Para.)
PARK (3-999, 35c-95c, 7 days. Gross: $6,060.

"ROGUE OF THE RANGE" (Fox)
CAPITOL—(2-500), 25c-75c, 7 days. Gross: $7,170.

"LOVED A WOMAN" (F.N.)
PALACE—(2-500), 25c-75c, 7 days. Gross: $5,290.

"I'M AN INDIAN" (Fox)
CAPITOL—(2-550), 25c-75c, 7 days. Gross: $6,310.

"FOOTLIGHT PARADE" (Warners)
RKO—(7-500), 35c, 7 days. Gross: $19,682.

"PRIVATE LIFE OF HENRY VIII" (U.A.)
RKO—(7-500), 25c-55c, 7 days. Gross: $27,103.

"DINNER AT EIGHT" (M.G.M-M)
ASTOR—(2-500, 10c-75c, 7 days. Gross: $20,360.

"FASHIONS" "BROADWAY THRU A KEYHOLE"
"KISS ME" (Radio) MAYFAIR—(2-2000), 35c-85c, 9 days. Gross: $11,470.

"BROADWAY THRU A KEYHOLE"
RIVOLI—(2-200), 35c-99c, 7 days. Gross: $13,846.

Delay I. T. O. A. Meeting

As yesterday was election day, the I. T. O. A. postponed its weekly meeting until next week. The referring committee, appointed recently to report on all independent product, continues to function under the chairmanship of Arthur Ateles.

Foreign Heads to Meet

Foreign managers of all distribution companies meet at 2:15 this afternoon at the Hotel Commodore in New York, for luncheon and opening of offices in Czechoslovakia and Denmark because of restrictions recently imposed in these countries.
Hollywood On Parade

By BILL SWIGART

Hollywood, Nov. 7.—The third of a series of “Luncheons” tendered famous persons at their clubhouse recently in honor of Emil Ludwig, self-titled exiled German, brought Warner to write “Napoleon,” which will star Edward G. Robinson. It was responded to by a brilliant gathering of film notables including Rupert Hughes, who acted as toastmaster, White Whiskers, Judge Ben Lindsay and others of equal prominence. Both Charles Chaplin and Jack Warner were expected but due to illness of Chaplin and Warner’s unexpected trip to New York, they could not.

These get-togethers are developing into the same importance to Hollywood as the famous “Gridiron Dinners” in the east, combining free expression of thoughts tempered by wit, wisdom and good humor. The first to be staged and scheduled for the Warner’s Writers’ Club was Walter Winchell Night, which packed the house to the walls and churned up previous Jolson-Winchell whatever-it-was at the Hollywood football stadium.

Second was the dinner given in honor of Mickey Mouse and his creator Walt Disney, with Chaplin doing the honors. The third so far attributed by the wiscracks of Hollywood as a build-up by Jack Warner, as a pre-expansion build-up for “Napoleon,” a grand presentation of self-humor than the previous two.

Rupert Hughes performed his best as toastmaster, with Will Rogers laying the German biographer open to his well-known witty wise cracks, in part Rogers said: “Mr. Ludwig speaks four languages, but when he finishes at his last one, I’ll be dead. Sure I read Ludwig’s ‘Napoleon’ but never read ‘Bismarck.’ Neither do many others in Hollywood. Most of the people here don’t know it’s a book—they think it’s a herring.”

“Winchell Night” is played through a keyhole, but this guy Ludwig writes them while lying under a bed—that’s why Winchell writes ’em in short paragraphs and Ludwig writes by the yard. If Ludwig wants to write a real biography, he ought to do one on Aimee Semple McPherson.

With more than seven first string restaurants including Levy’s, The Brown Derby, Sadie’s, Russian Eagle, Brass Rail and several new Eagle under construction bordering on the corner of Vine and Sunset Boulevard, this spot is fast becoming the 42nd St. and Broadway insofar as activity of Hollywood’s picture makers and the tourists who congregate to get a glimpse of them are concerned.

Since Jesse Lasky decided to make a picture with an all-unknown cast, he was bit dubious as to the success of the venture, he has been swamped with so many letters of encouragement that he is beginning to consider it. He planned to go through with the project. Apart from the commercial aspect of the show, “It’s a happy am to be able to do something for the extras.”

In addition to running a circuit of nine local neighborhood theatres Mark Hansen has taken a lease on the late Rococo Arubuck restaurant and will install a beer garden in the structure to be called “The Three Little Pig Inn.” Hansen expects to apply the same showmanship in attracting customers to this spot that he has in the past in attracting customers to the box-office.

Having recently completed his work in “Roman Scandals” with Eddie Cantor, David Manners will play Nov. 15 for London where he is obligated to act in one picture for British International.
Wind Stops Niagara Cascade; Sightseers Walk in River Bed

Special to the Herald Tribune
NIAGARA FALLS, N.Y., Nov. 8.—An east wind had blown a large part of Niagara Falls almost dry today. The wind has been from the east for three days. For three days it has been piling the water of Lake Erie up toward the western end of the lake, retarding the flow of the Niagara River to an extent never observed before in civilized times except in connection with an ice jam.

The water level in the gorge below there is a meager flow, making the center fall a slender column of water. Above Goat Island the river seems a mere trickle by comparison to its normal volume. An acre of rocks gleams dully where the water flowed deep and green last Thursday. This condition prevails for two miles above Goat Island, and sightseers are walking dryshod in the river bed there. The weatherwise say that it would not be important if it had not been more than three days before the river

MAE WEST

in “I’m No Angel”

with Cary Grant, directed by Wesley Ruggles

runs on forever!

Six tremendous weeks at Oriental Theatre . . . Chicago
Four capacity weeks at Paramount Theatre, New York
Four crowded weeks at State Theatre . . . Detroit
Four weeks at Grauman’s Chinese Theatre, Los Angeles
Three record weeks at Paramount Theatre . . . Newark
Three capacity weeks at first-run house . . . Cleveland
Three big weeks at first-run houses . . . San Francisco

The 2-week first-run engagements of this picture are too numerous to list here
Reade Urges RKO to Quit As Producer

Hits Radio City Houses; Court Refuses to Act

Recommendations that RKO receivers discharge of Radio Pictures and the Radio City theatres were made to Federal Judge William Bondy in U. S. District Court by Walter Reade, theatre operator, who said he had a $3,000,000 creditor's claim against RKO which he felt should be protected in the company's bankruptcy. He was rid of the two subsidiaries which, he charged, were "bleeding it to death."

The hearing before Judge Bondy was on a petition of Irving Trust Co. (Continued on page 4)

Hanson Takes Over Monogram in Canada

Toronto, Nov. 8.—Oscar Hanson, president of Empire Films, has acquired the Canadian Monogram franchiser formerly held by Regal Films, Ltd. Twenty features are expected. Empire Films now has British International, Majestic, Educational, Monogram and Associated Radio, as well as state rights for all Canada.

Tri-State Acquires Des Moines Company

Des Moines, Nov. 8.—Tri-State Theatres Corp. today purchased the Des Moines Theatre Co., which operates the Paramount, Des Moines, Gar- den and Strand here. The purchase unit controls several franchise rights. Formation of Tri-State was announced at the close of a convention. (Continued on page 4)

Sally to Drop Fans

Kansas City, Nov. 8.—"I'm through with the fan dance," declared Sally Rand, visiting here with her family, and then added, "If I can help it."

She explained that as far as she was concerned, she leaves the fan dance to its imitators, but since she is under contract to Paramount, if that company demands she appear with her ostrich plumes in pictures or in personal appearances, she will comply.

Weigh Academy's Future

As Cowan, Levinson Resign

HOLLYWOOD, Nov. 8.—Lester Cowan has resigned as executive secretary of the Academy of M. P. Arts and Sciences, asking to be released as quickly as possible. He gave as his reason for resigning his belief it was impossible to carry on the basic purpose for which the Academy was originally designed. His retirement is taken as an indication that the organization is washed up. Another to quit is Major Nathan Levinson, executive chairman of the technicians' branch. Cowan has been under fire by some of the Academy groups. He has been reported in conflict with J. Theodore Reed, president, over his method of handling the code in Washington.

Some hint of Cowan's action was believed today to have developed from a conference of the board of governors of the Academy with the government. Although no official statement was given out as to what went on at the meeting, one member, declared Cowan and Reed were "put on the spot" for what happened in Washington, further asserting that, inspite of some considerable bad policy to ask either to resign, the gov-

Coast Has 48 In Work with 36 Preparing

HOLLYWOOD, Nov. 8.—Hollywood production for the week ending Nov. 4 shows a normal stride with a total of 48 features in work, 36 in final stages of preparation ready to start within the next two weeks and a total of 44 in the cutting rooms. Of this number Paramount leads with a total of 10 in work and seven in preparation; M-G-M follows with six in work, eight in preparation and six in the cutting rooms; Radio has seven working and four cutting; Fox (Continued on page 8)

Morros Battles for Run of "Duck Soup"

Morris Morros, who had a tussle on his hands to keep "I'm No Angel" for the Paramount when the Rivelli claimed it as one of the three Para-mounts under its standing agreement, is in the throes of the same sort of fracas. This time it is over "Duck Soup" which U. A. wants. Morros is insisting upon the Paramount, figuring it will run two and, perhaps, three weeks.

Year Passing With But One Adverse Law

Sights of relief are becoming audible now that what probably has been the worst legislative siege confronted by the industry is about to expire with only one casualty to date. This is Ohio, where a 10 per cent admission tax made the grade and is now in effect with considerable worry resulting on the part of the theatremen.

The calendar year has been one of the few, and perhaps the first, in legislative history where the entire tier of 48 states held law-making sessions. (Continued on page 4)

Penn, Jersey Blue Laws Are Eased Up

Blue laws were relaxed in two states as a result of the Tuesday balloting. In Pennsylvania baseball games on Sunday afternoon were authorized in a statewide referendum. This is the first relaxation of the 1794 statute and is regarded by exhibitors as a hopeful sign for further easing up on Sunday shows.

In New Jersey, Asbury Park, Long Branch, Freehold and Keansburg were added to the list of communities permitting Sunday shows.

Trust Law Changes Favorited in Kansas

TOPEKA, Nov. 8.—A Legislative Council measure designed to make the Kansas anti-trust laws conform with the National Industrial Act has been recommended for passage by the House Judiciary Committee. The (Continued on page 4)

Hollywood, Nov. 8.—Reverberations of the recent studio strike were heard yesterday with rumbles of an unofficial threat from Local 37 that it would quit the A. F. of L. over its dissatisfaction with the way the dispute was settled. The local is angered over its allegation that many mem-

Meet; Don't Act

Foreign managers met at the Hay's office yesterday to discuss formulation of a stand on closing offices in Denmark and Czechoslovakia, but deferred action to a meet-

PICTURE DAILY

The Leading
Newspaper of
the Picture Industry

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Meet; Don't Act

Foreign managers met at the Hay's office yesterday to discuss formulation of a stand on closing offices in Denmark and Czechoslovakia, but deferred action to a meeting slated for Monday.
EXACTLY what is an "unascertainable salary"? You hear a good deal about the system since the President, as a result of a direct question, informed the trade and the American public that it was his opinion such salaries should be curbed.

Granting they should, which we do not, the how, the why and the when pose three obstacles difficult, if not impossible, to judge. Much in the industry's eye at the minute is the case of Mae West. With no picture work to her credit, the curvaceous one made "She Done Him Wrong," a rough, bawdy, but nevertheless, honest enough portrayal of what set it out to portray.

OVERNIGHT, the West rage swept the nation, paved the way for "I'm No Angel," set Miss West up front, if not in front, as the ace drawing card of entire business. Whether you think she's too rough for pictures or whether you do not, facts have an annoying habit of becoming irresistible, and the facts are as you have just read them.

The picture, which wouldn't even be a picture if anyone but Mae West were in it, has done so much to bolster Paramount's cash position that many of the company's executives today are positive in their belief bankruptcy days are rapidly drawing to a close. All sorts of records have cracked or are cracking under the Westian leers and the generous, but interesting, distribution of her avoirdupois.

(Continued on page 8)

Eastman Up Two and Three-Quartersthree

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Technicolor Jumps One-Half

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Pathe Gains One Point

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SHOUT ABOUT PRIZE FIGHTER AND THE LADY

THE BIG NOISE OF YOUR LIFE!

M-G-M's happy because you'll be happy!
Reade Urges RKO to Quit As Producer

(Continued from page 1)

to be continued as RKO receiver. Opposition to this view was expressed by the Harrison Theatre & Realty Corp., also an RKO creditor, which charged that RKO's profit-sharing plan was "unqualified" to continue because it lacked amusement industry experience and had been "shaken in the face of preferential treatment" before the court. The government's attorney, in giving RCA a favored lien on $2,400,000 of RKO assets, Judge Enblatt instructed Reade to take up his grievance against Radio Pictures and Radio City theatres with the RKO receivers and their attorney, Judge Bondy, and not to go to the court. Judge Bondy also held that Irving Trust must be continued as receiver and RKO business be conducted as is until more definite recommendations for changes have been submitted to him.

At that time, he indicated, a ruling on Reade's recommendations would be in order and a limitation on the continuation of the RKO receivership might be fixed.

Sees No Reason for Continuance

Reade charged that Radio Pictures was being "continued only to supply the false appearances of a liquidation" and that it was not successful in this. After making a devastating criticism of the Radio product, Reade argued that the Harrison Theatre & Realty Corp. had lost "about $15,000,000" in three years and had lost its justification. He cited the Harrison City theatres he described as "white elephants" which had lost $24,900,000.

"No one could run those Sixth Avenue theatres," he said, "under that $9,050,000 a year rental.

Reade also argued that Radio Pictures and Radio City theatres operated on a "guest executive" policy. They have "theatres" of their own, he said, "the Elgin studio," he said, "who are paid from $2,500 to $5,000 a week and only stay a few months. They've had about 16 guest directors in 15 months. The same applies to Radio City. Before a registered letter can get over there the executive to whom it was addressed has lost his job."

Reade also argued that the company's Radio City office leases were "too costly" and large amounts could be saved if RKO offices were quartered in space in its own theatre buildings. An attack was made against RKO Service Corp., which, Reade said, formerly made a service charge of 20 cents a week against the Mayfair. Reade related that since he had been operating the house "the same rate was performed at a cost of $25 a week."

Calls Theatre Subsidaries Sound

The RKO theatre subsidiaries, particularly the Keith and Proctor groups "are sound" and could be operated for $50 a week, under the guidance of a "cook" of Radio Pictures "tied," said Reade.

Reade also charged that Nate Blumberg had "acquired virtually all of the Orpheum circuit for himself since that unit was disaffirmed by RKO receivers, and Blumberg is now in charging its old theatres, receiving an RKO salary."

Horace R. Lamb, counsel for Irving Trust, said, "I am going to point to the Reade's "loop talk. He declared that the statements which had been made from the "directly opposite the truth."

Judge Bondy declared, however, that Reade's interest was "commendable" and the court would be "very serious consideration from the receiver."

Reade, counsel for the Harrison Theatre & Realty Corp., in arguing for the removal of Irving Trust as receiver declared that RKO Pictures was a director of Irving Trust Co., which, he charged, "results in confusing and disqualifying interests."

Approval of the RKO receiver's second report, filed last February, disclosing an estimated eight months of loss of $3,356,552, was denied by Judge Bondy on the grounds that there was no precedent for approving such reports.

San Antonio Scales Lifted; Takes Gain

(Continued from page 1)

from 40 to 50 cents top. In a recent week when Duke Ellington and his "concert" was added additional gain was 60 cents. When the Majestic resumes vaudeville with its pictures they will have the entire show on a straight picture policy the top is 50 cents.

The Texas, 3,000 seats, is maintaining its old price of 50 cents top. This is a picture on a policy picture.

The Empire has raised from 40 to 50 cents top. Before raising their prices, San Antonio's first run houses added to their "guest" 11 A.M. to 1 P.M. The price was 25 cents. By agreement the theatre eliminated the 11 A.M. opening but demanded at 1 P.M. Only 25 cents they charge 35 cents until 6 P.M. After the price is 50 cents.

Tri-State Acquires Des Moines Company

(Continued from page 1)

of A. H. Blank managers. Blank said it was composed of a number of midwestern theatre men and intended to "absorb any and all" theatre properties in the midwest which are available.

Several deals are pending, including some in Kansas City. The company now controls 22 houses. G. R. Brandon, formerly of Boston and Minneapolis, is operating manager.

Year Passing With But One Adverse Law

Sixteen weeks have passed and no extra sessions are called, four will have met three times by the end of the month. Approximately 400 pieces of advertising, running the entire gamut from tax bills, which came to be regarded as "equal to a striker's rate," ross to measures calling for censorship, and opposition to standing room, such as one pending now in St. Louis. Ordinarily, the total number amounts to about $260.

In most instances, the states have been seeking money and so developed their legislative agencies accordingly. Tax bills, therefore, were more frequent than any other type. This type of statute still pends in Missouri, Kansas, Colorado, and Mississippi.

Isolated laws affecting the industry may be noted, but the prospects for an almost 100 per cent clear slate look encouraging.

Missouri Sales Tax Bill Is Agreed Upon

JEFFERSON CITY, Mo., Nov. 8—A general tax of one-fourth of all purchases and services has been agreed upon by the House Ways and Means Committee for recommendation to the State legislature tomorrow. The bill, a compromise measure, follows Governor Park's demand for immediate action on the sales and income taxes for relief and may supersede all other tax bills.

Coast Union Takes Row to A. F. of L.

(Continued from page 1)

pers went to a lobby box to take cards in other unions before being permitted to work. The local has sent an open letter to William Green, president of the A. F. of L., appealing for his help.

"Make it possible for us to exist as before July 24, the date the general strike started," the letter read.

It has been learned that the $33,000,000 suit brought against the I.B.E.W. and the Brotherhood of Carpenters, along with the studios, charging conspiracy to break the local, will be carried through the courts.

Trust Law Changes Favored in Kansas

(Continued from page 1)

committee struck out much of the proposed bill, leaving only a proviso that in any court action alleging violation of the state anti-trust laws, proof that the act complained of was in compliance with a code or regulations under terms of the NRA would be a complete defense.

Al Cohn in Customs Post

HOLLYWOOD, Nov. 8—Al Cohn, president of the cumber- some collector for Los Angeles as a reward for his work in the presidential campaign last year. He succeeds Dr. Howard Seager.

Code May Go To President On Vacation

(Continued from page 1)

tion to the department only before sending it along to the White House. Visitors inquiring about the matter were given scant encouragement.

Meanwhile, telegrams, letters and resolutions endorsing the code continue to come to Deputy Administrator Elkins from independent exhibitors and their organizations, among those received today being a wire from Allied Theatre Owners, Inc., Nevada, L.A., and a copy of resolutions adopted by the M.P.T.O. of the District of Columbia.

Farnsworth Is Named As Rosenblatt Aide

WASHINGTON, Nov. 8—Appointment of William Farnsworth, who served as legal adviser during part of the film code hearings, as assistant to Deputy Administrator S. A. Rosenblatt, was formally announced today by the Recovery Administration.

Tickets at $30 Net Agency's Suspension

WASHINGTON, Nov. 8—Sale of two tickets to the Music Box, New York, for $30 between box-office price, plus agency fee, should have been $10.45, today drew for the Broadway Theatre Ticket Co. a suspension of its license for one week. The penalty was ordered by Deputy Administrator So A. Rosenblatt in passing on recommendations of the national legitimate theatre committee for a two weeks' suspension.

The Lyceum was exonerated by Rosenblatt of charges of having failed to comply with requirements of the code as to lobbying, and the decision of the committee holding the theatre had violated the code and recommending a $500 fine was reversed.

LATSE Man in Capital

WASHINGTON, Nov. 8—Louis Krouse, assistant to William C. Elliott, president of the L.A.T.S.E., is here making arrangements to set up an office for the national organization. The L.A.T.S.E.'s idea is to be near the administration on code matters, particularly as they affect labor.

Sennett Claims $4,000

HOLLYWOOD, Nov. 8—Claims totaling more than $4,000 are involved in the immigration bankruptcy filed in Federal Court here against Mack Sennett, Inc. Three creditors have filed claims. They are the Smith Bros. Paint Co., Cinema Props and S. C. Shine.

Walter C. Durst, local attorney, representing Mrs. Mary Sennett, the color plant, has been appointed receiver for Sennett by Judge George Cosgrave.

Weiss to Start Soon

Louis Weiss has started plans for production of "Memory Lane" both in New York and Hollywood. He is now lining up a cast.
You can't go wrong!

Take a Chance
"TAKE A CHANCE" was the one big smash hit on Broadway last year. Week after week it packed 'em in at $4.40 top at the Apollo Theatre for thirty-three consecutive weeks.

Laurence Schwab who produced this success, now brings it with all its laughs and music to the screen. William Rowland and Monte Brice, the "Moonlight and Pretzels" boys, are associated with Mr. Schwab in this project. Bobby Connolly, ace Broadway dance director, staged the dances. Buddy DeSylva, Vincent Youmans, Lew Brown and Richard Whiting helped Mr. Schwab with the book and the music. New numbers have been added, and "Eadie Was A Lady" remains as ever, "a lady".

"Should I be Sweet or Hot?"  
June Knight  
Lilian Bond
"...She has Klass with a Capital K!"
Lillian Roth singing "Eadie Was a Lady!"

"TAKE A CHANCE"

with JAMES DUNN
JUNE KNIGHT   LILLIAN ROTH
CLIFF EDWARDS   LILIAN BOND
DOROTHY LEE   LONA ANDRE
CHARLES "Buddy" ROGERS

A Paramount Release. Producer by Laurence Schwab
in association with William Rowland and Monte Brice.

IT'S A PARAMOUNT PICTURE IT'S THE BEST SHOW IN TOWN!
Coast Has 48
In Work with
36 Preparing

(Continued from page 1)

four working, five preparing, three
cutting; Warners have five working,
five preparing, 10 cutting; Universal
has five working, one preparing and
four cutting; American has seven
working, two preparing and five cut-
ing; United Artists has two work-
ing, none preparing and six cutting;
while the smaller independent pro-
ducers report a total of seven work-
ing, eight preparing and five in final
stages of cutting.

Activity among the short subject
producers is much below par with a
total of only five, working, 12, prepar-
ing and 25 in cutting rooms. Of this
number, the major studios show only
one working, seven preparing and 20
in the cutting rooms, while the inde-
pendent group reports a total of four
working, 12 preparing and five in the cut-
ing rooms. This survey, however,
does not include the makers of cartoon
subjects, which, because of their un-
certainty in production schedules
stretching over a period of months,
urnish no definite account of just
what is in work.

Will Do Three Musicals
Grace Moore, opera star, is sched-
uled to make an operetta for Col-
mibia and one musical each for M-
G-M and Columbia.

She has just come east to fill an
engagement at the Metropolitan and
will return to the coast Dec. 16 to
sing in San Francisco and Los An-
geles. Her film work starts shortly
after the first of the year.

Hold Elliott Funeral
CINCINNATI, Nov. 8.—Funeral serv-
dices for R. B. Elliott, 75, Lexington,
Ky., father of John Elliott, owner of
four houses in Lexington and a
member of the executive board of the
theatres here, was held this morning.

The funeral services were held at
St. Peter the Apostle Church; the pas-
ser was Rev. T. H. L. Milliken. The
officiating clergyman was Rev. J. H.
Gates, assistant pastor of St. Peter's.

Trans-Lux House Ready
The new Trans-Lux theatre on
Madison Ave., between 59th and 60th
Sts., will make its bow tomorrow
morning. The house seats 450 and is
a stone's throw from the original Trans-
Lux on the corner of 58th St. and
Madison Ave., which is now dark.

Fire at Columbia
HOLLYWOOD, Nov. 8.—Fire in the
outfit room of Columbia today
caused $5,000 damage.

Meet the Mayor
Ralph Budd, personnel
manager of Warners, has
another title. He's now mayor of
New London, Conn., where he defeated his Republican op-
ponent by 150 votes on Tues-
day. It was learned yesterday.

Looking 'Em Over

"You Made Me Love You" (Majestic)

Here's a sure bet for audiences that go in for light musicals with a
generously sprinkled of comedy. It has three haunting tunes. Despite
its having been produced in England by Devon Films, the picture should
get real response. Stanley Lupino capers through, singing and dancing
with an ease that makes his part outstanding. Thelma Todd is better
here than in anything she has previously done. Monty Banks, formerly
in American pictures, directed and deserves considerable credit for turn-
ing out this entertaining piece. The balance of the cast, while meaning
little to American audiences, support nobly.

Smacking of "The Taming of the Shrew," the plot has Lupino, a song
writer, meeting and losing Miss Todd in a London traffic jam with the
result that this incident gives him enough inspiration to write one of
the song hits of the season. He is later thrown out of his father's music
publishing business when he inadvertently hits the girl's father with an
inkwell just after the competing publisher has closed a deal for merging
both concerns.

His car broken down, the hero drops into Miss Todd's house by
accident and asks for aid. He knows her brother and later squares up
with her father when he is inveigled into marriage with Miss Todd,
whose erratic outbursts are causing havoc in the household. The heroine
innocently falls for the scheme, but it's Lupino's idea he can reform her.

After he marries her, the hero puts her through many an uncomfortable
experience and almost has her arrested as a suspect in the slaying
when she gets wind of the frameup. She lashes into her routine
and wrecks another house. Her husband gives her up as a bad case, but
when the owner of the house informs Miss Todd that Lupino was sin-
cere and loves her, she decides the experience was great fun after all and
goes back.

"Sweetheart of Sigma Chi" (Monogram)

Monogram's college melodrama proved to be nice entertainment to a
Mayfair audience yesterday. It has peppy, snappy tunes and an exciting
crew race to round out the love affair of Buster Crabbe and Mary
Carlisle. Florence Lake provides the humor.

The story has Crabbe woman-shy and falling for Miss Carlisle. The
heroine up to this point has been courted by Charles Starrett, another
member of the rowing team. Miss Carlisle makes a bet with her sorority
friends that she can place the hero factory over for her and she does.
When Crabbe gets wind of it, he calls the whole affair off and is
razed by her fellow students.

The heroine announced her engagement to Starrett, and Crabbe,
who has been thrown off the crew, makes an effort to get back again.
Crabbe comes through in perfect form and the heroine apologizes to him
for her past treatment, confessing she was really in love with him. The
hero forgives and all is forgiven.

Ted Fio-Rito's orchestra and entertainers provide the musical num-
bers while Eddie Tamburini, Sally Starr, Mary Blackford, Tom Dugan,
Burr McIntosh and Major Goodsell lend good support to the principals.

"The Charming Deceiver" (Majestic)

This is the picture Constance Cummings recently made in England
for British International. The American star commands the situation
at all times, despite the able support of an all-English cast, including
Frank Lawton, the leading man. Monty Banks has injected some humor-
ous interludes and also manages to include a take of the London dress shop,
Miss Cummings accidentally meets Lawton, falls in love with him and is about to lose him
when he leaves for Deauville. Rather than give him up, she follows
and on the boat again meets her lover as a steward. Enraged at the
deciet, she decides to forget the whole affair and continues on her way

Unable to get a room in one of the hotels, her traveling companion
tells the proprietor in one of the swanky hostleries that Miss Cummings
is Dorothy Kay, an American actress. That changes everything and
even brings a new lover, who eventually takes her to a yacht party.

(Continued on page 9)

Riverhead for Schwartz

A. H. Schwartz expects to add the
new Riverhead, Riverhead, L. I., to
the Century Circuit around Christmas
time. The house is scheduled to open
Dec. 25.
los angeles, nov. 8.—"i'm no angel" again ran away with the big money in its third week at grauman's chinese. the take, $20,250, was about $4,000 under the second week, but it was still outstanding, topping par for $25,000.

"take a chance," helped by bing crosby on the stage, was also strong with a gross of $2,300. it was good for $15,600 at loew's state. total first run business was $114,850. average was $97,100.

estimates for the week ending nov. 1:

i'm no angel (para.)

chinese aff. to nov. 14, week 7, 7 days. sid grauman prologue. gross: $20,250. (average, $2,893.)

bomshell (m-g-m)

loew's st. louis aff. to nov. 13, week 7. ben barden on the stage. ed lowery and his band. gross: $2,650. (average, $378.)

take a chance (para.)

paramount—l.a. week 7. george stoll and his orchestra, bing crosby on stage. grauman. gross: $2,750. (average, $393.)

ann vickers (radio)

bko—7, 7-8 weeks. 7 days. gross: $4,000. (average, $571.)

the kennel murder case

warner bros. (hollywood)—7, 7-8 weeks. 7 days. max fisher and his orchestra. graumans, $5,800. (average, $828.)

bitter sweet (u.a.)

filmart—7-8 weeks. 7 days. disney's "pied piper." gross: $2,750. (average, $386.)

the stranger's return (m-g-m)

realart—7 weeks. 7 days. stage gross. $3,050. (average, $436.)

dance, dance, dance (invincible)

los angeles—7 weeks. 7 days. stage gross. $5,300. (average, $757.)

walls of gold (fox)

orpheum—25-6c, 7 days, 10 acts vaudeville. gross: $4,200. (average, $600.)

the bowery (25th century)

united booking agent. gross: $4,000. week 7, 7 days. sid grauman prologue. gross: $3,000. (average, $429.)

court rules greve may be questioned

federal judge mortimer w. byers in brooklyn yesterday ruled that william m. greve, former president of new york ins. inc., may be examined prior to the hearing on application for his removal as trustee in the case of the allied owners corp. bankers of new york investors. the application for the right to examine greve was made by archibald lee, attorney for a group of bondholders. greve's connection with allied owners corp. in his capacity as head of new york investors was cited as the basis for his removal as trustee in the bankrupt.

theatre changes drop

weekly theatre changes in the local area are showing a decided decrease. the new york ins. inc. trade reports. generally there has been between 15 to 20 changes a week, but now the number is down to five and eight. exhibitors have a tendency to hold on to houses because of prospects of better conditions. also because business at this time of the year is at its best.

wurtzel decides to keep studio going

hollywood, nov. 8.—even though sol wurtzel goes through with his proposed european trip jan. 1, the owner man in full operation until his return, wurtzel decided today that it would not be necessary to close the plant until march 1, as previously planned, resulting in the laying off of 200 trained employees.

wurtzel's current schedule of 20 features calls for 10 more pictures to be delivered by april 1. five of this number will be completed before the first of the year and the balance will be in such shape that they can be completed after the first of the year in the event he makes the european trip.

as can be determined at this time, wurtzel's 1934-35 program will call for 17 features, a decrease of three. fox will make a total of 52 features for next year's program outside of a foreign quota.

charity drive asks big studio quotas

hollywood, nov. 8.—of the $2,954,408 for the los angeles area drive for the next year's community chest drive $200,000 has been apportioned to the major studios. quotas have been apportioned as follows:

m-g-m, $40,000; paramount, $35,000; fox, $30,000; warner, $30,000; radio, $20,000; united artists, including sam goldwyn and 20th century, $20,000; universal, $15,000, and columbia, $10,000.

quota for the miscellaneous branches of the industry, including the smaller independent studios, will be determined later in the week by the committee headed by feb beeton.

joseph m. schack, jack warner and max cohn of the motion picture branch of the committee in charge of the major group of studios.

bishop defends screen

st. joseph, mo., nov. 8.—answering critics who decry the influence of films on children's habits and morals, rev. charles h. leblond, recently consecrated catholic bishop of st. joseph, asserts the charges are greatly exaggerated.

change powell title

hollywood, nov. 8.—william powell's "king of fashion," is now "the fashion plate." errors of judgment to let makers ride until the organization was in a stronger position.

he said he was resigning because he was in agreement with cowan's ideas on the academy one hundred percent.

"except for several years' grooping," he said, "i definitely believe there is no room for technicians in the academy and only single an official of that organization but as a member as well.

levinson is the dominating factor in the technicians' branch, his resignation is taken as indicating a general walkout of technicians, leaving in the academy only directors and producers who, it is believed, will not string along since the former have secretly been forming a guild of their own and the latter have their own organization.

the academy has cut its office staff to three, having laid off 10 persons, some of whom have been with it for five years.

cowan has left hollywood for a rest.

cochran says japanese like our pictures

sentiment against the united states is affecting the market for american pictures in japan, said warren d. cochrane, paramount representative in that country, in an exclusive interview with motion picture daily yesterday.

"as long as good pictures are shipped to japan the country will use them. the japanese do not allow any animosity they may bear us to interfere with their enjoyment of a good american picture."

american films, according to cochrane, are highly popular with the japanese, who be pictured as a people crazy about screen entertainment.

to meet the needs of the japanese fans cochrane says that more pictures are turned out by the native studios alone in a year, it was estimated.

cochrane said that while our films are in great demand in japan, the people's first choice is for the product of their own studios. it was hinted the reason for this is the persistence of tradition in japan, a tradition that has its roots in the feudal system of the old japan. such, he added, is not so much the case in the cities as in the rural districts where american films, tending to clash with this jealously-preserved tradition, are easily understood by the people.

the problem of sound is solved in japan by the employment of superimposed titles. the films are screened in the native theatres just as they are in america. nothing is taken away and the only thing added is the superimposed titles, which, running up and down, play a part in the film, regardless of where those dark areas may be. this arrangement has generally met with the approval of the technicians and has been used by the larger companies and larger theatres in the larger cities, cochrane said.

no japanese picture program contains less than two feature pictures, according to cochrane, who said that three-feature programs are not uncommon.

"the people there," he said, "want a lot for their money. they don't care how long the show runs."

the japanese do not get a chance to see sexy pictures because all films are severely censored in japan, cochrane asserted, adding what they favor in screen entertainment is "anything bordering on sentimentality." as far as i know, if a picture is good it is the japanese care little what type it may be.

Levee Seeks Howard

hollywood, nov. 8.—Mike levee, business manager for mary pickford, was eastbound tonight to discuss with gilbert howard to have lee howard do some film work for radio and Warners. the actor is under exclusive contract in a Broadway play for the producer.

Gibson, Jones to Tour

hollywood, nov. 8.—Hoot gibson and buck jones are planning storming tours. gibson expects to open at the local pantages in dec.
NAMES
in Short
NO COMPANY EVER IN ONE SEASON'S
Two Reels
STAR COMEDY SPECIALS
MUSICAL COMEDIES
ANDY CLYDE COMEDIES
MORAN & MACK COMEDIES
CORONET COMEDIES
FROLICS OF YOUTH
TOM HOWARD COMEDIES
MERMAID COMEDIES
Distributed in U.S.A. by FO
Picked from the top ranks of the big hit names of radio, stage and screen... for your box-office... a brilliant array of names, never equalled in a program of comedy short features... splendid fulfillment of E. W. Hammon’s promise of a line of comedies you can exploit with pride and profit.

features!
OFFERED YOU MORE COMEDIES • • •

One Reel
TERRY-TOONS
BABY BURLESKS
SONG HIT STORIES
THE TREASURE CHEST
AS A DOG THINKS
ROMANTIC JOURNEYS
BATTLE FOR LIFE

STOOPNAGLE AND BUDD
MILTON BERLE
OLIVE BORDEN
HARRY LANGDON
TAYLOR HOLMES

MORAN AND MACK
LILLIAN ROTH
BOB HOPE
CHARLES JUDELS
JUNIOR COGHLAN

INTERNATIONAL FILM CORPORATION
**Looking Over New Shorts**

**“The Little Broadcast”**  
(Paramount)  
This short, featuring a number of popular radio headliners, is interesting musical entertainment. Arthur Tracy, the Four Mills Brothers, Donald Novis and Vincent Lopez and his orchestra are in it. Each is introduced by Roy Atwell, who is funny as a radio announcer. Running time, 10 mins.

**“I’ve Got to Sing a Torch Song”**  
(Timpano)  
One of the “Merrie Melodies” series, this short is mildly amusing. Its cartoon sequences are the better part of it. Spoofing the universal radio programs, it consists of in cartoon imitations some of the stars of the films and the air waves, and does it with remarkable fidelity in many instances. Running time, 7 mins.

**“Stung Again”**  
(Universal)  
Louise Fontaine is featured in this comedy concerning the misadventures of two couples on a forest camping trip. Their presence in the wilds is resented by a hermit who sets about getting rid of them by visiting a variety of pranks upon them, to their great discomfort. Good, but only mildly amusing as a whole. Running time, 18 mins.

**“Betty and Bob”**  
(Master Arts)  
Two radio personalities, known as Betty and Bob, appear in a sketch in which Hansey Castle, a poor girl, married to Allen Lane, a rich man’s son, is looked upon as an unwelcome member in the family by the boy’s parents. However, when she is responsible for getting her father-in-law the business of an English financier, the attitude of the in-laws changes. Running time, 18 minutes.

**“Entertainers”**  
(Columbia)  
Will Mahoney is sent to a private residence to provide entertainment for a party. He makes his entrance with a mock holding and proceeds with song and dance acts, with the assembled guests believing him to be an escaped lunatic. Arrival of the police discloses Mahoney’s identity and the further information he had come to the wrong address and consequently entertained the wrong party. Deserves average comedy rating. Running time, 17 mins.

**“You, I and the Gatepost”**  
(Educational)  
One of the Robert C. Bruce series of “As a Dog Thinks,” which holds considerable interest for the dog lover and unusual entertainment for the general fan. There are three dogs, and as they lol, prance and play around their actions are explained by a voice which does a thorough job of it. The pedigrees of the canines are also given. All in all, it is something different and worthwhile. Running time, 8 minutes.

**Film News Writers’ Total Down to 190**  
Hollywood, Nov. 8.—Renewal of press correspondent credential cards issued by the Hays office shows a slight decrease from the last quarter, which is accounted for by summer transient correspondents returning to their home base for the winter. Total issued for the new quarter is 190, as compared to 203. Of this total 59 were issued to fan magazine writers; 22 to outside newspaper writers; 34 to the trade press; 17 to the local dailies; 11 to the wire service boys, and 47 to foreign correspondents.

1,500 Sign with Erpi  
The total number of theaters signing one-year repair and replacement agreements with Erpi now stands at 1,500, reports C. W. Bunn, general sales manager. Among those who have signed are the Golden State Theatres of San Francisco, the Poli New England chain, the Warner Reade theatres in New Jersey and New York and the Crescent Amusement chain in New Orleans.

**Loeb Better Now**  
Hollywood, Nov. 8.—Edwin J. Loeb, attorney for the Ass’n of M. P. Producers who was ill following the code deliberations in Washington, has virtually recovered.

**Wittman in Miller Job**  
Sig Wittman is temporarily in charge of the Buffalo Universal exchange while David Miller, exchange manager, is recuperating from an illness.

**Swanson Deal Off**  
Hollywood, Nov. 8.—Gloria Swanson and Joseph L. Schenette have mutually agreed to dissolve their contract with each other for one picture, leaving Gloria to seek other plans or deals.

**Moffitt in Hollywood**  
Hollywood, Nov. 8.—John C. Moffitt, film critic of the Kansas City Star, is spending four weeks in Hollywood, gathering material and writing features for his paper and the North American Newspaper Alliance.

**Women to Seek Ban On Terror Pictures**  
Milwaukee, Nov. 8.—A campaign to bar children from unwholesome movies has been started by the Milwaukee Women’s Club with appointment of a committee to determine the possibility of state legislation. It was stated that if they are unsuccessful in their efforts to stop terror pictures from being produced, the club will work for a law prohibiting children under 14 from attending theatres.

**Will Issue Bonds**  
Washington, Nov. 8.—The protective committee of the Stanley Theatre, Bridgeport, N. J., has been authorized to issue first mortgage six per cent gold bonds by the Federal Trade Commission under the Federal Securities Act. This is one of the first announcement issues permitted under the new law.

The flotation will cover an original bond issue of $500,000, the market value of which is given currently at $137,500. The committee is handling reorganization of the Mercantile and Theatres Properties, Inc.

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**A tender beautiful film in the ‘Seventh Heaven’ mood.”**

**Motion Picture Daily**

**THE MOST GLORIOUS LOVE STORY SINCE "7th Heaven"!**

**A Man’s Castle**

A FRANK BORZAGE Production

WITH

SPENCER TRACY—LORETTA YOUNG

Screen play by Jo Swerling

From the play by Lawrence Hazard

A COLUMBIA PICTURE

A Screen Guild Production

---
Dollar Break Sends Up Income
From the British Film Market

Break in the value of the American dollar to 61.96 cents yesterday and a consequent rise in British pound sterling to $5.155 bolstered American film revenue from England by thousands of dollars.

Remittances from London, in many cases, are forwarded at the end of each week. The fluctuating course of the dollar obviously makes it impossible to figure exactly what the increase in the value of the British pound will be at the close of business Saturday, but the additional income is expected to be heavy.

Allied Fight
On Code Seen
Breaking Up

WASHINGTON, Nov. 9.—Indicating a break in the line of Allied States' opposition to the code in its present form and reconciliation of some of its units to the make-up of the code authority without Abram F. Myers, Allied general counsel, among its members, was the reported action of Nathan Yamin's, head of the New England Allied unit and a member of the national organization's board of directors, in writing his approval of the code to Deputy Administrator Sol A. Rosenblatt.

Yamin's reported approval is regarded as tantamount to a signature for the code and follows closely on similar action taken by Lester P. Martin of Allied of Iowa and Nebraska.

Hertz to Testify At Para. Hearing

Cleveland Charges

JOE HERNSTADT

John Hertz, former chairman of the Paramount finance committee, now associated with Lehman Bros.,

Spy Stories Start
New Picture Cycle

Hollywood, Nov. 9.—Latest picture cycle has to do with spies, mostly women. This has caused some changes in studio schedules.

Warners, as a result, have ordered back "Secret Agent," Bruce Lockhart's story which Robert Prentiss and Pierre Collings are adapting. The picture will star Leslie Howard, who is now in London doing a play. Howard will visit Rus-
T EETH, many and sharp, bristle in the executive order establishing an imports division in the N.R.A. How the President may crack down any effort on the part of the Hollywood studios to shake off foreign import duties abroad is made quite clear in the general principles under which the regulations will work. For instance, the section empowers the President to control all imports of films for the purpose of ensuring the aims of recovery codes and agreements. Not much restriction there. The trend of imports in any industry may be investigated merely by Presidential say-so. Imports may be restricted or stopped through the simple expedient of first making it necessary for a license through the Secretary of the Treasury. It's a cinch that, if for some reason the secretary no like, there will be no license.

Also get a load of this: “Harmonious foreign competition,” a pretty broad term—will be submitted to Administration access on its way to the White House. Then will come the decision to permit importations of the commodity, films or otherwise, not. The inferences, therefore, become quite clear. If a salary check in the code leads to the idea of making pictures abroad, their importation may be blocked through the N.R.A.’s new strong arm. You would gather then that disgruntled or otherwise, the Hollywooders will have it easy in Hollywood, wouldn’t you? That’s correct.

Delay over the code is leaving its mark on sales and that goes despite what you may hear. Movie palaces and, of course, exhibitors, leaning to the code as an excuse, are holding out on new deals in the hope their delay will influence distributors into the lower rental brackets. Around, too, some stories, with names unknown, are piling up hours on help beyond the provisions of the President’s blanket agreement and the maximums set in the proposed code.

Demonstrating, in the event there can be any doubt about it, how times have changed is the latest Lowery financial statement. The company, still heavily in the black, a gross theatre business of $116,201,819 in good old ’29 and just $129,521,029 in ’30. The following year recorded $120,479,511, but it was in ’32 that the full impact of the cumulative effect of the depression set itself. In that year, gross sagged to $107,416,036, and in ’33 to $80,772,191. Another way of looking at it: income shrinkage of $48,748,838 currently compared with ’30, net, naturally, went the same way. In ’29, it was $11,756,956. In ’30 the figures went blacker at $14,609,312. Thereafter came the decline to $11,829,994 to $7,961,314 to $4,034,289. And there you have it. Any idea of how it’s been going...

Weeks ago when it looked as if the Four Marxes would release through U. A. Gummo, otherwise known as the Fifth Brother, stepped out of merchandising into films. Later, he went to the coast and didn’t appear quite so regularly around the Godfrey Building. Now, he’s around the U. A. office again and the natural question is why? The answer is, because, while the Marxmen are talking very seriously to Paramount on a new picture deal, they also may be talking to United Artists...

Universal Gains Three Points

Technicolor Off Five Elevths

Warner Bros. Up One and Quarter

Purely Personal

EDDIE CANTOR arrives in town from the coast Sunday. He will resume his radio broadcasting the following Sunday. Later he will return to Hollywood to rerecord another film for Samuel Goldwyn.

SYBROS SKOVARO returns today from St. Louis, where he has been conferring with Lon Cox.

HOWARD HUGHES, reported due in New York earlier in the week, has not made an appearance as yet.

H. B. WARNER, the actor, has returned from London to resume picture work on the coast.

Cowan, Levinson Hit For Leaving Academy

Hollywood, Nov. 9.—Denying film technicians intend forming their own guild, Nat Levinson, who resigned yesterday as executive chairman of the technicians’ branch of the Academy of M. F. Arts and Sciences, yesterday said today the plan is to set up a research bureau to carry on the same work accomplished by the Academ. If the thing goes through producer capital will be called upon.

Commenting on the resignations, B. B. Burton, he could not understand why so much importance was set on Cowan’s move. W. D. York declared that Cowan could carry on without politics and “sore-heads.” Darryl Zanuck referred to Cowan as “a capable executive but a fall guy for many people.” Howard Green called Cowan’s resignation “a disgrace.” No comment came from J. Thomas, said head of the Academy.

Green has called a meeting of the board and the executive branch heads for tomorrow.

McFarland to Sell Columbia's Shorts

J. W. McFarland has been placed in charge of Columbia’s short subject sales, a newly created post under Abe Montague, general sales manager. McFarland was formerly engaged in promotion work for Columbia and was eastern representative for Walt Disney for a number of years.

Brown Goes to Coast

George Brown, advertising and publicity head of Columbia, left last night for New York to hurry call. He arrives there Monday and, according to present plans, expects to fly back, returning Nov. 19.

Plans Goldman Dinner

Philadelphia, Nov. 9.—Local film men are planning a farewell dinner for William Goldman, who resigned as Warner theatre zone manager earlier this week.

Krugold With M-G-M

Joseph Krugold, formerly with M-G-M and later with Paramount on the coast, has rejoined the first company to assist in production abroad.
HERE SHE IS, MEN! Warners expect beaucoup results from exotic importation, Kathryn Sergava, whose first role will be opposite Warren William in "Bedside."

3RD MUNI WEEK registered by N. Y. Hollywood as trades report sock business for "World Changes" in St. Louis and Boston openings.

HERALD OF WEEK IN PHOTO-REVIEW

VISITING FIREMAN on "Dark Hazard" set is chief Ed Wynn, on lookout for flames during Robinson-Tobin love scenes in W. R. Burnett's book-of-the-month now filming.

COAST TO COAST MARCH of "Footlight Parade" records adds Philly, Seattle, Rochester, Cincy to endless chain of greater-than-"Gold Diggers" grosses.

ROUSING RETURN of William Powell as Philo Vance in "Kennel Murder Case" prompts immediate purchase by Warner Bros. of "Dragon Murder Case," latest story hit by S. S. Van Dine.

LITTLE BOY 'BLUE' awarded three-year contract for Vitaphone Short series as Warners win producer race for Ben Blue, noted vaude and radio funnyman.

WISE, SMART AND SAUCY is N. Y. Mirror's praise for "Female" at Strand as Variety reports Detroit's Michigan "going strong" with Chatterton's biggest show.
DOUGH • RE • ME
IN THE BOX-OFFICE

WALTER WINCHELL'S BROADWAY THR
IN MUSICAL ENTERTAINMENT

DARRYL F. ZANUCK PRODUCTION PRES
WITH THIS GREAT CAST Consto

”Color, excitement — bright — racy — witty, Winchellian — grand entertainment.”
— Daily Mirror

”Grand eye and ear entertainment.”
— Evening Journal

Blossom SEELEY • Gregory RATOFF • Texas GUINAN
A KEYHOLE STRIKES A NEW HIGH NOTE
IT'S THE SECOND BIG
TED BY JOSEPH M. SCHENCK
ke CUMMINGS • Russ COLUMBO • Paul KELLY
ances WILLIAMS • Abe LYMAN AND HIS BAND

"Thrilling — Lavish —
Tuneful — Exciting."
— Morning Telegraph

"Marvelously well
acted — and positively
electric with suspense."
— Chicago Daily Tribune

"Tremendaus enter-
tainment. Will be the
forerunner of musical
pictures."
— Boston Globe

RELEASED THRU
UNITED ARTISTS
**Gains in Burlesque Told at Code Hearing**

Washington, Nov. 9.—Burlesque is flourishing today. There is no shortage of talent, it was brought out today at the hearing on the recovery code for the industry by Deputy Administrator Sol A. Rosenblatt.

According to Paul Weintraub, associate counsel for the National Burlesque Ass'n of America, one producer had to send to the Pacific Coast, apparently Hollywood, to get girls to fill his chorus.

The code provides a minimum of $40 a week for 32 hours for motion picture operators and musicians. But it was urged by William C. Elliott, president of the I.A.T.S.E., that the maximum week be reduced to 40 hours, which, he said, would increase employment by 45 to 50 per cent.

**Freuchen Describes Making of “Eskimo”**

Peter Freuchen, author of “Eskimo,” yesterday gave the A. M. P. A. the lowdown on how the M-G-M picture was made in Greenland and Antarctic. Capt. Volney Phifer, who has been touring with Leo, the M-G-M midget, in Greenland and exhibited two penguins which appear in “Eskimo.” Ann Rosell of “Who’s Afraid of the Big Bad Wolf” fame, entertained with a rendition of the number.
“Angel” Sets
2 New Marks
At Paramount

(Continued from page 1)

“Finn and Hattie,” which garnered $85,000, with Maurice Chevalier on the stage.

Tally for the second week’s run was $48,200, followed by a gross of $35,000 for the third stanza. Paramount was considering holding the picture a fifth week, but because of the congested playdates as a result of holding it a month, it was decided to cut it on release.

Before the West picture was definitely booked into the Paramount, Boris Morros, managing director, put up a studio sign, indicating a switch in the original Rivoli booking. According to an agreement between Paramount and United Artists, made at the time the latter took the Rivoli from Paramount, U. A. entered into a deal for three Paramount releases this season. “I’m No Angel” was one of the trio selected, but due to a number of U. A. releases on hand, it was agreed to defer the film and to date it into the Times Square house. U. A. at the same time canceled “The Way to Love” and decided to take “Duck Soup.” The Four Marx Brothers’ picture is now the center of a controversy similar to “I’m No Angel.”

Spy Stories Start
New Picture Cycle

(Continued from page 1)

sia with completion of his engagement, where he will study local atmosphere.

B. P. Schulberg’s "Reunion," announced as his first for Paramount following his return from Europe, has been temporarily called off.

The reason is that when he first planned the film in March, the picture was the first woman spy story on studio programs in five years. At present, however, the film would complete a cycle of stories of the same calibre. Schulberg considers the story too good for immediate production under the circumstances.

“Good Dame” an original by William Lipman has been moved up into first place on the schedule. Sylvia Sidney will be starred and Marion Gering will direct.

Marie Dressler Fete
Draws Film Leaders

HOLLYWOOD, Nov. 9—Approximately 500 film personalities tonight attended the 62nd birthday celebration of Marie Dressler at the M.G.M. studio. The event was broadcast over the NBC national network in the United States and also to Europe and England.

Louis B. Mayer was toastmaster and Pete Smith acted as master of ceremonies. Governor James Rolph, Mary Pickford, Norma Shearer, Lionel Barrymore, Polly Moran, Jeanette MacDonald, Nelson Eddy and Jimmy Durante were among the entertainers and speakers.

Huffman Experimenting
With Day and Date Runs

DENVER, Nov. 9.—Another try at day and date pictures at the Aladdin and Denver is being made with “Footlight Parade,” which started its run at both houses today. Since Sept. 7, three other films have been run simulaneously at both houses, mostly with good results with the exception of the last one, “Broadway Thru a Keyhole.”

“Broadway Thru a Keyhole” grossed $3,500 at the Aladdin, with an average of $3,000, while at the Denver the gross was only $4,500, against an average of $6,000. Possible explanations are seen in the fact that the Aladdin is located two miles from the downtown section, where it is easier to secure parking space. There is also a differential in prices. Top price at the Denver is 50 cents, while at the Aladdin it is 40 cents, with the exception of a number of lower lobbies at 50 cents.

“Masquerader” did much better in proportion at the Aladdin than at the Denver. “The Bowery,” the second of the day and date films recently at these houses, also did much better at the Aladdin than the Denver.

The differential has been maintained as an experiment. Harry Huffman, managing director, also figured each house had pretty much its own clientele, which would go to whichever theatre suited its fancy regardless of price. The probabilities are that if the grosses on “Footlight Parade” are as widely separated as they were on “Broadway Thru a Keyhole” it will mean that no more features will be run day and date, or that the prices will be the same in both houses.

Start Trips Soon

Herman Wobber is in New York from a Fox sales trip. He and John D. Clark, general sales manager, expect to jointly visit Boston over the week-end, spend all of next week dropping in on nearby exchanges and then take in wider territory, probably terminating on the coast.

Johnston Goes to Canada

W. Ray Johnston, Monogram president, left last night for Toronto to confer with Oscar Hanson, head of Empire Films, Ltd., on the deal whereby Hanson takes over Monogram distribution in the Dominion. Johnston was accompanied by Edward Golden, general sales manager.

Hertz to Testify
At Paral. Hearing

(Continued from page 1)

downtown banking firm, will be placed on the stand at a resumed meeting of Paramount Publix creditors before Referee Henry K. Davis today. Attorneys for the Paramount Publix trustees in bankruptcy will begin the examination of Hertz and creditors' attorneys may follow with their own examination. It is at the request of Saul E. Rogers and Samuel Zinn, counsel for Paramount Publix bondholders' groups, that Hertz is being placed on the stand.

Preferred Pictures
Formed; To Make 12

(Continued from page 1)

several years ago was associated with B. P. Schulberg and Al Lichtman in another Preferred Pictures. Bachmann is president, with Goldberg as vice-president, David Schlein as treasurer and Julius Schlein as secretary. Goldberg was former general sales manager for Columbia.

Bachmann is on the coast preparing to start the first feature. Sales have been set, the company states, in New York, Albany, Buffalo, Philadelphia, Washington, Boston, New Haven, Los Angeles and San Francisco.
DOROTHEA WIECK

"CRADLE SONG"

.... if it's a PARAMOUNT PICTURE it's the best show in town
Allied Ousts Lester Martin For Code O.K.

Yamins Wires He Has Not Signed Document

WASHINGTON, Nov. 30.—Lester F. Martin, business manager of Allied of Iowa and Nebraska, today was dismissed from the national association on a charge of disloyalty, ordered to discontinue the use of the name Allied in his territory and to inform his members that he had no further connection with this association.

Aram F. Myers, general counsel of Allied, said Martin was advised by wire on authority of the board of directors. The break is the first important one in the Allied line.

Myers, at the same time, released copies of a wire received from Nathan Yamins in which the Allied leader from New England denied he had signed the proposed code.

In his wire to Martin, Myers said:

"In pursuance of motion made at Allied board meeting in Chicago, Oct. 24, that Allied franchisee, in your

Consecrated on page 4

B. F. Keith Reports Net Loss $354,038

B. F. Keith Corp. and subsidiaries report a net loss of $354,038 for the nine months ending Sept. 30. This compares with a net profit of $357,374.53 for the same period last year. The report shows there was a profit of $320,493.37 from operations, but this was cut to a loss by an allowance of $690,531.90 for depreciation and amortization.

Actors Deny Holding Unionization Ideas

HOLLYWOOD, Nov. 10.—Indications that the Actors' Guild has no intention of converting itself into a union are seen in a statement to the effect that the guild has no idea of seeking affiliation with the American Federation of Labor.

Mae West, Clark Gable, George Arlis, Sally Eilers, Donald Cook and Hoot Gibson are latest members.

Hertz Relates Tale of Para.

Finance Deals

John Hertz, Chicago financier, now associated with Lehman Bros., Wall Street banking firm, took the stand at an adjourned meeting of Paramount Publick Creditors before Referee Henry K. Davis yesterday and, always hesitantly and frequently cautiously, related what he remembered of the major financial and corporate transactions in which he participated as chairman of the company's finance committee during the 14 months immediately preceding the Paramount receivership and bankruptcy.

Despite the fact that Hertz's testimony was incomplete in many phases (Continued on page 3)

Query Market Value Of N. Y. Investors

The hearing into the affairs of New York Investors, Inc. was continued yesterday before Special Commissioner Frederick S. Martyn in Federal Court, Brooklyn. Albert Young, representative of a firm of accountants, was asked to explain why the open market value of the concern's stock had jumped from $14,000,000 in Sept. 1929 to $42,000,000 in December of that year.

Young, representing the firm of Stagg, Mather and Hough, accountants for New York Investors, Inc. said he could produce books and records bearing on the matter and was excused to permit him to bring these records to the hearing later.

It's a Nifty

Keely Allen comes to bat with the gag about the bank which was giving out passes to theatres with each new account.

When a new depositor was called over by the clerk after making his initial payment, he was asked:

"Which one of our shows do you want to see?"

Projector Co. Stock Written Up—Clarke

WASHINGTON, Nov. 10.—Value of the common stock of the International Projector Corp., was written up approximately $26,000,000 when the company was taken over by General Theaters Equipment Corp. in August 1929, it was revealed today by Harley L. Clarke of Chicago before the Senate Wall Street investigating committee. It was through General Theaters that Clarke acquired control of Fox Films and Fox Theatres in 1929.

Revelations brought out by Clarke's testimony today were the outgrowth (Continued on page 4)

Publicity Clauses May Go Into Pacts

HOLLYWOOD, Nov. 10.—Because of a general reluctance toward cooperating with studio publicity departments out (Continued on page 2)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Dancing Lady" (M-G-M)

HOLLYWOOD, Nov. 10.—"Dancing Lady," with the attraction and the power of names of Joan Crawford and Clark Gable and others, should be box-office.

The production is opulent and luxurious and gorgeously mounted.

(Continued on page 4)

Johnson Order Restricting Their Number to Four Revealed

WASHINGTON, Nov. 10.—Reduction of the wage classifications in the production section from 58 to four was today disclosed as the stumbling block which is keeping the film code from final approval.

Retention of the code by Colonel W. R. Lea, acting recovery administrator, has been learned, was due to an order issued some weeks ago by General Johnson that in the preparation of code, minimum wage scales only should be stated and there should be no classification of wages by operations or jobs. Where necessary to classify work, it was ordered there should be not more than four classifications.

As originally submitted, the film code contained specific wage rates only for labor, having contracts and carried no specific minimum for the unskilled branches but had a general provision with regard to such workers.

The long list of wage rates now in the code was inserted by Deputy Administrator Sol A. Rosenblatt at the instance of labor representatives in the belief that by doing he was acting in the interests of all concerned.

(Continued on page 4)

Sees Codes Ruling Trades for Years

WASHINGTON, Nov. 10.—Codes now being adopted by industries will be the law of those industries probably for years to come, it was declared today by Deputy Administrator Whiteside.

Opening a hearing on a code for retail jewelers, Whiteside asserted that Recovery Administration officials expect that even though the Recovery Act may terminate the codes, which, under the act, have all the force of law, will be continued indefinitely.

Cullman Now Admits Roxy Deal Discussed

Howard S. Cullman, receiver for the 7th Ave. Roxy, yesterday for the first time admitted that bondholders had been considering a plan which
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Editor-in-Chief and Publisher

MAURICE KANN
Advertising Manager


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MOTION PICTURE DAILY

Flash Reviews

"Tillie and Gus"
(Paramount)

Loads of laughs in this one with W. C. Fields. and Alison Skipworth... It's a tonic for the blues and a treat for the b. o. . . . Baby LeRoy again charms audiences...

"Ace of Aces"
(Radio)

Spectacular at times, but it presents the hero as a heartless killer seeking nothing but his personal glorification while earning the contempt of his fellow officers.

"The Way to Love"
(Paramount)

Light, gay throughout, with a few serious moments... and a series of ingenious gags that keep a Paramount audience chuckling—that's "The Way to Love" . . . Chevalier sings a song now and then, but the musical angles are subordinated to the comedy.

"The Mad Game"

The exploitation possibilities are numerous for getting the public's quick attention to this one (dealing with kidnapping)... Spencer Tracy in a virile role... elicits sympathy.

Reviews of the above pictures which opened on Broadway yesterday, will appear in detail in a subsequent issue of Motion Picture Daily.

Johnston in Toronto

Toronto, Nov. 10.—W. Ray Johnston, head of Monogram, accompanied by Ed Golden and Morris Riskin, has arrived here in connection with distribution of his company's product in the Dominion through Empire Films.

Morris Enthusiastic

Returning from a six weeks' trip to Western exchanges abroad, Sam Morris is enthusiastic over the way new offices in Rome and Barcelona are operating.

Stars at N. V. A. Show

A brilliant array of talent will be on hand at the N. V. A. theatre at Metropolitan Opera House tomorrow night. Major Edward Bowes will supervise the entertainment.

Blue Signed for 2 Years

Pen Blue has signed a two-year contract to make Vitaphone shorts through the agency of Leo Morrison.

Loew Off One Point

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Paramount Publicix Loses One

Publicity Clauses May Go Into Pacts

(Continued from page 1)

Saturday, November 11, 1933

The part of contract and borrowed players, producers as a body are formulating plans to inject clauses in all future contracts making cooperation compulsory between players and the studio theater bearers.

This "labor feeling" among players has always been prevalent in a small measure, but at times it has grown to a point where players have become defiant in resisting offers made by the studio to cooperate on publicity stunts.

Drop, Canadian Plan For Trans-Lux Chain

Toronto, Nov. 10.—Project for a chain of Trans-Lux houses in Canada has been called off, according to Joseph M. Franklin, who holds the Canadian Trans-Lux theatre rights. N. L. "I. W." feeling among many Canadian theatre owners, short subject distribution in Canada, has become lukewarm on the idea.

M. P. Academy Meets; Plans to Carry On

Hollywood, Nov. 10.—Board of governors and executive heads met to lay plans to carry on the Academy of M. P. Arts and Sciences. The resignation of Lester Cowan was accepted and Don Gledhill was named in his place as temporary executive secretary.

Cullman Now Admits Roxy Deal Discussed

(Continued from page 1)

would change the present management by returning Roxy to the house. At the same time he denied any such change would be made, adding that he had advised the bondholders that the committee had turned down the plan submitted as it was completely satisfied with the present policy.

Harpo Marx Docs Trip

Although he was expected to leave this week for Russia, Harpo Marx has postponed his trip until he hears definitely from his brothers in California on negotiations now under way with Paramount on a new contract. He plans to sail Nov. 17, but the date is indefinite.

Mae Takes to Air

Mae West has been signed for a series of pictures at a rate for a location maker at a reported $6,000 per week. She will start her air work as soon as she completes her present film for Paramount.

Lewis In From Havana

David Lewis, manager of the M-G-M branch in Cuba, is in New York for home office conferences. He'll be here for about a month.

Lichtig Leaves

Harry Lichtig of Lichtig & Englander, coast agents, ends his New York visit today and returns to Hollywood.
Hertz Relates Tale of Para. Finance Deals

(Continued from page 1)

because of his inability to recall de- tails of Paramount's 1932 refinancing plan and the manner in which he learned of the plan, and the fact that he was not a director of the corporation, leaving Paramount Public, the parent organization, little more than a holding company, the financiers disclosures of his career in Paramount were none the less dra- matic.

That career began auspiciously shortly after the January 6, 1932 death of Jack Katz, at whose theater Hertz had worked for several years as a booker, and who, because of his inability to recall details of a number of important transactions with which he was involved, was forced to resign after the latter had, seem- ingly, accepted the idea while at the time thinking of Hertz's resignation. In Hertz's Katz, related, offered no active opposition to the corporation's plans for a voluntary resignation of the Katz in the public interest. That was a long time ago and I have difficulty remembering those things now.

Hertz resigned from Paramount, Jan. 6, of this year.

That Hertz's testimony elicited under questioning by Samuel Iskels, of counsel for the Paramount Publicis trustees in bankruptcy, included the following:

That Hertz on several occasions during negotiations with bankers and Paramount Publicis trustees in 1932 made the statement that the company was facing with "complete collapse," or would be, unless aid was forthcoming.

That despite whatever situations prompted the statements, and despite the fact that Hertz had requested to resign prior to Jan. 6, and actually had had resignation statements prepared for the signature of Dean Griswold, special Paramount publicist man under Katz, the financier's resigna- tion was not due to his fear of an income tax audit.

That Hertz was "mainly interested in obtaining for Paramount "by a certain method" the $35,000 credit, and left the details of the transaction, once the credit had been obtained, to others. The "details" of the transaction involved the creation of a Film Productions Corp. and the assigning to it of title to 13 uncom- pleted negatives, which were pledged to secure the new credit, which was in turn made available to Paramount Publicis which, with the aid of the $35,000 credit, was able to secure a $15,000,000 loan. The memorandum was read into the record by Iskels.

It was in February, 1932, Hertz related, while he was vacationing at Miami, Fla., that he was advised by Kohn by long distance telephone from New York that the National City Bank had refused to renew a note of $9,600,000 which was due to come due. Hertz said he left for New York immediately to confer with Kohn and Katz.

"I tried to negotiate an extension with the bank," Hertz related, "but was unsuccessful. It developed a serious situa- tion because other creditor banks were trying to learn of the National City's action and this would immediately jeopardize Paramount's bank. I was told by Mr. Spitz, he said, was understood to be acting as assistant to Katz until the latter went to the coast; whereupon Hertz took over Katz's duties in the east.

That the formation in Delaware in February of 1932 of the Paramount Publicis, such as Paramount Pictures Distributing Corp., Paramount Productions, Paramount International, and others, was an outgrowth of Spitz's "decentralization" plan and was not conceived in order to place the assets of the company outside the jurisdiction of the U.S. District Court here in the event of a receivership. Hertz admitted that a widespread be- lief within the industry that his en- trance into Paramount on Oct. 11, 1931, had been occasioned by a press- uring of him by Mr. Spitz yesterday that at the time he on the company had an open credit of $17,000,000 with Wiseman, Kuhn, Loeb & Co., then at the National City. It was not until February, 1932, he said, that he received his first indication that the financial situation of the company was not all that it might be, and that respect his testimony coincided with that given earlier by Ralph Kohn, former Paramount treasurer, and Adolph Zukor.

In reply to questions, however, Hertz admitted that the company's bank indebtedness was $7,500,000 at the end of 1931 and $9,600,000 at the end of 1932. He said his initial func- tion in the corporation was in con- junction with plans for solidifying the company's bank credits, in order to make them "as sound as possible."

Can't Remember Memo

He said that he "couldn't remem- ber" a memorandum addressed to him on Feb. 27, 1932, by E. F. B. Gersdorf, Swaine & Wood, Paramount special counsel, proposing the crea- tion of a " developed " organization of $13,750,000 credit was obtained from 12 banks. Hertz said the details of the transaction were left to Kohn and Katz, who were advised by Kohn, Swaine and Austin Kenough, Paramount general counsel, that the transaction would not infringe the company's indentures. It was on the basis of such an alleged infringement that suit against Para- mount was later brought by A. C. Blumenthal and resulted in a cash settlement for $35,000. Hertz said he approved the Blumenthal settlement "completely" on the recommendation of Swaine that it would be "for the good of the company.""
Code Delayed By Too Much Clarifying

(Continued from page 1)

(Continued from page 1)

with evidence that big money was lavished on eye values, feminine modes and realistic conceptions.

The story is a backstage drama mingles romance and laughter. Miss Crawford is a girl in a burlesque chorus a la Minsky, with the wish and the will to be a specialty dancer on Broadway. She gets a break and makes the grade in a big musical. Romance tangles her between the irresistible Paul Henreid and the formidable ambition of a stage director (Gable). With the playboy's bankroll out and the director backing the show himself, it opens a smash, with the dancing lady's heart veering between Park Avenue and Broadway.

Miss Crawford gives a performance of herself. She looks well and dances beautifully, with less than the usual amount of kiss-clutch-and- cling footwork, still bowis over the fizzes. Tone is the socialite to the manner born. Ted Healy and his stooges supply laughs in many shapes and sizes. Other bright spots are May Robson, Winnie Lightner and Robert Benchley. Fred Astaire links an attractive screen personality to ace dancing and should go somewhere in celluloid. Art Jarrett and Nelson Eddy carry the vocalizing between the dance routines.

A standout number, "Rhythm of the Day," with Rodgers and Hart music, is a novelty of sumptuous splendor, with girls and the glitter of glamour.

Robert Leonard's direction is deftly woven. The dialogue by Allen Rivkin and P. J. Wolfson is pithy and punchy.

Martin Ousted by Allied Over Code

(Continued from page 1)

(Continued from page 1)

the Senate's investigation of the Wall Street activities of Chase National, which figured prominently in the financial scandal of the past year.

Describing the events leading up to the exchange, Clarke disclosed that the company had an authorized capital of 30,000 shares of preferred and 200,000 of common, of which he took 25,000 shares of the former and 125,-

000 of the latter. The projector com-
pany then took control of its three competitors in the production of the above-mentioned equipment, acquiring the Nicholas Power Co. for $600,770; Precision Machine Co. for $600,000 and Acme Motion Picture Projector Co. for $712,331.

A trading account in the preferred stock of the company, he stated, resulted in profits of $46,645 for each of the participants, who included him-

self, Murray W. Dodge, former vice-

president of Chase Securities Corp., and William F. Ingolsby of Pynchon and Co. The latter company, West and Co., W. S. Hammonds and Co. and the Sherman Corp., the original company of Albert H. Wigin, former head of the Chase National Bank, participated in the investment of securities of the projector company at $90 per share for preferred, with a bonus of three shares of common, which it sold to the public at $100, with a bonus of one share of common, it was brought out.

A value of $28,488,000 was given the stock in its first issue of 2,225,616, it was developed by Ferdinand Pecora, committee counsel. Although the stock was issued only 73 cents a share at the time, Clarke declared that the fig-
ure of about $28,50 given it was a "well considered estimate of value" published at the time.

The company's film was made in pros-
pect which it carried out would have netted a profit of three to four million dollars.

The committee's study of film stocks will probably be continued next Tuesday, when it reconvenes after the week.
WARNER LOSS
FOR 1933 IS REDUCED 55%

Total Given as $6,291,748; Recent Gains Big

A net loss of $6,291,748 is reported by Warner Bros. Pictures, Inc., for the year ending Aug. 26, 1932, as compared with a net loss of $14,095,054 for the previous year. Before deduction of interest amortization and depreciation, a net profit of $1,941,359 was shown for the year, the company's financial report reveals. This is a cut of $7,863,399, or 55 per cent, and is regarded as a marked improvement over 1932.

For the months of September and October, not included in the annual statement, a "small net profit" was (Continued on page 10)

ST. LOUIS SKOURAS
COMPANY BANKRUPT

St. Louis, Nov. 12.—Skouras Brothers Enterprises have filed a voluntary petition in bankruptcy with the Federal Court here. The schedule of assets and liabilities will be filed within the next 10 days. The company's principal liability is a bond issue of $4,500,000 on the Ambassador theatre and office building which the company guaranteed. Decision to file this petition was reached at a directors' meeting held (Continued on page 10)

EASTERN BUSINESS
IMPROVING—MORRIS

"Business with Eastern exhibitors has had a marked improvement during the past few months," Sam E. Morris, vice-president of Warners, stated upon his return after a six-week trip which took him to London, Paris, Rome, Amsterdam and Barcelona. Morris, who frankly stated that his observation of business improvement was based upon what he found among (Continued on page 3)

K. O.'d by Ostrich

Hollywood, Nov. 12.—Sid Wagner, M-G-M cameraman, was kicked in the face by an ostrich this week and asked to be switched to Mickey Mouse shorts. Reason enough. He kicked in the face by an ostrich and took the count. M-G-M's "Tarzan" unit was filming scenes with an indelible number of elephants, lions and ostriches. Wagner picked the leser of the evils and sneaked up behind an ostrich. The bird hurled a whistling left to Wagner's schnozzle.

M-G-M won't loan him to Disney so he's heading back for the last roundup.

Hertz Says Para.
Had 1932 Surplus

Additional testimony to the effect that a Paramount Publicis surplus existed when the company re-sold its half interest in Columbia Broadcasting System to William Paley in 1932 was given by John Hertz, former chairman of the Paramount finance committee, testifying at a Paramount creditors' meeting before Referee Henry K. Davis late last week.

The validity of the transaction was dependent on the existence of a surplus at the time and attorneys for Paramount creditors and for the trustees in bankruptcy have initiated and (Continued on page 3)

RKO and KAO Stock
Transfer Approved

An order authorizing RKO to continue the exchange of its stock for that of Keith-Albee-Orpheum and Orpheum Circuit up to Nov. 30 was signed Saturday by Judge William Bondy in U. S. District Court here.

The exchange of the stock was begun in 1928, but the status of the procedure following the RKO re- (Continued on page 10)

LOEW'S MAY NOT GET POLI
GROUP; F. & M. MENTIONED

NEW HAVEN, Nov. 12—Loew's may not get Fox in New England as the circuit of 18 houses, according to Louis M. Sagal, who is now operating. He said the theatres will formally be turned over to Poli-New England on Nov. 21 and that he will continue to operate indefinitely. On the other hand it is said F. & M. may get them.

Negotiations continue between Sagal and other circuit representatives, one of which is believed to be Louis (Continued on page 10)
**Purely Personal**

IRVING HOFFMAN, caricaturist, left by plane Saturday for Hollywood and the Paramount studio where he will make two sketches of each star and director on the lot. He'll be gone three weeks, during which time he'll visit his brother at the M-G-M studios, and Sidney Sloibak, Daily Variety columnist.

LOUIS DE ROCHERMON is directing RUSSELL HICKS, CHARLES COBURN, TERRY CARROLL and MARGARET MULLINS in "The Clown Dies" and "When the Lights Went Out" for Bray's Columbia release at the Fox Movietone Studio.

MACK GORDON and HARRY REVELL, songwriters, arrived in New York by plane Friday morning, bringing with them the first print of Paramount's "Sitting Pretty," for which they wrote the music.

LUCILLE BALL, "Roman Scandals" player recently given a contract by United Artists, left for the coast yesterday to begin work on "Barbary Coast." 

AL CHRISTIE will start another movie and Mack short on "Hot or Cold," at the Eastern Service Studio today.

MRS. JACK LUSTBRED, wife of Jack Lustbred, sailed Saturday with her children on the American Legion to join her husband in Buenos Aires.

KAY KAMEN, eastern representative for Walt Disney, sailed for Europe Saturday on a four weeks' business trip.

MARTIN BECK, with MRS. BECK and ROBERT HURLEY, a producer of the France Film Co., sailed Saturday on the Chambly for France.

WOLFE GILBERT, who is authoring EDWARD CANTOR's radio material, arrived in town with the comedic last night from the coast.

PETER FREuchen will make a series of lecture talks throughout the country on Eskimo life in "Eskimino" opens at the Astor tomorrow.

HAL LERoy will be teamed with DAWN O'DAY in his fifth Vitaphone short, "Private Lessons," which goes into production today.

ELIZE JANES returns from California with her husband, GILBERT WILSON, on the Santa Lucia tomorrow.

**Trading Light in All Issues**

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**WARNERS DROPS ONE-QUARTER**

Blank and Goldberg Reported in a Deal

OMaha, Nov. 12.—It is understood A. H. Blank and Ralph Goldberg of Blank-Joseph have reached an agreement for operation of the World and State theatres. The deal will make Blank four first runs here with Mort Singer's Brandes the only competition.

Goldberg's application for affirmation or dissolution of lease on the two houses, made by the bankrupt Publix-Nebraska, Inc., has been continued indefinitely in Federal Court. It is expected that J. W. Desman, trustee and former associate of Blank, will repudiate the leases so that a new agreement can be made.

**Lays Crime to Pictures**

KANSAS CITY, Nov. 12.—"It is not too much to say that the crime wave in this country started 10 years ago when children were getting their views of life from pictures that gave a totally false and fantastic concept of life.

This criticism was delivered in the course of a sermon by the Rev. Richard M. Trelease at St. Paul's Episcopal Church here, and is typical of similar charges made by several members of the Kansas City clergy on recent Sundays.

Mike Simpsons Busy

Hollywood, Nov. 12.—Having completed the screen play of his original story, "The World's Greatest Spendthrift," Charles R. Rogers, Mike Simpsons, has moved to Universal where he has signed a two year assignment. The adaptation of Roy Octavus Cohen's story, "Interlude," and an original story, "Henry Hillsom's" for Slim Summerville and Zasu Pitts.

Eddy Goesto Youngstown

AKRON, Nov. 12.—Wesley Eddy, who has been master of ceremonies at the Palace since the house reopened as a Monarch picture house days ago, has been assigned to the Palace, Youngstown, in a like capacity. He succeeded an unidentified who has been transferred to New York.

Hold Chicago Offices

CHICAGO, Nov. 12.—RKO will not move its offices to the Palace Theatre according to the latest plan, but will keep them in the State-Lake Building.

**THE MAYFLOWER**

61ST STREET, (Central Park West)

New York City

CONVENIENT TO THE FILM AND THEATRICAL CENTER

1-2-3 Rooms. Full Hotel Service FURNISHED OR UNFURNISHED By the Year, Month or Day

Serving Pantries Electric Refrigeration

JOHN W. HEATH, Manager
Dubiuous Delay
In Code Rests
On Wage Angle

(Continued from page 1)

men to jobs through a spread of available work. Producers offered their new deal on the basis of 40 hours pay for a 36-hour working week. That unionized labor might strike if the move and was for it, was evidenced by the public acknowledgment along such lines uttered by William Green, president of the American Federation of Labor, at the public hearings. As a matter of fact, unions employed in the studios are reliably learned to have signed the code as it now stands.

Stand Based on Johnson Order

Heralded in advance by no warning of any kind, the NRA attitude now stands on the basis of representation declared on Saturday that the New development "simply does not make sense." He expressed it as his point of view that delay in enactment of the code must be traced to other reasons. Admitting at the same time he knew what reasons might be.

If Johnson’s order holds insofar as the film code is concerned, Washington opinion inclines to believe that the effect may be serious and far-reaching in other industries already codified or awaiting codification.

"Propaganda Mill"
Operating-Allied

(Continued from page 1)

exhibitor leaders than those in the present situation with reference to the code," it was asserted. Two men who have been most actively involved in opposing further efforts to secure modification of the proposed code in favor of exhibitors and union officials of the code authority by Deputy Administrator Sol A. Rosenblatt," it was charged.

Other leaders received mysterious intimations that unless they got in line their organizations would not be represented by the legal bodies that the local boards provided for in the draft.

"Propaganda was spread that the code was "set," that it was intended to the White House; that the President's pen was poised over it; that further opposition was useless.

Another feature of the picture is that admittedly the code is not in final form; it has not been finally approved by the NRA; the way is open to secure provisions more favorable to

European Business
Improving—Morriss

(Continued from page 1)

exhibitors playing Warner product, added that the noticeable improvement could be traced to more aggressive exploitation and advertising methods used by Continental exhibitors, plus the right sort of pictures.

"It is available because of American showmanship methods," declared Morris. "Sensational exploitation campaigns, flash fronts, use of radio, film frames, street ballyhoo, and large advertising space, have supplanted the inconspicuous, dignified exploitation of pictures in the past.

"Copies of campaigns used in America have been sent to each of fast branch managers abroad, who in turn pass them along to the exhibitors. Fronts running as high as in London, France, Holland and Italy and Spain for ‘Gold Diggers,’ $20,000 Years in the Making,” ‘Central Airport,’ and others.

"Exhibitors now realize that in order to make the pictures they are worthy of money. This has resulted in more advertising space being taken for pictures than ever before, and institutional advertising—something never heard of, now plays an important part with exhibitors abroad. A single exhibitor who had just signed for Warner product, took an entire page in the Rome newspapers. His copy is quoted below, which shows the manner in which European exhibitors are paying more and more attention are regular trade showings. These trade campaigns have become important events.

"It is impossible," continued Morris, “to say how many hundreds of dollars and fast rule as to what type of picture appeals the most to European audiences. With the biggest campaign in ‘42nd Street,’ and ‘Gold Diggers’ one is tempted to say ‘musicals,’ but then when I recall others that have not been so successful, pictures will do business abroad.”

K. C. Jury Condemns Violence by Unions

(Continued from page 1)

Grand Jury which has been investigating racketeering for the past three weeks.

The report said theatre owners and the public had been terrorized by blocking forces to employ union members in the theatre, by Charles F. Lea, and Homer Pouts, owners of the suburban Sun, against Local 170. Operating, Local shows that the state Johnson County Circuit Court, issuing a temporary injunction against the union, the court has not found that peaceable picketing is within the law, in this case it was unjustified if the allegations of the exhibitors were true.

Further and Pouts assert in the application that they are both expert projectionists and that business in their small neighborhood house does not justify the union operators. Pouts operates the machines. It is charged that the union officials had demanded that the operators be employed, and that when this was refused the defendants on Oct. 16 began a campaign against the theatre.

Judge Terte commented that he believed the exhibitors had a perfect right to conduct their business without engaging employees who were not able to perform the work.

“Night Bus” Delayed

Hollywood, Nov. 12.—Columbia is holding up production on “Night Bus” due to inability to find a leading lady for Clark Gable, who has been borrowed from M-G-M.

Hollywood Touch

Hollywood, Nov. 12.—One of those wonders which can only be attributed to Al Green was witnessed the other day on the Warner lot where Al Green was directing a now scene for “As the Earth Turns” with a red carnation buttonholed in his lapel and a gold-handled cane which the turns from his path.

exhibitors, and yet these alleged leaders are urging approval of the Rosenblatt draft.

set forth correctly, but the greatest propaganda mill ever erected in the business is grinding out reports and rumors that make one’s head swim.

“What possible object can Ed. Kunkenthal and his cohorts have in securing these senseless ‘appraisals’ of the Rosenblatt code except to place obstacles in the way of those seeking terms more favorable to exhibitors?”

Hertz Says Para. Had 1932 Surplus

(Continued from page 1)

are continuing efforts to determine whether or not a surplus did exist. Indications are that an action to have the communications set aside be instituted if it were found that no Paramount surplus existed at the time.

Hertz testified that he had been advised, prior to the $5,200,000 sale, by M. J. Michel, Paramount account- ant, that there was a surplus on hand, and that this advice was substantiated by Ralph Kahn, former Paramount treasurer; Austin Keough, general counsel, and Robert T. Swaine, special counsel. Hertz said he was the “contact” man for Paramount on the sale and also obtained the banking support for Paley which brought about the repurchase offer.

Academy Agrees on Membership Drive

(Continued from page 1)

Gleedhills has been made temporary secretary of the Academy. Green has been made first vice-president in the event of the resignation of Fredric March. Louis Stone steps into the second vice-presi- dent as a result of Green's advancement.

Virgil Miller, DeWitt Jennings, Frank Capra and William Street have so far been named to lead the membership drive. Heads of other branches will be added to the committee.

Effort to End K. C. Rate War Strikes Snag

(Continued from page 1)

night, giveaways and similar “price evasions.” Means declares he was successful in obtaining the support of exhibitors who are stubbornly holding out for all the unfair practices the other exhibitors agree to.

While Means has not relinquished hope that he will be able to obtain unanimous consent, it appears that Kansas City is to remain a hot-bed of admitted “chiseling” for some time to come. As a result, Loew’s is not planning to hike its scale here for at least 30 days.

It is also said that double billing in the form that the first run Fox Uptown last week will not hasten any action by Loew’s, despite the fact business at the Uptown was considerably off and, as a result, the house will not try twin featuring again. The Uptown’s reduced balcony seats from $1.50 to $1.00 will be given a longer trial, however, possi- bly for another month.

In the meantime it is generally admitted that the trade would be better off if the practices condemned would be consigned to a dustbin. There is considerable inclination to leave matters in status quo until the industry code starts operating, when different complexion can be placed on the entire situation.

Coast Production
Declines in Week

(Continued from page 1)

shows a total of 42 features in work, 29 in final stages of preparation sched- uled to start within the next two weeks and 45 in the cutting rooms. Short subjects total eight in work, 15 preparing and 22 in cutting rooms. A breakdown of the above totals for features in work shows M-G-M with six features working, one preparing and five ready to go; Paramount, seven and six; Paramount, six, four and four; United Artists, two, zero and five; United States, zero and five; Alexander Abbe, one; Columbia, two, three and three; Warners, five, and five; Radio, five, and zero; independent, seven, nine and four; individual producers, seven, nine and four.

A Akron House Cuts Scales

Akron, Nov. 12.—Reversing the policy prevalent in some of the Ohio situations, the Colonial, a Mort Shean unit, has reduced admissions approxi- mately 20 per cent. Present mainline scale is 25 cents, with the evening rate 33 cents, both including the 10 per cent state admission tax.
YOUR customers must have their FUN. So here is to Parker & Pendleton, composers of You’re in My Arms, But I’m in the Hands of a Receiver”... You can’t go wrong with a Parker song and Pendleton lyrics will give you hysterics.

SIT pretty? Yes, they sit pretty, listen pretty, look even prettier. Two good numbers that bring SEX-APPEAL right into the picture... “Number one” red-headed and rythmic... “Number two” blonde, blase, beautiful.

Jack Oakie and Jack Haley

Ginger Rogers and Thelma Todd
TINGling tunes by the boys who wrote “A Tree Was a Tree”, “Underneath the Harlem Moon”, “An Orchid to You”. Heard just enough on the radio by your customers to put them in a mood for “Sitting Pretty” in your seats.

PRETTY, very pretty! These hundred Hollywood honeys, coached by Larry Ceballos to assume graceful and enticing poses. “IT”, multiplied by 100, gives you SUPER.“IT”, and that’s what they give off in this picture.
“Angel” Tops Boston Takes With $44,500

Boston, Nov. 12.—“I’m No Angel” broke all recent box-office records for Boston theatres by pulling up $44,500 at the Metropolitan, which is $15,600 above average. It was wave business at the Metropolitan for many months. The high mark achieved by the Metropolitan was reflected in the other first runs, Loew’s was up $4,500 with “Meet the Baron,” while both F.K. and Criterion ran strong. “Saturday’s Millions” at the Boston tycoon Loew’s State for second high hopwars with “After Tonight” at Keith’s only a little behind with $4,000 above par. Total first run business was $125,000, Average was $19,500.

Estimated takings for the week ending Nov. 2:

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“Angel” Is $27,200 Smash Buffalo Hit

BUFFALO, Nov. 12.—Almost triple normal business was done by Mae West’s “I’m No Angel.” The picture, in the Great Lakes under the new run house policy. The take was $27,200, which was triple the average, $9,000. This was due to change in opening day.

Total first run take was $36,000. Normal is $14,750. Estimated takings for the week ending Nov. 3:

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Seattle Goes For Mae West With $15,000

SEATTLE, Nov. 12.—“I’m No Angel” was by far the outstanding attraction of the week, registering a gross of about $17,000 against an average of $7,000. The West op was moved to the Paramount for an extended run.

Other houses, without exception, were below normal, giving evidence that the major city of the country is at the present time, “The Way to Love” at the Paramount took about $6,000 in nine days, against the same gross for five days. “The Bowery,” in its third and final week at the Blue Mouse, was somewhat below par. “It’s All Right, Ever in My Heart” at the Music Box. “Pilgrimage” in the Roxy for five days pleased audiences, but failed to draw much patronage, and “Golden Harvest” with vaudeville at the Orpheum was also under the previous week’s figures.

Total first run business was $44,000. Average is $4,200. Estimated takings for the week ending Nov. 2:

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B. & K. Deals of “U” First for the Loop

CHICAGO, Nov. 12.—Universal has closed with “The King of the Loop” engagement for the first time in the history of the distributor. This means, “U”’s “Any Port in a Storm” will be divided among the Rochester, Chicago, United Artists and McVickers.

Cincy Reports 17 Open

CINCINNATI, Nov. 12.—Favorable strains in the industrial wind show that 17 houses reopened in the Ohio and West Virginia sections of the Cincinnati trade territory during September.

CINCY REPORTS 17 OPEN

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"Parade" Portland Hit

PORTLAND, Nov. 12.—“Footlight Parade” showed to 30 percent in its first week at the Music Box and grossed $8,000 the first four days, topping “Gold Diggers of 1933.”
Twin Cities Tip $11,500 To “Bowery”

MINNEAPOLIS, Nov. 12.—“The Bowery” was the big winner in both of the Twin Cities last week. At the State here it reached $6,000, up by $500, and at the Paramount across the river it took $5,500, also $500 up, making a total gross for the two spots of $11,500.

“My Weakness” also was a good draw. It reached $4,000 at the Century here and the same amount at the St. Paul Riviera.

Total grosses in Minneapolis were $18,500. Average is $17.20. The five St Paul first runs totalled $6,000, up by normal by $1,000.

Estimated takings:

**Week Ending Nov. 2:**

- **“MY WEAKNESS” (Fox)**
  - Central: $1,100, 22-26c, 7 days.
  - Gross: $4,400.
- **“BOWERY” (A, U.)**
  - State: $2,250, 26c-40c, 7 days.
  - Gross: $16,000.
- **“THE BOWERY” (Fox)**
  - RKO ORPHEUM—(1,200), 26c-40c, 7 days. Gross: $5,100.
  - **“THE WORST COMpanIOns” (Fox)**
  - WORLD—(600), 26c-40c, 7 days. Gross: $1,200.
  - Average: $1,200.

St. Paul:

**Week Ending Nov. 2:**

- **“THE BOWERY” (U. A.)**
  - PARAMOUNT—(2,300), 26c-40c, 7 days. Gross: $5,500.
- **“MY WEAKNESS” (Fox)**
  - RIVIETTE—(1,200), 26c-40c, 7 days. Gross: $4,000.
- **“CHARGE THE SCREEN” (Radio)**
  - RKO ORPHEUM—(2,600), 26c-40c, 4 days. Gross: $2,200.
- **“RELUGA” (Radio)**
  - RKO ORPHEUM—(1,500), 26c-40c, 4 days, Gross: $1,800.
  - Average for week, $3,800.
- **“SAND CASTLE” (Para.)**
  - TOWER—(1,000), 15c-25c, 3 days. Gross: $900.
  - Average: $300.
- **“GRAND SLAM” (F. N.)**
  - SMALL CITIZEN—(2,500), 15c-25c, 3 days. Gross: $600.
  - Average: $200.
  - **“PICTURE” (Fox)**
  - WORLD—(600), 15c-25c, 7 days. Gross: $1,000.

Churchmen to Check Upon Immoral Films

LONDON, Nov. 12.—One of the outstanding boosts of the International Catholic Cinema Congress at Brussels is the formation of a group to check moral standards in films throughout the world. This group hopes to discourage immoral and anti-religious films.

A full time secretary will be named and his office will be opened to churches in various countries and get in touch with organizations sympathetic with these purposes.

Seattle to Get Vaude

SEATTLE, Nov. 12.—Pantages vaudeville will open at the Roxy here this week, according to an agreement just signed between J. M. Von-Herberg and Alexander Pantages.

Five acts will be presented each week, the program consisting of one from Universal, Columbia, and independent companies already booked. The same shows will also play Jensen-Von-Herberg’s Roxy in Tacoma, and will be presented by Pantages himself in Portland.

_MOTION PICTURE DAILY_ November 13, 1930
WE TOLD
—and now the Critics

N. Y. Daily News:
(3½ Stars) . . . "A new star has risen
and is shining brightly on the Music
Hall screen since yesterday, when
Margaret Sullavan appeared in
Universal's 'Only Yesterday.'"

N. Y. Daily Mirror:
"This beautiful, sensitive love story is
played by one of the finest casts ever
assembled for a single film. Among
the 95 established players who ap-
ppear in it you will find a new star
of genuine brilliance. She is Margaret
Sullavan, who gives a performance
of such lustrous beauty it will thrill
you and of such simple sincerity it
will break your heart."

N. Y. American:
"Margaret Sullavan scores heavily
. . . 'Only Yesterday' possesses quality
in production and has its moments of
affecting beauty . . . The picture is
distinguished by the effective pre-
tending of Margaret Sullavan, the
light charm of Billie Burke and the
presence of John Boles, who does just
a bit better than ever before."

N. Y. Journal:
"There were any number of handker-
chiefs in evidence at the Music Hall
yesterday. For 'Only Yesterday' is a
picture to induce sobs from those who
like their movies tearful...Margaret
Sullavan makes her screen debut and
establishes herself as an emotional
actress."

N. Y. World-Telegram:
"Still another picture which comes
under the head of 'drop everything
and see it at once' attractions is
'Only Yesterday' . . . A beautifully
tender, sweet and charming love
story, it features a new star, who
most certainly demonstrates here
that she is one of the finest actresses
the screen has yet lured away from
the stage."

N. Y. Post:
"Margaret Sullavan managed . . . to
extort loud and anguished sobs from
yesterday's audience... 'Only Yester-
day' belongs among the superior
Hollywood productions."
N. Y. Sun:
"The dramatic critics had better stop praising these newcomers—if they wish to keep them to have and to hold. Bless their discerning hearts, they have praised Margaret Sullavan straight into talkie stardom."

N. Y. Herald Tribune:
"As the tragic and lovelorn heroine of the shrewdly devised sentimental orgy called 'Only Yesterday,' Margaret Sullavan plays with such forthright sympathy, wise reticence and honest feeling that she not only assures the economic success of the picture, but establishes herself with some definiteness as one of the cinema people to be watched."

N. Y. Times:
"Margaret Sullavan gives a sterling performance... This romantic drama is imbued with genuinely affecting sentiment and occasional interludes of gentle humor."

GREATEST PRODUCTION FOR UNIVERSAL

MARGARET SULLAVAN
JOHN BOLES

Billie Burke, Edna May Oliver, Reginald Denny, Benita Hume, Onslow Stevens, Jimmie Butler and many others. Produced by Carl Laemmle, Jr. Suggested by the book by Frederick Lewis Allen. Presented by Carl Laemmle.
Loew's May Not Get Poli Group, F. & M. Mentioned

RKO and KAO Stock Transfer Approved

Texas Towns Report Pick Up in Business

"Tonight," $64,000, Tops B'way Grosses

Fox to Put 11 Into Work by Christmas

Indiana House Burned

St. Louis Skouras Company Bankrupt

Bombers in Chicago Greet "The Bowery"

"Yesterday" Starts Coast Ticket Rush

Fairbanks After Studio

WaltersReadyng Six

Lloyd Bacon Celebrating

26 Vitaphones in Feb.
It's a Circus!

Dinner-Dance
of the
Universal Club
(UNIVERSAL PICTURES CORPORATION)
GRAND BALL ROOM • WALDORF ASTORIA HOTEL
Saturday Evening, November 25, 1933
DINNER AT 7.30 • ENTERTAINMENT AND DANCING
FROM THEN ON • MAKE YOUR RESERVATION NOW
CALL UNIVERSAL CLUB, CIRCLE 7-7100
Tickets — — — $7.50 per Person
Kathearine
HEPBURN
in
LITTLE
WOMEN

With
JOAN BENNETT
PAUL LUKAS
FRANCES DEE
JEAN PARKER
Edna May Oliver
Douglass Montgomery
Henry Stephenson

Directed by GEORGE CUKOR, MERIAN C. COOPER, executive producer, Kenneth Macgowan, associate producer.
Hollywood Preview...

OF A NATION'S THUNDEROUS FOR "A PICTURE THAT WILL BE REMEM- TALKED ABOUT AND RELEASED LONG AFTER THIS GENERATION HAS PASSED"

"Honestly, reverently and beautifully made, with Katharine Hepburn and her supporting players happily fitted to the film version, "Little Women" is superbly done and impressive."

Daily Variety — Oct. 31, 1933

"...showmen's dream of the ideal attraction — and that means a golden rain across the counters of every theatre in the country until the superstitious exhibitor will begin to believe that Hepburn was put on earth especially to lead him out of the wilderness of depression."

"...Artistically, it can be declared the finest production Radio has ever turned out. It will challenge comparison with the best productions that have come from any other studios. It's no trick to predict that it will be listed among the masterpieces of the industry by critics of all canons and degrees of fastidiousness."

"..."Little Women" is a picture for the classes and the masses — for Main Street and Park Avenue — for the man who can't read or write and for the wizard who is master of 14 languages — for young and old, for boys, girls, men, women."

"...The box-office will tell the final story on "Little Women" — and what a story it will be! — but the entire motion picture industry and the American public can rejoice that 1933 gave them this picture, whatever disappointments it may have passed out during its run."

Hollywood Reporter, Oct. 31, 1933

PROUDLY PRESENTED TO THE THEATRES OF THE WORLD BY RKO-RADIO PICTURES
“Good-Bye Love”  
(Radio)

The love affairs and consequent entanglements of Sidney Blackmer and Charles Ruggles, with the latter not altogether in best form, may go over with neighborhood audiences. However, this independently produced picture by Joseph I. Schmitz and Samuel Zierler for Radio release only makes for mild entertainment. Ruggles’ and Blackmer’s names may help draw them in.

Having alimony trouble with Mayo Methot, Blackmer, a banker, maneuvers his stock to a new low to cut the weekly payment. He is engaged to Veree Teasdale, who is out after his money. Ruggles having difficulty meeting his alimony payment, is given $2,500 by Blackmer, his boss, to pay off, but instead goes to Atlantic City for a bad time. There he meets Miss Teasdale and has an affair with her after he poses as Sir Oswald Grogs. The girl disappears leaving Ruggles to pay the bill.

When Ruggles, the butler, returns home he finds his master marrying Miss Teasdale. Blackmer and Ruggles plot to get even with the fortune hunter. Miss Teasdale falls for the ruse and leaves Blackmer free to marry his secretary, Phyllis Barry, who has loved him for a long time without being emotional about it.

When Miss Teasdale learns Ruggles’ status she passes out, leaving him to carry on his further adventures as he pleases. George Reeser and Richard Tucker also are in the supporting cast. Bruce Humberstone directed.

“Tillie and Gus”  
(Paramount)

 Loads of laughs in this one with W. C. Fields again up to his old tricks and Alison Skipworth contributing swell support. Their antics kept a Rialto Theatre audience continually breaking out in laughter. It’s a tonic for the blues and a treat for the b.o.

Enjoying their wedded life by being separated in different parts of the earth. Fields and Miss Skipworth, who have not been doing so bad on their own, are brought together by Jocelin Wells and Clifford Jones. Miss Wells’ father has passed away and the comedians are among the beneficiaries. When they arrive they find that all but the family steamboat is left of the estate. Clarence Wilson, a crooked attorney, having taken care of the other items for himself. When Wilson’s offer to buy the steamboat is turned down, he tries to take the franchise away. He has his steamboat race with Miss Wells’ with the winner to get the franchise. Fields fixes it so the conniving lawyer loses out, the event resulting in the reconciliation between him and his wife.

Baby Le Roy again charms audiences as the offspring of the Joneses. George Barbiere, Edgar Kennedy as well as others mentioned above do nice work in making this comedy unusually entertaining. Douglas Fairbanks produced, with Francis Martin handling direction.

“Ace of Aces”  
(Radio)

Radio’s scenario department stirred around among the fading memories of the war for a new angle on the psychological reactions of two young lovers in those stirring times and chose an aviation background. The resulting film is spectacular at times, but it presents the hero as a heartless killer seeking nothing but his personal glorification while earning the contempt of his fellow officers.

This leaves the girl in the story, Elizabeth Allan, with the only sympathetic role. Pacifists may think it’s great, but the mass of the movie-going public who like to think of war as supermen to be idolized may not. A Palace audience maintained a chilly silence throughout.

“March of Champions”  
(Paramount)

A short that takes the audience “back when” in the world of sports. Some of the greatest figures in sports are shown. The scenario by J. Frank Reedy is a decided improvement so far. The thrilling thing of it is that they are shown in action. Jack Dempsey, Jack Sharkey, Gene Tunney, Charley Weismuller, Gertrude Ederle, Babe Ruth, Bobby Jones, “Red” Grange and the Four Horsemen of Notre Dame move across the screen as they were at the height of their athletic glory. This is a Grandstand Rice Spotlight. Running time, 10 mins.

“Death Attends a Party”  
(Paramount-Columbia)

One of the Minute Mysteries series, which gives the audience a chance at solving the crime pictured before offering the solution. In this, the clue which reveals the case to be a murder instead of a suicide appears rather flimsy but does not lessen audience interest in the film as a whole, which stacks up as a good addition to a series which has plenty of possibilities for a patronage builder. Running time, 9 mins.

“Parade of the Wooden Soldiers”  
(Paramount)

Another of the Betty Boop series of animated cartoons and enjoyable. It has Betty in a toy shop with the articles coming to life. When King Kong breaks loose it looks like curtains for a while, but the soldiers and animals merge forces to vanquish the mammoth ape. There’s some catchy music to boot. Running time, 8 mins.

“Below the Deep”  
(Principal)

Paul Goodman collected a number of silent film -era newsreel clips, pieced them together and added a running monologue to describe the story of Tagu, a native chief, who tries to shoot off the American pearl hunters. He gets himself into all sorts of trouble with the Americans, but they are finally cleared up. Richard Arlen and Virginia Browne Faire are among the Americans who cause the trouble. Running time, 20 mins.
In Almost Any FEATURE PICTURE

...you are now likely to find sequences demonstrating that ingenious technical device, the composite shot. The foundation for those sequences is most likely to be Eastman Background Negative. Because of its amazingly fine grain, this special new film has been found ideally suited to the "shooting" of backgrounds that are to be projected and rephotographed. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Background Negative
“My Heart” at $43,000 with Loop Falling

CHICAGO, Nov. 12. — Decline of World’s Fair patronage was reflected in first run grosses last week. “Ever in My Heart,” with a stage show which included Sally Rand, gave the Chicago $43,000. This is $8,400 over average, but is a sharp drop from recent weeks.

“Ann Vicker,” also with a show, gave the RKO Palace a very good $27,000.

Total first run business was $129,000. Average is $120,000.

Estimated takings:

**Week Ending Oct. 31:**

**“I'M NO ANGEL”** (Par.)

Oriental—(3,940), $30-40-60c, 7 days.

Gross: $9,200. (Average, $1,314.)

**“THE BOWERY”** (U. A.)

United Artists—(1,700), 35c-40c-60c, 3rd week, 7 days.

Gross: $7,500. (Average, $1,071.)

**“ANN VICKERS”** (Radio)

Palaestra—(2,970), 25c-35c-50c, 7 days.

Stage: Paul Baker. Revue with Irene Banney, Buck & Bubbles and others.

Gross: $3,500. (Average, $485.)

**“KENNEL MURDER CASE”** ( Warners)

McVickers—(2,840), 35c-40c-60c, 7 days.

Gross: $3,000. (Average, $429.)

**“TARZAN, THE FEARLESS”** (Principal)

Roxy—(1,591), 25c-35c-50c, 7 days.

Gross: $7,500. (Average, $1,071.)

**“Way to Love” and Show Big in Omaha**

OMAHA, Nov. 12.—“The Way to Love” brought the Paramount a nice week at $8,500 with the help of a stage show, “Hollywood on Revere.”

The company included James Hall, Agnes Ayres and Babe Kane.

At the Orpheum, “Meet the Baron” did not come up to expectations, but was well in the black at $7,500, “The Worst Woman in Paris” was the rest of the double bill, “Lady for a Day,” holding over for a second week at the Brandeis, was big at $5,000.

The World slipped to about $4,750 with “Stage Mother” and “Golden Harvest.”

Total first run business was $25,750. Average is $25,500.

Estimated takings:

**Week Ending Nov. 1:**

**THE WAY TO LOVE** (Para.)

Paramount—(2,970), 25c-35c-50c, 7 days.

Gross: $9,200. (Average, $1,314.)

**Week Ending Nov. 2:**

**LADY FOR A DAY** (Col.)

Brandeis—(1,200), 25c-35c-40c, 7 days, 2nd week.

Gross: $5,100. (Average, $738.)

**STAGE MOTHER** (M-G-M)

Golden Harvest** (Para.)

World—(2,800), 25c-35c-40c, 7 days.

Gross: $4,750. (Average, $679.)

**Week Ending Nov. 3:**

**MEET THE BARON** (M-G-M)

“The Worst Woman in Paris” (Fox)

Orpheum—(3,000), 25c-35c-40c, 7 days.

Gross: $7,500. (Average, $1,071.)

**“Lips” Show $28,000**

“My Lips Betray” and the stage show at the 7th Ave. Roxy grossed $28,000 for the week ending Nov. 9.

**Harris Takes Old Alvin**

PITTSBURGH, Nov. 12.—John Harris has taken over the Old Alvin and plans to reopen it as a first run on Thanksgiving Day. He is now rushing alterations. This will make the fifth first run in the downtown area.

**Hill Short for Music Hall**

First of the Edwin C. Hill series, being produced and distributed by Master Arts has been booked for the Music Hall. It deals with the “Story of the Roosevelt Family in America.” Loev’s is the latest circuit to book the entire Hill series.

**Indianapolis Lyric Open**

INDIANAPOLIS, Nov. 12.—The Lyric, which closed some weeks ago when union difficulties cropped up, reopened recently with a straight film policy.

When the house closed it was running vaudeville with shorts and newsreels.

The house is owned and operated by Charles M. Olson.
Cantor Visit
May Set Code
Signing Back
Will See President in
Georgia on Nov. 21

Invitation of the President to see Eddie Cantor on Nov. 21 at Warm Springs, Ga., to discuss the actors’ side of the proposed industry code presages another delay in the signing of the draft. Cantor, who is president of the Screen Actors Guild, represents 3,300 actors in Hollywood and yesterday stated at a Sardi luncheon he feels the President “has been mis-

Labor Board to Get
Code Controversies

NEW ORLEANS, Nov. 13.—The regional U. S. Labor board here will have charge of controversies arising under the code, when adopted, according to Rev. Peter M. H. Wynhoven, chairman of the board.

The board consists of W. H. Alexander, president Feilheimer, Inc.; James Dempsey, Central Trades and Labor Council; G. C. Menich, Celo- tex; Z. D. Nichols, Carpenters Union; C. H. Behre, Pelican Iee; William Ruth, president, Building Trades Council; E. J. McQuirke, Ley- land Lines; Louis Salouge, Pressmen’s Union; J. X. Wegman, Lafay- ette Fire Insurance; G. L. Pickett, Machinists’ Union; Rev. Mr. Wyn- hoven, chairman.

It is expected that labor unions will appeal to the board for a hearing on Loree’s State and the Saenger houses as soon as the code is effective.

Local Board Names
Pile on Rosenblatt

Recommendations for the personnel of local zoning and grievance boards are understood to be pouring into Dep- nty NRA Administrator Sol A. Rosen- blatt’s office in Washington. Promi- nent exhibitors and exchange men in every key city are said to be among the names submitted.

Tops Fan Mail
Hollywood, Nov. 13.—Dick
Powell, who has been in pic- tures only one year, is drag- ging in more film mail than any star on the Warner lot, according to the studio. He is now being talked as the only m. c. to make good on the screen.

Limitation of
Wage Clauses
Up to Johnson

WASHINGTON, Nov. 13.—Decision as to whether the order of the Re- covery Administration policy board requiring wage classifications to be limited to four classes of unskilled labor shall be applied will be asked of Commissioner Hugh S. Johnson upon his return to Washington tomor- row.

That the film code has been held in suspension by Colonel W. R. Lea, acting administrator, because of the fact that objection was taken to the

Rosenblatt Silent
On Signing of Code

Sol A. Rosenblatt, NRA deputy, was unable to say yesterday when the code would be forwarded to the White House for President Roosevelt’s sig- nature. Ed Kuykendall, M.P.T.O.A. president, declared following a con- versation with Rosenblatt during the day.

Similarly, Kuykendall was unable to obtain any further information on the subject from Colonel W. R. Lea.

Films to Share Tax
Easement on Repeal

WASHINGTON, Nov. 13.—Repeal of the 18th Amendment will nullify a number of taxes carried in the Na- tional Recovery Act with a provision

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

"Sitting Pretty"
(Rogers-Paramount)

Hollywood, Nov. 13.—"Sitting Pretty" is tuneful musicomedy romance with Jack Oakie, Ginger Rogers, Thelma Todd, the Pickens Sisters and Arthur Jarrett. Jack Hale, comparative newcomer to the screen, gives Oakie a run for the spotlight.

The story follows the ups and downs of two song writers, rising from a publishing house in Manhattan to the studios in Hollywood. The film gives some new inside slants behind the scenes.

REPEAL REGARDED
AS THEATRE HELP

Iowa Allied
To Go On As
Independent

ANAMOSA, Ia., Nov. 13.—Allied Theatre Owners, Inc., of Iowa, in- tends to go its own way and continue under its own name as a result of the action taken by Allied States Ass’n, C. L. Niles, president, has informed Abram F. Myers, Niles says approval of the code was given by Iowa independents rep- resented by Allied after "two days of careful consideration" and the action was unanimous. Similar action had been taken previously by Nebraska men meeting at Omaha. Niles makes it clear that the organization will

Plunkett-RKO Suit
Is Reported Ended

An out-of-court settlement of a suit for compensation for personal services brought by Joseph Plunkett against RKO, and pending for some time, was reported yesterday to have been

Price War Threat
Stirs Up St. Louis

St. Louis, Nov. 13.—A threat to go to a 10-cent admission fee for adults and five cents for children has been made by independents in protest- ing against the price war now raging among first runs.

In an effort to bring peace, confer- ences have been held with Harry Koplar, representatives of F. & M., who are operating the St. Louis, and other first run managers, but nothing

Wood Asks Ohioans
To Back Sales Tax

COLUMBUS, Nov. 13.—On the eve of the independents’ move to organize a new exhibitors’ association here on Wednesday, P. J. Wood, business

Bliss Here, Foreign
Heads Delay Confab

Due to the arrival of Don C. Bliss late last night from Prague, foreign managers of all distributing com- panies yesterday postponed the meet-
**Insiders' Outlook**

**Iowa Allied To Go On As Independent**

(Continued from page 1) to the conference of Lester F. Martin, who has been dismissed from the board of Allied of Iowa and Nebraska.

In his letter to Myers, Niles says that he had attended the Chicago mass meeting of Allied were mailed into the Nebraska and Iowa districts and that the knowledge of this local unit.

"We have notified the Administrator of our approval of the code," Niles writes. "At the same time we propose to recommend to the Administrator proper names to function on the local boards in an effort to assist the Administration in any way that lies within our power."

"At the present time, owners of Iowa, Inc., is a corporation, organized not for pecuniary profit, and was formed prior to any affiliation with Allied States Inc. We intend to continue to function as an independent theatre owners' organization under our original charter and incorporation, operating locally, if this is the pleasure of the board of directors and the theatre managers."

"In your wire you advise that Martin was dismissed from the board of directors on Oct. 24. If such is the case, we have reason to believe that he was named on the protest group, according to trade publications that appeared Oct. 25, that he has been improperly dismissed from board of directors."

"Because of this criticism against Martin, he has voluntarily presented his resignation to our local organization. The board will meet and consider the protest during the next week at a time at which you will have an answer as to our respect for his ability and fairness in discharging his duties."

"We think your criticism and action very unjust against a man who has presented these matters in a straightforward and direct manner and have attempted to influence the independent exhibitors in this territory. Further action in this direction will undoubtedly come from the exhibitors themselves."

"A copy of this letter and a copy of your wire are being forwarded to Sol A. Rosenblatt, together with further comments in this direction."

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**Most Issues Show Loss**

<table>
<thead>
<tr>
<th><strong>Most Popular Motion Picture</strong></th>
<th><strong>High</strong></th>
<th><strong>Low</strong></th>
<th><strong>Close</strong></th>
<th><strong>Change</strong></th>
<th><strong>Sales</strong></th>
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<td>RKO</td>
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**Warner Bros. Minus One Half**

(Continued on page 3)

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**Technicolor Up Three Eighthths**

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**Fortunate Men**

(For beacon and state rights Wire)

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**Wax Reviving Supreme**

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**Wax, former head of Supreme Screen Service, is reorganizing the company, which has been inactive for the past six months, with new financing, is planning production of a new low-priced trailer.**

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**Senator Committee To Probe Fox Westco**

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**Hollywood, Nov. 13.—Fox West Coast, Coast, has captured the interests of the Senate investigation committee, now here delving into Los Angeles receivership, the committee has called a hearing for tomorrow. Among those subpoened are Charles Skouras, William Moore, Jr., and Charles Irvins, trustees.**

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**Henry A. Staab Dead**

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**Milwaukee, Nov. 13.—Henry A. Staab, 59, for seven years executive secretary of the Wisconsin M.P.T.O., is dead at his home here after an illness of 18 months. He served two terms in the State legislature.**
Repeal Seen As Advantage To Theatres

(Continued from page 1)

been an important segment of film audiences.

Following are the opinions of several representative executives:

Felix F. Feist, general sales manager of M-G-M:

"I don't think it will affect the business materially. The poor people won't have any more money to spend anyway and the rich who may go to the movies will continue. Spending money for liquor won't make any difference to them a bottle of wine over dinner and right in the open, I believe, will send more people out of their homes. Once they are on the move, we stand a better chance of getting them into theatres. This is apt to take away from the radio and bridge, and that ought to help."

"Those who hang around bars in the old days never constituted a big part of potential motion picture audiences anyway."

James R. Grainger, vice-president and general sales manager of Universal:

"Repeal ought to help. It will bring people out of their homes and put them in circulation. More life will be seen around hotels and restaurants. Don't discount the decrease in unemployment which will develop and the corresponding increase in purchasing power. It looks like even a better chance for theatres.

Al Lichtman, vice-president in charge of domestic distribution of United Artists:

"It's too bad to tell, because any guess would be prophetic. I am inclined to believe, however, that repeal will be a plus for the motion picture business. People who wanted to drink have had no trouble getting it. Beer, the price of which was closer to the pocketbook than the average moviegoer, made no difference at the box-office, you know."

Jules Levy, general sales manager of Radio Pictures:

"The answer is good pictures will be the public will always support. On the other hand, I don't think liquor will hurt. The more around, the less the temptation to indulge over."

Albert M. Warner, in charge of Warner First National distribution, had no comment to make yesterday.

What Theatremen Think

Samuel L. (Roxy) Rothafel, managing director of Radio City Music Hall, world's largest theatre:

"While I do not believe that repeal of prohibition will make much difference, I feel that it may possibly add a little impetus to theatre attendance."

Sam Dembrow, Jr., Publicist:

"General alcohol aid business both by increasing employment and drawing people into the theatre districts. Sales are not likely to develop serious competition for films, largely because they are not in the same competitive price group. I believe the people who spend a evening in a cale will do so only on particular occasions, not as a matter of habit or to the exclusion of other forms of their choice of entertainments."

David Palfreyman, theatre representative, M. P. P. D. A.:

"I do not think repeal will change the drinking habits of the public to any great extent, and therefore I do not believe it will have much effect on theatre attendance. If any, it is likely to be beneficial through adding more people to the rolls and by drawing them from their homes in the evenings."

Boris Morros, Paramount, New York:

"I believe repeal will be a big help to theatre business. Dinners will be more in the mood for entertainment later on. People will choose the theatre instead of going home to bed."

Charles L. O'Reilly, president of the Motion Picture Association:

"Anything that aids industry and employment will, at the same time, help the theatre. Repeal will tend to pull people away from radio, out of doors and in a spending mood. Anything that accomplishes that will bring them into the theatres eventually."

Loew executives could not be reached.

BOSTON, Nov. 13—John D. Clark, general sales manager of Fox, thinks this is a good business for the exhibitors. He says: "It is difficult to say what effect the repeal of prohibition will have on theatre attendance, but I believe that if this comes back, men will congregate as they used to but theatre business will not be harmed. In fact, it may be benefited by the fact that more people will probably learn to enjoy themselves and come downtown for an evening or visit shopping centers."

"I really feel that the change in the distribution of theatre going is a more receptive mind for entertainment and, therefore, may materially help business."

Lenthalent to Columbia

William Lenthal, formerly of the Leblang ticket office, has joined Columbia as special scout on plays.

Price War Threat Stirs Up St. Louis

(Continued from page 1)

definite has been accomplished. From a reliable source it has been learned that unless a peace pact materializes in a very short time the smaller theatres will drop their scales. A first report to the downtown district is also considering a drastic downward revision.

"It is possible but has been brewing for some time. The smaller houses have objected to the double feature bills being offered by the Missouri and the big house shows offered by other first runs.

Recently F. & M. took the town by storm by offering two pictures, a stage show and the lowest general admission price for a first run in years, 25 cents to 6 P.M. and 40 cents after 6 P.M. It was a wallop that staggered the opposition, while it has simply been murder for the small stuff. They are charging 25 cents for pictures only.

This week the Fox, two blocks south of the Missouri, met the challenge by also going to a double feature program in addition to a holiday stage show, while the Missouri offered as a 'treat' 'Boris is the Lady' and "Love and "Every in My Heart," plus the customary short subjects. Its price is 25 cents during the day to 2 P.M. It is also operating on a 25-cent basis to 2 P.M.

Down town the Ambassador is offering its usual stage show and "Take a Chance" as its feature picture, while Loew's State is depending on "Mother Goose and "The Pink Lady" to get their share of customers.

FILMS TO SHARE TAX EASEMENT ON REPEAL

(Continued from page 1)

for their repeal following the relegation of liquor to the back of the stage. Effective Jan. 1, the additional one-half cent tax on gasoline and the five from the excise tax will be repealed. The capital stock tax of $1 per $1,000 on domestic corporations will be repealed July 1, next, and the excess profits tax will not apply after the current tax year. The last three named will, of course, apply to all interests in the film industry which have been subject to these levies.

In addition, the House Ways and Means Committee is now engaged in a study of the revenue law enacted last year, with a view to determining what taxes can be eliminated when revenue from liquor taxes begins to flow into the Treasury. The survey will be directed chiefly at the so-called nuisance to the States, anticipated that amendment interest will seek an increase in the admission tax exemption, but it is believed the first changes in taxes will be on the commodities which are harder to collect and return the least income.

Majestic Opens Offices

CINCINNATI, Nov. 13—Majestic Pictures Corp. has opened its own exchange at 831 South Wabash Ave., with Percy Barr as branch manager.

AMP A Board Meets

The board of directors of the A. M. P. A. yesterday held a meeting at Sarah's.

Insiders' Outlook

(Continued from page 2)

other words, was to pay but not play. ... With the English pound sterling sticking it out around $5 the declared scheme of jubilation prevalent a year ago, American distributors are reaping a golden harvest from the decline of the American dollar. Foreign managers are sick over their inability to get remittances into New York daily from London.

Withdrawals, physical and reported impending, of certain local units from their national affiliations, will shortly see the development of a new national exhibitor organization, maybe. Behind it probably will be one of the staunchest fighters in the cause of the unaffiliated theatreman. The groundwork is now being laid.

That report seems to be based on a report of a hotel at New York that was the site of a meeting, possibly the one referred to his report about his return to the 7th Avenue Cathedral as "applesauce," Howard S. Callman admitted the deal had been submitted by denying its accuracy.

Oh, well! ... K A N N

Wood Asks Ohioans To Back Sales Tax

(Continued from page 1)

manager of the M. P. T. O. of Ohio has sent out a letter to all Ohio exhibitors declaring that unless they agree unanimously on a tax fight program they will destroy the possibility of securing repeal of the 10 per cent tax.

Wood blames the tax on the lack of unanimity among exhibitors during the special session of the legislature. Individual interest that a change in the real estate tax law makes it necessary for the state to raise $150,000 from new sources will be called on exhibitors to unite with interests opposed to the cosmetic tax, beverage tax and cigarette tax, and get behind a program for passage of a sales tax at the session opening in January.

"The great danger now," he writes, "is that inexperienced persons will try to cope with a very involved legislative situation and succeed only in again confusing the minds of the members of the legislature. You owe it to American business and the matter in the hands of this organization to let it over a period of years, has built up a record of legislative achievements for the good of the industry as a whole."

Expect Big Turnout At Columbus Session

COLUMBUS, Nov. 13—Indications point to an attendance of independents from all parts of the state at the meeting set for Wednesday of the Dec. 10, according to G. W. Erdmann, business manager of the Cleveland M. P. Exhibitors' Assn.

If plans go through, the new independents' association will be formally organized and officers will be named.
YOU'LL

SLIM

DIE LAUGHING!

—when you see these two love-lorn cowboys traveling on a deluxe ocean liner with their HORSE...When you see them—and the HORSE—mixing with society and attending the Duchess' fancy dress ball in London...When you see—Oh, what's the use of going on? It's so cock-eyed crazy that you wouldn't believe it all if we told you! BUT WE'VE GOT IT ON THE SCREEN TO GIVE YOUR PATRONS THE LAUGH OF A LIFETIME!

SUMMERVILLE and ANDY DEVINE in HORSE PLAY
Cantor Visit May Set Code Signing Back

Eddie Cantor on Sam Goldwyn

“Are all those film stories true?” a newspaper man asked Eddie Cantor yesterday.

“Yes, all of them are, but let me tell you something. The fellow in Hollywood who asks the next guy if he had heard what Sam said at the club yesterday wishes he could make the kind of pictures Goldwyn makes. If you don’t think so, look at all their past pictures. Sam may murder the English language, but he makes pictures. Remember, Arrowsmith, if you think you this industry can’t use more men who have broken English?”

Explaining that the Screen Actors’ Guild now had 1,500 members enrolled, he said:

“Iranged for Artis to West. And, believe me, we’d even be good without Artis.”

Cantor thinks supervisors are an industry evil and ought to be cut out at the box office, like made twice. Once by the actors and the director and once by the supervisor.”

“In the inside of the Hollywood production situation and how it worked was tipped when Cantor said he can talk back to Goldwyn.

“I have as much money as he has. So what can he do to me?” asked Eddie.

Federal Trade Body Making Code Study

WASHINGTON, Nov. 13.—Members of the Federal Trade Commission are engaged in a study of the film code at the request of the Recovery Administration. A decision to turn the document over to the commission was reached at last meeting of the Cabinet Recovery Council, headed by Secretary of Commerce Roper. Commissioner Charles H. March was present at the meeting, as were two officials of the Department of Justice.

The study of the code is being conducted by the commissioners themselves and it has not been turned over to the legal or economic divisions, it was learned. It is understood the review may cover block booking and other points prominent in the long-drawn-out Paramount case, in which the other of the Commission was overruled by the Courts.

Rosenblatt Silent On Signing of Code

Executive of the Motion Picture of Sol A. Rosenblatt, who, during a telephone conversation with Lea yesterday.

Knykendall plans to leave New York tomorrow for Chicago and will go from there to Milwaukee to attend a meeting of the M.P.T.O. of Wisconsin, at which action on the code is scheduled to be taken by that organization.

Rosenblatt Flies Back

Navy Assistant Administrator of Sol A. Rosenblatt yesterday left by plane for Washington after spending the weekend with his family at Great Neck, L.I.

WASHINGTON, Nov. 13—Charles L. Oakey, the first wage-escalated code, is expected here Thursday for conferences with Col. W. J. Lea, who has been handling film code during the absence of General Hugh S. Johnson, administrator.

“Living” to Criterion

"Design for Living" is dated for the Criterion starting Nov. 22 on a two-day policy.

Limitation of Wage Clauses Up to Johnson

(Continued from page 1)

58 wage rates proposed by Deputy Administrator Sol A. Rosenblatt was contended, with official notice.

It was explained that the order of the policy board was adopted at a meeting at which neither of the labor representatives was present and that little attention was paid to the matter until the film code came before the board.

Application of the order was asked by the Construction League, composed of builders who are understood to be attempting to secure in the construction code a 90-cent rate and who felt that the film code, which carries a rate of $3 a week for all workers in studios, would be considered a precedent to be followed in other orders under the construction agreement.

Approached White House

Representatives of the Construction League are understood to have gone to the White House to discuss the matter, but it is reported that the cinema workers in the studios are in control and are not yet ready to act.

The wage scales incorporated in the film code by Deputy Administrator Sol A. Rosenblatt were composed of all labor organizations concerned, and these groups are fighting strongly for retention of his schedulcs, which regular the union scale in the being paid by the producers, while at least two groups in the construction industry are working out of the picture agreement. The fight, therefore, is not upon the film code, but rather in the administration of the wages which are detrimen
tal to the desires of the construction industry.

Did Johnson Approve It?

While the order of the Policy Board was published throughout the Recovery Administration as official, there appears to be some doubt as to whether General Johnson ever actually approved it, particularly in view of its adoption during the absence of the labor members and their constant opposition to any such move which it was threatened, if insisted upon would result in the severance of all contracts with the Administration by President William Green and his associates of the American Federation of Labor.

This effort to make use of wage classifications was demonstrated today during the hearings of the Wage Escalation Code, when representatives of the traveling salesmen asked that they be given a larger share of the film code during the absence of General Hugh S. Johnson, administrator.

"Living” to Criterion

"Design for Living" is dated for the Criterion starting Nov. 22 on a two-day policy.
"Box Office PICTURE GUIDE offers the most intelligent and efficient way to book and exploit pictures now available to exhibitors."

Says E. G. Simons
Manager, Army Theatre,
Ft. Leavenworth, Kans.

“We have been using your BOX OFFICE PICTURE GUIDE for a number of weeks and certainly find it a great help not only in helping us to book our pictures but in advertising and making out copy for our weekly programs. There have been innumerable instances when we have played pictures before advertising and press sheets have reached the exchange, and we have had to refer to your PICTURE GUIDE.”

—Willard E. Wagner,
El Campanil Theatre,
Antioch, Calif.

“I find your BOX OFFICE PICTURE GUIDE most helpful. Although I no longer do any booking myself, I find that the short synopsis gives me enough idea as to what the picture is to be able to discuss it intelligently with my various managers. I also occasionally publish in the newspapers a copy on some particular picture of the review as it is written so as to give the patrons an insight as to what the picture is all about. Your service is well worth while, and I sincerely hope you will continue it.”

—L. A. Edwards, Div. Mgr.,
Prudential Long Island Theatre,
East Hampton, N. Y.

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It shows you WHAT pictures to book—and HOW to sell them...

- No more will you have to rely on memory that may be confused with the thousand and one things you have to think about in the conduct of your business. No more will you have to guess about what to book—you’ll know. No more will you have to dig through files of trade papers (if you keep files of them) to give you the featured players in a picture; or the running time; or to tell you when it was reviewed; or who was the director. You have all of that information at your fingertips when you have THE PICTURE GUIDE in your pocket or on your desk.

- With THE PICTURE GUIDE every bit of booking information is in your hands right when you need it. And—when you’ve overlooked ordering a press book, THE PICTURE GUIDE also tells how to sell the picture and gives you ad-#lines for your newspaper or program copy.

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BOX OFFICE PICTURE GUIDE comes to you as a part of the BOX OFFICE service to its subscribers. It is a handsome leather book, pocket size. It is the direct result of a survey among hundreds of exhibitors who hail it as filling a long-felt want.
"My Lips" Is Good at Roxy
With $28,000

Broadway showed little excitement among the first run attractions last week, except at the 7th Ave. Roxy with "My Lips Betray" at $28,000. This was a decided jump over the previous week's attraction.

"I'm No Angel" performed somewhat of a feat in holding up to $35,000 in its fourth week at the Paramount. This was the same week and knocked some records around.

"After the Night" took $64,000 at the RKO Music Hall, "Berkeley Square," which was switched from the Music Hall, up to the Palace, was good for $15,791 at the latter. "The World Changes" dropped to $15,107 in its second week at the Hollywood. "Dinner at Eight" week up its 11th week run at the Astor with $9,235. "Broadway Thru a Keyhole," held over at the Rivoli, dropped to $19,401.

Estimated takings:

Week ending Nov. 8:

THE WORLD CHANGES" (F. N.) HOLLYWOOD—0,145. 35¢-55¢, 2nd week. 7 days. Gross: $8,310.

AFTER NIGHT" (Radio) RKO MUSIC HALL—0,145. 35¢-55¢, 7 days. Stage show. Gross: $6,000.

Week ending Nov. 9:

EAT 'EM ALIVE" (Ira Simmons) 7th AVENUE—0,145. 35¢-55¢, 7 days. Stage: 1st run. Gross: $5,145.

THE DAY OF RECKONING" (M-G-M) CAPITOL—0,145. 5¢-55¢, 7 days. Stage: Cab Calloway and new Cotton Club Revue. Gross: $18,000.

BERKELEY SQUARE" (Fox) PALACE—0,145. 35¢-55¢, 7 days. Stage show. Gross: $15,391.

I'M NO ANGEL" (Par.) PARAMOUNT—0,145. 35¢-55¢, 4th week. 7 days. Stage: Ethel Shatta and George Olsen and his band. Gross: $15,000.

KENNEL MURDER CASE" ( Warners) RIALTO—0,145. 10¢-55¢, 2nd week. 7 days. Gross: $10,500.

MY LIPS BETRAY" (Fox) ROXY—0,145. 35¢-55¢, 7 days. Stage show. Gross: $10,500.

FEMALE" (F. N.) STRAND—0,145. 35¢-55¢, 7 days. Stage show. Gross: $10,845.

PRIVATE LIFE OF HENRY VIII" (U. A.) 1st week. BERKELEY SQUARE" (Fox)—3 days RKO ROXY—0,145. 25¢-55¢, 7 days. Gross: $14,664.

Week ending Nov. 12:

DINNER AT EIGHT" (M-G-M) ASTOR—0,145. 35¢-55¢, 11th week. 7 days. Gross: $9,257.

Week ending Nov. 11:

BROADWAY THRU A KEYHOLE" (U. A.) RIVOLI—0,145. 35¢-55¢, 2nd week. 7 days. Gross: $19,001.

Plunkett-RKO Suit Is Reported Ended

(Continued from page 1)

reached. The settlement, according to the report, was for $17,000.

Plunkett was represented by Lawrence Green of the law firm of Abeles and Green. No comment on the report could be obtained from either RKO or Green yesterday.

Still pending is a suit filed against RKO several months ago by F. M. Glucksman, formerly in charge of RKO's foreign operations during Plunkett's regime as the circuit head. The Glucksman suit asks $16,000 as additional compensation for services.
Local Boards To Fix Rows Under Code

Labor Disputes to NRA When Home Efforts Fail

WASHINGTON, Nov. 14—Regional controversies in the theatrical as well as other industries will be resolved locally whenever possible. Adoption of this policy is indicated by the action of Senator Robert Wagner, chairman of the National Labor Board, in referring to California complaints received from L. A. T. S. E. that sound workers were being forced to join unions not of their own choosing.

Only in cases where controversies cannot be settled locally will the matter come to Washington, except in cases of labor difficulties involving large areas and of sufficient importance to merit handling from here.

Lichtman Restores Two U.A. Divisions

With the return of L. J. Schlaifer to United Artists, Al Lichtman has divided the company into two divisions. The divisional posts were dropped some time ago and now come into existence again with Schlaifer handling (Continued on page 4)

U. A. Wins in Deal For Marx Brothers

United Artists is the winner in the double bidding with the Four Marx Brothers for future releases. Paramount also was dickering with the Marxmen and for a time it appeared (Continued on page 4)

To Star May Robson

Hollywood, Nov. 14—Impressed by her work in “Lady for a Day,” M-G-M is now satisfied May Robson rates individual stardom and so will handle her. This decision sidetracks plans for “Comin’ Round the Mountain,” planned as a co-starring vehicle with Polly Moran.

Miss Robson’s first probably will be “Witch of Wall Street.”

Article 5 on Star Dealings May Be Dropped from the Code

Article 5, the proposed clause which would end secret negotiations for star services by throwing them entirely into the open and at the same time extend to competing producers the right to match existing terms, may be eliminated from the code, Motion Picture Daily heard yesterday.

This is the provision which drew fire of the Screen Actors’ Guild. It was introduced by M. Schenck and Samuel Goldwyn, and, in general, has precipitated turmoil anew in Hollywood.

Washington, Nov. 14—It is understood here Eddie Cantor’s visit to President Roosevelt at Warm Springs, Ga., Nov. 21, may have some bearing on Article 5.

K.C. Jurors Ask Federal Labor Probe

KANSAS CITY, Nov. 14—A Federal investigation is needed to go to the bottom of labor racketeering at Kans- City theatres, declared the Jackson County Grand Jury in its recommendations at the termination of its seven-week inquiry into racketeering and crime conditions in the city.

Finding that terrorism and violence involving theatres “appear to be of long standing in Kansas City,” and charging that “the police have not afforded adequate protection, and no consistent and effective efforts (Continued on page 5)

Skourases Say They Are Out of Bankrupt

Skouras Brothers declared yesterday that the voluntary bankruptcy of Skouras Brothers Enterprises, Inc., in the Federal Court at St. Louis had nothing to do with Skouras Thea-
sres Corp., which operates houses in this territory.

It was stated the Skourases had had nothing to do with the St. Louis corporation since 1928 when they sold their controlling interest to Warners.

Loew’s Stock Sale Hearing Set Today

A hearing on the petition of Chemic
tal Bank and Trust Co., for author-
ity to sell 600,000 shares of Loew’s, Inc., on Nov. 27, is slated for a hear-
ing before Federal Judge John C. Knox in U. S. District Court here today.

The sale is to satisfy a $20,000,000 default on a two-year, six per cent (Continued on page 4)

Kuykendall Hits Allied Code Moves

An opinion that Allied States leaders do not voice the sentiment of the organization’s membership when those leaders “condemn efforts to get the code matter settled,” was voiced here yesterday by Ed Kuykendall, president of the M. P. T. O. A., in a reply to a recent Allied bulletin which charged Kuykendall and others with “placing obstacles” in the way of those who oppose the code in its present form.

“I am just a little bit surprised,” Kuykendall’s reply declared, “at this outburst of pent-up anger on the part (Continued on page 5)

Twelve MPTO Units Set to Act on Code

Twelve regional M. P. T. O. A. affiliates are planning early meetings to act on the code, Ed Kuykendall, M. P. T. O. A. president, said yester-
day. Four units of the national organization have held meetings to date, all of which resulted in approval of the code.

Those slated to meet within the next few weeks include M. P. T. O. of Wisconsin, Nov. 21 and 22, at Mil-
waukee; M. P. T. O. of Ohio, Dec (Continued on page 4)

Kalmine Expects to Stay in Pittsburgh

PITTSBURGH, Nov. 14—Despite reports circulating about New York that Harry Kalmine will succeed William Goldman as Warners’ zone man-
ger in the Philadelphia territory, Kalmine insists there’s nothing to it and if there is, he says, he hasn’t heard a

(Continued on page 4)

Jersey Unit Asks Allied To Produce

Samuelson Wires Myers To Name Committee

Declaring that conditions in the film business affecting the independent exhibitor demand a new source of product, Allied of New Jersey, at its regular meeting yesterday, sent a recommendation to Abram F. Myers in Washington that a committee be immediately appointed to formulate plans for the production and distribution of features by the national organization.

Local Allied members state they are upset over the demands by major and independent companies on percentage terms and prefer their time.

Sidney Samuelson, president of the unit, yesterday declared that his group (Continued on page 4)

Para.’s New Setup Ready in 2 Weeks

The Paramount Publix plan for reorganization of Publix Enterprises, bankrupt theatre subsidiary, will be ready for submission to Referee Henry K. Davis for the Federal Court’s approval in two weeks, it was learned yesterday.

The plan which will bring the largest block of Publix theatres into one (Continued on page 6)

Brooklyn Probe Off For Solvency Trial

Federal Judge Mortimer W. Byers in Brooklyn yesterday ruled that, pending the outcome of the scheduled trial to decide whether or not New York Investors, Inc., is insolvent, fur-

(Continued on page 4)

Delay Decision

Foreign sales managers met at the Hays office yesterday to discuss advisability of pulling out of the Czech market, but reached no decision and determined to meet again on an undetermined date. Aired was report of Don C. Bliss on the situation in that country.
Looking 'Em Over

"Eskimo" (M-G-M)

The long, grasping hand of the white man raising havoc where peace apparently reigns before is the general idea around which "Eskimo," last night's opener at the Astor, is built.

Tied in with the story of Mala, the hunter, his wives and his children is the constant struggle for food in the vast white wilderness within the Arctic Circle. Primitive people, kindly and child-like in their shant on life, the trouble comes when the white woman is accidentally shot, after having first been debauched by the white men. The native hunter, in turn, kills the offender and shortly thereafter finds himself hunted down by the mounted police. The remainder of the picture deals with the friendship struck between the mounties and the Eskimo, the latter's ultimate escape and a second trailing. The conclusion finds Mala and Iva caught on an ice floe going to their death or their liberty across the straits, as the audience may elect.

"Eskimo" contains a number of punch sequences. There are a whale and a caribou hunt, a hand-to-hand battle with a wolf and fine snow stuff throughout the picture. Mala, described as a native Eskimo in the program, as are all others in the cast, cuts a fine picture of a man, does his job with simplicity, conviction and sympathy.

The picture, as it stands, is too long for straight picture house release and probably will be trimmed before it hits general distribution. It dares to be different and that's an important something in its favor. Its commercial future, however, is something that carries a question mark alongside of it, in this opinion. If merit in conception and production alone determined that, the answer to "Eskimo" as box-office would be a cinch.

K A N N

Seeks Aid of Films In 10% Tax Fight

Frank Spellman, chairman of the newly organized American Anti-Tax Ass'n, is seeking to enlist the aid of the film business in the organization's campaign against the 10 per cent tax on motion pictures under consideration in 12 of the states. So far, however, his efforts have not met with success.

Schreiber to Columbus 

CINCINNATI, Nov. 14.—Harry Schreiber, manager of the RKO Capitol, is returning to the home office of the RKO Palace, Columbus. He has relieved Horton Kahn, who has gone to California for a vacation. Jack Tiernan, assistant manager, has been handling the Capitol here in Schreiber's absence.

Brisk In Going Abroad

HOLLYWOOD, Nov. 14.—Sam Briskin, accompanied by his wife, will leave for New York next week where he will sail for a European vacation aboard the Conte di Savoia on Nov. 25.

Shwartz Brandt Booker

Harry Brandt has engaged Joseph Shwartz, one of the New York bookers at the Fox exchange, to take care of bookings for his theatres.

Cowan Heading East

HOLLYWOOD, Nov. 14.—Lester Cowan, who recently resigned as secretary of the Academy, heads east shortly.

Barney Balaban Visiting

Barney Balaban is in New York from Chicago. The trip is one of his periodic visits.

Farnol in Tomorrow

Lynn Farnol, publicity dispenser for Samuel Goldwyn, is due in New York from the coast tomorrow.

Pathie "A" Up One Point

Columbia Pictures, etc. High Low Close Net Change Sales

Consolidated Film Industries .................... 2a 2b 2b 157 + 15 700

Eastman Kodak ................................... 75 73 73 1/8 3 700

Fox Films, etc. .................................... 19 18 18 1/4 15 1,300

Loew's, Inc. ....................................... 3 3 3 11/16 + 1/16 1,400

Paramount Pictures ............................... 2 2 2 11/16 + 1/16 1,300

Pathe Exchange ................................... 9 10 10 1/8 1/4 900

Pathe Exchange "A" ................................. 14 14 14 1/4 + 1/4 900

Warner Bros. ..................................... 6a 6 6 11/16 + 1/16 5,300

Trading Light on Curb

General Theatre Equipment, etc. High Low Close Net Change Sales

Graeme Safety Control ............................ 37/8 3 3 11/16 + 1/8 200

Technicolor ....................................... 11/16 10 10 1/16 + 1/16 100

Trans Lux .......................................... 13/16 13/16 11/16 + 1/8 100

Bond Issues Slide Slightly

General Theatre Equipment 6s 40. High Low Close Net Change Sales

Loew's 6s 41/2, rev, deb. rights. .................. 81/2 81/2 81/2 11/16 3 1

Paramount 6s 61/4, rev, deb. .................. 20 20 20 11/16 1 4

Pathe Exchange 6s 61/4, 5% ....... 23 23 23 31/32 1 2

Warner Bros. 6s 61/4, w. f. .................. 40 38 38 11/32 1 2
THE PERFECT SHORTS FOR ANY SHOW

FOX MOVIE TONE NEWS - Twice Weekly

First all-talking newsreel ... and more than ever far ahead of the field. More news . . . better news . . . quicker news . . . because Fox Movietone News has the most complete world coverage of any newsreel. With sound and voice recorded at actual scene of the action. Insist on genuine news.

MAGIC CARPET of MOVIE TONE • 26 One Reel each

Let your patrons see the world from a theatre seat. With photography of unmatched beauty . . . natural sound . . . symphonic musical treatment . . . fascinating comment by a narrator's voice. Blends perfectly with any program. Showing in leading theatres everywhere.

MOVIE TINTYPES 12 One reel each

Screen hits of yesteryear . . . including “The Great Train Robbery” and eleven other classics of the old Edison Company. Boiled down to one riotous reel each . . . with side-splitting wisecracks by an off-stage voice. Just a belly-laugh natural. They will even make you laugh your head off.

ADVENTURES of the NEWS — REEL CAMERA MAN • 12 One Reel each

Thrills that will knock your audiences right out of their seats . . . because they’re REAL! Actual death-defying experiences of newsreel cameramen . . . who grind as danger rushes at them. Plus a blood-stirring off-stage voice, so your patrons won’t miss a trick. Says Red Kann: “The stuff is gasp-inducing in its excitement.”

All Produced by Movietone News, Inc.
Kuykendall Hits Allied Code Moves

(Continued from page 1)
of those exhibitor mis-leaders who have no actual investment in this industry and I believe that their statements are not concurred in by the Allied membership as a whole, and really come from the same men who have been suspicious for their capacity for making mis-statements of fact and continue a babble of obscurantism in their anxiety to keep themselves before the exhibitors of the country.

"The M. P. T. O. A.," Kuykendall's statement continues, "is now accused in the Myers' latest outburst of supporting the President's recovery program and of offering our cooperation in the up at Charlotte, good and both the industry under the code. This policy does not preclude our safeguarding the rights of independent exhibitor, for if we find in actual practice that any part of the code works an unreasonable hardship on anyone, approval of the code includes the proper channels, as provided for.

"Fortunately, we have no lawyers in M. P. T. O. A. interested in getting a fee to carry on a fight indefinitely, and no professional organizers who need controversies to help them get money from some exhibitors. We have no quarrel with Mr. Myers and his organizers, but we cannot agree that the procedure of an exhibitor's independence is based on how much he hates the other parts of the industry. Myers' quarrel is really with the NRA which operates the 'propaganda mill' he complains of in order that it may secure the cooperation of all industries with the President's recovery program and the NRA codes. "If Allied had produced a definite, organized program in good faith, instead of trying to block the whole NRA program from the very start, perhaps Allied's blunders would not be so offensive. What we have is a term membership," the Kuykendall statement concludes.

Twelve MPTO Units Set to Act on Code

(Continued from page 1)
5 and 6, at Columbus; M. P. T. O. of North and South Carolina, Dec. 10, at Charlotte, and both the Texas and Oklahoma units which have not yet set definite dates. Seven others will not call meetings until immediately after the code plan has been signed by President Roosevelt, it was reported. Units which have already approved the code include the following: States unit, Mississippi, Tennessee and Arkansas; Southwestern Theatre Owners Ass'n, Exhibitors' Ass'n of Chicago and the M. P. T. O. of Iowa and Nebraska. Allied of Iowa and Nebraska also has approved.

Carolina Meeting Set

CHARLOTTE, N. C., Nov. 14.—The annual winter meeting of the M. P. T. O. of North and South Carolina has been set for Dec. 10-11 here.

Trade Body Action Held of No Import

WASHINGTON, Nov. 14.—Interest of the Federal Glass Commission in the film code was today disclosed as having been nothing more serious than the desire of one of the members of its economic division who, with 12 or 15 others, has been loaned to the Recovery Administration, to assure himself of the propriety of one of the provisions of the first draft.

This official, it was learned, asked one of the commission's attorneys for an opinion, which was said but it was emphasized. The opinion was merely the personal view of the attorney who wrote the film code, but before the commission formally or is it likely to be.

Statements of the commission staff have been working for the Recovery Administration, furnishing data on codes for various industries with which the commission is familiar.

Local 306 and ITOA Delay Wage Parleys

Negotiations between Local 306 and the I. T. O. Grover Theatre scale for local independent theatres have been dropped for the time being. Because of failure to agree after each had submitted booth scales, deliberations are expected to be resumed after the industry code has been signed. The I. T. O. Grover is understood to be taking a hand in the local situation and will attempt to effect a compromise after the code has been signed by President Roosevelt.

ITOA Discusses Code

Members of the I. T. O. A. yesterday discussed the code at the weekly meeting at the Astor. After the session the technical committee met and discussed a membership drive and other details which had been in abeyance since the unit's representatives were first called to Washington for the code conferences.

Elliott in Capital

William C. Elliott, president of the I. A. T. S. E., and Louis Krouse, his lieut. in Washington on labor matters as they affect operators and stagehands in the proposed industry code. They are due back tomorrow.

Sues on Warner Bonds

Suit has been filed in Supreme Court by Warner Bros. against the Warner Bros. Hollywood Theatres Corp. by Eugene Collat, owner of three $1,000 bonds, charging them with default on six per cent interest payments due May 1, 1934, to redeem the bonds.

Warren has presented a defense on franchise of his Bond, and Collat has asked for a bill of particulars.

Means Makes Attack Upon Block Booking

KANSAS CITY, Nov. 14.—Attacking the present methods of distribution, Jay Meas, president of the Independent Theatre Owners, told the newly formed Better Films Corp. of Kansas City that block booking and blind buying made it almost impossible for the exhibitor to have any choice in product selection.

In speaking on "Life As It Appears to the Screen," Mr. Meas, Address Bard, pastor of St. Mark’s Lutheran Church, said many pictures failed to give a true cross-section of life. A re-named committee which will see pictures at first run theatres and recommend selections to club members is being formed.

Second Pittsburgh House Cuts Prices

PITTSBURGH, Nov. 14.—Prices cuts at the Davis were five cents per feature. The company has also dropped the afternoon and evening scales, making them 25 and 35 cents, as approp. to the country. As a result of this the last feature bought at the Fulton. The latter has also dropped two for one.

"Disraeli" Back Soon

Warners will re-release "Disraeli" at the Hollywood in about three weeks. The picture will go out nationally on Dec. 21. New prints with the new title of the film have been made. When it was first issued in October, 1929, the sound was on discs.

Wells to Do Film Story

LONDON, Nov. 14.—H. G. Wills has agreed to write a story for production by Alexander Korda. Wells has been studying film technique at the studios of London Films United Artists will release in this country.

El Brendel to Tour

Hollywood, Nov. 14.—El Brendel and his wife, Flo Brea, open a vaudeville tour for RKO in Chicago Dec. 14.—This will be their first stop in a tour of the circuit from Chicago east.

May Let Houses Go

Loson, Nov. 14—Universal will dispose of its three British houses, including the Rialto in Leeds and two in Bolton. Company headquarters confirm.

B. & D. Recapitulates

LONDON, Nov. 14.—Financial re-organization of British and Dominion films approved by stockholders. Over $1,000,000 has been written off.

Del Lord Joins Ryan

Hollywood, Nov. 14.—Del Lord has been made vice-president of Phil Ryan and Harold M. Shaw, also function as a writer and director.

Basket Ball Team Set

Columbia basketball team has completed organizing and is looking for a few of games to complete its schedule for the season.

Kalmine Expects to Stay in Pittsburgh

(Continued from page 1)
other examination into the company's affairs by a special referee must be suspended. An involuntary petition in bankruptcy was filed against the company on Oct. 13. Judge Byers said that if New York investors, Inc., which has denied its insolvency, proved at the trial to be solvent, further examination now will be an unnecessary expense. The trial was to have started Wednesday, but Archibald Palmer, counsel for a bondholders' group, obtained a postponement to Dec. 6.

Loew's Stock Sale Hearing Set Today

(Continued from page 1)
gold bond issue, dated April 1, 1931, the bulk of which is held by Chase National Bank, and will be sold by the court to a high bidder. The court approved the sale, and it will, in effect, result in transferring the stock for the defaulted bonds, for which the stock is up as collateral.
K.C. Jurors Ask Federal Labor Probe

(Continued from page 1)

have been made to apprehend and convict the guilty parties," the investigating body indicated that only government action could clear up the mess.

While 61 indictments were returned, names were not revealed.

"The evidence in many other cases justified indicts, but the grand jury refused to return them," the report read. The jury reported to Judge James R. Page of the Circuit Court, "but was of such character we believed convictions could not be obtained."

The Grand Jury specifically accused Local 170, I.A.T.S.E., and rival "rump" unions of being responsible for violence and disturbances at the theatres. Thirteen members of Local 170, including officials, were questioned. Four union operators were detained as suspects, were put through the 'show up' for possible identification as bomb throwers, then released. A number of non-union operators, suburban theatre owners and at least one downtown theatre manager testified.

The report disclosed that many sessions of the jury had been held in secret places because of the fear of witnesses they would be subjected to bodily harm if they appeared at the court house. The jury found that many witnesses committed perjury, due to fear.

"The existence of this fear," the jury commented, "is in itself a frightful comment on the law-enforcing agencies of Kansas City.

Salient points of the Grand Jury's report:

"Motion picture theatre owners and the public have been terrorized by the use of bombs in theatres to intimidate owners and force them to employ members of a certain union."

"We believe that the work of grand juries under existing conditions is but a mere gesture at law enforcement."

The public is the only grand jury that can return an effective indictment against the public official who does not respect his official oath. He is representative of a political system that finds profit in protected crime and its allied racketeers."

K. C. Local Denies Share in Bombings

Kansas City, Nov. 13—Denying racketeering charges by the Jackson County Grand Jury, Local 170, has issued a statement blaming "outlaw" unions for much of the violence at theatres in the last two years. The statement was signed by H. H. Dunavant, president; Frank Dowd, business agent, and L. L. Stewart, treasurer.

The union officials point out that members of a "rump" union were convicted and are now serving sentences for bombing Loew's Midland Theatre, where I.A.T.S.E. operators were employed.

"Many other instances may be pointed out where tear gas bombs and stench bombs were discharged where our members were employed, " the officials said.

Homes of union officers were damaged by bombs and union headquarters were bombed on two occasions, according to the statement. President Dunavant said that as recently as Sept. 3 last the Fox Linwood, a union house, suffered a stench bomb attack.

"We unalterably oppose such activities and will gladly join with authorities in suppressing any such violations of law," the statement continued.

"Eskimo" Premiers

"Eskimo" opened at the Astor last night to the tune of the usual sunlight arcs, ermines and topppers. The upper crust of filmdom turned out in sizable numbers.

Among those present was Hunt Stromberg, M-G-M associate producer, whose charge "Eskimo" was. He arrived from Hollywood yesterday.

Knowers to Finish Thirty This Month

Hollywood, Nov. 14—By the end of this month Warners expect to have 30 features, half their 1933-34 program, complete. The company is well ahead of its release schedule with 11 completed and not yet out.


Those scheduled for completion this month are: "As the Earth Turns," "Hall's Bells," "Hi, Nellie," "Wonder Bar," "Gambling Lady" and "Heat Lightning."

Four Omaha Houses in New Blank Group

OMAHA, Nov. 14—The Orpheum, World, State and Paramount have been included in the Tri-State Theatres Corp., organized in Des Moines by A. H. Blank. The new company takes the place of the various operating organizations necessitated by the bankruptcy of Warners.

Heading the list of promotions in the Blank organization is that of Stanley Brown, manager of the Orpheum, who goes to Des Moines as city manager. Brown was formerly a Warners district manager.

The rumored deal between Blank and Ralph D. Goldberg of the World Realty Co. here, lease-holder of the World and State, is still pending.

"A picture that can play on the public's heartstrings as the public likes to have its heartstrings touched, in any age."

The Hollywood Reporter

THE MOST GLORIOUS LOVE STORY SINCE "7th HEAVEN"!

A Man's Castle

A FRANK BORZAGE Production

with

SPENCER TRACY

LORETTA YOUNG

Screen play by Jo Swerling

From the play by Lawrence Hazard

A COLUMBIA PICTURE

A Screen Guild Picture
U. A. Wins in Deal For Marx Brothers

(Continued from page 1)

the company would continue to handle the comedians’ product after “Duck Soup.”

First release is not set, but, according to present plans, the initial picture will not be ready until next September, unless the Marxes will not be listed on the 1933-34 U. A. program. Gunner Marx, the fifth of the clan, will pass on all contracts, it is understood, and is setting up an office at the U. A. home office to handle the job.

Lichtman Restores Two U. A. Divisions

(Continued from page 1)

the western area and Harry Gold taking over the east.

The setup does not affect the district managers. Schiller plans to make every effort to keep that the Marxes: enjoy their supervision in the near future, but has set no date for leaving.

Kelly En Route to Paris

Paris, Nov. 14.—Arthur W. Kelly, head of the U. A. foreign department, is en route coming out of the Marxes’ tour and planning to sail for the United States shortly after his arrival and is due in New York about Dec. 1.

Joseph Schenck East


Para’s New Setup Ready in 2 Weeks

(Continued from page 1)

unit under the administration of the Paramount Publicx trustees in bankruptcy, involves a change of name for the theatre subsidiary, with issuance of stock, in the plan for the company to go to Paramount Publicx in consideration for Publicx Enterprises’ indebtedness to the parent company, which is the largest creditor of the theatre company.

White Sulphur Set For Para. Meeting

Special meeting of all divisional and district managers of Paramount at White Sulphur Springs, W. Va., Nov. 18, will strictly be a sales session. No studio officials will attend.

Headed by George J. Schaefer, general manager, the contingent will include Neil Agnew, sales manager; J. J. Unger and Stanley Waite, division heads, and 11 district managers.

Bishops to Talk Films

Washington, Nov. 14.—Clean films will form one of the topics of discussion during a two-day session of 102 Roman Catholic bishops scheduled to start here tomorrow.

Looking ‘Em Over

(Continued from page 2)

"Carnival Lady" (Majestic)

Romance and life of performers working under the big top. With Boots Malloy as the star, this melodrama stacks up as average entertainment. It was produced by Cecil B. De Mille and directed by George %(Continued from page 1)

No A. F. of L. Charter Is Seen for Guild

Washington, Nov. 14.—No chart will be granted the Screen Actors’ Guild by the American Federation of Labor. Frank B. Hottel, labor representative, was notified here by Alice Brady of the screen.Information will be held on Nov. 25 at the Jacob H. Schiff Center in the Bronx for revisions of the ritual.

Among the 200 expected are Louis Nizer, who may act as toastmaster at the luncheon, and John Lyons, recently elected borough president of the Bronx.

Ohio MPTO Elects Dec. 5

Columbus, Nov. 14.—F. J. Wood, business manager M.P.T.O. of Ohio, has notified the membership that the annual election of officers for the ensuing year will be held Dec. 5, at which time detailed information will be given on the plan to attempt the repeal of the admission tax. The new code also will be explained and discussed.

Court O.K. ‘s Contracts

Hollywood, Nov. 14.—Contracts of Jack Hamilton and Bonnie Bartlett, husband and wife, “Road to Rome” and “Oklahoma Scandals” cast as the nucleus of a stock company of eight.

More Westerners East

Hollywood, Nov. 14.—Mrs. A. Schulleberg of the Schulberg-Feldman Agency, leaves for New York Saturday to catch new Broadway play Gregory Ratoff heads east the same day on vacation.

House for E. 57th St.

Founders Enterprise Corp. of America has purchased property on the northeast corner of 57th St. and 3rd Ave. from the Manufacturers Trust Co. as a site for a theatre.

Singer Gets St. Louis

Sr. Louis, Nov. 14.—Harry Singer, F. & M. G. management, is in charge of the St. Louis, recently acquired by F. & M. as a unit in the circuit’s national setup.

Doris Warner Returns

Doris Warner, daughter of H. M., returned from the coast yesterday after a few weeks at the Warner studios.
**Hollywood On Parade**

By BILL SWIGART

HOLLYWOOD, Nov. 14.—Rowland Brown is said to have sent out the following cable to his friends: "All is forgiven, you can now come back. Signed, Adolph Hitler."

Spec O'Donnell was requested to endorse a preparation for removing freckles, called "Ideal Freckle Clear." He has finished their picture, and he wants his rivals to use it so he can grab off all the freckled face parts for himself.

The seven poster girls, faces known everywhere as the country's most popular models for advertising photostats, have finished their work with Ennion-Cantor in "Roman Scandals" and will present a benefit show to New York for less hectic work.

Late of the oldest-time stars to make a reappearance is Berrie Bardeirale, who is coming out of retirement for a small part in "Beloved" now being produced by LAS Films, Inc. It is Universal. It is because of her friendship and 15 years' acquaintance with Zimorgan that the ex-star agreed to accept the part.

A prominent producer here upon learning that one of the first string local critics was about to write an adverse review on his latest picture, tried to prevail fatally upon the critic to go easy. The critic replied with that famous Harry Reichenbach retort, "You change the picture and I'll change my review."

Due to the fact that Harry Raff is devoting his entire time to getting "Hollywood Party" in the can before attempting another production, "Coming Around the Mountain," scheduled for release this year, M. R. Stoll, president of the company, has deferred the checking up on Morin co-starring picture has been postponed. Miss Robson, however, is busy at Paramount on "Alice in Wonderland" which Polly is loafing.

Sid Grauman established himself as an enterpriser-plus when he had Baby Lexov appear in the court of the Chinese the other afternoon. His appearance alone would have attracted quite a crowd but to give the gapers a real show so he had the miniature screen star wash an elephant. The new-fried boys were on hand, which means Grauman will not only get local publicity for the stunt but national as well.

A distinguished company took part in Universal's sophisticated comedy, "By Candlelight." Among the extras was a Russian signer, an Egyptian prince, a Hungarian tenor, a son of the world's greatest tenor, Enrico Caruso. An Italian countess also was spotted among the company although she discontinued the use of her title many years ago. She was sighted in conversation with Luska, who can also boast of Hungarian aristocracy lineage.

It is rather unusual that Edno Hartley, art director at Warners, has a clause in his contract preventing him from taking day off whenever U. S. C. plays a football game on its home lot. George Raff is the busiest actor on town. He is working in "All of Me," rehearsing a difficult dance number for "Bolero," and training to fight bulls for "The Thunderer." So large were the crews at the preview of "Little Women" that Spence Lake, manager at Warners, ran the picture ten times in order to accommodate a packed house for the second show.

Strange Things Do Happen in Hollywood as attested by the fact that the vice-president of a local bank, which held $25,000 cash in a certain film executive, called the depositor, ostensibly to give him some advice, and said, "Why don't you invest some of this money?"

The executive was quite surprised and asked, nonchalantly, "Is my money worrying you?"

It is also strange that Boulevard commentators are crediting the main character in "Wide Open," now appearing currently in the Saturday Evening Post," to a composite Lil-Hayward and Frank Joyce. They have even gone so far as to coin the one article that is a direct expose of these two upstart business partners which are the true makers of the pictures and images of the two men in question. A member of the state legislature is working as a carpenter at the Warner Bros. lot. De Sylvia, Brown and Henderson, at one time a harmonious trio of composers, are now competing against each other as associate producers on the Fox lot. Brown is supervising "Movietone Folks," Sylva, "Bottoms Up," and Henderson is associated with George White or "Scandals."
EDUCATIONAL'S BIGGEST STAR LINE-UP STEPS OUT IN HIGH WITH RECORD HITS

Names Are Box-office Keynote of Showmen's Recovery Program of Short Features; Lillian Roth and Ernest Truex Score with “Million Dollar Melody” and “Mr. Adam.”

Educational Pictures have taken another giant stride ahead of the field. The big name stars of radio, stage and screen signed up to reinforce Educational's established favorites, have begun to deliver...with a k. o. wallop in every reel. Their comedy hits are scaling new peaks of short subject box-office valuation.

East and West...Educational's production units are giving 'er the gun in an unprecedented flight of short subject showmanship...stepping up on a program of entertainment that runs the gamut of public taste, and gives the showman bigger opportunities for profit.

First of New Stars in Parade of Hits

Lillian ROTH in “MILLION DOLLAR MELODY”

Ernest TRUEX in “MR. ADAM”

The parade of hits from the eastern forces is under way, with Lillian Roth and Ernest Truex leading the procession. Miss Roth, with Eddie Craven, gives Educational's Musical Comedies a great send-off in “Million Dollar Melody.” This Jack White production, with original songs by James Hanley and Benny Davis, is a picture of big feature calibre in story, music, dialogue and action. And Mr. Truex, with all his big feature successes, has never done a funnier role than that of the nudist colony recruit in the Al Christie production “Mr. Adam.”

Your Profits Are in Your Hands

There’s profit for the showman, too, in the single-reel pictures in which Educational is covering such a wide range of amusement angles. There are no funnier cartoons to be had than Terry-toons. Fast increasing sales show their growing popularity. There’s a smile for everybody in the new Song Hit Story, “Slow Poke,” featuring Stepin Fetchit, the original Lazy Bones. And “Your Life Is In Your Hands,” a gem from the Treasure Chest, will have everyone in your audience talking, and studying the lines in his hands. It offers a score of opportunities for easy exploitation. Your profits are in your hands.

DISTRIBUTED IN U.S.A. BY FOX FILM CORPORATION
Detroit Men Widen Fight Over Booking

Monopoly, Boycott Now Charged to Combine

DETROIT, Nov. 15.—An amended and supplemental bill of complaint, charging monopoly, boycott and restraint of trade, and asking damages from directors of the bookers' combine, was prepared for filing this week by Attorney Adrian D. Rosen, representing Lew Kane of the Mayfair and Al Rutenberg of the Iris in their suits against Mid-States Theatres, Inc.

Previously the suits had charged only conspiracy to restrain trade. Rosen also announced that suit was to be filed this week by John O'Dell, operator of the Frontenac, Harmony, (Continued on page 4)

Publix Enterprises Plan Up in 2 Weeks

Assets of Publix Enterprises, Inc., bankrupt theatre holding subsidiary of Paramount Publix, will be bought up by Famous Theatres Corp., under the reorganization plan for the theatre circuit which will be submitted to Referee Henry K. Davis for approval in two weeks.

The reorganization plan is that of the trustees in bankruptcy for Paramount Publix, which, with claims of (Continued on page 4)

Schlaifer Given 16 Exchanges, Gold 11

Split-up of the U.A. sales territory by A. Lichtman gives L. J. Schlaifer 16 exchanges under his supervision and Harry Gold, 11. Schlaifer will supervise Chicago, Cincinnati, Cleveland, Detroit, Indianapolis, Milwau.

(Continued on page 4)

Hell, Du Pont!

Hollywood, Nov. 15.—A Hollywood character known for keeping rubber checks in circulation is demonstrating new showmanship tactics. He now mails his checks wrapped in celophane. He declares they bounce less and keep longer.

 Allied Asks for 'Big Man' To Make Code Settlement

WASHINGTON, Nov. 15.—Allied has a new proposal for settlement of the code problem. It is that "a really big man, with the prestige of a national figure" confer with various factions and then write the code himself "with such other provisions as the various factions could agree to."

The proposal would then be created (executive, administrative or Congressional) to inquire into and report on the many issues as to which the parties are unable to agree," the Allied bulletin continues. "We include this suggestion not only in the interest of the independent exhibitors but also in order that the many public and private agencies and organizations in the city, to Warners, Cleveland, and elsewhere, to have the benefit of such thorough and impartial inquiries and findings."

No estimate is given as to how long (Continued on page 4)

Myers Cool to Plan That Allied Produce

WASHINGTON, Nov. 15.—Although Allied of New Jersey at a meeting Tuesday wired a recommendation to Abram F. Myers that the national organization of theatre distributors, the Allied, should start now to prepare for a film release program which would be a benefit to all of the independents, the Allied has not reached the general counsel yet, it is understood.

Morros Loses Out; "Soup" for Rivoli

Boris Morros yesterday was vanquished in his fight for "Soup" for the Rivoli. After putting up a fight for the picture which was designated as one of the three Paramount films for the Rivoli when United Artists took over the house Morros lost out when U.A. yesterday daytime of the Rivoli. It follows "Blood Money," which opened yesterday.

Cleveland Back to One Indie 1st Run

CLEVELAND, Nov. 15.—With the passing of the Hippodrome, largest theatre in the city, to Warners, Cleveland again has only one downtown independent first run, the Allen.

The Hippodrome was built before the days of producer-owned houses and was operated as an independent until it was taken over by the B. P. Keith interests. It was the du luxe

(Continued on page 8)

State Nazism Puts Germany Out of Reels

"U" Uses None—Others Oppose Propaganda

Hitlerite propaganda and stringent censorship of news emanating from Germany are operating to remove that country as a news subject from American newsreels and screens, editors of reels declared yesterday.

While all reels stressed the point that no "censorship" of German news clips was in operation here, it was disclosed that three reels have used no footage of German origin for the past three to six months, while the remaining two have used only three or four clips in the same length of time. The editors of the reels said that this situation resulted not from any policy to eliminate Germany from American newsreels, but solely from

(Continued on page 5)

Delay Hearing on Loew's Stock Sale

A hearing on a petition of the Chemical Bank & Trust Co. to sell 660,900 shares of Loew's, Inc., held as collateral for a $20,000,000 bond issue which has been in default since April 1, which was scheduled for a hearing before Federal Judge John C. Knox in U. S. District Court here yesterday, was postponed until today.

(Continued on page 4)

Report Code Long In Roosevelt Hands

WASHINGTON, Nov. 15.—Authoritative reports here have it that a copy of the code has been in the hands of and under the consideration of the President for about two weeks, although the document is still officially in the hands of the Recovery Administration. This bears out the intima.

(Continued on page 6)

Four to Go

Hollywood, Nov. 15.—After watching Flo Desmond do her intelligent parings in "Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 34. NO. 116
NEW YORK, THURSDAY, NOVEMBER 16, 1933
TEN CENTS

GOLDSTINE BECOMES MAJESTIC OFFICIAL

E. H. Goldstein yesterday joined Majestic as executive vice-president. The company is boosting negative

(Continued on page 4)
Thursday, November 16, 1933

**Purely Personal**

VERA BLUMBERG is in Chicago and returns about Thanksgiving Day with Lewis and Doro, the family visiting the Permanent headquarters for the BLUMBERGS, including NATE, will be New York.

"Buy" Pollard completed "Play Day for Plasterers" yesterday, his first industrial picture, at the new Grantwood plant, for General Business Films, Inc.


Joe Streiler, local U. A. exchange manager, is now in Utica and from there goes to Albany and Gloversville.

EVA KLEIN ran into a bus accident in London a couple of weeks ago, but injuries are reported not to be serious, although painful.

Peter Freuchen will be the guest of the Catholic Actors' Guild Sunday evening in their annual open meeting at the Ambassador.

Bob WOLFF, manager of the local RKO Radio exchange, is back at his desk after being away with a sprained ligament.

Pat Patterson, English actress recently signed by Fox, who arrived here Tuesday, will leave Saturday for Hollywood.

AL MENDENHALL, New Jersey Fox exchange booker, has a new addition to his family, making it two girls all told.


Charlie McCarthy is batting a slight cold, Gordon White just over one and still wobbly.

Tulio Carmichaelli returns to the Main Stem from Hollywood soon. He has a play somewhere in the offing.

Bert Laeer will be starred in "Henry the Ache," a two-reel short to be made by Magna Pictures.

Luc Goldberg, head of Columbia's exploitation department, leaves today for Washington.

Al Lackay has left New York to join his wife, Trusler (Mrs. Lackay), in Hollywood.

Dave Rubinoff alights from the Hollywood-to-New York train today.

Miriam Hopkins is expected in from the coast shortly.

Clade Raines has arrived in New York for a vacation from Hollywood.

---

**Levy Meets ITOA Men**

Jules Levy, general sales manager of Radio, today meets with the executive committee of the ITOA for the second time this week to discuss percentages and preferred playing time. Earlier this week Levy met with the group, and a second meeting was arranged.

**Para. Men Set to Leave**


**Tashman, Grant Speak**

Lilyan Tashman and Cary Grant will be the guest speakers at the A. M. P. A. luncheon today at Nardi's. Al Wilkie will do the honors. Vincent Trott's book, "Screen Personalities," will be auctioned for the benefit of the Film Daily relief fund.

**M-G-M Pep Club Meets**

The New York M-G-M exchange pep club yesterday held its monthly meeting and decided to hold a party around Christmas. Time and place unsettled. Herman Ripp is president.

**Staab Services Held**

MILWAUKEE, Nov. 15—Funeral services were held here yesterday for Henry A. Staab, former executive secretary of the M. P. T. O. of Wisconsin.

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**BUSINESS OPPORTUNITIES**

- EXCLUSIVE with long record of supersensational accomplishments in clearing up bad and losing situations, guarantee same year's pay, until successful, brought to your door. Address: NATHAN SCHWARTZ 325 West 40th St. New York, N. Y.

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**Daily Box Office Guide**

- **MOTION PICTURE DAILY**

Registered U. S. Patent Office

**Vol. 34**
**No. 131**

**October 16, 1933**

**I.F.** "The Prizefighter and the Lady" proves anything at all. It is a matter of personal belief that it demonstrates the futility of trying to make rules hold in this business.

Walking out of the squared ring, Max Baer, the pug, in one picture at least, rubs Max Idani's name. It doesn't seem to make sense, but there it is.

Baer is young, physically a kind of Greek god, boyish, and as much at ease before the cameras as any well-seasoned Hollywood star is or could hope to be. His voice records pleasantly, he can sing enough to get himself by and apparently can toss off a dance step or two as well. Full face, he is not too hot. In profile, he clicks. Therefore, M-G-M, no doubt, will stick to the profiles.

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**THE picture itself is a telling instance of the oldest kind of story hash, re-cooked with intelligence sufficient to make register with a bang an artistic yarn of the fighter who flashes to the screen a swollen head, wins the girl in whirlwind romance, then takes a near-beating to knock some sense into his head.

It reminds of the memorable line Mac West used to pull in her solo vaudeville days. Mae wore a diaphanous gown that shimmered and clung to what was then a slim, arresting figure while she sang a song and a dialogue, getting him in the make-believe romance, then taking a near-beating to knock some sense into his head.

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**TRADE and the market**

The business, always has been show business and forever more will be show business. The truth of the situation is really very simple: "It depends on getting by on big names. Producers, from time to time and for reasons substantial enough, principally the fact they didn't have any themselves, have tried to break away from stars. The record shows they hot.

(Continued on page 7)

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**Most Issues Remain Steady**

Columbia Pictures, etc. 3 1/2 2 22 30
Consolidated Film Industries, etc. 3 1/2 2 22 30
Eastman Kodak 72 68 64 64 1,000
Fox Film "A" 19 19 19 19 100
Lew's, Inc. 39 28 28 28 1,000
Paramount Public 19 19 19 19 100
Pathé Exchange "A" 19 19 19 19 100
RKO 39 39 39 39 1,000
Warner Bros. 60 60 60 60 3,000

**Trading Light on Curb**

**All Bond Issues Show Loss**

General Theatre Equipment 6s 90 90 90 90 90
Keith B. F. 6s 4s 4s 4s 4s
Joel's 6s 4s 4s 4s 4s
Paramount Broadway 6s 7 7 7 7
Paramount F. J. 6s 47 47 47 47
Paramount Public 7s 26 26 26 26
Warner Bros. 6s 39 39 39 39 39

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THERE IS NOTHING BIGGER THAN

ESK

IMO

Tuesday at the $2 Astor Theatre, N.Y. "Trader Horn" yielded its laurels to an even greater Metro-Goldwyn-Mayer attraction

A W. S. VAN DYKE PRODUCTION
Detroit Men Widen Fight Over Booking

Kuykendall Asked to Address N. J. Allied

NEWTON, N. J., Nov. 15—Sidney Samuelson, president of the M.P.T.O.A., and in an invitation to Ed Kuykendall to attend a meeting of New Jersey Allied and explain the M.P.T.O.A. stand on the code. The invitation includes any M.P.T.O.A. members Kuykendall cares to bring along.

"This morning's trade papers print a statement attributed to you from which the following is quoted: "Kuykendall stated that the procedure of these three or four self-styled leaders really represents the sentiment of any representatives or members of the membership of Allied States." I believe that you should be given an opportunity to prove your assertion.

"If you have been distributing in your original code wanted to rule out, escape code control because the objections first raised were voluntarily withdrawn by distributors on the floor of the public hearings in Washington weeks ago.

New Plans Up Soon On Criterion Block

New plans involving either the retention or disposal of the Broadway theatre block from 44th to 45th streets under consideration. Multiple agreement, the Paramount publix trustees and when complete will be submitted to Referee Kelly C. Davis for approval. A full month extended of matured interest payments on the property expired yesterday.

The block, which includes the criterion and Loew's New York properties, is held by Sencora Holding Corp., a subsidiary of Paramount Publix, and was offered for sale by the Paramount Publix trustees last summer. When no bids were received, the trustees were authorized by Referee Davis to make a $900,000 payment to obtain an extension of the interest maturity to Nov. 15. The trustees' payment at the time that it was their hope that improved trade conditions might create a better market for the property in the interim.

Schlaifer Given 16 Exchanges, Gold 11

The new organization will be perfected and officers elected. The body also will then determine the campaign it is to carry on.

Charles Koner was elected temporary chairman of the new body at its last meeting, held about three weeks ago.

Report Matinee Pickup

Matinee business around the county is reported picking up, according to representatives of the various home offices.

Federal Probe Indicated for K. C. Violence

The Grand Jury's report that Local 170's charter had been suspended is denied by H. H. Dunnavan, president. He said the I.A.T.S.E. headquarters had assumed jurisdiction of the local, following the operators' "war" of two years ago, and several months ago appointed a new slate of officers who hold office at the pleasure of the I.A.T.S.E. headquarters. The regular procedure of elective officers has been revoked and the local is operating under probation, Dunnavan said.

Argentine Sets Up Fund Release Plan

The plan provides for issuance of 15-year, interest bearing Argentine treasury bills, payable in U. S. currency.

Lewis Milestone Sails

Paris, Nov. 15.—Lewis Milestone today sailed for New York and the Columbia home office.

Goldstein Becomes Majestic Official

This costs on all pictures, shooting for "A" playing for the players.

For years Goldstein was general manager of Universal and then entered independent production on his own.

Chicago, Nov. 15.—Percy Barr, manager of the new Majestic exchange here, will hold open house on Nov. 21.

Allied Asks for 'Big Man' To Make Code Settlement

Night and Day

New slant in politics is in the offing when Ralph Budd, personnel manager of Warners, takes over the mayor-ality of Wyckoff, N. J., on Jan. 1. Budd will continue his post at Warners during the day and when he gets home at night he will take up his du- ties as mayor.

His night job will net him approximately $350 a year.

Publix Enterprises Plan Up in 2 Weeks

It was the duty of a small group of the Allied managers to attend a meeting of New Jersey Allied and explain the M.P.T.O.A. stand on the code. The invitation includes any M.P.T.O.A. members Kuykendall cares to bring along.

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"If you have been distributing in your original code wanted to rule out, escape code control because the objections first raised were voluntarily withdrawn by distributors on the floor of the public hearings in Washington weeks ago.

Detroit Exhibitors Lining Up New Unit

December, Nov. 15.—Convinced that Allied of Michigan does not intend to alter its views concerning Mid-States Theatres and that the local situation will remain as is as far as they are concerned, exhibitors who protested to the board of directors last week and who have been planning formation of a new exhibitors' organization here, this week said they will press plans for completing the new body in the near future.

A meeting will be called next week, it was said, at which time the new organization will be perfected and officers elected. The body also will then determine the campaign it is to carry on.

Charles Koner was elected temporary chairman of the new body at its last meeting, held about three weeks ago.
TODAY NEW YORK WILL ECHO THUNDEROUS APPLAUSE FOR A PICTURE THAT WILL LIVE ON FOREVER...IN GLORY UNDIMMED.

Katharine HEPBURN in
LITTLE WOMEN

With
JOAN BENNETT
PAUL LUKAS
FRANCES DEE
JEAN PARKER
Edna May Oliver
Douglas Montgomery
Henry Stephenson

MERIAN C. COOPER, Producer
Kenneth Macgowan, Associate
GEORGE CUKOR, Director
Looking 'Em Over

"From Headquarters"

(Woman)

Practically all of the action takes place in a metropolitan police headquarters with the police applying varying forms of technique to solve the case. And as the Broadway playboy, Kenneth Thomson, moves rapidly and seemed to hold the interest of a Strand audience at the opening show last night, but the romantic phases of the story are subordinate to the police technique. The only love element lies in the fact that Margaret Lindsay, one of the suspects, is a former sweetheart of George Brent, the police lieutenant, and in the unraveling of the crime he tries to protect her and his brother, Theodore Newton.

Finger printing, sorting of cards containing records of past offenses and general alarms, tricks for getting finger prints—all the mechanics of modern crime detection are shown. It all seems quite real, and at times exciting.

Dorothy Burgess gives an impressive characterization of the dope fiend in one short sequence. It was directed by William Dieterle from a story by Robert X. Lee. Peter Milne helped Lee on the adaptation.

One Year Later

(Alida)

Jealousy on the part of Donald Dilloway almost ruins his life and Mary Brian's, but through the generosity of Russell Hopton, a reporter, the marital troubles are straightened out. Penny Dilloway's boss has been trying to win Miss Brian away from her husband, but the heroine remains true to her mate. When the husband returns home and finds his boss paying one visit too many, he accidentally kills him and is sentenced to die in the chair. Enroute to the death house, Hopton is an interest in the case when he sees Miss Brian on the same train.

Hopton is ill and hasn't long to live. He hits DeWitt Jennings, who is taking Dilloway to the pen, on the head and exchanges places with the hero. He then jumps off the train as it crosses a bridge. Those on the train believe it to be Hopton who has killed himself and that leaves Miss Brian and her husband to start all over again.

It is a thin story puffed with incidental happenings which have no bearing on the plot. Miss Brian tries hard to carry the picture, but the weak yarn is too much of a handicap to hurdle. Dilloway and Hopton work hard and have a hard time trying to be convincing. E. Mason Hopper directed. A Loew's New York audience didn't get excited about it.

Sail for Australia

San Francisco, Nov. 15.—Arthur and Mrs. Loew, Joe Vogel and J. J. and Mrs. McCurdy sailed today for Australia. The Loews are making a world tour by air while Vogel will visit Loew theatres in Australia and other parts of the world. McCurdy recently was named Columbia representative in Australia.

Detroit to Tender Frudenberg Dinner

Detroit, Nov. 15.—Exchange and theatre managers and others in the industry will gather at the Book-Cadillac Friday night to tender a farewell banquet to Arthur Frudenberg, former RKO division manager here, who leaves on Monday for New York to assume new duties there.

H. M. Richey, general manager of Allied, will serve as toastmaster, and Arthur McCurry will act as M. I. Ideal, managing director of the Fox; Carl Shalit, Columbia; M. Gottlieb, Universal; Nat Levy, RKO, and J. M. Flynn, M-G-M.

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Report Code Long

In Roosevelt Hands

Continued from page 1

of several weeks ago that the code would go immediately to the Chief Executive for Mr. Byrnes. Administrator Hugh S. Johnson, although back from his western trip, has been too busy for his return to see Deputy Administrator Sol. A. Rosenblatt regarding the code. Today, therefore, was a quiet day in the code section.

Edel's Signs Circuits

Practically all of the important circuits in the country have signed for Educational shorts, says Educational. The circuits include F. W. C., Skoars Metropolitian, RKO, practically all the Public and partnerships, Comerford, Shea, and others.

Statewide Case Friday

Milwaukee, Nov. 15.—Honoring of credit unions by the bank has been a landmark in the State wide theatre, Inc., has been continued to Nov. 17. Originally scheduled for Nov. 9, the case was postponed until the later date.

Schnitzer Leaves

Joseph I. Schnitzer, president of Jefferson Productions and former manager of Paramount's Auditorium, is now in his new position with United. He leaves a position at the Paramount Theatre with that company. This subject is only mildly interesting and is without Public and partnership, no. 9, is being held.

Shoefler, Mahlin in Town

Douglas Shoefler, head of the M-G-M sound department at Culver City, and John Lee Mahlin, a writer on the same lot, are in town.

Granger in Field

James R. Granger of Universal left for a quick swing through the Middle West yesterday. He will visit Chicago, Cleveland, Pittsburgh and Cleveland.

Wittman to "Philly"

Sig Wittman of Universal today leaves for Philadelphia for a short sales trip. On Sunday he treks to Pittsburgh and then back to New York.
“Baron,” Band Get $44,000 Chicago High

CHICAGO, Nov. 15.—The decline in first run receipts was further emphasized in the World’s Fair closed this week. B. & K. Chicago theatre management asked to be paid $44,000 with “Meet the Baron” on the screen and Ben Bernie and his lads on the stage. Large attendance was taken for other spots suffered perceptibly.

Broadway thru a Keyhole” did $61,000 for the week at the United Artists, while “I’m No Angel” at the Oriental scored $19,000 in its fifth weeks.

RKO’s Palace was down to $20,000 with “After Tonight” on the screen and a mixed vaudeville bill. Total first run business was $115,000. Average is $120.00.

Estimated takings: Weekly Ending Nov. 7:

“I’m No Angel” (Para) ORIENTAL—$3,840; 20c-40c-50c, 5th week.

“BROADWAY THRU A KEYHOLE” (U. A.) UNITED ARTISTS—$1,700, 30c-40c-50c, 7 days.

Weekly Ending Nov. 9:

“MEET THE BARON” (M-G-M) CHICAGO—$2,800, 2nd week; Ben Bernie and His Lad, Shelly Bartlett & Others, Gross: $4,400, Average: $337.00.

“LIFE ON THE RIVER” (Radio) PALACE—$2,590; 35c-50c-75c, 7 days.

“NO MAN’S LAND” (Univ) Tack Sam & Co., Peter Higgins, Gross: $2,150, 7 days.

Weekly Ending Nov. 10:

“KELLY MURDER CASE” (Warner) AMERICAN CINEMA—(2.35) 30c-40c-50c, 2nd week, 7 days, Gross: $900.00, (Average: $128.57).

“The Way to Love” (Paramount) ROOSEVELT—(1.91) 25c-35c-50c, 7 days, Gross: $7,000.00, (Average: $1,000.00).

“Glory,” on Dual Bill, Tops Omaha

OMAHA, Nov. 15.—Finally reaching town, “Morning Glory” at the Brandywine, along with “No Marriage Ties,” piled up healthy gross of note in the face of good pre-weekend and holiday competition. The take was $5,000.

The Orpheum managed to do average business at $7,250 with “I Shotlass Quaker” and “Walls of Gold.” A dual bill of “Whoopie” and “Pilgrim” out of the world into the red again. The take was $4,500. Despite editorial and display support by the Bro. Winsch, Winnock’s “Broadway thru a Keyhole” failed to draw at the Paramount. It was the worst gross in several weeks, $6,250. Total first run business was $23,000. Average is $2,530.

Estimated takings for the week ending Nov. 11:

“PENTHOUSE” (M-G-M) CAPITOL—(1,500) 10c-35c-35c-40c, 7 days, Gross: $3,500.00, (Average: $500.00).

“NIGHT FLIGHT” (M-G-M) CRITIC—(1,250) 10c-35c-35c-40c, 6 days, Gross: $2,550.00, (Average: $425.00).

“I LOVED A WOMAN” (F. N.) LIBERTY—(1,500) 10c-15c-25c-50c, 7 days, Gross: $3,500.00, (Average: $500.00).

“SHADOW OF A GUN” (M-G-M) VICTORIA—(600) 10c-15c-35c-60c, 4 days, Gross: $600.00, (Average: $150.00).

“Man’s Castle” Held Up by Censor Board

Approval of “A Man’s Castle” is being held up by the New York Board of Censors which has ordered out the scene of two social problem "talking" in bed after a "false" marriage. Columbia has appealed to Erwin Esmond, director of the censor board, who has asked the board to look over the picture again today.

Booking of the film, tentatively scheduled for the first 16 of the month, has been held up until the matter is settled. Columbia is trying to get the picture through without the cut. Esmond refuses to comment.

“Bombshell” Pulls $15,000 in Denver

DENVER, Nov. 15.—“Bombshell” skyrocketed the box-office take at the Orpheum, packing the house several times and having sellouts several days of the gross was $15,000, over by $5,500. "Berkeley Square" gave the two holdouts and turned in $3,800, an above-average gross. "One Sunday Afternoon" gave the promises $8,000 with standouts most every day. Other houses were below par. A snowstorm on Saturday and several showings failed to keep fans away from films they really wanted to see.

Total first run business was $34,600. Average is $2,825.

Estimated takings for the week ending Nov. 9:

“BERKELEY SQUARE” (Fox) ALADDIN—(5,000) 25c-40c-50c, 2 days, Gross: $5,0000. (Average: $2,500). "ONE SUNDAY AFTERNOON" (Para) DENHAM—(1,500) 25c-35c-40c, 7 days, Stage Gross: $2,150.00, (Average: $300.00). "THE PRIVATE LIFE OF HENRY VIII" (U. A.) DENVER—(2,500) 25c-35c-50c, 8 days, Gross: $5,000. (Average: $625.00). "BOMBSHELL" (M-G-M) ORPHEN—(1,500) 25c-35c-50c, 7 days, Stage Gross: $5,100. (Average: $730.00). "S O S ICEBERG" (U. A.) DAVIS—(1,600) 25c-40c-50c, 7 days, Gross: $3,000.00 (Average: $428.57).

Shift Vaude in Buffalo

BUFFALO, Nov. 15.—Vaudeville is being shifted back to her Hippodrome, while the Great Lakes takes the Hippodrome plaza as the all picture “run” house in Buffalo. Scale at both houses remains the same, 25c-40c-50c, as will be used in the Hippodrome weekly. With the changes in policy, the managers also shift, John E. Cawood, manager of the Great Lakes and Robert J. Murphy to the Hippodrome.

“Pigs” Sweeping Frisco

SAN FRANCISCO, Nov. 15.—“Little Pigs” has been sweeping the neighborhoods in a manner similar to “Maple Leaf and the Donnybrook.” Most district houses are running it and are billing it over the feature picture. A heat stink of placing three live squealing pigs in a cage outside the theatre. It drew plenty of interest and business.

“A World” with Show $38,000 Boston Draw

BOSTON, Nov. 15.—“Grosvenor” dropped off from last week, but were still well above average with every first run house making the grade.


MONTREAL, Nov. 15.—“One Man’s Journey” by vaudeville, led the town last week with a take of $12,500 at Loew’s. This is $2,000 over par.

The dual bill "Broadway thru a Keyhole” and “As the Devil Commands” was good for $7,500 at the Princess.

Wintery weather and the closing games of the football season were a general drawback.

Total first run business was $40,500. Average is $2,900. Estimated takings for the week ending Nov. 10:

"WALLS OF GOLD" (Para) CAPITOL—(2,500) 25c-40c-50c-60c-75c, (Radius). Gross: $1,000. (Average: $200). "ONE MAN’S JOURNEY” (Radio) LOWE’S—(3,000), 25c-35c-50c-60c-75c. "Journey,” Vaude, $12,500. (Average: $1,000). "LIFE STORY OF H.R.H. THE PRINCESS" (U. A.) ORDERS IS ORDERS (British) PARIS DINNER—(2,000) 25c-35c-50c-60c, 7 days, Gross: $1,000. (Average: $143). "THE DEVIL’S COMMANDS" (Col.) PRINCESS—(2,275) 25c-35c-50c-60c. 7 days, Gross: $2,700. (Average: $343).
State Nazism Puts Germany Out of Reels

(Continued from page 1) the operations of the Hitlerite propaganda and censorship bureaux which make it virtually impossible to get any footage out of Germany which measures up to the American newsreel's standards of record.

"The Hitlerite Central Press Bureau won't pass much that is worth while from the American news standpoint and refuses permission to newsreel cameramen to shoot any of the good stuff, with the result that virtually all of the footage coming out of Germany today is not news, but propaganda," was the way one editor summed up the situation.

"U" Using no Footage

Allyn Butterfield, editor of Universal Newsreel, said that Universal has used no German footage since last June.

"While we get several thousand feet of film out of Germany weekly," he said, "the results of careful editing disclose that essentially all of it is propaganda, not news."

Jack Connolly, Pathé News editor, said that his reel has used three German shots in six months.

"Pathé has no different policy applying to news from Germany than it has for news from any other country. If it's news, we'll use it. What we haven't used, we didn't consider was news."

William P. Montague, assistant editor, Paramount News, said that he could recall only three shots Germany which had been included in that reel during recent months.

"The difficulty," he said, "is in getting anything out of Germany that isn't plainly propaganda. Germany's own restrictions are responsible. We used some footage on the burning of books by Nazi students; some shots of the most recent trip of the Graf Zeppelin and a Berlin interview with Maxim Litvinoff, while en route from Russia for his conferences with President Roosevelt. These we considered to be news, and the rest of the footage from Germany failed to measure up to the same standards of editorial judging."

No Movietone Clips

Fox Movietone and Hearst Metrotone have used nothing from Germany for the past three months.

One editor pointed out that the German news situation puts the reels "on a spot." He said:

"Jewish exhibitors and those of anti-Hitler sympathies refuse to run German food, even if we include it and many refuse to accept a reel with anything pertaining to Hitlerite Germany in it. Others contend that Hitler is news and demand more German footage. The newsreel find themselves in about the same situation as existed when Premier Mussolini first came into power in Italy and was internationally referred to as 'The Mad Dog of Europe.' No exclusion here of German news is proper. Witness the New York Times, which is anti-Hitler, yet prints many lines of German news daily."

Cleveland Back to One Indie 1st Run

(Continued from page 1) home of Keith vaudeville until B. F. Keith built the Palace, now called the RKO Palace. When big time vaudeville moved up to the Palace the Hippodrome sank into a secondary classification, and in recent years has lost a lot of money. RKO lost the house last spring.

Warners plan a picture policy and will take over the house officially on Nov. 21.

Probe Fox Westco Today

Hollywood, Nov. 15.—Fox West Coast bankruptcy will be heard tomorrow before the Senatorial committee.

Hutchinson to Make Trip to Fox Studio

Hollywood, Nov. 15.—W. J. Hutchinson, managing director for Fox in England, will arrive here in January for a two-week stay during which he will study production methods at Fox Movietone Studios. Following his return, Roy Simonds, publicity manager for Fox in England, will leave for the local plant.

Ben Berk to Coast

Ben Berk has resigned as vice-president and general manager of Atlas Soundfilm Studios and will leave today for the coast to take charge of a new Hollywood office of Blue Seal Sound Device, Inc.
E. E. Shauer
PASSES AWAY
AT HIS HOME

Heart Attack Is Fatal; Paramount Founder

Emil E. Shauer, vice-president of Paramount International and one of the founders of Paramount Publix, died suddenly yesterday morning at his home. He was 67 years old and had never fully recovered from a paralysis attack which he suffered several years ago.

Born in Bohemia in 1886, Shauer came to America at the age of two. His family settled in Chicago and he attended the public schools there. At an early age he became an errand boy for Mandel Brothers and before he reached 21 he had become the youngest face curtain buyer in the country. This post necessitated frequent trips to Europe and he became extremely well acquainted with the Continent.

(Continued on page 10)

WARNERS HOLD TALKS
WITH THEATRE HEADS

Exhibitor advice on forthcoming Warner product has been sought during the past week by Harry M., Jack and Albert Warner in a series of home office conferences. Among those called in for the talks were the Libson of Cincinnati, George Trendle of Detroit, Mike Shea of Buffalo and Ed Fay of Providence.

A. W. Smith and Gradwell Sears sales executives, sat in on the conferences.

Jack Warner left for the coast yesterday.

Kalmine’s Transfer
Is Regarded as Set

PITTSBURGH, Nov. 16—Transfer of Sol Hankins, Warner zone manager from Milwaukee to this city is believed to indicate definitely that Harry Kalmine will go to Philadelphia to take William Goldman’s place there. Hankins was formerly local division manager.

CENSOR COOPERATION
IN PENN. HOPED FOR

PHILADELPHIA, Nov. 16—Exhibitors and exchange officials here are hopeful of a more cooperative attitude on the part of censor officials as (Continued on page 4)

INDEPENDENTS
SET NEW OHIO ORGANIZATION

E. A. Schwartz Named as Head; No Code Action

COLUMBUS, Nov. 16—Formation of the independent M. P. Exhibitors’ Ass’n of Ohio was agreed upon here today at a gathering in the Deshler-Wallick Hotel. Only independents will be admitted, it was decided, and the association will not be affiliated with any other organization.

Officers were elected unanimously as follows: President, E. Schwartz, Cleveland; vice-president, Frank W. Huss, Cincinnati; secretary, George W. Erdman, Cleveland; treasurer, Robert Menches, Akron; directors, Philip Semelroth, Dayton; Harry Pol and Richard Charles.

(Continued on page 4)

HARRIS AND MARXES
DISCUSSING MUSICAL

Hollywood, Nov. 16—Following his return from the East, Sam H. Harris went into conference with the Four Marx Brothers on a plan for a musical comedy which Harris will produce on Broadway with the Marxes starring.

The quintet will leave this week for Palm Springs to work out the details. If the deal becomes definite, Harris will approach Charles MacArthur and Ben Hecht to collaborate on the story, with possibility of reissuing through U. A.

HERTZ WILL RESUME
PARA. STORY TODAY

John Hertz, former chairman of the Paramount Publix finance committee, will resume his testimony begun last week at an adjourned first meeting of Paramount Publix creditors before Referee Henry K. Davis here today. Counsel for Paramount Publix trustees in bankruptcy first will conclude their examination of Hertz, whereupon he will be turned over to Saul E. Rogers and Samuel Zirn, counsel for Paramount bondholders’ groups, for questioning.

STOCK MARK-UP
OF $38,285,000
TOLD AT PROBE

WASHINGTON, Nov. 16—A write-up of $38,285,000 in theatre equipment corporation stocks controlled by Harley Clarke during negotiations with the General Theatres Equipment Co. was today disclosed by the Senate Banking and Currency Committee investigating banking practices.

The alleged “watering” occurred in the stocks of International Projector Corp., National Theatre Supply Corp., and four lamp companies, which were taken over by General Theatres at a cost of $43,040,000, although the book value of their stock aggregated only $4,756,000.

People quoted by the testimony of Clarke, Ferdinando Pecora, commit.

HEARING ON LOEW’S
STOCK SALE DEC. 7

Sale of 609,000 shares of Loew’s Inc., owned by Film Securities Corp., will not take place on Nov. 27 as proposed by Chemical Bank & Trust Co. in a petition to the U. S. District Court as a result of the postponement yesterday of a hearing on the petition until Dec. 7 by Federal Judge John C. Knox.

Sale of the stock is proposed in order to satisfy a $20,000,000 two-year

SHERIFFS ADJOURN
FOX WEST COAST QUIZ

LOS ANGELES, Nov. 16—The Senatorial committee investigating the Fox West Coast bankruptcy today was bewildered over what it considered the fantastic and complicated corporate

DEPUTY TO PRESS
FOR CODE CONFAB

WASHINGTON, Nov. 16—Considersation of the film code lagged today, with General Hugh S. Johnson’s attention centered on other important problems piled up during his absence.

(Continued on page 4)
EMIL E. SHAUER passed out of the realm of worldly troubles yesterday morning.

Always courteous, constantly the gentleman, Shauber was one of the industry’s gentler members, a friendly contact with him over a period of fifteen years had demonstrated.

We remember an incident that goes back many months. He had been ill, away from his desk at Paramount and confined to his home, worried over health and business. Then came a day when his doctors permitted him some slight activity at the office and an occasional visit to the noon-day haunts where film men gather. It was on such a day when he walked into the Motion Picture Club and attempted to make his way across the restaurant only to find himself interrupted on all sides by friendly handshakes and genuine solicitation of his health.

He was obviously so pleased to learn he had not been forgotten. Slight enough, you may think. As a matter of fact, it was. But SHAUER was touched and made no effort to hide it. That insight into the man’s humility had lodged itself in my memory since that time.

“Nate” Nathanson is reported spreading his wings over New England. They would throw him into direct competition with Paramount, whose big Canadian string is he now running as presxy. There couldn’t be any connection between the Down East move and "Nate’s" well known ambition to control Famous Players Canadian complete, could there? It’s yours to dope out from this point on. Reports of a radical shift in newsreel making apparently are the bunk ...

Harold B. Franklin is about to move into his new office on the 54th floor at 30 Rockefeller Plaza. On the 55th is John D. Rockefeller, Jr. On the 53rd, David Sarnoff. If it’s financing he wants to know about, Harold can look up. If it’s wireless rates, he can look down. The Music Hall has rejected and paid for another major line picture which the administration there refuses to play ...

Shocking note: The $181 take which a certain picture, made as a negative which certainly indicated its producer was gaming for "A" type, grossed in one week in a certain mid-western theatre of 2,000 seats and more. Arthur Mayer, impresario of the Rialto, who always has a picture problem on his hands, is in favor of long runs, like "I’m No Angel’s" four weeks at the Paramount, for instance. Says it congests subsequent releases and makes it sweeter for him ...

Radio has been considering plans for another Amos ’n Andy feature, but no deal has been struck—as yet. If it happens, production probably will be centered in the old Biograph plant in the Bronx. This is the studio Herb Yates and Consolidated now control. Historical note: It was Dave Selznick, who picked (Continued on page 10)

COLUMBIA GAINS ONE AND HALF

Trans Lux Only Curb Issue Active

Par. F. L. Bonds Off One and Half

Trans Lux

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Para. F. L. Bonds Off One and Half

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GOING OUT for speedy follow-up on his 'Footlight' success, James Cagney's 'Lady Killer' is set for December 9th release.*

NEW NAMES for mounting roster of Warner players are Fif D'Orsay, added to cast of 'Wonder Bar,'* and Joel McCrea, signed for lead in Stanwyck's 'Gambling Lady'.

UNIQUE DISPLAY of firearms forms one of dozen flash stunts in big N. Y. Strand send-off for 'From Headquarters,' novel blackmail thriller.*

PUZZLING CASE faces Warren William in doctor role in 'Bedside,' coming soon from Warners with Jean Muir, Kathryn Sergava in cast.

FIRST GOAL for 'College Coach' registered in initial date at Strand, N. Y. 'Action-packed, exciting, thoroughly entertaining' agree critics Boehnel, Johaneson, Sherman.*

REUNION IN BURBANK. Eddie Robinson and W. R. Burnett, star and author of 'Little Caesar' join hands again in 'Dark Hazard,' book-of-month sensation now in Warner cutting room.*

CAMERAS TURN on 'As The Earth Turns' as coast arrival of Emily Lowry, stage find, completes cast for latest of Warners' six best-selling giants.
Independents Set New Ohio Organization

(Continued from page 1) Justus and Theodore Perkus, Columbus News; Herbert Lind, Cincinnati; Paul Elton, Warren; H. L. Walker, Salem; John Schwartz, Painesville; Melanges, Akron; L. S. Powers, M. B. Horwitz and John Kalafat, Cleveland; John Perkas, Elyria; P. O. Frederick, Norwalk; Leo Dwyer, Celina; Jack O'Connell and Howmavig, Toledo; Frank Huss and Henry Levy, Cincinnati and Nat Charnas, Bucyrus.

A resolution opposing the signing of the code because it is incomplete was adopted, and the meeting went on record as endorsing the action of the independents' meeting held recently in Chicago.

No plans were formulated for fighting the local code, but approximately 25 theaters were represented. No date was set for the next meeting.

Max Steinman suggested that the new organization consolidate with the M. P. T. O. of Ohio, but this was turned down.

Noel O. Schwartz had charged that the M. P. T. O. was controlled by producer-owned circuits, and this point was brought up by Mr. Steinman. Mr. Schwartz said he would have to submit this. He said P. J. Wood's failure to defeat the tax bill was due to the fact that independents had not given him the necessary support.

Horwitz said Ed Kuykendall, M. P. T. O. head, would be here to induce the Ohio M. D. O. to sign the code at its Dec. 5 meeting.

More Are Called in Ohio Lobbying Probe

COLUMBUS, Nov. 16.—Widening of the Grand Jury investigation into legislative lobbying against tax bills has resulted in the investigation of Pete Wood, business manager of the M. P. T. O. of Ohio, G. W. Erdmann, secretary of the Cleveland Exhibitors Ass'n, and Henry Greenberger, Meyer Fine, John Kalafat, Paul Guadano, Sidney Schwartz, and M. B. Horwitz. They will appear on Friday.

Erdmann, Greenberger and Schwartz declared that the Cleveland Exhibitors Ass'n could not have spent $10,000 in lobbying against the 10 per cent stage tax, as has been charged. In fact, they insisted the association had never spent anything. Wood went further and said his organization could not have spent anything because he had not even been able to collect dues.

Skouras After the Fox

Sr. Louis, Nov. 16.—Sypros Skouras' visit here recently is linked with reports Skouras Brothers are negotiating to take over the Fox.

Tax Refund to Gilbert

Washington, Nov. 16.—Taxes totaling $49,413.79 have been credited to John Gilbert on his 1931 return.

Brown in Hollywood

Hollywood, Nov. 16.—George Brown's visit here is a combination business trip and vacation.

All But Three Of 37 MPTOA Ideas in Code

(Continued from page 1) from an M.P.T.O.A. viewpoint, was the president local grievance and labor boards to hear industry disputes. This involving the principle of "house rule" for the local exhibitor," is one of the "innovations" made by the M.P.T.O.A. over a period of years," Kuykendall says.

He concludes that "so of one cent of the proposals for which M.P.T.O.A. put up a determined fight are included in the NRA code."

Kuykendall Declines Samuelson Invitation

Ed Kuykendall, M. P. T. O. A. president, yesterday declined the invitation of Deedra Samuelson, president of Allied of New Jersey, to attend a meeting of that organization and "settle code differences."

Kuykendall said the immediate purpose of M. P. T. O. units throughout the country as his reason for being in New Jersey to attend the meeting.

Kuykendall added that "neither you nor any other two discussing this subject before your unit could possibly settle it."

Deputy to Press

For Code Confab

(Continued from page 1) At the earliest opportunity, Deputy Administrator Sol A. Rosenblatt will seek a conference on the code, which now is practically sure to have to follow the President to Warm Springs, Ga. President Roosevelt plans to leave Washington tomorrow evening, not to return until after Thanksgiving Day.

Reports from the west coast that Rosenblatt would resign as a result of the delay in disposing of the code were denied by the deputy administrator today, who said he had no intention of leaving the Recovery Administration in the near future.

Taking advantage of a lessening of the rush on his office Rosenblatt today availed himself of the opportunity to be admitted to practice before the District of Columbia Supreme Court.

Clark, Wobber Returning

John D. Clark, general sales manager of Fox: Herman Wobber, in charge of the Kent Drive, and Roger Ferri, editor of the Dynamo, sales organ, return Monday from a tour of western exchanges.

No Need Fear Code, Says Kuykendall

(Continued from page 1) code, how M.P.T.O.A. executives gathered in New York, Chicago and Washington for two days, to work out a suitable draft drawn. He also stated that code conferences in the week here were a perfunctory show with various groups fighting against each other.

'When the code is signed, he said, 'it will yield little from the Chicago draft of the M.P.T.O.A."

Declaring that his association is not fighting for anyone's selfish interests, Kuykendall stated that the M.P.T.O.A. is promoting the general welfare of the industry in code talks. He stated that the industry is still one of personalities with individual theatre managers on their own instead of acting on orders from headquarters.

He also said: "I don't know of any business which carries so many dumbbells on each side of the issue."

"I advocated the elimination of meddlesome interests in the business."

"The M.P.T.O.A. head leaves for the west coast today, where he will have the advantage of the P.M.T.O.A. chart in Milwaukee on Tuesday and then goes to St. Louis, Oklahoma City, Dallas and Charlotte, where exhibitor conventions are on tap. All trips have to do with the code."

Censor Cooperation

In Penn. Hoped For

(Continued from page 1) a result of the recent visit of Samuel Schwartz, chairman of the Pennsylvania board, to the Coast studios.

Schwartz is understood to have outlined the attitude of the board to studio officials and to have suggested to them that if they will apply censorship restrictions to story preparation, the board will cooperate on its end.

Hearing on Loew's

Stock Sale Dec. 7

(Continued from page 1) hot gold issue of Film Securities and Exchange Commission, on April 1 of this year. The stock is posted as collateral for the bond issue, most of which is held by Chase National Bank, on the part of Film Securities trustees to work the affairs of the company will also be heard Dec. 7.

Lynn Farnol Here

Lynn Farnol is in town to lay out a campaign for the opening of "Roman Scandals" at the Rivoli. He was on the coast three months ago and has been notified for the New York opening, but the film is set on the coast for Nov. 24 at Grauman's.

Penn MPTO to Dance

PHILADELPHIA, Nov. 16.—Tentative dates for a dinner dance to be given by the Pennsylvania chapter of the Motion Picture Exhbitors Association are Nov. 9 and 26 or Dec. 3.

Tashman to Chicago

Liliyan Tashman left for Chicago yesterday for personal appearances at the Palace. From there she goes to Hollywood and then back to New York.

Stock Mark-up of $38,285,000 Told at Probe

(Continued from page 1) probe, announced that it may be possible to break the Fox-Grandeur contract before the committee to explain his participation in the Fox-Grandeur organization and take over the assets of the Mitchell Camera Co., held by Clarke, and which also was sold to General Theatres, because of the diversity of opinion over the portion of the transaction, which revealed a payment of $2,000,000 to Fox for a half interest in Grandeur.

Conflicting statements by Clarke drew warning from the committee that falsehoods would constitute "con- tempt" or "perjury," which latter latter was testified last week that, as president of the projector company he had paid that Rowan Co. for a share of which it was paying, he testified that he had acquired all of the stock of the Fox-Grandeur Providence, $15 share, and got $690,000 from International Projector, which, Pecora pointed out, was at the rate of $215 a share, a profit of Clarke of more than $200,000.

It was also testified that Clarke had purchased the stock of the Mitchell Camera Co., also purported to be an intermediary for General Theatres. Grandeur was organized by him to take over the=${90000000}$, valued at $331,960. He told the committee he sold the assets of Mitchell for what they had cost him, but the records disclosed that he was paid $300,000, the stock.

"Women" Book Unusual

Radio's art department, headed by Barrett McCormick, has turned out one of the most unusual press books seen in radio circles in a long time, "Women:"
The outside part of the three-fold booklet is done in offset with the predominating background color. A full length figure of Katharine Hepburn is on the front cover, with posters, also done in offset of the same color as the booklet.

When opened the booklet has three smaller books, the outside covers of which are done in old-fashioned wall paper effects. One is for publicity another for showmanship and the third for advertising. The inside of each of these is done in black and white, with the exception of the showmanship book which is done in three colors and has an assortment of novelty accessories. The art work was done by David Strumpf.

See Record for "Women"

A $15,000 first-day's gross for Radio's "Little Women," with Katharine Hepburn in the title role for the Music Hall yesterday by RKO on the basis of receipts up to early evening. At mid-day, the take was $5 ahead of that for "Cavalcade" for the same portion of its opening day. "Cavalcade" holds the Music Hall record with a total of $660,000.

Music Hall admissions were increased five cents yesterday. Handkerchiefs were on display all day and were sold in cold weather responsible for them.
FOX MANPOWER SCORES A HIT WITH THIS FLAMING SUCCESSOR TO "CALL HER SAVAGE"

Clara Bow in the supreme dramatic performance of her amazing career. Thrills that halt your pulse beat. Hearty, robust laughter. Above all... romance... revealing the deep emotional currents of an impassioned woman's heart. Prepare for one of your greatest profit runs of the year.

Clara BOW in HOOPLA

with
PRESTON FOSTER
RICHARD CROMWELL
Herbert Mundin • James Gleason • Minna Gombell

From the play "The Barker" by JOHN KENYON NICHOLSON. Stage play produced by CHARLES L. WAGNER. Al ROCKETT Production

Directed by FRANK LLOYD

Your patrons always like FOX MOVIETONE NEWS
Hello! There IS something new under the Hollywood sun! It's "BLOOD MONEY" and 20th Century makes it shine.

Listen . . . "BLOOD MONEY" is packed with entertainment! It's a triumphal return for George Bancroft.

Say—George Bancroft is simply wonderful in "BLOOD MONEY" and Frances Dee and Judith Anderson are simply fine. A thrilling peek-in on a new corner of crime.

Yes, 20th Century hits the bulls-eye again! A fine piece of entertainment.

"BLOOD" is one of the most sensational pictures of the year!

GEORGE BANCROFT

"BLOOD"

and the sensational come-on of

CHANDLER, JUDITH AND

as JOSEPH M. SCHENCK

DARRYL F. ZANUCK

They're Burning

At a preview held in Los Angeles the critics raved over the sensational

They're Burning

At a preview held it was seen . . . the critics raved over the sensational

They're Burning

At a preview held in Los Angeles the critics raved over the sensational characters

They're Burning

At a preview held it was seen that the critics raved over the sensational characters

They're Burning

At a preview held it was seen that the critics raved over the sensational characters.
BLOOD MONEY" zips along with mounting suspense to final punch. Here's a timely theme excitingly and impressively handled.

Here's a picture that proves there IS something new under the underworld. A grand come-back for George Bancroft.

"BLOOD MONEY" is a fine piece of entertainment, and the dialogue and situations are exceptionally good.

Print this... in "BLOOD MONEY" you'll see the best piece of acting Frances Dee has yet done, as the sensation-craving society girl!

up the wires!

Hollywood 300 critics
comeback of...

FRANCIS in
MONEY

FRANCES DEE, CHICK
ON and BLOSSOM SEELEY
presents the third big
mash for .

20TH
CENTURY
PICTURES
Released Thru UNI TED ARTISTS
NUTS!
GROUCHO is
HARPO looks
CHICO sells
and the three of them
drive ZEPPO
NUTS!

A boy and a girl were dancing!

Fore!
LAUGHING SOUP ... Concocted by the greatest collection of gag men in motion-picture history ... Brewed by the hand of Leo McCarey, who directed "The Kid From Spain." Decorated by any number of maidens out of uniform. And dished up by the FOUR MARXES.

THE 4 MARX BROS. in "Duck Soup"

a Paramount Picture, directed by Leo McCarey

if it's a PARAMOUNT PICTURE it's the best show in town!
E. E. Shauer
Passes Away
At His Home

Senators Adjoin
For West Coast Quest

(Continued from page 1)

structure set up to effect the volun-
tary bankruptcy of the organization.
Col. W. H. Neblett, counsel for the committee and Senator Adoo of California and Henry Ash-
hurst of Arizona, taking the whole of
the Senate's attention by their strong
hearing by soliciting advice from
Trustee W. H. Moore, Jr., on future
legislation for handling receiverships
and bankructcy matters in the future guidance
of the Senators present.

Charles Skouras divulged receiving
$2,000 a year drawing account against
profits for operating the theaters, ad-
diting: "If the theaters don't show a profit I will owe them money." He
also testifed the circuit had 450 houses
day before Feb. 27, when the bank-
ruptcy was filed. He said the company
now operates 125 in California; two
Arizona and Colorado. Neblett said the
best houses held out for a new com-
pany while others challenged the
legality of the bankruptcy action.

Argentine's Credit
Plans Are Set Back

An extension of time from tomor-
row until Nov. 25 for accepting the
Argentine government's plan for re-
organization of its credits, which the
recently liquidated companies in Argenti-
na has been made by the Argentine
Trade Commission here as a result
of inability to reach all of the Ameri-
can companies who represent an es-
timated total of $35,000,000 of blocked
credit in Argentina. A number of the
American companies hold no auc-
American country are large film dis-

tributors.

Argentine government's plan offers
American concerns with credits in
country the choice of lending their
blocked funds to the Argentine
corporation or taking a per-
cent interest or for 20 years at five
per cent.

Finds British Wired
Houses Up to 4,156

An increase in the number of wired
to the British Isles is reported
House, 135 Broadway, New York, next
Wednesday.

The rapid growth of British cinema
is evident in the increase of fil-
creations in the British Isles. British cinema has been
shown in the United States.

Plan "Earth" for China

Hollywood, Nov. 16.—Believing that
"Good Earth" will have a strong
peal in China, plans are under way to
make the Chinese version of this pic-
ture with American actors. Anna
May Wong looks as a possible remi-
tine lead. If she can not be obtained,
the actress' sister will be considered.

Soviet Film at School

First of a series of film showings at
the New School of Social Research
tomorrow night, with Joseph Freeman presenting "Spring," a
Soviet film.

Palfreyman West

David Palfreyman, theatre contact at
the Hays association, leaves for
Chicago this afternoon and the M. P.
with the convention in Milwaukee
next Tuesday.

Pictures of program calibar will
always be with the exhibitor because
there will always be a shortage of
story material.

This can be seen by the recent dictum pronounced yesterday by Howard A. Smith, story editor for 20th Century Pictures, who
suffered the film industry's neglect in
the future guidance of the Senators
present.

Smith said that story departments
would "open the doors to unin-
known writers, but have been taught
by unhappy experience that it doesn't
pay.

"We once rejected a scenario by
an unknown author," he related by
way of explanation, "which employed
a dog and a lake in its story. Later
we produced a picture which hap-
pened to have a dog and a river in
it, the disappointed woman sued us
for plagiarism.

Story cycles are unavoidable, Smith
believes, because popular themes have
been exploited. "A picture may create
the public which is profitable to both
producer and exhibitor, even though
the life of their popularity is a pretty
tenuous thing to determine and fre-
quently catches napping both the pro-
ducer who follows a cycle and the
exhibitor who folds up and capitul-
ation for this is to ride with the pro-
ducer identified with the starting of
cycles and let the devil take the hindmost."
LITTLE WOMEN
FULFILLS ITS PROMISE
BIGGEST OPENING DAY
IN SHOW HISTORY!
$14,000
AT WEEKDAY PRICES
BEFORE 3 P.M. $500
OVER THE HOUSE RECORD
Katharine
HEPBURN
in Louisa M. Alcott's
LITTLE WOMEN
Directed by George Cukor
MERIAN C. COOPER,
Executive Producer
Kenneth Macgowan,
Associate Producer
With JOAN BENNETT, PAUL LUKAS, FRANCES
DEE, JEAN PARKER, EDNA MAY OLIVER,
Douglass Montgomery • Henry Stephenson
A new sensation
of sheer loveliness
glorifies the screen
ANOTHER CLARK GABLE!  
A NEW VALENTINO!

This picture will win every award. It is far and away the best of the year. Read the critics in towns where it opened last week!

PITTSBURGH
"The whole picture is simply splendid. It starts right, it ends right. And every moment between is filled with suspense and just about the best natural acting one is likely to see this season. Yes, even from Max Baer. The picture is one of the best productions M-G-M has turned out. It clicks from the start. It tells a believable story. It is superbly mounted. It bristles with fine talent."
—FLORENCE FISHER PARRY, Pittsburgh Press

LOUISVILLE
"One of the best produced film stories of the ring to come out of Hollywood. The love interest is skilfully handled and the climactic prizefight is a nifty, packed with excitement and real ring thrills."
—DAN THOMPSON, Louisville Times

NEW HAVEN
"The most exciting film of today."
—New Haven Journal Courier

ATLANTA
"Max Baer has a simply magnificent presence; he is handsome in a very large way, with the fondest pair of shoulders ever displayed on stage or screen. The picture is amazingly worth seeing."
—O. B. KEELER, Atlanta Journal

WASHINGTON
"I have no hesitation in listing it as one of 1933's most entertaining pictures."
—ANDREW R. KELLEY, Washington Times

COLUMBUS
"Max Baer looks good. He prances before the lens in the leading male role, exuding personality and laughs. He fairly oozes with the 'what-it-takes' to get the feminine audiences."
—TOD RAPER, Columbus Dispatch

NEW YORK
"★★½...Max Baer is the most dazzling figure...in his first movie picture he flashes across the screen with the force of a comet...has good looks, a fine physique...he has a clear, low-pitched voice that is pleasing...particularly to the feminine ear...he has poise and demonstrates his ability to act, sing and dance. He has everything that a young man needs to become a success in the movies...I endorse it as a swell moving picture..."
—KATE CAMERON, News

"...here is a movie natural—one of the most thoroughly entertaining films that have come along in months...I don't remember when I've had as good a time...acting that is unbeatable..."
—WILLIAM BOEHNEL, World-Telegram

YOU'LL BE GLAD WE TOLD YOU about • Metro-Goldwyn-Mayer's Surprise Hit — "THE PRIZEFIGHTER AND THE LADY"
Secret Report On Producers Stirs Talent

Made Some Time Ago for Academy Governors

Hollywood, Nov. 17.—A secret report of Academy committee on the operation of the producers' arbitration agreement, or anti-raiding agreement, has become the center of a new controversy.

B. P. Schulberg, a member of the committee, has written a public letter to members containing that Joseph M. Schenck, another member of the committee, had consulted him about filing the report, which is said to be denunciatory of the producers' agreement. Schulberg says he went to Europe almost immediately thereafter, having told Schenck he would file the report with the board of governors of the Academy which appointed the committee. He says he had heard nothing of it since.

Howard Green, vice-president of the Academy, says the report was for the information of the governors and that it was compiled by the committee and that he had heard nothing of it since.

(Continued on page 4)

Casey Files Denial Of Coercion Charge

Washington, Nov. 17.—Denial of charges that producers were forcing sound men to join unions not of their own choosing was filed today with Senator Robert Wagner, chairman of the National Labor Board, by Pat Casey. The latter presented documentary evidence to support his claim, which Senator Wagner promised would be studied before any action is taken.

Reports to Washington a week ago declared that the I. A. T. S. E. was (Continued on page 4)

Columbia to Hurry Its Russia Picture

Columbia executives yesterday decided to start production immediately on "Red Square," formerly "Nikolaï Kouroubov," by Ilya Etrenburg. Following recognition of Russia by the United States, Lewis Milestone, who will direct, arrives on the "Le de France" on Tuesday after making a study of conditions in Russia. Sam Briskin is on route from the coast to meet Milestone and discuss production plans. Laurence Stallings, who is preparing the script, recently was abroad looking over Russian activities.

Recognition of Soviet Held
No Benefit to American Films

Foreign managers and distribution executives here see virtually no trade advantages accruing to the industry from the formal recognition of Russia announced in Washington yesterday and the resumption of normal trade relations with that country attendant upon the recognition.

With Soviet foreign trade on the basis of a government monopoly, imports have been limited to raw materials and machinery for Russian factories for several years. Moreover, Russian films perform a government propaganda service and the Soviet censors' requirements automatically eliminate the bulk of American product.

Similar views were also voiced by Carl Laemmle on his recent return to Hollywood from Europe and by Washington officials, as reported in "Motion Picture Daily," Nov. 4 and 8.

Reveals Hand Of Chase Corp.
In G. T. E. Deal

Los Angeles, Nov. 17.—Claims against Fox West Coast total $3,000,000, with Westco the chief claimant for $16,000,000, but this has been cut to about $11,000,000 by the trustees, it was brought out at the U. S. Senate committee hearing here.

Participation of the Chase Securities Corp., a subsidiary of the Chase National Bank, in an agreement in July, 1929, by which General Theatres acquired assets in several equipment companies, was admitted by Murray W. Dodge, former vice-president of the Chase National Bank, to the committee, and it was decided that the matter will be pursued further Tuesday.

(Continued on page 3)

FWC Claims Total Put at
$39,000,000

Washington, Nov. 17.—Vain efforts to secure a straight detailed account of the acquisition by the General Theatres Equipment Corp. of competing companies again marked the hearings of the Senatorial Wall Street committee today, and when the committee broke up it was decided that the FWC will file on Tuesday a lengthy report on the hearings.

For instance, the FWC was unable to lay hold of the proceedings in the court of chancery, and was only able to secure a letter of agreement which it used in its case.

(Continued on page 3)

Neilan Is Back as Independent Here

Associated Film Producers Corp., headed by Marshall Neilan, has been formed to produce features in the east. Other officers are John Bergen, vice-president, and John H. Dalin, secretary-treasurer. On the directorate, besides the officers, are C. S. Peabody, L. H. Herman and Walter Lenz.

Rumor Lily Pons to Sign Up with M-G-M

Hollywood, Nov. 17.—Rumors that Lily Pons will enter pictures was given added impetus following a lengthy conference with Irving Thalberg at M-G-M on the eve of her return to Europe from France and by the announcement by the French president of the new agreement between France and the United States. The agreement provides for mutual recognition and an exchange of films.

(Continued on page 3)

Johnson "Not Satisfied Yet" With the Code

Gives No Reason—Denies Labor Is Displeased

Washington, Nov. 17.—Shrugging the film code with a shrug of secrecy, Recovery Administrator Hugh S. Johnson today told newspaper men he was "not satisfied with it yet," but refused to explain wherein his dissatisfaction lay or why he had reversed the position he took a week ago when, before his departure on a western trip, he instructed his executive assistant, Colonel W. R. Lea, and Deputy Administrator Sol A. Rosenblatt to take the code to the White House for approval by the President.

Refusing to go into details about the code, the administrator denied that studio labor had expressed any objection to its provisions, saying it had not been charged that labor was dissatisfied, but that certain construction interests desiring a low hourly rate in their own code were seeking to have Rosenblatt's wage schedules.

(Continued on page 4)

Code Delay Holds Up Jobs in Theatres

Washington, Nov. 17.—Delay in signing the film code is keeping many people out of work.

A considerable number of communications, it was learned today, have been received at the White House and Recovery Administration from men and women who have been promised work in theatres when the code goes into effect and additional employees are required. The senders ask that there be no further delay.

Libson Back in RKO Post at Cincinnati

Ike Libson has returned to his former post in charge of RKO theatres at Cincinnati and Dayton as a result of an RKO splitup of its midwest division which puts the two Libson brothers in charge of separate parts of the old division.

(Continued on page 4)

RKO Claims a New Music Hall Record

First day's gross for Radio's "Little Women," with Katherine Hepburn, was $15,615, which establishes a new
**Fox “A” Only Gain Shown**

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**Milk, Eggs and Ham**

This year's theatrical benefit for the Motion Picture Relief Fund is being combined with the benefit for the Actors' Fund and will be staged at the Lincoln Theater, 1020 Third Ave. All talent and services connected with the benefit will be donated and proceeds will be divided between the two funds.

**Ascher Due Soon**

Irving Ascher, head of European production for Warners, sails from London Nov. 30. He is coming over for conferences with H. M. Walker and Sam Morris. Current foreign production plans for Warners have a total of 12 weeks scheduled for this season, but this number may be increased after the confabs.

**Reach West Coast Today**

Hollywood, Nov. 17.—George R. Batcheler and Maury Cohen of Chesterfield, and Irving Lowenstein from New York tomorrow. They stopped over a day in Chicago on their way here.

**L. O. Nutter Dead**

CINCINNATI, Nov. 17.—Lawrence O. Nutter, 45, brother of Edna Mae Ollier, died suddenly at his home at Covington, Ky.

**“The Vinegar Tree”**

Hollywood, Nov. 17.—“The Vinegar Tree” is laden with laughter. Fast farce, sprightly dialogue and unique situations carry through its maritual course.

The film, taken from the stage play, revolves around the emotional yearnings of a flapper and her collegiate fiancée, a neurotic mama and her elderly hubby, divorcee, and her artist sweetheart. The two-love-seekers, all under one roof, meet one week-end, with the three females gushing over Max, an artist, to articulate the situations that create the laughs.

As from its humor, the production has heart interest and registers some neat observations on love-cafl, cow and foolish.

Alice Brady, as the twittery mother whose heart is still young, carries the bulk of laughs with a breezy flair. Lionel Barrymore gives his usual distinguished performances as the grumpily understanding Papa too old for love. Mary Carlisle, easy on the eyes, might well go places on the screen, if properly handled. Conway Tearle, Katherine Alexander, William Janney and Halliwell Hobbes are all good.

Harry Beaumont’s direction is well timed and paced for laughs. “The Vinegar Tree” should keep audiences in a happy mood.

**Looking 'Em Over**

**“White Woman” (Paramount)**

A white jungle king, drunk with power, goes too far in insulting native chiefs. While the tom toms beat and an uprising gathers force the jungle despots is defeated by his white lover and her lover and awaits his doom playing poker with another braggart.

The picture is vaguely reminiscent of “Emperor Jones” in the way off stage sounds are used to build an impression of inevitable doom, but the central character, Charles Laughton, instead of being the lonely epitome of tragedy like Paul Robeson, is a Cockney with a sardonic sense of humor. He dies berating Charles Bickford for being stabbad in the neck at the instant he had filled his first royal flush in a poker game. It is a gruesome, but powerful scene.

The love interest is incident. Laughton finds Carole Lombard, cabaret singer, in a tropical community, about to be deported, and takes her to his domain as a bride. She repulses him, but breaking his associatees to his will is his chief pastime. She falls in love with his foreman, Kent Taylor, and Laughton sends Taylor to an outpost in the jungle. Bickford takes Taylor’s place and is persistently repulsed by Miss Lombard until the uprising. This place, which returns and fives with Miss Lombard. Bickford stays to out bluffed Laughton, and both are killed.

Some of the motivation seems a bit unreal but the drama is gripping. Stuart Walker did a good job of directing. Women may not go for the tragic ending.

**Much Excitement**

“Dancing Lady” print hit M-G-M from the coast yesterday, was immediately screened and created much excitement around the home office.

**Einfeld to Coast**

S. Charles Einfeld, director of advertising and publicity for Warners, leaves for Hollywood on Wednesday.

**Purely Personal**

ETHEL WATERS has been engaged by Magna Pictures for a two-reel musical which goes into production Nov. 20 under the title “Hot and Bold.” Jasen directing. She will be supported by FRANK WILSON.

CHARLES STERN, United Artists’ district manager for New York, Boston and New Haven has moved his office from the Boston exchange to 630 Ninth Ave.

KATHARINE HEPBURN, star in “Little Women,” current at the Music Hall, is due in town from the coast over the weekend to fill a stage engagement.

ROBERT SHAYNE has completed a five weeks tour of duty in Fort Myers, Fl., and will leave New York for the coast in two weeks.

BOB FABER, who edited Public Opinion until it was dropped, is back at Paramount, temporarily handling press books.

ED KUYKENBALL left for Chicago yesterday, on his way to Milwaukee for a Wisconsin M.P.T.O. meeting.

RUTH ETTING, just back from the coast, will be interviewed over WEAF tonight at 11:30 o’clock.

ELIZAB LAURIE will arrive today by plane from Hollywood for a brief stay.

MARK HELLINGER has sold his “Strictly Confidential” to Columbia.

JOHN ROACH is the new president of the Philadelphia Warner Club.

**Pola Negri Recovering**

PITTSBURGH, Nov. 17.—Sufficiently recovered to travel, Pola Negri, who was stricken ill here last week after the final performance of “A Trip to Pressburg” at the Nixon’s, left for New York where she intends to take a two-month rest cure in a sanatorium.

**Guild Roster Up to 550**

Hollywood, Nov. 17.—Seventy-five more members have been added to the Actors’ Guild, bringing the total to 550. A banquet and ball are planned for the Biltmore on Jan. 13, 30 days before the Academy awards dinner.
F.W.C. Claims Total Put at $39,000,000

(Collapsed from page 1)
bankruptcy could purge itself by paying that outside million, because all the other claims likely to be allowed are on top of it.

"Not if they form just one more company," interposed Senator Henry Ashurst of Arizona, "because that's what one more company to Fox West Coast?"

Ashurst also inquired about the history of the Winfield Sheehan-William Fox struggle for control of the company, and asked: "What has become of Mr. Fox?

Senator William G. McAdoo replied by saying: "Mr. Fox got out without a cent from all the companies owned, or taken, or leased. For the managers and individuals not identified with Paramount.

Rumors Lily Pons to Sing Up With M-G-M

(Continued from page 1)
departure for New York to begin a concert tour.

Although there was no verification from the studio that an agreement had been reached, there were no denials that a deal was in the air.

Cooper in Today

Gary Cooper arrives from the coast today and will remain for about two weeks. He'll take in the premiere of "Design for Living" at the Criterion, Nov. 22.

Skouras Moves

Skouras Theatres Corp. has moved from the fourth to the 14th floor in the Paramount building.

Neilan Is Back as Independent Here

(Continued from page 1)
Neilan will have charge of production.

The new company says it plans to make pictures with eastern back- drops and German sets with new faces unattainable in the west." Its first production, "Social Register," is directed by William De Mille in a new studio in Astoria and will be released by Columbia in January. Neilan is directing with William De Mille as producer and would have been headed by Colleen Moore, who is supported by Pauline Frederick, Alexander Kirkland, Margaret Livingston, Charles Winninger, Ross Alexander, Roberta Robinson, Olive Olsen and Georgette Harvey. Harold Godoske is assisting in the direction with Merritt Gerstad and Walter Strenge at the camera. "Social Register" is from the play by John Emerson and Nita Loos, adapted by James C. Creelman.

RCA Equipment Set For Biograph Plant

Negotiations with the RCA Victor Co. for the installation of its "High Fidelity" sound recording system in the Biograph studio in the Bronx has been completed, it was learned yesterday, preliminary to the installation at the end of this month, the plant, it is claimed, will be on a footing with the leading Hollywood studios in this technical facilities are concerned.

Two sound stages, each approximately 80, 120 feet equipped with Photophone. Both stages have already been soundproofed and ready for the installation of the equipment, while work on sound control rooms is now in progress. Reproducing apparatus of the same type will be used in the projection room of the studio, which is expected to open early next month.

I. E. Chadwick Plans For Four This Year

I. E. Chadwick plans four features for late distribution this year. The first, "Wine, Woman and Song," with Lilyan Tashman has been completed.

Charles Jones yesterday rejoined Chadwick in charge of publicity and advertising and will open a New York office for the company.

Para. Meeting Deferred

An adjourned first meeting of Paramount's public creditors association yesterday before Referee Henry K. Davis was postponed until Nov. 22. John Herr, former chairman of the Paramount finance committee, will resume testifying on that date.

Kandel Buys 3-Reeler

M. J. Kandel, president of Ideal Pictures Corp., has bought "Golden Ghosts," a three-reeler produced by the studio and the East Coast, and distributed in the states rights market.

Break for Soup Lovers

A Thanksgiving Eve party is planned by studio and laboratory staffs of the Brooklyn Vitaphone studio, to take place on one of the sound stages.

See No Change Due To Shauer's Death

(Continued from page 1)
A vice president, who carried the burden of the department's administration in view of the former's long and lingering illness. Hicks, for 11 years president of the distribution and sales division, was taken to New York, was in charge of all Paramount activities in Australia.

Tables of concordance reached New York, some of them from companies and individuals not identified with Paramount.

Keen Over Exchange Of U. K.-U. S. Talent

Expressing their opinion that the proposed interchange of players between Fox and Gaumont British would do much toward improvement of production and relations between England and United States, officials of the two companies met at a lunch at the Canadian Club yesterday in honor of Jack Hubert and Cicely Courtneidge, G. E. stars now on vacation in New York.

Present from Gaumont of America were Arthur Lee, president who gave the lunch, and Lowell V. Calver, advertising manager. The Foxes were W. C. Michel, Dan Michalove, Clayton Sheehan, Robert T. Kane, D. Salisbury, Lila Skouras, Charles E. McCarthy, N. L. Ahern, Bebe Maas and Joe Pincus. N. L. Nathan, whose Regal Films handles G. B. in Canada, was another guest.

Kansas City Union Stay Is Continued

KANSAS CITY, Nov. 17—Induction suit of the suburban Sun Theatre against Local 170, has been continued indefinitely in the Circuit Court here because of the illness of the union's counsel. The issue involved is whether the union shall be permitted to demand that the house be operated by the owners operate their own machines. Meanwhile, the temporary restraining order remains in effect.

Fear Scandinavian Ban

DENMARK, Nov. 17—Fear is expressed by American companies that stoppage of film importations here will spread to Scandinavia, including Norway, Sweden and Finland. Peterson and Poulsen, Danish inventors, claim their noiseless recording patents date before Eupa, which success is used by American companies.

"Alice" for Paramount

Negotiations between Reno and Paramount falling through." Alice in Wonderland" goes into the Paramount, New York, Christmas week. Reno wanted the picture for the Academy award, but the company dreamed of it for a Broadway show. Brown is also appearing in the film "Dancing Lady." Paramount also gets the Lewis Carroll film starring D. W. Griffith.

Flinn to Act for Wampas

John Flinn, president of the A. M. P. A., will represent the Wampas in their efforts for organization when advertising managers of all companies are called for conferences at the Hays office on administering the advertising clause in the code.

Reveals Hand Of Chase Corp.

In G. T. E. Deal

(Continued from page 1)
among the companies affected were the Mitchell Camera Co. and International Projector.

The Mitchell company was acquired by a circuitous method, its assets first being purchased by Harley L. Clarke, then by the Mitchell with 100,000 shares of converted preferred and finally by General Services taking a half interest in Grandeur, No of that nature could be sold by Dodge, who denied, however, that it was to "hide" the transaction.

The method by which William Fox acquired a half interest in Grandeur remained uncovered after two days investigation, although Dodge told the committee that Clarke "found competition" in Fox when he sought to purchase the Mitchell company.

The committee also inquired into the issuance by General Theaters of $6,000,000 in gold certificates, in the financing of which Chase Securities participated, Dodge explaining that it was the intention of Clarke to issue $6,000,000 shares of converted preferred stock but that the securities company objected. The certificates were sold to the bankers at $90 and to the public at $95, it was revealed.

F.W.C. and Fox Studio Men Start Sessions

HOLLYWOOD, Nov. 17—The first of a series of semi-monthly meetings between Fox West Coast divisional managers and advertising department and the studio publicity staff has been held at the Movietone plant.

The sessions are under the guidance of Archie Fox, Fox publicity head, and Reeves Essex of West Coast, who are working toward closer relations between the two organizations.

Cohen to Look Over Sites on the Coast

LOS ANGELES, Nov. 17—Louis Cohen, handling real estate deals for F. & M., is due here Monday from New York to look over various theatre sites in which F. & M. is interested.

In addition to this, Cohen will spend the holidays with his family and get a bit of rest.

Brown in Pittsburgh

PITTSBURGH, Nov. 17—Joe E. Brown is in town on his way from the Coast to New York and will spend the week-end here watching the Pitt-Penn football game. A personal friend of Jack Sutherland, the home-coach, and a scout for the local football team, Brown also came on her last fall to see the Pitt-Notre Dame clash.

Editing 14 Vitaphones

The cutting room at the Brooklyn Vitaphone studio is busy on 14 shorts, comprising two-three-reelers, four two-reels and seven one-reel subjects. One of the three-reelers stars Molly Picon; the other, Norma Terris.
Looking Over Shorts

"The Pet Shop" (United Artists)

In this one Walt Disney puts Mickey Mouse through a series of antics after he gets a job in a pet shop run by a big dog who sings opera. Mickey sweeps a broken package of bird seed into a pelican's gaping bill, an ostrich swallow's another package which makes him whistle. Then he follows it by swallowing an umbrella. An orang-utan thinks he knows long and sticks his head into the shop after he grabs Minnie, but all the birds and mice and other pets come to the rescue. It's good for a series of laughs. Running time, 6 mins.

"Scouring the Seven Seas" (Fox)

An "Adventure of the Newsreel Cameraman" dealing with catastrophes of the sea. Interesting shots are shown of liners sinking and burning while the crews are rescued by passing steamers. Tidal waves on the coasts of South America and Japan and the havoc they cause are breathtaking. Other shots of storms and hurricanes encountered by cameramen while at sea are also shown. Running time, 9 mins.

"Island of Malta" (Fox)

This one maintains the high standard of the Magic Carpet of Movie- tions travel shorts. It offers a short respite from the every day. Life and customs in this British stronghold off the southern coast of Sicily are depicted by the camera in a series of beautiful shots filled with unaffected interest. Running time, 10 mins.

"Luncheon at Twelve" (M-G-M)

Charlie Chase does not fare better than average in a comedy too flimsy in amount to much. The comedian, who has always been a bit of an artificer, takes it upon himself a job as a painter assisting the father of the girl he loves. Put a story of the week point by point in a hand of a funster on the screen and you know what to expect. Charlie and his fellow workers make a mess of things. The humor is never more than mild. Produced by Hal Roach. Running time, 20 mins.

"Canal Gypsies" (Ideal)

Life on the waterways. Here is a subject which shows how the occupants of the boats which daily make the rounds up and down the river live. The scene is laid in rustic England. The running monologue is interesting. Running time, 9 mins.

"Neuslagna" (Beverly Hills)

Topics of the day culled from newspapers throughout the country are mingled with laughs. In addition Irvin S. Cobb appears on the screen twice to narrate what he considers the best jokes of the week. Once you got a laugh at the Mayfair. It's entertaining. Running time, 9 mins.

Million Dollar Melody" (Educational)

One of the first of the Educational musicals made over on Long Island and rates average at best. It has to do with efforts of musical Eddie Craven to sell his music and suc- cessfully. Comedy and music are presented well. Best thing in the picture is the hot-cha singing of Lillian Roth. She knows how to put over a number and clicks that way here. Running time, 21 minutes.

"Mickey's Tent Show" (Columbia)

A Mickey McGuire comedy. Mickey's gang stages a tent show in spite of opposition from the rival gang which tries to drown out the entertain- ment with an ear-splitting radio. An impersonation of Mae West by a member of Mickey's gang in an act for the tent show is an amusing bit. This one is about equal in entertain- ment with the rest of the Mickey McGuire series. Running time, 18 mins.

"Three Little Swigs" (Paramount)

Leon Errol is the whole show in this comedy. Without him and his bluster the picture is nothing else again. Errol appears in the role of a hussy who has a genius for getting himself in embarrassing situations. He is a good, though innocent, his constant efforts to square himself with his wife are productive of con- siderable humor. Running time, 21 mins.

"Answering the Riot Call" (Fox)

Another of the "Adventures of the Newsreel Cameraman" series dealing with riots throughout the world. Particularly striking are the shots of disturbances in India, and in Uruguay. The scene in the Square, New York. Views of the police battling the rioters abound. Some of the scenes taken in Central Europe show history in the making. Running time, 9 mins.

"The Mystic East" (Ideal)

The intimate lives of the natives of Korea, Java and Samoa constitute the making of this travelogue, which has a running descriptive monologue. The pictures play at work are caught by the camera. At times the photography is not clear. This subject has nothing to distinguish it from other travelogues. Running time, 10 mins.

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Efficient Service with RCA Sound—Lowest Rates
Room 714, 839—9th Ave., Chelsea 4-8413

Saturday, November 18, 1933

Johnson "Not Satisfied Yet" With the Code

(Continued from page 1)
deleted lest they be considered, with their higher rates, a precedent. The presence of Pat Casey in Washington is understood to concern the reclassi- fication of the studio labor provision. It was explained by Johnson that Lea held the code up with his knowl- edge and approval. This was followed by a statement that "it has got to be acted upon," and that there would be no further delay. Lea then said he would give no reason for the sudden desire to dispose of the code, which has been hanging fire for weeks.

Since his return to Washington, Johnson said, he has not discussed the code with the President, nor has he had an opportunity to take it up with Lea.

It was learned today that the code has been returned to Johnson by Lea with a report which is understood to dwell unfavorably upon certain clauses, the identity of which was not revealed.

Casey Files Denial Of Coercion Charge

(Continued from page 1)
complaining that studio employees were not being permitted to choose the union they desired to join. It was re- ported today, however, that men were being forced by the producers to join both the I. A. T. S. E. and I. B. E. W. Casey, however, denied that any effort at compulsion is being made.

IATSE Waiting for Code, Says Elliott

(Continued from page 1)
defect, the committee on his return from Washington and Philadelphia. He stated that as far as he knew there were no labor laws in the state law of the third draft, which provides for a 40-hour week for all organized craft.

Whether the International will open an office in Washington depends on the amount of work to be done in the capital, Krouse stated. Elec- tions of the national labor organiza- tion take place some time in June, the exact date and place to be de- termined by the board of directors at a meeting in January.

All organized crafts in the industry have signed the code.

Vitaphone and Erpi Argument Is Heard

Doves, Nov. 17.—Additional argu- ment was heard today by the Supreme Court in the suit of Vitaphone against Erpi. The initial argument was on Oct. 24, but today's hearing was to clear up one point. Decision was re- served.

Brisson Due in Jan.

Carl Brisson, Danish actor who has made a name for himself in British pictures, is due in New York after the first of the year to start work on a term Paramount contract.

Secret Report On Producers Stirs Talent

(Continued from page 1)
was never intended for revelation be- fore the full membership, but that it has been filed with Deputy NRA Ad- ministrator Sol. A. Rosenblatt by Lester Cowan as a protest against in- clusion of an anti-rading clause in the proposed code.

The history of the agreement ap- pears to be that the Academy has never acceded to it. It was first pro- muligated in December, 1931, by the producers and Edwin J. Loeb, was em- ployed to administer it. The Acad- emy board refused to endorse the agreement, but said that if certain modifications were made it would appoint a committee to observe its opera- tion for one year, and then report its findings. These modifications were made and the year ended July 12. A secret report was then made and Loeb resigned.

RKO Claims a New Music Hall Record

(Continued from page 1)
record for both dollars and number of admissions for a first day's perfor- mance at Radio City Music Hall, RKO reported yesterday. The figure is approximately $1,000 more than the pre- vious first-day record established by Fox's "Cavalcade" and a few points boost in admission prices for the Heburn picture, representing an admission of $3.30 on the first day, admissions than were clocked for "Cavalcade," according to RKO.

Libson Back in RKO Post at Cincinnati

(Continued from page 1)
son cities in one section and Cleve- land and Columbus in another. Ray Holt has been placed in charge of the latter division.

The changes, effective immediately, also result in the assignment of Arthur Frudeln to Cincinnati, under Libson.

George Brown Returning

Hollywood, Nov. 17.—George Brown leaves for New York on the chief tomorrow. He gets into the home office Tuesday.
Chicago Sees Repeal with Mixed Views

Neighborhoods Worried, But Loop Hopeful

CHICAGO, Nov. 19.—Opinion here is about equally divided on the effect of repeal of the box-office. Neighborhood exhibitors claim that the advent of 3.2 didn't do their business any good and fail to see where repeal is going to affect their business differently. In fact since beer came it has cut into neighborhood business to a considerable extent through the development of the so-called taverns. These spots, with which Chicago is well dotted, are not only dishing out the brew but are proving family hangout places.

An open bar, with free sandwiches, free fish on Fridays and plenty of pretzels always

(Continued on page 6)

Publix-Saenger Deal Is About Set

A partnership deal between Paramount Publix and E. V. Richards covering operations of the Saenger theatres in the South on Saturday was reported to have entered its final stages.

It is understood that the plan provides for immediate removal of Saenger Theatres from receivership and that this phase of the impending deal

(Continued on page 5)

Chicagoans Invited To Milwaukee MPTO

CHICAGO, Nov. 19.—Exhibitors and exchange managers here have been invited by Fred S. Meyer to attend the Tuesday meeting of the M.P.T.O. of Wisconsin at Milwaukee which is to be addressed by Deputy NRA Administrator Sol A. Rosenblatt.

Jack Miller will attend, as Rosenblatt is not scheduled to deliver any talks here.

Macle To Take Over Circuit on Nov. 21

NEW HAVEN, Nov. 19.—S. Z. Poli in all probability will operate his former circuit himself when the houses revert to Poli-New England on Nov. 21. It is reported here that Poli was dissatisfied with the offer made by Lowes, because, it is said, the reputed $10,000 weekly rental figure would not

(Continued on page 6)

Macle's a Kansas Angel

TOPEKA, Nov. 19.—Having brought about the resurgence of the corset and what it takes to put in it, Mac West will probably be adopted as their patron saint by America's farmers, restaurateurs and the like, now that he is on the make as the new king of the circuit. He has already been reproduced in advertisements of Kansas theatres totaling almost a million circulation. The newspapers and theatres, additionally benefit

(Continued on page 6)

Chase-Fox Loans Next Up in Probe

WASHINGTON, Nov. 19.—Details of the story of how the Chase National Bank secured control of Fox Film through loans running over $100,000,000, will be gone into when the Senate

(Continued on page 6)

Schenck Says Code Is Only "Temporary"

"Why Submit," He Asks, "To Demoralization?"

Characterizing the NRA code as a "temporary measure" and Article 5, regulating "raids," as "likely to disorganize production and demoralize the industry," Joseph M. Schenck, head of United Artists and 20th Century Pictures, arrived from the coast yesterday, still holding to the fiery code viewpoint which made him something of a storm center in argumentative Hollywood quarters and led to the tendering of his resignation some few weeks ago from the M. P. Producers' Ass'n, the Hays Hollywood unit.

With this classification of the NRA code and its most objectionable—

(Continued on page 8)

Four Marxes Plan Their Own Company

The Four Marx Brothers will form their own producing company and make one picture a year, to be released through United Artists, beginning next season. Joseph M. Schenck, head of U. A. and 20th Century Pictures, said yesterday.

Asked about reports that Fredric March would be signed by 20th Century, Schenck's reply indicated that he had no definite information on the subject or else was unwilling to divulge it.

"We are always dealing with everybody," he said.

On Nov. 15, Motion Picture Daily exclusively stated the Four Marx Brothers would release through U. A. all pictures after "Duck Soup." Paramount also had been negotiating with the comedians.

Rumor Mae West May Go to 20th Century

The unconfirmed route has Mae West traveling from Paramount to 20th Century after the completion of

(Continued on page 6)
Clevelanders State 52 Attended Session

Cleveland, Nov. 19.—Cleveland men are disturbed over reports of the publica-
tion of a story in the New York World to the effect that 25
35 exhibitors attended the organization meeting of the
New Independent Motion Picture Exhibitors' Ass'n of Ohio.
They assert 52 theatre owners attended
in person, that George W. Emd-
rn held proxies for additional
Cleveland houses, and that small cir-
cuits in Columbus, Dayton and
Zanesville were represented.

Cleveland Hipp Hop

Cleveland, Nov. 19.—Hippodrome,
newly acquired by Warners, opens
Thursday. The new picture policy at
the prevailing local admission
prices of 30c, 35c and 44c. A Hollywood
report, "The World Changes," with Klugs lights, broadcasting of
guests and music is planned by
Sidney Damesberg, Warner public
ity chief. William Watson is as-
amanager of the house. J. Knox
Strahan, who handled the Hippodrome
picture policy, has been assigned to Can-
ton as manager of the Alhambra. He
succeeds Dick Crusiger.

Vallee in Fox "Scandals"

Hollywood, Nov. 19.—Rudy Vallee,
Lilian Harvey, George White, Cliff
Edwards and a flock of radio and
screen stars appeared in the Fox
edition of George White's "Scandals," says Robert Kao, pro-
cducer for Fox.
Ray Henderson, Jack Yellen, Irving
Cesar and Joe Cunningham are
already on the payroll. Russell Markert is laying out the
dance routines.

Warner List to Skouras

Skouras Theatres Corp. has closed
for Warner product in all of the
outlet's local houses.

The confab itself is old news, but the inside story was
supplied when the Allied bunch con-
ferred with Hugh S. Johnson, Sol A. Rosenblatt and Colonel
W. R. Lea in Washington is not.
Nobody has talked much about it
before or since, but the most per-
sistent yar are all to indicate that
some of the Allied men present emerged with compliments which
were hardly that Rosenblatt is
reported to have taken each one and
dischussed in a surgical procedure
based on what the deputy presented to Johnson and
Lea as the facts in the back-
ground.

A pretty warm exchange of
words is understood to have been
made between Rosenblatt and
Abram F. Myers. Mr. Horowitz
of Cleveland is another who is
reported to have come in for
several hot shots, and while H. M. Richer of Detroit was
present, that, seemingly, did not
exempt him from the conversa-
tion. Rumored to have played a
substantial part in the pow-wow
was the Allied's stand on matters
having to do with sex. Of course,
the manner in which the code,
as drawn, fitted in with the
association's attitude.

Eddie Cantor declared his
forthcoming visit to War-
Spring was by Presidential in-
vitation. There seems to be some
doubt about the invitation, that
is. If Cantor does see the
Chief Executive, the conversa-
tion to follow on stars salaries is
apt to be very interesting and
along lines along which the President has not
exhausted in the least.

Under the Same Roof

Hollywood, Nov. 19.—Work is
nearly complete here on a $35,000
addition to the Warner-First National
property to house 20 of the 28 writers
under contract to the producers under
one roof.

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under contract to the producers under
one roof.
THE "RE-ORDERS" ARE ROLLING IN!

From Ed Fay of Providence—from Bill Keyes of Dayton—from Ike Libson of Cincinnati and scores of others... a flood of bookings for FULL-WEEK return engagements of the screen classic of all time... George Arliss in Disraeli

These smart showmen know there are millions who want to see "Disraeli" again... They know there's A NEW GENERATION that has never seen it... They know they can't find anywhere a better family show!... Take their tip!

WARNER BROS. HAVE THE SHOW YOU NEED FOR THANKSGIVING AND CHRISTMAS HOLIDAYS

Vitaphone, Inc., Distributors
A Great Star
in a
Great Picture
from a
Great Play
by a
Great Author
with a
Great Cast

with

BEBE DANIELS
DORIS KENYON

ONSLOW STEVENS, ISABEL JEWEL, MELVYN DOUGLAS, THELMA TODD, MAYO METHOT. Produced by Carl Laemmle, Jr., from the sensational stage success by ELMER RICE. Directed by William Wyler. Presented by Carl Laemmle.
Chicago Sees Reason to Repeal with Mixed Views

(Continued from page 1)

exhibitors are finding many patrons wafting in and out of the taverns. Recently many of the taverns have put in two by four dance floor with radio music during the week days and an indifferent orchestra Saturday and Sunday.

Loop exhibitors are more optimistic. They point out that the repeal revenue accruing to the government from repeal is going to mean an easing in the tax rate on the movie industry, and that this is an important one in the opinion of downtown operators.

Chase-Fox Loans Next Up in Probe

(Continued from page 1)

Banking Committee resumes its hearings here today. Winthrop W. Aldrich, president of the bank, has agreed to furnish figures on the total loans.

It is expected to bring out further details of the operations of Harley L. Clarke in the formation of General Theatres Equipment Corp. and the receiv- ers for Fox Theatres Corp and others.

In his petition for approval U. S. Senator Daniel O. Hastings said there was no intention to the settlement and he felt it would be highly advantageous to both corporations. Settlement of the contempt suit was even necessary, he said, before a reorganization could be completed.

Robert H. Richards of Wilmington, representing a deputation holders' committee for General Theatres, informed the court his committee was in favor of the agreement.

“U” Ends “Oh, Baby” Kansas Censor Row

Kansas City, Nov. 19—Universal has patched up its differences with the Kansas state censors over eliminations made in the release of “Oh, Baby!” and the picture is being released to Kansas exhibitors. The censors had entered objections to some of the dialogue and the courtroom scene in the picture.

P. A. Powers Goes West

P. A. Powers, president of Celebrity Pictures, is due on the coast early this week to start production on his new series of “ComiColor Cartoons.”

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Dark Hazard”
(First National)

Hollywood, Nov. 19.—“Dark Hazard” omits none of the more popular games of chance, with Edward G. Robinson portraying the gambler de luxe, who wins and loses 20 grand time and again at roulette.

Robinson’s followers may be disappointed in the light role, accustomed as they are to seeing him in more dynamic and dominating parts. In this he covers before Genevieve Tobin, his wife, influenced by a Puritanical mother opposed to gambling. The conflict between gambling and love for his wife makes the virile Robinson somewhat of a softy, until he realizes the wife has walked off with his latest 20 grand coup and later falls for a “much nicer” man who prefers philandering with hearts to other phases of gambling.

The production as a whole carries exciting moments intermingled with humorous incidents, heart interest and human touches contributed by an able supporting cast including Glenda Farrell, Robert Barrat, Gordon Westcott, Hobart Cavanaugh, George Meeker, Henry B. Wal- thall, Sidney Toler, Emma Dunn, Willard Robertson and Wm. V. Mong. A number of pictures and the content of the picture divided by diversified locales, action, pathos, laughs and humor required to make program fare entertaining.

Screen play is by Ralph Block and Brown Holmes from the W. R. Burnett novel, photographed excellently by Sol Polito and directed with skill and excellent character delineation by Al Green.

Ohio’s Lobby Probe Suspended by Jury
(Continued from page 1)
to call by D. J. Hoskins, county prosecutor.

A number of Cleveland exhibitors, and P. W. Wood, business manager of the P. W. O. of the city, when the investigation is to be continued, Hoskins said, and the jury will be recalled if the evidence justifies it.

Airing Sales Views


Columbia’s British Deal Is Called Off

London, Nov. 19.—A proposed deal for production of Columbia’s quota pictures here by B. P. B. has been called off. Arthur Dent, B. P. general manager, said that the com- pANY found itself unable to agree on terms. Collapse of this deal, however, does not affect Columbia’s American distri- bution rights to the B. P. P. picture “The Song You Gave Me,” which was sold by Dent on his last trip to America.

Pascal Goes on Board

Hollywood, Nov. 19.—Ernest Pas- cial has been elected to the executive governing board of the Screen Writ- ers’ Guild, replacing James A. Creed- man, who will remain in New York.

Mae’s a Kansas Angel
(Continued from page 1)

cooperative advertising. One Topoca cafe advertised: “Come up and see us sometime.”

The letter which is causing so much commotion in the corn belt follows:

“Having sought for several thousand Kansas restaurateurs, I wish here and now to inform you that we most ardently disagree with the title of your latest picture, ‘I’m No Angel.’ We do not believe you to be angels, we regard you as our angels. There’s a reason.

For many years the silly society of the state has been agin the slender, slend- ered sisters of the cinema, to the detriment of the nation’s health—and at a staggering price to those of America who depend on the sale and production of food for a livelihood.

You have truthfully stated that a woman can’t wear a costume unless she’s got something to put it in. So let’s comply with the acquirers ‘something’ on the diet of orange juice and rabbit rabbits recommended by Hollywood’s cad- cren—freely.

“If the curves you have introduced into the picture develop into a national epidemic, it will infuse all nation’s health. We urge you to dispense with the combined efforts of its doctors and preachers. True, it may spell tough sledding for George J. Braggs and preachers; it will cut into the enormous income of certain casting-endorsement cinema celebrities; but the American farmers, restaurateurs and correct medical people, will assures us, will stand by joint forces and erode a great national shrine to their ‘Blessed Mae.’

Will Rogers mercilessly exposed that ‘Hollywood 18 day orange juice diet,’ he rendered a service second only to yours in introducing and popularizing ‘curves.’ For this outstanding contribution to human well-being and happiness, the Kansas restaurateurs hereby express their deep gratitude.

The presentation of the enclosed card to any Kansas restaurant will assure you a meal fit for the gods. We do not you to come to Kansas and test the Sunflower hospitality.”

Drop Reported In Violations Of Copyrights

(Continued from page 1)

quency, according to Jack Levin, manager of the bureau. Exhibitors, he has been able to begin noticing the hallmark accruing to them from the instances of unfair and illegal competetive practices of copyright viola- tors, and has commanded the bureau on this angle of its work.

H. L. Groves and J. L. Stein, dis- dit, who have been conducting most of the educational work in the field under Levin’s direction, returned recently from extensive tours of the country with a report that the campaign for detering copyright violators, rather than emphasizing their detection and prosecution, is showing marked results in most key cities. This will effect no change in the bureau’s methods of surveil- lance, it was said, but will increase its educational efforts to deter poten- tial copyright violators.

An example of the changing ex- hibitor attitude is supplied by ex- changes throughout the country which all prove the receipt of wires exhibitors seeking per- mission to hold over a picture and be charged for it. In this connection it was said that even wires for the authori- zation to hold over a $2.50 comedy are not unusual, although the wire charge is —and the third the cost of the film. Such a procedure, two years ago, it was said, would have been a form of exhibitor as a “jump.” Today the changing attitude toward copyright violations establishes him as a reputable business man, Levin said.

Rumor Mae West May Go to 20th Century
(Continued from page 1)

her current and third picture for the former company, “It Ain’t No Sin.”

Paramount, however, declares it holds options on Miss West’s future services.

Hollywood, Nov. 19—Al Kaufman, Paramount studio executive, declares there is nothing to reports Mae West will switch production allegances. He declares contractual obligations pre-clude any shift.

Poli to Take Over Circuit on Nov. 21
(Continued from page 1)

cover the taxes and running ex- penses on the 18 houses and three commercial properties.

Lous. S. is related to operate under Poli management with A. J. Vanni, nephew of Poli, continuing as general manager and personnel of the circuit will remain as is.

Fox Revises ‘Promenade’

Hollywood, Nov. 19.—Fox has put “Promenade Deck” back on sched- ule, the story having been on the shelf for the past year.

Douglas Doty has drawn the assign- ment to adapt.
OUT IN THE FIELD

The editor's desk cleared again, protected with ear muffs and cold country equipment, except the snow shoes, Red Kann is off on another foray into the field, where the motion picture business is. This time it is Milwaukee, Chicago, Detroit and in between points to see what he can see and to discover what makes the men who run the theatres happy or otherwise.
Schenck Says

Code Is Only

“Temporary”

(Continued from page 1)

N.Y. Critics Unanimous in

Raves over “Little Women”

New York critics, to the last man (or woman) went all the way in heap- ing praise on the new musical premiere at the Music Hall.

“The production is somewhat unique in that all critical opinion is unanimous in its endorsement of the picture. Ex-

ception American—The favorite story of every girl has been brought most beautifully to the screen. The picture now presented at the Music Hall ...

It has that emotional appeal, that heart-

throb quality commonly called box-office. It is unaugmented in its sentimentality, in its sentimentality, in its quantities to threaten a deluge. Personally, I went quite unabashed. ... So did my neighbors.”

It is possible that with the passage of months the memory of Katharine Hep- burn’s portrayal of the opening, the Jo, will be dimmed a bit, or somewhat super-

vised. The story very definitely will displease. But at the moment, and for days, weeks, months, years, Miss Hepburn’s charac-

terization will stand as one of the most flaming brilliance.

Daily News—A tenderly beautiful moving picture has been devised by Radio Pictures from Louisa May Alcott’s novel. “Little Women” is a work of art, successfully woven, evidently gone into the making of it. 

It is hard to imagine that a new-old-fashioned setting, backed by the sparkle and glow are produced by the superb acting of Katharine Hepburn as Jo, Meg, Amy, Beth, MEG, and ...”

The idea of resurrecting the denunciation of Article 5 as a “very bad clause” which, he said, while it might offer some temporary relief to the producer, was “designed to coerce talent into accepting employment regardless of its own desires.”

Regarde d the clause provision call-

ing for a fine up to $10,000 for a pro-

ducer found guilty of paying excessive salaries, Schenck said he found it “un-American and unethical.”

The producer is en route to Europe, to be gone about three months.

Cohen Predicting

4th Code Revision

Hollywood, Nov. 19.—That the code revision bill will be fourth revised, which will give independents a “better break,” was predicted by Maury Cohen, head of Invincible Pictures, on his return here from New York today. Cohen was accompanied by George Batchelder, president of Chesa-

terfield.

“Independent producers are still dis-

satisfied with the code as it now stands,” Cohen said, “and are demand-

ing that it be fully and completely revised. In full consideration be given to the 68-page code analysis submitted to the N.R.A. A particular attention should be given to the recommendations made on double fea-

tures.”

Cohen said that the independents want a code provision specifically permitting double featuring.

“It is evident that a clause of this kind, which gives large chains a break, “was said, “as in the Chicago territory major distributors have a stipulation in their contracts that no second fea-

ture can be shown on the same pro-

gram with the picture or pictures sold.”

He said that the demand for double play is strong in several territories and is increasing in others, and specified St.

Louis in the latter connection.

Stagger Plan

In Effect Soon

For Musicians

(Continued from page 1)

they cooperate with it in its campaign to get more employment in musicians’ ranks. The understanding is that the locals will bend every effort to put the proposal into operation “im-

mediately.”

The stagger system idea grew out of a series of conferences between Joseph N. Weber, head of the Fed-

eration, and representatives of national circuits, after it had been suggested by the National Recording Adminis-

tration through Sol. A. Rosenblat, deputy administrator, that musicians and circuits get together in an en-

deavor to arrive at some reasonable ameliorating conditions among the idle in the profession.

The information was obtained at the Federation headquarters that picture houses, legitimate theatres and radio broadcasters had pledged their word that they would throw all their weight and influence in the fight to get the stagger system working “right away.”

It has already been reported that a 25 per cent replacement of new mu-

sicians at current wages, its benefits distributed proportionately, would suffice to lift their spread scale before the next three weeks.

The idea entails no extra expense to the theatre operator. It merely makes it possible for unemployed mu-

sicians to obtain partial work through the financial assistance of those who are em-

ployed to sacrifice part of their earnings for the good of the entire pro-

fession.

Publix-Saenger

Deal Is About Set

(Continued from page 1)

already has been discussed with bond-

holders. Richards may be called upon to put up part of the financing required and the arrangement may well probably will retain the name of its founder as part of the new corporate title.

Blizzard Hard Blow

To Cleveland Houses

CLEVELAND, Nov. 19.—A blizzard, accompanied by northwesterly winds and a drop in temperature to 15 below, ruined theatre business here last week. While there was some mention of business conditions, the theatres were conspicuous only by their ab-

sence. A 30 cent drop in total average grosses was reported. The Allen, playing a second week of “Henry VIII” together, with “Three Little Girls,” and “Yesterdays,” and Loew’s State, with “Bombers,” were the only houses that did any business at all.

Hunt Quits National

DETROIT, Nov. 19.—Herman H. Hunt, formerly branch manager for the National Theatre Supply Co. in St. Louis, has succeeded E. H. Forbes as manager of the Detroit branch. Forbes resigned to take other du-

ties.
President to Receive Code Next Friday

Johnson to Take Draft With Him on Trip

WASHINGTON, Nov. 20.—Scheduled to make an address in Atlanta Thursday evening, Recovery Administrator Hugh S. Johnson will leave here Thursday with a pocketful of codes, including the film code, and these will be laid before the President the following day at Warm Springs.

While no official announcement was made that Johnson would go to Warm Springs in connection with his Atlanta speech, the two points are separated by only a few miles, and it was said at the Recovery Administration that (Continued on page 6)

Ideas Are Sought
On the Criterion

The answer to the Paramount Public interest problem of what to do with the Broadway theatre block, 4th to 5th Sts., is being sought from architects who have been asked to submit suggestions either for remodeling the present structures or for new buildings to be erected there.

The architects' suggestions are being solicited by Joseph P. Day and Peter Grith, sales agents for the (Continued on page 6)

March May Produce Or Get Schenck Pact

HOLLYWOOD, Nov. 20.—It is rumored that Fredric March will either produce his own pictures in the future, or go under contract to Joseph Schenck. March and Schenck are said to be dickering now over a contract calling for a salary of $9,000 a week, with an option clause to be taken up one year later at a salary of $10,000 per week.

With March now on his way to New York, and with Schenck already there, the deal may soon be closed.

"Castle" Is Set in Next at Music Hall

"A Man's Castle" is scheduled to follow "Little Women" into the Music Hall. The latter, a Radio picture, is expected to gross around $110,000 for the first week and is slated to run 21 days before it bows (Continued on page 6)

Promise of Light on Code Excites MPTO of Wisconsin

MILWAUKEE, Nov. 20.—Uncertainty over the code and the delay encountered in its enactment have Wisconsin exhibitors upset. Battered from one opinion to another by each succeeding day's developments out of Washington and dependent almost entirely upon trade paper accounts of the happenings, members of the M. P. T. O. of Wisconsin are looking forward eagerly to the scheduled address of Sol A. Rosenblatt at their annual convention.

Exhibitors are hoping the deputy will submit to questions in order to clear up the maze in their minds. They are at sea because of the many statements issued by Allied in the last few weeks. They are confused over (Continued on page 6)

J. M. Schenck
On His Way to Warm Springs

Joseph M. Schenck, head of United Artists and of 20th Century Pictures, left New York at noon yesterday for Warm Springs, Ga., where he is expected to confer on code subjects with President Roosevelt tomorrow or Thursday. Whether he is invited to see the President or is seeking an audience has not been learned.

Schenck arrived in New York from the coast Sunday with a spirited denunciation of Article 5, the code provision covering talent "raids." It is assumed that if Schenck discusses the code with the President, it will be on the subject of Article 5 and the code provision which makes studio executives found guilty of paying "unreasonably excessive salaries" liable to a fine of $10,000. It was his antipathy to these (Continued on page 6)

Frisco Goes Into Throes Of Rate War

SAN FRANCISCO, Nov. 20.—The first charge of the theatre brigade in the low price versus high price war has rocked San Francisco within the last few days. Major developments of the battle have seen three houses doing a complete turnaround in policy, and one dropping from the high price to the low price section.

The Golden Gate, long a top-charger with features and vaudeville, has announced a top price of 40 cents at all times. The previous price was 55 cents. This now leaves the Paramount and Warfield the only ones over four bits. Both are asking 65 cents.

The Orpheum with F. & M. stage units and first runs, now reverted to F. W. C. where first run double bills (Continued on page 8)

Four Los Angeles Houses Drop Shows

LOS ANGELES, Nov. 20.—Because of a general falling off of business attributed to legalized beer, the Paramount, Loew's State and United Artists are eliminating vaudeville and presentations, and will go to a straight sound policy Thursday.

This leaves Warners, Pantages, Million Dollar and Orpheum as the only houses retaining stage shows.

Move Said to Be Backed By A. F. of L. to End Theatre Violence

A check on the authority of local business agents and extension of the codes, usually blamed on unions by theatre men through the ordinary methods of hurling, stinking or more personal terms, is understood that A. F. of L. has been disturbed over the light in which constantly recurring charges of theatre bombing has placed labor, not particularly theatre labor, but all labor. The Federation is declared to feel that the issue brought to the attention of Deputy NRA Administrator Sol A. Rosenblatt at the code hearing in Washington by Robert Wiley, well known southeastern exhibitor, and to the office of the Attorney General since then, is one that calls for (Continued on page 8)

Federal Board
Out of Labor Row

WASHINGTON, Nov. 20.—Indicating that it felt that Pat Casey's disclaimer of any effort on the part of producers to control the organization activities of studio labor was adequate, the National Labor Board has decided to do nothing further with complaints received last week that producers were directing their men to join unions not of their own selection. The question of union control, it was pointed out, is a jurisdictional dispute for settlement by the American Federation of Labor.

Cohen Asks Workers To Ignore "Rumors"

HOLLYWOOD, Nov. 20.—Emmanuel Cohen has appealed to all employees through personal letters attached to their salary checks for cooperation, asserting that the reorganization of Paramount was proceeding "satisfactorily" and that he was "looking forward to (Continued on page 6)
Looking 'Em Over

"Midnight" (Universal)

Genuinely dramatic, with no comedy overtones except those contributed by Lynn Overman. "Midnight" is serious and gripping entertainment, very well handled through the cleverness in direction which is Chester Erskine's. He is a stage producer who has made a sort of specialty of macabre and, in this instance, follows along the lines already set by himself.

"Midnight" signifies the hour at which Helen Flint, condemned to death by electrocution for shooting the lover she thought was leaving her, is to pay the penalty. While she motivates the entire drama, actually she has little to do in it. The story fabric is woven around the effects which the impending execution has on O. P. Heggie, foreman of the jury whose single question at the trial resulted in a verdict of guilt, and his family—wife, two daughters and so-called son.

Sidney Fox, the younger daughter whose sympathies go entirely toward the murderer, finds herself embroiled in a situation which virtually parallels the circumstances surrounding the original murder. Because Heggie's leading question brought conviction and added the district attorney's tactics, the jury when weighted in on the lover presumably killed at Miss Fox's hands, attempts to pass it off as a hallucination on the girl's part. As a matter of fact, the treatment is so adroit the actual finger that pulls the telltale trigger is not only never seen, but never identified.

"Midnight" jockeys back and forth between heavy drama and psychological drama, with a leaning toward the latter. Its chief purpose is to demonstrate how strong and weak characters react to severe nervous and emotional strain and does it very well.

Erskine made the picture in New York with an array of legitimate stage players, including Henry Hull, Margaret Wycheley, Moffat John- son and Humphrey Bogart. They are all highly competent. Miss Fox, only picture name, is surprisingly good in the lead.

KANN

Horn for President
Robert W. Horn of the home office sales staff of Erpi is a candidate for the presidency of the Erpi Club, along with G. H. Woodward, nominee for secretary-treasurer, and G. A. Knievel and Mary McAmmonds, candidates for first and second vice-president, respectively.

Paramount Men Return
White Sulphur Springs, W. Va., Nov. 20.—Paramount sales executives meeting here for a special three-day conference returned to their respective headquarters tonight.

Globe "Bombed" Again
The second stench bomb explosion in a month took place in the Globe yesterday. The house was crowded at the time, but no one was injured. Police are investigating.

Most Issues Show Gain

Curb Market Inactive

Para. Publics Bonds Off 2 1/4

Argumeut on Assets
Fox-Wisconsin Up

MILWAUKEE, Nov. 20.—Order to show cause why the assets of the Fox-Wisconsin Co. and Wisconsin Theatres, Inc., should not be considered assets of its bankrupt Wisconsin Theatres, Inc., has been reviewed in bankruptcy court here before Referee Milton J. Knob- lock.

Attorney for the bankrupt maintained that Ernie the two corporations sought to defraud creditors by re- incorporation, as charged by the trustee, the creditors defrauded would have included Wisconsin, rather than Statewide, and that the court does not have the jurisdiction to pro- ceed.

Attorneys for the trustee and contesting creditors held that the bank- rupt entered into a scheme to defeat creditors and that the court has juris- diction to proceed in the case rather than resort to plenary action as con- tended by attorney for the bankrupt.

Approve Midwesco Deals
MILWAUKEE, Nov. 20.—A settlement of 25 per cent on claims totaling $46,527 by RKO, Paramount and Colum- bia against "Midwesteconc, Inc., the new incorporation incorporated by the former owners of Wisconsin Theatres, Inc., for film contracts for and unplayed has been approved by Judge Westfal, Jr., referee in bank- ruptcy.

Exes En Route Here
Sidney R. Kent, Mark Oster, chairman of Gaumont-British; Wal- ter Hutchinson, managing director of Fox in Great Britain; Jerome Jack- son, independent producer of West- mian, producer of the Urn, and the Power, actor, are all on board the Benavides bound for New York.

'Women'Sets New Record
Radio City Music Hall claims that, during the first four days of the showing of "Little Women," over 100,000 paid admissions were accepted. The receipts of this film equalled those of an entire average week.

Run Phila. Houses Here
Warner's Philadelphia houses will be operated in the future under the di- rection of the president of the National Screen Service, according to Joseph Bertha general manager. The present Phila- delphia office in the Earle Theatre Building will be continued as herefore, with Marshall Schlessinger in charge of all local matters.

National Screen Expands
National Screen Service is increasing its space at 63 Ninth Ave., hav- ing taken over a part of the tenth floor. National now occupies the entire second and fourth floors.

Robbins in Minneapolis
Herman Robbins, president of Na- tional Screen Service, is in Minneap- olis on a business trip. He ex- pects to visit as many more cities before returning to New York.

Laemmle on Way East
Carl Laemmle, Sam Briskin, George Brown and Gregory Ratoff arrive to- morrow from the coast.
"TAKE OFF YOUR WHISKERS!"

RUSSIA is RECOGNIZED!

And of course the smart showman is bringing his program up-to-the-minute with the authentic subjects:

MOSCOW, THE HEART OF SOVIET RUSSIA
LENINGRAD, GATEWAY TO SOVIET RUSSIA

One Reel Each! Inside Stuff! Positively the real McCoysky!

"He doesn't make just scenics! He puts ideas into them."

FITZPATRICK TRAVEL TALKS

Metro-Goldwyn-Mayer Class!
SAMUEL GOLDFWN'S production of

RONALD COLMAN
in
The Masquerader
with ELISSA LANDI

CHARLES LAUGHTON
in
THE PRIVATE LIFE OF HENRY VIII

Directed by ALEXANDER KORDA

JOSEPH M. SCHENCK presents
Walter Winchells BROADWAY THRU A KEYHOLE
A DARRYL F. ZANUCK Production
with CONSTANCE CUMMINGS + RUSS COLUMBO
PAUL KELLY + BLOSSOM SEELEY
GREGORY RATOFF + TEXAS GUINAN
EDDIE FOY, Jr. + FRANCES WILLIAMS
ABE LYMAN AND HIS BAND
Directed by LOWELL SHERMAN

20TH CENTURY PICTURE

WHAT BUSINESS THEY'RE DOING!

IT'S A BANNER YEAR
for thousands of theatres
now playing these smash hits
PAUL ROBESON in Eugene O'Neill's EMPEROR JONES

Joseph M. Schenck presents WALLACE BEERY GEORGE RAFT JACKIE COOPER in THE BOWERY A Darryl F. Zanuck Production

Joseph M. Schenck presents GEORGE BANCROFT in BLOOD MONEY A Darryl F. Zanuck Production with FRANCES DEE CHICK CHANDLER JUDITH ANDERSON BLOSSOM SEELEY

20th Century Picture

Released thru UNITED ARTISTS

HIT AFTER HIT! AND THAT'S ONLY A STARTER!

PLENTY MORE ARE COMING!
J. M. Schenck
On His Way to Warm Springs
(Continued from page 1)
provisions which prompted Schenck to tender his resignation as President of the Publix, the Hays Hollywood unit, several weeks ago. Eddie Cantor, comedian, who also holds a directorship, was approached by Schenck's, and has been reported ready to air them to President Roosevelt when they meet in Warm Springs later this week, denied yesterday that his impending visit with the President was for the purpose of making an "official protest on the code."

"My invitation to see the President," Cantor said in an interview conducted on this one, primarily for the purpose of exchanging laughs, as we have done on other occasions. "I deprecated the notion of making any official protest on the code and not especially for taking it up as a subject for discussion."

Cantor will leave here for Washington this morning, where he will meet Marvin McIntyre, one of the secretaries to President Roosevelt, who will accompany the comedian to Warm Springs. The two are scheduled to leave Washington some time this afternoon.

Schenck stated on his arrival in New York that he would report to Morton Picture Daily yesterday, that he did not believe the code would be the subject of discussion and that he was unable to meet the President. United Artists' officials yesterday refused to comment on the Schenck destination, admitting, however, that he was out of the city. At Schenck's New York apartment it was said that he had left for the South. Confirmation that his destination was Warm Springs came from sources close to the film industry.

In a Morton Picture Daily interview with Schenck, published yesterday, the United Artists head characterized the N.R.A. code a "temporary measure," and said of Article 5 that it was "likely to disorganize the motion picture industry." He stated, "Why should we submit to demoralization for something that has only a year and nine months more to go?"

The code provision fixing a fine for payment of excessive salaries, Schenck said "un-American and unethical."

Cohen, Asks Workers To Ignore "Rumors"
(Continued from page 1)
ward to prevent any enrichment on a very sound and healthful basis in the near future."

The situation is further complicated on maximum effort to that end and that in giving this cooperation you disregard all gossip and published rumors which are untrue and deliberately malicious," concluded the message.

Promise of Light on Code Excites MPTO of Wisconsin
(Continued from page 1)
the change in front assumed by Gen. Urich, Jr., Meyer and D. E. Whisen

After entertaining Charles Trampe, director of the New York Film Exposition, with a dinner at his club yesterday in appreciation of the cooperation of the Milwaukee and Chicago distributors, the directors went into a private session at which Meyer's plan was discussed. It was reported that if this plan is put into effect, the real work of the convention is to be handled by legislative finance and labor commission groups.

Tonight City Hall was illuminated with a sign welcoming the conven
tioneers.

Many Listed to Speak
The program is entirely set. Speakers in addition to Rosenblatt will be Kuykendall, head of the Milwaukee P.T.O. A. Lightman and Dr. L. A. Scheritz, advertising manager, Milwaukee Jour
dal, who will discuss clean advertis
ing; L. S. McMeekin, president of a Milwaukee department store, who will speak on the relation between the theatre and the merchant; James B. Sweeney, Jr., of the Wisconsin Federation of Women's Clubs; Mrs. Paul Griswold, Milwau
eek, publisher of the Press; Charles E. Broughton, editor, Sheboygan Press, who will speak on the theatre and the press; Rev. Thomas Riley, S.J., Marquette University, "Motion Pictures, an Opportunity and a Re
ponsibility;"

Kuykendall on Hand
Ed Kuykendall arrived tonight. Barney Balaban is due from Chicago tonight. Mr. and Mrs. Kuykendall are being entertained by Rosenblatt. David Palfreyman, theatre contact for the Hays association, is here. Kuykendall is trying to get the Chicago Exhibitors Ass'n, other outsiders due Tuesday.

Fred S. Meyer, who is tired of an organization wherein inactive mem
bers benefit from the initiative of the active group, tonight went on record for a cut in the 150 members, representing 225 theatres, now enrolled, to half if elimination of that amount of deadwood became necessary. A surprise, therefore, may be in store for the organization droners. Meyer is a member of the P.T.O. A., Ainsworth. Publix, Fond du Lac; A. C. Berkholts, West Bend; H. C. Buchanan, Super
du Fuels, Chicago; George Huebler, Oconomowoc; F. C. Hender
son, La Crosse; Max Krofta, Racine; Martin Thomas, Iron Moun
tain; and the following from Milwaukee: Earl and George Fischer, H. J. Fitz
gerald, S. G. Grauman, A. C. Getten
berg, E. Langemark, Paul Langbe

President to Receive Code
Next Friday
(Continued from page 1)
with a pearly a score of codes are ready for final approval."

So far as could be learned today, the film code remained in a comatose state over the week-end, and expecta
tions that something might well be done with the code within a week. As yet, however, apparent no action has been taken to straighten out any problems still re
don't unhappy with the changes those taken so far are based on the Gen
eral's statement last Friday that some
thing must be done with the code within a week. As yet, however, ap
n pounded with the parties convening those statements have been made.

"The Mad Game" at the 7th Ave. Roxy grossed $19,000; "College Coach," at the Strand, $8,450; "After Tonight" and "Ace of Aces," at the RKO Roxy, $10,827; "Ace of Aces" at the Roxy; "The Outlaw," at the Paramount, $9,785; and "The New World of Sigma Chi" at the Mayfair, $1,100; "The World Changes" at the Holly
wood, $10,603; "Eat 'Em Alive" at the Cames, $4,750.

I had a very nice time at the theater last night. The film was really good, and I enjoyed the company of the other people there. We had a lot of laughs and the food was delicious. Overall, it was a great evening.
Dinner-Dance
OF THE
Universal Club
(UNIVERSAL PICTURES CORPORATION)

GRAND BALL ROOM •
WALDORF ASTORIA HOTEL

Saturday Evening, Nov. 25, 1933

DINNER AT 7:30—ENTERTAINMENT
AND DANCING FROM THEN ON
—MAKE YOUR RESERVATION NOW—
CALL UNIVERSAL CLUB, CIRCLE 7-7100

Tickets - - $7.50 per Person
“Invisible Man” Pulls $26,000 Over Week-End

“Visible Man” is made to your-order entertainment.

Evening Journal—“The Invisible Man” is grand entertainment. It is at the same time intensely frightening and bizarre amusing. Blessed with the most imaginative idea yet conceived by a screen magician, melomana, the picture has been directed with such skill by James Whale that an utterly fantastic and incredible story is able to seem appallingly and thrillingly real.

Daily Mirror—This chilling, thrilling fantasy is real entertainment. Excellently directed by James Whale, skillfully played by a great cast, it introduces one of the screen’s most remarkable acquisitions from the stage. He is Claude Rains, who plays the title role and gives a magnificent, terrifying and touching performance, moving with his voice. Unseen until the very fade-out, he dominates the film completely.

Newspaper—The like of “The Invisible Man,” has never appeared, or rather been done, on the screen before. H. G. Wells’ fantastic tale is cleverly transferred to the screen by means of trick photography.

I heartily recommend a visit to the old Roxy, for this is an unusual type of picture that should not be missed. It probably will open up the way to other more imaginative stories on the screen.

American—Crazier than “Frankenstein,” dreaddiér than “Dracula,” here’s another skerry one from Universal to haunt your dreams and make your hair stand straight on end. A chiller-thriller through and through, and loaded with a genuine entertainment for those who can “take it.”

Evening Post—The imaginative speculation of H. G. Wells lends itself, in the case of “The Invisible Man,” admirably to the motion picture medium with the result that the picture is a wholly distinguished thriller.

In summary, the success of the picture is due as much to the intelligence with which R. C. Sherriff adapted the story to the screen, and the quality of awesomeness and suspense which James Whale, in his direction, has managed to inject in it.

An Important Announcement for the Neighborhood Theatre now using D. C.

Low Intensity Reflector Arcs

NATIONAL COPPER COATED HIGH INTENSITY A.C. PROJECTOR CARBONS

The snow white light characteristic of the high intensity D. C. Arc.

A much higher level of screen illumination than the low intensity D. C. reflector is provided.

Negligible increase in operating cost. No M-G set or ballast resistance.

LAMPS NOW AVAILABLE

Sold exclusively through Distributors and Dealers

NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide UCC and Carbon Corporation
Branch Sales Offices:
New York Pittsburgh Chicago San Francisco

Overseated Seattle Slashes Its Scales

Seattle, Nov. 20.—Keen competition for first run business in a decidedly oversaturated situation has resulted in your local first runs reducing prices.

Evergreen State’s Fifth Avenue and Paramount and John Hamrick’s Blue Mouse and Music Box have just inaugurated a scale of 25 cents from opening until 6 P.M., a drop of five cents. All houses except the Fifth Avenue have reduced evening prices from 40 cents to 35 cents.

Next week, the Metropolitan will abandon Mischa Cotner’s stage “prologues” and will reduce matinee prices from 30 cents to 25 cents.

Frisco Goes Into Throes Of Rate War

At 25 cents will be shown. The St. Francis, another F. W. C. spot, which had been showing twin bills, goes to second run double bills at 30 cents. And the Fox, leader in the low price war, with eight acts of vaudeville, reduces its first run independent pictures, all at 25 cents, with 15-cent matines. The El Capitan, leading neighborhood, has dropped from 40 cents to 30 cents top.

Despite these changes, there is no sign that the “war” is over. New changes are expected shortly, and it appears that either the local chargers will have to drop out, or the top-chargers will have to drop down.

Wehrenberg Favors “Family Night” Ads

ST. LOUIS, Nov. 20.—Theatre owners should 24-sheet their “Family Night” shows, declared Fred Wehrenberg, president of the M. P. T. O. of St. Louis, Eastern Missouri and Southern Illinois, in an address before the Better Films Council.

“I never fail to 24-sheet my ‘Family Night’ shows,” Wehrenberg said. “My returns at the box-oftices have convinced me of the wisdom of taking the fullest advantage of the cooperation of the Better Films Council. I wish every other exhibitor was wise enough to realize that he should get behind the council and help him toward business.”

The Better Films Council here has been proactive in its efforts. It objects when it finds a picture objectionable from a family standpoint, but it does not hesitate, on the other hand, by radio broadcast, special bulletins and otherwise on pictures it approves.

Shifts in Detroit Theatre Setup Made

DETROIT, Nov. 20.—Several changes in theatre management have taken place. Gus Coplan has disposed of the lease on the Colony and has leased the Columbia, downtown third run house, for three years.

Ben and Lou Cohen have taken over the Ridgeland, which they will operate during the next three weeks, after installing new W. E. wide-range sound and new seats.

Arthur D. Baez is now manager of the Plaza, which will be run now by Julius Fisher.

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Report IATSE As Curbing Local Unions

Continued from page 1)

prompt amid it. And the feeling is that there can be no tampering with accusations that embrace elements involving the safety to the I. A. T. S. E. union, alleged so often and emphasized again last week with the startling conditions noted to light in Kansas City.

The Jackson County Grand Jury there reported it had found it necessary to hold hearings and call witnesses at secret places because of the latter’s fear of intimidation and violence. The I. A. T. S. E. union there denied most of the charges and accused the independent operators’ union of fomenting the violence. The matter has assumed such general proportions that it has become a political issue.

In high A. F. of L. circles it is understood the impression was fixed that much of the difficulty, real or fanciful as the facts may prove, was traceable to business agents who, in many unions and in many cities, operate under wide, almost dictatoral powers, whether properly accredited to them or not.

By either stripping or reducing the influence of the business agent and adding the man on the corner to the constituency’s shoulders what is so removed from the province of the former, the distinct impression is that the business can be handled through a more responsible body of men, it is understood the decision has been.

The increased phases of the I. A. T. S. E. organization always have been jealously guarded by business agents. That their reaction to the new setup will be unknown, but fireworks are not improbable.

In the meantime, the official I. A. T. S. E. attitude has been one of complete denial. This is echoed in Washington, where labor officials deny the Federal government had expected it to believe that the power of local business agents must be curtailed. Local autonomy will continue without abatement, it was stated.
**Senate Delves Into Struggle For Fox Film**

**Fans Hit Buffalo**

Buffalo, Nov. 21.—That fan dance craze hit this town so hard Vincent R. McFaul, manager of the Buffalo Grand, decided to fix up a “mamas’ room” to keep a flock of watchful parents from cluttering up the stage.

McFaul figured one fan dancer wouldn't be enough for this town, so had a stage full. Police Captain Edward A. Thierfeldt demanded some clothes, but when the lights were switched from pink to blue he withdrew the demand.

**Baltimoreans See Benefits From Repeal**

Baltimore, Nov. 21.—Opinion seems to be unanimous here that repeal will benefit box-offices.

**Price War Develops In California Spots**

Redwood City, Cal., Nov. 21.—Fricion between the Redwood, independent, and the Sequoia, Fox, has broken out into open advertising warfare, which may spread to the entire northern division of the state where Fox theatres compete with small city independents.

The warfare is over admission prices. The first gun was fired by the (Continued on page 8)

**Hertz to Go Back Upon Stand Today**

John Hertz, former chairman of the Paramount Publix finance committee, is scheduled to resume his testimony concerning his part in the financial affairs of the company during the 14 months immediately preceding its bankruptcy, when an adjourned first day and date runs out of Pittsburgh.

**President Confers With J. M. Schenck**

Warm Springs, Ga., Nov. 21.—Joseph M. Schenck, president of United Artists, arrived here this morning and paid a personal call on President Roosevelt.

Schenck had expressed a desire to see the President before he left Washington, but as the Chief Executive was pressed for time no conference could be arranged. He came here with the understanding that the code was not to be discussed, because it is the policy of the President not to engage in such conversations while negotiations are being carried on between General Hugh S. Johnson, recovery administrator. (Continued on page 11)

**No NRA Charge Yet, Independents State**

No notification to appear before the NRA compliance board here to answer charges of alleged infractions of the President’s re-employment agreement has been received by independent exhibitors up to last night, according to Tom Murray, executive secretary of the M. P. T. O. of the Metropolitan Division.

Newspaper reports yesterday quoted Grand Vein, a local NRA administrator, as stating that numerous independents would be instructed to appear before the compliance board. (Continued on page 11)

**Code May Not Fill All Needs - Kann**

Milwaukee, Nov. 21.—Warning the proposed code will not embody everything exhibitors may think they should have, Red Kann, editor of Motion Picture Daily, today told delegates at the Wisconsin M.P.T.O. convention nothing close to expect in view of the effort to clean up in a few months all of the (Continued on page 5)

**October Theatres Tax Shows a Drop**

Washington, Nov. 21.—Indicating that the theatrical business is in one too good a condition, figures on October tax collections released today by the Bureau of Internal Revenue place receipts for the month at $1,212,551, against $1,509,708 in the same period last year.

**McCarthy Joins Hays Staff on Publicity**

J. J. McCarthy, long identified with pictures and the legitimate theatre, has undertaken, at the request of Will H. Hays, his assignation in con-
DeGrandcourt to Produce
Charles DeGrandcourt, who claims a unique experience in the industry, in that he has studied the story values, the true screen personality and the appeal of 5,000 features while head of the editorial department of National Screen Service, has left his post there to become president of the Playhouse Operating Co., of which he is a director, at present.

Allied Discusses Product
Product and latest developments on the proposed industry code yesterday highlighted the regular meeting of Allied of New Jersey. Members reported a sharp drop in business during the past three weeks and the feeling was noted that theatres may be forced to close two or three days a week because of the local product situation. About 40 attended the session.

Miss O'Sullivan Very Ill
Hollywood, Nov. 21—Maureen O'Sullivan is in a critical condition at the Cedars of Lebanon Hospital following an operation for appendicitis. Peritonitis has set in.

Eastman Jumps One Point
Columbia Pictures, etc.,.....
Consolidated Film Industries,
Consolidated Film Industries, etc.,
Eastman Kodak
Fox, Inc., etc.,
Paragon Pictures, etc.,
Pathe Exchange
Pathe Exchange, etc.,
KKO
Warner Bros.

Technicolor Off Quarter on Curb

Bonds Not Very Active

M-G-M, Bennett Dicker
Hollywood, Nov. 21—M-G-M has been dickering with Constance Bennett for the past week for a one-picture deal. As soon as a suitable picture can be found which will please all parties, it is likely that Bennett will accept, and if the deal is not closed, it is understood. She has one more to make for Radio.

Walters-Robinson Argue
Hollywood, Nov. 21—Walters and Edward G. Robinson are understood to be in the throes of a disagreement that may end with the writer getting the role of "Napoleon" in favor of a story not of a biographical nature, and he is insisting on "Napoleon."
It's a Natural!

Clara bowls them over in her second hit for FOX. A performance charged with drama . . . melting with romance . . . bubbling with laughter... tense with thrills. A carnival dancer . . . hypnotizing, tantalizing . . . but loving with a loyalty that possesses her very soul.

Clara BOW in HOOPLA
"IT'S" IN... AS FOX MANPOWER TOPS "CALL HER SAVAGE" WITH THIS FOLLOW-UP SENSATION

More of everything that makes the crowds pay out. A great show... a showman's show... a ticket-seller's jamboree. You'll glow with satisfaction as you count up your receipts!

Clara BOW in HOOPLA

with
PRESTON FOSTER
RICHARD CROMWELL
Herbert Mundin • James Gleason • Minna Gombell

From the play "The Barker" by JOHN KENYON NICHOLSON. Stage play produced by CHARLES L. WAGNER.

Directed by FRANK LLOYD
Kuykendall Tells Danger Of Wrangling

(Continued from page 1)

The anticipated elimination of many unfair conditions through the proposed grievances and strike and made it clear the M.P.T.O.A. is still fighting for the removal of score charges, which he described as "a racket."

Making no direct reference to Allied, he answered the organization's well-expounded opinion that the M.P.T.O.A. was producer-subsidized when he said:

Again to Allied

Again making no mention of Allied, but echoing the charges he is understood to have hurled in the lobby of the Madison Hotel, before Deputy NRA Administrator Sol A. Rosenblatt, Kuykendall made a second reference to Allied and admitted that he saw no reason why the organization which has asked the Hays Board for help in the last two months.

Declaring the depression had made some showmen and eliminated others, who couldn't be had and harder to be showned," Kuykendall described the men who run the theatres as the shock absorbers of the industry.

"And so," he said, "if Hollywood and New York have no right to ram down your throats the movies for your theatres. As a matter of fact we could have eliminated many current practices if exhibitors had one hand in the game."

The fact they have no unity was brought out very clearly during the code meetings. And more and more the personal equation in theatre operation is asserting itself. Chains, whether independent or affiliated, are finding it harder and harder to operate on their current basis.

Personality in theatre management will rule from now on. Some of the so-called super men are being replaced by common sense men."

Harking back to his part in fighting the admission tax, Kuykendall declared most legislators failed to regard the industry as essential. He blamed exhibitors with going in failing to cultivate their lawmakers for this and urged theatre men, regardless of their position, to exhibit at least a little work to the end that the business be removed from the luxury classification.

First in 3 Years

Holding over of "The Invisible Man" at the 7th Ave. Roxy marks the first extension of a first run picture along in near three years, or since "The King of Jazz." More than 80,000 at the Roxy in the first four days.

Both "The Invisible Man" and "King of Jazz" are Universal releases.

Warning exhibitors were faced with a problem. Meyer at another point told of a local campaign to bar children from unwholesome pictures and made known his personal opinion that the theatre operation and therefore Hollywood should be told about how evil.

A fourth was Father Thomas Reily, head of the Sociology Department of St. Joseph's College, New Jersey, which represented 28,000 children, or as many as attended schools, attended films, he asserted the obligation on the exhibitor as well as the exhibitor to be concerned about what is going on.

It follows sane and grave consideration must be given to problems on matters which may easily upset the entire fabric of American business."

Urges Obscenity Boycott

CINCINNATI, Nov. 21.—"The only way to stop the production and showing of obscene motion pictures is to boycott them," declared Mgr. Charles E. Baden, chaplin of Fenwick chapel, in an address before that assembly.

"We should make our objections known to the people who are trying to make things bad."

Order Tracy Held Again

MEXICO CITY, Nov. 21.—Lee Tracy, who has been in Mexico making scenes for "Viva Villa," has been ordered rearrested by Mexican police on the charge of using insulin last evening as a party in celebration of the 23rd anniversary of the Mexican revolution. The actor had been released November 13, apparently the authorities changed their mind.

"Death Parade" to Zapp

CHICAGO, Nov. 21.—A. L. Rule, producer of "The Big Drive," has appointed Henry Zapp, president of Monarch Pictures of Detroit as national distributor for his new war film titled "The Death Parade."

Rule also has closed a deal with Jack O'Toole for handling "The Death Parade" in Illinois, Wisconsin, Minnesota and North and South Dakota.

New House for Enid

ENID, Okla., Nov. 21.—Plans are under way for the erection of a modern theatre, seating about 800, with an adequate marquee and pictures, in the near future.

New Richmond Theatre

RICHMOND, Nov. 21.—Permission has been granted by the American Improvement Mortgage Corp. to remodel the building at 2820 West Cary St. for theatre purposes. The job is expected to cost $12,000.

Kuykendall Tells Danger Of Wrangling

(Continued from page 1)

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A CLASS picture with SMASH attraction value!

ELISSA LANDI PAUL LUKAS NILS ASTHER

in

BY CANDLELIGHT

Senate Delves Into Struggle For Fox Film

(Continued from page 1)

HOLLYWOOD, Nov. 21 — Jimmy Durante's portrait in "Lady Killer" is a mixture of all his successful roles. In this he's a fresh-guy usher, gambling racketeer, high-hat gangster, dame-slapper, jailbird—winding up as a star in the "movie racket." When they like Cagney they'll like "Lady Killer," because Cagney is most of the show. Comedy predominates, with farce as a runner-up, plus a sprinkling of dramatic incident and punch. The title should be effective in attracting romance-seekers, though the main theme only touches lightly on this phase.

Cagney, fired from his usher job, unconsciously drifts to the petty gambling racket. Pursued by a dogged girl law sues the racket to her apartment and the card table. Cagney finds a purse—drops in—then joins up with the gang. Finding picking easy, he becomes finger man for the mob. They branch out into the night club gambling racket, with bunco automobile accidents on the side. When the police turn on the heat he flees to Hollywood with the gang (Mae Clarke).

In Hollywood, double-crossed by Mae, down and out, Cagney is projected into the extra ranks. Up the ladder he goes, writing fan mail to himself. The gang, bearing of his success, crash his home, with ensuing complications and dramatic action.


Direction by Del Ruth has quality. Mae Clarke and Margaret Lindsay even up feminine honors. "Lady Killer" title, tied up with Cagney, has draw value. Production should satisfy Cagney's followers.

Looking 'Em Over

"Christopher Bean" (M-G-M)

A comedy-drama that rates better than average, largely through the PUTING EFFORTS of Marie Dressler to squeeze laughs and sympathy out of a story that makes such efforts necessary.

Miss Dressler, as Abby Pressler, is one of the New England Hagget family for 20 years, becomes the center of avarice and intrigue when it is discovered that a number of paintings by the man she loved years before have suddenly become of great value. Dr. Haggett, played by Lionel Barrymore, has been a kindly, unselshful country doctor up to this point, is transformed into greedy schemer who tries to sell Abby's portrait, considered the artist's masterpiece, without her knowledge. He is brought to his senses by realization of Abby's genuine devotion to the dead artist, but once more he plunges to greed on learning that Abby has in her possession 17 other paintings by the artist, each worth about $10,000. The time, only the disclosure that Miss Dressler is the widow of the artist who died in poverty, which makes the paintings indisputably her property, prevents Barrymore from seizing and selling them.

The picture is good, light entertainment and, with the exception of one or two scenes, should satisfy family audiences. Supporting roles are splendidly handled by Jean Hersholt, George Coulouris, Beulah Bondi, H. B. Warner, Helen Mack, Helen Shipman and Russell Harling. Sam Wood directed.

"The Right to Romance" (Radio)

Excellent handled technically and dramatically, "The Right to Romance" can be chanted up as a thoroughly entertaining Ann Harding vehicle. Because Alfred Santell, the director, has thoughtfully and efficiently managed the delicate task of taking a page from the album of a doctor's life, it will be a cinch to get medical institutions to back the picture. Doctors will enjoy seeing this on one of the Sundays they have no office hours.

(Continued from page 1)

Baltimoreans See Benefits From Repeal

(Continued from page 1)

per cent of people are drinking coffee and milk with their meals.

J. Harry Gruver, proprietor of the Glen, Glenburnie, Md., and interested in other theatres, says that he does not want to lose $200,000 a year in his theatres, but that he will not be able to get good beer.

Gruver believes repeal will do a lot of good because many people will be employed and many trades will be helped.

Ted Routs, manager of the Hippodrome, says there will not be any effect on box-office, that the only way to keep money out of the box-office is to show weak pictures.

The initial tendency to drink a lot will soon wear itself out because when the cost rises two cents at his finger-tips, so to speak, he doesn't want it," says Routs.

Repeal Can't Reach Alabama Until 1935

BIRMINGHAM, Nov. 21.—Alabama is one of the few states in the Union which is still "bone dry" despite repeal of the 18th Amendment. State laws prohibit even the sale of beer and right now there is no prospect of change until the legislature meets in 1935. Consequently no effect on box-office receipts is expected before that time. Considerable sentiment in favor of repeal of the state laws exists, but the present governor is dry and destined to hold the legislature into special session.

St. Louis Threats Stir Up No Action (Continued from page 1)

on at the St. Louis. Nothing has happened yet, however.

The St. Louis average used to run around $7,000 a week, and it has about doubled under the new policy. Loew's State and the Ambassador have been halted. The Missouri and Grand Central are said to be complaining and some of the neighborhoods are up in arms.

Day and Date Runs Out of Pittsburgh

(Continued from page 1)

the Sheridan Square will go to see Cagney's "Lady Killer.

Warner officials tried an experiment with the day-and-dating, the Warner charging a top of 50 cents and not believe box-office will lose any money by repeal and that there will be no rush to get liquor legally. Some people can get all they want now.

"It was different with beer," he said, "For during prohibition the pub could not get good beer."

Gruver believes repeal will do a lot of good because many people will be employed and many trades will be helped.

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"Ginger Rogers is certainly attractive, and Thelma Todd, isn't she gorgeous!"

"What songs! "Did you ever see a dream walking? Is the best I've heard this year!"

"I've seen a lot of spectacles but that fan dance tops 'em all!"

"That Jack Oakie and Jack Haley are a great pair. I don't know when I've laughed so much!"

"I haven't had so much fun in years. We used to pay 15¢ for a show like this!"

"Sitting Pretty"
"Sitting Pretty"

JACK OAKIE • JACK HALEY • GINGER ROGERS • THELMA TODD
GREGORY RATOFF • LEW CODY and the PICKENS SISTERS

A Paramount Picture • Directed by Harry Joe Brown • A Charles R. Rogers Production
Looking 'Em Over

(Continued from page 8)

Robert Young, Nils Asther, Sari Maritza and Irving Pichel lend unusually strong support to Miss Harding, who is superb at all times. Delmar Watson does first-rate work in a sympathetic part.

The story treats of a surgeon, Miss Harding, who specializes in facelifting. She is so absorbed in her work she has had little time for romance, but when the heart strings begin to tug she drops everything for a vacation and what romance it holds in store for her. She overestimates the ability to research in the same hospital and hasn't had time to venture into romantic aversions.

At the seaside, Miss Harding meets Young, son of one of her patients, falls in love with him and later marries him. Shortly after the doctor learns his wife is not only a lady of love making, but also is on emergency call. She leaves him. Young and his former sweetheart, Miss Maritza, are injured in a crash and Miss Harding is called in to save the girl from having her face disfigured. She consents because she knows that she was not the one her husband really wanted. As for herself, she begins to realize professional students should keep within the medical sphere and Asther would not make such a bad husband after all.

"Broken Dreams" (Monogram)

A sentimental affair with Buster Phelps doing much to hold the interest. It is swell entertainment for the family trade, with the child, Phelps, as the magnet for getting in the children. Randolph Scott and Marina Warthe do good work and have the capital support of Joseph Cawthorne and Beryl Mercer.

Losing his wife in childbirth, Scott, an interne, turns the baby over to his uncle and aunt, Cawthorne and Miss Mercer, and after six years claims the boy. He had despised him when first born, but becomes attached to him after he sees him for the first time in six years. Scott has been to Vienna studying obstetrics and pediatrics and returns to take up his practice. He falls in love with Miss Sleeper and when she hears of the boy she senses a gap looming in their lives. She goes through with the marriage, hoping to overcome the barrier. The boy is injured and Miss Sleeper then realizes he cares for her. She decides to forget the past and treat him as her son. That satisfies Scott and the youngster.

"Sunset Pass" (Paramount)

Bovine rustling and the usual melodramatics surrounding the round-up of the rustlers make for pleasing entertainment, what with a cast comprising Randolph Scott, Tom Keene, Kathleen Burke, Harry Carey, Noah Beery, Kent Taylor, Fuzzy Knight, George Barbier and Vincent Barnett and a story by Zane Grey. When caught in a neighborhood where it is believed he is in, Keene is driven from his homestead.

Keene is sent out to track down the elusive gang of rustlers, sign up with Scott, a partner of Carey in the cattle stealing business, and learns of the hideout. In the interim, Keene falls in love with Miss Burke, who is supposed to be Scott's sister. When it comes to the big round-up, Keene has the cattle stampeded the outlaws as they are reaching Sunset Pass to take the cattle themselves. This puts them to flight and they are caught in the chase. Scott is wounded by Keene and on the way home tells him that Carey held certain papers which made him (Scott) continue to assume being the girl's brother and also continue with the rustlers. Scott does not know the truth. Keene promises to take care of her after that.

"White Face" (Heller)

In "White Face" Gainsborough sends to this country a film that fares poorly in comparison with the average mystery picture from Hollywood. It is something for the neighborhoods.

The story, by Edgar Wallace, is about a murderous doctor who takes advantage of a street brawl between two men to kill one of the two— a man associated in crime with him in South America who had threatened to "get" him when their little partnership fell through. Among a number of persons suspected are a husband blackmailed by the fellow doctor prior to his death and a newspaperman jealous of his attentions to his sweetheart.

President Confers
With J. M. Schenck

(Continued from page 11)

today to answer complaints that they were violating the President's agreement by working more than 45 hours weekly, and then being blackmailed if they refused. The exception, permitting a five and one-half day week as in other industries, and asked for a labor exception to permit a longer working week. The exception, permitting a five and one-half day week in some instances, was granted by the Department of Commerce instead of the President in advance of the setting up of local compliance boards.

Whalen was quoted as saying that the larger circuits, including Loew's and RKO, were abiding by a 40-hour week, and that "all rules and regulations of the President's agreement will be strictly enforced until a code for the film industry is signed by the President."

McCarthy Joins Hays
Staff on Publicity

(Continued from page 11)

section with film publicity and advertising. McCarthy will also look after the making of the monthly newspaper magazine of Frank J. Wiltchak, who is ill.

Directors of the Hays office, at a meeting last week, adopted various new regulations referring to publicity and advertising. McCarthy's work will consist principally of the application of these regulations.

A meeting of the principal advertising and publicity men of the industry was held at the Hays office on Monday. Following this meeting a committee with which Mr. McCarthy will work was appointed.

No Return of Shows
Looked For in N. O.

(Continued from page 11)

the Allied Stage Crafts, stagehands and musicians were regularly employed at the Saenger, Loew's State and Parkway theatres, and also were used vaudeville acts. Patrons, it seems, are satisfied with films.

The Strand, Liberty, Lyceum, Wonderland and Newcomb, on and adjacent to Canal street, are doing well. The Strand may reopen this month.
Hollywood, Nov. 21.—With the return of Carl Laemmle, Sr., the Universal City Club has been revived after a three-year suspension. The club is composed of Universal employees of all classes and is purely social in purpose, to become a periodical basis to discuss and review pictures in addition to staging dances and a feed after the picture is over.
The club maintains its own clubhouse on the lot from the small dues contributed by the members.

Laemmle Sr. is honorary president with Junior honorary vice-president; Harry H. Jecinero, chairman of the board, which includes Charles Hubbard, Martin Murphy, Arisle Halit, Whittelsey Deming, Russell Gausman, Frank Graves, Curley Robinson and John Le Roy Johnston.

Since Josef Von Sternberg and Marlene Dietrich are extended all the studio courtesies that one could expect from Paramount, the latest request made by the pair is the right to censor all publicity and photographs released by that studio. Since this is in their contract the request was granted by the company, not only by publicizing the publicity blurs, but insists on personally posing Marlene for any publicity art in the galleries. Mar West has a similar clause in her contract, but is not quite so finicky.

Holding great hopes for the eligibility of Lt.-Governor Frank F. Rogers to become the next governor of California, Clinton Wunder, former member of the Academy, is introducing the house person to the picture colony. The lieutenant-governor has always looked with favor upon the industry and now Wunder wants to wield this friendship more solidly...we wunder, since Upton Sinclair has also thrown his lot into the forthcoming gubernatorial election.

Throughout the run of Bing Crosby's personal appearance at the local Paramount, the cordial trumpet officers were stationed about the lobby of the house to check on possible blow or perichance might take the afternoon off from school to hear and see the crooner in the flesh.

Due to his portrayal of diversified sports roles in previous pictures and the fact that he is an ardent baseball fan as well as player, Joe E. Brown has made an honorary member of the Amateur Athletic Union tribunal.

"Footlight" Big K.C. Hit With $14,000

Kansas City, Nov. 21.—"Footlight Parade" was the only outstanding drawing, boosting the Newman's take to $14,000, double the average. It was held a second week. A trial double bill at the Uptown failed to come up to expectations. The city's annual Christmas Eve debt was hurt seriously. Total first run business was $30,200. Average is $27,000.

Estimated takings:

Week Ending Nov. 8:
"FOOTLIGHT PARADE" (Warners) NEWMAN-(1,800), 25c-40c, 7 days, plus Saturday midnight show. Gross: $1,400. (Average, $375.)

Week Ending Nov. 9:
BUREAUX OF MISSING PERSONS (F.N.) MIDLAND-(1,200), 25c-40c, 7 days plus Saturday midnight show. Gross: $600. (Average, $75.)

Week Ending Nov. 10:
DAY OF RECKONING (M-G-M) MIDLAND-(1,400), 25c-40c, 7 days plus Saturday midnight show. Gross: $62.50. (Average, $8.93.)

"LOVE, HONOR AND OH, BABY" (Univ.) THE MAJESTIC (Fox) UPTOWN-(1,200), 25c-40c, 7 days. (Trial Gross) $3,000. (Average per week, $428.57.)

From The Hollywood Reporter - November 22, 1933
IN ALL THE DAYS OF YOUR LIFE
YOU'VE NEVER SEEN
ANYTHING LIKE IT!

"LITTLE WOMEN" AT RADIO CITY
SHOWS TO 118,936 PEOPLE IN 5 DAYS
AND GROSS RECEIPTS OF $87,489

CRUMBLING
IN THE MIGHTY
ONRUSH OF A
SEA OF PEOPLE
EVERY ATTEND-
ANCE AND
MONEY REC-
ORD SINCE THE
DAWN OF
SHOW BUSI-
NESS

GOING INTO A SECOND WEEK
AND CONTINUING INDEFI-
NITELY AT RADIO CITY!

THE FIRST ATTRACTION BIG
ENOUGH TO BE TOO BIG
FOR THE WORLD'S LARGEST
THEATRE . . .
Beloved And Awaited By Fifty Million People! Ecstatically Praised In A Mighty Chorus By Every Critic! Publicized For Months In Newspapers And Magazines And Over The Great Radio Networks . . .

and now . . .

THE ROMANCE TWENTY MILLION HAVE READ . . . NOW THE PICTURE FIFTY MILLION WILL LOVE!

Too long you've been robbed of loveliness!
Now the glorious art of Hepburn brings you the very soul of romance in America's grandest love story ... just as twenty million people have loved it in the book ... something far more than a motion picture ... For here you will meet old cherished friends who live forever in your heart Whatever happens, you must not miss—

Katharine
HEPBURN
in
LITTLE WOMEN

By Louisa May Alcott
A picture for all mankind...all women...all boys and girls and children!

JOAN BENNETT - PAUL LUKAS - FRANCES DEE
JEAN PARKER - EDNA MAY OLIVER
DOUGLASS MONTGOMERY - HENRY STEPHENSON

Superbly Directed by
GEORGE CUKOR

MERIAN C. COOPER
Executive Producer
Kenneth Macgowan, Associate

RKO-RADIO’S THANKSGIVING GIFT TO ALL THE WORLD!
Holdovers Let Philadelphia Grosses Fall

Philadelphia, Nov. 21.—Business last week took a slump, several second week films dipping below average. Only "The Invisible Man," however, did nicely at the Boyd and got an extra day, and "Night Flight" got two extra days at the Arcadia. 

It is interesting to see how little the future has planned for plenty of excitement for this week. "I'm No Angel" is already on the way to a house record for Stanley and the "Private Life of Henry VIII" started strongly at the Aldine. Total first run business was $74,900. Average: $82.00.

Estimated takings for the week ending Nov. 15:

- ALDINE—$12,000, 4c-5c-6c, 6 days. Gross: $7,200. (Average $1,200.)
- "BROADWAY THRU A KEYHOLE" (U. A.)
- "THE INVISIBLE MAN" (Univ.)
- "PARIS" (RKO)
- "STANLEY"—$7,500, 3c-3c-5c, 7 days. Gross: $3,000. (Average $428.57.)
- "WOMAN IN PARIS" (Fox)

Total first run business was $104,800. Average is $12,000.

Estimated takings:

Week Ending Nov. 16:

- "BERKELEY SQUARE" (Fox)
- "STAGE"—$7,000, 3c-3c-5c, 6 days. Stage: Joe Laurie, Jr.'s "Memory Lane," Chicago.
- "THE INVISIBLE MAN" (Univ.)
- "PARIS" (RKO)
- "STANLEY"—$7,500, 3c-3c-5c, 7 days. Stage: Ted Weems & orchestra, Jimmy Savo, Lewis & Moore, Serge Flash & orchestra.

Week Ending Nov. 17:

- "FEMALE" (F. N.)
- "MY WIFE'S" (RKO)
- "ROOSEVELT"—$1,591, 3c-3c-5c, 6 days. Gross: $9.36. (Average $1,600.)

"Baron" Is $4,500

Indianapolis Draw

Indianapolis, Nov. 21.—"Meet the Baron" at the Palace and the second week of "Footlight Parade" at the Circle were the two best bets this past week. The Palace grossed $35.00 and the Circle $4,500. "Berkeley Square" at the Apollo was just even with par with a gross of $2,500.

Estimated for its first runs was $24,500. Average is $24,500.

Estimated takings for the week ending Nov. 16:

- "BERKELEY SQUARE" (Fox)
- "FOOTLIGHT PARADE" (Warners)
- "HIGH WATER" (Paramo)"-STANTON—(1,700), 3c-3c-5c, 6 days. Gross: $5,000. (Average, $833.33.)

"Angel" Sets New Record in Seattle

Seattle, Nov. 21.—"I'm No Angel" has established a definite record here, having had a seven-day capacity run at the Fifth Avenue and a 14-day "extended run" at the Paramount. For the opening week at the Fifth Avenue, with admission at 40 cents at the top, the gross was in excess of $15,000, and double the usual weekly take. The second week at the Paramount, the take was about $7,500, and the third week, now current, is expected to show a gross of at least $10,000. The three-week engagement will bring close to $30,000, it is estimated.

Huffman Takes "Sigma"

Denver, Nov. 21.—The first definite engagements of a Hoffman picture were in the Hoffman house in months goes into the Paramount Nov. 30 for a week. The Hoffman house presented "M-G-M's "Sweetheart of Sigma Chi."

"Parade" Holds Up in Buffalo Freeze

Buffalo, Nov. 21.—The coldest November weather in 60 years, ushered in by a heavy snowstorm, dimmed the chances of "Footlight Parade," which nevertheless went $5,000 over normal to $15,000 and good for a second session. Total first run business was $40,000. Normal is $48,300.

Estimated takings for the week ending Nov. 17:

- "ANN VICKERS" (Radio)
- "FOOTLIGHT PARADE" (Warners)
- "BUREAU OF MISSED PERSONS" (F. N.)
- "CENTURY—$16,000, 3c-3c-4c, 7 days. Gross: $5,600. (Average $800.)
- "FOOTLIGHT PARADE" (Warners)
- "GREAT LAKES—$3,000, 3c-3c-4c, 7 days. Gross: $1,800. (Average $257.14.)
- "BEAUTY FOR SALE" (M-G-M) (Monogram)
- "HIGH WATER" (Paramo)
- "THUNDER IN WASHINGTON" (Fox)
- "LAFAVETTE—$2,600, 3c, 7 days. Gross: $1,550. (Average $214.29.)

"Another Celebrity"

Hollywood, Nov. 21.—The local preview housete were all eyes the other night when an ultra-modern streamlined mood was developed up to the curb at the Beverly Theatre, where Warners were showing Diego Edmundo G. Robinson's "Dark Hazard."

The mox was stepping on each other's toes to catch a glimpse of the famous person when the door of the car opened and out stepped six of the directors, all at looking contract players, who assisted from the car none other than "Dark Hazard" himself, a big black Whippet, the canine diamond studded collar.

Tommy Macleod of Warners' publicity department framed the gag.

"Parade" Is $35,000 Hit On the Coast

Los Angeles, Nov. 21.—Warners mopped up here last week by playing "Footlight Parade" day and date at the Hollywood. The total was $20,000, over par by $5,000, at the former, and ran up to $15,000, up by $3,000, at the latter.

Hollywood was strong at $16,500 in its fifth week at Grauman's Chinese. "Penthouse" reached $15,500 at Loew's State. "Broadway Thru a Keyhole" was a $13,000 draw at United Artists, and "Only Yesterday" took $12,750 at Paramount.

Total first run business was $12,450. Average is $9,300 without United Artists and Penthouse.

Estimated takings for the week ending Nov. 15:

- "I'M NO ANGEL" (Para.)
- "FOOTLIGHT PARADE" (Warners)
- "SOUTH PACIFIC" (M-G-M)
- "THE RIGHT TO ROMANCE" (Radio)
- "FOOTLIGHT PARADE" (Warners)
- "BOMBSHELL" (M-G-M)
- "M-G-M'S "SWEETHEART OF SIGMA CHI"
- "HEROD" (Warners)
- "BUTTER SWEET" (U.A.)
- "SANTA FE GHOST" (Para.)
- "FOOTLIGHT PARADE" (Warners)
- "M-G-M'S "SWEETHEART OF SIGMA CHI"
- "THUNDER IN WASHINGTON" (Fox)
- "BROADWAY THRU A KEYHOLE" (M-G-M)

Pettitro Faces Rivals

Chicago, Nov. 21.—James C. Pettitro, for M-G-M in Chicago, Musicians' Union, has been renotated for the office of president, but for the first time in a while, he is not being confronted by opposing candidates. They are Angelo Cavallo and Nunnio De Pasquale. As a consequence the nominations were held under the eyes of police from the state's attorney's office. Election will be held Dec. 5.

"Baron" Shut Out

Paris, Nov. 21.—Wolff M. Henius, formerly with M-G-M in Hollywood and later a production manager at Joffin's east coast for Paramount, is in route to Bombay to organize a Hindu production unit for which several Indian maharajas are reported to have been putting up money, with the idea of making talkers in Hindi with English versions.

Cantor's Xmas Opening

"Roman Scandal," new Eddie Cantor picture, is slated to open at the Rivoli Christmas week. The picture is a World's premiere in Hollywood, at Grauman's Chinese, next Monday.

"Parade" Is $35,000 Hit On the Coast

Los Angeles, Nov. 21.—Ray Denserine, manager of Loew's State here for the past five years, has resigned his position and become manager of E.0. The job is succeeded by J. A. G. Schiller, former vice-president of the Robert Morgan Co., and a relative of A. Schiller, vice-president of Loew's.
THE EXHIBITOR READS IT!

Wardman Park Hotel
WASHINGTON, D.C.
September 24, 1933.

Mr. Jerry Namany,
Kugley Publications,
1950 Broadway,
New York City.

My dear Mr. Namany:

Your article in the September 28 issue
with reference to the Washington bearing on the
code is truly a master piece.

Terry, you have written some marvelous
things in a delightful and concise way, but this is
the finest thing that I have ever read from
your pen. It covers a big subject in a definite
way and in a highly way that it should be thought of
by any exhibitor who is interested in the recovery
of this business.

I read it twice last night and three times
again today and have written to a dozen exhibitors
already in my territory that your story is the whole
story up to date.

Terry, this industry needs more men with
the vision that you have set forth in this article.

With kindest regards, I am

Yours very truly,

John J. Martin

---

Valdenga Theatres Incorporated

October 23, 1933.

Mr. Jerry Namany,
Kugley Picture Herald,
1950 Broadway,
New York City.

Dear Mr. Namany:

I very much appreciate your having sent me
the copies of the magazine to the Jamestown Hotel,
I especially enjoyed the "Mule Feathers" story.

I trust Terry is doing all right in his office.

I should have a lot of interesting items if
real genuine is selling the simple truth about

I believe that the lesser figures are going to be

With kindest regards,

R.H.

---

Grand Opera House

Philadelphia, Pennsylvania

November 7, 1933.

Mr. Martin Kugley,
Kugley Picture Herald,
2226 Broadway,
New York City.

My dear Mr. Kugley:

I read in your November 4th issue of the motion
picture herald the articles on "LIEUTENANT," on
"DOING TOO," and "HEMSTOCK," and I want
to say to you that those were three of the best ar-
ticles I have ever seen in any paper. Whoever
wrote these articles certainly has some gray matter
and has used it.

I am sure that the country hasn't the nerve and courage to say the

Your very truly,

Mrs. Tugley

---

A.B.C. Proves they TAKE it —

Letters prove they READ it —

MOTION PICTURE HERALD
$69,572,000 Fox-GTE Loss By Chase Told
$21,000,000 to Fox for Control, Reveals Pecora

WASHINGTON, Nov. 22.—Expected profits of the Chase National Bank and its subsidiary, Chase Securities Corp., from the financing of Fox Film and General Theatres Equipment turned out to be losses aggregating $69,572,000, the Senate committee investigating Wall Street learned today from Winthrop W. Aldrich, president of the bank.

The total financing of the stock and bonds by the bank and its subsidiary, Aldrich revealed, aggregated $89,530,000 but is today carried on the books at $19,757,000.

A paper profit of $16,000,000 was made by the promoters of General Theatres through the purchase of Fox. (Continued on page 7)

Hertz Examination Is Again Put Over

The second consecutive postponement of the scheduled final examination of John Hertz, former chairman of the Paramount finance committee, drew the fire of Samuel Zinn, counsel for a Paramount bondholders' group, yesterday.

Referee Henry K. Davis put over the examination until Monday because of the absence from the city of Saul E. Rogers, counsel for another group. (Continued on page 4)

Nathanson Attending Kuhn, Loeb Sessions

N. L. Nathanson has been attending a series of conferences with executives of Kuhn, Loeb & Co., with reference to plans now being formulated for drafting reorganization arrangements for Paramount.

The meetings are being presided over by Sir William Wiseman, representing Kuhn, Loeb & Co.

Franklin Not After Metropolitan Group

Harold B. Franklin, former head of RKO theatres, is proceeding with plans for setting up his own production and exhibition organization, he said yesterday in denying current reports that he was to become associated with Metropolitan Playhouses here. (Continued on page 7)

Only Promise Bans Strikes, Miller States

Labor Deal “Lousy,” He Tells Milwaukee Meet

MILWAUKEE, Nov. 22—Only a promise stands between the theatres of the nation and operators' and stagehands' walkouts under the code as it now stands, and while he said he considered the promise legitimate, "it is just that and nothing more," Jack Miller, chairman of the National Code Committee on Theatre Labor and president of the Chicago Exhibitors' Ass'n, so told the annual convention of the M. P. T. O. of Wisconsin here this morning.

Delivering an as-usual on-the-table talk punctuated with such choice words as "lousy" and "rotten," Miller divulged that the original code clause banning (Continued on page 4)

Rubien Pleads for Theatre Employes

MILWAUKEE, Nov. 22—The most effective way to sweeten box-offices is to meet organized labor "obligingly and cheerfully," Alner Rubien, general counsel of the I.A.T.S.E., told the Wisconsin M.P.T.O. convention late this afternoon as he urged recognition of the American wage standard in theatres.

Rubien, who played an important part in labor and code meetings in (Continued on page 4)

NRA Will Question Theatre Men Today

A number of local independent exhibitors received notices yesterday to appear before the local NRA compliance board this afternoon to explain exceptions in working hours of theatre employees granted by the Department. (Continued on page 4)

Authority to See Film Code Is Lived Up to

WASHINGTON, Nov. 22—Compliance with the film code by members of the industry will be exacted by the Code Authority after it is properly defined, it was made known today by Administrator Hugh S. Johnson in an outline of what is required after a code is approved by the President. It will be the duty of the deputy administrator in charge of the code to see that the Code Authority is so organized that it may promptly and efficiently administer it. It will also be his duty to see that the Code Authority does operate efficiently and to invoke action by the Government should the Code Authority fail or be (Continued on page 4)

Warn Canadians on British News Shots

TORONTO, Nov. 22—The Ontario Government has issued a warning to exhibitors not to remove British shots from newsreels. The government insists that patrons see 30 per cent of British scenes in the releases.

Some managers have been combining two or three reels in arranging programs and others have deleted British shots merely to shorten the reels. (Continued on page 4)

Asker President to Send Rubinoff Back—Cantor

WARM SPRINGS, Ga., Nov. 22—Eddie Cantor was a caller on the President at the “Little White House” today.

Cantor referred to his visit only cursorily, stating that he came here to ask the President to send Rubinoff to Russia.

High Finance

Milwaukee, Nov. 22—They asked for a lot of things, did exhibitors of the nation.

Rosenblatt, however, today told one of the niftiest. It was from a far western exhibitor who argued something ought to be done to and about producers who had the gall to ask such as $3.50 for a feature.

Code Creating 25,000 Jobs, Avows Deputy

Rosenblatt Says So at Milwaukee Meeting

By RED KANN

MILWAUKEE, Nov. 22—Twenty-five thousand a campaign through the offering as a result of the labor provisions of the proposed code, while the code itself will unite the entire industry into a compact whole and give it greater opportunity for self government than any other business, Deputy NRA Administrator A. A. Rosenblatt told several hundred exhibitors and exchange men at the annual convention of the Wisconsin M. P. T. O. this afternoon.

Delayed by storms between Wash-ington and Milwaukee, the opening was delayed and delivered a 50-minute talk to a packed assemblage, including Frank J. McWilliams, president of Allied of Wis-
cconsin.

Tracing the fundamentals of the NRA and citing the widespread na (Continued from page 6)

Milwaukee Session Goes Over to Today

MILWAUKEE, Nov. 22.—The M.P. T.O. of Wisconsin convention failed to close today, due to the length of the program, with the election going over to Thursday, at which the re-election of Fred S. Meyer is definite.

Other action scheduled includes a by-law change to eliminate deadheads and keep the membership alive on the basis of dues at 30 cents per theatre seat and to invite film exchanges and unions to join.

The proposed legislative program includes an increase through the na (Continued from page 6)

Ushers in St. Louis Organize New Union

ST. LOUIS, Nov. 22.—The Building Service Employees International Union, Local No. 111, has been launched here. Ushers from five of the leading theatres attended the meeting by Rolla Dennis, vice-president of the new union, says he will seek recognition by the Theatre Managers’ Ass’n. According to Dennis, the organi- tion meeting was attended by 55 ushers from the Ambassador, Fox, (Continued on page 7)
“Havana Widows”  
(First National)

MILWAUKEE, Nov. 22.—Pretty swell in cast values, what with Joan Blondell, Glenda Farrell, Allan Jenkins, Guy Kibbee and Frank McHugh. O.K. too, in production values, but entertainment not so fortissimo. “Havana Widows,” done in the slapstick style backed up by occasional effective montages, probably will get by, but it doesn’t rate making any noise over it.

It all has to do with the ambition of two chonimes—Joan and Glenda—to get to the happy hunting grounds at Havana and there knock off a millionaire. They wheedle the money out of Jenkins, the dumb gumshoe, and run into complications with Kibbee and his son, Lyle Talbot, who finally becomes Miss Blondell’s one and only heartthrob. The story is slight, stretched out and doesn’t mean much.

The cast does what it can with the material at hand, and deserved a better break. McHugh, as the constantly drunk lawyer, does his stuff in great style and provides the bulk of the laughs. Audience reaction was something not to be had. This was caught at the 10:12 show at the Strand with about 60 of the faithful in the audience.

The Strand is the new Warner slough house here.

KANN

“My Horse Play”  
(Universal)

Slim Summervile and Andy Devine are teamed in a series of events which begin on a ranch in Montana and wind up at a costume party in dear old London. Summervile, a cowhand, is in love with Leila Hyams and is fired when he pulls one boner too many. The heroine goes to visit her aunt in England and while she is gone Summervile sells his own ranch for $1,000. He takes his pal, Devine, and a horse with him in search of Miss Hyams.

In England Summervile accidentally meets the heroine’s aunt, a duchess, and is invited to a party by a party in the home of the Duke of Montgomery. And Summervile and Devine attend and again make themselves general nuisances, especially when they hear that Scotland Yard is after a man with a birth mark on his left lobe. The man wanted happens to be the villain making a play for Miss Hyams so he can kidnap her and hold her for ransom.

Summervile and Devine eventually get their man, Miss Hyams gets her man, and then all return to the plains of Montana.

In the cast also are David Torrence, Mae Beatty and Oscar Apfel. Edward Sedgwick directed.

“War of the Range”  
(Monarch)

This picture is right up the young film fan’s alley. Grown ups, even those who are not indifferent to horse dramas, are likely to take it with a laugh in the wrong spots, as happened at times when it was caught at Loew’s New York.

The story of the gang of rustlers brought to justice by the hero is resurrected to provide a string on which to hang together a series of hand-to-hand struggles, pistol fights and mounted pursuits. There is always someone pursuing someone else or someone taking a shot at someone else. One thing must be said for the film—it has action, and Tom Tyler, who is much of a favorite with youngsters, is right in the midst of the fuss. Of course, the picture would hardly be complete without a romance between Tyler and Caryl Lincoln. Other players are Lafe McKee, Lane Chandler and Charles K. French.
Joan Crawford and Clark Gable in "The Dancing Lady" are bringing to your screen the greatest musical romantic sensation this industry has ever known. M-G-M of course!
MOTION PICTURE DAILY

Thursday, November 23, 1933

Only Promise Bans Strikes, Miller States

(Continued from page 1)

ning strikes in theatres and ordering settlement of disputes between employ-

ers and labor by arbitration. More out because the American Federation of Labor refused to give up its right to

"All we got," he said, "was a prom-

ise from Lou Krouse to take local autonomy privileges on strikes from the

hands of business agents and mak-

ing the question determinable by him

as vice-president of the I. A. T. S. E.

That's swell and 1 believe Lou means

it, but after all, it's only a promise.

Krouse may live six months or an indefinite time and die.

Miller declared the labor end of the
code was a "rotten" job.

"We want to do arbitration full of

hope," he said. "The code was to be

the Moses leading us out of the wild-

erness of labor. It didn't take long

for the A. F. of L. to drop out of the

organization and the whole show, I'm tell-

ing you there aren't enough brains in the

A. F. of L. to run the code, so how is it going to run the govern-

ment. If the government lets the A. F. of L. continue to run the

works, we'll have more strikes in the next six months than in the last six years and the first six weeks of the code, and I was dead right with plenty to spare.

Got "Lousy Deal," He Says

"Can you imagine a government refusing a franchise in order to support by violence and theatre bombing is to-prevail as long as the NRA stays: That's what it has done. The code says, Aug. 23, wage scales are to prevail, but does it mean that? It doesn't.

It means wages can't go under that scale and that it's possible for anybody from trying to get more. We came out of Washington not with a good deal; we came out with a lousy deal."

Miller cracked down on Wisconsin exhibitors for failure to support the organization and predicted nationwide unionization of theatre workers, cashiers, and door-

men and said in 100 cities and towns moves were actually under way to unionize janitorial help.

I came up here," he asserted, "be-
cause Fred Meyer sold me on the idea of what a wonderful organization he had. I've been going to these things for years and they're a lot of hooey like this one. Meyer hasn't any organ-

ization. I've been fooled again and Meyer is just plain nuts for worry-

ing about the organization when you guys worry about the job and the math. In fact, I understand he hasn't even been able to collect on his Washington expenses. So what is it all about? I'm asking you.

"There is only one way to beat this labor thing and that is for employers to come together and put up one front. If you don't want to pay ushers $25, doormen $35 and cashiers $25 a week you'd better wake up, and if you don't that's all there is to the contract."

Miller said the A. F. of L. had 16,000,000 members during the war while it was suffering and everybody worried much about wage scales.

"But when the war was over and fellows looked around, the membership dropped to 1,600,000," he added.

A Code What's a Code

Milwaukee, Nov. 22—Still shuddering when he recalls Wash-

ington, the Mayflower and the code, Fred S. Meyer tonight gave the

M.I.T.O. in Wisconsin and, for that matter, the industry the sort of code that he argued ought to be adopted. The excuse for it all was the banquet which wound up the convention.

Meyer divided his authoring into four parts, almost like a feature: Part 1 with the salesmen; Part 2 with the theatre managers; Part 3 with branch managers and Part 4 with the exhibitor. Some highlights:

A Utopian Code for Film Salesmen

1. Film salesmen shall not be required to work more than three days in a week nor more than five hours in any one day, the word "work" being interpreted as any activity by which a salesmen earns his living.

2. All salesmen must be furnished to film salesmen either on route or upon receipt of their orders, to ensure the enforcement of this section.

3. Expenses accounts cannot be questioned. All losses in curios, crap, etc., or in any way charged against the salesman or the salesman's employer, shall be paid by the company responsible.

4. No salesman shall be subject to the humiliation or embarrassment of having any contract rejected after it is signed by an exhibitor.

5. U. S. M. salesmen shall not sell their product unless the exhibitor also agrees to buy Monogram pictures, with the definite understanding that both products will be co-exhibited in each instance.

A Utopian Code for Labor

1. Hours of labor shall be limited to not more than 45 minutes on any day, on account of the great strain and backaches, provided for five days per week only.

2. Minimun pay per hour shall be not less than $12 per hour with double this amount to be paid for overtime, the latter to be based on an hourly basis even though it may only amount to seven minutes.

3. At least four per cent of the total weekly gross shall be paid in the form of bonuses and shall be distributed in a manner to be determined by each establishment, thereby enabling the employers to do their share for NRA, also so they may hold their bridge.

4. Operators who have no ear of their own shall be called for and de-

livered by the code.

A Utopian Code for Exhibitors

1. Every exhibitor must be guaranteed a profit of not less than $100 per week. If it cannot be paid, it shall be paid on the last payday of the preceding week.

2. Before an exhibitor accepts any agrees pictures, he must be guaran-

tied to have a profit of at least $100 per week.

3. No matter what the contract may or cannot contain, exhibitors shall be permitted to run a picture for as many days as they desire and they shall not be required to purchase an average lot of pictures, as this shall be determined by the code committee.

4. All contractual obligations to the contrary notwithstanding, exhibitors need not play pictures in sequence of release, but may reject except pictures which are slow and unprofitable.

5. There shall be no minimum, nor any admission charge, if exhibitors so elect, and all subsequent runs shall last six months' clear-

ance over what once was a so-called first run. Exhibitors who operate only one theatre shall have preference over exhibitors operating two or more.

Rubin Pledges for Theatre Employes

(Continued from page 1)

Washington, predicted a modification of the July 15 NRA code will give power to the National Labor Board. He said that without power the board has already been successful in many industrial dis-

putes. "When this board has the power to enforce its decrees, coopera-

tion will become mandatory," he said.

Rogers was not present at the meeting, which was held on the Washington Post, where he was scheduled to discuss the NRA with Congressional leaders.

Zinn characterized the postponement

of the examination as "intoler-

able" and "bickering on a major judi-

cial scandal." He said that delays were threatening the effectiveness of the board of inquiry. The last scheduled examination of Hertz had been postponed until 1930 in or-

der to permit the witness to attend the funeral of the late Edward N.

Hartley, war-time chairman of the U. S. Shipping Board, who died in Chi-

cago recently.

A meeting of Public Enterprises's creditors, also scheduled for yester-

day, was postponed until Dec. 5.

Para. Managers Go Back to Districts

(Continued from page 1)

of Paramount district managers left yesterday for their respective head-

quarters, Mike Lewis, California dis-

trict head, and Hugh Braley, Denver district manager, departed after con-

firming a five per cent cut in wages. Morgan and William Erbh left for

Atlanta and Boston after discussing sales with Stanley White, who did not attend the White Sulphur Springs three-day session because of a recent operation.

J. M. Schenck Returns

Joseph M. Schenck, president of United Artists, returned yesterday from Warm Springs, Ga., where he conferred briefly with the President.

2 Fox Men in Detroit

Herman Wobber and John D.

Clarke, Fox sales executives, are in Detroit on the final lap of exchanges east of the Mississippi.

Hertz Examination Is Again Put Over

(Continued from page 1)

of Paramount bondholders, who had previously declared to the court that it was impossible for a group to be on a major judicial scandal." He said that delays were threatening the effectiveness of the board of inquiry. The last scheduled examination of Hertz had been postponed until 1930 in order to permit the witness to attend the funeral of the late Edward N. Hartley, war-time chairman of the U. S. Shipping Board, who died in Chicago recently.

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Para. Managers Go Back to Districts

Following conferences with home office executives for the past two days, four Paramount district managers left yesterday for their respective head- quarters, Mike Lewis, California district head, and Hugh Braley, Denver district manager, departed after conferring with the President. Morgan and William Erbh left for Atlanta and Boston after discussing sales with Stanley White, who did not attend the White Sulphur Springs three-day session because of a recent operation.

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Authority to See Film Code Is Lived up to

(Continued from page 1)

unable to administer the code or the law which is based on it.

Declaring that it is fundamental that ultimate responsibility for efficient code administration, including the re- 

quiring of compliance by all, shall be shameddled by industry itself, Johnson disclosed that it is planned that the Gov-

ernment will see that the code is applied only until the Code Au-

thorities are so organized as to take over the work. In no instance, how-

ever, will the Government relinquish its control over copidied industries and will at all times retain the power to set up additional processes if they do not properly perform their functions.
Dinner-Dance

OF THE

Universal Club

(UNIVERSAL PICTURES CORPORATION)

GRAND BALL ROOM •

WALDORF ASTORIA HOTEL

Saturday Evening, Nov. 25, 1933

DINNER AT 7:30 — ENTERTAINMENT
AND DANCING FROM THEN ON
—MAKE YOUR RESERVATION NOW—
CALL UNIVERSAL CLUB, CIRCLE 7-7100

Tickets — $7.50 per Person
Code Creating 25,000 Jobs, Avvos Deputy

MOTION PICTURE DAILY
Thursday, November 23, 1933

New Orleans Views Repeal Complacently

New Orleans, Nov. 22.—Repeal will have no effect on box-offices in New Orleans, in or other sections of Louisiana, according to exchanges and theatre managers, and others connected with the industry here.

The local exchanges take the 18th amendment seriously. No state prohibition law was ever passed, the ban of this city and their revenues did not fall off, despite the fact that these refreshment parlors were closed.

On Election night, when prohibition was decisively defeated, and the nights following New Orleans bars were still as popular as ever, government restraint and even at that the crowds were not large.

The industry had always been obtainable, whether the customer was personally known to the bartender or not, only it was not kept in plain sight as before.

Theatres are hurt, however, by the freezing of upwards of $60,000,000 in bonds and mortgage notes with no immediate prospect of release. Just what amount is frozen depends on the future developments of the code, the amount which will be frozen.

More Eastern Work Foreseen by Neilan

A marked increase in production activities in the east is forecast yesterday by Marshall Neilan, who is himself, planning production of eight pictures for Eastern Service Studios.

Neilan expressed complete satisfaction with production facilities here as experienced in work thus far on "The Social Register," with Colleen Moore, which is to be released through Columbia.

Roles Awaiting Cooper

Hollywood, Nov. 22.—Gary Cooper, when he returns to the coast, will play opposite Marion Davies in "Organizer 13," after which he will be "steamboating again in Steerage Coast" by Samuel Goldwyn. He will then return to Paramount for one film.

Chamber Elects Whitney

Boulder, Colo., Nov. 22.—Gerald Whitney, city manager for Fox West Coast, has been elected president of the chamber of Commerce here after livin here about a year.

First Division to Move

First Division Exchanges, Inc., is going to move from 630 Ninth Ave., to the 23rd floor of the RKO Building in Radio City.

For half an hour tonight, Rosenblatt, who was accompanied by his wife and secretary, Mrs. Soper, conducted an open forum with exhibitors presenting all questions they wished to be heard, at him. He attended the banquet at the Schroeder and at 9:20 o'clock left for Chicago to discuss N.R.A. matters Thursday, leaving for Washington on the Limited Thursday afternoon.

MOTION PICTURE DAILY
Thursday, November 23, 1933

Friday and Saturday, rebates. when no increased the in the town, was in deplorable shape.

"If any industry presented a picture wherein practices of dog eat dog and the devil take the hindmost were prevalent, this industry, viewed as a whole, is not a picture," Rosenblatt asserted.

Discusses Labor Terms

Unaware of Jack Miller's attack on the labor provisions of the code made at the morning session and obviously in a position to answer the attack, even if he were so minded, Rosenblatt made an extensive comment on a portion of the code declaring it told its own story. He skipped any labor reference in detail by remarking that for the first time in the industry's history agreements were fully protected. His historical tracings of the code deliberations, stressing the various groups, their insuring upon going their own way, their desire to do this despite what the deputy described as their complete interdependence upon each other.

At the same time he went farther when he declared that no industry as a whole had subsequently cooperated so completely with the NRA administration as the industry did in the Miller amendment.

Doubling back on the highlights of his Atlanta address a few weeks ago, when he deplored the Southern Theatre Owners’ Ass’n session, Rosenblatt made several references considered pointed ones to true and real leaders among exhibitors. While no specific mention was made of Allied, those present familiar with the checkered progress of the code deliberations had no doubt he was referring to that organization. He told the assembled exhibitors that true leaders hadn’t failed, that they had "founded hard and long" and secured "great rights and privileges for you.

Clearly referring to the right-to-bury wrangle which was one of the bitterest of the Washington meetings, although he said no specific mention thereto, Rosenblatt touched on the question when he emphasized the legally established right of a distributor to pick his own custom and set his own terms of sale, so long as these efforts in no wise lean toward the establishing of monopoly.

Distributor Concessions

In his quick analysis of the code highlights, Rosenblatt declared the code compels distributors to give considerable, while "compelling few corresponding obligations on the exhibitor." Becoming specific, he outlined as concessions made by distributors restrictions against threats to build the atres against exhibitors, check on short sales with features in proportion with the number of shorts required by the exhibitor on the basis established and had well and the designated playdates which permit the exhibitor to cancel under certain provisions, notably those lounge specials, restrictions in exposing financial data through checckers, cancellations, protection against violations of the code, and, over-buying, the latter to be cleared through grievance boards.

"While most of the explanations were somewhat hazy and lacked pattern in full from time to time in the Motion Picture Daily, Rosenblatt's presentation had been delivered and, at least, proved of greatest interest to his hearers.

"In the past," he said, were giving up very little. Their concessions, he continued, included observance of contracts in the event theatres were sold, and regulation and rebates. He explained that there had been some talk of "an eventual function to jeopardize the future of independent producers." He to place restrictions on the production of pictures. (Continued from page 1)

Refers to Block Booking

Rosenblatt made one significant point relative to block booking. Tracing its highly controversial history, he was substantiated by conformation that had ruled the practice legal when used by individual companies and illegal when determined upon and over this controversy determined actively. He said nothing in the code would impair the decisions on record there of and asserted that the provisions of the selling method had expressed no desire to violate such decisions. (Continued from page 1)

"They must stand," said Rosenblatt. Going into much detail on cancellation privileges, he explained the provisions were cumulative in effect and applied to all exhibitors where the average rental was $250 or less, provided they live up to the letter of their contracts.

"If 36 pictures are involved and the exhibitor fails, or does not want to, the offending film is of the 32nd film is delivered, he may drop the last four," he continued. Then, in turn, he said the issue was so controversial it was left out of the code, at the present time, what were the inequities to be drawn from that phrase. As the listeners, as their individual viewpoints dictated.

If separate codes had been drawn for production, distribution, and exhibition, Rosenblatt said, not a single point would have had it. He added that the meaning of producers and distributors to co-operate that made relief for exhibitors possible was considered.

Praises Grievance Boards

The most constructive feature of the code is the grievance boards, according to Rosenblatt, who added that they presented valuable real for the code asked for them. So liberal are always designed to be, he said, that exhibitors will have a chance to be heard in a court where, even if they have no legal rights in the case at issue.

Rosenblatt remarked that such in the past as proposedly voiced by trade associations in other fields, and he advocated the meetings in Washington Friday to air their grievances with representatives of other industry.

"IJe had been accompanied by his wife and secretary, Mrs. Soper, conducted an open forum with exhibitors presenting all questions they wished to be heard, at him. He attended the banquet at the Schroeder and at 9:20 o'clock left for Chicago to discuss N.R.A. matters Thursday, leaving for Washington on the Limited Thursday afternoon.

Endorsement of the code as it stands, plus any pending modifications is also set to go through as well as a resolution condemning salacious pictures and advertising, whether by means of stills or lobby displays. The code will also lack interest if the Hays morality code, but not its practice, and will seek to get the right of so to sanction violators and thus violate the code letter and intent. Letters so advising all distributors are planned.

As a matter of personal calls, and discussions regarding salaried of the film or the pending code would be barred. The President will not discuss course, but will present. Federal Judge was to hear Holt Thursday night, and it is expected that he will appoint the President with the latest developments on the code. The Judge left shortly after 6 o'clock.

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**Hollywood Personalities**

Hollywood, Nov. 22—Constantine Bakalina-Koff has been signed to direct the recording of all the melodies in Joel Palauska’s (“U. A. Reliance.”)

**Fox-GTE Loss by Chase Told**

(Continued from page 1) Film stock at less than the market price, it was testified, the stock used by the company should have been higher on the market price of about $40 and higher without offering it to the stockholders of the company. The two parties had security issues of the two companies, it was shown, realized profits of over $66,000.

More of the details of the involved financial transactions of General Theatres when it acquired the Fox interests were revealed today by Murray W. Dodge, former official of the Chase Securities Corp. Recalled was the formation of the two companies, the transactions of the companies, and the controlling interest in his properties. In addition to a $15,000,000 cash payment, he took a Fox bond and other considerations valued at about $6,000,000.

The largest part of the $4,500,000 profits of the bankers was realized from a pool formed in the class A stock of Fox Film which had been sold to the syndicate, which later sold at the market at prices ranging between $40 and $48 a share, testimony showed. The profits from the pool amounted to $3,940,000, which was divided among seven participants. A payment of $325,000 also was made to Joseph Pecora, the president, as part of the “expenses” of the account, it was brought out.

A syndicate also was formed in a $30,000,000 issue of debentures by General Theatres which netted profits of $1,000,000 to the purchasing group and $900,000 to the selling group.

A memorandum from Dodge to Albert H. Wiggin, former president of the United States, who died in 1939, was read into the record by Pecora, which related to the Fox financing. Dodge spoke of his reluctance to discuss the financing with Kuhn, Loeb & Co., because “split up the gravy would hurt my feelings.”

**Twin Cities Quiet After Warner Stir**

Minneapolis, Nov. 22—Twin City exhibitors, who signed contracts to play Warner-F. N. pictures on per centage plans, were not reported to have boycotted the company, were cooling off today after receiving word from W. A. Steffes, local Allied States leader, that he would not support the boycott move which developed at an unofficial meeting in Albuquerque.

Steffes has been out of town since last week, and will return next Monday, he said, the percentage terms were “arbitrary and excessive.” Steffes declared that he would not support the move and stated that “the time for objections was before the contracts had been signed.”

The subject is slated for another airing at a meeting which will probably be held here Friday when Steffes returns.

**March Closes Deal With 20th Century**

Hollywood, Nov. 22—Fredric March today ended speculation as to his future by signing a long-term contract with 20th Century-Fox.

Darryl Zanuck announced the actor would be one of the few stars of the group of stars around whom the company planned to build its new policy of making only pictures with star casts.

**Franklin Not After Metropolitan Group**

(Continued from page 1) with that circuit designed as the nucleus of a large New York neighborhood theatre chain.

Several promotions in the Erpi sales organization have just been made.

Harry Dodge, central division general manager, has become assistant to the manager of the western division. Stanley Hand, southeastern division sales manager, has become general manager of the central division, succeeding Dodge.

Bert Sanford, merchandising manager of the eastern division, succeeds Hand as division sales manager.

Hand has been with the company since its start and Dodge and Sanford joined it in its second year.

**Erpi Makes Shifts Of Its Sales Heads**

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Hand has been with the company since its start and Dodge and Sanford joined it in its second year.
**“Henry” Hits $9,500, Lead In Pittsburgh**

PITTSBURGH, Nov. 22—Business all over town, with one exception, hit another bad period last week, the blizzard and increased street traffic keeping prospective customers indoors and making the theatres resemble meeting places for sewers.

The one exception was the Fulton, where “The Private Life of Henry VIII” broke several house records to gain $9,500, more than double average trade here. The picture was the surprise of the season, building every day and $2,000 up stronger than it opened. It was held over for a second week and may possibly stick for a third.

Elsewhere, however, things were pretty bad. At the Penn, “The Prizefighter and the Lady” was a disappointment.

**Parade” $11,000
Top for Montreal**

MONTREAL, Nov. 22—“Footlight Parade” at the Palace noted out rival attractions, building up to $11,000. “I Was a Spy,” helped by a stage show, garnered the second place, and “Jailbird” was third, better than average at $9,500, while Loew’s Theatre made it $10,300, or $1,000 more than “Solitaire Man” and vaudeville.

At the Princess, “Broadway Thru a Keyhole” looked like a holdover from the previous week, “Platoon in the Street” took the screen eventually and the take for the seven days was $5,500. Plenty of winter help to keep the populace at the fireside.

Total first run grosses were $33,500.

Estimated takings for the week ending Nov. 17:

**AGGIE APPLEYE, MAKER OF MEN**

DAVIS—$3,200, 7 days. Gross: $16,000 (Average, $2,214).

**PRIVATE LIFE OF HENRY VIII**

FULTON—$1,725, 5 days. Gross: $9,500 (Average, $1,900).

**THE PRIZEFIGHTER AND THE LADY**

PENX—$3,100, 6 days. Gross: $17,000 (Average, $2,833).

**FLAMING GOLD**

PIT-T—$500, 6 days. Gross: $3,000 (Average, $500).

**SWEET**

STANLEY—(Col.) 5 days. Gross: $1,000 (Average, $200).

**FEMALE**

WARNERS—$2,000, 5 days. Gross: $5,500 (Average, $1,100).

**TOMORROW**

WARNERS—$2,000, 5 days. Gross: $5,500 (Average, $1,100).

**Henry” Sets Record**

PHILADELPHIA, Nov. 22—“The Private Life of Henry VIII” broke the house record for the Aldine recently. Ushered in with a big opening on Thursday, the picture built up on the following day, recording $400 more than on the opening day and $1,400 on its second day. Total approximately $4,000, bettering the house record of $2,800 set by “The Bowery.”

**Sign Pauline Frederick**

Pauline Frederick has been added to the cast of “The Social Register,” now being produced by Marshall Neilan for Associated Film Producers Corp., for release by the Vitaphone Studios for Columbia release. Colleen Moore and Charles Winninger are already at work in the feature.

**Joe May Coming**

CHICAGO, Nov. 22—Joe May, German director recently signed by Columbia, has sailed aboard the Bremen for New York.

**Composes to Order**

Hollywood, Nov. 22—Reminiscent of the sensational “script-a-minute” writings of the late Edgar Wallace-ee, Alfonso Corelli, musical director for Educational, has notified that a new musical number was needed for next day’s shooting. The music, an original composition complete with arrangements and individual parts for a 20-piece orchestra, was delivered promptly the next day at 9 A.M.

**Baer Picture Gets $21,000 In S.F. Week**

SAN FRANCISCO, Nov. 22—Despite the local popularity of Max Baer and his personal appearances on two days of the week, the “Gentleman and the Lady” failed to cause much of a stir here last week. It got $21,000, $1,000 under average, and the taking was not nearly as high as expected. The women, who were expected to rave about Max’s muscles, didn’t turn out as anticipated. Other houses were just so-so. The fourth Market street week of Mac West in “I’m an Angel” grossed $20,000, considered exceedingly satisfactory.

Total first run business was $104,000. Average is $17,000. Estimated takings:

**Week End Nov. 14:**

**PRIVATE LIFE OF HENRY VIII**

COLUMBIA—$3,200, 7 days. Gross: $19,000 (Average, $2,699).

**GOLDEN MAN**

GOLDEN CATE—(Col.) 6 days. Gross: $11,500 (Average, $1,916)

**Week End Nov. 16:**

**THE THREE MUSKETEERS**

EL CAPITAN—$2,800, 6 days. Gross: $16,800 (Average, $2,800).

**LADY FOR A DAY**

EMBASSY—$2,100, 5 days. Gross: $12,000 (Average, $2,400).

**PRIZEFIGHTER AND THE LADY**

WATERFIELD—$2,200, 5 days. Gross: $11,000 (Average, $2,200).

**FOOTLIGHT PARADE**

PALACE—$2,000, 6 days. Gross: $9,000 (Average, $1,500).

**BITTER SWEET**

KENTUCKY—$1,500, 6 days. Gross: $9,000 (Average, $1,500). **HIS MAJESTY GIVES A PARTY**

PRINCESS—$1,275, 6 days. Gross: $5,000 (Average, $833).

**LYSIA, VALLEY OF THE NUDE**

ORPHEUM—$1,000, 4 days. Gross: $4,000 (Average, $1,000).

Cinco Gets French Film**

CINCINNATI, Nov. 22—The first French talkie ever to be shown here will be screened on the program of the Arch Francais for the month. It is “A Nous La Liberte,” directed by Rene Clair, who also produced the classics “Toits de Paris” and “Le Million.”

**Fewer Cuts in Virginia**

RICHMOND, Nov. 22—There has been a falling off in censor cuts during the past few weeks. These reached a record-breaking total during the summer and two or three features were rejected in toto.

**Names Mrs. Walton**

MEMPHIS, Nov. 22—Mrs. Anna Walton was unanimously elected secretary of the M. P. T. O. of Arkansas, Mississippi and Tennessee at the 23rd semi-annual convention.

**“Duck Soup” Does Moines’ Top, $8,000**

DES MOINES, Nov. 22—Two $8,000 grosses featured the takes of the first runs here in the last week, the Des Moines taking that amount on “Duck Soup” and the Paramount, on the twin bill, “I Loved a Woman” and “Walls of Gold.” The Orpheum did $5,000 on the twin bill, “Right to Romance” and “Sing, Sinner, Sing.” The Strand was at par, taking $4,000 on “Day of Reckoning,” and the Garden up $1,000 to $7,400 on “Song of Songs,” returned by request.

Total first run grosses were $29,000. Average is $4,250. Estimated takings for the week ending Nov. 18:

**“I LOVED A WOMAN” (F.N.) PARAMOUNT—$5,000. Average, $700.

**Duck Soup**

DES MOINES—$5,000. Average, $600.

**RIGHT TO ROMANCE” (Radio)**

SING, SINNER, SING” (Security) ORPHEUM—$6,500. Average, $850.

**ISTIC**

STRAND—$4,000. Average, $600.

**THE SONG OF SONGS** (Para).

GARDEN—$1,000. Average, $150.

**“Journey,” Show, $10,750 in Omaha**

OMAHA, Nov. 22—“One Man’s Journey,” aided by the “Strike Me Pink,” staged tab, ran away with top honors here last week. The gross was $12,750 over par for $7,450.

“Footlight Parade” was also strong at $9,000 at the Paramount. This was the only show at the house. The Orpheum were weak. The former had a dual bill consisting of “Tillie and Gus” and “Solitary Man” and the latter with “Carrie” and “Dame of Day.”

Heavy competition was furnished by the annual A. C. B. S. stock and horse show which played to more than $5,000.

Total first run business was $29,750. Average is $2,750.

Estimated takings:

**Week End Nov. 15:**

**FOOTLIGHT PARADE** (Warners) PARAMOUNT—$2,900. Average, $428.

**STAGE MOTHER” (M-G-M)

ST. FRANCIS—$1,400. Average, $200.

**BROADWAY THRU A KEYHOLE**

ORPHEUM—$1,000. Average, $143.

**UNITED ARTISTS—$1,000.

**LYSIA, VALLEY OF THE NUDE” (Ind.)

ORPHEUM—$1,000. Average, $143.

Canton Lyceum Dealt On

CANTON, O., Nov. 22—Local interests are understood to be negotiating for the Lyceum, former burlesque house, which they contemplate converting into a vaudeville spot at 25 cents.

The house has been dark for the past few years.

Hattiesburg Picking Up

HATTIESBURG, Miss., Nov. 22—Rapid improvement of economic conditions here has prompted Sanger Theatres, Inc., to award contracts for the renovation and refitting of three houses which were closed for the last five years.

Neufeld Joins Roach

Hollywood, Nov. 22—Henry Ginberg has signed Siegfried, former production manager for Stern Brothers in the old silent days, as head of the Roach story department.
Fox Relates Tale of Loss Of Companies

Appealed to Hoover and L. B. Mayer, He Says

WASHINGTON, Nov. 23.—William Fox took the stand before the Senate antitrust inquiry committee today to unravel the threads he held in the tangled skein of financial events leading up to his loss of control over the Fox Film Corporation, which he purchased in the hectic months following the market collapse of 1929.

Mr. Fox’s was an interesting story in which he mentioned names high in politics as well as finance. The bitterness which he has cherished since the day he stepped into retirement crept into his testimony when he said he was forced into a contract of sale under duress.

He sold for $15,000,000 "and other considerations," he told the committee.

Tracing the swift development of his film empire from the days in 1928 when he secured virtual control of Loew’s, Inc., with the banking aid

(Continued on page 7)

Saul E. Rogers Now Attorney for Clarke

WASHINGTON, Nov. 23.—Saul E. Rogers, long vice-president and general counsel of Fox Film Corp., in the days when William Fox was in control, has been retained by Harley L. Clarke as his attorney in the proceedings before the Senate committee investigating stock market and banking problems. He was present today during the testimony of Fox.

Operator Charges Delayed for Code

Complaint by two operators, members of Local 305, to the local compliance board of the NRA that nine theatres in the metropolitan area were not living up to the Administration’s recent ruling on working hours for union labor was heard yesterday

(Continued on page 7)

“Women,” $109,000, Music Hall Record

Breaking all records for the house, “Little Women” garnered $109,000 for the first week at the Music Hall.

Next highest gross was $107,761 with “Cavalcade” for the week ending

(Continued on page 7)

Milestone Says Russia Is Being Americanized

Russia is showing a marked tendency toward Americanization, declares Lewis Milestone. He predicts this process will be accelerated by recognition. Whether it will result in the importation of American films or not, he would not say, however.

Milestone has just returned from a tour of Russia, his native country, made for the purpose of studying background for “Red Square,” which he will produce for Columbia on a percentage arrangement. His observations cover many phases of Russian life and include a prediction that travel between the two countries will be made easier, because it will be possible to go from Broadway to Leningrad for $80.

"Russia is the one place in the world where one can find something new," he says. "Changes take place there so rapidly it is impossible to keep up with them. Everything is different today from the situation

(Continued on page 7)

Regional Dual Fight Planned In Wisconsin

MPTO Adopts Scheme To Ask Aid of Exchanges

By RED KANN

MILWAUKEE, Nov. 23.—Declaring double features an uneconomic practice, the M. P. T. O. of Wisconsin, in the final convention session today, voted to rout out the practice through the exchange of smaller features and coupled with that plan a move seeking the cooperation of distributors to set back release dates to six months or beyond for the purpose of discouraging twin bills with those exhibitors who insist on playing them.

The cooperation of distributors is essential to the success of the proposed plan, but in view of the fact that most distributors, barring United Artists and Columbia, made opposition to duals clear all through the Washington code developments the inference is that Milwaukee exchanges may play along with this idea, which represents a new method of disposing of double features.

Admitting it cannot compel exhibitors to drop duals, if contrary-minded, Fred E. Myers, who was re-elected president of the state unit for the third year, pointed out delayed release dates will prove a compelling factor in the success of the scheme, if exchanges go along. The regions into which Wisconsin

(Continued on page 6)

Iowa-Nebraska Unit To Keep L. F. Martin

Des Moines, Nov. 23.—Allied of Iowa and Nebraska has refused to accept the resignation of Lester F. Martin as secretary and treasurer. It was tendered after Abraham Myers had notified Martin that he had been removed from the board of directors of Allied States and the Iowa and Nebraska unit had been dropped from national affiliation.

The unit has decided to continue as an independent and Clifford Niles has written to Myers informing him of the organization’s stand.

Replacing Tracy to Cost M-G-M Heavily

Hollywood, Nov. 23.—Louis B. Mayer, president of M-G-M, has transferred his contract after sending a telegram to President Abelardo Rodriguez of Mexico apologizing for what was

(Continued on page 7)
**MOTION PICTURE DAILY**

Friday, November 24, 1933

**Looking 'Em Over**

*"The Ghoul"*

(Gaumont-British)

Add Boris Karloff's latest to the list of pictures that make the hair stand on end. It is fantastic, gruesome at times, and even morbid towards the end. Acting all around is topnotch and the photography and acting round out a good contribution for thrill-seekers.

Believing that a precious jewel belonging to the Egyptians and for which he has paid 75,000 pounds will bring him eternal life after he has passed from this world, Karloff has his servant, Ernest Thesiger, execute it in his list. There are many after the priceless jewel, among them the servant who stands in his master's place. Karloff comes back to life and stalks through his mansion terrorizing his nurse, niece, nephew, minister, and others in the place. He kills a few of the spectators before he himself is murdered by the Egyptian idol.

The story does one good deed in that it brings together Anthony Bushell and Dorothy Hyson. Cousins on the outs because of a family rift, both forget the past in their excitement at their uncle's house.

**Radio Closes Deal For South America**

Radio will be assured of wide distribution of its product in the South American market through a deal just closed by Phil Reisman with Max Gluckman, distributor and owner of a South American circuit, for the company's entire 1933-34 list. Besides features the deal involves radio's complete two-reel comedy line-up and Pathe News.

**E. M. Saunders Says Midwest Picking Up**

Milwaukee, Nov. 23.—E. M. Saunders, western sales manager for M-G-M, spent the day here, arriving from Minneapolis and leaving for New York tonight on a final swing of the circuit. He reported business improving on the whole in the St. Louis, Denver, Kansas City and Minneapolis territories. Moe Silver today went into session on Warner Wisconsin theatre operations with David Welschener.

**Fox to Build Mundin**

Hollywood, Nov. 23.—Because of letters from theatre men, Fox executives are planning to build Herbert Mundin to start the Mundin circuit.

The first step along this path was to enlarge Mundin's role in "Heir to the Hoarders" in which he will get equal billing with George O'Brien.

**Schmidt Joining Loew's**

Art Schmidt, former advertising director of the Publics-Kunsky houses in Detroit, joins the publicity department of Loew's Theatres here Monday as assistant to Ernie Emlerling. Another addition to the staff is Perry Spencer, who will do publicity for Loew houses in the Bronx.

**Warner Down 1½ as Stocks Recede**

**Technicolor Takes a 3½ Loss**

**Loew Bonds Rise as Others Drop**

**STOOPNAGLE and BUNO, when they get back from their personal appearance tour next week, will begin rehearsals on their first comedy to be produced by AL CHRISTIE here for Educational.**

Joe Henabery will start direction today on a "Pepper Pot" novelty featuring SIGMUND SPAETH, at the Vitaphone studio. Betty Keen and Jack Miller dance team will support SPAETH.

SARITA ROmERO, BRANDON PETERS and NORMA TAYLOR are in the cast of the Coronet Comedy CHARLES JULES and TOM Patriziola are making for Educational at Eastern Service.

FELIX FEST, TOM CONNORS, J. J. Unger, Milt Kussel, HERMAN GLUCKMAN, E. H. GOLDSTEIN and MAX WEISSFELT among Sardi patrons yesterday.

ROY MACK will start another "Broadway Breit" for Vitaphone tomorrow. DOROTHY STONE will be featured.

EDGAR BERNEN, ventriloquist, will be featured in another Vitaphone short about Dec. 2, under direction of Joe Henabery.

JACK WHITE starts shooting today on his third comedy for Educational at the Eastern Service studio in Astoria.

BEN BLUM has completed work on his third short at the Vitaphone plant in Brooklyn.

PAUL MUNI, accompanied by the missus, is expected soon on a visit here.

EDDIE CANTOR returns today from Warm Springs, Ga., and a visit to the President.

WES ENGELS, Radio star, is in town. At the Lombardy.

HOWARD S. CULLUM returns today from Washington.

L. J. SCHAFFER has returned from a quick trip to the Windy City.

SAM KATZ yesterday visited Loew headquarters.

JACOB WILK is planning to leave for the coast this week.

**March Starts Feb. 1**

Hollywood, Nov. 23.—Fredric March, it was learned today, will begin work under the long term contract he signed with 20th Century Fox on Feb. 1. He will be free to make a picture for any other company before that time.

**Lubitsch Goes to Coast**

Ernst Lubitsch leaves for the coast tomorrow. He has not yet decided on his next picture. Negotiations with M-G-M to direct "The Merry Widow" will be continued on the coast.
NEWS
OF THE WEEK
IN PHOTO-
REVIEW

ALL DATED UP for Yule period is Joe E. Brown, with 240 bookings already set for his 'Son of a Sailor,' scheduled for Dec. 23rd release.

IMPORTANT ADDITION to Warner studio is new writers' building, to house 30 scenarists on 'coast's largest contract list.'

WANDA HALE
HAILS 'Havana Widows' as 'Hilarious — riotous — up — roarious!' in N. Y. Daily News rave for Warners' new 6-comic show.

BOSTON'S BEST
BIZ goes to Chatterton's 'Female' at Met, in M. P. Daily check-up of week's gross leaders.

'A ROYAL WELCOME' says Variety in report of 'excellent biz' in Baltimore, Chicago and Washington for Paul Muni's 'The World Changes.'

NOVEL USE of 24-sheet cutouts featured campaign that added Sioux City to the 82% of 'Footlight Parade' dates which have topped Gold Diggers.*

*A Warner Bros. Picture  *A First National Picture  Vitagraph, Inc., Distributors
WHEREVER A HUMAN HEART BEATS

NEW YORK
CITY OF 7,000,000

THE SEVENTH DAY
GREATER THAN THE
FIRST... AND THAT
BROKE RECORDS AT
RADIO CITY...

Thursday . . . November 16, 23,073
Friday . . . November 17, 23,033
Saturday . . November 18, 28,354
Sunday . . . November 19, 22,915
Monday . . . November 20, 21,561
Tuesday . . . November 21, 23,148
Wednesday . November 22, 23,761

165,845 PEOPLE
In A Single Week! . . . Eye-Staggering Figures!
and Continuing Indefinitely At Radio City!

KATHARINE HEPBURN in “LITTLE WOMEN”
by LOUISA MAY ALCOTT... with JOAN BENNETT... PAUL LUKAS...
FRANCES DEE... JEAN PARKER... EDNA MAY OLIVER... Douglass
Montgomery... Henry Stephenson... Directed by GEORGE CUKOR
MERIAN C. COOPER, Executive Producer... Kenneth Macgowan, Associate
THE ANSWER IS THE SAME!

SALEM, VA.
TOWN OF 5,000

BY DIRECT WIRE FROM
WESTERN UNION

NE24 124 DL XC=SALEM VIR NOV 23 108P

NED E DEPINET=RKO DISTRIBUTING CORPORATION=

FOR THE THIRD TIME IN MY TWENTY YEARS IN THE BUSINESS I FEEL.

IT MY DUTY TO DO A RAVE OVER A PICTURE STOP LITTLE WOMEN
OPENED IN THE SALEM THEATRE SALEM VIRGINIA A TOWN OF FIVE
THOUSAND THEATRE SEVEN HUNDRED SEATS AS A TEST SHOWING LAST
SATURDAY STOP THE PICTURE HAS PLAYED TO THREE TIMES AS MANY
PEOPLE IN THREE DAYS AS ANY FULL WEEK SINCE THE HOUSE OPENED
FOUR YEARS AGO AUTOMOBILES TRUCKS AND BUSES ARE BRINGING
THEM IN FROM A RADIOUS OF THIRTY MILES STOP HAVE ARRANGED TO
HOLD THE PICTURE OVER FOR ANOTHER WEEK AND BUILDING GROSSES
INDICATE A THIRD WEEK POSSIBLE A FOURTH LITTLE WOMEN WILL DO
THE BUSINESS MORE GOOD THAN ANYTHING PRODUCED SINCE ITS
INCEPTION STOP GRATEFULLY=

BERNARD DEPKIN JR VIRGINIA THEATRE MANAGEMENT CORP
159P.

PATRONS ARE REQUESTED TO FAVOR THE COMPANY BY CRITICISM AND SUGGESTION CONCERNING ITS SERVICE
Regional Dual Fight Planned in Wisconsin

(Continued from page 1)

con will be divided a job for determination by the board of directors, with the refining years jumping from 18 to 21. Planned, as well, is the appointment of regional vice-presidents to watch and enforce the double feature elimination program.

Oppose Suggestive Ads.

As forecast in the MOTION PICTURE DAILY, the Wisconsin unit went on record in strong opposition to salacious advertising in any form. It also voted for rigorous enforcement of the Hays' morality code, also to suggest which they would not.

President Roosevelt and Administrators Hugstet, H. S. President, and Administration, as the organization's action by telegram. The music tax of 10 cents per seat under the last law was frowned upon by the organization, as forecast, and a decision was made to fight it through the national M.P.T.O.A.

Concerned over non-theatrical competition, Meyer's suggestion that the M.P.T.O.A. be the arbiter in determining what is or is not competition of that type was adopted, and exemptions and non-theatrical accounts must be handled according to this mandate.

Meyer Scores Victory

Meyer scored another victory, as did Jack Miller's blast on Wednesday, against Act RA. The Wisconsin unit, however, was not so compromising, as the Wisconsin unit voted to increase membership dues from five to 10 cents per seat. A check of the financial committee showed that 275 paid-up members, but Meyer pointed out this would be all right with him if the dues were only 15.

"Those 15 would be active, paying members and nobody else would get any consideration. This is an ex-hibition unit which will exist because its membership is interested enough to support it," he said. The by-laws were amended to permit exchange and men union hold office as against former conditions under which only members were elected.

Next year's convention will not be held in Milwaukee, but at some mid-summer date, and a less expensive for members to reach.

Roster Setup Changed

Changes in the official roster included the election of Jack Silliman of Appleton as vice-president, succeeding thorn, Iron Mountain, Mich.; L. E. Hurnwacker, Wausau, and the following from Milwaukee — Earl and George Fischer, H. E. Fitzgerald C. S. Grauman, Gutenburg, Langen lick, and Leon Henrichs, Jr., and Meyer and Maurice Miller. Other directors are: William Roob, Port Washingtion; Robert Guiterman, Manito vos, Stilman, Appten, Ross Bal wick, and Edward Johnson; the latter three from Milwaukee.

The Wisconsin meetings carried the N.R.A. resolutions and several from several angles turned out to be a personal tribute to Meyer. Deputy N.R.A. Director Sol A. Rosenblatt, at the dinner Wednesday night, paid the Wisconsin president a high compliment when describing him as one of the real exhibitor leaders of the nation.

Meyer actually was not anxious for reelection to the state presidency, but what Wisconsin M.P.T.O. men thought of him was evidenced by the fact that nominations opened and closed with his name.

Rebuilding Started On Virginia Houses

RICHMOND, Nov. 23—Reconstruction of a number of theatres in Virginia shore towns damaged in storms of the past months is under way and an air of optimism is becoming apparent among exhibitors.

The N.R.A. is credited with much of the credit for the improvement, and a prospect that the state will receive $1,000,000 for public works projects from the N.R.A. prior to the winter is viewed as another hopeful sign.

Ann Harding Given Role in "Alien Corn"

HOLLYWOOD, Nov. 23—"Alien Corn," which Radio purchased from E. H. Griffith, who bought it from Paramount, will top spot Ann Hard ing and Bette Marie Hepburn as reported earlier. Griffith draws the directional as signment on the picture.

London Plant Has 3 More

LONDON, Nov. 23.—With Catherine the Great," starring Douglas Fairbanks, Jr., out of the way, the London Film Productions studio has three more to go in its schedule of five pictures, all of which are for U.A. release. The "Private Life of Henry VIII" was the first, "Exit Don Juan," with Douglas Fairbanks, Sr., is now in preparation. This will be followed by "Zorro Rides Again," in which Doug, Jr., and Douglas Sr. will be starred, and "Congo Raid." 

IATSE Blocked in K.C.

KANSAS CITY, Nov. 23.—I.A.T.S.E. St. Louis local here has been restrained by a temporary injunction from interfering with the operation of the suburban Sun Theatre. The restraining order was issued following the release of a special assignment on "Green Gold." Carroll, former story editor at Fox, is handling this special assignment with Rogers, where he is now completing another special assignment on "Green Gold." Carroll has just returned from South America where he collaborated with Rex Beach on the story dealing with the banana industry. Howard Estabrook is writing the screen play.
Paramount to Get Refund of $7,276,394

(Continued from page 1)

Theatres, Southern Enterprises of Texas, Texas Enterprises and Toledo Paramount Corp.

The remaining $7,980 represents over assessments of small sums in the $134,000 suit brought in 1922 against Famous Players Lasky, Paramount Famous Lasky, Metropolitan and Vitaphone Corp., Rialto Theatre Corp. of Virginia, Park Realty Co., New York and Pacific Coast Amusement Co., Fountain Theatres Corp. and Missouri Theatre Corp.

Sono, Metropolitan Awarded Trust Fund

Referee Henry K. Davis has handed down a decision instructing trustees of Sono Art to return the proceeds to the trustees in bankruptcy of Sono Art Co. and Metropolitan Sound Studios, Inc., the sum of $15,389.65, claimed by them as a trust fund. The matter has been in dispute for some time, and is the result of a contribution of "Honeymoon Lane" by Paramount. This was produced by Sono Art. The studios claimed the money as an assignment from Sono Art. When Paramount went into bankruptcy the trustees decided that Sono Art and Metropolitan were general creditors only. Both are in bankruptcy.

As a result of the decision the Sono Art and Metropolitan trustees can now determine between them which is entitled to the fund. Alvin T. Sapin, who represented Metropolitan and Keppler & Keppler were attorneys for Sono Art.

Henry Seigel Quits Para. N. Y. Exchange

Henry Seigel yesterday resigned as president of the N.Y. branch of Paramount to return to exhibition. He has now three theatres and intends to devote his future to development of circuit in the metropolitan area. Before joining Paramount Seigel sold a number of his theatres to Fox Metropolitan Playhouses.

With the resignation of Seigel, Milton Kussel has promoted Myron Blader from second vice-president to the head to succeed him. Edward Bell, Brooklyn salesman, has been elevated to New Jersey exchange manager and Jack Perle, New Jersey salesman, switches to the Brooklyn territory. Frank Blakeley of the home office is now selling across the Hudson.

Para. Holds Mae West

Hollywood, Nov. 23.—Paramount has exercised its option on Mae West, disclosed yesterday, to the old join United Artists. After the star finishes "It Ain't No Sin" she will make two a year for three years.

Sachson Quits Special

Milton Sachson has tendered his resignation as treasurer of Special Screen Service, Inc. No successor has been named yet.

Milestone Says Russia Is Being Americanized

Lots of Rubles

(Continued from page 1)

When I last visited Russia, with a book in which was published only 10 years ago, it became necessary for me to look over every locale mentioned in it just to do justice to the subject.

"In every way the trend is to go American, something which is greatly accelerated by the change in official relations.

WritersHighly Paid

"The writer in Russia enjoys greater rewards than elsewhere, if his product warrants, but one betide him if he undertakes to improve his product or increase his output through employing others as 'ghost writers.' This practice, so largely indulged in by 'great names' in this country and which had its prototypes in Europe, is sure to bring for the offender severe punishment.

"It is forbidden because it amounts to exploiting the 'ghost writer.' And the same applies to the cartoonist and every other creative activity. Caricature is naturally listed in a land where everything is brought to pass through appeal to the imagination.

"As for playwrights, Russia is their happy hunting ground today. Everyone has an idea to express within the limitations imposed by the government. It is a way to bring it before the public. Every grade of entertainment is encouraged, ranging from the wonderful ballet, opera and classic drama to propaganda burlesque based upon these very things.

"It is amazing to observe the physical beauty of the theatres, the gorgeousness of production, Holmes etc., as contrasted with the drab attire of the audience. The latter are all served in purpose to be concerned with personal adornment.

"Alfred Lunt and Lynn Fontanne agree with me that the Russian theatre is far ahead of the rest of the world. No American producer could afford to pay the salaries of excellent casts that are provided on the theory that if a production is worthy of doing, it is worth doing well.

"The gift Russian players have for ensemble work as opposed to purely individual effort also is a big help.

Replacing Tracy to Cost M-G-M Heavily

(Continued from page 1)

termed the actor's 'deplorable behavior' will cost M-G-M $100,000, it is said. The producer's action will prevent Tracy from working on "Viva Villa" to remain in Mexico for the filming of scenes in which Tracy and Carole Lombard to Karl Nussbaumably replace him. The excitement over the whole thing has so worn down Howard Hawks that he is stepping out as director in favor of Jack Conway.

"Women," $109,000, Music Hall Record

(Continued from page 1)

April 12 last. Exactly 166,000 customers paid their way in during the first week of "Little Women.

Universal's "Counselor at Law" is definitely set to follow the Radio picture and it is to go two more weeks. The Universal film is penciled in for a fortnight.

Para. May Produce At Eastern Studio

(Continued from page 1)

settled. If so, Laurence Schwab will produce it for Paramount with Bing Crosby in the leading male role and possibly Paulette Goddard. Also, the cast will be Jane Buchanan and Burgess Meredith.

Schwab is in favor of making it in the east, but Paramount has not definitely decided on the production spot.

Dowd Made Ad Head Of the RKO Circuit

(Continued from page 1)

Robert Dowd will continue to handle all advertising for the circuit.

Ellinton Vinson, who has been managing Scollay Square, Boston, is joining the company to handle general exploitation and publicity.
Capitol Holds Fight Picture With $52,950

"The Prizefighter and the Lady" developed enough strength at the Capitol to rate a holdover. It took $52,950, aided by Kate Smith in a radio version. "Only Yesterday" stood up strongly in comparison with some of the recent Museum Hall attractions, pulling $83,969 on the week.

Elsewhere Broadway business developed during the week. "The Way to Love" took $30,500 at the Paramount, "The Mad Game" garnered $19,000 at the 7th Avenue Roxy and "College Coach" took only $9,788 at the Strand. "Blood Money" grossed $17,300 at the Rivoli and "Sweetheart of Sigma Chi" reached $11,000 at the Mayfair.

Estimated takings:
- Week Ending Nov. 11: "SWEETHEART OF SIGMA CHI" (Monogram) $1,600.
- Week Ending Nov. 15: "THE ACE CAGE" (First National) HOLLYWOOD—$7,445, 28-85c, 3 days. Stage show. Gross: $3,827.
- "ONLY YESTERDAY" (Univ.) RKO MUSIC HALL—$3,960, 31-85c, 3 days. Stage show. Gross: $3,569.
- Week Ending Nov. 16: "70 EM ALIVE" (ira Simms) CAMDEN—$6,600, 25-75c, 2 days. Gross: $4,350.
- "ACE OF ACES" (Radio) PALACE—$12,500, 25-75c, 7 days. Stage show. Gross: $11,100.
- "THE WAY TO LOVE" (Paramount) PARAMOUNT—$12,700, 35-99c, 7 days. Stage show. Gross: $9,500.
- "MAD GAME" (Fox) RKO—$12,500, 25-85c, 7 days. Stage show. Gross: $11,199.
- "COLLEGE COACH" (Warners) STADIUM—$22,000, 35-99c, 7 days. Stage show. Gross: $9,760.
- Week Ending Nov. 17: "AFTER TONIGHT" (Radio) (4 days) RKO ROXY—$7,100, 35-85c, 7 days. Stage show. Gross: $6,760.
- "BLOOD MONEY" (U. A.) RIVOLI—$12,000, 35-99c, 6 days. Gross: $7,900.

**Pfaff New Canadian Educational Agent**

Toronto, Nov. 23—Harold Pfaff, former Toronto manager for Canadian Educational Films, Ltd., has been appointed Canadian Educational representative for Educational and he will be associated with Empire Films, Ltd., now distributing for the company. From January 1, Mr. Pfaff will be assisted by Joe Travis, previously Educational general manager in Canada.

**Block Heads Writers**

Hollywood, Nov. 23—Ralph Block has been elected president pro-temp of the Writers' Guild during the absence of John Howard Lawson, who is expected to remain in New York for the interest of several new plays to be produced there this winter.

**Howard Dietz Named Ad Committee Head**

Howard Dietz, publicly, advertising and exploitation head of M-G-M, has been named chairman of the ad committee of three to administer the advertising clause in the proposed new code of the Screen Actors' Guild under the direction of John Howard Lawson, and John Flinn are also on the committee, the latter representing the A.M.P.A.

The first meeting was held at the Pfaff office last Saturday with J. J. McCarthy and another is expected to be called shortly.

**Alberta Grants Cut In Admission Taxes**

TORONTO, Nov. 23.—The provincial government of Alberta has granted a one-cent tax cut on admission taxes. This revised scale provides a new bracket with a three-cent tax on prices from $3 to $5. From $5 to 30 cents the tax is five cents. The two-cent tax continues on tickets from 11 to 30 cents and the eight-cent tax remains on tickets from 51 cents to 75 cents. This is the first tax concession by any government in Canada in four years.

**Hollywood On Parade**

By BILL SWIGART

Hollywood, Nov. 23.—Through personal and diligent attention given the publicity department of the Screen Actors' Guild by Endore Can-..."
Fox Charges $15,000,000 “Disappeared”

WASHINGTON, Nov. 24.—Charging that $15,000,000 “disappeared” from the Fox theatre after he lost control of his company and had never been satisfactorily accounted for, and declaring that his companies, from which he had made millions, had never made a cent since they passed from his control, William Fox today concluded his saga of the alleged bankers’ “conspiracy” to wrest from him his celluloid empire before the Senate committee investigating the Wall Street.

His allegation that upon telling Albert H. Wiggin of the Chase National Bank of New York of the alleged bankers’ “conspiracy” to wrest from him his celluloid empire before the Senate committee investigating the Wall Street.

Lea Chosen to Head New Code Authority Advisors

WASHINGTON, Nov. 24.—General Hugh S. Johnson has named Col. W. Robert Lea as chairman of the code authority organization committee, a new committee which will assist and advise deputy administrators and code authorities on compliance with codes.

The committee will establish contacts with trade, artistic, and commerce departments and with the Federal Trade Commission for the purpose of furthering code compliance.

Dr. Leo Wolman, chairman of the labor advisory board; Louis Kirstein, chairman of the industrial advisory committee; Dr. Wilson Compton, of the NRA trade association division; Blackwell Smith, associate general counsel of the NRA, and Franklin S. Pollak, of the NRA compliance board, also have been appointed to the new committee.

Twin Cities’ Men Dubious Over Repeal

MINNEAPOLIS, Nov. 24.—There are two schools of thought in Minneapolis and St. Paul among exhibitors and distributors concerning the effect of repeal on the show business.

One group is adopting a more or less fatalistic attitude. They will be just another of those things that nobody can guess or do anything about, they insist, and they expect to saw wood in the same old way.

The other group is fairly convinced that the effect will be bad for a considerable time and that business had

Allied of Michigan To Meet Dec. 12-13

DETROIT, Nov. 24.—Annual convention of Allied of Michigan will be held at Grand Rapids on Dec. 12-13, at which time election of officers and directors will take place and the members will consider action on the NRA code. The convention originally was scheduled for Flint at an earlier date. Postponement was made to await signing of the code and the place changed by request of a majority of the members.

Theatres Here Told To Cut Hours to 40

All independent theatres in New York have been ordered by the NRA compliance board to limit hours of employees to 40 per week and to make the minimum wages $15.

The order is the result of complaints made by members of Local 306 and

On the Code

Chicago, Nov. 24.—When the new municipal code went into effect in Chicago, some Southern exhibitors appeared shocked at the idea of increasing their wages. “We pay them in passes,” several theatremen said. Then came the ruling that salaries of employees in theatres located in towns under 15,000 were to get a flat 20 per cent increase.

“Will that mean that we will lose the good？” asked John Miller, who now splits the furnishings in the theatres in which they own.
**Looking 'Em Over**

**“Take a Chance”**

(Paramount)

Laughs—plenty of them. Peppy tunes—scores of them. Pretty girls—lines of them. Draw names—eight of them. In other words, all the ingredients which make for a zippy musical comedy can be found in this production turned out by William Rowland and Monte Brice. Exhibitors don't have to gamble to "Take a Chance." It's there, lock-stock and barrel.

Buddy Rogers as a neophyte musical comedy producer has his trials and tribulations. Meeting June Knight, he finds the leading lady for his show, and she brings along with her James Dunn, Cliff Edwards, and Lilian Roth. In Miss Knight, Rogers finds romance. There is a misunderstanding and then they are reconciled. Dunn has been trying to get Miss Roth to become his wife. They have their insanities and later agree to agree. Edwards, as Dunn's partner in pickpocketing and other phoney deals, sticks with him through thick and thin, song and dance and even for the finale. Lilian Bond, Dorothy Lee and Lola Andre are the other drawing cards.

Here's a musical comedy within a musical comedy that has class and all the other trimmings which point to a box-office winner. You can't lose when you bank your money on "Take a Chance."

**Eastman Up Three and Quarter**

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**Curb Exchange Inactive**

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| Trans Lux | 100 | 100 | 100 | 100 |

**Warner Bonds Up One**

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| Keith B. F. 61.6 | 46 | 46 | 46 | +1 |
| Low's 61.6 | 81 | 81 | 81 | 0 |
| Paramount Broadway 5545 | 29 | 29 | 29 | -1 |
| Paramount Public Lib 5545 | 24 | 22 | 22 | -1 |
| Warner Bros. 64-61.6 | 41 | 41 | 41 | -1 |
In Almost Any FEATURE PICTURE

...you are now likely to find sequences demonstrating that ingenious technical device, the composite shot. The foundation for those sequences is most likely to be Eastman Background Negative. Because of its amazingly fine grain, this special new film has been found ideally suited to the "shooting" of backgrounds that are to be projected and rephotographed. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Background Negative
Twin Cities' Men Dubious Over Repeal

(Continued from page 1)

better class theaters, but it might till the novelty is gone, or put on some special promotion to counteract the action.

At the Fox office in Minneapolis it was said that the return of beer had been hard on theaters during most of the summer, and observers in the Northwest and that the same might be true of hard liquor. The would be felt on all fronts if a big factor, but for a time, at least, loose money that would ordinarily find its way to the box-office will be swallowed up.

Universal officials said the only criterion by which the situation could be judged was the return of beer, but they were in some doubt whether the new situations would parallel the old. There was some feeling that hard liquor would divert a large stream of money which now passes into the underworld into describing it as the family trade from which it would presently appear in the box-office. Warner representatives took the position that the return of liquor would not be noticeable to distributors putting out uniformly good products and Mr. Warner considered the matter anybody's guess.

A Paramount executive expressed the opinion that there was nothing to fear. Other factors, he thought, would be more important than the liquor business.

"As a general all," he remarked, "the picture business knew its greatest prosperity in the old days when the sale was a powerful competition."

In the Columbia office, something of an argument developed between one of the branch officials and an out of town exhibitor, who declared that the return of legal liquor would make things tough for a long time.

"It will be short," the exhibitor declared, "Everybody that had a nickel went for a glass of beer instead of a few dollars and went to a show.

"Yes, but beer came in just at the time when the soft drink business was on a high and when the summer slump was due," said the exchange man.

"I know, but there are 15 beer parlors within a stone's throw of my house and you can't tell me they aren't taking business away from me."

Buffalo Men Discount Liquor Sales' Effects

Buffalo, Nov. 24.—Opinions of three of the representatives of men on the effect of repeal on theaters:

Dave Miller, Universal exchange manager, and new president of the Buffalo Film Board of Trade: "Repeal will have no direct effect on the theaters. But indirectly, it may add to the money in circulation, because of increased employment in the legitimate liquor business. Films will get their share of any increase in money circulation."

Charles B. Taylor, publicity director of the Shea Enterprises, operating nine theaters in Buffalo: "None. People on the way to pictures don't drink. And as for repeal—we never had anything else in this state."

Richie McMeekin, Publicity Director of the Lafayette: "Repeal will put the picture in a more light-hearted mood. They will spend more money and more time on advertising than would have been the case before the law. Americans are determined to have that which is forbidden, and they'll find the same thing in the liquor business." But they will do less drinking when it no longer is an expression of defiance."

Theaters Here Told To Cut Hours to 40

(Continued from page 1)

it is estimated that it applies to 520 theaters, about 420 of which are members of the I. T. O. A.

In issuing the order Thomas J. Donovan, vice-chairman of the NRA bureau, admitted theaters might have made mistakes in working their employees 52 hours a week because exemptions had been granted when the President's blanket agreement was signed.

"Henry" Cracks All Records in Toronto

Toronto, Nov. 24.—For the first time in 13 years a picture has been held at the Imperial in largest house. "The Private Life of Henry VIII" went into its second week there today. The picture also broke a 10-year record for one-day receipts for this house. Manager Jack Arthurs, also presenting an atmospheric prologue with the feature, "Invisible" Piles Up $42,000 at Roxy

Breaking a three and a half year record, the 7th Ave. Roxy grossed $42,000 for the first week of Universal's "The Invisible Man." The picture is being held a second week. Admissions during the week were $4,504.50 and the canasta, which also chalks up a three and a half year record.

Producers Sailing

Gibert and Mrs. Miller, Louis Dreyfus, Stanley Scott, Camille F. Wyn, all producers, are sailing on the "Lle de France" today, Am Greenway, night club entertainer, also is on board.

Labor's Help Is Sought for By Kuykendall

(Continued from page 1)

on a basis that will prove fair both to labor and employers.

Admitting there are a number of things in the code that he doesn't like and that some things were left out that he would have preferred to have had in, he stated that if any of the provisions of the code were in practice they would be changed by the code authority or local grievance boards.

This is at variance with the impression created by Deputy NRA Administrator Sol A. Rosenblatt in his Atlanta and Milwaukee speeches to the effect that dual bids have been left out of the code because he felt he had no authority to include anything that might injure independent producers.

St. Louis Usurers Call First Strike

(Continued from page 1)

days ago that the organization of the first usurers' union began.

The strike began yesterday because an usher was alleged to have been discharged for his union activities. Ed Burke, secretary of the union, said that the union is the result of rigid enforcement of the NRA agreement. Owners and managers of all theaters who are living up to the President's blanket agreement pending the signing of the code and are limiting ushers' work to 40 hours a week. The wages fixed in the agreement are being paid, they say.

The new union is affiliated with the Building Service Workers' organization.

Ed Kuykendall arrived in town and commented on the strike by saying the industry code has been amended to place head ushers in a class with assistant managers as far as hours of work are concerned. The only provision that they must not be paid less than the minimum hourly wage fixed for ushers.

Richardson Vaudeville Ends

RICHMOND, Nov. 24.—The National will discontinue vaudeville tomorrow night.

The National started vaudeville five weeks ago. Prior to that time, Rich- mond had had no vaudeville for several years and the city authorities called an emergency session of the City Council. The National contract will leave the city again without a variety house.

M-G-M Changes Titles

HOLLYWOOD, Nov. 24.—M-G-M has changed two titles. "The Comeback" is now "The Woman in Her Life" and "The Vinegar Tree" has been switched to "Should Ladies Behave?"
Code Signing Outlook Still Is Uncertain

Johnson at Warm Springs Silent on Prospects

WARNSPRINGS, Nov. 26—Administrator Hugo S. Johnson admits the film code is among the 25 he brought here with him for study by the President, but he maintains silence as to when any of them will be signed.

WASHINGTON, Nov. 26—Recovery Administration officials were completely in the dark as to the prospects of early signing of the film code when questioned yesterday. Deputy Administrator Sol A. Rosenblatt and Col. W. R. Lea left for Philadelphia to attend the Army-Navy game.

F. W. C. to Open U. A. On Two-a-Day Basis

HOLLYWOOD, Nov. 26—Inaugurating a new policy, the United Artists on Wilshire Boulevard, now under the jurisdiction of F. W. C, will be opened Nov. 29 on a two-a-day basis at $1 top, all seats reserved.

The first picture will be "Berkeley Square," with "The Private Life of Henry VIII," second place.

Bruce Fowler, former division manager for F. W. C., takes over the managerial duties.

Memphis Mayor Bans Sales to Standees

MEMPHIS, Nov. 26—Mayor Overton has issued an order to local theatres that they must refrain from utilizing standing room when all seats are sold.

No tickets will be sold at box office while the house is full, except where there is provision for a transient standing room in the lobby.

The ruling was made because of crowds which thronged the Warner (Continued on page 6)

Poli-Sagal Take Circuit Over Nov. 29

Outside Management Deal Off, Sagal Says

S. Z. Poli and Louis M. Sagal are definitely set to have their own circuit, the Fox New England circuit when the houses revert to Poli-New England.

Because of delays by attorneys handling the reorganization, the 18 theatres are now slated to pass to Poli-New England on Wednesday. Originally, it had been contemplated the houses would change management Nov. 15. This was set back to Nov. 21, and now the deal is expected to be completed Nov. 29.

All negotiations for a management deal are off, Sagal told Motion Picture Daily on Saturday. Poli and Sagal themselves will enter into a three-year management pact with Poli-New England Corp., in accordance with the reorganization plans.

Several deals for the circuit were under way, including offers from Loew's and Harry C. Arthur, Loew's and Arthur are understood to have offered $10,000 a week rental for the circuit.

Sagal says he does not relish the idea of going back into the theatre business as he is "getting old now," and prefers to take a long vacation.

He also declined any executive set-up of Poli-New England had yet been (Continued on page 6)

Colossal!

Hollywood, Nov. 26—Feelers have been sent out to Sid Grauman, the corporation's general manager, with the idea of having the grand premiere of a new picture at the Grauman's Egyptian.

Sears Slated To Head All Warner Sales

Report Leserman Will Get Western Post

CHICAGO, Nov. 26—Gradwell L. Sears, western sales manager for Warners, is slated to assume full charge of the company's sales machinery under the general supervision of Major Albert Warner while Carl Leserman, currently district manager with headquarters here, will assume Sears with headquarters in New York.

These promotions in the Warner ranks are taken for granted and widely accepted as the facts in an announcement to be made shortly in New York by well-informed local men.

Leserman has been in New York for a couple of weeks on detail reputedly attendant upon his elevation to the ladder into his new post. It is understood Edward Grossman, until recently with United Artists here, will be Leserman's successor.

Efforts to confirm the above changes with Major Warner and Sears on Saturday were unavailing. Neither was in town.

Production Down; 38 Films in Work

HOLLYWOOD, Nov. 26—Coast production activity dropped this week with 38 features in work as compared to 48 last week.

However, there is hope of an early increase in activity, due to the fact that 23 features in final stages of preparation are scheduled to start within the next two weeks. Fifty-six features are in the cutting rooms, the short subject producers report but (Continued on page 7)

San Francisco Holds Repeal Theatre Help

San Francisco, Nov. 26—Most theatre men here regard repeal as a prospective benefit to their business. Patronage may be hurt, they say, during a short period when legal liquor is a novelty, but the general tendency, they think, will be to put people in a spending mood and stimulate their desire for entertainment.

A. M. Bowles, northern division manager for F.W.C., says: "Increased freedom in drinking will keep some theatregoers away for a brief period, but conditions will soon become normal and I don't look for any adverse effects at the box-office."

"I think repeal will have immediate benefits," declares George Mann, president of Redwood Theatres, Inc., and National Theatres Syndicate.

"Drinking without legal restrictions and the desire for entertainment go hand in hand. When people feel good it is a natural inclination to want to go to shows. This, coupled with the (Continued on page 6)

Safron Calls Meet Of Col. Branch Men

LOS ANGELES, Nov. 26—All western branch managers of Columbia will meet tomorrow in San Francisco for a special sales session. Jerome Safron, western district manager, sent out the call and will preside at the confab.

Grosses in November Drop Under High October Marks

October grosses in 22 key cities started off with a rush and climbed steadily to a high of $1,581,308 during the week ending Oct. 26-21, but November has failed to maintain the pace.

There has been a gradual decline since then until the total for 144 theatres was down to $1,375,112 for the week ending Nov. 17-18. (Continued on page 6)

1TOA to Ease Its Film Buying Strike

Easing of the local film buying strike is seen in the latest move of the I.T.O.A., which has advised its members that they can now negotiate new product deals provided percen-
"Girl Without a Room" (Rogers-Paramount)

Hollywood, Nov. 26.—"Girl Without a Room" moves right along from beginning to end with an adroit mixture of laughs, romance, sentiment and touches of drama, transferred to the screen in an efficient way by Ralph Murphy despite thinness of story.

The story shows Charles Farrell as an American art student who wins a scholarship that lands him in Paris where a rapid succession of humorous events takes place in an art colony. The situations are fortified by smart, rapid fire dialogue, penned by Frank Butler and Claude Binyon, Charles Ruggles provokes most of the laughs.

It takes both Farrell and Margery Churchill from the beaten path of romantic characterization and makes somewhat of a comedian and comedienne out of each. Walter Woolf makes his screen debut in fine fashion. The man has screen personality, a marvelous voice and should go far. Grace Bradley, portraying the part of a Russian gold digger, gives a fine performance, with Gregory Ratoff displaying his wares in impressive fashion through his passion to wear outlandish uniforms.

The settings give sufficient production value, enhanced with good photography by Leo Tover. Music scored to poetic dialogue from the pen of Will Jason and Val Burton is commended. With all this taken into consideration the picture should click in any man's theatre.

Looking 'Em Over

"Myrt and Marge" (Universal)

Comedy runs riot in this musical with Myrt and Marge of radio fame as headliners. Actually, Ted Healy and his gang furnish all the laughs with Eddie Foy, Jr., assisting with his neat routine of dance and song. Some of the gags are a bit spicy. With the names of the air personalities, the vaudeville topliners, Trixie Friganza, Grace Hayes, Thomas Jackson and J. Farrell MacDonald, plus some swell dance routines, songs and patter, this musicomedy is first class entertainment. There are plenty of exploitation possibilities.

The story pivots about a show about to be produced by MacDonald when he and his backers walk out on it. Myrt Spear takes over, interests Jackson in financing it and stays on as manager. The new promoter falls in love with Marge Minter, whose time is being taken up by Foy, Jr. When he sees his efforts failing, Jackson attempts a walkout and goes through with it after Foy beats him up for trying to crash Marge's room. Miss Friganza, the heroine's mother, comes to the rescue, buys the show and it later proves a howling success when it finally reaches New York.

Healy and his gang are "prop" men with the show, bouncing in and out to make the affair interesting and lively. It snatches of showmanship throughout. Al Boasberg, who knows the theatre and his background, directed.

(Continued on page 7)

Trading Light—Issues Steady

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CONVENIENT TO THE FILM AND THEATRE CENTER

1-2-3 Rooms with Full Hotel Service FURNISHED OR UNFURNISHED By the Year, Month or Day

Serving Pantries Electric Refrigeration

THE MAYFLOWER

61st STREET, (Central Park West) NEW YORK CITY

Purely Personal

SYDNEY TOWELL, treasurer of Fox, and Mrs. Towell return on the Santa Paula tomorrow. Also on the same liner are Mrs. Frank Lloyd, wife of the director, and Mrs. Jacob Poley, aunt of William S. Poley, president of CBS.

GARY COOPER, MARGARET SULLIVAN and SAIY MAITEZZA will appear in a traveesty of the kind of "Social Register," MARSHAL NILEN picture in work at the Eastern Service Studios.

EDDIE DOWLING is visiting Notre Dame University with Frank C. Walker, vice-president of Almaga-Vanguard.

JOSEPH BERNHARD and WILLIAMS PATERSON of Warners are doing a lot of commuting between New York and Philadelphia these days.

ED SELZER is up to his ears in work since his boss, S. CHARLES EINFIELD, left for the coast on a four weeks' trip.

JOSEPH S. BARKEY, manager of Warners' Chile office, and family arrive tomorrow on the Santa Maria.

ELISSA LANDI'S mother, the COUNTESS CAROLINE ZANARONI LANDI, sailed Saturday on the Conte di Savoia.

GYPSY NINA, radio singer, has been engaged to headline at the Roxy starting Thursday.

CHARLES L. O'Reilly spent Saturday in Philadelphia watching the Army and Navy game.

CHARLES BARRON, U. A. exploiter, has returned from Buffalo.

CARL LAMMELLE hasn't definitely decided when he'll leave for the coast.

THE

THE MAYFLOWER

61st STREET, (Central Park West)

NEW YORK CITY

CONVENIENT TO THE FILM AND THEATRE CENTER

Serving Pantries Electric Refrigeration

JOHN W. HEATH, Manager
START BLOWING YOUR HORN FOR LITTLE BOY BLUE

Stage rage... Air ace... Now famous Ben Blue comes to Warner Bros! Another great NAME for Vitaphone... And a great DAY for you Dec. 9th, release date of the first of 6 Ben Blue comedies that are going to make cash history!... Book ONE—your patrons will ORDER the other five!

B E N  B L U E

6 "Big V" Comedies for 1933-'34

LATEST OF THE GREAT NAMES THAT MAKE V IT A P H O N E SUPREME IN COMEDY
YOU'VE NEVER SEEN ANYTHING LIKE IT!
Words CAN'T Describe This Picture!
It's More Amazing than "Dracula",
More Startling than "Frankenstein"
Almost Unbelievable!

H. G. WELLS' FANTASTIC SENSATION
Directed by JAMES WHALE
who created "FRANKENSTEIN"

A Universal Picture with
Claude Rains, Gloria Stuart, Dudley Digges

H. G. WELLS' FANTASTIC SENSATION
Directed by JAMES WHALE
who created "FRANKENSTEIN"
Screen play by R. C. SHERRIFF
author of "JOURNEY'S END"

INVISIBLE MAN

Dave SCHOOLER

JIMMIE RAY

EXTRA! LILLIAN ROTH IN
"MILLION DOLLAR MELODY"

Invisible Man

Directed by JAMES WHALE
Starring CLAUDE RAINS
With GLORIA STUART, William Harrigan, Dudley Digges, Una O'Connor, Henry Travers, Forrester Harvey
Screenplay by R. C. Sherriff
Produced by Carl Laemmle, Jr.
Presented by Universal

The INVIS

(Note: Herewith are reproduced two of the ads, used by the Roxy Theatre in the New York newspapers to start the record crowds a-coming.)
The Motion Picture Daily reports: "With 'Invisible Man' grossing $26,000 for the first three days at the 7th Ave. Roxy, Howard S. Cullman anticipates a $40,000 week, which would break the record for the last three and one half years! . . . Because business held up tremendously yesterday (Nov. 20) the Universal picture is being held for a second week!"

and in Chicago—

"Invisible Man" knocked the Loop for a loop at the Palace. Immediately Balaban & Katz knocked the long-run policy of the Roosevelt Theatre for another loop and booked in "Invisible Man" for a run at that theatre—after it played the Palace! It's that kind of a picture!
San Francisco Holds Repeal Theatre Help

(Continued from page 1)

fact that the liquor industry, in every phase, means the spending of more money—for distribution, for payrolls, for advertising and supplies, makes for an inevitable spending of some of that money at box-offices. "This, of course, will mean that business will go around," says Edward Fitzgerald, Orpheum manager. "My guess is that after repeal the entire country will buy liquor, and in the San Francisco Bay area I think the effect one way or the other will be negligible."

Similar sentiments were expressed by James Nasser of Nasser Brothers, operators of seven district theatres; Irving C. Ackerman, the Castro; T. E. Levin of San Francisco Theatres, Inc., and Morgan Walsh, vice-president and general manager of Redwood.

Hines of Cleveland Sees Repeal as Help

CLEVELAND, Nov. 26.—"Repeal cannot possibly hurt our business, but, of course, we will have to change it to cause a little wine with dinner makes people more entertainment minded."

Those of Frank N. Hines, manager of the RKO Palace and a showman for the past 18 years, "I do not look for any immediate business, but Philadelphians maintain their own opinions and will follow the old custom of attending a show."

"They may have a period of beer and wine gardens with floor shows as theatre competition, but I believe this will be only temporary, if at all."

"I think that the licensed, safe and purchase of liquor and wines will eventually bring more people back to the theatres and will bring them back as regular customers."

Contrasted with these views are those of Frank N. Phillips, Warner zone manager. He says he doesn't think repeal will have any effect one way or the other.

"It will look much like the show must go on to be the show that will determine theatre attendance," he says.

No Liquor in Texas; Beer Not a Problem

SAN ANTONIO, Nov. 26.—Optimism prevails among local theatre men. Prohibition repeal is not expected to cut theatre receipts, but bar employment should send receipts to higher levels.

Texas still prohibits hard liquor, but 3.2 beer has been legalized. Anything above that figure is barred. In this climate beer has always been a popular beverage, but box-offices, but go-prohibition days, beer gardens are expected to be revived.

This should add greatly toward a return of the old-time theatre going habit.

Grosses in November Drop Under High October Marks

(Continued from page 1)

The statistical story is told in the following comparative charts:

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<thead>
<tr>
<th>Week Ending</th>
<th>No. Theatres</th>
<th>Gross</th>
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<tr>
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<td>Nov. 30-Dec. 26</td>
<td>6</td>
<td>$90,000</td>
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Poli-Sagal Take Circuit Over Nov. 29

(Continued from page 1)

made and put, but other than appointment will be made around Nov. 29, when he expects the new corporation to take over the 18 theatres officially.

Within the next month Halsey, Smart & Co., will announce a list of the securities for Poli-New England. There will be an issue of $7,074,200 in general mortgage five per cent bonds due 1958; $8,074,200 in general mortgage five per cent bonds due 1983; $600,000 in five per cent unsecured income notes due 1988; $5,000 par value common stock.

Interest amounting to $160,877.25, or $2,427 a debenture, will be paid to the holders of $3,320,000 in first mortgage bonds during the last year.

ITOA To Ease Its Film Buying Strike

(Continued from page 1)

stage terms are eliminated from all contracts.

After the executive committee of the exhibitor organization has conferred with Jules Levy, general sales manager of Radio, no agreement has been reached on differences over the distributor's policy.

Fully recovered from an attack of the grippe, Harry Brandt will preside at the next meeting of the unit tomorrow.

Memphis Mayor Bans Sales to Standees

(Continued from page 1)

for the first night showings of "Footlight Parade." The order was said the ruling cut heavily into its receipts the following day because many patrons who might have stood for a few minutes if they had not been paid to the thousands of Buck Jones Ranger Clubs.

Warners Recall Cagney

Nov. 26.—Warner's have recalled James Cagney from a vacation with orders to report to the studio at once to begin "The He Chaser." Cagney was resting at Carmel when the order arrived.

McConville Back Today

Joe McConville, supervisor of sales for Columbia, returns from a swing through the middle west today. Reports received from him are that business is on the upswing.

Charles Hicks Passes

Baltimore, Nov. 26.—Charles E. Hicks, owner of the Hampton, recently passed away. His son, William, will continue to operate the theatre.

Small Iowa Houses Showing S. R. O. Signs

Des Moines, Nov. 26.—S. R. O. signs are appearing with marked regularity on small-town Iowa theatres, which are feeling a distinct upturn. Some-night and week-week houses in all parts of the state are going on a full schedule, and the old 10-cent scale has been boosted to 15 cents and 20 cents in many towns. The upswing is also being felt here in Sioux City, Cedar Rapids, Davenport and Council Bluffs. Des Moines' gross for its first five runs for several weeks has been hovering around a $30,000 total, in comparison with the $24,500 average for the last three years. N.R.A. and better pictures are credited.

No Liquor in Texas; Beer Not a Problem

SAN ANTONIO, Nov. 26.—Optimism prevails among local theatre men. Prohibition repeal is not expected to cut theatre receipts, but bar employment should send receipts to higher levels.

Texas still prohibits hard liquor, but 3.2 beer has been legalized. Anything above that figure is barred. In this climate beer has always been a popular beverage, but box-offices, but go-prohibition days, beer gardens are expected to be revived. This should add greatly toward a return of the old-time theatre going habit.

Employment is increasing, adding to the purchasing power of the people. A thousand men have just been put to work on public works. More will follow.

Box-office grosses are 15 per cent above the corresponding period a year ago. This has been brought about by raising the prices of first runs to 50 cents and eliminating the 25-cent bargain matinee from 11 A.M. to 1 P.M. The 25-cent matinee has always run with theatre men. Not only was it a nuisance, but it cut down grosses, especially at night as women flocked to the theatre during these matinees. Now they wait until night and attend with the whole family.

Managers essentially agreed to cut out this nuisance, and with telling effect.

Paul at Middletown

MIDDLETOWN, Oct. 26.—Marc J. Wolf, general manager of the Taft circuit, with headquarters at Hamilton, has named Ed C. Paul city manager here in charge of the Paramount and Strand, succeeding Nat Turberg. Paul previously was general manager of the Gus Sun booking offices at Springfield.

Glazer on Coast Today

HOLLYWOOD, Nov. 26.—Benjamin Glazer, Paramount associate producer, arrives Monday from New York, where he has been for several weeks on business.

Form Tri-State Corp.

SEATTLE, Nov. 26.—E. F. Bailey and Fred H. Reece have organized the Seattle Film Corp. here to distribute independent product in the northwest. Their first releases will include 10 Harold Lloyd short comedies with synchronization.

Lee, Depperman Sign

Leon Lee and William Depperman have resigned from the United Artists publicity and advertising department. Charles Leonard has replaced Lee and Hal Sloane, formerly of Trans Lux, has supplanted Depperman.

Jones Calls Off Tour

Hollywood, Nov. 26.—Brooke Wood is called off his personal appearance tour until after he makes one more picture for Universal. The cowboy star had planned an extensive tour that would appeal to the thousands of Buck Jones Ranger Clubs.

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Monday, November 27, 1933
Production Down; 38 Films in Work

(Continued from page 1)

three in work, 15 preparing and 26 in the cutting rooms.

Metro-Goldwyn-Mayer in work, three preparing and 10 editing; Fox shows five, three and three; Paramount seven, two and four; and for two; United Artists reports one preparing and six editing; Universal two, zero and six; Columbia three, three and two; Warner seven, four and 12; Radio, one, two and six. Independents have eight working, five preparing and six editing.

Studio Chest Drive Nets Half of Quotas

Hollywood, Nov. 26.—Studies have sailed over the half way marker in the current Community Chest drive, having raised $18,585, or 67 percent of the quota, which is $20,000, according to a report made by B. B. Kahane, executive of the film division of the Community Chest. Columbia led the studios in contributions, having already gone over the top with $6,000. The percentage rankings are as follows: M-G-M, 75%; Sam Goldwyn, 60%; Warners, 70%; Radio, 50.9%; 20th Century, 41%; Paramount, 20%; United Artists, 16%, and Universal, 10%. Miscellaneous film units headed by Fred Beeton report 49% of their $19,000 quota.

A meeting of 100 agents at M-G-M this week resulted in the setting of a chest quota of $20,000 with an immediate response of $3,496. Ruth Collier was reappointed to lead the agents in the Chest drive and Milton Hurne, Phil Berg, M.C. Levey, Harry Weber and George Voceke named on the committee.

Brush Fire Delays 2 Warner Pictures

Hollywood, Nov. 26.—A brush fire sweeping across the city front at La Canada near here, forced Warners to revise production schedules on two pictures, the information which was being done in the vicinity.

Although the units shooting “Hell’s Bells” and “Journal of A Crime” were forced to stop work, no fogging of the haze, clouds of ashes forced the companies to return to the studio for interiors.

“Rothschild” Given Whole Studio Staff

Hollywood, Nov. 26.—For the first time in the recent history of a major studio an entire staff will be concentrating on a single picture while Joseph Schenck and Darryl Zanuck are making “The House of Rothschild,” starring George Arliss. The cast of this picture, when completed, will include more than 80 principals.

Zanuck is looking for new stories to star Ronald Colman, Constance Bennett and Loretta Young.

Griswold in New Post

Glenn Griswold, former vice-president of Fox Film in charge of publicity and advertising, has been appointed as publishing director of Business Week, a McGraw-Hill publication. He assumes his duties today.

MOTION PICTURE DAILY

Monday, November 27, 1933

Looking ‘Em Over

(Continued from page 2)

“The Worst Woman in Paris” (Fox)

The unusual angle to this story is that the emotional conflict is between two women who like each other and each is willing to give up the man she loves for the sake of making him happy. It sounds unreal, but in the way it is worked out the story is interesting and at times emotionally stirring.

Benita Hune, loaded with jewels her playboy friend, Adolphe Menjou, has given her in Paris to her way to Hollywood with her maid when her train is wrecked in Kansas. With a fine display of courage, she goes back into a flaming Pullman window to rescue a baby and is in turn rescued by Harvey Stephens, who takes her to his small town home.

All the townspeople like her as she recovers and Stephens falls in love with her. Helen Chandler, his secretary in the office of a school which he heads, watches the course of the romance silently. A climax comes when Miss Hume hears Menjou has gone broke in Paris. Feeling that she owes something to Menjou and that she will be unable to make Stephens happy if he learns of her past she renounces her love.

The women face each other when Miss Chandler goes to her and pleads with her not to leave because Stephens has turned down an opportunity to become head of a university and seems on the way to the wreck of his career.

Miss Hume persists in her intention to go, but not until she has softened the blow of her departure by going to Stephens and telling him she loves him because she loves him and wants him to be happy with the girl with who has long devoted to him.

It presents an idealized type of womanhood under an odd title. Instead of being risque, it is good adult family entertainment with small town appeal, and the work of the principals is adequate in roles which call for no display of histrionics.

“Farewell to Love” (Madison)

A beautiful film with one serious handicap—faulty recording that renders much of the dialogue indistinct. This makes the voices indistinct.

Filmed for the greater part in and around Naples, it has fine pictorial appeal and offers a singing hero, Jan Kiepura. Betty Stockfield, who plays a world-wide Englishwoman, falls in love with her Neapolitan guide under the spell of his singing and takes him from his sweetheart that she may have his voice developed in London, only to lose him in the end to the girl he left behind. To the part the actress brings a dreamy seductiveness that is devastating and a voice that is splendid.

The cast is, with one or two exceptions, all-English. Heather Angel is the Italian sweetheart.

Kiepura’s name, made known to American film audiences through “Love Me Tonight,” was that of Miss Angel, who is subject of a wide publicity campaign by Fox, may prove some of assistance at the box-office. The film is of limited appeal to American audiences generally, but it ought to catch with lovers of Italian backgrounds.

Shorts

“Yeast Is Yeast” (Vitaphone)

Tom Patricola and Charlie Meyer are teamed in a melange of singing, dancing and wise-cracking. It is acceptable. The two play a pair of grooms on a cannibal island when their ship is wrecked. The cannibal gals turn out to be bunch of cuties. The story makes the lads decide to stay on. Running time, 18 mins.

“Outposts of France” (Fox)

A Fox Magic Carpet depicting the scenic wonders of Indo-China and showing some striking views of the natives working and relaxing. Very interesting and educational. The scenes of the royal palace and of Angkor-Vat, the deserted city, are particularly well shot. Running time, 9 mins.

“Mills Rhythm Band” (Vitaphone)

A popular band featuring a colored band and an all-black cast. It offers just the sort of thing expected when a crowd of colored folk are thrown together in musical number, a mixture of hot hoofing and frenzied singing, with plenty of body movements. Looks like a hit at the box-office of this if it please average audiences. Running time, 13 mins.

“Bosko’s Picture Show” (Vitaphone)

A “Looney Tune” that resorts to burlesque in a successful effort to obtain humor. Bosko is a film operator. Besides putting on the show, he takes part in it. An entertaining number. Running time, 7 mins.

Hollywood Personal


JOSEPH MONCURE MARCH and JACK O’DONNELL have been assigned to write the screen play for DAMON RUNYON’S “Little Miss Yorker” (Paramount).

DOROTHY MACKAIL, JUNE COLLIER and "BILL" Boyd have been signed for the leading roles in “Chesters” (Liberty).

ALAN DINEHART has been signed to play his stage role in the picture version of “Ninth Guest” (Columbia).

JOAN BENNETT has been signed to make two pictures for Radio, beginning early next year.

ANN MORRISON CHAPIN’S “Love Flies Out the Window” has been purchased by Radio for screening.

HARRY WOODS has been signed for a role in "Hell’s Bells" (Warners).

RICKY NEWELL has been given a role in "Hell’s Bells" (Warners).

ELIZABETH YOUNG has been given a new contract by Paramount.

Mayor Asks Revision Of Milwaukee’s Code

MILWAUKEE, Nov. 26.—Mayor Daniel Hoan in a message to the Common Council has advised a general revision of all measures regulating amusement spots. The mayor advocates clarification of laws aimed at “indecent and immoral” theatrical exhibitions.

Aldermen point out that there is no municipal code as to what is proper and what isn’t in the matter of fan dancers, rhumba performers and similar types of entertainment. Some legal definition is needed, it was explained, to guide worried police.

N. O. Union Complains

NEW ORLEANS, Nov. 26.—A complaint against Loew’s State, filed by the operators’ union with the Federal Council Board, will come up for official action Tuesday. The complaint asserts breach of contract on the part of Loew and has been before the board for several weeks.

Hollywood Gets Preferred

Hollywood Exchanges in New York, Buffalo, Philadelphia and Washington will handle the 12 pictures to be made by Preferred Pictures, recently formed by J. G. Bachmann, who closed the deal for his exchanges.

Hold “World Changes”

Warner’s are holding “The World Changes” for a sixth week at the Hollywood. The fifth week ends Wednesday.

Frank Drew Recovering

CLEVELAND, Nov. 26.—Frank Drew, M-G-M exchange manager, is recovering from an operation at the Charity Hospital.
Four Marxes
Get $17,750
On the Coast

Los Angeles, Nov. 26. — “Duck Soup” took top money here last week with $17,750 at the Paramount, but this is not comparable outstanding. House average is $18.00.

Business was quiet all along the line, with the exception of “Footlight Parade,” which held $12,000 in its second week at Warners’ Downtown and at the same time took $11,000 at the Hollywood.

“Emperor Jones” made a good showing at the 800-seat Fillmarte with a take of $3,950, “I’m No Angel” fell off to $25,912 in its eighth week at Grauman’s Chinese and was pulled after four days.

Total first run business was $96,128, Average, without the United Artists and Pantages, is $93,400.

Estimated takings for the week ending Nov. 22:

“I’M NO ANGEL” (Para.)

PARAMOUNT—$12,960, 26-40c, 7 days.

“Duck Soup” (Para.)

PARAMOUNT—$12,960, 26-40c, 7 days.

“Emperor Jones” (A.)

FILMARTÉ—$4,200, 26-40c, 7 days.

THE FORGOTTEN MAN” (Jewel)

CHRISTINE—$1,000, 26-36c, 11 days.

STAGE MOTHER” (M-G-M)

PANTAGES—$3,400, 26-40c, 7 days.

San Francisco, Nov. 26.—Three Little Pigs” are all about hogging the picture business here, especially with the neighborhoods. The short has been shown no less than five times at the Museum each day, and not only has it been paratively long runs, the longest of which was 12 days. This is some kind of a record here, as not only has it been wanted so badly by exhibitors.

Farms may come and go, but “Three Little Pigs” stays on. Adults as well as kids never tire of seeing it. Most of the neighborhood houses have shown it three, four or five times and have grouped their advertising, the better to let the public know it. A. F. Levin, manager of San Francisco Theatres, Inc., comprising a sizeable bloc of major neighborhood houses, claims the distinction of having booked this short for more times, in a shorter period, than any short has yet been booked in San Francisco and environs.

Seattle Fees Are Cut

Seattle, Nov. 26.—By a 6-2 vote, the Seattle Council has cut the license fee for all liquors from $500 to $300. At present, the ordinance calls for $125 minimum and $250 maximum.

“Footlight”
Twin Cities’ Top, $14,500

Minneapolis, Nov. 26.—“Footlight” Parade ran away with honors on both sides of the river last week, getting a total gross of $14,500. The Minneapolis take was $8,500, and at the St. Paul Paramout it was $6,000.

“I’M NO ANGEL” was good for $12,000, of which $7,000 was taken at the State here and $5,500 at the St. Paul Rivier.

Twin Cities first run business was $20,500. St. Paul’s took $17,500, beating average by $1,500.

Minneapolis:
Estimated takings:

Week Ending Nov. 16:

"THE MAD GAME" (Fox)
LYRIC—$1,300, 26-40c, 7 days.

"FOOTLIGHT PARADE" (Warners)
PARAMOUNT—$2,600, 26-40c, 7 days.

"AGGIE APPLIEY" (Radio)
RKO ORPHÉUM—$2,000, 26-40c, 7 days.

"THE GOOD COMPANIONS" (Fox)
PANTAGES—$1,100, 26-40c, 7 days.

St. Paul:
Estimated takings for the week ending Nov. 16:

"FOOTLIGHT PARADE" (Warners)
PARAMOUNT—$2,600, 26-40c, 7 days.

"AGGIE APPLIEY" (Radio)
RKO ORPHÉUM—$2,000, 26-40c, 7 days.

"EASY MILLIONS" (Fender)
RKO ORPHÉUM—$1,200, 26-40c, 7 days.

"I LOVED A WOMAN" (F.N.)
TOWER—$1,000, 15-25c, 4 days.

"BITEER SWEET" (U.A.)
WORKSHOP—$1,000, 15-25c, 3 days.

Name Alliance Receiver

Alliance, O., Nov. 26.—R. C. Wallace has been named receiver for the Columbia by Judge Joseph L. Floyd in Stark County Common Pleas Court. Judgment had been taken against the Smith Amusement Co., and this is a further step in favor of the Alliance First National receiver. The receivership will have no effect on operations of the company, as the receiver is secretary of Tri-Theatres, Inc., and is now in charge of all three theatres here, Morrison, Columbia and the Strand.

Fox Holds Sid Silvers

Hollywood, Nov. 26.—Sid Silvers, actor-writer for Fox, has had his option picked up by the studio.
CODE IS SIGNED—LOWELL, DRESSLER, CANTOR NAMED

Sears Not to Get New Post, Avers Warner

Major Albert L. Warner denies that Gradwell L. Sears is to be put in charge of all Warner sales under his supervision. He insists no change is to be made in the sales organization and that Sears will continue as general sales manager in charge of western and southern distribution and (Continued on page 7)

Tri-Ergon Wins in Suit at Scranton

SCRANTON, Pa., Nov. 27.—An injunction restraining Wilmer & Vincent corporations and Altona Publicx Corp. from making further use of sound equipment allegedly infringing patents held by American Tri-Ergon Corp. and Tri-Ergon Holding, A.G. of St. Gall, Switzerland, has been (Continued on page 2)

Wisconsin Men Plan For Groups on Call

MILWAUKEE, Nov. 27.—A panel of 15 to 25 exhibitors, constantly on call and large enough numerically to fill in where others may be unable to because of pressure of business, is planned under the code by the Wisconsin M. P. T. O. The idea concerns arbitration and setups of boards to settle issues designated for clearance (Continued on page 2)

Starts Series

This is the opening gun in a series of condition stories covering a number of major situations in the Middle West, and are being written from the field by Red Kann who is now in the thick of his inspection tour. Milwaukee will be followed by Chicago which will be followed by Indianapolis; then Detroit, Cleveland and other key centers.

Deputy Awaits Text

Washington, Nov. 27.—Deputy NRA Administrator Sol A. Rosenblatt stated this afternoon that word had been received that Administrator Hugh S. Johnson was on his way north with a signed copy of the code and would arrive about 12 o’clock.

What few changes have been made in the third revision, he said, would be incorporated and the full text would be made public tomorrow as soon as possible following the issuance of an executive order.

Code Authority Appointees Surprise; Rest Of Board Not Announced—Text to Be Released Officially Today

WARM SPRINGS, Ga., Nov. 27.—President Roosevelt today signed the film code and named President-emeritus A. Lawrence Lowell of Harvard, Eddie Cantor and Marie Dressler as members of the code authority.

Administrator Hugh S. Johnson left tonight for Washington and the code will be released for publication Tuesday afternoon.

The appointment of the former head of Harvard came as a complete surprise. He is honorary president of the Motion Picture Research Council, which is financed by the Payne Foundation, and recently published a book called “Our Movie Made Children,” by Henry James Forman which was strongly critical of film reactions on children. Recently the council has been conducting a campaign against block booking and for the right to buy on the grounds that exhibitors should have the power to reject films they consider unsuitable for family entertainment.

Marie Dressler was a White House visitor on her last trip east and Cantor was at Warm Springs last Thursday. It was made clear here today that the comedian during his visit to the President urged that artists be paid on a royalty basis.

In the code, it is understood, the President has exempted writers and dramatists from the sal.

(Continued on page 3)

Says Big Fox Dividend Paid Despite Loss

WASHINGTON, Nov. 27—Approval of the long-standing claims of Harley L. Clarke amounting to nearly $229,000 by the board of General Theatres Equipment Corp. two days before the company went into bankruptcy, and the voting by the Fox Film board of directors amounting to over $4,000,000 at a time when the company had a deficit in excess of $5,500,000 and outstanding demand obligations of more than $23,000,000, A saving of $23,000,000 in Paramount Publix operating costs in 1932 as compared with 1931 was cited yesterday by John Hertz as the result of his stewardship of the company’s financial affairs while chairman of its finance committee for the 14 months preceding the Paramount bankruptcy. Hertz’s declaration was made toward (Continued on page 5)

Hertz States He Cut Costs

Rosenblatt to Talk Before Penn, MPTO

Deputy NRA Administrator Sol A. Rosenblatt and Charles L. O’Reilly, president of the T.O.C., will be among the principal speakers at the one-day convention of the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. The session will be held in Philadelphia on Dec. 7, with the signed code as the principal topic.

No Daily Thursday
Tri-Ergon Wins in Suit at Scranton

(Continued from page 1)

granted here by Judge Albert W. Johnson in U. S. District Court.

The ruling in favor of the American and European Tri-Ergon companies also asks for an accounting of profits. William Fox is the owner of the American rights to the Tri-Ergon sound patents and several suits, involving similar charges are pending in state and Federal courts throughout the east against large producers, exhibitors, Erpa and RCA Victor.

The Federal court at Brooklyn, N. Y., dismissed a similar Tri-Ergon action against exhibitors last spring.

Efforts yesterday to obtain comment from the defendant companies were unsuccessful.

Studio Sound Union Files NRA Charges

LOS ANGELES, Nov. 27—Charges of violation of New deal labor provisions have been filed with the National Labor Relations Board by the sound technicians' branch of the I.A.T.S.E. against Paramount. United Artists and United companies are charged with coercion in forcing studio employees to join labor combinations not of their own choosing. The accusations are brought again under Section 7-A of the President's re-employment agreement giving workers the right to collective bargaining.

Wisconsin Men Plan For Groups on Call

(Continued from page 1)

through such boards under the code. Having raised $2,000 for charity last year, the unit early in the new year will hold another Film Fun Frolic with the proceeds this time re-ting to its own treasury.

MPTO Men Dine Dec. 4

COLUMBUS, Nov. 27—Problems scheduled to come up at the meeting of MPTO of Columbus here on Dec. 5 will be discussed the day before at a dinner to be given by Max Stearn, president.

Eastman Off 2 1/4 as Market Slumps

Eastman Kodak, 279/16, 277, 234, 36c decline

Educational Pfd. in 19-Point Drop

Pathe Bonds Lose 2 1/2 Points

WILLY BUYS 1000 USED THEATRE CHAIRS

Must be in first class condition, and not less than 600 of each kind. Only interested parties need write. Lewis Will, 1537 Broadway, New York City, 5th Floor.

CARL LESERMAN, recently ap-
pointed assistant to Gradwell Sears, western sales manager, depart-
ed yesterday on a visit to Warner offices in Chicago, Kansas City, San Francisco and Los Angeles. He will be gone a month. Sears also left on a short trip to Dallas on company business.

JOE BRANDT, SAM RINTZLER, MORRIS SANDERS, JACK LEVITT, LEO BIRCHER, ARTHUR STERNBERG, MRS. JOSEPH LEBLANG, RUDOLPH SANDERS, BEN KOSMAN RABBI STEPHEN WISE and HAROLD ROSENTHAL yesterday conferred at Louis Nizer's office at an informal meeting.

Gregory Ratoff leaves for the coast at the end of the week. He's forced to cut his vacation short because of a call for the RKO studios. After that assignment he goes to Columbia for "20th Century."

CHARLOTTE HENRY arrives in New York Dec. 8. She left Hollywood Sunday on a personal appearance tour of 11 cities. She will remain here five days before returning to the studio.

REAR ADMIRAL YATES STEELING, Jr., commandant of the Brooklyn Navy Yard, is expected to open the coming of "Son of a Sailor" tomorrow night at the Strand.

ELMER RICE, author of "Counselor-at-Law," yesterday saw the picture in the Universal projection room and got a big kick out of it.

MAJOR EDWARD BOWERS and Judge FRANK L. ROSENBERGER, act of not knowing each other every time they meet.

HARRY M. AND ALBERT WARNER leave town today for a short vacation. Destination unknown.

CHARLES PERRY, U. A. exploiter at the Aline Theatre in Philly, was in town yesterday.

MRS. SILVER has returned from Milwaukee, where he conferred with DAVE WESNER.

JOAN CRAWFORD and FRANCIS TONE are expected to leave Hollywood tomorrow.

HELEN HAYES opened last night at the Alvin in "Mary Queen of Scotch-land."

JOHN FLNN headed for the coast yesterday and is due back Dec. 7.

HENRY SONNENSHINE is back from a trip out west.

ROBERT Z. LEONARD is in from the coast.

Laemmle Coastbound

Carl Laemmle and his secretary, Jack Ross, are enroute to the coast. They will arrive in Hollywood tomorrow night.
**Looking 'Em Over**

"Counsellor at Law" (Universal)

An ace attraction headed toward box-office records, Carl Laemmle, Jr., has spared no expense in the production of Elmer Rice's play and it will undoubtedly go extra time in many theatres. It is graced with star names such as John Barrymore, Bebe Daniels and Doris Kenyon, supported by 20 others, including Onslow Stevens, Isabel Jewell, Melvyn Douglas and William Wyler. William Wyler has done a swell job in the direction. The author adapted the play and Norbert Brodine manipulated his camera for compelling effects.

As a silver-tongued, quick-witted attorney, Barrymore's success is rapid. His cases range from the lowly Communist friend of the family to the highbrow. Bill Simon is on the payroll charge, Barrymore misses a loophole in the ali bi which frees Simon and which threatens disbarment unless the matter is quickly adjusted.

While Barrymore is trying to get a hold on Elmer Brown, who threatens the disbarment, Doris Kenyon, the legal light's wife, shows her husband plans to contest the will of her friend and cause unpleasant publicity. Rather than face possible disbarment for her mate, Miss Kenyon plans a trip to Europe and when she learns her husband cannot go with her goes without him. But Melvyn Douglas, who has been playing friend of the family, is also a passenger on the boat and his purpose is to play hearts.

Barrymore gets the upper hand on Brown when an agent discovers the latter, in addition to living in New York, is also maintaining another home in Pennsylvania, which would create headline scandal.

A government threat to be dropped and again Barrymore is the high-pressure counsellor.

In a moment of despondency, Barrymore attempts suicide, but is foiled by Miss Daniels, who has secretly been in love with him. A telephone call from a client comes through, there is a hectic conversation followed by renewed vigor and brings him back to his old self.

There are minor incidents which lend color. There is the telephone operator always gabling at a mile a minute; Onslow's Stevens' secretary and her eccentric gait; Barrymore's mother; the Communist; the promising attorney who tries like the devil to make a date with Miss Daniels, but to no avail and Victor Barrow's attempt to interest Barrymore in his after he wins her case, and other happenings which give this legal document an air of authenticity.

**Says Big Fox Dividend Paid Despite Loss**

$8,000,000 were disclosed today before the Senate committee investigating Wall Street.

The committee questioned Clarke at length upon how the dividends and tomorrow will wind up its film investigation with a final questioning with Samuel Goldstone, president of the Chase National Bank.

Not Repaid, Says Clarke

Concluding his testimony, Clarke explained that his claim was for personal loans made for further development of sound pictures, presented it had only been credited on the books and payment had never been made.

The dividend payment by Fox was made in July, 1931, according to evidence produced by Ferdinand Pecora, committee counsel, with most of the dividend taken out before the stocks were issued. The principal shareholders. At the time the dividend was declared it was extravagent.

Another question of interest to the future trend of the film industry, it was declared by Herman G. Place, vice-president of the Chase Bank, a former Fox director, who testified as to the payment.

Clarke's Additional Testimony

Additional testimony by Murray W. Dodge, former vice-president of the Chase Securities Corp., developed that the bank loaned $6,000,000 to General Theatres in 1930 for market operations in New York, with Fox Pictures, Inc., to strengthen the market as a basis for large re-financing operations. Dodge said the plan failed, as the market collapsed, and the loan was repaid.

Dodge testified to the sale by Fox Film and subsidiaries of large quantities of stock of Fox Film, and Wesco realized over $70,000,000 to meet their obligations. He placed in the record a full history of the financing which resulted in tremendous losses to the Chase Bank and the securities organization.

**Lee Tracy To Rest First**

Hollywood, Nov. 27.—Whatever action Lee Tracy intends to take in connection with his dismissal from M-G-M will be held in abeyance until the actor has taken a complete rest.

Stuart Erwin has replaced Tracy in the new version of "Viva Villa," which has been in progress at M-G-M. Myrna Loy has taken Mona Maris' place and Jack Conway is now directing instead of Howard Hawks.

**Goldstone To Seek Cure**

Hollywood, Nov. 27.—Because of illness Phil Goldstone has turned the production reins at Majestic over to William D. Shurpin. For the next six weeks, during which the former will be at Santa Barbara under medical observation.

**FWC Trustees Seek To Borrow $288,500**

LOS ANGELES, Nov. 27.—A petition has been filed in U. S. District Court here by the trustees of the First Western Coast for permission to borrow $288,500 on certificates of indebtedness to conserve the assets and equipment in the bankrupt circuit's properties.

The petition also asks for court approval to compromise agreements between the trustees and a number of the largest claimants in order to avert lengthy litigation and in accordance with agreements contemplated under loan arrangements. The trustees' certificates will be a first lien against all bankrupt real estate and equipment in lieu of a lien against $300,000 more of similar incumbrance.

**Paramount Planning For 'Victory Drive'**

Starting January 1 and continuing until March 1, Paramount will hold a "Victory Drive." Various home office executives will visit the field on behalf of the campaign for dates.

Last night, J. Unger and Mill Dodge, left the Philadelphia and Washington. They are expected to visit a number of other eastern cities following their return. George J. Schiel and Neil Agnew will make a tour of Paramount exchanges shortly.

**Books First M-G-M**

For M-G-M picture for the Mayfair will be "The Chief," with Ed Wynn, which will follow "The Worst Woman in Paris?" Universal's "King for a Week" follows the Mayfair picture. Change in the policy of the Walter Reade house to burlesque has been dropped for the time being.

**Looking 'Em Over**

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UNIVERSAL
marches on—here’s
another big one!

Fans like mystery!
Fans like action!
Fans like novelty!
Fans like drama!
Fans like romance!
HERE THEY ARE!


EDMUND LOWE
Price Is No. 1 Man in Milwaukee

One-time publisher for Wm. Randolph Hearst, is a friend of Aaron Jones—the Jones of Jones, Linick and Schlaier, one of Chicago's pioneering theatre partnerships.

When Fox Midwest went into bankruptcy and let loose a varied assortment of complications, two of its theatres, the Oriental and Tower, went back to Annenberg, who owns until the Wisconsin, near Milwaukee. Aaron Jones to Johnny, Aaron's son, the sequence went until now, when Johnny operates the theaters, slips in vaudeville a couple of days a week, takes more display advertising in the Milwaukee dailies than the downtown first runs and gives the de luxe heart palpitations.

Tom and John Saxe, whose origin— "The Be In Milwaukee"—is in Wisconsin, a few years ago, later found them in a deal with William Fox, are doing ditto. They found themselves in theatre operation again when Midewest went blooey and today in this city run the Warren, the United Artists, Ti-Voli and Princess as the Saxe Amusement Management, Inc.

When the Saxes talk all this it depends upon who does the talking. Jones and the Saxes feel they can run vaudeville if they like to combat downtowners. The downtowners yell it's hurting and it is. Weshner, whose short tenure of office here already has brought a number of things, is holed up trying to avoid coming up against the Palace and the Wisconsin type or any other type. Already he has work in Amos 'n' Andy with disastrous results at the Warren and isn't anxious to try any more if he can help it. The Wisconsin goes heavily for stage stuff because the Palace does; the Palace does because the Wisconsin does and the pair does it, they, to meet Jones and the Saxes. There you are, but where are you?

Checks Being Discussed

And yet, because the situation is untenable, because losses at big theatres are knockouts when they hit around $7,000, because everyone is in the same boat and that boat is rocking sadly some sort of a check, mutually

Competition In Show World

Of City Costly

Unbridled competition between the Palace and the Wisconsin, two of the downtown first runs, often kicks up the stage show at each to 12 acts. In addition, there is a feature thrown in, or maybe it is the other way. This Wiesner to suggest escape for both was to open a hotel and house their own talent.

Rather than that, however, is Wiesner's handle which sounds and, is feminine when the owner most decidedly is not. He is one of the town's wits, regarded as a swell guy, once had plenty out of show business and today operates the Shorewood and the Downer, neighborhood theatres here.

U. A. Has New Garden

United Artists finds expression here through the New Garden, operated by Fred S. Meyer. A former day in the Schlitz brewery interests, although U. A. is believed locally to be on with Meyer's guarantees with his landlords. His 18 promised release from United naturally are not enough to keep the house going. Since the Warner's lineups are pledged elsewhere, Brin fills in with whatever he can get. Thus, the Wisconsin does what "Charlie Chan's Greatest Case," the Alhambra held over "Only Yesterday," and the picture wound up at the New Garden.

These six theatres—the Wisconsin, Palace, Warner, Strand, Alhambra and New Garden—are the front line of the three first run plays to 11:30 to 1 P. M.; send the tariff up to 35 cents from 1:30 to 6 P. M., and agree on 30 cents thereafter. The last three dipped slightly under that scale. The opening bracket is identified runs to $3.20, up to $3.30 M., thereby giving the "early birds" an extra hour at low tariffs; the second is tipped to only 30 cents and the night price, which fails to draw appreciably at any of these half dozen houses any way, ends at 40 cents. There are not many major cities in the country where prices are as low. Also there is no major city, except perhaps Cin- cinnati, where the thrifty German is to be found in large numbers.

Competition Is Costly

The constant competitive clash between the Wisconsin and the Palace is leaving scars along Wisconsin Ave. The perpetual pyramiding of stage shows is costing both houses dearly. It is difficult—some say impossible—to come out on the basis of permanent and keeping up the level: Jack H. Eph. Weshner, recently appointed Warner zone manager here, and Brin in a frame of mind which is anything but cost conscious.

But behind it all is another factor which contributes largely to the melees and makes fixing the responsibility one tough job to pierce. To explain it requires a digression.

Max Ammenberg, publisher of Race- ing Form and other turf papers and

Strange Bedfellows

Milwaukee, Nov. 27—Nothing like appealing to all palates. Maybe that explains the hold and the way of the show which just closed at the Wisconsin, Skouras first running feature.

The picture: "Berkeley Square."

The show: "Harlem Nights with Eddie South," marquee ed as "The Dark Angel of the Violin."

Also "41 Sepia Beauties."

With wheels are churning and some of these selfsame bondholders are not agreeing with others of the same ilk with ultimate results something nobody can figure at the minute. Com- mercially, among the well informed here tells of under-surface moves with the bondholders to turn the house over to Leo Salkin, operator of the grade at the 3,200-seat War- John Saxe, too, are reported making eyes.

Palace Career Rocky

The Palace, which runs 10 or 12 act shows around its exclusive first call on all of Paramount and all of Columbia, has had a trouble Orpheum had it for some time; then Iko, then Fox Midwest and now it's the Fox Wisconsin. The last show's laps of Logan Circle are plagued elsewhere, Brin fills in with whatever he can get. Thus, the Wisconsin does what "Charlie Chan's Greatest Case," the Alhambra held over "Only Yesterday," and the picture wound up at the New Garden.

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Hertz States
He Cut Costs
$23,000,000

(Continued from page 1)
the close of a four and one-half hour examination at an adjourned meeting of the Paramont Public Holding Corporation, at which Chairman of the board, Henry K. Davis, yesterday, and was in made in reply to persistent questioning by attorneys representing bondholders, by Samuel Zirn, counsel for a Paramont bondholders' group.

In the course of questioning Hertz on the Paramount credit translation of early 1932 by which Film Productions Corp., a new Paramont subsidiary, obtained new credit from 12 banks, Zirn remarked that "the results of your stewardship were that Paramont Public Holding Corp. sold shell, its assets held by subsidiary companies and creditor banks given a preference unheard-of before you gave us the sinking ship, isn't so?"

Visibly stirred for the first time by Zirn's allegations, which had been free from vituperation, Hertz, at length, said, "I believe that, on the whole, the ideas of the results of his 'stewardship.'"

Used "Fine-Tooth Comb"

"I went over the company with a fine-tooth comb, resolved myself trying to keep it a going concern," Hertz exclaimed. "I reduced the payroll in 1932, $28,000,000 as compared with 1931. I brought them down from $135,000,000, where they were in 1931, down to the $94,000,000 by the end of 1932. I obtained rental reductions of $10,000,000. I secured the cancellation of a lease at the Majestic, in Rochester, N. Y., from the Eastman Kodak Co., that had several years to run and was costing us $200,000 annually. I got rid of the entire staff of the office," he concluded. "And as a result of your improvement, the company emerged from the graceful bankruptcy at the end of 14 months," Zirn remarked.

"If that's what the record shows," Hertz smiled.

Attorneys for the Paramont trustees objected to Zirn's description of the company's bankruptcy as "disgraced," and defendant, Hertz, substantiating them, ordered the adjective stricken from the record.

Repeated efforts of Zirn throughout the examination to win an admission from Hertz that he had not done everything he might have, as chairman of the finance committee, to protect the interests of stock and bondholders of the company were futile.

Hertz repeatedly maintained that he "was on the job to serve no special interests, but to do the best I could for the company, its creditors and stockholders and my own reputation." "By aiding the company in continuing to operate," he said, "I was doing the best for it and everybody having anything to do with it." Questions by Zirn, Hertz denied that he had sold any Paramount Public stock to "friends," although, after Zirn's "group," he had bought some of the company's stock in conjunction with Albert D. Lasker, former Paramont director.

In reply to a question put to him at a loss to both. Hertz was unable to recall how much stock had been involved in the joint purchase, but he believed it was less than 20,000 shares.

Denies Drawing $104,000

Hertz denied that he had drawn $104,000 for the year prior to his resignation, as testified by Paramount executives earlier in the hearing, explaining that it was only a drawing account of $2,700,000, "of which I drew $1,000 weekly and contributed $1,000 a week to the company," he said.

Questioned about the $7,500 payment made on his resignation, identified earlier as the balance due on a lease for a New York apartment occupied by Hertz, the Chicago financier declared that the payment was made after he resigned.

"You see," he remarked, "I settled my claims against the company more cheaply than did the executives who resigned from it ahead of me." Hertz reiterated that there had been nothing unusual or out of line in the part payment prior to his resignation, and in this connection denied that a prepared statement tendering to resign, that Hertz's efforts to solve Paramount's financial difficulties had not been accompanied by a packing off of assets.

Hertz was asked to announce a consent receivership on Jan. 2. Hertz resigned on Jan. 6 and the company consented to an entity called the "Special Estate of Paramount." He said that as he remembered the statement, it had been prepared to announce his resignation from Paramount. The statement in question was never released, an entirely different one having been issued a few days later. By the time Hertz resigned, four days later.

Hertz denied that his posts as director, in various layers, of the company, demanded more of his time than was necessary for attending occasional directors' meetings, declaring that he gave all of his time to Paramount, although his contract involved only a "part time arrangement."

Took All His Time

"I worked for Paramount," he said, "from 9 or 10 in the morning to 7 or 8 at night, with an hour for lunch and two vacations, one at Miami and one at my Gary, Ill. home."

Explaining Paramount's retention of the Lord & Thomas and Logan advertising agency following election of Lasker, head of the agency, to the Paramount directorate, Hertz said, in reply to questions, that he had "helped a good deal in maintaining the business" in the absence of Thomas and Loeman, or one of the most efficient agencies in the country, the company's reputation. Regarding Paramount's "keen money," Hertz said it was understood, in which the company's advertising up to that time.

Questioned in connection with Paramount's sale of its half interest in the Majestic with vaudeville. He's been back in Detroit for some months. Anyone who tries reviving the Majestic must be out of his head. He is the local film fraternity. That, however, certainly does not mean it won't be worth a second and thunder" houses congregating in back of Wisconsin Ave. and are the Miller, operated by Skorons, the Gayety, the Savoy and the Whitehouse, destinies in the hands of O. L. Meister and the Whitehouse Theatre Co. Combining a total seating capacity of about 50,000, their price range runs from 10 to 20 cents, sometimes 25 cents.

The legitimate houses include the Pabst and the David. They are on off a stage policy beginning this fall, something Paramount is talking with their "Take a Chance" company will list among their fond memories. They played a week here and nationally the $366 one afternoon and evening at $2.20 top. Nobody can tell, on the other hand, when either will be giving back at the box or other foreign pictures, thereby throwing additional competition into the ring.

This is a 400-seat, dark at the minute although it's hard to say for how long. An original member of the Orpheum family, it's still in the neighborhood, and the original outfit's vaudeville in Milwaukee, it later passed to RKO and then went to a local company. When it was built. Brin tried his hand here, too, and for a time stock stove the boards. A year ago Lew Kane of the town of Waukesha, who exists here, that aren't nice about H. M. Richley and the Midwest buying in combine in the Motor City took a flyer at the

Hertz States
He Cut Costs
$23,000,000

(Continued from page 1)
Sears Not to Get Prest, Avers Warner

(Continued from page 1)
A. W. Smith will remain in charge of eastern and Canadian distribution, while Sears's will continue to act as general sales manager in charge of western and southern distribution.

Sears supplemented Major Warner's statement by contradicting the embarrassing rumors of this sort are both to Smith and himself.

"Rumors of this sort are unfair to both Smith and myself," he said. "And I are working together, and to have either one or the other mentioned under the idea that the company's operations again became profitable.

Zirn States Draw Fire

Zirn's repeated allegations and innuendos throughout the examination led to several sharp clashes between himself, Henry Davis and other attorneys. The referee on one occasion charged Zirn with "misbehavior" and appeared on the verge of disciplining him. On another occasion the referee to "rackeering" was made by Godfrey Goldmark, Paramount attorney, in commenting on Zirn's activities and procedure throughout the hearings.

Hertz was questioned first by H. J. Friendly, of counsel for the Paramount trustees, in connection with the renewal of a Paramount credit note for $592,170, held by Louis L. and Meyer Marks, former Chicago investors, by the Continental Illinois Bank as agent. A one-year extension of the note was granted late in 1931 in consideration for which Paramount opened a special account of $146,000 with the Chicago bank. The deposit was later withdrawn, and the Marks note remained unpaid. The Chicago bank has long since paid claim. In the absence of the Marks trustee's are making efforts to free it.

Friendly also questioned Hertz in connection with a $500,000 settlement of a rental deferment negotiations had with Allied Owners Corp. in 1932. The trustees are now contesting Allied's claims, but the exact amount was not revealed.
Denver Tips

“Duck Soup” $11,000 Top

DENVER, Nov. 27.—“Duck Soup” sold like a house aflame at the Denver last week, piling up a gross of $11,000 for the week. This is above normal by $3,500. “Footlight Parade,” held over for a second week at the Aledinn, was still good for $4,250, topping average by about $1,000. “Christopher Bean” (M-G-M) was also a strong draw at the Denver, going over par by $1,000 for a gross of $8,500.

Total first run business was $35,550. Average is $3,500.

Estimated takings for the week ending Nov. 27, $35,550.

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Philadelphia

Gives “Angel” Huge $32,500

PHILADELPHIA, Nov. 27.—“I’m No Angel” left the Palace on Monday, the day the gong was going for air last week. The $3,250 gross was just $200 over normal and there’s that far enough to be cause for sensations in any section of this town. It wasn’t quite up to the “Frankenstein” record, but it was certainly a second run of “Footlight Parade” at the Carlton, was off. Total first run business was $102,950. Average is $8,500.

Estimated takings for the week ending Nov. 24:

“PRIVATE LIFE OF HENRY VIII” (A. U.)
ALJAMA-35, 25c-50c-75c, 6 days. Gross: $3,100. Average: $516.

“RAFTER ROMANCE” (Radio)
ARCADIA-600, 25c-40c-60c, 3 days. Gross: $2,100. Average: $700.

“CHRISTOPHER BEAN” (M-G-M)
CHESNUT-1,500, 5c-10c-15c, 6 days. Week Gross: $3,100. Average: $516.

“MEET THE BARON” (M-G-M)
STANLEY-$2,000, 25c-50c-75c, 5 days. Stage: Days, Apollon’s reviews, Will and Davis, and James Evans and Co. Gross: $1,500. Average: $300.

“JIMMY AND SALLY” (Fox)

“FOOTLIGHT PARADE” (Warner’s)
(2nd run)
KARLTON-1,000, 25c-40c-60c, 6 days. Gross: $1,200. Average: $200.

“CURTAIN AT EIGHT” (M-G-M)
STANLEY-$2,000, 25c-50c-75c, 5 days. Vassallville, Gross: $600. Average: $120.

“ANGEL” (Warners)
LYRIC-900, 25c-40c-60c, 6 days. Gross: $600. Average: $100.

“THE PRIZEFIGHTER AND THE CASE” (Warners)
PALACE-1300, 25c-40c-60c, 7 days. Gross: $600. Average: $86.

“Way to Love” and Amos Buffalo Top

BUFFALO, Nov. 27.—Amos ’n’ Andy in person proved a healthy adjunct to “Way to Love” and the Buffalo soared to $2,000, or $600 above par. “Footlight Parade” also was $1,000 over normal in its second week. Warner weather after the near-zero spell helped.

Estimated first run take was $54,200.

Net is $48,300. Estimated takings for the week ending Nov. 24:

“THE WAY TO LOVE” (Para.)
BUFFALO-(3,000), 25c-50c-75c, 5 days. Stage: B. Groce, Proctor, Vales & Vavas, minister, Carm, Max & Owen, Mickey Mint. Gross: $7,000. Average: $1,400.

“EVER IN MY HEART” (Warners)
BUFFALO-(1,500), 25c-50c-75c, 7 days. Stage: B. Groce, Proctor, Vales & Vavas, minister, Carm, Max & Owen, Mickey Mint. Gross: $7,000. Average: $1,400.

“THIS AVENGER” (Monogram)
BUFFALO-(1,000), 25c-50c-75c, 4 days. Stage: Ben Marlow, his Winter Garden Revue. Gross: $6,000. Average: $1,500.

“THERE GOES THE BRIDE” (M-G-M)
BUFFALO-(3,000), 25c-50c-75c, 6 days. Stage: B. Groce, Proctor, Vales & Vavas, minister, Carm, Max & Owen, Mickey Mint. Gross: $7,000. Average: $1,400.

AMPA Drops Twenty Delinquent Members

The executive committee of the AMPA is still cleaning house. Meeting at the last hotel asthma, the group decided to drop 20 members who have been in arrears on dues, subscriptions and contributions are now out of the association and efforts are being made to bring back to active participation some of the more prominent names who dropped out years ago.

In a move to foster the general wel- fare of its roster, the AMPA will ref- und to the Film Daily Relief Fund $1,500 which was spent taking care of the organization’s men in need at one time or another.

Incidentally trade paper men are being asked to become active despite the recent attack on them by Columbia.

Kane to Make Three

Hollywood, Nov. 27.—In addition to directing George White’s “Scant- ings,” Robert Kane has contracted to make two more for Fox. First of the two additional films will be a musical spectacle with a gypsy background, and Fox is working up a formula for a possible third production which will be directed by Charlie Boyer, English-born director of the Savoy Sisters, who is now under contract with the Famous Players-Lasky Corporation.
CODE AUTHORITY NAMED;
FINAL TEXT NOT RELEASED

Death Comes To Wilstach; Ill 2 Weeks

Frank J. Wilstach, advertising and publicity contact for the M.P.F.D.A. for the past eight years, died yesterday afternoon after a stay at a General Hospital following a major operation performed several hours earlier. Wilstach, widely known in film and theatre circles, was taken ill about two weeks ago with influenza. Complications developed and when his condition failed to improve up to last week-end he was taken to the hospital. Yesterday his major ailment was diagnosed as an abscessed liver (Continued on page 11)

Detroit Independents Name Komer as Head

Detroit, Nov. 28.—Charles Komer was elected president of the Independent Theatre Owners of Detroit at a meeting of the organization today. The board of directors includes Komer, Attorney Adrian D. Rosen, John O'Dell, Joseph Portell, William Schulte, Al Ruttenberg. Purpose of the new organization is to aid exhibitors and cooperate with (Continued on page 11)

Four with Shubert Rowland-Brice Plan

William Rowland and Monte Brice will make four features with Lee Shubert, stage producer, for United Artists release this season, Rowland said yesterday. All four pictures will be based on Shubert stage productions, and the first goes into work next week at Eastern Service Studios, Astoria. It will be based on "The Street Singer," (Continued on page 11)

Wiggin Denies Fox Charges in Probe

WASHINGTON, Nov. 28.—Winding up its study of film stocks, the Senatorial committee investigating Wall Street today learned that more than (Continued on page 4)

Effective Dec. 7

The code becomes effective for the industry next Thursday Dec. 7, in accordance with Article 1 of the pact which specifies the "effective date" as 10 days following approval of the code by the President. Exhibitors and distributors who have not signed the code by Jan. 10, 45 days after its approval by the President, are barred under the grievance board section from filing complaints under any article of the code against other exhibitors or distributors. Non-signers, however, may have complaints filed against them by those who have signed the code.

Cantor for Fair Trial; Marie Dressler Pleased

A fair trial for all sections of the code, regardless of personal views, will be Eddie Cantor's ruling policy when he takes office as a member of the code authority, the radio and picture comedian said yesterday. Cantor declared that while he still opposed Article 5 governing talent raids and salary control, he felt that changes would eventually be made in these and any other clauses which were revealed, in practice, as working disadvantages on any industry branch. "I think that producers themselves (Continued on page 4)

Hollywood, Nov. 28.—Expressing "complete surprise" over her appointment to the code authority by President Roosevelt on Monday, Marie Dressler today expressed pleasure at the opportunity it afforded her to be of service to the Administration. "Since the President wants me to serve," Miss Dressler said, "I will do all I can to help. I feel that it is up to all of us to jump in and help President Roosevelt in the splendid work he is doing for our country and his people at this time."

Code Yet Unsigned by U. A.—Schenck

United Artists has not signed the code yet. Joseph M. Schenck, president, said last night, indicating at the same time that the company's signature awaited release of the code as signed by President Roosevelt on Monday. Schenck reaffirmed his opposition to (Continued on page 4)

No Daily Tomorrow
Looking 'Em Over

"Master of Men" (Columbia)

"Master of Men" presents Jack Holt in his specialty of impersonating close-lipped men of action. This time he is a foreman in a steel mill who rises to the top, tastes success for a time as president of the outfit for which he once was a paid hand, then plunges back to where he started when his overpowering ambition turns into a boomerang. His downfall has a happy note, that is, Holt brings him back to his senses and returns him to his wife, whom he is about to lose, as a result of too much attention to business.

The film moves at a fast pace, thanks chiefly to a series of sequences showing Holt's feverish attempts to seize control of his company through illegal means. "Master of Men" is like others of its type, yet it manages to retain considerable interest.

The production is well mounted and Fay Wray, as Holt's wife, displays a number of style creations that may draw feminine minds away from the fact that the film is not strong from the woman's angle. "Master of Men", as Holt films in general, is fare for the younger people. Holt plays in his customary heavy manner. Miss Wray, aided by Theodor Von Eltz, as the rival, helps things along considerably. But the prize performance is that of Walter Connolly, who plays a veteran of the stock market.

May Go to Radio City

Universal Pictures home office will be moved to Radio City quarters about the first of the year if lease negotiations now under way are consummated, as expected, within the next few days. Universal's 10-year lease on its Heckscher Building space expires May 1, 1934.

Headliners for AMPA

Lenore Ullric, Gregory Ratoff, Paul Whiteman, the Waldorf Club Boys, Frank Parker, Lilian Bond, Jean Sargent, Phil Dewey and Jack Fulton are slated to be A.M.P.A. guests today.

Asher Buys "Daughter"

Harry Asher of American Pictures, Inc., Boston, has acquired the New England rights to "Enlighten Thy Daughter", the first of four from Exploitation Pictures.

Lesser Sails Today

Paris, Nov. 28.—Sol Lesser, president of Principal, who has been touring Europe on business for the past two weeks, plans to sail for home Wednesday.

Universal Pfd. Up One

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Consolidated Film Industries, Inc.

| Eastman Kodak | 77% | 76% | 75% | 1% | 1,100 |
| Fox Film "A"  | 23% | 25% | 26% | -1% | 100 |
| Loew's, Inc.  | 23% | 24% | 25% | 1% | 500   |
| Paramount Public | 3% | 3% | 3% | 0% | 400   |
| Parke Exchange | 5%  | 5%  | 5%  | 0%  | 100   |
| Universal Pictures, pfd. | 2% | 2% | 2% | 0% | 5,000 |
| Warner Bros. | 3%  | 3%  | 3%  | 0%  | 600   |

Technicolor Lone Carb Issue

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Bond Market Inactive

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Collette Lynn, musical comedy, vaudeville and picture star, is scheduled to join a "Strike Me Pink" unit, playing the RKO circuit.

Ed Roberts of the Paramount publicity department returns from Dallas shortly. He has been on a leave of absence.

Charles Lamont is reading "The Fur Flicks," which is to be produced by Educational in the east.

Karl Kragh, U. A. publicity chief, is driving to Pittsburgh to spend the holidays with his family.

Gregory Ratoff opens Friday at the Loew's State and then goes to Loew's in Baltimore.

Beatrice Van has been added to the Educational writing staff.

Hal Oliver, special exploiter for RKO, has resigned.

Nominate Exhibitor
As Mayor of Ottawa

Ottawa, Nov. 28.—P. J. Nolan, owner of the Avalon, Columbia and Roxy theatres, has been nominated as mayor for the coming year. Nolan is well known as an independent exhibitor.

C. Skouras in Seattle

Seattle, Nov. 28.—Charles Skouras of the Columbia Theatre and Consolidated Film Industries, Inc., has been in Seattle and has discussed several plans with local theatre owners. Skouras has been here confering with Frank Newman, Albert Rosenberg and Alton Fairbank, heads of the Evergreen State Theatres Corp. circuit in this territory. The destinies and policies of the Orpheum and Trocadero, here understood to have been discussed.

S. Skouras in, Off Soon

Spry Sog Skouras last night returned from Chicago and St. Louis and plans to leave for the coast at the end of the week with Ralph Harris of Hughes, Schurman & Dwight, attorneys. They will confer with the trustees of Fox West Coast on reorganization plans.

Fined $250 as Bomber

Birmingham, Nov. 28.—H. S. Gilmer, owner of the Bomber $250 and coasts. Judge H. B. Abernethy held him guilty of planting a time bomb in the Fairfield Theatre October. He has appealed to the Circuit Court.

Robbins on the Coast

Hollywood, Nov. 28.—Herbert Robbins, president of National Screen Service, is here from New York for trailer conferences. His stay on the coast is indefinite.
Personnel of Code Authority

Atlanta, Nov. 28.—Official information as to the personnel of the code authority was obtained here today from Administrator Hugh S. Johnson. Representatives of the major distribution and exhibition branches of the industry are: H. M. Warner, president of Warners; Nicholas M. Schenck, president of Loew’s, Inc., and M-G-M; S. R. Kent, president of Fox; George J. Schaefer, vice-president and general manager of Paramount, and Merlin H. Aylesworth, president of RKO.

Representing distributors with no theatre affiliations, exhibitors with no distribution affiliations and independent producers and exhibitors are: R. H. Cochrane, vice-president of Universal; W. Ray Johnston, president of Monogram; Ed Kuykendall, president of the M.P.T.O.A., and Nathan Yamins, president of the I.T.O. of New England and a member of the board of directors of Allied States.
Wednesday, November 29, 1933

MOTION PICTURE DAILY

Authority Is Set, But Code Text Delayed

(Washington, Nov. 28.—Members of Administrator Hugh S. Johnson's staff spent most of today warning when their chief would arrive. During most of the morning it was expected that he would arrive about noon. When he failed to arrive late in the afternoon extensive telephoning was done and the fact was he was still in Atlanta.

In the meantime industry representatives and trade and daily newspaper men awaited release of the code. A copy of the draft taken to Warm Springs by General Johnson was in Deputy NRA Administrator Sol A. Rosenthal's office, but he refused to release it until receipt of an executive order.

Johnson Sees Film While World Waits

(Washington, Nov. 28.)—that he was still at Warm Springs.

As a matter of fact, he was enjoying a film show here most of the afternoon and his Airplane was resting quietly the airport a few miles from the hotel late in the evening, as most of his recent travels have been by Airplane. The local newspapers did not realize that he was still in the city until about 2 o'clock this afternoon, after the New York syndicates began to inquire what had happened to him. A checkup showed that he was registered at the Billmore. His secretary said he had gone out for a stroll and to see a picture.

City editors ordered out their star reporters to interview him, but the general hadn't mentioned what picture he was going to see, and checking all the first run, second run and neighborhood houses whereabouts is an afternoon's work for any reportorial staff, especially when ushers were unfamiliar with the general's appearance.

By the time the general returned to the hotel late in the evening, the hotel had been swamped by calls from Warm Springs, Washington and New York.

In a day of rest and relaxation for the NRA administrator, but nearly everybody else interested in the code was in a state of exhaustion.

Kent Back from Europe

Sidney S. Kent, president of Fox, returned yesterday from an European trip, which was officially confirmed yesterday, but plans to leave for the coast with Spyros Skouras, Fox theatre head, as soon as possible.

Cantor for Fair Trial, Hails Naming of Lowell

(Motion Picture Daily) will eventually see the wisdom of dropping the salary control clause entirely, Cantor said. "No control of the code authority is possible because they are not paid by the producers but by the public. An action against the public is worth much more than certain sentences handed down by a certain judge because they are not on the scene with each other. A competing producer, if he wanted a certain body enough, would find ways of circumventing the agreement."

Cantor said that the influence he ever had was because he qualified him for the position on the code authority was the experience in being fair. "He said that if it were necessary for him to quit stage and picture work in order to serve on the code authority, which will meet in New York, probably on a bi-monthly routine, he would do so, confining his professional activities to radio broadcasting in New York."

Commenting on the appointment of Dr. A. Lawrence Lowell, president-emeritus of Harvard, to the code authority and on Cantor's own views on censorship, the comedian declared that there is "plenty of room for cleaning" and that a start on it is "long overdue."

"Dirty pictures are an industry disease," Cantor said, "and if Dr. Lowell succeeds in curing the industry of them he may well become the saviour of the industry."

"Have you been formally notified of your appointment to the code authority?" Cantor was asked.

The comedian looked bewildered. "Gosh, no, I haven't!" he exclaimed. "Say, do you think it's on the square?"

Myers Calls Allied Committee Meeting

Detroit, Nov. 28.—A. Myers has called a meeting of the national managing committee of Allied for Tuesday, Dec. 12 at Grand Rapids, Michigan, preceding the annual convention of Allied of Michigan. Members are Col. W. A. Cole, Sidner Samuelson, Nathan Yaminis, Benny Berger and Ray Branch. Other Allied leaders also will attend to discuss and take action on the signed code. The Michigan convention opens the afternoon of Dec. 12 and continues through Dec. 13.

Allied to Meet at Trenton on Dec. 19

The adjourned 14th annual convention held at Atlantic City Sept. 25-27 will be continued by Allied of New Jersey in Trenton on Dec. 19, the unit decided yesterday at its regular meeting. The product situation of the Allied territories also was discussed, but no action taken.

Abraham F. Myers is expected to attend the convention.
"DANCING LADY" EXPLOITATION SECTION
By Leo of MGM

CONTENTS:

Modern Screen Magazine Contest on "Dancing Lady." Display of materials used in contest. FREE TRIP TO HOLLYWOOD and other prizes!

Special newspaper advertising. Three smash ads in addition to press book campaign.

Special publicity stunt successfully planted in New York. How you can do it locally.

FLASHERALD
(7 x 11)
in 4 colors
Herald Cover

Inside Spread of Herald

Back Cover of herald has large imprint space

Eye stopping window card in full colors has large imprint space

TURN PAGE PLEASE!
THIS ADVERTISEMENT REACHES MANY MILLIONS OF FANS!

Just part of the great ballyhoo behind the “Dancing Lady” contest. In addition to car cards, window cards, wagon lithographs, free star photos, etc.

Hello Everybody!
Here’s your last chance to enter the Joan Crawford “Dancing Lady” Contest and win a Free Trip to Hollywood!
See January Modern Screen
... and don’t miss me in my latest M.G.M. picture “Dancing Lady”
Joan Crawford

PRIZES:
OFFERED IN MODERN SCREEN MAGAZINE CONTEST
1st—A free trip to Joan Crawford in Hollywood, to go and see things as glamorous star’s gu...
“DANCING LADY”—Showman’s Exploitation Delight!

TRIP TO HOLLYWOOD!
Modern Screen Magazine Contest is the Biggest Promotion Stunt of the season!

ABOVE: Promotion materials of the Contest!

For months Modern Screen Magazine has carried full details of a Joan Crawford contest which is national exploitation for “Dancing Lady.” Included in these illustrated accessories are car cards, large window hangers, printed photo give-aways and blow-ups—all in full colors—for chain stores, newsstands and co-operating dealers. Free trip to Hollywood, with Miss Crawford acting as hostess, is First Prize award. Get in on this contest which is live material with at least a half dozen promotion angles, including lobby and windows. Where additional assistance might be required, contact Modern Screen direct, 100 Fifth Avenue, New York City.

OTHER BIG IDEAS IN PRESS SHEET!
Consult M-G-M campaign book on “Dancing Lady” for music tie-ups, book-store displays, fashion photos, alluring Joan Crawford statue, and a thousand other showmanship stunts.

(over please)
AMERICA'S DANCING DAUGHTER
greets you with songs
and happiness!

THE MOST
SENSATIONAL
MUSICAL TRIUMPH
OF OUR TIMES!

FRED ASTAIRE with JOAN

Clara Clark

in

Dancing

LADY

with 300 exotic, dancing ladies!

And a cast of brilliant personalities:
FRANCHOT TONE · MAY ROBSON
WINNIE LIGHTNER · FRED ASTAIRE
ROBT. BENCHLEY · TED HEALY

Directed by ROBERT Z. LEONARD

You go completely gay... gloriously happy... because this entertainment not only TOPS ALL MUSICAL PICTURES but what a thrilling story! Bringing together again the electrifying screen lovers JOAN CRAWFORD and CLARK GABLE. Dazzling sights to see, merry melodies to hear, magic moments of thrill and splendor to tell you that here's the heart-cheering hit of the year.

A METRO-GOLDWYN-MAYER PICTURE
“DANCING LADY”—it’s a pleasure to promote it!

EXTRA PROFITS IN EXTRA AD SPACE!

There’s happiness in every line of copy! Get the mats and let your public know that you’ve got the biggest musical of them all!

TOGETHER AGAIN in the Year’s SENSATIONAL MUSICAL HIT!

When JOAN CRAWFORD sings Love Songs.... for CLARK GABLE—

Happiness comes your way! Because the Greatest Musical Romance of all time is here! Because hit songs, and dazzling scenes, dramatic thrills and soul-throbbing romance are here! Pack up your troubles for ninety merry minutes while M-G-M’s entertainment sensation holds you spellbound!

Love Songs:
“EVERYTHING I HAVE IS YOURS”
“MY DANCING LADY” and more!

Joan CRAWFORD

Clark GABLE

DANCING LADY

with 300 dimpled Hollywood darlings

AND A BRILLIANT CAST:
FRANCHOT TONE
MAY ROBSON
WINNIE LIGHTNER
FRED ASTAIRE
ROBERT BENCHLEY
TED HEALY

Directed by ROBERT Z. LEONARD

METRO-GOLDWYN-MAYER’S PRIDE & JOY

125 lines x 3 cols.

150 lines x 2 cols.

TURN THE PAGE PLEASE!
"DANCING LADY"—Special Exploitation Section

HERE'S A COMPLETE PUBLICITY PLANT!

Which Is Acting? . . . Joan Kissing Franchot—or Joan Kissing Clark?

It got an 8-column spread on Broadway!

You can make up this attractive newspaper strip locally or get the mats from your Branch. Show it to your editor. It's sure-fire!

THE COPY UNDER EACH PANEL ABOVE:

No. 1. LOOKS LIKE BUSINESS—Maybe this is just part of Joan Crawford's art, but it looks like the real thing as she and handsome Franchot Tone go through scene in "Dancing Lady."

No. 2. "YES—OR NO?"—Franchot wants to marry Joan, but whether she'll say "Yes" is a question that may be answered by their new picture. Are those kisses real love—or just "real love?"

No. 3. WHAT ABOUT THIS?—Clark Gable is the lucky lad receiving this kiss from Joan. It's "reel" love, so if Franchot doesn't get a better one—settle that romance yourself.

No. 4. ROMANCE—OR ART?—It looks like love, with Franchot and Joan here, but maybe not. Anyway, if that isn't a real "where-have-you-been-all-my-life" look that Joan shows, it's real art.

METRO-GOLDWYN-MAYER Showmen!
Death Comes To Wilstach; Ill 2 Weeks

(Continued from page 1)

and an immediate operation was performed.

Wilstach was 68 years old. He was born at Lafayette, Ind., and educated at the University in that city. He worked on various Indiana newspapers and came to New York in the early 1900's, engaging in theatre exploitation campaigns. During his professional career he was business manager for DeWolfe Hopper, Viola Allen, Jr., his fiancé Henry Hengison and Julia Marlowe.

He was widely known among writers, actors and producers. He was the compiler of "Wilstach's Dictionary of Similes," which he compiled annually from printed works of the year, and was the author of "Wild Bill Hickox" and "The Prince of Pistoleers." He was a member of the Actors Club.

Wilstach is survived by his wife and a son, John. Funeral arrangements had not been completed up to last night.

"Kindly, sympathetic, able, his loss will be felt deeply by the many thespians who knew him both in business as well as in social life," declared Will H. Hays. "He was a man of sterling character."

Laemmle Promotes Henigson, Mastrophy

Hollywood, Nov. 28—Carl Laemmle, the producer and assistant general manager, has taken over his new duties immediately. Succeeding Henigson in his former post will be Frank Mastrophy, who has been with the company many years.

Sennett for New Slate

Hollywood, Nov. 28—With Mack Sennett holding the controlling interest in the bankrupt Sennett, Inc., it is learned here the producer will personally file voluntary bankruptcy proceedings and start with a new slate, forming a new company. By doing this he will expedite a quicker release with a major company of future product.

Seek Talent Exchange

Hollywood, Nov. 28—Fox and British Gaumont are negotiating a deal whereby the latter will loan Madeleine Carrol and Jesse Mathews for one picture each in return for Warner Baxter and another Fox player, name not announced.

Para. Changes Title

Paramount has changed the title of "Buried Alive" to "His Double Life." It was produced by Arthur Hopkins and Eddie Dowling.

Raft To Be Starred

Hollywood, Nov. 29—George Raft has been given a starring contract by Paramount.

Discuss Details of Merger in Oklahoma

OKLAHOMA CITY, Nov. 28—Details of the recent operating merger here between Cooper-Publix and Warners have been discussed between Frank Corley, head of the firm, and Pat McGee, his regional manager. An announcement is expected to be made this week. The merger is expected to be effective Dec. 1.

Although ownership of the Midwest, Liberty, Empyre, Folly and Warner will remain with Warner, the circuit, headed by Cooper, will operate under the terms of negotiations completed in New York recently.

The new operating company will be known as Edward M. Goldie, Cooper will be in active charge of the pooled houses which include the Criterion, Ritz, Circle and Victoria.

Warners Put Hankin in Philadelphia Job

PITTSBURGH, Nov. 28—Sol Hankin, who recently returned to the Pittsburg community, has been named the Warners' man serving as zone manager in Milwaukee, has been dispatched to Phila- delphia to take charge of that department there. Whether this will have any bearing on the successor of the late Leonard Goldman, who resigned as zone chief in Philadelphia a couple of weeks ago, could not be determined.

Hankin has been in charge of the Main Line district here. No successor will be appointed immediately. With a headquarters at Lafeld, another division manager, now covering Hankin's territory as well as his own.

Seatle Vaudeville Ends After 4 Weeks

SEATTLE, Nov. 28—Pantages vaudeville, introduced at Jensen Von-Henyberg's Roxy four weeks ago, will be discontinued, and the house will revert to straight feature work. More than $1,000 a week in payroll to actors, musicians and stage employees added to the house over head that has not been deducted. The residue is to be turned over to the box-office, and consequently Manager Leroy Johnson has ordered the cancellation.

Carl Subs for Baily

Hollywood, Nov. 28—Teet Carl has been assigned to substitute for Tom Baily as publicity director at the Warners' studio, filling the former's absence on a four-week personal tour with Charlotte Henry in connection with the release of "Alisa Wonderland."

Switch Ontario Men

Fort William, Ont., Nov. 28—With the return of Mike Goodman, popular with Canadian audiences, to Charles Dilley of the Capitol at Trail, B. C., he has been appointed manager of the studio of the William by Famous Players Canadian Corp.

20th Gets Beery Again

Hollywood, Nov. 28—Again 20th Century has borrowed Wallace Beery from MGM, this time for "The Great Barnum," which goes into production within six weeks.

Lab Now a Brewery

Hollywood, Nov. 28—Vats that once were used in developing and processing colored film at the Multicolor Laboratories are now being converted into beer vats where only two-colored brew will flow through, daring an attempt. The vats, owned by Howard Hughes has been taken over by Herman Koch, who plans to produce $500,000 barrels of beer yearly. It will be the first brewery ever established in Hollywood.

German Exhibitors Win Fight on Duals

WASHINGTON, Nov. 28—Double features recently banned in Germany, for a six-weeks' observation by the Trade Commissioner George R. Caudy to the M. P. Section of the Bureau of Foreign and Domestic Commerce, has been taken by the government. It is said to be the result of a storm of protests from theatre owners. The government will not inspect their investments under a single-feature policy. The German Film Chamber has decreed that hereafter prints may be unlimited as to footage. In addition to a feature of any length, German exhibitors may now show programs of as many second feature of not more than 1,100 meters (approximately 5,000 feet).

Shapiro Takes Over Majestic Production

Hollywood, Nov. 28—Confirming exclusive reports in Motion Picture Daily today, William D. Shapiro is taking over full production charge at Majestic, Phil Goldstone left today for Santa Barbara clinic and then plans to go to Europe. Upon Goldstone's return, he plans to continue his other special projects for Majestic. Five of the current programs are ready for release and future plans are expected to be announced this week-end.

Fox-N. E. Receiver Fees Are Approved

Bridgeport, Nov. 28—Payment of $95,003 for fees and disbursements in connection with legal services in connection with Fox- New England Theatres Corp. is an order that was approved yesterday by Federal Judge Edwin S. Thomas.

A total of $9,200 was authorized as payment for services and expenses of the three receivers, Benjamin Biens, Thomas J. Spelcha and Samuel Spring.

Para. Signs Timberg

Hollywood, Nov. 28— Herman Timberg has joined the Paramount writing staff, an important first assignment which is to furnish additional background for "Six of a Kind."

Trinidad House Closed

DENVER, Nov. 28—Fox West Coast has made another town exclusively for filmings during the opposition house at Trinidad and closing it.

ITOA Is Sued By Operators For A Million

Suit was filed yesterday by Samuel H. Birnbaum, attorney for Local 306, against the I.T.O.A., seeking $1,000,00 in damages, $250,000 of which is claimed as actual damages and $750,000 exemplary damages. According to the complaint, the I.T.O.A. conspiracy exists to drive it out of business.

Local 306 says it is seeking an order to restore projectionists discharged in 11 member theatres of the I.T.O.A. and also asks residue salaries of $150,000. The operators were discharged Aug. 23 last. The operators' union also asks for an order to dissolve the I.T.O.A. as an illegal and unlawful combination in restraint of trade, it states.

Birnbaum, in his complaint, alleges that I.T.O.A. members whom they are, have been violating the President's agreement by working projectionists over the time schedule set down under the NRA. Recently the NRA ordered local houses to operate 49 hours, not 51 members as well as 84 theatre operating companies are, according to the suit.

The local is also seeking an order to enjoin and restrict I. T. O. A. members from excluding Local 306 operators from such other union help from the theatre; also to remove pickets now parading Local 306 houses.

Denver, for the last 10 days there has been considerable stench bombing in Broadway theatres.

The action is scheduled to be heard Monday.

Attempts to reach Milton C. Weissman, attorney, and Harry Brandt, president of the I.T.O.A., for a statement were unavailing last night.

Detroit Independents Name Komer as Head

(Continued from page 1)

the government Toe 12AM, meetings will be held bi-monthly. Other officers will be elected at the next meeting.

An office will be opened in the Film Exchange building. It marks the first organized opposition to Allied here in several years.

Rowland-Brice Plan Four with Shubert

(Continued from page 1)

but will probably be re-titled prior to release. "Name" casts for all four pictures will be selected, Rowland stated.

The fifth Rowland and Brice production for another distributing company may be made at Eastern Service Studio of the current season schedule, it was said.

M-G-M Signs Bennett

Hollywood, Nov. 28—Constance Bennett has signed a deal with M.G.M., but it hinges upon approval of a story idea with a Chinese locale and with Bernard Hyman producing.
IN TEN DAYS!...
QUARTER OF A

Eye-staggering figures at Radio City Music Hall as "Little Women" crashes all show-world records and carries on into a third week for the first time in the theatre's history!

...AND WHEREVER A HUMAN HEART BEATS... THE ANSWER IS THE SAME!

BY DIRECT WIRE FROM
WESTERN UNION

SALEM, VA.
TOWN OF 5,000

FOR THE THIRD TIME IN MY TWENTY YEARS IN THE BUSINESS I FEEL IT MY DUTY TO DO A RAVE OVER A PICTURE STOP LITTLE WOMEN OPENED IN THE SALEM THEATRE SALEM VIRGINIA A TOWN OF FIVE THOUSAND THEATRE SEVEN HUNDRED SEATS. AS A TEST SHOWING LAST SATURDAY STOP THE PICTURE HAS PLAYED TO THREE TIMES AS MANY PEOPLE IN THREE DAYS AS ANY FULL WEEK SINCE THE HOUSE OPENED FOUR YEARS AGO AUTOMOBILES TRUCKS AND BUSES ARE BRINGING THEM IN FROM A RADIOUS OF THIRTY MILES STOP HAVE ARRANGED TO HOLD THE PICTURE OVER FOR ANOTHER WEEK AND BUILDING GROSSES INDICATE A THIRD WEEK POSSIBLE A FOURTH LITTLE WOMEN WILL DO THE BUSINESS MORE GOOD THAN ANYTHING PRODUCED SINCE ITS INCEPTION STOP GRATEFULLY=

BERNARD DEPINK JR VIRGINIA THEATRE MANAGEMENT CORP

OPENING THIS WEEK IN OVER 200 KEY CITIES... RKO
MORE THAN A MILLION PEOPLE!

JULES LEVY=

RKO RADIO PICTURES CORP RKO BLDG NYK=

THOUGHT YOU WOULD BE GLAD TO KNOW THAT LITTLE WOMEN

SET NEW RECORD FOR MEMPHIS TODAY PLAYING TO SIX THOUSAND

FIVE HUNDRED FIFTY THREE ADMISSIONS ON THE MATINEE ALONE

STOP AN UNBROKEN LINE OF ONE BLOCK LONG MARCHED

CONTINUOUSLY TO THE BOX OFFICE FROM ELEVEN AM TILL FIVE

IN THE AFTERNOON STOP NIGHT BUSINESS WAS AFFECTED BY

AN NRA PARADE THAT LASTED OVER FIVE HOURS HOWEVER

BUSINESS WAS FAR ABOVE AVERAGE STOP PUBLIC AND PRESS IN

MEMPHIS ACCLAIM LITTLE WOMEN THE FINEST PICTURE THE SCREEN

HAS EVER OFFERED MAY I EXTEND MY CONGRATULATIONS TO RKO

RADIO PICTURES FOR THIS TRULY FINE PRODUCTION AND BOX

OFFICE ATTRACTION REGARDS=

ROY PIERCE ORPHEUM THEATRE.

YESTERDAY I PREVIEWED LITTLE WOMEN WITH A GROUP OF PEOPLE AND IT WAS

MY INTENTION TO WIRE YOU IMMEDIATELY HOWEVER I WAS SO COMPLETELY

WIN ALL THE NINETEEN TINY THREE AWARDs.

MY WIFE AND SEVERAL OTHER LADIES HAD INTENDED TO GO TO ANOTHER SHOW AFTERWARD AND THE

GREAT COMPULMENT THEY COULD PAY THIS PICTURE WAS TO SAY IT

WORld SACRED TO SEE ANY OTHER PICTURE DURING THE SAME DAY

THEY HAD SEEN LITTLE WOMEN THEREFORE THEY WENT HOME TO PONDER

LITTLE WOMEN. I CAN NOW SEE WHY I RECEIVED FROM YOU THE MOST GOR-

OUS PRESS BOOK AND PRESS ACCESSORIES EVER CREATED FOR A PICTURE.

I RAISE MY HAT TO RKO FOR PRODUC-

ING LITTLE WOMEN AND SAY I AM VERY

PROUD TO BE THE POSSESSOR OF THIS

PICTURE IN SEATTLE PORTLAND AND TA-

COMA. KINDST REGARDS.

JOHN HAMRICK.

KATHARINE

HEPBURN

in

"LITTLE

WOMEN"

BY LOUISA MAY ALCOTT with

JOAN BENNETT . PAUL LUKAS

FRANCES DEE . JEAN PARKER

EDNA MAY OLIVER . Douglass

Montgomery . Henry Stephenson

DIRECTED BY GEORGE CUKOR

BNA 9 101 NL

D BALTIMORE MD NOV 24 1933

JULES LEVY=

RADIO PICTURES CORPORATION RADIO CITY NYC=

DEAR JULES LITTLE WOMEN IS SMASHING ALL HOUSE RECORDS HERE INTO

SPLITTERS STOP AND EVEN THAT DOES NOT DO THE PICTURE JUSTICE

FOR THE CROWDS THAT ARE UNABLE TO GET IN FAR EXCEED THOSE THAT CAN

STCP AS YOU KNOW I HAVE PLAYED THE VERY BIGGEST ATTRACTIONS YET

LITTLE WOMEN'S FIRST DAY BUSINESS EXCEEDS OUR HOUSE RECORD BY

TWO HUNDRED DOLLARS STOP CROWDS LINED TO THE CORNER AND A HALF

BLOCK UP BALTIMORE STREET STOP COMMENTS ON PICTURE BY FAR THE

GREATEST I HAVE EVER HEARD IN ALL MY YEARS IN THIS BUSINESS STOP

WORDS FAIL ME IN DESCRIBING IT CONGRATULATIONS=

IS RAPPAPORT...

RADIO'S THANKSGIVING GIFT TO ALL THE WORLD!
**“Hoopla” Is Big in Detroit With $24,100**

Hollywood, Nov. 28.—One of those Hollywood girl plastic surgeons, who spend their days plucking faces of male actors, is complaining to her best friend that she has never had a man's face lifted to hers.

**SEATTLE GROSSES**

**Drop Off Sharply**

Seattle, Nov. 28.—Another week of mediocre business has just ended, with honors, in the case of "Meet the Baron," "Bombshell," and the third week of "Footlight Parade." The Jack Pearl opus gave the Paramount theatre about a $5,500 week, against a $6,000 average. The Harrow-Tracy picture shown at the Fifth Avenue Theatre, under the title of "The Blonde Bombshell," was good for about $5,500 against a normal $7,000. "Footlight Parade" took $3,500, equal to the ordinary first week average.

Two other houses showed sub-normal receipts. Much emphasis is being placed on Thanksgiving coming around.

Total first run business was $35,750. Average is $42,000. Estimated takings for the week ending Nov. 25.

**“THE KENNEL MURDER CASE” (Warner's)**


**“BOMBSHELL” (M-G-M)**

FIFTH AVENUE—2,450, 25c-35c-44c, 7 days. Gross: $6,300. Average: $900. (Average: $150.)

**“AVANCHE” (S. R.)**

LIBERTY—1,000, 15c-25c, 7 days. Gross: $275. Average: $40. (Average: $10.)

**“THE WORST WOMAN IN PARIS”**

METROPOLITAN—1,100, 25c-35c-44c, 7 days. Gross: $2,300. Average: $330. (Average: $47.)

**“LIGHT PARADE” (M-G-M)**

MUSIC BOX—450, 25c-35c-44c, 7 days. Gross: $1,100. Average: $150. (Average: $21.)

**“HEADLINE SHOOTER” (Radio)**

Covington—1,250, 25c-35c-44c, 7 days. Vaudville headed by June Purcell. Gross: $3,370. Average: $480. (Average: $60.)

**“MEET THE BARON” (M-G-M)**

PARAMOUNT—1,050, 25c-35c-44c, 7 days. Gross: $5,500. Average: $780. (Average: $107.)

**“MY WOMAN” (Col.)**


**Stage Dances Big Draws**

CINCINNATI, Nov. 28.—The Liberty Comportory, Ky., across the river from here, is doing a turn-around business with Saturday night barn dances on from stage from 10:30 to 11:15. These are attracting both the rural and urban natives from the surrounding territory.

Stage is literally plugged over WCKY, Covington radio station, owned by L. B. Wilson, who also operates the Liberty.

**Pennsylvania Gets Six New Companies**

HARRISBURG, Nov. 28.—New incorporations of theatre companies here.


**“The KENNEL MURDER CASE”**

WARNERS’ LAKES—3,000, 25c-35c-44c, 7 days. Gross: $3,000. Average: $430. (Average: $60.)

**“THE RIGHT TO ROMANCE” (Radio)**


**“PRIVATE LIFE OF HENRY VIII”**

STATE—4,000, 30c-35c-44c, 6 days. Gross: $1,400. Average: $233. (Average: $38.)

**“TAKE A CHANCE” (Para.)**

DAY OF RECKONING” (M-G-M)

STATE—4,000, 30c-35c-44c, 7 days. Gross: $1,400. Average: $233. (Average: $38.)

**“Duck Soup”**

In Pittsburgh, hits $14,500

Pittsburgh, Nov. 28.—In general did an about-face last week, with business shooting to a new fall high that was well enough to give the town hitting well above average. It was the first encouraging sign since early September.

"Duck Soup" at the Penn was the big leader, getting around $14,500, which is $2,500 above par. "The Private Life of Henry VIII" was cut out at the RKO Palace to take up to $20,000 in its first week.

"Christopher Bean" was a $11,000 draw at the State, and "The Private Life of Henry VIII" was fairly even with $3,500 with the $3,500.

Total business was $46,000. Average is $9,350. Estimated takings for the week ending Nov. 25.

**“PRIVATE LIFE OF HENRY VIII” (U. A.)**

ALLEN—(3,300), 25c-35c-44c, 3 week. Days: Gross: $3,300. Average: $1,100. (Average: $360.)

**“WIND OF WONG KUN” (F. N.)**

HIPPODROME—(3,000), 30c-35c-44c, 4 days. Gross: $2,400. Average: $600. (Average: $150.)

**“THE KENNEL MURDER CASE”**

WARNERS’ LAKES—3,000, 25c-35c-44c, 7 days. Gross: $3,000. Average: $430. (Average: $60.)

**“THE RIGHT TO ROMANCE” (Radio)**


**“PRIVATE LIFE OF HENRY VIII”**

STATE—4,000, 30c-35c-44c, 6 days. Gross: $1,400. Average: $233. (Average: $38.)

**“TAKE A CHANCE” (Para.)**

DAY OF RECKONING” (M-G-M)

STATE—4,000, 30c-35c-44c, 7 days. Gross: $1,400. Average: $233. (Average: $38.)

**Three New Concerns Formed in Delaware**

DOVER, Del., Nov. 28.—Columbia Films, Ltd., Cinarograph Corp., and Midas Camera-Projectors Corp. have been chartered in the State Department.

Columbia Films filed to deal in films, listing capital of $15,000. The incorporators are Jack M. Nitzberg, Leonard Kaufman and Leonard S. Picker of New York City.

Cinarograph Corp. filed to deal in pictures, listing capital of 200 shares, no par value. The incorporators are Bernard L. Miller, Irving Bushfield and Marian R. Shapiro of Brooklyn, N. Y.

Midas Camera-Projectors filed to deal in cameras of all kinds, listing capital of 200 shares, no par value. The incorporators are J. T. Brennan, Frederic E. Bell and F. F. Kane of New York.

**New Florida Censor Named by Governor**

TALLAHASSEE, Nov. 28.—Gov. Sholtz has appointed Miss Eugenia N. Taitley of Miami to succeed her mother.

Mrs. Henry Tailey, who died recently, was a Florida honors Protectress.

This board is composed of three members, who are appointed by the Governor, or paid, the State, and there is little, if anything, for the board to do, as, according to the so-called censorship law, all films which have been passed by the National Board of Review, or the New York state board, are permitted to be shown at the State without review by the state board.
COMPLETED CODE LITTLE CHANGED FROM 3rd DRAFT

U,” Chicago News Deal on Reel Ending

CHICAGO, NOV. 30.—The newsreel deal between Universal and the Chicago Daily News is understood to be in its way out. While the big local daily will no longer manufacture the reel, it is further understood the decision to call it a day that provides the same tie-up between newspaper and distributor is to hold for the next few months.

Indicating termination of the arrangement is suspension of laboratory work in the plant set up by the News 9th and Wabash, out of which prints for the Middle and Far West have been handled.

Cessation of the laboratory activity (Continued on page 35)

P-P Reorganization Plan Seen Speeded

Recent improvements in Paramount’s studio operating results of proportions “more favorable than generally anticipated,” are believed by the company’s stockholders’ protective committee to make reorganization of the company imminent.

The committee, headed by Duncan A. Holmes of New York and Barney Balaban of Balaban & Katz, Chicago, is seeking deposits of “a substantial majority” of the 3,500,121 shares outstanding in order to obtain “proper recognition” for stockholders at the reorganization plan. The committee reports that it now has on deposit more than 900,000 shares, representing more than 7,000 stockholders.

Sagal Confers Here On Poli-N. E. Deal

Louis M. Sagal, operating head of the Poli theatres in New England, was in town Wednesday conferring with bankers on the transfer of the interests to Poli-New England Corp. The 18 theatres were to have passed to control of S. Z. Poli and Sagal on Wednesday, but the attorneys working on the deal have held it up again. Sagal is back in New Haven today.

Code Data in Full

Official and complete text of the industry code appears today on pages 6, 15, 16, 17, 18, 30, 32 and 34. Chronology of the code, as reported in Motion Picture Daily from May 4 to the present day, appears on pages 19, 22, 23 and 27.

All Fractions Given Places On Code Body

Industry factions and allied interests identified with activities in connection with the drafting of the code received with tranquility the official announcement of the code authority membership made by Administrator Hugh S. Johnson at Atlanta and published in Wednesday’s Motion Picture Daily. Virtually all dissatisfaction with the Administration’s choice for membership on the board was voiced in any quarter.

Even labor, which was given no immediate representation on the code authority, accepted the announcement of the appointees with equanimity. While withholding comment on the appointments, leaders of organized labor (Continued on page 35)

Changes So Minor Signatures Already Affixed Will Stand

Washington, Nov. 30.—Companies, individuals and trade associations which have signed the third code draft will not be required to sign anew the final code promulgated by executive order, it was stated here today.

Changes made in the third draft were described as being of “too minor” a character to affect compliance with the draft already signed. The sole changes of any significance are carried in the executive order, compliance with which was conceded by the early signatories.

All major companies with the exception of United Artists have signed the code, as has the M. P. P. D. A. as a trade organization. The L. A. T. S. E. and a number of its locals, a number of M. P. T. O. A. units and regional exhibitor organizations have also signed.

Salary and Penalty Clauses Suspended for Study, but May Be Put into Effect by Administrator

WASHINGTON, Nov. 30.—Accompanied by President Roosevelt’s executive order suspending, but not removing from the code, the $10,000 penalty for payment of excessive salaries and the clause restricting talent “raids,” the industry’s NRA code emerges after weeks of stalemate unchanged in any essentials from the form in which it went to Deputy NRA Administrator Sol A. Rosenblatt on Oct. 4 as the third NRA draft.

Suspension of application of Article 5 clauses, by Presidential order, is made to afford Administrator Hugh S. Johnson an interim, believed to be 90 days, in which to investigate further the advisability of either permanent or temporary suspending or altering the provisions of the article, or deciding on placing them in effect as they now stand.

Other powers over the code authority are granted the Administrator in the executive order, and embrace his right to review and disapprove, if necessary, any acts of the code authority and to replace its members or make additions to its personnel. This specific control by the Administrator over code authority membership is regarded as the sum total of rights obtained by independent factions that opposed the third draft from the moment of its completion up to the day of its signing by the President. It is, in effect, the Administration’s assurance to independents of a “square deal” under the code. Also, it trims the powers of the code authority and transfers from it to the Administrator the title of (Continued on page 34)

Ohio Women Protest Over Block Booking

COLUMBUS, Nov. 30.—The board of managers of the Ohio Congress of Parents and Teachers, meeting at the Deshler-Wallich, has voted to write President Roosevelt protesting against blind and block booking.

Mrs. H. F. Strater, Toledo, state motion picture chairman, says her committee will, with the sanction of the board, continue to advocate no pictures for children on school nights, no children admitted to theatres unless accompanied by adults, and no sanctioning of any pictures without proper censorship.
Wilstach Services To Be Held Today

Funeral services for Frank Wilstach, M. P. D. D. A. aide, who died here Tuesday, will be strictly private in accordance with the wishes of the family of the deceased. Intermment will occur this afternoon at the W. J. Dargenoul church, 954 Amsterdam Ave.

Wilstach died at Manhattan General Hospital following an operation for an abscessed liver, which developed concurrently with an attack of pneumonia. He was recently and had been advertising and publicity contact for the M. P. D. D. A. for the past eight years.

Charles Stern Feted

Charles Stern, who has just switched his U. A. headquarters from Boston to New York, was tendered a farewell dinner in the Beantown Tuesday night. Attending the affair at the Copley Plaza were 300, among them: Al Lichtman, Hal Horne, Moe Steiner and Edward Muhlins of New York. All but Stern came back Wednesday. He moves his family into town today.

Smith Leaves Next Week

Howard Smith, story editor for 20th Century, leaves for the coast next week after seeing and purchasing a number of plays in New York. Smith says there is a great dearth of "great" stories. He has been focusing his attention on starring material, stories and plays pivoting around one particular character.

Ampa Fetes Six

Monte Brice, William Rowland, Laurence Schwab, Lenore Ulric, Gregory Ratoff and Ham Fischer were guests at the A. M. P. A. on Wednesday, Vivian Moses delivering an oration on the passing of Fred Wilstach as the members paid their respects by bowing in reverence for one minute.

Unger, Kussel Return

J. J. Unger and Milt Kussel returned yesterday evening from Washington and Philadelphia where they met the Paramount exchange managers.

Loew’s Up One and a Half

Busy Three Ways

Gregory Ratoff’s visit to New York finds him in a peculiar spot. Under contract to Radio, he has been loaned to Columbia to make one picture and today opens at Loew’s State for his third appearance. All three companies have him on the go lining up interviews and stories and he finds it difficult at times to accommodate all three at once. He leaves for Hollywood in 10 days.

Schwab to Produce Play in Hollywood

Paramount has decided to produce "She Loves Me Not" in Hollywood, with Laurence Schwab, who produced the play, supervising production. Bing Crosby will have the leading role. Schwab leaves for Florida tomorrow to adapt the play for the screen.

Loew’s, Vogels Due in Sydney December 4

SYDNEY, Nov. 30.—Arthur Loew and Joe Vogel arrive on the Mariposa Dec. 4 on the first lap of a world tour by air. Mrs. Loew and Mrs. Vogel also are taking the trip.

Cohen Spikes West Rumor

HOLLYWOOD, Nov. 30.—Again spiking reports Mae West will leave the company, Edward Cohen states that following "It Ain’t No Sin" which will be completed by the end of February, the star will stage another one entitled "Come Up and See Me Sometimes," which goes into work April 1 at the Paramount studios.

Approve “Man’s Castle”

Approval of "A Man’s Castle" has been made by the New York Censor Board with the understanding that the renovation minister who performs a fake marriage be changed so that he is a born fide clergyman.

Yates, Goetz Return

Herbert J. Yates and Benjamin Goetz have returned from a trip to the coast.

Trans Lux Off One-eighth on Curb

Para. Publix Bonds Off One
NEWS OF WEEK IN PHOTO-REVUE

FIRST FLASH of typical Buz Berkeley spectacle scene in 'Fashion Plate,' Warner's surprise girl-and-gown show starring William Powell.

TO THE PRESIDENT goes 200,000th copy of 'Anthony Adverse,' country's top-selling story, autographed by author Hervey Allen. Early production is scheduled by Warners.

TALENTED TUNESMITHS. Al Dubin and Harry Warren, famed composers of Warner musicals, complete five new melodies for coming 'Wonder Bar.'

2 THANKSGIVING TREATS for Broadway are Joe E. Brown's 'Son of a Sailor' at Strand and Kay Francis' 'House on 56th Street' at Hollywood.

420 RETURN DATES already set for 'Disraeli' re-release, with Dayton's Keyes, Providence's Fay, Cincy's Libson prominent on long list of full-week bookings.*

'SHOULD BE MONEY MAGNET at all houses—laughter from start to finish!' says enthused Variety Daily review of 'Convention City,' 10-comic special directed by Archie Mayo.*

* A Warner Bros. Picture
* A First National Picture
* A Vitaphone, Inc., Distributors
THE NEXT DANCE IS YOURS...

NASHVILLE's hot... Houston's stepping! ATLANTA's in a whirl... WASHINGTON's dizzy... RICHMOND and NORFOLK are on their ears... PROVIDENCE's palpitating! COLUMBUS, LOUISVILLE, INDIANAPOLIS are shaking their hips... CHICAGO's nuts... DENVER and ST. LOUIS are in a lather...

—and here's the happy reason! She's dancing with joy in your heart!

JOAN CRAWFORD, CLARK GABLE

with FRANCHOT TONE, MAY ROBSON, WINNIE LIGHTNER, FRED ASTAIRE, ROBT. BENCHLEY, TED HEALY and his STOOGES—ROBT. Z. LEONARD, Director

Screen play by Allen Rivkin and P. J. Wolfson, from the book by James Warner Bellah, DAVID O. SELZNICK—Executive Producer, John W. Considine, Jr.—Associate Producer
OURS!

in "THE DANCING LADY"
A METRO-GOLDWYN-MAYER SMASH!
The President

He signed it

ARTICLE III
General Provisions

Section 1.—(a) Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers, or their agents, in the designation of such representatives or in self-organization or in any other concerted activity for the purpose of collective bargaining or other mutual aid or protection.

(b) Any employee and no one seeking employment shall be required as a condition of admission or continued employment, or as a condition of reinstatement from, joining, organizing, or assisting a labor organization of his own choosing;

(c) Employers shall comply with the maximum hours of labor, minimum rates of pay, and all other terms of employment, approved or prescribed by the President.

Section 2.—This Code is not designed to apply to the employment of the employees of small enterprises, nor to employers of small enterprises, and shall not be applied to discriminate against them nor to any enterprise which has not met any of the requirements established as prerequisites to the enforcement or administration of this Code.

ARTICLE IV
Labor Provisions

Section 1.—HOURS OF EMPLOYMENT.

(a) The President may prescribe additional rules governing the conduct of Producers, Distributors, Exhibitors, and all other persons engaged in the code, and any such rules shall be deemed proper, shall constitute rules of fair practice for the industry, and any violation thereof shall constitute a violation of this Code.

(b) The President may, from time to time, appoint Committees which may include, in their membership, the membership of any Producer, Distributor, or Exhibitor of any of the Code, and any such Committees shall be deemed to be a part of the Code, and any violation thereof shall constitute a violation of this Code.

(c) The Code Authority shall, from time to time, appoint Committees which may include, in their membership, the members of any Producer, Distributor, or Exhibitor of any of the Code, and any such Committees shall be deemed to be a part of the Code, and any violation thereof shall constitute a violation of this Code.

(d) Any person who shall fail to comply with any order of the Code Authority, or shall otherwise fail to conform to the requirements of this Code, shall be deemed to be a violation of the Code Authority, and any violation thereof shall constitute a violation of this Code.

(Continued on page 15)
The World’s Greatest STORY!

LEWIS CARROLL’S

“ALICE IN WONDERLAND”

Directed by Norman McLeod
OF 'ALICE IN WONDERLAND'!

with the world's greatest CAST!

CHARLOTTE HENRY as "Alice" and Richard Arlen • Rosco Ates • Gary Cooper • Leon Errol • Louise Fazenda • W. C. Fields • Skeets Gallagher • Cary Grant • Raymond Hatton Edward Everett Horton • Roscoe Karns • Baby LeRoy • Mae Marsh • Polly Moran • Jack Oakie Edna May Oliver • May Robson • Charlie Ruggles Alison Skipworth • Ned Sparks and Ford Sterling

A PARAMOUNT PICTURE
150,000,000 PEOPLE HAVE READ ABOUT PARAMOUNT'S "ALICE"

1925 United States, 60 English and 33 Canadian newspapers have carried not one but many stories on Paramount's "Alice in Wonderland". It is estimated that 150,000,000 people have been reached by these stories. The Chicago Tribune alone, with a circulation of 860,000, carried a full page story in color on "Alice" in its issue of Nov. 5th.

All the leading news services—Associated Press, United Press, ANA, Consolidated Press and other wire services have carried many stories on "Alice" all over the world. Nation's leading radio stations are going "Alice". One program alone covered both networks of NBC in nation-wide broadcast. Play "Alice" at Christmas and cash in on this publicity while it is still hot.
STUDIO SNOWED UNDER BY ENORMOUS FAN MAIL ON "ALICE"

The public interest in "Alice", created by great publicity campaign on this picture, is now at its peak. Over 25,000 personal expressions of opinion have been received by the studio as a result of the articles that have run in newspapers in regard to "Alice".

48 Little Theatre groups have wired or written to recommend their favorite "Alice." 50 leading citizens of this country have expressed their own personal opinions concerning "Alice".

6,800 applications were received from girls and young women in the United States, England and Canada who wished to play the role of "Alice". 650 of these were personally interviewed. Play "Alice" at Christmas and tie in with this interest.
25 MANUFACTURERS TIE UP WITH PARAMOUNT'S "ALICE"

The enormous public interest in Paramount's "Alice" has prompted twenty-five nationally known manufacturers to put out lines of "Alice" merchandise; dolls, toys, paper cutouts, puzzles, games, jewelry, soap, plaster and metal figures, book-ends, books, tea sets, children's dresses and "Alice" novelties of all sorts.

Nation-wide window displays featuring this merchandise will appear during the Christmas season. Exhibitors playing "Alice" at Christmas will have every opportunity to tie in with these merchandising displays.
An “Alice in Wonderland” Christmas! This is the decision of the nation’s leading department stores this year. R. H. Macy & Company, New York, have already prepared a number of windows on “Alice” and will feature “Alice” in all their advertising. The May Co. of Los Angeles and Mandel Brothers of Chicago are among other department stores featuring “Alice” in their windows.

Leading Fifth Avenue jewelers have created elaborate windows on “Alice” for the Christmas season. It is expected that over 400 department stores will make special “Alice in Wonderland” displays at Christmas. Play “Alice” at Christmas and tie in with this great exploitation opportunity.
Play "ALICE" at Christmas.

and PLAY SANTA CLAUS TO YOURSELF!

if it's a PARAMOUNT PICTURE it's the best show in town!
All Departments of Labor Named

Hugh S. Johnson

He approved it

The following scale of minimum wages shall prevail on all locations except that a minimum of 90 cents an hour shall be paid on all locations where the employment is not for over half a day, provided the following wage scale may be used if the work is done

Section 2—MINIMUM WAGES.

(a)—No employee of any class shall be paid less than the following rates of compensation per hour or for any fraction of a day:

(b)—The following clerical, office and professional employees shall be paid not less than thirty (30) cents per hour:

(c)—No employee of the following classes shall be paid less than the rates specified for each class:

(d)—No employee of the following classes shall be paid less than the rates specified for each class:

(e)—With respect to the following classifications there may be substituted in lieu of the above rates, the following minimum rates of compensation per hour or for any fraction of a day:

(f)—With respect to any "stand-by" or "key men", not more than one man of any of the above classifications shall be assigned to any one working unit.

G—With respect to all employees not specified in paragraphs (e) and (f) of this Section, the foregoing scale of minimum wages shall prevail on all locations except that an employee shall be paid not less than 30 cents per hour: No such employee shall be permitted to work in another studio or in the capacities specified in any other studio during the period for which such employment is given.

The Code Authority for the purpose of this Code shall undertake and provide for rules and regulations to be adopted by all cast-

(g)—"Extra players" shall be those who by reason of their special ability to play group work and individual player's parts, and to other acting, to appear in a motion picture in other than background or crowd work.

(h)—Atmosphere people who are not to be classified as extras or on motion pictures; or (2) regular player, and to other acting, to appear in a motion picture in other than background or crowd work.

(i)—Crowd players shall be provided for with respect to hours worked in the following classifications:

(Continued on page 16)
MOTION PICTURE DAILY

Vaudevillians, Chorines Protected

Sol A. Rosenblatt

We he wrote it

PART 2.—Actor employees in vaudeville and presentation motion picture theaters.

Section 1.—Definitions. Presentation and vaudeville shall include both such traveling companies of artists playing presentation and vaudeville shows, weeks, and events. It shall include: amateur shows, "rep" shows, "try-out" shows, "break-in" shows, "truth" shows, "medley" shows, "show- and-tell," "collaboration" shows and any performances which have been approved by the board or by any bona fide organization of the performers concerned.

(3)—Chorus. It shall be an unfair trade practice for any Exhibitor or indepen- dent contractor, under the guise of a public audience, to require any actor or chorine attending the chorus to render services for less than the minimum wages established by this Code. This shall not prohibit, however, the payment of wages to students or partici- pants in benefit performances which have been approved of by such actors, and any organization of the chorus' own choos-

Section 4.—Maximum hours and minimum wages. (a) Principal. Rehearsal period for any individual actor or chorus member of more than four weeks duration, and they shall be guaranteed two con- secutive weeks' wages for employment for said four weeks of rehearsal, which shall immediately follow the re- lease or return to active service of the actor or chorus member after his consecutive week's playing time guaran- teed by this Code. This section shall not apply, however, to principals, owning groups, or independent contractors.

(b) Chorus. No Exhibitor or independent contractor shall employ any actor of only one week any chorus person to work more than ten hours on any one day, nor for an engagement of two or more weeks, any chorus person to work more than twenty hours on any one day. Any such engagement shall follow im- mediately such respective rehearsal periods. This Code shall not apply, however, to chorus persons who can- not hear for more than forty (40) hours a week and whose services are considered to be continuous from the time the chorus is engaged and until the time of the opening day. For each additional week of engagement and compensation for an additional week's consecutive em- ployment, additional wages shall be paid for such additional weeks of engagement.

Section 5.—Motion picture motion picture theaters. (a) Principal. Rehearsal period for any individual actor or chorus member of more than four weeks duration, and they shall be guaranteed two con- secutive weeks' wages for employment for said four weeks of rehearsal, which shall immediately follow the re- lease or return to active service of the actor or chorus member after his consecutive week's playing time guaran- teed by this Code. This section shall not apply, however, to principals, owning groups, or independent contractors.

(b) Chorus. No Exhibitor or independent contractor shall employ any actor of only one week any chorus person to work more than ten hours on any one day, nor for an engagement of two or more weeks, any chorus person to work more than twenty hours on any one day. Any such engagement shall follow im- mediately such respective rehearsal periods. This Code shall not apply, however, to chorus persons who can- not hear for more than forty (40) hours a week and whose services are considered to be continuous from the time the chorus is engaged and until the time of the opening day. For each additional week of engagement and compensation for an additional week's consecutive em- ployment, additional wages shall be paid for such additional weeks of engagement.
Section 9—CHILD LABOR.

(a) On or after the effective date of this Code, no person under sixteen (16) years of age, shall have the capacity either to become an employee of any em-
ployer or to be employed by any employer in a motion picture industry, or to engage 
in any manner in the making, writing, preparing, producing, or exhibiting any film, 
story, or other literary or artistic work for the motion picture industry. No person
under sixteen (16) years of age, shall be employed in any motion picture industry
work or other work in connection therewith.

(b) No person under the age of eighteen (18) years, shall be employed in any
work or other work in connection therewith, where the average time worked in
any one week is forty (40) hours or more. No person under the age of seventeen
(17) years, shall be employed in any work or other work in connection therewith,
where the average time worked in any one week is thirty-five (35) hours or more.

Section 10. The Code Authority may require any exhibitor or independent
employer, or any independent employer, to deposit five (5) thousand dollars
with the Code Authority, in the event that any such exhibitor or independent
employer, or any independent employer, violates any of the provisions of this
Code.

(c) Should any exhibitor or independent
employer, or any independent employer, fail to comply with any such depos-
t, it shall become a matter of a fifty (50) thousand dollars, payable by the exhib-
itor or independent employer, or any independent employer, to the Code
Authority, and in the event of failure to pay any such deposit or to comply
with any such provisions, it shall be deemed a violation of this Code.

Section 11. The Code Authority may make
such investigations as it shall deem necessary, of any exhibitor or independent
employer, or any independent employer, in connection with any violation of any
provision of this Code, and shall be entitled to make such reports of such
investigations as the Code Authority shall deem appropriate.

Section 12. The Code Authority shall make
suitable rules and regulations for the protection of employees, and for the pro-
tection of the public, in connection with the making, writing, preparing, pro-
ducing, or exhibiting any film, story, or other literary or artistic work for the
motion picture industry, and in the enforcement of any such rules and regu-
lations, the Code Authority shall have the power to issue and to serve sub-
poena, and to compel the attendance of witnesses, and to require such books,
accounts, or other documents, as the Code Authority shall deem necessary.

Section 13. The Code Authority may make
suitable rules and regulations for the protection of employees, and for the pro-
tection of the public, in connection with the making, writing, preparing, pro-
ducing, or exhibiting any film, story, or other literary or artistic work for the
motion picture industry, and in the enforcement of any such rules and regu-
lations, the Code Authority shall have the power to issue and to serve sub-
poena, and to compel the attendance of witnesses, and to require such books,
accounts, or other documents, as the Code Authority shall deem necessary.

Section 14. The Code Authority may make
suitable rules and regulations for the protection of employees, and for the pro-
tection of the public, in connection with the making, writing, preparing, pro-
ducing, or exhibiting any film, story, or other literary or artistic work for the
motion picture industry, and in the enforcement of any such rules and regu-
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accounts, or other documents, as the Code Authority shall deem necessary.

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motion picture industry, and in the enforcement of any such rules and regu-
lations, the Code Authority shall have the power to issue and to serve sub-
poena, and to compel the attendance of witnesses, and to require such books,
accounts, or other documents, as the Code Authority shall deem necessary.
(Continued from page 17)

(c) of the Code Authority may provide such as may be reasonably necessary to effectuate the purposes of this PACT. Appliances and other equipment, and the use of labor of such kind as may be necessary to effectuate the purposes of this PACT shall be governed by the provisions of the Code Authority, and such proceedings shall be determined by the Code Authority, and all such proceedings shall be determined by the Code Authority.

Section 5.—No Producer, Distributor or Exhibitor shall violate any of the provisions of the Code Authority, and any such violation shall be punishable by the Code Authority, and proceed to determine the same, and any such proceeding shall be determined by the Code Authority.

Section 6.—The Code Authority shall appoint, or cause to be appointed, agents or employees of the Code Authority to enforce the provisions of this PACT, and such agents or employees shall have the power to enforce the provisions of this PACT, and any such violation thereof shall be punishable by the Code Authority, and all such proceedings shall be determined by the Code Authority.

Section 7.—If any Producer, Distributor or Exhibitor shall fail to comply with the provisions of this PACT, or with the Code Authority, he may be liable for any violation thereof, and all such violations shall be determined by the Code Authority.

(Continued on page 30)

Distribution Practices Set Up

Friday, December 1, 1933
**M. P. Daily's Files Tell of Developments**

May 4.—**Motion Picture Daily** gives film industry its first indication of far-reaching significance of the industrial recovery legislation through trade association agreements planned by President Roosevelt.

May 5.—President's industrial recovery legislation plans are completed.

May 17.—Recovery legislation goes to Senate with provision for licensing of industries to replace anti-trust laws planned.

May 23.—Recovery legislation ready for submission to House.

May 31.—**Motion Picture Daily** first divulges that it is about to talk "code." Senate hearings on the new recovery legislation open in Washington and General William H. Hays, president of the Department of Commerce Building in anticipation of its passage. June 15 at M. P. P. O. A. President, arrives in New York for initial activities on drafting of code.

**They Represented Exhibitors**

**MPTO Began Work on Code Back in June**

**They Represented Exhibitors**

June 7.—**Motion Picture Daily** reports planning of draft, reveals plan for increasing employment and reopening 4,000 dark houses under code.

June 19.—**Motion Picture Daily** states standard contract will be included in industry code and exclusive runs probably banned under its provisions. Independent producer-distributors organize as Progressive M. P. Producers and Distributors of America to draw own code.

June 20.—**Motion Picture Daily** exclusively publishes first drafts of tentative distribution and exhibition codes. Coordinating committees begin work at M. P. P. D. A. Johnson declares trade practice provisions of industry codes will be secondary in importance to wage and working hours provisions, from administration's standpoint.

June 21.—Publication by **Motion Picture Daily** of first drafts of distribution, exhibition codes protected by distributor committee on grounds drafts are only "tentative" ignoring fact publication was stated the day before. Distribution-exhibition coordinating committees continue work at M. P. P. D. A. Will Hays leaves for the coast to work on production draft.

June 22.—Independent producer-distributor organization submits proposal for industry code highlighted by proposal to divorce exhibition from production and distribution.

June 23.—Independent distributors meet with M. P. P. D. A. on code basis for independents with 38 trade practices cited as "unfair."

June 25.—Allied regional meetings to ponder question whether theaters do not come under provisions of NRA.

June 26.—Distributor code sessions at M. P. P. D. A. start lengthy adjournment as annual sales meetings get underway.

June 29.—Academy of M. P. Arts & Sciences declares it will seek to have agreements on talent loans and provisions against reduction of studio employment incorporated in industry code. New York City independent exhibitors organize I. T. O. A. for code work and ask cooperation of T. O. C. Independents report more cordial toward tentative code, following meeting with national sales managers.

July 6.—Hays interviews studio heads individually on code attitudes prior to calling general producers' code meeting in Hollywood.

July 9.—M. P. T. O. A. directors gather in Chicago to make final drafts of exhibitor code.

July 10.—Joint meetings of independent and affiliated distributors meet at M. P. P. D. A. office.

July 12.—Independent distributors meeting at M. P. P. D. A. take up minimum wage, maximum working hours subjects as meeting is told major distributors are surveying exchanges and home offices in effort to determine averages in various employe classifications. M. P. T. O. A. nears final agreement on exhibition code at Chicago meeting. Laboratories organize M. P. Laboratory Associates to function with Allan Freedman as president to draw up code.

July 19.—M. P. T. O. A. directors complete final draft of their exhibitor code at Chicago calling for 36-hour work week. Independent Theatre Supply Dealers meet to draw up code at Chicago, July 28.

July 26.—**Motion Picture Daily** has exclusive publication of exhibition code drawn by M. P. T. O. A. Highlights of the draft are labor provisons calling for a 36-hour work week, except for office and supervisory staffs, firemen and watchmen, and a 30-cent per hour minimum wage.

Trade practice provisions of importance ask use of standard licensing agreement, national appeals board, arbitration, local clearance and zoning boards, cancellations of 15 per cent of contract without payment of bond, end of double featuring, score charges, exclusive runs and overbuying.

July 27.—M. P. T. O. A. code is submitted to Labor Nay June 12. Laboratories Ass'n begins drafting code.

July 28.—Laboratory code's labor provisions provide for 40-hour week. No agreement reached on minimum wage.

July 29.—A preliminary code draft of production proposals is completed by the Academy of M. P. Arts & Sciences.

July 24.—I. A. T. S. canvasses 700 locals on hours and wages for code ratification.


July 28.—Laboratory code sets $15 minimum wage for office workers and 20 cents per hour for special workers on previously proposed 40-hour week.

July 31.—Rosenblatt receives industry representatives for code conference in New York. Charles L. O'Reilly, head of T. O. C. C., one of those who conferred. Major distributors resume code work at M. P. P. D. A. as codes meets end. Federation staffs meet on eight basic points for code being drawn by independent producers. Second day of New York mass meeting, most significant of which are proposals for elimination of block booking, buying combines, brand-breaking, overcrowding, ever-increasing exchangeability of playing time and producer-distributor ownership of exhibition and independent theaters. Independent Theatre Supply dealers begin drafting code at Chicago.

(Continued on page 22)
We move on, in a changing world, to a new understanding of human rights and human helpfulness.

Aloft the Blue Eagle soars, symbol of a common determination by a people that none shall hunger in a land of plenty and, that as Man's genius frees Man from soul-crushing toil, so shall Man forever free himself from the slavery of his own creations... that by distribution of wealth we increase wealth, as grains planted in fertile soil bring forth their harvest.

By these acts we acknowledge that Man's leisure as well as Man's toil is for the earth's enrichment and that culture, recreation, happiness... that books, music, drama, motors, the radio, motion pictures and all that make for a fullness of life are the worthy fruits of his labor.

The code of our industry has been signed, an instrument, like all our President's works, aimed for the greatest good of the greatest number.

Because ours is an art and industry born of this modern age that does not live by bread alone, it becomes our obligation and privilege to foster the ideals and hopes of NRA and by full-hearted example help bring to fulfillment the great work of reconstruction.

To this end, this company pledges its faith and strength.
Kent, O'Reilly Were Coordinators

(Aug. 1.—Federation mass meeting closes with basis of code set up. Rosenblatt fails to appear at session. Completed laboratory code ready for submission to Association membership.

Aug. 2.—Rosenblatt sets industry code meeting for Aug. 8 in New York to devise one code for the industry.

Aug. 4.—Committees of major distributors continue code meetings at M. P. D. A.

Aug. 7.—Industry leaders converge in New York as official meeting to devise code under Rosenblatt's direction opens. Laboratories as in, approves code after eliminating proposal which would have ended laborary participation in film company financing.

Aug. 8.—Sidney R. Kent appointed code coordinator for production and distribution, and O'Reilly coordinator for exhibition by Rosenblatt at industry code meeting in New York, with committees named to draft production, distribution and exhibition codes in one week. Rosenblatt pledges full cooperation.

Aug. 9.—Exhibition code committee reaches agreement on 12 code proposals which Coordinator O'Reilly describes as "crude" in present form. Double featuring, score charges, picture cancellations and designated play dates identified early as stumbling blocks to code committee. Production code committee makes rapid progress, but distribution committee strikes snag in double featuring and other controversial subjects.

Aug. 10.—Exhibition committee agrees "in principle" on open market buy-in and clearing and cleaning. Joint meetings of distributors and exhibitors begun to coordinate subjects agreed on.

Aug. 11.—Kent announces production code will be completed by night. Distributor-exhibitor coordinating sessions continue.

Aug. 12.—Formal draft of completed production code begun. Kent predicts all three drafts will be ready in 24 hours.

Aug. 14.—Exhibitor-distributor coordinating committees in disagreement as one-week deadline set by Rosenblatt is approached.

Aug. 15.—Code deadline extended as exhibitor-distributor coordinating tags. Double featuring and "right to buy" identified as stumbling blocks.

Aug. 16.—National appeals board agreed on for code content as exhibition and distribution coordinating progresses.

Aug. 17.—Committee's patience taxed. Coordinator O'Reilly demands speed on complete draft with unsettled topics to be left for code hearings at Washington.

Aug. 18.—Exhibition code reported 90 per cent complete as sessions close on, Studio labor code ready for drafting.

Aug. 19.—Code committees still at odds on important issues such as double featuring, cancellations, score charges and right to buy. Independents marshal forces to fight code ban on double featuring.


Aug. 22.—Committees of distributors and exhibitors prepare to submit incomplete codes to Washington as final deadline nears. Variety reports settlement issues to be left for settlement at public hearings.

Aug. 23.—Complete drafts with lists of "exceptions" filed separately by distribution and exhibition committees at Washington. Action leaves important subjects such as double featuring, cancellations, elimination of score charges, right to buy and designated play dates for controversial issues to be left for settlement at public hearings.

Aug. 24.—Open market film buying regarded as major aim of exhibitors through code.

Aug. 25.—Public hearings on code at Washington expected to require three or four days. Academy of M. P. A. and Sciences generally approves producer code but will fight Articles 9 and 10, the former seeking to eliminate star raids and the latter, restricting agency operation in Hollywood.

Aug. 26.—Code settlement seen as decide fate of buying combines.

Aug. 27.—Actors Equity Ass'n voices opposition to working conditions proposed in producers' and exhibitors' code and probably will fight. Code 26 to Washington for final coordination of industry code in Washington.

Aug. 29.—Industry speculates on acceptability to Administration of exhibition code's labor proposals asking a 53-hour week and 25 cents per hour.


Aug. 31.—Laboratory employees seek changes in code's labor proposals at hearings before Rosenblatt in Washington. Extras vote to submit own code.

Sept. 1.—Agreement reached on laboratory code including employment 15 per cent and wages 12 per cent. Code passed on to General Johnson. Allied States prepares to file appeals in Federal courts. Motion Picture Ass'n on code.

Sept. 2.—M. P. T. O. A. Allied States and I. T. O. A. plan Washington meetings, Sept. 10 and 11 to plan appeals on code failures to be filed at code hearings.

Sept. 5.—Star-chamber session of Atlantic seaboard independent exhibit- ing in New York makes plans for brief to be filed at code hearings. Actors, directors and agents turn guns on raiding clause and agency restrictive clauses in producer code. Extra drop own code plans; to clear objectives through Academy.

Sept. 6.—Countrywide protest against dual ball crowds.

Sept. 7.—Rosenblatt and O'Reilly confer in Washington on labor provisions of both production and exhibition codes. Actors' Betterment Ass'n affiliates with A. F. of L. and will make own code plea for vaudeville. New deal for extras would increase cost to major producers by 2.8 per cent; to independents by 2.1 per cent.

Sept. 8.—Rosenblatt deluged with requests for right to be heard on code at Washington, as hearing date approaches and vanguard of 250 industry representatives prepare to leave for Capital.

Sept. 10.—Allied leads movement to ban independent contractors and rush formulation of new code for presentation at Tuesday hearings in Washington.

Sept. 11.—Three spokesmen named to represent independents at code hearings tomorrow. The M. P. T. O. A. agrees upon zoning boards and the Hays group decides upon procedure at the hearings.

Sept. 12.—Public hearings on code open in Washington. No "open shop" will be permitted, Deputy Administrator Rosenblatt declares in opening announcement. William G. Elliott, president of I.A.T.S.E., asks for code clause requiring operator for every projection machine in America, in existing hearing Bill. Frank Gillmore, president of Actors' Equity, charges Academy of M. F. A. and Sciences is a "company union" in objecting to justification of Academy in code discussions as the actors' body. Chorus girls get sympathy of hearing audience after speech by Mrs. Dorothy Bryant, executive secretary Chorus Ass'n, who stated some chorus girls were required to work 8 hours a week and many received less than $1.25 per week.

Sept. 13.—"Closed-door" sessions of industry factions get under way in attempts to iron out code differences. Exhibitor's committee meets with theater labor committee in what was regarded as most difficult session on reconciling of divergent viewpoints. In closing hours of day's hearing.  

Allied Leaders Who Led Insurgent Movement

ADAM F. MYERS
Washington

H. M. RICHEY
Michigan

H. A. COLE
Texas

SYDNEY SAMUELSON
New Jersey

W. A. STEFFEES
Minnesota

NATHAN YAIMS
New England
M.P.T.O.A.'s program, involving labor and operators, and its contractual prac-
tice clauses, is presented by Ed. Kuykendall, president. He asks for all round support and for ad-
motion in all offices; recommends exhibition code's right to buy clause; standard con-
tract; 15 per cent cancellations; banning of double bookings; closing of days play dates and non-theatrical com-
petition; endorsement of advertising code's provisions; and for 60 per cent vote of ex-
hibitors in local situations; en-
forcement of arbitration, clearance and zoning and national control board, and banning of sales of shorts in conjunction with features.

Allied States presents its program through Abram F. Myers, general counsel, championing right to buy; rejection of wages without a code; and a code which an exhibitor cannot use; banning of distributor interference with exhibitors' final decisions or for features by 60 per cent vote of exhibitors in local situations; enforcement of arbitration, clearance and zoning and national control board, and banning of sales of shorts in conjunction with features.

A. Julian Brylawski, Washington exhibits' representative, calls for operator for every machine with declaration operators now employed work only 10 per cent of time. Rooney asks for integrat-
dom regions from other States, and that payments for representation on the code as a whole. Robert Wilby, southern exhibitor,faulted by Rosenblatt in address at-
tacking operators' unions for rules by intimidation, dynamiting and stench-bombing. Joseph Varalbaw, Canadian, asks for cooperation in the master contracts permitting contracts within wide circles of product tend to stick and for the exploitation of the code by buy-
ing its discarded pictures. William Green, president of A. F. of L., endorses unrestricted double feature.

Sept. 14.—Predicting code accord, Deputy Rosenblatt brings public hearings to close and Industry groups adjourn to private meetings in final effort to compose differences. Closing hours of hearings high-
lights the exhibitor's address on behalf of major producer-distribu-
tors in which he states many pro-
posals in exhibition code would cut their revenue to a point they could not stand. He opposes right to buy as defauliting situation. He backing cancellation clause offered by dis-
bidders "fair"; defends score charges and designated plans. Universal and Columbia create a stir by taking stand apart from the

Did Real Job Behind Closed Doors

M.P.P.D.A. member companies on uniform double feature, featuring with R. H. Cochran declaring 14 1/2 per cent of Universal's revenue comes through these productions, and declaring Columbia might have to cut production schedules if duals were eliminated, with consequent re-
duction in earnings.

Rosenblatt asks for definite ex-
amples supporting contention right to buy would increase distribution revenues. B. B. Kahane, RKO stu-
dio head, charges "chiseling" agents in Hollywood threatened with ruination by creating dissatis-
faction among actors, directors and 

Rosenblatt states no final decision on pre

nium given-aways by theatres has been made.

Sept. 21.—Preceded for major com-
panies to request government guar-
antees, review most or all sugar under code, seen in oil industry's code provision authorizing govern-
ment guarantees out of exchange summer and proposal in the retailers' code that no sales be made at less than full, plus plan that would cover cost of operation. Industry leaders again leave New York for Washington to resumes session of the Senate's Joint Committee of the Ross Federal Ser-
cive's checking system prepared by Louis Nizer, attorney, is seen to have saved system from extinction by allowing by resulting in denying of code pro-
poses by Deputy Rosenblatt which would have restricted checkers from working for more than one distrib-
utor at a time.

Sept. 23.—Widespread agreement of code administration will be delegated to local zoning and ar-
biter boards as result of the in-
creasing recognition by Deputy Ros-

blatt of difficulties of drafting code universally satisfactory to all indus-
try elements. Development is in-
line with tenor of first tentative drafts of distribution and exhibition codes drawn by M.P.P.D.A. mem-
bers and exclusively published in Motion Picture Daily June 21. Increased costs in all Industry branches under code admitted by Rosenblatt, M.P.P.D.A. members concurred in the mitigating drafting and revising clauses. Inde-
pendent exhibitor leaders discuss advan-

tages inherent in new Oil code, also embracing independent produ-
cers and distributors, in event code provisions are not enacted. Organization being of a united front in opposing clauses deemed detrimental to independent exhibitors.

Sept. 25.—Indications that Rosenblatt may undertake writing of industry code himself increasing number of facts continue to wrangle with-

Legal Hurdles

One of the principal rea-
sons for delay being one, for the lapse between com-
pletion of the third N.R.A. code draft and the expiration of the 30-day period by the President is generally attributed to legal interpre-
tation of various clauses. Particularly the ash penalty clause imposed upon em-
ployers for encouraging "un-
consciousable salaries."
Now that it's signed

Here's some Recovery Action. FOX manpower ready...as usual...with six releases...brimming with box-office...brilliant with stars...sparkling with entertainment. Swell samples of the consistent hits FOX has been turning out...month after month. Lead the upswing in your town...under the FOX banner.

A million red-blooded Americans have read and thrilled to the adventures of "Smoky"...a four-hoofed fury to his enemies...but the most loyal friend man ever knew...bringing romance to a pair of lovers.

WILL JAMES' 
SMOKY
VICTOR JORY
IRENE BENTLEY
WILL JAMES
Directed by Eugene Forde
Released December 8

Teaming Will and ZaSu as an auto-caravaning couple with their brood...on the highways, in the auto camps of the U.S.A. A carload of romance and homespun humor.

WILL ROGERS
as
MR. SKITCH
with
ZASU PITTS
Rochelle Hudson, Florence Desmond, Harry Green
Eugene Pallette
Based on the story "Green Dice" by Anne Cameron
Directed by James Cruze
Released December 22
• Lilian Harvey at her captivating best... 3 sensational revue numbers... gorgeous girls... ecstatic romance... 3 smash songs... plus a unique surprise in the Teatro dei Piccoli puppets, an audience sensation.

I AM SUZANNE!
with
LILIAN HARVEY
GENE RAYMOND
LESLIE BANKS
Podrecca's Piccoli Marionettes
Directed by Rowland V. Lee
Jesse L. Lasky production
Released January 5

• Delightful romantic comedy by the author of "When Ladies Meet." A wife who took a fling in Europe... met her Paris playmate in Dubuque... and tried to explain to hubby.

AS HUSBANDS GO
with
WARNER BAXTER
HELEN VINSON
WARNER OLAND
Catharine Doucet
From Rachel Crothers' stage hit
Directed by Hamilton MacFadden
Jesse L. Lasky production
Released December 29

• Snappy story of a p. a. and his s. a. girl friend. Loads of merry excitement... with song numbers that are red-hot numbers.

JIMMY AND SALLY
with
JAMES DUNN
CLAIRE TREVOR
Music: Jay Gorney 
Lyrics: Sidney Clare
Directed by James Tinling
Released November 24

• The one and only Clara in a sizzling performance alive with drama and romance. How that Brooklyn Bonfire burns the film.

CLARA BOW
in
HOOPLA
with
Preston Foster, Richard Cromwell, Herbert Mundin, James Gleason, Minna Gombell
From the play "The Barker" by John Knife Nicholson.
Stage play produced by Charles L. Wagen.
Directed by Frank Lloyd
Al Rockett production
Released November 30
"HOOPLA" STARTS TO WHOOP THINGS UP

Detroit and San Francisco first to revel in Clara Bow’s magic draw

- Detroit’s Fox Theatre, giant 5,000-seater, a sell-out with town’s outstanding business... San Francisco’s Warfield hits SRO from opening, in record-breaking pace. Fireworks start everywhere on Thanksgiving Day (national release date) ... thanks to FOX manpower!

CLARA BOW in HOOPLA

with PRESTON FOSTER RICHARD CROMWELL HERBERT MUNDIN • JAMES GLEASON • MINNA GOMBELL

From the play "The Barker" by John Kenyon Nicholson Stage play produced by Charles L. Wagner

Directed by FRANK LLOYD

Your patrons always like FOX MOVIETONE NEWS

Join the upswing with FOX
Final Stages Marked by Delays

(Continued from page 23)

meeting ends with decision against signing code in present form.

Oct. 10.—Code clauses relating to agents’ activities and to star raiding—charges of theByte—were left out of current round of hearings by the
chairman of the Code Organization. The chairman indicated that there will be
no action on the code for the time being.

Oct. 11.—Code changes made in the Allied Code on unfair labor practices
are being considered by the National Labor Relations Board. The board is
expected to issue a decision shortly on the code, which was submitted to it last
month.

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Oct. 14.—Proposals to regulate ex-
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gis as a means of controlling income taxation.

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cessive salaries of employees, although not yet approved, regard-
gis as a means of controlling income taxation.

Oct. 17.—Third draft of completed
code shaping rapidly. Few changes expected. Administrator Johnson
declares that the code will be a
success, and that it will be adopted without delay.

Oct. 18.—Indications at Washington
are that code points under dispute will be settled by a compromise agree-
ment, with the cooperation of all parties concerned.

Oct. 19.—Denny Rosenblatt halts
report on code being prepared for Ad-
ministrator Johnson in order to hear
further protests of independent fac-
tions regarding members of Federation of M. P. Industry.

Oct. 20.—Administrator Rosenblatt
reports that his code is ready for signing at the end of October. The code
will be signed by the President at the
President’s office on the 31st of October.

Oct. 21.—Majors in New York
report holding back code signatures for formal announcement of code. Rosen-
blatt reports that the signs will be
immediately after formal announcement is made.

Oct. 22.—Denny Rosenblatt resumes
work on code report preparatory to sub-
ting it to Administrator Johnson.

Oct. 23.—Denny Rosenblatt reveals
that charges have been made to
NRA for striking against workers at
Waters & Sons, because the firm was "faking" and not acting in good faith.

Oct. 24.—Consumers Advisory Board
meets to discuss code changes. Denny Rosenblatt reports that the board is
ready to submit a code to Administrator John-
son. The board is expected to issue its decision shortly on the code, which was
submitted to it last month.

Oct. 25.—New York hears President
be ready to sign code. The code is unconfirmed at Washington where

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MOTION PICTURE

CANCELLATION AND CONTRACT TERMS

(continued from page 18)

motion pictures in excess of the number which are actually to be exhibited in the exhibition theatre or theatres, in order to reasonably protect such Exhibitor against the non-delivery of motion pictures.

Section 3—Part 2—Exhibitor shall be granted the right to designate the same day or days and the same time or times, the particular motion pictures to be shown in any exhibition theatre or theatres operated by Exhibitor during the period of the exhibition contract; and Exhibitor may at any one time, or at any time during the period of the exhibition contract, give notice of the non-delivery of any motion picture contract, or any part thereof, to the Distributor, who shall thereupon be deemed to prohibit any Exhibitor from entering into a contract for a reasonable number of motion pictures, and Exhibitor shall thereupon have the right to terminate the exhibition contract in respect to such motion pictures; provided, however, that such subsequent-run Exhibitor may be granted the right to exhibit such motion pictures at the Distributor's option, upon negotiation between the Distributor and Exhibitor, and in order to reasonably protect such Exhibitor against the non-delivery of motion pictures.

Section 3—Part 3—Exhibitor shall be granted the right to designate the same day or days and the same time or times, the particular motion pictures to be shown in any exhibition theatre or theatres operated by Exhibitor during the period of the exhibition contract; and Exhibitor may at any one time, or at any time during the period of the exhibition contract, give notice of the non-delivery of any motion picture contract, or any part thereof, to the Distributor, who shall thereupon be deemed to prohibit any Exhibitor from entering into a contract for a reasonable number of motion pictures, and Exhibitor shall thereupon have the right to terminate the exhibition contract in respect to such motion pictures; provided, however, that such subsequent-run Exhibitor may be granted the right to exhibit such motion pictures at the Distributor's option, upon negotiation between the Distributor and Exhibitor, and in order to reasonably protect such Exhibitor against the non-delivery of motion pictures.

Section 3—Part 4—Exhibitor shall be granted the right to designate the same day or days and the same time or times, the particular motion pictures to be shown in any exhibition theatre or theatres operated by Exhibitor during the period of the exhibition contract; and Exhibitor may at any one time, or at any time during the period of the exhibition contract, give notice of the non-delivery of any motion picture contract, or any part thereof, to the Distributor, who shall thereupon be deemed to prohibit any Exhibitor from entering into a contract for a reasonable number of motion pictures, and Exhibitor shall thereupon have the right to terminate the exhibition contract in respect to such motion pictures; provided, however, that such subsequent-run Exhibitor may be granted the right to exhibit such motion pictures at the Distributor's option, upon negotiation between the Distributor and Exhibitor, and in order to reasonably protect such Exhibitor against the non-delivery of motion pictures.
MILLION DOLLAR MELODY" STRIKES BOX-OFFICE TUNE; "HAS EVERYTHING"

Educational's First Musical Comedy Runs Full Scale of Laughter and Song Entertainment; Public Responds to Big Name Short Features

Educational's new big-star-name short features have struck the box-office keynote. This is evident from the chorus of praise greeting these showmen's short subjects. "Million Dollar Melody," the first musical comedy in this sensational series, is swelling the Box-Office Hallelujah at the original Roxy. The astute Film Daily critic reports:

"A girlie-musical with a real story that has everything it is possible to put into two reels of melodic entertainment."

Exhibitors who enjoy that sweet music, will join in the "Million Dollar Melody" chorus when they show this smart Jack White production.

But This Review Is News

Taking in a private screening of new Educational Pictures in his stroll "Along The Rialto," Phil M. Daly wrote:

"There was a first-class exhibit of cartoon technique in Paul Terry-Toon's "Beanstalk Jack," but Paul's outfit has been turning out class cartoons for so many years that it hardly constitutes news. . . . a winner, very clever and funny. Should prove immensely popular."

LILLIAN ROTH
who sings new song hits by James Hanley and Benny Davis in

"MILLION DOLLAR MELODY"

EDDIE CRAVEN
featured with Lillian Roth in "MILLION DOLLAR MELODY" as the composer who had to "die" to become famous.

DISTRIBUTED IN U.S.A. BY FOX FILM CORPORATION
Provide Grievance, Zoning Boards

(Continued from page 30)
shall be deemed amended by submitting in writing to the other party a written notice of such contract the provisions of this PART.

ARTICLE VI
PART 1. Clearance and Zoning Boards

Section 1.—To provide against clearance of unreasonable length and/or area in any exchange by the application of unreasonable, but equal, and equitable schedules of clearance and zoning, each exhibitor shall own and the Local Zoning Board created for such territory.

Section 2.—Each such Board shall be appointed by the Code Authority and shall consist of at least three persons, one of whom shall be a National exhibitor with theatre affiliations and one of whom shall be a Distributor without circuit theatre affiliation having interests in the production of first-run theatre located in such territory; and of whom shall be an affiliated exhibitor, if there be one, and one or more exhibitors, and that such representatives shall, by agreement of the parties, be selected by a majority vote of the members thereof, provided such representatives may be selected by a majority vote of the members thereof. Any representative shall be from the Board which, in the case in the Board is deadlocked. Any such Board, selected by a majority vote of the members thereof, shall be selected by a majority vote of the members thereof by a majority vote of the members thereof by the Board.

Section 3.—Each Local Clearance and Zoning Board shall, promptly after its creation and upon prior to January 1st of each year thereafter, and prior to the beginning of its territory, schedules of clearance as in Section 2 of this PART, without the consent of any other exhibitor, in length of time and area after the conclusion of any dispute or controversy, all existing and any other parties interested in the territory shall be continued to be performed in every respect.

Section 4.—The Board shall have the power to classify the motion pictures distributed by such Distributor, and to Local Zoning Board shall be within the period of time hereinafter prescribed in Section 5 of this PART.

Section 5.—Such Board shall have the power to classify the motion pictures distributed by such Distributor, and to Local Zoning Board shall be within the period of time hereinafter prescribed in Section 6 of this PART.

PART 2. Grievance, Zoning Boards

Section 1.—The code of any Exhibitor that a competing Exhibitor, in any of the acts set forth in the following paragraphs, that the intention and effect of depriving, in the discharge of the function of a sufficient number of motion pictures, if the Exhibitor be a Distributor, or to terminate any contract or agreement made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall be appointed by the Board to classify such pictures as are necessary in the interests of the exhibitors, exhibitors of such pictures, and exhibitors of such pictures. The Board shall have the power to classify the motion pictures, if the Exhibitor be a Distributor, or any contracts or agreements entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or any agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affected. The Board shall have the power to classify the motion pictures if the Exhibitor be a Distributor, or agreements made or entered into with such Distributor and Exhibitor in the territory affecte

ARTICLE VII

Part I.—The industry pledges its combined strength to maintain right moral and ethical standards in the production of motion pictures as a form of entertainment. To that end the industry pledges itself to and shall adhere to the regulations promulgated by the Code Authority in furtherance of the maintenance of such purpose.

ARTICLE VIII
Miscellaneous Provisions

Part I.—Any exhibitor forwarding or delivering to any other exhibitor a motion picture at the request or upon the order of the Distributor thereof, shall, in the event of any such request, be deemed to have committed a violation of the Code unless such Exhibitor or Distributor shall have filed such copy of the Code in entirety within forty-five (45) days after its incorporation, except in the United States, and/or forty-five (45) days after engaging in the production of motion pictures and shall have thereby agreed to comply with all terms and conditions of the Industrial Recovery Act. Evidence of such agreement shall be in writing in the Code Authority.

Part II.—All members appointed to serve on respective Clearance and Zoning Boards and any person, company, or group engaged in the motion pictures for the purpose of good repute and of good standing in the industry, and upon the written approval of the Administrator an oath to fairly and impartially administer the Code and to the Board to which such member has been appointed, and shall thereupon be deemed to have qualified in its membership more than one representative of the same class.

Part III.—If a member of any board remaining a member of the same class, the Code Authority shall fill the vacancy by appointing a representative of the same class.
A SMASHING INDICTMENT OF PARENTAL PRUDERY
WITH A CAST OF BROADWAY STARS

"ENLIGHTEN THY DAUGHTER"

DISTRIBUTED BY

ATTRACTION PICTURES, INC.
1236 Vine Street, Philadelphia, Pa.
916 G Street, N. W., Washington, D. C.

AMERICAN PICTURES, INC.
56 Piedmont Street, Boston, Mass.

ARTHUR GREENBLATT, INC.
630 9th Avenue, New York City

Distributed by EXPLOITATION PICTURES Inc. 729-7th Ave. N.Y.C.
Arbitrators May Always Be Impartial

Johnson Can Make Changes In Authority

(Continued from page 1)

to the authority if practice demonstrates that employers in the industry is insufficiently represented.

Suspension for 90 days of the salaried employees of the companies is ordered until further study is made of the salary problems of players, writers and others in the creative branches of the industry.

The so-called talent rating provisions of Article 5 are also suspended for the same reason and these provisions may be "definitely suspended, or modified, altered or changed, or become effective.

Article 5 of the Code Act.

(Continued from page 32)

or within twenty-four (24) hours if the date of the notice of order shall be the 8th day or any day thereafter than seven (7) days from the date of the sending of the notice of order. When such notice is mailed to the arbitrator the notice of order shall be sent also by registered mail to the party of such arbitrator to deliver the order to the party, stating therein the business address or business association of the order to the arbitrator. If such notice is mailed to the party of the arbitrator provided, or if any party is unable or refuses to act, or unable to serve, or can not be reached, and any other arbitrator qualified and then appointed by the party of such arbitrator may be appointed in such case or the other party.

(4)—No member of an Arbitration Board shall hear or determine any controversy in which he or any other member of said Board had a direct interest, and any member having such interest shall be disqualified or in such case.

(5)—If the arbitrators or a majority of them are unable to select a neutral or a majority of them shall consider them suspended pending such selection of an umpire. The Administrator shall appoint an umpire.

Part 3—Nothing in this Code shall be deemed to prevent the exhibition or presentation of motion pictures on film or filmstrips of any sound and standard width, or on slide films, or on non-theatrical motion picture shows, or on television, or radio, or by the use of any scientific, industrial, commercial, educational, advertising, selling or other non-theatrical purpose, on the condition that the showing be subject to investigation by the Code Authority. In Title 3, Art. 4, said Code provides that the commercial distribution, exhibition, or distribution of such films shall not be unlawful, except that the showing of such films shall be subject to investigation by the Code Authority. Said Code provides that such distribution, or exhibition, or distribution of such films shall not be unlawful, except that the showing of such films shall not be unlawful or subject to the Code Authority. Said Code Authority shall normalize rules and regulations, and shall give such Code or any conditions imposed by him upon his approval thereof.

Part 4—The provisions of this Code shall be separate.

ARTICLE IX

Mandatory and Amending Provisions

Part 1—This Code and all the provisions thereof are subject to the right of the President, in accordance with the provisions of Title 1 of the National Industrial Recovery Act, and in accordance with the provisions of Title 1 of the National Industrial Recovery Act, and in accordance with the provisions of Title 1 of the National Industrial Recovery Act, to be modified or amended or suspended in any case or any conditions imposed by him upon his approval thereof.

Part 2—Such of the provisions of this Code as are required to be included therein by the National Industrial Recovery Act, upon approval by the Administrator with the approval of the President, may be modified or amended, or suspended, in any case or any conditions imposed by him upon his approval thereof.

Part 3—Such of the provisions of this Code as are required to be included therein by the National Industrial Recovery Act, upon approval by the Administrator with the approval of the President, may be modified or amended, or suspended, in any case or any conditions imposed by him upon his approval thereof.

Effectuates Further Policies

"To effectuate further the policies of the Act, that:"

(1) Because the constituency of the Code Authority is named in this code, the Administrator shall have the said code of competitive, and if necessary, to disapprove any act taken by the Board of Directors to act on a resolution declaring that it is advisable to resolve the National Recovery Act consistent with the provisions herein.

Warners Buying Store

Warners have inaugurated a cooperative buying store in the company's radio studios on the ground floor. All Warner Club members can purchase the items on sale for 10 per cent above cost. There are 8,000 members representing the country.

Final Draft Of Code Has Few Changes

(Continued from page 1)

"supreme court of the industry." In all other particulars the body of the third NRA code remains the same, except for changes in phraseology which do no more than clarify or amplify existing language.

Suspension of the "rural" provision of Articles 5 and 7, pending further investigation by the Administrator, and the suspension of the Code Code of the Code for the accredited newspapers of opposition fostered by Hollywood talent organizations and their spokesmen, notably Eddie Cantor and Joseph M. Schenk, both of whom were visitors at the "little White House" im- mine.

The Code authority personnel is included in the code as printed Wed-

The final draft of the Code is made in a separate memorandum by the President which accom-

As in the third draft, no mention is made of double featuring, the right to buy or sell, or any conditions imposed by him upon his approval thereof.

At the end of each week, the newspaper will be closed and an ad set up in the final draft's picture, cancellation provisions, which were, and are, intended to take care of block booking. All other major trade practices remain essentially as they were in the third draft.

Discuss Plans for Ad Copy Committee

Preliminary plans for the reorganiza-
tion of a committee to cooperate on the question of advertising were discussed this week at the Hays office.

Attending the session were J. J. McCarthy of the Hays office, Howard Dietz of M-G-M, chairman; Stanley Kramer, president of the Motion Picture Assn. of America, and S. Charles Einfeld, who is on the coast, and Robert Sisk of Radio, pinch hitting for John Flinn, president of the A.M.P.A., and now on the coast.

Whether additional members will be ap-
pointed to the committee, which now stands at 10, was discussed.

"Deceiver" Set for Roxy

Following the eighth-day run of "Hoopla," which opened yesterday, "The Charming Deceiver" is sched-

"Hoopla," opening at the Roxy, "The Charming Deceiver" is sched-

"Johnny and Sally" starts Dec. 15.
All Factions Given Places On Code Body

(Continued from page 1)

labor in the industry here gave no indication of disapproval over the board's makeup. The initial notification of the appointments within the next few days was voiced, however, by one union reservation, that of the C.E. & S.E. for a labor representative on the code authority met with a statement last night by the administration of the code that the employee's rather than an employee's function, and that allowed them by the appointments of Miss Dressler and Marie Dresser on the board, both of whom, as actors, apparently fall into an employee classification.

Actors' Equity, apparently satisfied with the naming of Canton, an Equity member, was non-committal over the appointment of Miss Dressler, who, in 1929, was a leader of the opposition to Equity's attempts to extend its domain over the independent class, as was instrumental in frustrating an actor's strike in Hollywood called by Equity at the time. yesterday he had no comment to make on Miss Dresser's appointment.

Coast Guilds Satisfied

Advises from Hollywood also indicated that the Academy accepted the names of Miss Dressler and Miss Dresser's and Actors Guilds and other talent organizations were pleased with the representation of the interests of the Cantor and Miss Dressler.

Independent producer - distributor was another interesting point, likewise, evinced no undue concern over the code authority personnel as named by the President Roosevelt and the T. O. C. C. In the case of the late President Roosevelt's declaration of Warm Springs at the time of the signing of the code by President Roosevelt, the code will be released if, as pronounced in the code, and to remove any of its members, or add new members to the code, and add new members to the membership. It was reserved for the Administrator, appearing to have gone far toward fulfilling early independent fears that their interests would be insufficiently represented. They now see a balance of voting power for and against the code, and the third N.R.A. draft has been submitted since the original.

Allied States, which has protested vigorously both the unofficial set-up of the series code and the third N.R.A. draft, finds itself represented by Nathan Yamin, a member of the board of directors of the New York Allied unit. Yamin declined to comment Wednesday on his appointment, but gave every indication that his presence will be on being formally notified by the N.R.A.

Yamin's position became of interest with the announcement of his appointment because of his recent declaration in denying a report that he was loaned to the code, that he would continue "loyal to Allied," Al-lie's position at the time was openly antagonistic to the code. His position has been indicated already by Abram F. Myers, nominal head of the organization, who, virtually dismissing the report on the basis of Administrator Johnson's declaration regarding immediate administration supervision over code-authority moves.

Johnston Is Silent

Federation of the M. P. Industry, representing independent producers, called a meeting Wednesday night in Washington, president on Monogram, on the code authority. On Wednesday Johnston, president of Monogram, advanced his formal notification, but indicated that he would neither act on the appointment of Monogram until had he seen the final code.

Organizations outside the industry, but which have taken an active interest in the drafting of the code, find representation on the code authority in the case of Dr. Kuykendall, president of the M. P. Research Council, who, in many aspects, assumes the mantle of the late President Roosevelt. In announcing Dr. Johnston's appointment, General Johnson said his duty was to represent the industry to comply with its own rules of censorship of improper pictures and those of the Baldrige commission in his observations to the administration. This was taken to be a definite indication that Dr. Johnston will not be authorized to introduce any new form of internal censorship except in the event of a complete failure of the industry's existing censorship measures for itself, and only with the approval of the administration, to which his report is to be submitted.

Independent producer, distributor and exhibitor interests have a symmetrical position if the authority is to be representative, in Dr. Johnston, who, both individually as and as a member of the M. P. Research Council, is on record as favoring a "selective picture buying and selling policy," which it believes can be accomplished through behavior of block booking and blind buying and introduction of a "right-to-buy" plan. Johnston has received the support of individuals who are members of Allied States and the Federation of the M. P. Industry.

Independent exhibitor interests also have a representative on the code authority in the person of Charles L. Cleveland, president of the T. O. C. C., New York, who throughout the code drafting activities in both New York and Washington was aligned more or less consistently with the president, who carried the support of Allied States and the Federation of the M. P. Industry.

Another position was held by Ed Kuykendall, president of M. P. T.O.A., another code authority appointee named by the administration to represent independent exhibitors. Kuykendall and his organization were among the first to become active in the drafting of the code, they have been in Washington since May. He has consistently supported constructive code, and while declaring recently that M.P.T.O.A. was not "entirely satisfied" with the third NRA draft, it felt that the code should be given a trial and was flexible enough to make changes possible if they were demonstrated in practice to be needed.

Cochrane's Unique Position

R. H. Cochrane, vice-president of United Artists, is an active representative for distributors without theatre affiliations. At Washington, he said, the industry would "co-op" Jack Coen of Columbia, stood apart from other producer-distributor members of the M. P. F. D. A. in demanding that the code carry on provision designed to curb double featuring.

The five major theatre circuits, their affiliates, and major producer-distributor interests, representing the industry's largest group investment, are represented by Harry M. Warner, president of Warner-F. N.; Nicholas M. Schenck, president of Loew's, Inc., and M. G. M.; Sidney R. Kent, president of the United Artists, Art Theatre and T. O. C. C., vice-president of Paramount, and M. H. Aylesworth, president of RKO Corp.

Beauty to Do Another

KANSAS CITY, Nov. 30.—Clyde Beatty, wild animal trainer who had the Universal's "The Big Cage," is to make a jungle serial thriller with a Tarzan motif, he told friends here yesterday. While around Hollywood, Beatty, who has been doing "The Big Cage," from which the picture was written, is now in its third edition, Beatty said. Edward Arcutty, who collaborated on that book, will probably help write the projected serial.

"U" Chicago

New Deal On Reel Ending

(Continued from page 1)

has made it necessary for National Screen Service, which used those "U. C." prints, to clear its own plant. This is now being done in the rear of the floor occupied by National in the Warner Building.

Motion Picture Daily several months ago reported relations between United Artists and Chicago Daily News were faltering and that the distributor, dissatisfied with the financing arrangement, had informed the newspaper of its intention to seek a revision.

Alvin Delay Causes Fox Product Shift

PITTSBURGH, Nov. 30.—Because the Alvin opening will be held up by constructing the code, the Harry Amussen Co. is playing most of its contracted Fox pictures for first run showings for the Harry Amussen Family in East Liberty. The first of these, "The Power and the Glory," opens today.

Early in the season the Harris group made a deal with Fox to take three-fourths of the annual product, and remains going to the Fulton, "Hoopee," "Berkeley Square," and "Paddy, the Next Best Thing," were returned to the Fox for a request, to be sold on the outside. These have been picked up by the Fulton.

Although the Alvin was supposed to open around the first of November, from present indications it will be at least a couple of more months before the house will start operation.

Portland Pantages

In Row with Union

PORTLAND, Nov. 30.—After just four weeks of operation the Pantages is in a war with the union. It was found this sign on the box-office: "Closed by the Unreasonable Demands of the Stagehands' Union."

The management has made no specific statement, but the union claims stagehands were cut from 42 to 28 cents an hour and told to make a decision within five hours, instead of receiving the usual two weeks' notice. The work has been divided among eight men on a five-day basis.

It is understood acts are being held here pending arbitration. The theatre had been the last remaining on the coming week's show, plus Columbia's "A Man's Castle."

Rodney Pantages, together with Manager H. S. Kendrick, is conferring with the union.

The Paramount has given two weeks' notice to stage hands.

Goldwyn Loans Cooper

Hollywood, Nov. 30.—Samuel Goldwyn has loaned Harry Cooper, co-owner of "Operator 13," and has postponed work on "Barbary Coast" until May 15. In the meantime he is looking for another Sten vehicle to work during the postponed time.
GOOD PRODUCTION, GOOD CAST
AND A READY-MADE AUDIENCE

1000 Magazines Cater to the Public Taste for Action Fiction . . . There Are Over 10,000,000 Such Readers . . . Here's a Story That Ran in One of the Country's Most Popular Fiction Publications

"16 FATHOMS DEEP"

WITH
SALLY O'NEIL
CREIGHTON CHANEY

Produced by Paul Malvern
Directed by Armand Schaefer
Adapted by A. B. Barringer
Screen play by Norman Houston

Based on the AMERICAN MAGAZINE Story by Eustace L. Adams
Holiday Rush Sends B’way Takes Soaring

Music Hall Leads with Capacity Crowds

Broadway houses are in the midst of a Thanksgiving holiday week-end boom which, beginning last Wednesday night, maintained record-breaking attendance. Normally, virtually every theatre along the Main Stem throughout Thursday and yesterday. Local managers credit the capacity business to school and week-end holidays, and predict its continuance through today and tomorrow.

The Music Hall, where Radio’s “Little Women” opened its third week on Thanksgiving Day, played to near capacity on that day, grossing $21,679, or approximately $6,000 over the gross for the first day of the run. Yesterday’s gross had reached $7,300 on approximately 15,000 admissions at mid-afternoon. Waiting lines stretched to Fifth Ave. and extended a block.

(Continued on page 7)

Kane Lining Up 2nd Music Unit for Fox

Hollywood, Dec. 1.—Robert Kane, Fox producer, has started organizing a second unit to handle musical productions with the signing of Erick Charell, a man who two weeks ago Charell will arrive in Hollywood on Jan. 15.

First unit, now working on the “Scandals” includes Ray Henderson, Jack Yellen and Irving Caesar handling lyrics and music, with Joseph Cunningham on the dialogue.

Para. Men on Road For Selling Drive

With the “Victory Drive” starting Jan. 1, Paramount sales executives are now making tours of various exchanges under their supervision. Neil Agnew, sales manager, is en route to the coast, stopping at exchange centers.

(Continued on page 7)

See J. J. McCarthy For Wiltbach Post

J. J. McCarthy, who was appointed to handle advertising and publicity matters for the M. P. D. B. Ltd., is expected to be the permanent successor to the post within the next few days.

Expect Code Authority To Meet in a Few Days

‘Square Deal’ Held Assured By Kuykendall

COLUMBUS, Miss., Dec. 1.—Retention of final authority on all code matters by President Roosevelt and the NRA Administrator is hailed by Ed Kuykendall, M.P.T.O.A. president, as the industry’s assurance of a “square deal all around.”

In a statement issued here today, Kuykendall calls upon exhibitors to “actively support” the code and the administration bodies which it sets up, declaring that it “deserves a fair trial”.

(Continued on page 3)

Canadians Ask New Loew Directorate

Toronto, Dec. 1.—A movement is under way here among shareholders of Marcus Loew’s Theatres, Ltd., to pool preferred and common shares with the Royal Trust Co. before Dec. 31 with the object of securing more Canadian representation on Loew’s board of directors.

Robert Waler is heading the movement. He says the preferred stock is

(Continued on page 7)

Rosenblatt Future

Stirs Speculation

WASHINGTON, Dec. 1.—With the new code, speculation is rife as to how long Deputy Administrator Sol A. Rosenblatt will continue with the NRA.

With two or three more amusement codes to be heard and put through for approval, it is anticipated he will

(Continued on page 3)

Quick Work on Naming Of Boards by New Year Foreseen

WASHINGTON, Dec. 1.—First meeting of the code authority is expected to be set within the next few days in order that that body may name appointees to the local clearance and zoning boards which, in turn, must meet and draft clearance schedules for each code under the authority’s code for the year of 1934, prior to Jan. 1.

The code authority’s first meeting will probably occur either Thursday, Dec. 7, the date on which the code becomes effective, or the following day, and is expected to be set by Deputy NRA Administrator Sol A. Rosenblatt on his return to Washington from a week-end in New York.

Other business designed to hasten the first meeting is the organization work necessary to prepare the industry reports required by President Roosevelt for submission within the next 90 days. It is understood that these reports will cover salaries of executives, theatre seating capacities, ad-

(Continued on page 3)

Administration to Defer Naming Two

WASHINGTON, Dec. 1.—Appointment of the two remaining government members of the code authority will be deferred for some time, during which Administrator Hugh S. Johnson will assume the duties of those appointees himself and will direct any action necessary, it was made known today.

The code provides for the appointment of three Administration repre-

(Continued on page 3)

Ind’p’ts Swell in Number

This is the second in a series of articles on conditions in the Middle West written by the editor on a tour of one-night stands.

Chicago will be discussed in the third.

By RED KANN

MILWAUKEE, Dec. 1.—The mighty wolf has fallen with a loud bang in this neck of the woods. Where once stalked the omnipotent Fox Midwest circuit, 47 theatres in 19 towns strong, there now remains a shadow of its former self.

The balance has veered the way of the individual operator. Picking up what Fox Midwest did not want or could not hold, the string of houses which Tom and Jack Saxe developed for a safe net so many years ago, Fox has broken up into a variety of splinters. As those matters have a habit of working out, where the Fox sphere of influence dwindled that of
Looking 'Em Over

“Hoopla” (Fox)

Clara Bow takes off a lot of clothes and tosses a mean torso around in this adaptation of the stage play, “The Barker,” Clara thereby proves she not only has it, but also plenty of curvaceousness in them and isn’t afraid to let the world in on it. The story deals with carnivals, Preston Foster and his affair with Minna Gombell, another hootch dancer; Foster’s son, Richard Cromwell, who joins the show without prior warning, and the manner in which Clara, on a spite bet engendered by the jilted Miss Gombell, makes the country bumpkin fall. But, complications ensue when Clara, after all her hip-shaking, professional and private, really finds herself for the innocent kid. They marry. Foster raises the devil, but thereafter Clara joins the Chicago Fair mishandling to send Cromwell through law school. Reconciliation for all figures in the finish.

Production values are up to snuff. Story content, adequately developed. Clara Bow, however, is the chief selling point. Where she goes, the picture will. Her dramatic moments, in some instances, prove beyond her reach, but photographically the girl is an eyeful. Foster does the best job in the cast and Cromwell is boyishly competent.

Wilstach Rites Held

Funerals for Frank Wilstach, M. P. D. Col., aide to the Post for the past eight years, were held yesterday morning at the W. J. Dargen chapel, 954 North Dearborn street. He was an immediate family of the deceased in attendance, in accordance with family wishes. Wilstach died Tuesday at Manhattan General Hospital following an illness of several weeks.

“Women” for RKO Roxy

Following a three-week run at the Music Hall, “Women” has been moved to the Roxy next Monday afternoon. The booking is usual in that pictures playing the Music Hall are day-and-dated in all metropolitan RKO houses.

Trading Light on Big Board

Technicolor Up One-quarter on Curb

Pathé Bonds Drop One Point

D ON DEAN, Hollywood musician, who has recently made something of a fad out of the Gilbert & Sullivan operettas in Buenos Aires, arrived last night by plane and will leave for Chicago Monday to appear at the American Radio Manufacturers’ Show.

MARGARET SULLIVAN sailed yesterday on the Santa Cecilia for the coast. She will start working in “Little Man, What Now?” for Universal as soon as she arrives.

ARTHUR HORNIBLOW, Jr., new associate producer for Paramount, will arrive here Tuesday from the coast on the Virginia to discuss production plans.

HARVEY B. DAY, special representa-

tive for Terry-Toons, has just re-

turned from a tour of Fox exchanges in the middle west and east.

COLLEN MOORE expects to leave Monday by plane for the coast. She is finishing work in MARSHALL NEIL-

AN’S “Social Register.”

AL CHRISTIE will start STOOPNAGLE and BURB in an Educational short on Monday at the Eastern Service Studio.

T. K. GLENNON, vice-president of Eastern Service Studio, will return from the coast Monday.

LENORE ULRIC leaves for Hollywood today to begin work on her first picture for RKO Radio.

GEORGE GRUS is at the Warwick.

Pierson Quits Weldon

Wayne Pierson has resigned as general sales manager of Weldon Pictures and plans to take a government post shortly. Maxwell Cohen, president of Weldon, is taking over sales supervision.

Beery to Century Again

Hollywood, Dec. 1.—Wallace Beery has been borrowed by 20th Century-Fox for a short time. He will go into “The Great Barnum” as soon as he finishes work in “Viva Villa.”

Ginsbergs Celebrate

Henry Ginsberg, vice-president and general manager of the Hal Roach Studios, has arrived in town to help his parents, Mr. and Mrs. David Ginsberg of 40 West 77th St., celebrate their 50th wedding anniversary today.

Morgan Back on Coast

Hollywood, Dec. 1.—Mr. and Mrs. Morgan have arrived by plane from New York, where the actor did a single at the State. Plans for Thanksgiving in the east were can-

elled because of a film engagement.

Rogers Coming East

Hollywood, Dec. 1.—Charles R. Rogers will leave for New York on Monday for four weeks of talent and story work and plays to make up the balance of his 1933-34 program.
Expect Code Authority to Meet Soon

Kuykendall Looks For “Square Deal”

Ohio MPTO to Hear Sol A. Rosenblatt

Speedy Code Service Given By M. P. Daily

1933 meeting may have reached the naming of 32 local grievance boards, one for each exchange territory, to hear local complaints other than those concerning clearance and zoning. These boards, however, are not expected to get into operation until the code has been in effect for some time. Exhibitors and distributors who have not signed the code by Jan. 10 will be barred from filing complaints with local grievance boards, but may have complaints filed against them by those who have signed.

Indications are that of outstanding importance in the early stages of the code authority will be the investigations which the President’s executive order, although Administrator Hugh S. Johnson admitted yesterday that he had made no formal decision as to the method to be employed in making the inquiries required.

Under some codes where investigations were ordered, he pointed out, the inquiries were made by the code authorities, while in a number of other cases special committees were set up to carry out the investigations. In addition to these two methods, General Hammond has a third choice in the Federal Trade Commission, which is authorized by the Recovery Act to furnish information which may be within the scope of its activity. It is believed here that the investigation required by the executive order will be carried out by this agency.

Letters to Go Out

Washington, Dec. 1.—Letters of notification formally advising recipients of their appointment by President Roosevelt to the membership on the code authority will be sent out by the National Recovery Administration under the signature of Administrator Hugh S. Johnson within the next day or two, it was stated here yesterday.

This procedure is somewhat out of the ordinary in NRA code business, but since all other codes provide for the election of code authorities members, it is being considered. Under the film code, the code authority personnel was named by President Roosevelt.

Radio Code Signed

WASHINGTON, Dec. 1.—Radio Code has been signed for broadcasting and will appoint three of the nine members of the code authority.


did the honest support and cooperation of all exhibitors and distributors’ organizations. He urged a change in tactics for the organizations which have been opposing the code which would entail their aid in “making the code machinery work fairly for all concerned.”

It thought, Kuykendall stated, that the code authority should have control over local boards and controversies. Much can be done by these local boards to restrain unfair and stupid cut-throat competition, remove abuses, fairly settle local controversies and really improve trade relations.

Kuykendall paid tribute to Deputy NRA Administrator Sol A. Rosenblatt for his work on the code and the results he obtained.

Administration to Defer Naming Two

sentatives, without losing power, reconstruct, he said. Dr. A. Lawrence Lowell, president-emeritus of Harvard, is the only one named by the Administration.

It was pointed out by the Administrator that code authorities can function without the government members, because the code administrator in charge of the code can take such action as might be required during their absence.

It was explained that in order to select the government representatives for the code authority it may be necessary to make a survey of people outside the industry. In addition, General Johnson admitted, he Left a period of drafting the code during its early stages.

Trade Assn’s Best Authority: Johnson

WASHINGTON, Dec. 1.—Indicating that it is essential that the code boards, which have taken over the work of code authorities, General Hugh S. Johnson today stated that “As I see it the ideal authority is the trade association.” He said efforts will be made to build up trade associations along uniform lines so that they may take over the work of code authorities for every industry.

No successor has been named to replace the former head of the NRA trade association division. This division will be continued as an individual unit and will not be merged with any other section of the NRA, Johnson stated.

Grievance Board to Get Chicago Cases

CHICAGO, Dec. 1.—The grievance board for this territory, when it is organized, will find itself facing a tough program of five cases involving alleged unfair protection. Several of these cases have already been on the verge of being taken into court.

The exhibitors involved, it is reported, have been prevailed upon to hold up any action pending the naming of the new grievance board under the industry’s code.

The convention, the organization’s 12th, will be a two-day affair, climaxing, as usual, on Wednesday with a banquet at the Deshler-Wallick, where the President will introduce the speakers, Governor White, Dr. B. O. Skinner, and Rabbi Jacob Tarshish are slated among the speakers.

CARLTON DARGUSCH, member of the Ohio Tax Commission and White’s advisor on taxation matters, will talk at one of the business sessions on the new state’s administration tax and chances for a repeal when the legislature re-convenes here in January.

Rosenblatt Future Stirs Speculation

(Continued from page 1)

stay through December, at least. It was also suggested, however, that he be named as one of the government representatives on the code authority, a choice which would be approved by the great bulk of industry leaders who participated in the code drafting, according to sentiments expressed by them in Washington.

Deputy Rosenblatt is in New York for a two-end, but could not be reached at his home yesterday for comment on the Washington report.

TOCC Is Numbered Among Code Signers

The T. O. C. C. has joined the other exhibitor units which have signed the code. The signatures have all been fixed prior to President Roosevelt signing the draft. Charles L. O’Reilly, president of the unit, was one of the coordinators in drafting the code and is now a member of the code authority.

A mass meeting of all independent exhibitors in the metropolitan area will be called by the T. O. C. C. either Dec. 12 or Dec. 13. Deputy NRA Administrator Sol A. Rosenblatt will attend as one of the principal speakers.

TRAUC Gets Rogers Offer

Hollywood, Dec. 1.—Charles R. Rogers has offered Lee Tracy $3,700 for a week for one picture, “Baby in the Ice Box.” The actor is now reading the story.

“U” Finishes Bus Story

Hollywood, Dec. 1.—Universal has won the race to be the first to complete a bus story. “Cross Country Cruise” has gone to the cutting room.

Colman Film Picked

Hollywood, Dec. 1.—Ronald Colman’s first starring picture under Darryl Zanuck’s new policy will be “Bulldog Drummond Strikes Back.”

Practically every film executive from Chicago east found the MOTION PICTURE Daily 36-page code edition on his desk at 9 o’clock Friday. It was printed in full and with all the latest developments in connection with it.

Presses were kept running all night to get the record-size Daily out in the shortest possible time. Deliveries to distant points were made by air mail.

Independents Delay Any Action on Code

(Continued from page 1)

States officials also declined comment when the scheduled Dec. 12 meeting of the organization’s leaders to give final consideration to the code. The 10 industry executives appointed to the code authority by President Roosevelt were still awaiting formal notification from the NRA yesterday and declined to comment on their appointments in advance of receipt of the formal notice.

Cooper Arrives Today

MERIAN C. COOPER, Radio Pictures executive producer, arrives today from San Francisco, where he has been recuperating for several weeks from illness. Cooper, RKO executives here on production matters, returning to the Coast in about a week.

First in Chicago

CHICAGO, Dec. 1.—Today’s Motion Picture Daily stopped the clocks temporarily as the morning routine of opening home office mail long distances were distributed in B. & K. offices, and Warner, RKO, Paramount, M-G-M, U. A., Universal and other exchanges.

At a meeting of the Film Board of Trade today President Lonny Horvitz, who has expressed the appreciation of the board members for the great service, Jack Miller said he has been calling for this code and you are giving it to us first.” Everyone there was enthusiastic praise.
THE 16th DAY OF "LITTLE WOMEN"
AT RADIO CITY . . . and a line five city blocks long! . . .

10 a.m. on the 16th day of its New York run and 20,000 people milling, crowding, storming the Music Hall doors . . . three times as many waiting in the cold as could be admitted at any time!

This week . . . throughout America in more than 200 key cities attendance records are crumbling before the mighty onrush of a sea of people eager to spend their "earmarked" money for a picture that will live on forever in glory undimmed!

RKO RADIO PICTURE
Chains Fade, Wis. Inds pts In Number

(Continued from page 1)

the Warners rose in the ascendency until today Brothers Harry, Abe and Jack are the big names in the Wisconsin cinema picture business.

That does not mean all is rose-colored with them. Using as a nucleus for circuit representation the deluxe theatres which Carl Laemmle undoubtedly wishes he never had built, the Warners got a toe hold when Dan Michaleo, now theatre contact for Sidney R. Kent with the Skouras Brothers, bought for them the very houses he had built at La Crosse and Appleton. The times of fate are often peculiar in this business.

Currently, the Warners are in opposition to the Skouras operation, or what’s left of it, since Fox has dished it in the bankruptcy court.

Where 16 theatres made up the Warners roster about 1928, by 1932, the circuit has kicked it to the total of 24 and all of them are operating. The flagship is the 3,000-seat Warner in Milwaukee; trailing in rough seas is the 1,400-seat Strand, now in its seventh choppy week.

Two Companies Formed

A couple of weeks prior to the Fox-Midwesco court action, two new companies came into being. One was the Wisconsin Amusement Enterprises: the other, Statewide Theatres. It is merely accurate reporting to reflect what a substantial portion of the Milwaukee film industry is saying: that those two new corporations came into being at a most peculiar time.

Current, as well, is the well-defined impression, minus the definite facts to back it up, that the reason behind the Warners’ move to do with good has to do with their theatres; that Wisconsin Amusement was designed to hedge under one corporate banner under the houses which the Fox interests have stood for more than a year. Similarly, Statewide was figured as the sponsor of the houses considered both hot and consequently not so desirable.

Theatremen’s gossip also has it that Chase National, or interests either identified or controlled by Chase, are putting money on the theatres now handled through Wisconsin Amusement, while leases on the streets of the state Saxex also seemingly make up the Statewide aggregation.

What’s happened to Fox-Midwesco’s original 47 makes an interesting yarn. The Wisconsin is controlled by a unit known as the Fox Wisconsin Corp. and the 28 Amusement Co. and the enterprise to date has scadscepped any complications beyond that.

Currently, the Wisconsin Amusement enterprises is guiding the destinies of 19 theatres which spread themselves over nine towns. They are Beaver Dam, Roadfield Bay, West Milwaukee, Stevens Point, Wausau, West Allis and Marinette.

Statewide is in bankruptcy, a mess and a split that has gone in a 24-dog ways. It had 17 of the original Midwesco houses, but today the Saxex, functioning as the New York office head- management, Inc., are running nine either for themselves or because they were bought by Skouras.

Thirteen of the original set-up have reverted to their owners or to inde- nities. The two of these were among the 17 Statewide houses but are two inactive because of demoli- tion or closing.

Warners Have $8,000 Seats

Seven have been acquired by Warners and have been added to those 8,000 of the seats once controlled by Midwesco for the principal benefit of Fox and Fox playdates. Known around the New York office quarters as the rear ends of the national circuit, Warner activities here in their present emphasized status in Wisconsin is proceeding at a loss of about $20,000 a week.

The picture has been changed to re-ad the theatre loss still. The figures combine to be dyed deeply in red. And while they may some day determine that to keep the mid- covered black, the chances are slim unless show business accidentally finds a forum in the American. Nobody is figuring on that.

The direct results of what is a revolutionary change for Milwaukee players is that the circuit is more active, but the new independent exhibitors into the field. The circuits persist in their difference of opinion over the amount for chief honors continues between Warn- ers and Skouras, which is Fox, but in between are the exchanges which continue to sell the big try, these new individual situations which last year were not around.

When the downtown first runs get breath fitfully from their afternoon business, the Milwaukee neighborhoods find the reverse holds in their case. The theatre life is so negligible that the majority of neighborhoods don’t even bother to open box offices. To get their few cents such as it is. Here, as elsewhere, theatremen always complain; if they didn’t, they’d find rentals jumping. But in the downtown houses, in conclusion, could stand much more excitement than exists now. For the downtown is more significant in view of the fact that, as the chief metal theatres in the city, Milwaukee is ex- pected to get a good slice of the internal $50,000,000 of orders which Maxim Litvinoff, Soviet commissioner for for- eign affairs, said he had ready to award when he arrived in this country several weeks ago. Milwaukee also looks forward to an increasing volume of business with the Soviet Republic.

Unaffiliated Ranks Gain 15
In Milwaukee

Saturday, December 2, 1933

Milwaukee, Dec. 1.—Exchanges here serve the state of Wisconsin and the upper peninsula of Michigan.

Ben Koenig, secretary of the Film Board, brushing up statistics for Motion Picture Daily, supplies this data: Possibilities in Wisconsin total 487 houses, seating 258, 548, total houses in the peninsula total 61 houses, seating 27,281. Total served, or capa- ble of being served out of this city, therefore is 548 theatres, seating 285,484.

There are approximately 40 producer-affiliated houses in the territory, all of them in Wisconsin. Warners and Stateside have ten, and independent circuits are in ex- cess of 15 and so individual operators has the edge numerically.

548 Possibilities

Unaffiliated Ranks Gain 15
In Milwaukee

One of the state’s bright spots is Janesville, a city of 21,500, which is welcoming back the Chevrolet Motors and Fisher Body plants which were closed a year ago October. The re- opening is expected to return between 1,200 and 2,000 people to work by the end of November and lift a county relief load of 5,000.

Taverns Are Problem

Another impending benefit is brew- ing in relief from the serious low- priced theatre competition of the several thousand Milwaukee taverns into which holes in the wall have been con- verted. With approximately from 2,- 000 to 4,000 of these so-called night clubs are becoming an estimated 3,000 hostesses and en- tertainers, women’s organizations are burning up Mayor Hoan for a tight- ening of the ordinances which permit them wide freedom in operation. The mayor already has asked the council.

A $765 Week

Milwaukee, Dec. 1.—Which makes first run operators hold their heads in their hands.

One downtown house here recently grossed $765 on the week. The extent to which it slipped into the park is so negligible that the scarlet would pay for a tour around the world, first-class.

More Grief

While the Alhambra, back- ing “Only Yesterday” with a big campaign, did about as much business as the Warson with “The Prizefighter and the Lady” (and no show) and “The Palace of Chance” (plus 12 acts) com- bined, its gross was, nevertheless, 25 per cent under the same week in 1932.
Chains Fade, Wis. Ind’y’s Up in Number

(Continued from page 6) to reach the present franchise code which he claims is too lax and covers too much loosely defined territory in point of what is moral and immoral... An ordinance regulating the sale of liquor now permitting sale on the same floor house the taverns themselves, but exempted bars, pool halls, and restaurants with private dining rooms, has been referred to committee. Tavern proprietors are after an extension of the curfew regulation to 12:30 to 3 A.M., but the move is on in theatre circles to fight it on the ground, not to be expressed before the city fathers, that such extension will divert additional money which, reasonably enough, might otherwise find its way into Wisconsin. Wisconsin is a rural market. Fifty-four of its 71 counties are dominated by farm trade. Therefore, when any question involving the NRA or the AAA is posed, this dope sheet is placed before any investigator of the facts. Where either or both of these Federal agencies has gotten in its inning, conditions have improved and that is how it is here, too.

On repeal, there is no excitement and not much anticipation. Whatever the anticapitalists have urged, the expectation liquor manufacture will send up the purchasing dollar curve by putting more people to work. On the other hand, theatres may reap some of the benefit.

On the code, there is no particular viewpoint but the concern and opinion that on count something like this—We’re heading for it whether we like it or not. Deputy Administrator Rosenblatt in his speech before the convention last week painted a pretty picture of what it may bring forth for a steady supply of box-office pictures that won’t offend family trade, if that were possible to guarantee, it which we know it is not.

MARSH, Wis., Dec. 1.—This city is the state capital and the University of Wisconsin with a population of some 60,000, is about 80 miles from Milwaukee. It has always been recognized as a good show town and represents a high purchasing power. At present is about 1,812 unemployed men who are receiving relief in the Madison area. Since the Midwest blow-up, however, has been pretty keen with Wisconsin Amusement Enterprises, Inc., operating the Orpheum, Parkway and Strand, and Warners Theatre outoperating and the Women’s International Congress, the Orpheum and the Parkway have been playing first runs as has the Capitol. In addition to the independent houses, the Majestic and Eastwood.

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Two More Colonels
E. C. Gomersall, Universal sales manager for the western division, and P. A. McCarthy, eastern division sales manager, have joined the growing army of Kentucky colonels. Their commissions arrived from Gov. Ruby Lafoon yesterday.

Canadians Ask New Loew Directorate

(Continued from page 1) in arrears $38,350 per share, but the cost of films to the company has been advanced from $35,159 in 1928 to $117,613 in 1932. Warner points out that three directors of the Canadian company, including L. B. Loew’s, and Marcus Loew’s Booking Agency, which sells films to the Canadian company, are of the same people. Loew’s declaration of losses for each year at a peak in 1928, he says, but film costs to the Canadian company have doubled since.

Twenty of the largest shareholders are working with the Royal Trust Co. on a committee. The trust company is controlled by Sir Herbert Holt, who is closely associated with N. L. Nathanson, president of this company. One of the shareholders operates the Yonge St. Theatre here and owns the Uptown, which is operated as a first run by Famous Players under an annual rental arrangement.

Para. Men on Road For Selling Drive

(Continued from page 1) on the way for conferences with branch managers. J. J. Unger and Milt Kroll returned direct from Washington and Philadelphia and on Tuesday plan to visit the Albany and Buffalo offices. Stanley Waite is planning to leave on a trip but hasn’t definitely scheduled his tour. George J. Schaefer, general manager of both of the Canadian Loew’s, operates the Yonge St. Theatre here and owns the Uptown, which is operated as a first run by Famous Players under an annual rental arrangement.

Canadian Women Demand Censorship

TORONTO, Dec. 1.—A deputation of the Toronto Federated Women’s Institute has asked the Ontario cabinet to seek the establishment of a Federal film censor board to replace the present eight provincial censor boards. Repression and libel suits are being urged, so that local opinions will be reflected.

Pickford Trip Delayed

HOLLYWOOD, Dec. 1.—Mary Pickford has postponed her business trip to New York from the first week in December. The actress is waiting until after Christmas holiday during which Gwennie Pickford, her niece, can accompany her.

To Start in Richmond

RICHMOND, Dec. 1.—Work on a new $60,000 theatre at Westhampton avenue within two blocks of the Byrd is to start soon, according to Walter J. Coulter.

Wehrenberg Sees Repeal As Film Aid

St. Louis, Dec. 1.—Repeal ought to help theatres by cutting the price of tickets and freeing some of the burden of taxation from amusements to distilling, declares Fred Wehrenberg, head of the M. P. T. C. of St. Louis, Eastern Missouri, and Southern Illinois.

If liquor costs less, people will have more to spend on amusements, he reasons. What its other effects will be are pure guesswork, he points out. Before prohibition its proponents declared abolition of the corner saloon would end poverty, restore prosperity and send teachers and farm hands around beer parlors to theatres, but it didn’t. People spent more money for liquor than they ever did before and part of the cost of fruitless efforts to enforce the prohibition laws fell on the amusement industry, Wehrenberg points out. Hounding the sentiment of exhibitors generally in this territory.

Those who now predict repeal will result in a continual growth of boozing are as far off as those who believed the 18th Amendment would bring lasting peace to the West.

"Undoubtedly it will increase employment. More money will be put into towns, more liquor will contract taxation on other industries. The eventual benefits will reach theatres."

Oklahoma Unworried; No Repeal Till 1934

OKLAHOMA CITY, Dec. 1.—There has been much pub-circulation on the idea that repeal will affect theatre business, but Oklahoma will not have to worry about the liquor situation until July 1934, when the state law is voted on. Theatre men in Oklahoma City don’t seem to be worried.

The manager for Cooper-Publix says: "I believe people who have been using liquor will continue to use it and that theatres will not be particularly affected one way or the other."

Morris Lowenstein, president of the theatre owners of Oklahoma: "I believe people will be using their money to purchase the necessities of life and won’t have a lot to spend on alcoholic drink. Certainly any reemployment following repeal will help grosses."

Skouras Enterprises Tax Ruling Entered

ST. LOUIS, Dec. 1.—Through a stipulation of counsel the Board of Tax Appeals has allowed two Skouras Enterprises to relieve of a deficiency judgment of $8,232 covering income taxes from March 25 to August 24, 1931, against Skouras Brothers Enterprises, the company is now in bankruptcy.

On another item for $4,136 covering the period from Dec. 1, 1931, to Feb. 27, 1932, the board reversed the commissioner and allowed the company’s claim for additional allowances for depreciation and organization expenses.

(Continued from page 1) in that thoroughfare at 51st St. Blastings caused by Radio City excavators working at the 51st St. corner in order to safeguard the thoroughfare.

The Capitol, where M-G-M’s "Dancing Lady" opened on Thanksgiving Day, as customary, reported an opening day attendance of 18,256, said to be the largest single day’s business there in 14 months. The Astor, who were required to hand Thursday’s crowds and capacity business continued throughout yesterday.

The Paramount wound up a seven-day engagement of "Take a Chance" on Thursday to business reported to be near capacity, although the theatre declined to divulge attendance or gross figures. With the opening of "Sitting Pretty" yesterday, and Gary Cooper in the stage show, holdouts were the order throughout the day, with theatre officials comparing business to that done during the opening week of "I’m No Angel."

The Hollywood reported that Warner's "The House of 26th Street" bettered the opening day gross of "The World Changes" by $780 on Thursday. No reports on business yesterday was also reported. First National's "Son of a Sailor," drawing capacity crowds of school children and their parents gave the Strand its best business yesterday since "Gold Diggers of 1933" opened at the house, police reported.

The old Roxy, with Fox's "Hoo- pla," grossed $9,000 on Thursday with capacity patronage of 20,000 admissions, and continued the capacity pace yesterday with 12,000 admissions for "The Invisible Man." No reports.

Business at the Mayfair, where M-G-M's "The Chief" is current, and at the Palace, where Universal's "The Invisible Man" business throughout the near-capacity for the past two days. Broadway subsequent runs and the Mayfair back to what story to tell. The S. R. O. signs were out at the Criterion, with Paramount's "Design For Living," and at the Orpheum, where M-G-M's "Pakino" is current.

PITTSBURGH, Dec. 1.—Radio's "Little Theatre" program is proving quite popular and money records on its opening day at the Stanley here, grossing $5,950 on 14,900 admissions yesterday, in the aid of holiday price scales. Waiting lines extended for blocks and thousands were turned away. The picture will be held for a second week, the first time a film has ever been held over here.

LaGuardia at Gambol

Mayor Fiorello H. LaGuardia will head the list of guests at the Lamb's Revival Gomber at the Astor Thursday night. Others expected in- cluding Mayor Abraham E. Baldwin, Ethel Barrymore, Mme. Maria Jeritza, John McCormack, George M. Cohan, Col. Marvin H. McIntyre and Stephen Early, Frank Hawks and Rear Admiral Yates Sterling, Jr.

Holiday Rush Sends B’way Takes Soaring

(Continued from page 1)
Oklahoma City

Grosses Drop
In Poor Week

OKLAHOMA CITY, Dec. 1.—Local theatres hit an average week of $17,200, down $3,400 from the $20,600 recorded the previous week.

Although the Midwest has not been reporting four consecutive weeks above average, it will probably have a far figure of approximately $3,000.

"The Chief," which led the New Year's Day rush, brought in $4,000 last week.

"Bombshell" gave the Criterion an average week of $5,000. The Capital playing "My Weakness" did $8,000, which is par, "Hell and High Water" and "King of a Night" set in at the Liberty brought average business of $3,000.

Total first run take: $17,200. Average: $12,200.

Estimated takings for week ending November 25:

"PADDY, THE NEXT BEST THING" (Fox)
MIDWEST—(1,300), 16c-25c-35c-40c, 6 days. Gross: $5,000. (Average, $833.)

"MY WEAKNESS" (Fox)
CAPITOL—(2,000), 16c-25c-35c-40c, 6 days. Gross: $5,000. (Average, $833.)

"KING OF A NIGHT" (Univ.)
LIBERTY—(1,500), 35c-40c-45c-50c, 6 days. Gross: $2,500. (Average, $416.)

"NO MARRIAGE TIES" (RKO)
VICTORIA—(600), 16c-20c-25c-30c, 3 days. Gross: $900. (Average, $300.)

"CAPTURED" (Warner)
VICTORIA—(600), 16c-20c-25c-30c, 4 days. Gross: $500. (Average week, $125.)

"Bomber II" (M-G-M)
CRITERION—(1,200), 16c-20c-25c-30c, 4 days. Gross: $1,600. (Average, $400.)

"PADDY, THE NEXT BEST THING" (Fox)
MIDWEST—(1,500), 16c-25c-35c-40c, 7 days. Gross: $5,000. (Average, $714.)

"MY WEAKNESS" (Fox)
CAPITOL—(2,000), 16c-25c-35c-40c, 7 days. Gross: $5,000. (Average, $714.)

"KING OF A NIGHT" (Univ.)
LIBERTY—(1,500), 35c-40c-45c-50c, 7 days. Gross: $2,500. (Average week, $357.)

"DANGEROUS" (M-G-M)
ATKINSON—(600), 16c-20c-25c-30c, 7 days. Gross: $900. (Average week, $128.)

"THE CHIEF" (M-G-M)
LIBERTY—(1,500), 25c-35c-40c-45c, 4 days. Gross: $1,600. (Average, $400.)

"ROMAN SCANDALS" (United Artists)
BROADWAY—(1,900), 25c-35c-40c-45c, 4 days. Gross: $5,000. (Average, $1,263.)

"HELIANTHUS" (M-G-M)
ATKINSON—(500), 25c-35c-40c-45c, 4 days. Gross: $1,200. (Average, $300.)

"FOOTLIGHT PARADE" (Warner)
HAMBRICK'S MUSIC BOX—(2,000), 16c-25c-35c-40c, 2 days. Gross: $1,200. (Average, $600.)

"SMOKY" (Fox)
PANTAGES—(700), 16c-25c-35c-40c, 3 days. Gross: $900. (Average week, $300.)

"MY WEAKNESS" (Fox)
PANTAGES—(700), 25c-35c-40c-45c, 3 days. Gross: $900. (Average week, $300.)

"PRIZEFIGHTER AND THE LADY" (M-G-M)
UNITED ARTISTS—(950), 16c-25c-35c-40c, 7 days. Gross: $1,200. (Average, $1,600.)

"ROMAN SCANDALS"
(United Artists)
BROADWAY—(1,900), 25c-35c-40c-45c, 4 days. Gross: $5,000. (Average, $1,263.)

"FOOTLIGHT PARADE" (Warner)
HAMBRICKS MUSIC BOX—(2,000), 16c-25c-35c-40c, 2 days. Gross: $1,200. (Average, $600.)

"SMOKY" (Fox)
PANTAGES—(700), 16c-25c-35c-40c, 3 days. Gross: $900. (Average week, $300.)

"MY WEAKNESS" (Fox)
PANTAGES—(700), 25c-35c-40c-45c, 3 days. Gross: $900. (Average week, $300.)

"PRIZEFIGHTER AND THE LADY" (M-G-M)
UNITED ARTISTS—(950), 16c-25c-35c-40c, 7 days. Gross: $1,200. (Average, $1,600.)

"The Chieft" (M-G-M)

Looking 'Em Over

(The continued from page 2)

"The Chief"

There is a lot of entertainment and plenty of laughs in this fast-moving comedy, which has been made to measure for Ed Wynn's nonsense. Parts of it are purely slapstick and the ending, which reveals to the audience the first time that the story is a picturization of an Ed Wynn radio broadcast, appears less satisfying than an ending which would have carried the story to its own conclusion. However, the picture merits a good comedy rating, regardless.

The broadcast sequence, however, is not without its value in identifying Wynn to audiences that know him only as an actor. Wynn is made honorary chief of a fire battalion in recognition of the heroism of his fire-fighting father. By a comic accident he becomes a fire hero himself and his popularity in his district is so great that politicians put him up for alderman. A rival political crowd, fearing their own defeat, kidnap Wynn's mother and threaten to dispose of her unless he retires from the race. His own managers frustrate his efforts to withdraw, and as the situation attains a comic climax the story is broken off to reveal Wynn in the broadcasting studio, where he completes the telling of the story before the microphones.

Wynn is supported by an excellent cast which includes Dorothy Mackail, "Chic" Sale, William Boyd, Nat Pendleton and George Givot.

"Through the Centuries"

Rev. Francis X. Talbot, S.J., went through the pages of religious history from the days of Nero in Imperial Rome and the teachings of the Saviour in Palestine down to the far-flung modern missions of the Catholic Church when he wrote this story, and Mrs. Rita McGoldrick went through all the film libraries of the world from the time of "Cælia" to the latest newsreel earthquake shots to illustrate it.

It is a remarkable film, a mixture of reverence in the scenes where the life of Christ is introduced, with melodrama, spectacle, horror, war and travel scenes. It has some of the best shots of "The Big Drive." Most of the scenes showing the Vatican, Pope Pius, various Eucharistic congresses, and mission workers are newreel shots.

The editing is so well done that each slow moving scene is balanced with a terrific punch. Considerable music is introduced and there is a running narrative by Pedro de Cordoba.

The picture opened last night at the Warner Theatre and is expected to run two weeks or more. After that it is to be shown on a roadshow basis, with each showing sponsored by some Catholic organization. It is to be handled by the Catholic Cinema Service Division of Beacon Films.

Flash Reviews

"Smoky"

(FOX)

Will James' popular novel "Smoky" is transferred to the screen with sympathy and appeal ... the author appears in the film, adding to its attractiveness. ... "Smoky" is not a "horse opera" or even what the trade knows as a western ... it is a classic of the romantic west ... it will please all types of audiences.

"Roman Scandals"

(United Artists)

"Roman Scandals" is Eddie Cantor ... gorgeous Goldwyn Girls ... music, mirth and thrills ... singing "Be Young and Beautiful" the hit number ... the entire production is mounted with splendor and magnificence ... compared to Cantor's previous attractions ... it stands on its own feet.

"The House on 56th St." (Warner)

A distinct and mellow charm and its first half. Kay Francis gives one of the best performances she has shown in some time ... Robert Florey has directed ably ... Francis yields several scenes to John Halliday and Margaret Lindsay.

"The Last Trail" (Fox)

George O'Brien and Zane Grey fans will whoop it up over this one. It has never a dull moment in its entire footage and is endowed with humor without stint ...
Memphis Set In Midst of Dry Section

Surrounding States Not Affected by Repeal

MEMPHIS, Dec. 3.—Exhibitors in this area are not interested in the prospective benefits of prohibition repeal for the World's Fair. Unlike similar exhibits in New York, entire section will probably remain as dry hereafter as heretofore.

All the states in the Memphis trade territory are bone dry, but have been for a long time before the prohibition era, and there are laws on the statute books which could not be brought into effect under any circumstances. These states are Mississippi, Arkansas and Tennessee, and are proverbially dry. The fact that they are a part of the Southern territory hereafter probably means little as far as the city is concerned. Tennessee barely squeaked by a 15% vote.

(Foreign on page 15)

Warners’ Checking Gets 85% Coverage

With Warners’ Percentage Picture Checking Department now having 85 per cent national coverage, Ralph B. Gould, head of the department, expects in the near future to get 100 per cent coverage by Jan., 1934. Fifteen field supervisors will cover the country.

The men and the key cities they supervise are:

David S. Ramsdall, New York; Brooklyn, New Jersey; A. J. McIlhany, Boston; L. E. Geddish, Albany, Buffalo, Pittsburgh; (Continued on page 15)

Argentine Business Off, Asserts Lange

Film business has fallen off in the Argentine during the past year, says Frederick W. Lange, Paramount general manager there, who is now in New York for home office conferences. That it is not business, he says, with superimposed titles being used generally on American films. Title writers find it difficult to get the story of the action across to Argentine audiences.

Lange expects to remain in New York for several weeks.

India Is Eager for U. S. Films—Kelly

PARIS, Dec. 3.—That India offers a fertile market for American films was the assertion of Arthur W. Kelly, vice-president of United Artists in

Chicago Lovingly Recalls Fair, Wishes It Were Back

Third in a series of articles throwing the spotlight on conditions in the Middle West. Milwaukee was covered in the first two.

By RED KANN

CHICAGO, Dec. 3.—It was a great while it lasted. It was the World’s Fair. Any circumstance that delighted theatremen, particularly in the Loop, into the belief this was 1929 when they knew full well it was 1933, smacked of the miraculous. It was that kind of a circumstance and that kind of a delusion and both were very easy to take.

Four years ago, B. & K. might have taken their huge grosses for granted. They rolled in regularly. Much has taken place since then, however, and hard sledding has made the

Code Widows

After bringing home a copy of Motion Picture Daily which contained the complete and official code, Tom Murray, who was secretary to the exhibitor code drafting committee, showed it to his wife, Mrs. Murray, after hurriedly perusing the text and particularly noting the pictures of the exhibitors’ committee and Allied leaders who led the insurgent movement, queried: “Where are the pictures of the code widows?”

Labor Looks for Place on Boards

The belief that representatives of organized labor will be named to code authority boards whenever labor’s problems are brought before that body was expressed by labor leaders here and seen as eliminating the possibility of a formal labor protest to the NRA over the appointments of Eddie M.  (Continued on page 4)

Chicago Musicians’ Union Suit Started

CHICAGO, Dec. 3.—An accounting of funds and receivership is asked for the Chicago Federation of Musicians in a bill filed by Frank Rizirazo and

Either This or a Like Concession in New Deals Planned

The 10 per cent cancellation privilege for pictures averaging $450 rental, or less, offered under the code, will either be extended by major distributors to exhibitors who have already signed current season contracts, or the equivalent of the cancellation privilege will be granted in revised contracts, Motion Picture Daily learned Saturday as the result of a canvass of home office executives.

This, and the fact that existing clearance schedules for 1933-34 product will not be disturbed by the local clearance and zoning boards to be named by the code authority, probably win that the contract week or two, was determined in answer to widespread interest and speculation in exhibition and exchange circles throughout the country.

Home office sales executives revealed that thousands of contracts have been closed this season which carried the specification, written in at the exhibitor’s request, that the contract was to be amended to include

(Ten on page 4)

Para. Trustee Suit

Hearing Set Today

Arguments on a suit seeking the removal of the Paramount Publix trustees in bankruptcy are scheduled for a hearing in U. S. Circuit Court of Appeals here today. The action, brought by Samuel Zirn, as attorney for a group of Paramount Publix bondholders, was denied by the U. S. District Court last spring, but the higher court granted an appeal.

Further examination of John Hertz, former chairman of the Paramount Publix finance committee, will be continued this afternoon before Referee Henry K. Davis, with Saul Z. Rogers, attorney for a bondholders’ group, questioning the witness.

Para. Wins License Tax Dispute in La.

NEW ORLEANS, Dec. 3.—The Supreme Court has denied the authority of the state to collect a license tax on the leasing and distribution of films here by Paramount-Publix.

(Continued on page 13)
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Hollywood, Dec. 3.—Few producers have dared more often or more courageously than Samuel Goldwyn. With a gambler's instinct for venturing where others fear to tread, he has repeatedly shot his stake on a hunch, to find showmen's response, reflected through the box-office, has provided ample justification for his daring the filing of a fortune.

He has plunged deeply again, has peered the hills off the bankroll, and with every confidence, has unleashed one of the industrial replicas, Eddie Cantor in his fourth annual musical, "Roman Scandals." Also with a grand gesture, it was presented at Grauman's Chinese with all the fanfare and panoply of a Roman holiday.

"Roman Scandals" is Eddie Cantor—Eddie and the gorgeous Goldwyn girls of bodies and thrilling and truths, in modern settings hinged to the glory that was Rome.

Opening in a museum in the modern town of West Rome, Eddie, the grocer boy, is discovered asleep as the statue of a Roman Empress is unveiled.

Asked to leave town, Eddie meets with an accident and reaches ancient Rome via the dream route.

On the auction block in Rome he is purchased by Josephus (David Manners) as his slave. Because of disrespect to a major domo, he is jailed, to be flung to the lions. He wins the favor of the Emperor by laughing through torture. The Emperor (Edward Arnold) appoints him his official food taster.

At the royal court he romps through the Roman baths—attends the auction of the female slaves—discovers that Manners is in love with Princess Sylvia (Gloria Stuart), held as hostage by the Emperor.

Jealous, the Empress (Verma从而使Florence), tries to poison his spouse, which places Eddie, the food taster, on the well known spot.

With Manners and Sylvia about to escape via the chariot route, Eddie becomes charioteer, and the race to freedom is a slam-bang high-tensioned thrill climaxing the production, with Eddie waking up in his home town of West Rome.

Eddie's antics, gags and foolishness inspire the comedy, ranging from belly laughs to giggles.

Big production number is the Roman bath—the girls receiving all numbers of body treatments, with Eddie as a shah slimming in and out of booths, singing "Be Young and Beautiful," the hit number of the show. It's a spicy concoction of fascinating femininity—white and ebony—tuneful music and rhythmic movements in the best Busby Berkeley style.

Other beauties, daringly revealed in various stages of deshabille, are fetching in their various displays of charm. The entire production is mounted with splendor and magnificence. Sheer beauty in changing visual image, brilliantly photographed, constantly intrigues the eye.

While "Roman Scandals" may be compared to Cantor's previous comedies, the charm of "Falstaff Days"—it stands on its own feet as entertainment, containing the ingredients that have made this type of musical extravaganza popular.

Cantor, with his big stage and radio followings, and his recent screen actors' guild publicity, is the big name draw.

With Cantor and girl glamour, and the prestige of Cantor's former shows as naturals, "Roman Scandals" may have been considered a gamble by the producer, by virtue of the amount expended in its filming, but showmen are more apt to rate it as a sure thing.

(Continued on page 13)
Fair Lovingly Recalled by Chicago Trade

(Continued from page 3)
operators who have been running a circuit duly appreciative of lesser favors and perhaps more appreciative of miracles. Exhibitors don't like to wax enthusiastic about business even when it's good. Certainly they shy harder when a reporter's pencil is poised; the prejudice, the fear of deserting the project, regardless of non-committal statements and some at variance with others, as well as the fact that Chicago houses, theatres, downtown and outbound, and that's why, in loving and yearning terms, they wish the exposition was back in town.

Trade No Longer National
It will be—next summer. But that's some months away and, aside from that, opinion is sharply divided on the repeat run and what it will bring. Film men here, or many of them anyway, lean toward the idea that 1934 will turn out to be less national and more municipal; that, whereas the 22,000, who passed through the gates this past summer were drawn from every state in the union, next season will find the patronage concentrated on the relatively diminished radius. If this eventualizes into facts, theatre business may not be so hot on the theory that local purchasing power will divide itself between the fair and its attractions and the theatres and their shows.

It is the hope of the trade and of those who go through turnstiles many times. However, the foreign cars that jammed the city, the million hotel rooms and all of the intense activity pertinent to the exposition left their mark on theatre grosses. They're still trying to match it.

De Luxers Fattened
There is no question but that the de luxe in the Loop fattened well on the 'Dowery Club'. The jump from the hinterland obviously did not spend every day and every night on Fair grounds, but, as far as one could tell, his loot he had heard about were something to see at least once, and he went. The stage end of the shows each week was built up to capitalize on the current drift and so the one-time visitor no doubt went more frequently. In the neighborhoods, it was a case of ditto on a smaller scale. Many of those who took in the fair stayed with friends, and relatively there must have been untold thousands who did that, for hotels alone could not have accommodated the hordes that availed on Chicago.

Inadequate transportation facilities, the open spaces to the tune of miles between the various sides of the city and the Loop, the difficulty of parking downtown as well as the cost were factors which influenced many to stick to their neighborhood houses for entertainment. They did.

The Week of Food Memories
Chicago, Dec. 3—Long to be remembered in the Loop will be the week ending Sept. 2, for it was then that the big theatres hit their biggest business since Aug. 29, 1933 but in several years past.

Here is what happened:
The Chicago did $75,000 against an average of $31,600. On the stage: "Shanghai Bund, Amos 'n' Andy, Vincent Lopez. On the screen: "Goodbye Again."
The Oriental did $38,000 against an average of $22,000. On the stage: George Jessel, Dorothy Stone and Notre Dame Glee Club. On the screen: "No Marriage Ties."
The McVickers did only $9,000 with a second week of "Moonlight and Magnolias." The Loew opened its tenth week of "The Great Gilders." The Roosevelt did $14,000 against an average of $11,000. Unusual business in that the attraction was "The Great Gilders," then playing its tenth week in the Loop.

Combined total tailed to $184,000, the week of fond memories.

Chicago Grosses Leaped
The Chicago, ake B. & K. house, with an established average of $34,400, had dipped to $25,000 for the week ending June 3 with "Egypt and the Hawk" and Singin' Sam heading the stage show. Two weeks later, it had climbed to $41,000 with "When Ladies Meet" and Will Mahoney. The following week earlier gains had been retained and more rolled up. George Givot and the Piccolio troupe headlining on the stage with "Jennie Gerhardt" on the screen giving the house $43,500. A few thousand shy of a complete double over average kicked in the week ending Aug. 12 when Sally Eilers, who has been playing the part of "Margeret" in the evening as well as other commitments, announced for the 1st time the $64,000. "Another Language," then current as the film attraction, did its share to attain that figure.

August, the big vacation month, proved a boon. Sally's fans apparently took something or other, for, in the last week of that month, the take had gone to $73,000. What year was this anyway? It took the first week of September, however, to give the Chicago a terrific gross at $75,500. The stage show, highlighting the fan dancer, Amos 'n' Andy and Vincent Lopez, undoubtedly did it. "Goodbye Again" was the feature. In those 27 weeks, the Loew had weeks of above average business, yet in the last two weeks has slipped back to a $35,000 take, and fair did not spare its favors.

There is the Palace, RKO's only house in the city now that Aaron James has taken the State-Lake. The theatre, where the average is $22,000, enjoyed 16 of the 27 weeks above that mark. The week ending Sept. 19 with a $37,000 take, or a $15,000 profit, with "Morning Glory" and Sophie Tucker. Indicative of the wide ebb and flow of business in this spot is the fall-off of $14,000 for the week ending May 27 with "Below the Sea" and Jimmy Barton.

McVickers Not So Strong
The McVickers failed to do as well as some of its neighbors, chalking up only four above average weeks the 27. The theatre had plenty of $9,000-$9,200 weeks to combat an average of $13,000 and touched its highlight at $20,000 in the seven days to Oct. 11, which was first week of "Too Much Harmony" at a 30-40 cent scale. The obvious reason was a return run of "Penthouse" the week ending Oct. 14, "Picture Snatcher" the week of June 3 with "And Don't Tell the Girls," "Stars at Daybreak"—week ending Aug. 5—furnished the low, $6,500 each in case.

"The Gold Diggers" and "I'm No Angel" sweetened the treasury of the Oriental, which has to do $23,000 before its average is taken. The 27 weeks that ended the open week, rolled up a $123,000 gross and ranged from a $36,500 opening week which closed on July 1 to a final stanza at $10,000. The West rage, crystallized in her second picture, made the Oriental box-office gross at $50,000, or a $4,810 week which terminated on Oct. 14. For five additional weeks, "I'm No Angel" took the top and its grosses, which was $185,000 and doing a handsome $15,000 in its sixth and closing inning. Some different from the low of $10,000 struck by "The Power and the Glory" when it finished its week Oct. 7.

U. A. Fell Below Others
Although the United Artists reflected the boom times along the street, it fared less auspiciously than the others. It was the first week of "The Bowery" which captured high spot there with a $25,500 take by Oct. 21 and was rivaled only by the initial week of "The Masquerader," which drew in $25,000 when the seven days to Aug. 26 were over. The low was made by "Warrior's Husband" at $7,000 for the week ending July 8, or before the summer vacationists had descended so heavily on the town.

Vastly different, then, is the B. & K. situation. With its circuit intact on the north, south and west sides of the city but augmented by the Terminal, once a Fox house, this enterprising

(Continued on page 4)
Cancellations
Also to Apply
On Old Pacts

(Continued from page 3)

any code provisions not appearing in the contract at such time shall be
satisfied by the President. Such
contracts will automatically derive
benefit of the 10 per cent cancel-
lations providing other pro-
visions and restrictions of the code
not found in the contract.

Some to Extend Benefits
In other cases, however, sales
managers indicated that the benefits of the cancellation clause to
existing contracts wherever indi-
vidual cases merited it. These
were not only those of the type
in which rental had been determined on the
basis of purchase of the distributor's
ents, but to other distributors where
the code provisions would be clear.
In such cases, distribution execu-
tives said, exhibitors would be
afforded their choice of either carry-
ing their existing contracts for the
entire block or negotiating a new
contract which would include the
carrying of the existing rents based on the exhibitor's
choice of less than the entire block
of pictures.

A liberal attitude toward exhib-
tors already signed up on contracts
not calling for the cancellation was
indicated by the board of directors.
"Why should we withhold any
benefit of the code from accounts that
had enough confidence in our produc-
tive forces to sign up early?" was the attitude of
several.

New contracts with a clause added containing the code cancella-

(Continued from page 1)

Cancellations
Also to Apply
On Old Pacts

outfit which pretty much sets the
scene for the following story:

It is almost a year ago to the
day, as well, when Barney Balaban an-
alyzed for this writer what he thought
would happen when he took charge
then placed two-thirds of it on the
the code was answered by an
employers', rather than a dream, and
Labor, however, views Miss Dressler and
Cantor as representatives of an
engaged group.

With the specification in the
President's memorandum naming Miss
Dressler and Cantor as representatives of the
code authority, Labor's petition for representation
was answered by an employers',
rather than a dream, and
Labor, however, views Miss Dressler and
Cantor as representatives of an
engaged group.

Speaking of labor representation
on code authorities, General Johnson said:
"I never would lay down a hard and
fast rule. When labor assumes re-

(Continued from page 1)

Monday, December 4, 1933

DAILY

MOTION

Clearances to
Hold Good on
All Contracts

(Continued from page 1)

(Continued from page 3)

Chicagolingly Recalls
Fair; Wishes It Were Back

(Continued from page 3)

Labor Looks for
Place on Boards

(Continued from page 1)

Meyer and Vincent
Given MPTA Posts

Fred S. Meyer, head of the M. P.
T. O. of Wisconsin, has been elected
secretary of the M. P. T. O. A., and
Walter J. Vincent of the Wilmer
Vincent circuit has been elected treasurer
by the board of directors of the
M. P. T. O. A. to fill vacancies created
by the recent resignations of
M. P. T. O. Council's former secretary, and
Jay Emanuel, former treasurer.

Ennis Joins Majestic

Bert Ennis, formerly advertising
and publicity director for Columbia,
has been placed in charge of the same
department at Majestic Pictures by
E. H. Goldstein, executive vice-presi-
dent. Evelyn Lee Koch continues with
Majestic, according to press reports.

Kent to Coast Today

S. R. Kent leaves for the coast
today. The Fox president returned
last week from Europe.

Abramson Suit Down For Trial This Week

Trial of Ivan Abramson's $3,100,000
suit against the Hays office prac-
tically all the producers in the industry
for alleged conspiracy to force
him out of business in violation of the
anti-trust law is set to start this
week before U. S. District Judge
Robert P. Patterson.

It will be completed today and trial
is down for a start on
Thursday. Hays, Poddell & Schniman
and Benjamin S. Gersh are
plaintiffs and Max D. Steuer is
counsel for Abramson.

Kramer, U.A. Cincy Head

Sam Kramer, formerly a salesman in
the U. A. office in Chicago, has
been promoted to man-
ger, succeeding Edward Benson, re-
signed. Mr. Kramer, who was with First National in New York,
have taken over Kramer's former
duties.

MILWAUKEE, Dec. 3—Echoes of
recent objections to allegedly shady
advertising in Milwaukee and several
other Wisconsin cities were heard at
a meeting of the Milwaukee Minis-
terial Ass'n at which ministers pres-
ceded urged that it be dropped.

It was asked that Mayor Hoan and
the police department be called in to help
ministers in the war on obscenity.

In Oaksho the county board has
passed a resolution suggesting
that the Wisconsin court avoid
unnecessary involvement in crime
and immorality.

Kidnap Film Halted

London, Dec. 3—American
newsreels portraying a reconstruction of
the Brooke Hart kidnaping and
showing flashes of the lynching of
John Holmes for Hart's murder were
withdrawn from British houses yest

Milwaukee Pastors
Demand Clean Films

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U. A. Drops Two Films

United Artists has taken two pic-
tures off the current release sche-

A. D. Abrams

United Artists has taken two pic-
tures off the current release sche-
deal. They are "The Great Barnum"
and "The Truth." The former will be
produced this season, but will not
be released until 1934-35. The
second will not go into work this sea-
son, but is expected to complete the
programming program entirely.

Both are 20th Century novels.

A. D. Abrams
Soon in the theatres of the nation:

Astor Theatre Attractions
are the Aristocrats of the screen.

In motion pictures
Nationwide Fame!

Greatest amusement property of our time! Glorified by 12 brilliant stars. It flames with drama...the fallen matinee idol...the millionaire's frivolous wife...the amorous doctor of the idle rich...stolen hours of romance. Thrilling entertainment in M-G-M's "Dinner at 8" and already publicized to the public over months of showman-sponsored road-shows!

4 MONTHS ON BROADWAY—
3 MONTHS IN LOS ANGELES—

And brilliant road-show engagements ranging from one to four weeks in

Saratoga, N.Y., Asbury Park, N.J., Atlantic City, N. J., Montreal, Buffalo, Toronto, Cleveland, Columbus, St. Louis, Cincinnati, Detroit, Atlanta, Baltimore, Philadelphia, New Haven, Boston, Pittsburgh, Hartford, Chicago, Washington, D. C.

The Pride of METRO GOLDWYN MAYER
Marie Dressler
John Barrymore
Wallace Beery
Lionel Barrymore
Lee Tracy
Edmund Lowe
Billie Burke
Madge Evans
Jean Hersholt
Karen Morley
Phillips Holmes

Directed by George Cukor
From the Sam H. Harris stage success by George S. Kaufman and Edna Ferber. Produced by David O. Selznick.
Successor to "Trader Horn" fame!

It has been the privilege of M-G-M to keep public enthusiasm for screen entertainment at high pitch through the years. We have sent expeditions to the South Seas which returned with "White Shadows"; to British East Africa and "Trader Horn" resulted. There have been other ventures to the outposts of civilization but we are proud that the greatest and most successful of these is "Eskimo." Now thrilling Astor Theatre audiences at $2 top, it is soon to be the supreme romantic-adventure delight of the nation!

From Peter Freuchen's vivid novel.
Directed by W. S. VAN DYKE.
Hunt Stromberg, Associate Producer.
"Dinner at 8" is the Critics' Delight

★★★★ (Four Stars) "I was thoroughly entertained." Kate Cameron, Daily News

"Lives up to every expectation. Cast of 25... most of the stellar lights of the M-G-M studios. One of those rare pictures which keeps you in your seat until final fade-out. Greater variety of characterizations than have been 'witnessed in any other picture. A grand evening." Mordaunt Hall, N. Y. Times

"Lively and entertaining display of the histrionic talents of most of the California hierarchy. Jean Harlow gives the grandest show. An excellent example of smart and vigorous theatre."

Richard Watts, Jr.—Herald-Tribune

Fine picture. Exciting, many-sided drama. Cast contains practically every star on the M-G-M lot. If you seek an entertaining film, the Astor is where you can find it."

William Boehnel—World-Telegram

"Once more a parade of names at the Astor. All play well. It's another 'Grand Hotel' both as to names and box office." John S. Cohen, Jr.—Sun

"Not since 'Grand Hotel' has Hollywood flung forth such a star-spangled banner. Mightiest congress of stars ever assembled—the season's championship event. More effective than the play. Will be Gotham's table topic for months."

Regina Crewe—American

"Stupendous! Just look at the names. Enough stars, stories, dramas, big scenes to have made half a dozen movies. Destined to make a hit. You'll heartily applaud every player. Great. You can't afford to miss it."

Bland Johaneson—Mirror

"M-G-M masterpiece. Most gorgeous entertainment that has yet come out of the cinema city. 'Grand Hotel' fades into insignificance. Most dazzling array of stellar luminaries ever assembled. The Astor will undoubtedly be jammed for months, with lines forming at the box office."

Rose Pelswick—Journal

"Really superlatively acted and worth every cent they are charging at the box office." Charles Hammond—Post

Never so many stars in any picture...

Are you ready for Wednesday Night, Too?

To immortalize this glorious drama on the screen, M-G-M chose for each exciting role a brilliant Star. When "Dinner at 8" is revealed at its World Premiere Wednesday Night, a new fame will be written in the annals of the Astor Theatre.

"DINNER at 8"

The New Metro-Goldwyn-Mayer Triumph

Marie Dressler
John Barrymore
Wallace Beery
Jean Harlow
Lionel Barrymore
Lee Tracy
Edmund Lowe
Billie Burke
Madge Evans
Jean Hersholt
Karen Morley
Phillips Holmes

A typical advertisement from the "Dinner at 8" campaign
“Thrilling tale! Human interest! Mala would permit his wife to sleep with men of his own tribe, but the white man's touch meant death. Filled with amusing, interesting and thrilling incidents.”
Kate Cameron—Daily News

“Vigorous and entertaining romance. Thrills! Mala is magnificent! His wives are fetching and exotic!”
Bland Johaneson—Mirror

“Melodrama photographed in the Arctic—by an artist. Genuinely thrilling and authentic scenes: (1) the caribou stampede; (2) Mala's fight with the polar bear; (3) the walrus hunt; (4) Mala's hand-to-hand fight with a wolf; (5) the breaking up of the ice floes.”
John S. Cohen, Jr.—Sun

“Merits the title 'Epic'. Its excitement keeps each fibre tense; it fills the throat with sobs and laughter by turns. More than entertainment, an unforgettable achievement. There is no compliment great enough, 'Eskimo' is super-superb!”
Regina Crewe—American

“Exciting melodrama. A remarkable film, that awakens wonder as to how the camera men were able to photograph some of the scenes and record the impressive sound.”
Mordaunt Hall—Times

“That adventurous cinema director, W. S. Van Dyke, returns with a motion picture...good-looking, exciting, real as its settings and its people. Scenes showing the social practices are managed with an accent on their comedy possibilities.”
Richard Watts, Jr.—Herald-Tribune

“Metro-Goldwyn-Mayer, the enterprising movie company which sent an expedition to Africa to film 'Trader Horn,' now goes to the Arctic. Must be regarded as one of the important movie achievements!”
Martin Dickstein—Brooklyn-Eagle

“A fascinating film. It should be seen. Really thrilling, beautifully photographed and worthwhile. Genuinely arresting and dramatic. A motion picture of the better order.”
William Boehnel—World-Telegram

Sample newspaper ad, “Eskimo” campaign
Great names! They attained the heights of glory and brought to theatres millions of ticket-buyers. Now again the spotlight of Astor Theatre fame illumines two new M-G-M giant attractions, "DINNER AT 8" and "ESKIMO". They come to a public already aware of their magnitude, to audiences which are eager for the screen’s mightiest!
Detroit Men Start Variety Club Plans

Detroit, Dec. 3.—Plans for organization of the Club of the Camera are similar to those operating in Cincinnati and Pittsburgh, were laid at a meeting of 35 men at a luncheon at the Book-Cadillac.

Manne Gottlieb of Universal was named chairman of an organization committee, which will meet Tuesday and make final plans for the club. Also on the committee are: Otto Zehn, manager of Cine-V. Trendle, general manager of Public theatres; Morris Kaplan of Metropolitan Studios; Oille Brooks of the Butterfield Theatres and Ed Kirchner of the Family.

Purposes of the club will be to promote the film relief fund which was established last summer at the first Detroit film outing.

Jack Flynn, divisional manager of M-G-M, is temporary chairman.

Chicago Musician's Union Suit Started

(Continued from page 1)

Nicholas Belcaster against James Pettrillo of the James Pettrillo League is charged that Pettrillo, who is head of the musicians' organization, used $100,000 of union funds as ransom money for John Gotti, the head of a gang of alleged kidnappers in June of this year.

In a denial of the charges against him, Pettrillo counters with the statement that the suit is an effort to discredit him before the annual election, which takes place Tuesday. For the first time in 11 years Pettrillo finds himself opposed for reelection, the opposition coming from Angelo Cavello and Nunzio de Pasquale.

Film Board Decides To Retain Officers

(Continued from page 1)

The decision, which will give the officers a busy year.

Officers are: Robert S. Wolf, radio, president; Henry Randell, Paramount, first vice-president; Harry H. Hansen, United, second vice-president; Jack Bowen, M-G-M, treasurer; Harry Decker, Warner-First National, secretary; Edward Schmitter, Columbia, sergeant-at-arms. Nominations were held last Wednesday and the entire slate was unanimously approved.

Para. Wins License Tax Dispute in La.

(Continued from page 1)

Attorneys for the corporation asserted that the distribution of these films was interstate business and could not be taxed by the state. This opinion was sustained by the court. Under the decision, the company was liable to a license for selling advertising matter in Louisiana.

Roach to Enlarge Plant

Hollywood, Dec. 3.—In line with Hal Roach's plan to augment the studios, the firm has ordered immediate reconstruction of the administration building with the addition of new offices.

A. H. Blank Shifts Managers in Omaha

OMAHA, Dec. 3.—A. H. Blank, manager of the Tri-State Theatres Co., the A. H. Blank organization which operates the World, Paramount, State and Orpheum here. The appointment came after several months of negotiation between Blank and the realty company, holders of a 90-year lease on the World and State.

The transfer of Stanley Brown from Milwaukee to Omaha was made by E. W. Reynolds, manager of the Paramount, succeeds Brown. Paul Ives, assistant manager of the Orpheum under Brown, has been promoted to manager of the Paramount.

The State, dark for several months, has reopened with a second run double feature split-week policy. Lionel Hasson was shifted from the World to act temporarily as manager of the State. Arthur Abelson succeeds him at the World.

India Is Eager for U. S. Films—Kelly

(Continued from page 1)

charge of foreign distribution, upon which he returned from an extensive tour of the country.

"The demand for English-speaking pictures is increasing," he said, "because this large Indian cities the majority of the inhabitants know enough English to understand the pictures. America and India have no subtitles. The faster the picture, the greater its popularity in India.

A minimum of 100 pictures yearly are being turned out by the 30 native studios, it was estimated by Kelly.

20th Century Takes Over U. A.'s Studio

HOLLYWOOD, Dec. 3.—Twentieth Century has acquired the studio property of the United Artists Corp., which operates the U. A. studio here. The financial consideration has not been divulged. Mary Pickford and Douglas Fairbanks were the principal owners. The plant will be enlarged.

Robert Fairbanks, Douglas' brother, and James Dent will be retained as general manager and assistant general manager, respectively.

Cut Philadelphia Passes

PHILADELPHIA, Dec. 3.—One of the new Warner local management's first actions was to demand a revised list of the press pass list, except for actual reviewers' tickets. Newspapers will phone the central office for photocopies for any additional requests. The weekly pass list is said to have totaled 15,000. The press list has accounted for between 15 and 25 per cent of this total.

Raft to Be Started

HOLLYWOOD, Dec. 3.—George Raft has been given a new contract by Paramount, and will be started in the pictures. At present he is making "Bolero."
Sally Rand, "Hoopla" Big Frisco Draws

SAX FRANCISCO, Dec. 3.—A goodly portion of the masculine population was on hand last week to get a peek at Sally Rand in her fan dance. The Warfield got $26,000, which is pretty close to record-breaking tempo. It was a hot show all around, with Clara Blandick on tap.

While the Warfield sized with its box-office action, the rest of the spots went over the top. The New in its sixth Market Street week with $5,900, while "Duck Soup" at the Paramount was good at $17,500, $2,500 over average, but not as good as was expected.

Total first run business was $102,100, $10,000 over average.

Estimated takings:

**Week Ending Nov. 21:**
- **PRINCE STREET (W.B.)**
  - Average, $6,200.
- **COLUMBIA**—$1,000, 9c-15c-$1.30, two days, 7 days, 4th week, Gross: $9,000.
- **Only Yesterday** (Univ.)
  - Average, $13,000.
- **Golden Gate**—$2,250, 23c-35c, 7 days, Stage: 7,000, Bird: $20,000.

**Week Ending Nov. 22:**
- **Penthouse** (M-G-M)
  - Average, $9,000.
- **EL CAPITAN**—$9,500, 23c-35c-40c, 7 days, Stage: Bird: Gross: $7,000.
- **World Woman in Paris** (Par.)
  - Average, $18,000.
- **College Coach** (Warner's)
  - Average, $19,000.
- **Penthouse** (U-A)
  - Average, $25,000.
- **Picture Brides** (Chesfield)
  - Average, $26,000.
- **United Artists**—$1,500, 23c-50c, 7 days, Stage: 7,000, Gross: $7,000.

"Soup" Is $6,000

INDIANAPOLIS Hit

INDIANAPOLIS, Dec. 3.—"Duck Soup" at the Circle had the biggest week of the week with a gross of $6,000, which is $2,500 over par. "Only Yesterday" at the Lyric and "Christopher Bean" at the Palace also went over par.

Estimated takings for the week ending Nov. 21 are:
- **My Lips Betray** (Fox)
  - Average, $13,000.
- **Apollo**—$1,500, 23c-40c, 7 days, Stage: 2,500, Average: $2,500.
- **World Sup (Para.)**
  - Average, $2,000.
- **Circle**—$500, 23c-40c, 7 days, Gross: $6,000.
- **College Coach** (W.B.)
  - Average, $8,000.
- **Indiana**—$1,500, 23c-50c, 7 days, Stage: 7,000, Average: $13,000.
- **Columbia**—$5,000, 23c-50c, 7 days, Stage: 7,000, Average: $11,000.

Crusiger Shift Slated

CANTON, Dec. 3.—Richard Crusiger, manager of Warners' Allum- bera, which is about to take over another Warner spot in northern Ohio, the location of which has not been disclosed. His succes- sor has not been announced.

Radio Holds MacGowan

HOLLYWOOD, Dec. 3.—Kenneth MacGowan, associate producer at Radio, has been given a new long-term contract. His last picture was "Long Lost Father."
Memphis Set In Midst of Dry Section

(Continued from page 1)

and Arkansas was merely concurring with the Democratic Administration's national program.

Of course, liquor is going to be sold in these states. It always has, particularly here in Memphis. But indications are that it will still be a bootleg proposition, which militates strongly against being of any material help in a business way.

Showmen are hopeful that the repeal thing will produce better business elsewhere which will eventually react favorably here, but they have no hope of anyone going to work here in the making or selling of liquor.

There is another angle to the story, however, for these same showmen also point out that they do not have to fear the rivalry of the saloon or of established drinking places with entertainers, while better business conditions may be generated throughout the country, elsewhere the appearance of rival spots in the form of nightclubs and other serving liquor may serve as a counter-check. But neither will develop here.

Memphis isn't taking this thing seriously either way for the present, nor is the adjacent territory.

Portland Men Expect Few Repeal Effects

PORTLAND, Dec. 3.—Consensus of opinion among film executives is that legislation will probably have little effect on box-office here, especially during the first few weeks. They say it depends to a considerable extent on the extent of retailing which has not been decided upon. This depends on action to be taken at an emergency session of the legislature.

Homer Gill, Oregon manager for Evergreen States Amusement Co., says repeal is "what we have been waiting for. We will keep it company by advertising bigger and better shows, advanced prices with increased number of appearances in screen and vaudeville fare."

H. M. S. Kendrick, manager for Pantages, expects slight additional employment and box-office benefits as a result. When hotels and restaurants serve liquor this will mean more night life and consequence increases at box-offices, he says.

George Jackson, manager of Woodlawn Theatre, says repeal will prove "dramatic" to box-offices until first thursdays are slaked.

Manager Andrew Saso, Hamrick's Music Box and Oriental theatres, believes that a good lineup of attractions will get and hold increased business in spite of repeal. He bases his prediction on a steady increase during the past two months.

Colbert with Columbia

HOLLYWOOD, Dec. 3.—Claudette Colbert has signed a contract with Columbia calling for two pictures a year for two years. She is still under contract to Paramount, and will continue to work for that company.

Miller in Demand

Chicago, Dec. 3.—Jack Miller's talk before the Wisconsin M. P. T. O., as reported in Motion Picture Daily, has made him one of the most sought after convention speakers in the country. Miller reveals. He has—not invitations but demands to the number of a dozen or more received by mail and telegraph that he address state units in various places.

"That talk I made was reported too accurately," Miller chuckled, "but it must have registered with exhibitors who read it in Motion Picture Daily. I think I would have been a little less outspoken if I realized my remarks were being covered."

Miller would like to be accommodating, he says, "but I've got plenty to do right here without chasing around the country."

Warners' Checking Gets 85% Coverage

(Continued from page 1)

E. L. McLane, Philadelphia; J. J. Murray, Washington, D. C.; H. E. Crawford, Atlanta, Charlotte, New Orleans; F. G. Lofton, Cleveland, Detroit; D. Stanley, Cincinnati, Indianapolis; E. Fleming, Chicago, Milwaukee, Minneapolis; J. D. Summers, St. Louis, Memphis; H. R. Hibbs, Oklahoma City, Dallas; W. W. Flynn, Kansas City, Des Moines, Omaha; A. S. Wilson, Denver, Salt Lake City; C. W. Burrows, Los Angeles, San Francisco; E. R. Bohmer, Seattle, Portland.

R. A. Blake is chief field supervisor and is now on a swing of key centers conferring with his men. The company has employed as many as 700 checkers in one week, checking not only percentage accounts but also Warner theatres. Civil Service employees only are employed by the checking bureau, which has a representative on call in every town where Warner-First National has an account. The checking service started seven weeks ago.

M-G-M employs its own checkers in addition to Federal Checking Service in a number of spots.

New Record for "Pigs"

"Three Little Pigs" has set an all-time Broadway record for the run of a short subject, with 18 consecutive weeks, according to U. A. This is exclusive of bookings on the RKO and Loew circuits in the metropolitan area. Following a week at the Music Hall the cartoon played six weeks at the old Roxy. Then there was an eight-week run at the Trans-Lux. And now the French version is in its third week at the Globe.

Merian Cooper in Town

Merian C. Cooper, Radio Pictures executive producer, arrived Saturday from San Francisco accompanied by his wife, Dorothy Jordan. Cooper will confer with RKO executives here on production matters for several days, and is scheduled to return to Hollywood to resume production supervision.
THE NATION'S GREATEST STARS ARE COMING TO YOUR HOUSE!

Ethel Waters
Star of "As Thousands Cheer"

in "CHANGE YOUR LUCK"

Cliff Edwards (UKULELE IKE)
in "STRANGE CASE OF HENNESSY"

Best Lahr
Star of George White's "Flying High", "Scandals" and Ziegfeld's "Hoobs", Chase and Sanborn's National Broadcast and the Royal Galanti Review in "HIZZONER"

with JIMMIE WALLINGTON, JAMES METON, LOSETTA SAYERS, AND FRED HILBRAND.
The story of a local sap who ran for Mayor and couldn't win... but did! It pulsates with melody.

Van Beuren Musical Comedies

Produced in New York by Van Beuren Corp. Associate producer, Meyer Davis, world known master of musical hits whose 100 bands are touring the country. Directed by Ray McCarey, former ace director for Mack Sennett and Hal Roach; and Leigh Jason.

The First of 13 2 Reel Music Shows

Featuring Top Money Stars of Radio and The Broadway Stage

...The cream of RKO's vast resources in the theatre and on the air!

Here are the stars of the first few issues. More to come!
The Leading
Daily
Newspaper of
the
Motion
Picture
Industry

VOL. 34. NO. 131
NEW YORK, TUESDAY, DECEMBER 5, 1933
TEN CENTS

MOTION PICTURE DAILY

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

Hertz Cites
Banks' Claim
On Para. Film

Says Held Preference on
$6,000,000 Negatives

Admissions that 12 creditor banks
identified with the March 1932, re-
financing of Paramount Pictures had an
exclusive claim on $6,000,000 worth of
uncompleted negatives, and that the
formation of six new subsidiaries in
Nov. 1932, had been undertaken partly
as a precaution against possible re-
ceivership were drawn from John
Hertz, former chairman of the Para-
mount finance committee by Saul E. Rogers, counsel for a group of
Paramount bondholders, during the
course of an examination before
Referee Henry K. Davis yesterday.
Hertz's admission concerning the
favorable position of the banks in
(Continued on page 6)

Reserve Decision on
Removal of Trustees

Decision was reserved by the U. S.
Circuit Court of Appeals on an ac-
tion seeking the removal of the Para-
mount finance trustees, arguments on
which were heard yesterday by Judges
Manton, Hand and Chase. The court
is expected to hand down its decision
on Dec. 18.
The action for removal of Trustees
Charles D. Hilles, Eugene W. Leake
and Charles E. Richardson was
(Continued on page 7)

Hearing on Denmark
Injunction Up Dec. 7

Major distributors meeting at the
Hays office yesterday again put
off action on the closing of branches
in Denmark. A hearing on the in-
junction obtained some time ago by
Nordisk against Fox and M-G-M
comes up in Copenhagen on Thursday
at which time argument will be made
(Continued on page 8)

Poli Operation May
Be Decided Tomorrow

Developments pivoting around fu-
ture operation of the 18 Poli theatres
in New England are expected to come
to a head tomorrow when negotia-
tions of a three-year management
deal are scheduled to be closed here.
Louis M. Sagal, operating the houses
currently, will arrive from New
(Continued on page 8)

Objections to Executive
Order Voiced by Leaders

Emanuel Has
Plan for New
ExhibitorBody

Philadelphia, Dec. 4—A new na-
tional exhibitor organization, to as-
sure the present national and local
affiliated bodies, is advocated by Jay
Emanuel, local exhibitor and publisher
of three regional trade papers. Eman-
uel proposes as a name for the organ-
zation the American Exhibitors' Con-
gress. He advocates a local organiza-
tion of the body in each exchange cen-
ter with a paid secretary, devoting his
entire time, for each unit. The presi-
(Continued on page 8)

Coast Production
Shows New Decline

Hollywood, Dec. 4—Production
continues on the decline with a total
of 34 features reported working dur-
ing the week ending Dec. 2, as against
a total of 38 for the preceding week.
Two of the major studios, includ-
ing United Artists and Radio, report
no actual production, while Universal
(Continued on page 8)

Laemmle Appoints
Weil as Assistant

Carl Laemmle, president of Univer-
sal, yesterday appointed Joe Weil,
exchange director for the last eight
years, as his assistant. He takes up
his new duties Jan. 1. Andrew H.
Sharick, who has been in the field for
the past 12 years, was made contact
liaison officer between the home office
and the studio, succeeds Weil as head
of the exploitation department.
(Continued on page 7)

Holiday Brings New
Life to B'way Houses

Prosperity grosses that made a real
Thanksgiving holiday week-end for
Broadway houses, beginning last
(Continued on page 8)

Warner Anti-Trust
Suit Off to Jan. 10

Trial of the Department of Justice
anti-trust suit against Warners, sched-
uled for yesterday, was deferred again
(Continued on page 8)

Admission Tax Views to Be
Aired at Capital This Week

Washington, Dec. 4—Amusement
interests will be given an opportunity
to air their views on the admissions
tax planned as part of the Federal
government's new fund-raising pro-
gram at hearings to be started late
this week by the House Ways and
Means Committee, it was learned to-
day with the announcement that the
committee had begun its task of pre-
paring tax legislation to produce
$400,000,000 revenue for presenta-
tion to Congress at the opening of the
session.

Expecting to receive a report from
the Treasury Department containing
recommendations for tax changes, the
committee was advised by Acting
Secretary Henry W. Morgenthau that
his proposals would not be completed
until about Dec. 15. Although this
(Continued on page 7)

M. P. P. D. A. Directors
Discuss Tico Phases, but
Delay Action, Is Belief

Opposition to those phases of the
executive order accompanying the in-
dustry code which suspend provisions
for star salary control and bring the
industry under the immediate direc-
tion of the administrator were voiced
by executive heads of major compa-

ies during an all-day meeting yes-
terday of M. P. P. D. A. directors.
However, no decisive action, so far
as could be learned last night, was
taken by the meeting.

In the course of discussions some
sentiment revealing an inclination on
the part of several to decline ap-
pointments to the code authority un-
less modification of the executive
order was forthcoming, was voiced.
Also, objections were made to the
idea of an administration investiga-
tion of exhibitors' salaries in the face
of the suspension of the provisions
for regulation of star salaries. Some
sentiment was also expressed over the
abruptness of the Recovery Ad-
(Continued on page 7)

Oil Code Ruling
May End Premiums

Washington, Dec. 4.—Decision
last week of the District of Columbia
court, upholding the validity of a provi-
sion in the oil industry code ban-
ing the giving away of premiums or
other free goods, is seen here as
demonstrating in advance of its ap-
lication the constitutionality of the
(Continued on page 7)

Federation Decides
Today on Code Stand

Independent producer and distribu-
tor members of the Federation of the
M. P. I. will decide today what action
they will take on signing the industry
code.

The organization declared during
code drafting meetings at Washing-
(Continued on page 7)

Guilds Wire Their
Thanks to Schenck

Hollywood, Dec. 4.—Appreciation
of Joseph M. Schenck's efforts to ob-
tain code changes in behalf of talent
(Continued on page 7)
“Advice to the Lovelorn”  
(United Artists)  

Hollywood, Dec. 4.—Recent headline stories anent Senor Lee Tracy and his alleged Mexican peccadillos, together with the gossip created by the incident, have made Hollywood’s storm petrel something of an itinerant hero.

The day after the story broke, a trailer heralding a forthcoming Tracy production was flashed at a local house, with Tracy’s appearance on the screen receiving the acclaim of a celebrity.

“Advice to the Lovelorn,” Tracy’s latest screen escapade, arrives when Tracy is the talk-of-the-town personality of Hollywood. Hollywood effectively, this sentiment could easily be turned to good account by sagacious showmen.

“Advice to the Lovelorn” pictures Tracy as a reporter assigned to write a column signed by a female “Misslonelyhearts”—and much to his chagrin, too.

To blaze his own self out of the assignment, he ladles out syrupy hooey and phony advice to lovesick males and females. He gets into jam—and the circulation of the paper goes up and up. An outraged mother wants to winship him for giving cockeyed advice to her daughter, but winships the editor instead. His best girl makes him squirm in and out of situations he builds for himself. A racketeer in the cut-rate drug hole puts up payroll—sells him some drugs which Tracy believes killed his mother.

Attacking the racketeer in his column, Tracy is put on the spot—wriggles off, but is in hot water again as the film fades out with a belly laugh.

Tracy's given his usual energetic, fourth estate portrayal. Standouts in the cast are Sally Blake, Sterling Holloway and C. Henry Gordon.

At Werker's direction stesses comedy, the opening, kidding Calif., getting big laughs.

Showmen should concentrate on Tracy—his publicity—and tieups with local sheets running “Advice to the Lovelorn” columns.

Looking ’Em Over

“Hold the Press”  
(Columbia)

“Hold the Press” is a departure in that it offers Tim McCoy in a non-western role. He plays a type of role new to him in a pleasant and easy manner. He is a star reporter who is set on breaking up a ring of criminals operating a parcel racket and obtaining a sniffing front page yarn thereby.

McCoy’s first step is to have himself placed in jail with a group of criminals, one of whom, he suspects, knows something about the activities of the gang, whose method is to lead a prisoner slated for parole

(Continued on page 8)

**Stocks Steady on Big Board**

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**Purely Personal**

**Nita Harvey**, Sidney Towlson and Lucille DeTort, their work in Paramount’s "The Search for Happiness," completed, are due in town to-morrow. The first two sail for England at noon to-morrow, Miss DeTort will leave later in the week for British South Africa.

**James Whale**, director of "The Invisible Man," gets in from Hollywood today. He sails tomorrow, homeward bound. The first two sail for England at noon to-morrow, Miss DeTort will leave later in the week for British South Africa.

**Monte Proser** of the United Artists’ publicity staff, fled himself to Baltimore over the week-end to be married to Julie Jernen.

**Deputy N.R.A. Administrator Sol A. Rosenblatt** left for Washington today to take a brief vacation at his Great Neck home.

**Irving Asher**, head of foreign production for Warners, arrives from England today for conferences with Sam Morris.

**Elizabeth Young**, Paramount contract player, arrives from the coast today for a vacation with her parents here.

**Gary Cooper** is being held over a second week at the New York Paramount, Ditto for “Sitting Pretty.”

**Colleen Moore** departs for the coast today to play in “Success Story,” her first for Radio.

**Joe May**, German director recently signed by Columbia, arrives on the Majestic this afternoon.

**Robert Wyler**, brother of William, and also a Universal director, reached New York yesterday.

**Walt Disney** celebrates his 32nd birthday today.

**Reserve Decision on Removal of Trustees**  
(Continued from page 3)

brought by Samuel Zinns as counsel for a group of Paramount Publix bondholders. The basis of argument made by Zinns yesterday was the allegation that Leake and Richardson are disqualified because of a reputed association with Chase National Bank, underwriter of a Paramount bond issue, and that banking affiliations of the two are prejudicial to the interests of creditors.

The action was opposed by Root, Clarke, Buckner & Ballantine, counsel for the bondholders, represented by Nathan Burkan, representing a committee of 112 general creditors of Paramount Publix who claims totaling over $2,000,000.

**Wyler on Way Here**

William Wyler is en route to New York from the coast to attend the preliminaries of his latest directorial work, "Counselor-at-Law," which opens at the Music Hall on Thursday.

He has just been given a new three-year contract by Universal.
Loretta Young in the most glorious love story since "Seventh Heaven"

COLUMBIA'S
"A MAN'S CASTLE"
directed by Frank Borzage

beauty of Loretta Young in the Columbia picture, "A Man's Castle," and the manner in which Frank Borzage has made the most of it is one of the things that makes the hearts of showmen glad ★ ★

★ and that same alluring quality is what makes National Screen Trailers ★ made with actual scenes and actual dialogue ★ the most practical form of "coming attraction" exploitation ever devised ★

★ that's why people accept them as an intriguing, exciting part of the show ★ that's why these samplevue trailers are the best word-of-mouth show-sellers money can buy ★

★ that's how

NATIONAL SCREEN SERVICE ★ ★ ★
sells the show with showmanship
WHAT a picture! Class, sophistication, sparkle and polish for the high-brows; sentiment, heart-interest, movement and homely appeal for "us folks!" ALL OF IT together to appeal to the widest class of picture-goers in the country—all of it together to give you another Universal that you can shout about from the housetops!

BY CAND
With

ELISSA LANDI
PAUL LUKAS
NILS ASTHER

Esther Ralston, Melvyn Douglas, Dorothy Revier, Frederic Burton, Lawrence Grant, Lois January. From the play by Siegfried Geyer. Produced by Carl Laemmle, Jr.

Directed by JAMES WHALE

LIGHT
Hertz Cites Banks' Claim On Para. Film

(Continued from page 1)

connection with the refinancing arrangement by which the company obtained its new credit, he said, "I just wanted to get the loan and never knew what arrangements were made by those in charge of that phase of the agreement."

Didn't Know Negative Value

"You didn't know that the $6,000,000 worth of negatives were pledged by the Paramount Productions Corp. for that loan?"

"I knew there was security of some kind," Hertz replied. Paramount Pictures Production Corp., which is using the loan to cover accounts payable, was specifically prohibited by the agreement from contracting any other obligation, so that the banks, therefore, had an exclusive claim on the negatives in case of a default," Rogers asked.

"I knew there was security of some kind," Hertz repeated.

"The primary purpose of the organization is to make legitimate films," Rogers continued. "That is the only reason the arrangement was made. If it were any other, there wouldn't be any agreement, any guarantee, or any security involved." Hertz admitted he had obtained the security to guarantee his film production contracts.

Quizzed on Resignations

"I felt Shauer's salary was fair and believed him to be essential to the company. I found that Megville Shauer was given a nominal salary and the studio manager told me he was valuable. Reductions were made in their number of employees last week, and it was then that a reserve was made in that department," Hertz added.

"I went down to the office of my branch manager, Sidney R. Kent, and asked him to be a 'very able man' who was in a position where he couldn't or wouldn't function properly." Hertz said.

"I don't know how much money was in the office of Sam Katz, heath head, in two years, and that the reduction in the number of employees was between the two in that time. I felt that it was a very unhealthy condition for both the corporation and Kent. The entire board agreed to his resignation.

"In reply to a question put by Rogers, Hertz said he "had no opinion on George Schaefer's qualifications as a successor to Kent. I just acquiesced to the decisions of the board." Hertz added that he had "nothing to do" with the resignation of B. P. Schulberg, other than agreeing to give him his salary and a job.

Schulberg a Good Producer

"I was told, however," he said later, "that Schulberg was held to be a good producer but a poor executive."

Hertz maintained that his own resignation was solely due to differences with Zukor, and not prospects of a receivership in the company. "I came back from a vacation on Jan. 2 with no thought of resigning," he said, "and learned during my first week in the office that there was opposition to some things I had done and this precipitated my resignation. I had no intention of altering my efforts and I was ready to go home," he said later.

Hertz testified on the stand several weeks ago that the "things" Hertz had done, which were opposed to the later efforts to take over production and make bad films. Hertz testified Emanuel Cohen had drawn $160,000 to $200,000 a year, salaries and bonuses, as head of the Paramount newsmagazine, and had assumed charge of production in Hollywood at a salary of $100,000 a year, and had agreed that two years' salaries were $750,000 annually, "and is doing a good job, I understand," he added.

Hertz bristled and rose to the defense of his business friend, Albert D. Lasker, when Rogers charged that Lasker "had done nothing for Para-

Says Formed Subsidiaries As Protection

Subsidiary, under which various of the company's production names were formed, was a real estate firm that the company believes on the strength of Lasker's name meant the company, and retorted Lasker hadn't grabbed the Paramount advertising account.

"It was given to him," Hertz said, "and he did the job better than it had been done previously," and at the same time that had always been paid. Lasker wouldn't have taken the account in the first place. MGM wasn't the only consideration with him. He turns down four-fifths of the accounts offered him.

Rogers also examined the interest of Kuhn, Loeb & Co. in Hertz's appointment to the Paramount finance committee at a time when the bank admittedly had no Paramount financing under way or contemplated. While admitting he had discussed phases of Paramount's financial affairs with Sir William Wiseman, in his dual capacity as a member of the Paramount finance committee and a representative of Kuhn, Loeb, and also with Otto Kahn of the banking firm, Hertz maintained these discussions were merely in the interests of aiding Paramount to complete its bank credit agreement of March, 1932. Kuhn, Loeb did not participate in the transaction.

The examination of Hertz was completed yesterday and as no requests were made for further witness, the examination was adjourned sine die.

Rogers Disapproves

Several verbal clashes between Saul E. Rogers, attorney for the witnesses, and John Hertz, former chairman of the Paramount finance committee, marked the latter's two and one-half hours on the witness stand before Referee Henry K. Daress, who was to hear the evidence.

One of these occurred when Hertz, apparently angered by Rogers' observation that the witness would remember more of the details of his tenure as Paramount executive than the other witnesses, declared, "I was doing the best I knew how for Paramount every day I was in that office, and I don't think I have any account for anyone for the job I did, whether it turned out good or bad.

"But you do, Mr. Hertz," Rogers rejoined. "You have to account to these creditors, and I think you did a very poor job."
Objections to The Executive Order Voiced

(Continued from page 1)

administration's action in suspending the salary control provisions after they had been a part of the third code draft was felt by several M. P. P. D. A. directors that the lengthy deliberations through which the salary control provisions were arrived at, merited new discussions prior to their peremptory suspension under the executive order.

Power granted the administrator by the executive order, some objectors, July 1, Schaefer, the Paramount, an administration rule and supervision which amounted to discrimination in that other codes subject to the other industry to supervision of the same extent, it was said.

The meeting opened at the Hays of face early yesterday, and reconvened there in the afternoon after a lunch, en the Union League Club, con- tinuing until early evening. Attend- ing were Will H. Hays, M. P. P. D. A. president; F. L. Herron, sec- retary; and Charles Schenk, presi- dent of Loew's and M-G-M, and a code authority appointee; Sidney K. Kent, president of Fox, also a code authority appointee; Charles H. Schenck, president of United Artists and 20th Century Pictures; R. H. Harman and H. C. Cochran, representing M-G-M and a code authority appointee; Harry M. Warner, president of War- ner-F. N., a code authority appointee. E. W. H. Hammonds, educa- tional; M. H. Aylesworth, president of RKO, a code authority appointee; George Los Angeles, general manager, a code authority ap- pointee.

Kent left the meeting early to en- train for the coast. So far as could be learned, up to the time of his de- parture he had not designated an alter- native to replace him on the code authority at its first meeting, which, Washington advises stated yesterday, may open up this week in New York by Deputy NRA Administrator Sol A. Rosenblatt.

Repeated efforts to reach Hays at his home last night for comment on the meeting's developments were un- successful. Warner, reached at his home, declined to comment on the happenings, as did Hammons.

Code Will Aid Guild

Hollywood, Dec. 4.—Although the producers have so far failed to recog- nize the Actors' and Writers' Guild, members of the latter organization contend that the code will automatically force being recognized, through collective bargaining.

Discuss Code Today

Discussions of the signed code will be held today by Allied of New Jer- sey and the I. T. O. A. The former unit will meet at 2 p.m. in New York, while the latter exhibitor organization will gather at the Astor.

Fay Bainter's First

Hollywood, Dec. 4.—Fay Bainter will make her bow in talking pictures in M-G-M's "It Happened One Day."
Looking 'Em Over

(Continued from page 2)

into believing that its influence is responsible for his being set free, then continuing to prey on him on the threat of having him committed again if he refuses to come across. Several times McCoy escapes death by a hair, but by the time the end rolls around he is alive and in the arms of his beloved chap whom he has helped to escape the demands of the rackets.

The film is only mildly exciting for a melodrama. The only two sequences that create more than a passing stir are those in which the gang pursues McCoy in an effort to "rub him out." Shirley Grey plays McCoy's sweetheart. Wheeler Oakman and Bradley Page are the heads of the racket.

This is a picture for neighborhood houses.

Nields Hands Down Patent Suit Opinion

WILMINGTON, Dec. 4.—Plaintiffs and defendants divided benefits in the legal tilt over talking motion picture production, reproducing and manufacturing equipment as a result of an opinion handed down today in the U. S. District Court here by Judge John P. Clwright, U. S. District Judge. The opinion, which is divided equally among the three judges, is in favor of the plaintiffs.

The Clayton-Sherman anti-trust acts are sanctioned by the court. A conspiracy to restrain such trade also is alleged in the suit. The plaintiffs charge that five of the defendants, who charge that Western Electric and later Erpi entered into certain agreements with producers and exhibitors to obtain pictures, the effect of which it is said was to establish a monopoly.

Judge Nields' opinion on the phase of the case follows:

"Under the above interpretations of the rules, it may well be that the motion for particular plaintiffs should have been granted. The general denial of the motion is not, therefore, to be taken as a precedent, in view of the fact that it is not necessary to determine that it is immaterial whether the information obtained by way of interrogatories is admissible, or that order denying the motion for particulars will stand."

It is unnecessary to deal with the interrogatories seriatim. All interrogatories filed in each of the three cases, as modified by the defendants at the hearing, should be answered. Objections to the latter interrogatories should be sustained."

Boylan Sees Growth Of British Pictures

TORONTO, Dec. 4.—In his report for the year ending Oct. 31, Chairman C. Boylan, of the Ontario Board of Motion Picture Censors, looks particularly at the growth of British film distribution in this province, although non-British films continue to grow in popularity. He also offers a boost for pictures with a British background.

During the fiscal year, 490 American releases were granted in this province and 76 British ones in the Province of Ontario alone. There were also 2,219 British films released in the Dominion as a whole. Although these, 1,494 were approved as submitted, 701 after changes were made, and 24 rejected entirely. The number of competitiveness films was the lowest in several years.

Hengine Named Head Of Oklahoma Group

OKLAHOMA CITY, Dec. 4.—George Henger, former zone manager for Warners here, has been named city manager for the Standard Theatres, Inc., the new management organization under the combined Warners and Regal houses, which includes the Cooper-Hastings' Will Rogers, the movies, the smaller theatres, the smaller theatres, the Cranford, Victoria, Circle and Ritz, and the Warner group, the Mid- West, Liberty, Empress and Folly.

Under the pooling agreement all Oklahoma City Warner and Regal houses are to use the entire product options of both groups jointly.

Fairbanks, Jr., Back

Douglas Fairbanks, Jr., returned yesterday aboard the cruise from England, where he has been working for London Film Productions. He will continue his career in America by co- starring with Colleen Moore in "Success Story" for Radio. His first for London Film Productions, "Catherine the Great," will be released through United Artists.

Principal Enlarges

Principal Film Exchange, Inc., has signed a lease to expand its growing territory, adding the ground floor of 630 Ninth Avenue. Nat Chlorin and S. S. Krellberg will stage an office-warming party tomorrow.

Col. May Get Turner

Terry Turner, formerly of Loew's, RKO and later with Public, now is at Columbia as head of the radio department. A deal is understood to be now under way.

Coast Production Shows New Decline

(Continued from page 1)

will join a group of dark studios next week, making a total of three.

The studio most active last week was Warners with eight features in work, followed by Columbia and Encore. Fox, four and four; Universal, five and five; Columbia, five, five and five; Paramount, six; and RKO, four and four. The total in the cutting rooms is this week is followed with twelve features. The leading numbers, however, were Columbia, five, four and four; Universal, five and five; Paramount, six, and RKO, five and five. Indepedents report five, three and six.

The short subject group reports about the same activity as the preceding week—10 working, 20 preparing and 22 in the cutting rooms.

Poli Operation May Be Decided Tomorrow

(Continued from page 1)

Haven Wednesday to confer with his attorneys on a deal which would transfer ownership of a house to an outside operating company.

The deal by which Poli-New England officially takes over the group of theatres also has been held up pending the closing of negotiations with the operating group and new circuit operators. Poli-New England, according to present plans, is scheduled to take the houses Dec. 13. This company, in turn, will make a three-year management agreement with the new exhibitors.

So far as in New York last week conferring on the deal which was put off until tomorrow. He denied last night that Loew's was the interested party.

Hearing on Denmark Injunction Up Dec. 7

(Continued from page 1)

injunction on the Denmark case to lift it. Attorneys for Erpi will argue the case.

The hearing will not deal with an appeal made by Erpi some time ago when the question of patent rights was decided against them by the lower court. This is slated to be heard later.

Decision on the injunction in Denmark will affect the Scandinavian territory. Distributors are mulling over the advisability of closing offices there, but will decide after the Danmark situation is settled.

Hits "Offensive" Films

Catholics were urged to stay away from pictures, plays and literature "offensive to Catholic ideas and ideals" in a sermon delivered by Rev. Ignatius W. Cox, professor of economics at Fordham, in a sermon delivered at Our Lady of Mercy Church.

William H. Rapley Dead

WASHINGTON, Dec. 4—William H. Rapley, owner of 82, National, is dead. He had been troubled with heart disease.

Lesser Arrives Today

Sol Lesser, president of Principal Distributing Corp., arrives today on the Majestic after six weeks abroad.

Emanuel Has Plan for New Exhibitor Body

(Continued from page 1)

dent and secretary of the national con- gress would also be paid and devote all their time to the organization.

Emanuel has been a member of the M. P. T. O. A., a post he held for many years. He operates a number of theatres in this zone.

Plans for a new national exhibitor association to comprise all theatre owners in California have been under discussion by exhibitor leaders for some time, but have never progressed beyond the talking stage. According to the discussions, a new local unit would be set up in each key city and a representative of each would act as a national board, which, in turn, would elect a national president.

Holiday Brings New Life to Bway Houses

(Continued from page 1)

Wednesday night, and then on Sunday night, fell off sharply yesterday due to inclement weather. The Broadway stands, however, looked for some strength yesterday of the late today and throughout tomorrow when repeat crowds are expected to throng the theatre district.

The expected patronage linked up with repeat, however, does not count on the celebrants but on the crowds of curiously who are expected to be drawn to the Times Square area for a casual looking over of repeat celebra- tions slated for late today and tomor- row. Numbers of these are expected to find their way into theatres after inspecting the spectacles.

The Times Hall reported a sensa- tional four-day holiday take of $70, 000, aided by the holiday price scales in effect on three of the four days. Radio's "Little Women" is in its third week at the house. The Capitol reported approximately 75,000 paid ad- missions for the same stanza and the Paramount, featuring Gary Cooper on the stage also reported capacity busi- ness for the period. Warners' Strand and Hollywood did their best weekend business of the fall, it was reported, while the Mayfair and Palace played to near capacity business from Thanksgiving Day through Sunday.

The two-a-day houses,Criterion, Astor, reported sellouts for the four days and business was reported well above average at Broadway second run.

Warner Anti-Trust Suit Off to Jan. 10

(Continued from page 1)

by the U. S. District Court here, this time to Jan. 10, 1934. The suit, based on Warner’s acquisition of First Na- tional, has been pending for more than two years. The motion against the suit will be indefinitely suspend- ed because of the operation of the industry code, which, under the Na- tional Recovery Act, makes the anti- trust laws inoperative for parties to an NRA code.

Tuesday, December 5, 1933

MOTION PICTURE
DAILY

8

WEDNESDAY, DECEMBER 4, 1933

The Motion Picture Daily provides updates on industry news, film reviews, and entertainment writing. The text highlights various stories related to movies, theaters, and industry-related activities. The stories are written in a formal tone and include names of individuals and companies. The content is punctuated with careful reading and editing, making each entry clear and concise.
It's the Law
Washington, Dec. 5.—All provisions of the code become operative on the effective date, regardless of the exhibitor's signature. The code is law for the entire industry whether members sign or not, it is officially stated.

Plans on P.P. Units Meet a Slight Delay
The reorganization plan for Paramount Publix being prepared under direction of Sir William Wiseman of Kuhn, Loeb & Co. is being delayed pending determination of the extent of increased operating costs for the corporation under the labor provisions of the industry code, it was learned yesterday.

The plan is well past its preliminary stage, it was said, but further development, because of the bearing of increased operating costs under the code on the future, cash requirements of the company, is expected to progress slowly for the next 30 days. Further stabilization of general business conditions throughout the country, is being awaited, and effects of the...

Local 306 Nominates Its New Slate Today
With nominations for all offices of Local 306, except President Harry Sherman, to be held today, three different tickets will be presented at the meeting at Oddfellows Hall, Brooklyn.

In addition to the present ticket being submitted for consideration in...
"Gallant Lady"  
(30th Century

Hollywood, Dec. 5.—"Gallant Lady" is big and fine. A thrilling picture, throbbing with a measured heart of human sympathy.

Audiences will meet, know, and be pulling for as swell a group of human beings, led by Ann Harding and a stellar cast, as have graced the screen in some time.

Not since "Holiday" has Miss Harding been accorded such a genuine, sincere and meaty role. She handles it with feeling and telling effect.

The story concerns a girl courtesan. Her faun, killed in a take-off of a trans-Atlantic flight, forces her to have her child adopted. Her attachments to three men, her business success, her yearning and quest for her baby boy, and her final break for happiness are meager highlights of an absorbing plot.

Charged with quiet power, suffused with poignant pathos, the picture reveals dramatic heartbeat in a touching and tender mood. Sigh and sob are broken by smiles and laughs. Ann Harding softly etches a portrait that endures itself on one's memory.

Clive Brook, as a social outcast, elevates human frailty superbly. Tullio Carminati is gay, Otto Kruger is dependable, quality performances as the two other men in Ann Harding's life. Janet Beecher, rich in stage experience, turns in a warm, competent and sincere portrayal. Dickie Moore is a lovable, regular fellow. Betty Lawford, as the female audience, handles a tough job nicely.

Gregory La Cava's direction, keeping the human values well in front at all times, is expert in all departments. Sam Mintz's screen play is a model of craftsmanship.

"Gallant Lady" explores the heartaches and gropings of real people. Its soft symphonies reveals the hidden springs of emotions and plays wholesome music on the heartstrings.

Appealing to all classes, "Gallant Lady" may well be considered outstanding, should do standout business where Ann Harding's name pulls and should rejuvenate her popularity elsewhere.

Form DuWorld Corp.
Irving Shapiro and Archie Meyers have formed DuWorld Pictures Corp., and are planning the release of 12 features, 12 featurettes and 24 two and one-reel subjects. Shapiro was with Loew's Pictures, has been sales manager of Embassy Pictures and Colorfilm Corp.

Brand in Town
Harry Brand, west coast publicist chief for 20th Century Pictures, arrived in town yesterday. He remains for a brief vacation.

Grainer on New Trip
James R. Grainer, Universal's general sales manager, left on a five-weeks sales trip yesterday, via Canada. He will reach Hollywood in time for the holidays and return to New York shortly after the first of the year.

I. T. O. A. Meet Thursday
Weekly meetings of the I. T. O. A. have been changed from Tuesdays to Thursdays at the Astor. The switch is due to Allied of New Jersey meeting on Tuesdays in New York.

Eastman Leads General Rise
"Forgotten Men,"

"ASK THE MAN WHO PLAYED IT"  
NOW ACCEPTING DATES FOR  
NEXT TEN YEARS
Greatest Perpetual Roadshow Motion Picture Ever Produced

For State Rights Apply To
JEWEL PROD. INC.  
729-7th Avenue, N.Y. City

Wednesday, December 6, 1933

Purely Personal

JOHN BOLES, recently appointed producer, went to the "Kentucky Colonel Hour," in behalf of the NRA, over the Columbia network last night.

TOM BAILY, publicity head at the Paramount studios, is in New York on an advance campaign for CHARLOTTE HENRY, star of "Alice in Wonderland." He'll stay about a week.

Mike Markel's orchestra will supply the music for the benefit dance of the Walden School building fund at the 7th Ave. Roxy Friday evening.

Bill Rudolph, U. A. expeditor, left for Cleveland yesterday to exploit "Broadway Thru a Keyhole" at the Allen.

Paul Muni and his wife will arrive today or tomorrow from the coast for a month's vacation here.

Irving Mandel, Chicago Monogram franchise holder, is in town conferring with W. Ray Johnston.

Herbert Worber and John D. Clark return from a tour of Fox western exchanges on Friday.

Don Dean, South American radio star, is at the Warwick for his first visit here in three years.

Sol Lesser, Joe May and Irving Ascher arrive on the Majestic late yesterday afternoon.

Edward Benses, formerly head of the U. A. Cincinnati exchange, is in town.

L. J. Schalper has put off his trip to U. A. western exchanges until next week.

Bert Laub has been signed for two more Radio musical comedy shorts.

Mrs. Peter Freuchen is now on the high seas bound for Denmark.

Tim McCoy arrives from the coast at the end of the week.

Cooperation Sought In 2 Charity Drives

The industry in New York is expected to participate in two local charity drives. One is on behalf of the Federation for the Support of Jewish Philanthropic Societies which is attempting to raise $100,000 toward the $4,200,000 total being sought for the support of the Federation and its 91 affiliated charitable agencies. The film division drive is headed by an executive committee comprising Albert Warner, David Loew, Ralph Konn, Jack Cohn, and Max Gordon, stage producers.

The second is the Citizen's Family Welfare Committee campaign for $4,000,000. The industry's quota being $25,000. Louis Nizer is chairman of the film division.
For Christmas Week

GIVE THEM THE SKITCHES...
AND KEEP THEM IN STITCHES

• Run your eye over that cast... see why this is the perfect happiness show... for children and adults. A guarantee of big trade... morning, noon and night!

• Rollicking adventures of the wandering Skitches... roaming the U.S. in their rheumatic old car... taking in the tourist camps... being taken over by tourist scamps.

WILL ROGERS in Mr. Skitch with ZASU PITTS

Rochelle Hudson Florence Desmond
Harry Green Eugene Pallette

Directed by James Cruze
Based on the story “Green Dice” by Anne Cameron

Your patrons always like FOX MOVietone News

JOIN THE UPswing WITH FOX
duce provisions applying to delicate and complex trade practices, the assumption, of course, being that in the actual administration of the code, under the Code Authority provided for, the voice of persons of experience and ability— as well as wide responsibility for investments in the industry—would prevail.

However, under the Executive Order the decisions of the established Code Authority are subject to review by the Administrator whose incidentally, is concerned also with several hundred other codes which are now in one stage or another in the process of formulation and execution. Nominations which the industry has made to the Code Authority consist in each instance of leading personalities representing all of the important interests of the industry. Under the Executive Order any decisions arrived at by these representatives may be reviewed and reversed. And further, the Executive Order provides for their removal at the Administrator’s pleasure.

A Perplexing Slant

Section I of the Executive Order states that, because the Constituent of the Code Authority is named, the Administrator shall have the right to review and disapprove decisions made. This is a particularly perplexing matter. Aside from the perplexing matter, the argument apparently being that if the constituency had not been named—and if the persons to comprise the Code Authority were not known and their fitness for the responsibility not subject to examination—the Administrator would not have reserved arbitrary prerogatives to himself.

The second section of the order seems to allocate extraordinary attributes of fairness, justice and impartiality to the Administrator because it is intended to enable him to remove any member of the Code Authority who “shall fail to be fair, impartial and just.”

Although Deputy Administrator Sol A. Rosenblatt informed representatives of the industry while the code conferences were in progress in Washington that he had been instructed by the President to inform the industry that provision in the code must be made to control the payment of so-called excessive salaries the arrangements in this connection which were laboriously worked out—virtually at the President’s insistence—are suspended for a 90-day period.

Better Control of Costs

Although it has been made quite plain that if the industry is to be able to meet the increased labor costs which it generously agreed to for the purposes of cooperating in the purposes of the National Recovery Act, it would be necessary to control more effectively production costs, the Executive Order suspends also for 90 days the arrangements of the mediation board.

A feature of the memorandum accompanying the signed code as delivered by the Administrator which would have provoked only concern if it were not so serious matters involved was the appointment to the Code Authority of Eddie Cantor. The fact that the President brought Mr. Can-

tor’s name to the attention of the Code Authority was interesting enough; but his appointment to the Code Authority assumed the proportions of a shock. Mr. Cantor’s appointment was apparently a bid to silence propaganda addressed to the Administration from a group of professionals in the industry whose salaries already have reached figures which Mr. Rosenblatt quoted the President as saying are “a baneful influence upon the public.”

Clarification Essential

It is quite obvious that it be
does, those responsible for the conduct of this business and the security of its investment, the place where they and the industry stand in view of the conditions imposed under the Executive Order. There are indications that steps intended to lead to such a definition are to be taken.

Considerable interest is being expressed in just how and why the motion picture business has been singled out among American industries for the exclusive treatment provided for it under the Executive Order. There are no precedents for the action elsewhere under the conduct of a program except, possibly, in the case of the oil code and this was provided for under special legislation.

Strained Itself to Comply

It is demonstrable that the industry extended itself in every direction in an effort to comply with the purposes of the NRA program. With respect to labor provisions of the proposed code the president of the American Federation of Labor publicly thanked the industry for its generosity and support. In order
to introduce more commonly satisfactory trade practices every branch of the industry made concessions of one character or another, and a further branch. Naturally, there was not complete satisfaction with the code as drawn. Various independent exhibiting groups object to and disapprove of many of the provisions of the code, but even the most aggressive leaders among these are not unwilling to admit and acknowledge the difficulties and complexities surrounding a large number of the trade practices prevalent in the industry. Many impartial and experienced persons in the industry admit freely the virtual impossibility of so arranging various of the trade practices as to foreclose the possibility of inequalities.

Executives Facing Difficulties

Despite all of this, the Administration has assumed an attitude which makes it very difficult to see how responsible executives may continue to function in the conduct of their businesses without ignoring the responsibilities with which they are charged. It appears that progress along the initial line can only be had in event of approval by stockholders and directors of the program proposed by the Administration. Such action would seem to suggest the strong possibility of executive personnel asking to be relieved of their normal responsibilities.

Whether or not the Executive Order will be amended, of course, is not to be seen. But speculation on what would be the fortunes of the industry were the order to be carried into effect leads to both interesting and disturbing conclusions. Universal's decision in respect to such decisions as the Administrator would care to take time out from the administering of several hundred other codes to render, would be run by the Administrator following the formula which appears to have gotten results thus far at Washington propaganda offices. All sorts would descend upon the Administration. Letters, telegrams, and perhaps personal visits from Eddie Cantor, would surround the President, each with its own idea as to how the picture business should be run. The industry would be a guinea pig for an amazing series of experiments.

After that—the deluge.

Labor Reports It's Pleased with Code

(Continued from page 1)

tatives to code authority boards on any occasion when labor’s problems are in dispute, it was stated yesterday.

No protest will be made over the appointment of Eddie Cantor and Marie Dressler to the code authority. "Employees in the entertainment class, despite the fact that no labor representatives have been named as yet for its own employee classification. The I. A. T. S. E., according to the Ruben, counsel, views the recent action of Administrator Hugh Johnson, president of Monogram; Harry Thomas, president of First Division; Charles Oel- ler Associates; W. Ray Johnston, president of Hollywood Exchanges, and Robert Savini, Astor.

Schenck Silent on Provisions in Code

Joseph M. Schenck, president of United Artists and 26th Century Pictures, who advocated elimination of the salary penalty and talent "raid- ing" provisions of the code prior to its signing, made yesterday note of his views of the executive order suspending those provisions.

Schenck also declined to state whether he would withdraw his resignation from the Hollywood Producers' Ass'n, from which he resigned recently because of differences of opinion on the two provisions of the code.

"I have nothing to say on anything pertaining to the code," Schenck declared.

He plans to leave for Europe in about 10 days.

Close Madison Capitol

Marx, Wis., Dec. 5.—Warners have closed the Company because the business has not warranted keeping the house open during the holidays.
Ideas Vary on Repeal’s Effect

Little Help From Repeal, Coast’s View

(Continued from page 1)

which money would otherwise go at least in part to theaters.

Darryl Zanuck, of 20th Century Pictures, thinks:

“There is nothing that will affect the box-office except the quality of the pictures that go on the screen. The American public wants entertainment.

“The results that followed the election that put repeal over the top show that the nation has already adjusted itself to a sane and temperate reaction to the situation. “Put repeal over and the public is bound to give the theater a wider field of patronage.”

And from J. Lesky, producing independently for Fox, this:

“There seems to me to be no logical reason for assuming that legalized liquor will in any way affect box-office returns. Drinking and theaters are separate. They have always been and there is no reason to believe that the industry of drinking, already tremendously active, will spurt to new highs just because the government sanctions it. I have no fear for the box-office.

“The initial imbuing will wear itself out in a few days. The same abruption was experienced during the first few days of legalized beer.

“I sincerely believe that repeal will put more people to work, circulate more money and that much of this circulation will stop at the box-office. Past experience proves that a theatre is never the last, but the first—all along with the grocer—to get its share of additional pay checks and salary increases.”

Hal Wallis of Warner-First National, remarked:

“We are not interested in legalized liquor. We are only interested in making pictures and feel that if they are good pictures they will make money at the box-office in spite of any influence.”

Henry Ginsberg, vice-president and general manager of the Roach studio, said:

“We can see no adverse effect upon box-office receipts with the coming of legalized liquor. If anything, it permits the admission public to come out in the open and this freedom will undoubtedly prove a stimulant to theatre business.”

Thomas Takes “Wine”

Distribution rights to the J. E. Chadwick production, “Wine Women and Song” for Western Pennsylvanias, West Virginia, Ohio and Kentucky, have been acquired by Harry Thomas of First Division.

Providence Gives 3 Cheers

For Repeal; Says It’ll Aid

Providence, Dec. 5—Showmen en masse are giving three cheers and a tiger for the repeal of prohibition. 

“Of course it will increase business,” they chorus in response to a question as to what effect this here remanication of John Barleycorn will have on the trade of catering to the public, “Better spirit, better times, more dough and a mounting desire to get some fun out of life,” is the manner in which they anticipate the public’s reaction.

Providence exhibitors draw their patronage from the entire length and breadth of the state. Every hamlet pours its quota of customers into the five big city houses—when times are good and when these mill boys and girls, mostly, have dough in their pockets. Since the advent of prohibition there has been a gradual increase in the roar of machinery in the heavily populated Blackstone Valley towns. Most people have been taken off the relief rolls and jobs have provided them with a few cents to spend here and there on entertainment. On pictures to at least once a week, witness the smash triumphs here of “Power and the Glory”, “I’m No Angel”, “Bombshell” and “Triple Annie.” “They’ll spend if they have the shekels,” showmen say.

Samford Fay, Jack Tody, or Fay’s Majestic, agree heartily business will see a pick-up. It may be gradual at first, they admit, but it will come.

Billy McDermott of Loew’s state:

“Show me the town that is wide open and I’ll show you a town where there is prosperity in all lines of effort. Remember the old days? Why, Providence, instead of being a stopping off place, is now a point on the liveliest little burg in the country. It was called ‘Little New York.’ The theatres, among the last to feel the depression, may be among the last to feel the effects of this movement, but it will surely come. Yes, sir, prohibition’s death will bring new life to Providence’s entertainment business. Eddie Reid, manager of the Paramount, envisions a happier crowd of persons filled with a renewed zest in life.

“They will want a little fun,” he says, “after the dark days of prohibition. And the movies will provide them with entertainment where they need it most—the even the slimmest pocketbook.”

They’re all for repeal and already are making plans to lay in added supplies of very black ink.

More “Women” Records

Omaha, Dec. 5—“Little Women” is the “Windy box-office history in these parts, according to figures being received daily by A. M. Avery, RKO branch manager. At Sioux City, the Hepburn picture did $1,000 more business its opening day at the Orpheum than any previous attraction.

At the Strand in Omaha, on Thanksgiving Day “Little Women” grossed slightly more than $400 above the single day on the house record when playing a picture program. It is set for two weeks.

Arthur Off Tomorrow

Harry C. Arthur leaves tomorrow for the coast and will make stopovers in Los Angeles, Salt Lake City, San Francisco, and Los Angeles. While on the coast he will confer with his brother Milton, of Roxy, and Sons F. & M. Stageshows, Inc., in which Arthur is interested. He expects to be back Dec. 24, in time for Christmas.

Pittsburgh Sure Repeal Spells Boon

Pittsburgh, Dec. 5. Leading showmen here readily admit deal, which went into effect tonight, should be of considerable help to theatre business in various ways.

They point out the return of beer was a prime factor in improving grosses generally, what with the extra employment it provided throughout this city, an extensive brewing area, and believe that hard liquor will do even more.

This town has always been a leader in the distillery business, the Large, Schenley and Overholt distilleries all belong to the radius of 15 miles of Pittsburgh. As a result, bottle and barrel factories are expected to become active again, relieving a lot of unemployment and putting more money in circulation.

Harry Kalmine, theatre zone manager for Warners, doesn’t believe repeal will result in an early spurge that may keep money out of the theatres.

“I think drinkers will be more temperate than ever,” he said, “now that they know they can get liquor any time. Mark my word, most drinking will be done at home and I don’t think theatres will feel any hardships over this at all. I do think, though, that there will be more employment and a generally happier frame of mind and all this is bound to help business.”

Mike Cullen, city manager for Loew’s here, was of the same opinion. So were several members of the Harris organization, who refused to be quoted.

Another factor that’s to be considered, although in a different light, is the improvement repeal may mean in the various real estate holdings of the circuits. Both Warners and Loew’s own several choice corner locations, many of which are now idle, and a nod scrappable for good store and restaurant locations is expected once the legal flow really gets under way.

Showmen here also feel that liquor itself will prove a potent factor in stimulating business. They feel the head of a family, when he gets home at night for dinner and is able to take a shot or two of his own stock, will feel more like going out and will more readily suggest his family that they take in a show.

Pittsburgh exhibitors are quite optimistic about repeal and think it’s going to be of considerable help from every angle.

A. J. Cohen Quits “I”

Hollywood, Dec. 5—Albert J. Cohen has resigned as secretary chief of Universal to enter production work, Leonard Spiegelgass, former story editor for Fox, succeeds him.
IT'S A GIFT! only
you a XMAS SPECIAL

A NEW SILLY SYMPHONY

"THE NIGHT BEFORE XMAS"
IN TECHNICOLOR

Set your Bookings NOW at you
Walt Disney could give SO MAGNIFICENT!

And re-release these two DISNEY XMAS CLASSICS!
Millions want to see them again!

“SANTA’S WORKSHOP”
A SLY SYMPHONY IN TECHNICOLOR

and

MICKEY MOUSE
in
“MICKEY’S GOOD DEED”

Don’t have a one-contract mind!
Book all three of them

IT'S A DISNEY WORLD AFTER ALL!

THESE PICTURES ARE SOX-OFFICE

nearest UNITED ARTISTS EXCHANGE
Ohio's Key Cities Show Forward Spurt  
(Continued from page 1) and large crowds thronging the stores.

David local business himself. Kusell November open $3,000,000 is Agnew states. Jan. although Lewis, exchange on parlors the story of the pictures is for the first-runs for the 20th anniversary of the Lux Local business own picture, would be defeated on one hand. "Zorro Story" is for the Great Bangarn. "Scandals"-Luxe Tie-Up A national advertising tie-up with Lux Toilet Soap which will exploit "Roman Scandals," the new Eddy Charles production, 20 pictures, resorts scripts are now being prepared on "Green Gold" and "It's a Pleasure to Be Loved." Next year's schedule will be increased to 12.

Without Lights  
(Continued from page 1) office, members will offer a "New Deal" and a Fusion ticket. A number of the men are understood to be dissatisfied with the current administration, including the president, and are anxious to make a shift in the personnel whose term expires Dec. 31. Last week about 500 members met with Sam Kaplan, recently deceased president, and are understood to have asked him to again head the operators’ local when Sherman’s term expires on Dec. 31, 1934. Local 300’s $1,000,000 suit against the I. T. O. A., Allied Operators Union and local independent exhibitors comes up for hearing Friday in the Supreme Court.

Dinner to Celebrate Roach’s 20 Yr. Mark  
HOLLYWOOD, Dec. 5.—Old Home Week will be held at the Hal Roach Studio tonight when this sub-ject producer celebrates his 20th anniversary as a comedy producer. A dinner-dance will be held with all the old-time comedians who appeared under the Roach aegis present.

Among those will be Will Rogers, Harold Lloyd, Robert Daws, John Barrymore, Lupe Velez, Fay Wray, Theda Bara and Janet Gaynor. All stars now working for Roach also will be in attendance, other producers from other studios will attend.

Lloyd is chairman of arrangements and is cooperating with Henry Ginsberg on the program.

Colman, March Set With New Pictures  
HOLLYWOOD, Dec. 5.—Ronald Colman and Frederic March are set for 20th Century for a picture apiece, according to the company’s new schedule.

March will be starred in an adaptation of Victor Hugo’s “Les Misérables” and Colman in “Steel.” Reed Greenshaft, which will follow "The House of Rothschild," and a second with Wallace Beery, titled "The Great Barnum.”

New Tax Sources Tapped in Capital  
WASHINGTON, Dec. 5.—Elimination of the divided rates of the normal tax on income and substitution of a flat rate of 1 per cent was accom-panied by marked increases in surtax rates, heavy taxes on personal holding companies, prohibition against a part-ner deferring income from his individual return and increased rates on consolidated returns are among the tax changes made today in a report by a House ways and means sub-committee.

No mention is made in the report of the miscellaneous tax, which is that on admissions, which will be left for consideration of the full committee. The committee will begin public hearings Dec. 11 on liquor tax legislation, which will be followed by con-sideration of recommendations on taxes to be made by the Treasury about Dec. 15 and then by a study of all provisions of the present tax law.

Ace Berry Resigns; Plans Own Circuit  
(Continued from page 1) national rival of Circle and Indiana, the Monarch circuit’s two local first runs, to form a local group which plans to acquire its own houses. He was succeeded by E. M. Halperin, formerly with Publix in Detroit.

The Circle and the Indiana were leased from the Lieber family last summer by Milton H. Feld and David J. Chatkin, who head Monarch The-ater. Both companies are Publix executives under Sam Katz.

Nolan, Exhibitor, Is Now Ottawa’s Mayor  
OTTAWA, Dec. 5.—P. J. Nolan, ferry independent exhibitor, is the new mayor of Ottawa, Canada’s capital city. He was successful over three opponents, including Mayor Allen, who sought re-election.

Nolan was alderman three times, was twice defeated for a place on the Board of Control, was twice for mayor in the last 10 years. Apparently, however, Irish persistence won, for he rolled up a plurality over all others.

Boyle Now a Sheriff  
PITTSBURGH, Dec. 5.—It’s Sheriff Mike Boyle now for the former manager of the Warner-Majestic in Johnstown, winner of the Demo-cratic ticket in Cambria County, in his first political joust, Boyle won renomination for sheriff from the Repub-lican incumbent by a total of 400 votes.

The new sheriff, incidentally, is a brother of Bishop Boyle of the Pitts-burgh Catholic diocese.

Through Amalgamated  
SCRANTON, Dec. 5.—Vaudeville bookings for all Comerford affiliates theatres showing vaudeville will be booked by Amal-gamated, E. M. B. Comerford is the head of the new management, which was started today. The New York office of Amalgamated will be in charge of David Cohen, former Comerford partner, as manager-booker with Bud Irwin booking.
MPPDA Move Fails to Stir NRA Officials

(Continued from page 1)
paced to the suspension of the salary clause and resented the alleged dominance of the industry by the Administration, formers claim here it was said that while there is some dislike of the part which may be played by the administrator, the salary clause is of little concern to the producers, who are more likely to object to the suspension of the raiding provision.

Meeting Planned for Friday
Members of the code authority have been instructed to come to Washington Friday for a meeting with General Hugh S. Johnson at which the latter is expected to "lay down the law" as to activities under the code. No official announcement has been made of the first meeting of the code authority, which was expected to be called for the end of the week in New York.

NRA executives appeared greatly surprised at the possibility that the industry, which has been denouncing the Administration for delay, now would ask for a postponement. There was also a display of consternation when it was suggested that members of the industry, who apparently had accepted, would contemplate such a drastic step as refusing to serve unless the executive order were modified.

It was held by recovery officials that the protests of the industry are premature, the code not yet having gone into effect, and it was pointed out that no hard feelings, therefore, could yet have been suffered in this. The film industry differs from other trades which have protested codes, the latter having done so only after operation under their agreements had disclosed unforeseen difficulties.

Question Not Raised Before
It was suggested that protest against any burden under the code would have been arising in the industry, during the long negotiations which preceded its approval, never having brought the question of hardship up.

Either the code, or the executive order approval, can be changed, it was pointed out, only by another executive order. On the other hand, if feeling unduly burdened, the industry itself may propose amendments to the code or may bring their problems to Washington where, if they are found to be sufficient important, the administrator can recommend changes to the President.

With respect to the investigations provided for under the executive order, it was pointed out by the Administration there is little likelihood that the President will recede from his position that the salary and raiding provisions should be suspended until thorough investigation was made. All similar matters herefofore made the subject of investigation and objected to by industries have been cleared through without change at the President's demand.

Ohio MPTO Opens Annual Convention

COLUMBUS, Dec. 5—The Ohio M. P. T. O. opened its annual convention here today at the Deshler-Wallick.

At a banquet this evening Administra-
tor Sol A. Rosenblatt was the prin-
cipal speaker. He explained the code. Other speakers were Governor White of Ohio; Carlton S. Dargusch, Ohio tax official; Jack Miller, secretary, Chicago M. P. Exhibitors' Ass'n, who discussed labor phases of the code; Robert Robins, secretary American Society for Protection of the M. P. Theatre, who talked on the patent clause and in the signing of equipment; Dr. Beverly O. Skinner, state director of education and head of the National Board, who warned producers to deliver cleaner pictures and Edward Golden, general sales mana-
ger for Monogram Pictures, Golden was here on a tour of the Monogram exchanges.

Plans were discussed to wage a fight for repeal of the existing ten per cent admission tax.

Ad Men Cooperate With Hays Group

Cooperation from all publicity and advertising heads in connection with the new code is being received by the Hays office. J. J. McCarthy stated yesterday that the special advertising com-
mittee consists of Howard Dietz, chair-
man; S. Charles Einfeld and John C. Fink, president of the A. M. P. A. During absence of Einfeld and Frank Staniford has submitted for the former and Robert F. Stedman for the latter.

Future meetings of the committee are indefinite.

Code Discussion Put Off by Allied of N. J.

Members of Allied of New Jersey, meeting yesterday, decided to put off any discussion of the industry code until the next session, the adjourned annual convention, to be held in Tren-
don on Dec. 19. Abram F. Myers will be principal speaker at the meet-
ing. Routine business was given at yesterday's weekly gathering.

A. M. P. A. All Set

Guests at the A. M. P. A. weekly luncheon tomorrow at Sardi's will include, Robert Hope of "Roberta" cast, master of ceremonies; Meyer Davis, Bert Lahr, Monte Collins, Miriam Balda; Jean Sargent, Janet Gaynor and John Shaff; cocktail party before Reference at the Lindo, Frank Smell and George Stal-
ings.

Spyros Skouras on Coast

LOS ANGELES, Dec. 5—Spyros Skouras arrived here from New York yesterday accompanied by Ralph Harris of the Hughes, Salkind & Peck law offices. Both will remain about 10 days conferring with Charles Shub in organization plans for Fox West Coast.

Wm. Rapley Dead

WASHINGTON, Dec. 5—In addi-
tion to William Har-
ryman Rapley, 74, one of the more prominent American theatre owners, is dead in Washington, D. C. As owner of the National in Washington, he had been host to every President since Grant.

Son Also Rises

Hollywood, Dec. 5,—A fea-
tured player in Paramount's "Miss Face's Baby in Stolen" donned pants for the first time in his life after comple-
ting the picture.

The player is Baby Loloy who graduated from three-
cornered underwear to his first pair of shorts this week.

Point for Petrillo

In Fight on Union

(Continued from page 1)

as voting for the presidency got under way.

In applying for the injunction Ri-
rizo and Belcaster asked for an ac-
counting of funds and receivership on the ground that Petrillo allegedly used $100,000 of union funds as ran-
son for his release from kidnappers in June of this year. Petrillo asserted the action was a move to embarrass him and kill his chances for re-elec-
tion. To substantiate his statement he offered copies of newspaper advertise-
ments containing an audit by what was said to be an impartial firm, account-
ing for all funds.

Petrillo's court victory is viewed as assuring his re-election.

Submit to O. K. on Stills

Hollywood, Dec. 5—Warners and Radio have agreed to submit stills for censoring to the Hays office here, falling into line with the other stu-
dios. The two had held out believing better cooperation could be secured at the home office in New York.

More Coin for Powell

Hollywood, Dec. 5—Warners have given Dick Powell a new contract calling for more pay.

Plans on P. P.

Units Meet a Slight Delay

(Continued from page 1)

new federal bankruptcy regulations on reorganization procedure are also recog-
nized as contributing to slower de-
velopment of the plan during the im-
mediate future.

Indications are that no complete plan of reorganization for Paramount will be ready for submission to Referee Henry K. Davis for court ap-
proval prior to late February.

Publiclix Enterprises' reorganization plan, originally scheduled to be pre-
presented to Referee Henry K. Davis for approval early this week, also has been deferred and probably will not be submitted for the court's approval for another 10 days or two weeks.

The reorganization plan has been prepared by trustees of Paramount Publiclix, parent organization and the largest creditor of the bankrupt the-
atre subsidiary. It involves purchase of the assets of Publiclix Enterprises by Famous Theatres Corp., a newly cre-
ated, wholly owned subsidiary of Para-
mount Publiclix, which will issue stock to the parent company in exchange for claims against Publiclix Enterprises.

Rent Claim Postponed

A hearing on a future rent claim filed against Publiclix Enterprises by Sunrise Realty Corp., scheduled for yesterday before Referee Henry K. Davis was postponed to Dec. 12.

Aline MacMahon Star

Hollywood, Dec. 5,—Aline Mac-
mahon jumps into the star class at Warners with her assignment to the lead in "Fur Coats."
FOLLOWING THE PATH

BLAZED BY OTHER

PARAMOUNT HITS
The Story of an Exhibitor Who Wrote His Own Advertisement!

"I had 'Prizefighter and the Lady' booked to follow its engagement in a neighboring city . . .

"I drove over there and previewed the picture . . .

"And found it one of the swellest entertainments of the season . . .

"So I gave it plenty of thought . . .

"And I hit on this way of advertising it . . .

"I got excellent results and I suggest that other exhibitors try it!"

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"I drove over there and previewed the picture . . ."

"And found it one of the swellest entertainments of the season . . ."

"So I gave it plenty of thought . . ."

"And I hit on this way of advertising it . . ."

"I got excellent results and I suggest that other exhibitors try it!"

"After personally previewing this picture I hasten to advise the patrons of the Odeon Theatre that one of the season's grandest entertainments has come. I heartily recommend it as a glorious romance, packed with laughs and thrills . . . PLUS THE NEW SURPRISE STAR!

G. Edward Bougac, Manager

Prizefighter and THE LADY

IN METRO-GOLDWYN MAYER'S HAPPY ENTERTAINMENT

IN OUR LOBBY!
Stop by in the lobby of the Odeon and read the amazing praises which this picture is getting from Coast to Coast! You'll come right inside and see the show!
Regards NRA As Stimulant For New Year

Re-Employment Seen as Aid for Theatres

By W. RAY JOHNSTON
President, Monogram

I don't believe the NRA and code will have a great deal of effect on the production and distribution of film to add somewhat to the cost due to the labor provision. On a big company's product, this will amount to something compared to the negative cost, but a small company's product it will be something for them to think about to cover the difference.

The big thing to me is the boost in theatre "takings" due to the eventual good that the NRA does in other industries in putting people back to work, giving them some income so that they in turn will be in a position to patronize the theatres again. This is the big thing of NRA from the film angle and will result in a greater market and increased returns for 1934.

Universal Making Its Own Newsreel

Universal is making its own newsreel following its recent break with the Chicago Daily News over dissatisfaction with the financial arrangement, it was learned yesterday. The company has taken over the camera crew from the Chicago paper and will concentrate the manufacture of the newsreel in New York.

Charles Ford, who had charge of collecting news and directing the camera force while the reel was being turned out in Chicago by the News, has been hired by Universal to serve in a similar capacity in New York.

Principal Opens 4 Branches Overseas

Four new branches have been opened abroad by Principal, Sol Lesser, president, states on his return from a six weeks' tour. They include London, Paris, Stockholm and Berlin. However, the branch in London is only a show room and is not to open as a theatre.

The Fourth

This is the concluding half of an analysis of the Chicago situation and fourth in the series of condition stories written from the field by Red Kann.

Tampa Ruling Against NIRA No Precedent

WASHINGTOH, Dec. 6—The decision of Federal District Judge Alexander Ahern at Tampa, Fla., holding the Recovery Act to be unconstitutional

San Diego Viewing Repeal Variously

SAN DIEGO, Dec. 6—Conflicting opinions feature discussion here among exhibitors over the effect of legalized liquor on show business. S. S. Blachy, manager of the Pacific News, says there will be a decrease in business, but Stan Eubanks, manager of the Orpheum, believes there will be an increase.

Say Pressure of Circuits Killed Twins in Chicago

By RED KANN

CHICAGO, Dec. 6—Exchanges aren't "certain." It's only an "impression" in the minds of many executives. Yet the understanding and the inside yarn circulating among those who might be expected to know are that double features were voted out of the rules of play in Chicago at the insistence of major circuits that distributors refused to return to them 50 per cent of the Loop rental of any picture which subsequently is double-dunned in any of the Windy City's currently operating 138 theatres.

Industry Agencies To Solve Disputes

WASHINGTON, Dec. 6—Passing under the control of the film code, members of the industry late tonight were assured by Recovery Administration officials that their problems would be solved entirely "within the family" and that complaints of non-compliance and labor and code practice controversies would be handled by the industry and the deputy administrator in charge of the code and not by outsiders. For the time being, at least, all complaints to compliance boards will

Vital Shifts In Code Mean Setback—Kent

ALBUQUERQUE, Dec. 6—Changes in the industry code wrought by the executive order are so vital that it will be necessary for major companies to delay final action on it until boards of directors and stockholders of individual companies have had the final code submitted to them for their approval or rejection. Sidney R. Kent, president of Fox, stated in an interview here tonight while en route to Hollywood.

Kent revealed that boards of directors will probably be solved entirely "within the family" and that complaints of non-compliance and labor and code practice controversies would be handled by the industry and the deputy administrator in charge of the code and not by outsiders. For the time being, at least, all complaints to compliance boards will

Last Minute Attempt of Producers to Win Delay Meets With Failure

WASHINGTON, Thursday, Dec. 7 (By Technical News Service)—The film industry joined the ranks of the recovery army at 12:01 this morning when the code was signed by President Roosevelt at Warm Springs, Ga., Nov. 27, went into effect. A last-minute effort of producers to secure a stay of execution yesterday met with failure when President Roosevelt indicated his disapproval of the code and refusal to postpone the effective date of the code.

Signed by some 25 or 30 producers, a telegraphic request for a hearing was received at the White House yesterday. White House attaches, however, said that the message gave no indication of the points to which objection was taken.

Complying with the request, the White House telegraphed the Hays organization that the studio heads and a small committee of three or four could come to Washington tomorrow and would be heard by the Hays' and General H. S. Johnson. This appears to be something of a shift from the meeting which was held yesterday, which would be held at General Johnson's office and is in line with the President's desire to give sympathetic hearing to industrial leaders who have problems of sufficient importance to warrant his consideration. In view of the hearing tomorrow, plans for the initial meeting of the code authority are being held in abeyance and their announcement was held.

(Continued on page 4)

(Continued on page 2)
Chase's Paramount
Claims Protested

(Continued from page 1)

Henry K. Davis by attorneys for the Paramount trustees..

Chase representatives consented to a reduction of the claim of the Chase Bank, to be determined by the amount of individual claims of bondholders which were still to be paid. Currently these aggregate $23,030,000 of proved claims. There are unproved claims outstanding amounting to $705,000, and ordinary claims outstanding of $1,082,000.

In the event all of the unproved claims should be proved the best it claim will be reduced to $1,082,000. Allowance of the maximum number of unproved claims would increase the Chase Bank's claim to $2,147,000, maximum, according to counsel for the Paramount trustees.

The trustees' motion seeking an order to permit this revision of the claim already consented to by the bank, was under advisement by Referee Davis.

H. A. Ross Reports
Trade Is Improving

Harry A. Ross, head of the Ross Federal Service, is back in New York from a 12,000-mile tour of the United States with word he found a growing optimism among the people.

"The small towns especially seem to have a new shunt on things," Ross said. "And exhibitors everywhere gave me the same answer when I asked them what the prospects for 1934 looked like. This next season we feel will be a great one. Our business is going to be better than it has been in three years." Obviously, such a keynote note would be a better morale.

His company's records, asserts Ross, "show a 50 per cent gain in business during the past six weeks alone.

South Better—Lightman

M. A. Lightman, southern executive and former president of the M. P. T. O., as here for a few days to look over new product, reports theatre business in his territory, Paramount Broadway Area, is "the best it has been in years." He plans to return to Memphis tomorrow.

Eastman Drops Two and a Half

Columbia Pictures, etc.,

High
Low
Net
Sales

36
36
36
-66
190

26
26
26
-66
120

174.1
124.1
124.1
124.1
124.1

180
180
180
180
180

30.9
30.9
30.9
30.9
30.9

3.0
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3.0
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30.9
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156
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156

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156
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156

29.9
29.9
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Warner Bros.

Trans Lux Up 1/4 on Curb

Paramount Broadway Bonds Up One

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San Diego Viewing
Repeal Variously

(Continued from page 1)

Tional Theatres, thinks liquor spells the doom of the business, while two others do not mean increased trade. Here are the opinions:

B. V. Sturdivant, district manager, Fox West Coast Theatres: "If my personal opinion that legalized liquor is going to help our business, that is important, I believe, because it will bring back to us a lot of young people who now believe it will come to beer gardens. There will be so much liquor that these beer gardens will be relegated to their proper places, and these youngsters will return to the theatres."

Ted Rockwell, manager of the Spreckels:

"I can’t but believe that legalized liquor will eventually help the business. First of all, there may be a spurge of spend for the liquor but later the re-employment and increased purchases of liquor, because of liquor, will bring up our grosses. In the end, we will be better off, I think."

S. S. Blachy, district manager of the Pacific National Theatres:

"I think this bill that legalized liquor is going to help the show business, for I know better. I will well remember the day when Golden Gloves won, and the next day our intake doubled. There was a very noticeable increase in attendances, and it became illegal to buy liquor. Therefore, I am convinced that legalized liquor means the death knell of the business. It’s not so easy to say this, but it’s true."

"U" Production at Its Half-Way Mark

CHICAGO, Dec. 6—James R. Grainer,

in charge of distribution for Univer-

dal, has completed half of his list of exchanges with word that half of the current schedule had been completed.

Grainer's trip will wind up on the coast Dec. 18 or 19 with conferences with the Laemmles on product.

Hollywood, Dec. 6—Pictures slated for production when Universal resumes after the first of the year include:

"I Give My Love," an original by Vicki Baum, will be directed by L. G. Rochman in which Paul Lukas will star, with starring direction by William Wyler; "Zest," Charles G. Nor-

s novel which Lowell Sherman will direct; "When the Tongs Come," an original by William Wyler, which he will supervise; "Imitation of Life," Fannie Hurst novel to be directed by John St. John, "Flame " by Edna Ferber to be produced by Reznick Zeidman, with Gloria Swanson; "The Love of the Lion's Crossing," to be directed by Eddie Buzzell with an original script written by the stars, "The Countess of Montcalm" to be directed by William DiOrio, co-starring vehicle for Slim Summerville and Alice Terry; "American Scotland Yard," starring vehicle for C. J. Goodwin, and "Interlude" by Octavus Roy Cohen.

"Double Life" for Para.

"His Double Life," first Eddie Dowling-Arthur Hopkins production, which is being released by Para-

mount, has been dated into the New York Paramount starting Dec. 15.
WE'VE GOT A MILLION OF 'EM
A typical telegram:
"'Dancing Lady' opened Buckley's Palace Theatre, Albany, yesterday breaking every record."

LEO OF M-G-M STEPS OUT WITH HIS "DANCING LADY"!

It's a jolly holiday at box-offices from Coast to Coast. JOAN CRAWFORD sings love songs for CLARK GABLE. Sights to see, melodies to hear—and the lively cast includes Franchot Tone, May Robson, Winnie Lightner, Fred Astaire, Robert Benchley, Ted Healy and his Stooges. Robert Z. Leonard directed! WATCH THE EXTENDED RUNS! A PLEASURE!
Industry Code Declared Law
At 12:01 A.M.

(Continued from page 1)
up until code application had been put into effect.

Observers here last night were still without definite knowledge of the producers' grounds for last-minute opposition to the code, although it was for granted that they are to be found in the executive order of Nov. 27. That order suspended the salary and railroad provisions for 90 days, but declined to name any specific ones, again insisting that all information on the subject should come from them directly, however, that up to the time he left the meeting there had been no specific objection to the 90-day clause, the producers believing that we approved the code version, he said. Now we want to show if it is true, but the discussion is not over yet as those modifications which we have in mind regard the subject of the code. We are not interested in the former, and the temporary suspension of the latter is not believed to be sufficiently important to warrant strong protest.

However, it is pointed out, there are those who believe members of the executive order which give to the recovery administrator complete domination of the code, a situation which, if followed to its ultimate conclusion, the code authority and its committees on boards could be enabled to acquire a position of rubber stamps.

These paragraphs, among other things, give the administrator the right to approve any act taken by the code, authorize its committees or boards, to summarily remove any member of the code authority for failure to be fair, impartial and just to name their successors, to increase the representation on the code authority of any employer class which is found not to be sufficiently represented.

Here is the focal point of the producers' opposition. The effect of these paragraphs, it is said, would be to strip the members of the code authority of any importance and power with which they might appear to be vested by the code.

Vital Code Shifts
Mean Setback: Kent

(Continued from page 1)
ators and stockholders of major companies, and it is generally believed that the third code draft on the assumption that it was complete and final, but that now, in view of the changes made by the executive order, it was considered necessary to obtain approval of directors and stockholders again before signing the altered code.

Kent declined to comment on details, telling the Post, "We have a meeting in New York on Monday at which the first open opposition to the provisions was to be heard. The meeting was called by major company heads. He said that any statement on the meeting should come from Will H. Hays, adding that it "would not be fair" for him, Kent, to divulge details as he had been obliged to leave the meeting before its close in order to board a westbound train, and consequently was unaware of the meeting's final action.

He stated, however, that the meeting had been called to consider the companies' positions individually in regard to approval of the code by major company heads. It is possible that the changes in the code made by the executive order, as well as discussed by the companies were not given sufficient notice until the code was released.

He admitted that several proposals for modifications of the executive order were discussed, but declined to name any specific ones, again insisting that all information on the subject should come from them directly, however, that up to the time he left the meeting there had been no specific objection to the 90-day clause, the producers believing that we approved the code version, he said. Now we want to show if it is true, but the discussion is not over yet as those modifications which we have in mind regard the subject of the code. We are not interested in the former, and the temporary suspension of the latter is not believed to be sufficiently important to warrant strong protest.

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Rosenblatt Mum on
Hays Member Plaintiff

COLUMBUS, Dec. 6—Deputy Administrator Sol A. Rosenblatt refused to comment on objections to the executive order voiced by M. P. P. D.A. members in New York on Monday, other than to admit that he had met with a group of stockholders here prior to his departure for Washington.

Rosenblatt had written here to address the convention of the M. P. P. T. O. of Ohio, in session yesterday and today.

"The NRA is trying to deal industry a new deal," he told the convention.

"It is not a single, simple, destructive, not constructive, effort in that the best thing we can do is give the independent operators more than they have heretofore.

"The code that is coming into the theaters, for only showings, and the opportunity of securing good pictures, can do that, and it doesn't correct the marked inequality of competition that the industry has existed.

"No longer will exhibitors dare to corner producers and manipulate their efforts."

Operations of the grievance boards were explained in detail by Rosenblatt, who pointed out that one of their principal functions would be to determine what extent of overbuying constitutes an unfair trade practice. When this has been determined, he said, corrections will be made promptly and in a drastic manner as is found to be necessary.

Rosenblatt said grievance boards possess here today that, H. J. Hoss, Cincinnati, Edward Heil, New York, Sam I. Lipstein of Zanesville, and Henry Bielerson of Delaware, O., were elected vice-presidents; Max Stern of Columbus, treasurer, and John Schwalm of Hamilton, secretary.

The following were elected trustees: J. Real Neth, Columbus; C. F. Pfister, Troy; I. E. Libson, Columbus; Nat Holk, Cleveland; L. F. Eick, Martins Ferry; W. A. Finney, Columbus; and William M. James, honorary trustee.

Rosenblatt Talking In "Philly" Today

PHILADELPHIA, Dec. 6—Sol A. Rosenblatt, who already has addressed Southeastern Wisconsin and Ohio exhibitors on the code, will make his fourth address in the East to the M. P. P. T. O. of Eastern Pennsylvania.

There a committee of five exhibitors have been hffing with Lew Pizar, M. P. P. T. O. president, questions which they would like to have answered, and yesterday O. O. 6. and the T. O. C. C., will attend the convention.

WASHINGTON, Dec. 6—Returning to his desk from the exhibitors' meeting at Columbus, Deputy Administrator Rosenblatt today dug into a number of questions he received here Thursday when he was in Philadelphia, and an opportunity in an effort to catch up with his work before leaving tomorrow for the department's headquarters.

Industry Agencies To Solve Disputes

(Continued from page 1)
be forwarded to Washington for settlement by Administration officials. Eventually, however, under the plan of the Recovery Administration, compliance matters will be taken over by the state agencies.

Trade practice provision problems will be handled strictly by the industry, through grievance boards, and the code itself cares for skilled labor.

Tampa Ruling Against NRA
No Precedent

(Continued from page 1)
berg, general counsel of the NRA, that such procedure was indicated in the Recovery Act and Judge Akerman's recent opinion in a similar case left legal ground in the circumstances.

"The judge's remarks on the alleged unconscionability of the Recovery Act, itself," Richberg added, "however, obviously do not carry any weight, since they were expressive of the jurist's personal views and did not constitute a ruling on a point of law."

While the Tampa court ruled against the code, the District of Columbia Supreme Court recently held that the giving of premiums by an oil station constituted a violation of the oil code despite a contention that service stations are not engaged in interstate commerce. It is the opinion of Administration officials that the acts are in the same category as filling stations, inasmuch as they, also, are part of an interstate movement of a commodity.

Federal Judge Akerman's ruling in the New York antitrust suit last week involved the denial of an injunction which sought to require the operator of a local cleaning and dyeing establishment to maintain his prices at the same level as those fixed by the code for his territory. The action was brought by local competitors who indicated that it was unnecessary, since the court had been left in a position that Congress and the district court had no right to interfere with local business.

Judge Akerman's observations on the matter that the Recovery Act were made in an opinion amplifying his reasons for denying the order.

This part of the opinion appears to support the views of Allied States when it inclined toward refusing to participate in early industry code drafting discussions last June on the grounds that theaters were not engaged in interstate commerce and, therefore, were not embraced by the federal Recovery Act or NRA codes.

Setzer Set on Coast

Hollywood, Dec. 6—Ed Setzer, for the first time in public view, traveled to S. Charles Einfeld in New York, will take over publicity reins at the Warners, according to George Thomas, who will remain as a member of the department.

Sid Rechtinack, assistant to Ed Selzer in the Warner home-office publicity department, succeeds him.


Maxes Close Para. Deal

Hollywood, Dec. 6—The Marx Brothers with Sam Harris have closed a deal for one more for Paramount.
FILM FORECASTERS SAY...

"IT LOOKS LIKE A
BROWN CHRISTMAS!"

Bookings, bookings, everywhere for the perfect holiday feature! Why? Because smarter showmen want a sure-fire draw for adults as well as youngsters. Why put handcuffs on your Christmas trade with an exclusive juvenile appeal when you can get a certified all-the-family attraction in "the best picture he has made in many seasons" (N.Y. Mirror)—

JOE E. BROWN
SON OF A SAILOR

First National Picture with Jean Muir, Frank McHugh, Thelma Todd, Johnny Mack Brown, Sheila Terry . . . . Directed by Lloyd Bacon.

HELD OVER AT N.Y. STRAND!

"Crowded with inspired gags. Unusually grand specimen of rare slapstick comedy. Hilarious fun." N.Y. Mirror

"One of the most continuously hilarious of all the pictures which this increasing and amusing comic has made. A film hour of uproarious entertainment." N.Y. Telegram

IT HELPS SELL THEM IF YOU TELL THEM IT'S A WARNER BROS. PICTURE
A FRANK BORZAGE PRODUCTION

WITH

SPENCER TRACY—ORETTA YOUNG
Walter Connolly, Arthur Hohl, Greta Garbo, Marjorie Rambeau, Natalie Moor
AR HOUSE RECORD

E

YEAR'S

PACITY VS. STRONGEST OPPOSITION

FINAL

OR SECOND WEEK

ANGELES

et Theatre

TO LINE ONE BLOCK LONG

ans

atre

SENSATION - TOPS BEST

OF YEAR

HARTFORD Loew's Theatre

NOW IN SECOND BIG WEEK

from the play by Lawrence Hazard
Screen play by Jo Swerling
No Chicago Accord on Doubles

Some Majors For Them as Aid to Gross

(Continued from page 1)

tracts per sc were, or had to be, bright into public gaze.

Major circuits in Chicago run up to four. B. & K., operating 36 theatres—all open, except the Paradise—had an approximate seating capacity of 77,000, is number one, by far. There is the Essaness circuit where the Silvermans, Eddie and Charlie, are forth and of which Emil Stern is the president. Like the alleged agreement on doubles, there is nothing to estab- lish the link between B. & K. and Essaness, but every film man in Chi- cago who knows his alphabet takes it for granted.

1—B. & K. owns, controls or dominates Essaness.

2—B. & K. has an operating agreement with Essaness, so closely tying in both circuits that the former takes it on the chin for a percentage of the latter's down-time operating loss, if and when.

Schoenostadt Chain Next

Next is the Schoenostadt string. Not linked up, even by rumor, Chicago's third principal circuit operation, so far as has been discovered, has never been accused of experiencing any difficulties with the company at which the Balahans are calling the shots. The Warners, under Jimmy Coston, have a dozen or more local houses and a handful scattered throughout Indiana. The Orpheum, generally a second run in the Loop, is the circuit's downtown representative. That's the circuit's domicile.

While B. & K. with its formidable array of de luxe neighborhood houses heads by such theatres as Grand Avenue, Union and on the North Side, the Tivoli and Southtown on the South Side, and the Marboro on the West Side, would command obedience from any distributor in the city, it is its Loop dominance which makes the bows before the throne even deeper.

The Chicago, Roosevelt, United Artists and Foxers and Cens, cause they total five and because their only opposition for heavy first run grosses is made up of Aaron Jones' State-Lake and RKO's Palace, need a lot of pictures and get them. As a matter of fact, they get all except RKO.

There is also this: What plays downtown subsequently goes into those de luxe neighborhoods and later the lesser neighborhood situations. What plays downtown and in the outlying sections also finds first run downtown via Great States Theatres, with which B. & K. are anything but unfriendly. Through the improved tie which Essaness recently had with the Loop outside of which distributors here would hesitate to offend.

All of this, then, means what Meredy this: That if Chicago's domi- nant circuits were operating on a footing that doubles had to go, the reasonable conclusion follows that they would. This is what is reported to have happened.

B. & K. Dominant Factor

In the first and last instance, dis- tributors who fail to strike a deal with B. & K., directly or indirectly, in its sphere of influence, would find the nation's second largest territory down the line in point of return. There had to be and there has been one inclination to go sacrificial where the 30, 25, 30 and 35 cent contracts are concerned to keep the $25 to $100 rentals happy and untrammeled. Whether or not the policing which naturally would follow in the wake of an attitude against them came about as the result of insistence on the part of theater distributors, says Uni- versal and Columbia, as unmistakably expressed at the Washington code hearings, that deals had to go where B. & K. was involved, is a question here is a matter of opinion. Viewpoints vary.

"What about the refund clause?" Barney Bablan was asked.

"It was discussed, as I remember it, but I doubt what happened finally," was his reply.

Said John Bablan: "Frankly, I don't know. I haven't read our con- tracts.

There are those who maintain major distributors determined to push them to the ground Mendelssohn's coun- try's second largest city through the circuits. There are those who argue the agreement that was the distributors what had to be that the distributors, constantly on the job for quotas, and because Paramount and B. & K., anyway, fell into line. A parallel factor which can be pieced into the puzzle as the reader surveys various arrangements for same contracts.

"Is it true that every major distributor here has rubber-stam- mared the clause barring exhibition of another feature on the same bill with his own product?" was the question asked far and wide.

Turn to New York for Answer

Eyes inevitably turned east and on New York; the answer proved to be evasive when it failed to be non-

On His Toes

Chicago, Dec. 6.—The Presi- dent has one staunch sup- porter, at least, among thea- tresmen here, despite the ed- itor's barrage laid down daily by the Chicago Tribune.

He is Joe Wells, who oper- ates the Wonder Theatre, a cen- tre on the South Side but which now is called the NRA. Seating capacity, 750.

was asking what was once on the stage, to calm the stir- rie on the South Side but which now is called the NRA. Seating capacity, 750.

far down the ladder by availability, are not permitted to make their shows as attractive as a buy as the first runs. They can't run vaude- vile, because they can't afford it, even run double features, than- that's the answer and don't see why this right—the right of each man to not "be—should be denied him."

The charge is advanced, too, that the independent distributors from a eliminam on the double bills on the ground their revenue is being seriously hit. With singles prevail- ing, however, the theatres which have been accused as taking the city's screen obvi- ously drops. It is true the bigger picture does, are getting playing time, as are numbers of the not-so-good. But big pictures come along too infre- quently, too spasmodically. And what of the vast advantages of the independent shows over those between, which every company makes and which every exchangeman and every exhibitor knows every com- pany makes? What about them? This is the question posed. This is the question raised.

Major attractions, goes this argu- ment, play percentage anyway. The public's buying power is still low, even can run double features, than- this time last year. The ace neigh- borhood houses, at prices below those prevalent in the nation, continue to keep thousands of their patrons seek- ing entertainment at home without troubling to go downtown.

Cut in Revenue Result

The result? In fair times—and that doesn't seem likely a fair time in Chicago—Loop runs usually give the distributor less than he expected from his first run. There are reversals, in other words, which is aided by fail- ure of many pictures to hold up and B. & K.'s practice of pulling them before the week round out.

Another angle along the same lines:

Most circuit theatres here change pictures three times weekly. It is estimated there are about 10 houses which operate under a daily change. Four times weekly. In other houses, which are pretty much the rule. Circuit houses, therefore, use 156 features; daily change houses, which don't mean much, 365; the average houses, 208.

The majors are proposing these:

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<tr>
<td>Fox</td>
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<td>48</td>
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<td>Universal</td>
<td>36</td>
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<tr>
<td>Warners</td>
<td>60</td>
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Total                        | 363 |

Through its B. & K. control, Para- mount is regarded as being power- fully enough entrenched to get a break. Warners, through their own (Continued on page 9)

All in the Trading

Chicago, Dec. 6.—Here's a yarn that goes back to the days when arbitral hadn't heard of the Thacher decree. It has to do with Charles Fideles, operator of the Fashion, on the wrong end of State St., Felix Mendelssohn, M-G-M manager, and Jack Miller.

Fideles was in a row with M-G-M. It had gone on and on when Miller was called in to settle. He proposed giving the Greek exhibi- tion the pictures for nothing and Mendelssohn had agreed.

"I'll give you four," said Miller to Fideles, however. "Is that O. K.?"

"Sure," replied Fideles.

Informed Mendelssohn he had settled for five. Miller then went back to the exhibitor and told him he had wangled another one out from M-G-M. Fideles thought he had hung one on the exchange and M-G-M thought it had done the same to the exhibitor. All hands were happy.

It was fully two years before Mendelssohn learned exactly what had happened. To this day, the story will be new to practically the entire Wabash Ave. film crew.
Say Circuits Forced Out Chicago Duels

(Continued from page 8)

Theatre钩-up plus sustained пер- formance of public sentiment in good shape. M-G-M, through its star equation, reputation and ability as a producer, and its similar spot investigation indicates.

The other companies, of course, get some play in the Loop on contracts highly selective—B & K's way—and so follow into the subsequents but not with all of their releases. Maximin requirements being 208 and the Para- mount-Warner-M-G-M edge comprising 173, there remains a play of 35 to M-G-M. Without this cut, either 155, or the difference between the scheduled 363 and the usable 208, becomes something to muse over. The whole thing appears to be that national distributors, committed to a single feature policy either through their contracts or through the circuits, face a terrible loss because there are not enough playdates around the Loop to handle their product. One exchange here—a national—is under- stood to have figured the single feature move has cut its revenue from $3,000 to perhaps $300. It seems to have much company, although on more modest terms.

Cutting Footage to Requirement

Some months ago when duels were ruled as the industry's salvation, the industry went through a period of conniving in which many exhibitors and exchanges sabotaged parts of the majors. Some clauses on duels stipulated no other feature could play the same bill, others defined a second feature on the basis of 4,000 feet, or not. The loophole resulted in making film inspec- tors editors and threatened to supply a new breed of experts in the business of cutting film. One and two reels were dropped to a single reel. It was sometimes difficult. It didn't seem to matter much so long as the result ended under the restricted 4,000 feet of certain houses everywhere to discover revenue and many exhibitors wanted duels and there rested the situation. This, in turn, was followed by a ruling that the length of any feature was to be fixed on the basis of studio calculation. So ingrained, however, was the practice that even this didn't bring peace. Along about March, exhibitors began to double feature on the inside of their theatres while they advertised singles on the outside. This was a direct violation of contracts; some exhibitors knew it, but didn't care. Money was coming in; New York was inclined to shoot out less letters and the quota bugaboos was proven less elusive to dubbing. While code formulation was at its in the city along the Potomac, duels were being played strongly around Lake Michigan, thereby proving, if nothing else, the difficulty anew of getting the second ticket. Chicago Exhibitors' Ass'n and Allied, as well, forgot comparative exhibitor organization sufficiently to shoot peckers all over town to discover what they could. They discovered duels and plenty of them.

The latter-day development lies in the planum refund clause which, if properly applied, has been proven to be considerably more effective than the rubber-stamping of the contracts. For example, the theatre in question kick back to B & K, $5,000 or more as half of any Loop rental if they not get one-sixth of this to us and they are seeing to it that they do.

The Buying Combine Riddle

Interesting here as a mysterious sideline on the ways of New York is the situation on exhibitor buying. Rule out the Saperstein people. Saperstein, now operating Midwest as a booking combine since its original advantage, the Saperstein combine, has ceased, is declared typical of the other groups operating here, including Jack RKO.

Saperstein maintains he has been given a complete run-around.

"Exchange managers here have ad- mitted that I have not been justified in their activity. Yet they will not sell me film because they maintain New York allows a chance to the other exchanges. After one of the code meetings in Washington I came home by way of Chicago. There I talked to the manager of an exchange and was told the buck back to Chicago and their local men by declaring the decision of the exchange is final.

"What is this, anyway? A few hours away, in Detroit, all of the exchange presidents of M-G-M-M-G-M. Exhibitors are fighting Mid-States and, regardless of who is right, you've got to admit there is a market for $3,000 every week in Chicago, they tell me I am fair; they admit there is no trouble, but they won't.

"Mike Comerford in the east buys for some theatres he doesn't own. They are out of the matter entirely.

Distributors stick to their attitude, which is that they prefer to sell the exchange individually. Saperstein counters it by saying it is unfair and policy to cut out buying combines, that's O.K. with him. He does charge, how the exchange, he insists, is com- peted against and maintains he has not given up his idea of a Federal suit. Now that the code is signed, he de- cides he will go on with his plans behind bars because "Sol Rosenblatt told me this is a matter for the boards to handle."

Another Riddle

Reported to have been subscribed to by several exchanges but not by all, to date, is a letter in circulation on Essaness stationery and signed by its president, Emil Stern. The commu- nication has a two-way intent. Now it's up to the distributor whose product Essaness has bought to agree not to sell the up-line to any Chicago theatre dipping under a 15-cent price. The contract is made mandatory upon the distributor not to sell the product for double le- gislation.

Why such terms were not included in the contract drawn for film service books is not known. In the event of another exchange, why these terms are being advanced in the form of a letter which is not part of the contract and is perhaps not as effective as prime mover far back in the background, are questions that intrigue if otherwise. In the Loop and representative of a new situation is the growth of low- priced houses. The Randolph, Astor and LaSalle, playing whatever run they can get under the uniform weekly releasing plan, charge 15 cents. The Majestic, which S. J. Gregory is operating, and the Monroe and Clark, booked to Theodore Trinz, who was a partner of Lubineller and Trinz, and charge are getting 12 cents, 10 cents and 25 cents thereafter. These houses, as well as the State- Lake, are causing B & K, some an- noyance. Formerly one of its two houses RKO walked away from the State-Lake which is now being operated as direct opposition to the B & K, 30 cents per print. Jones, Limick and Schaeder and, more particularly, Aaron Jones. Just as the Chicago plays produced stage shows, so does the State-Lake.

Blue EagleSans Talons

No appreciable difference in condi- tions has come to light under the Blue Eagle contract with its recently finished mountain. The Chicago Tribune, day by day, is reminding the localities that the N.R.A. is a lot of hokey. That may be a valid opinion this particular phase of the Roosevelt "New Deal" has meant little or nothing. At the same time, he maintains, if any in- stances, has stepped up in cost. Yet, with salary increases under the N.R.A., Barney Balaban asserts opera- tions of the city's dozen or so houses dropped $35,000 per week. It's signifi- cant in that it demonstrates how closely the "nut" constantly is confronted in big operations is being trimmed here and elsewhere. When the view is a broad canvas, is not doing so badly. There are difficulties and much ground to be doubled back on before the red ink or several years is wiped out, it ever is.

"Much is expected from the Federal pensions under the N.R.A. Illinois's allotment is $400,000. By Dec. 15, the program calls for the release of all funds, last year and throughout the state at the rate of 5,000 per day at a set minimum of $15 per week. Already the 41 counties of the Civil Works Administra- tion in Chicago have arranged for thousands of jobs, perhaps as many as $50,000. The program pro- vides for 14 projects alone in Chicago and Cook County, which is Chicago despite geographic boundaries. It is estimated $99,200, of which $80,000 is estimated 187,000 will go to men in the immediate Chicago territory, That should be good for theatre operators."

Relief Burden Easing

A year ago, to the day, the Illinois Emergency Relief Com- mission listed 152,000 families on its roll. In the past year, the relief rolls have declined to 122,000, and as rapidly as the public works program gets going, the number is decreasing. In the last 10 months, official estimates of the un- employed report a drop from 800,000 to between 500,000 and 600,000. Indicative of how the swing is curv- ing upward, albeit slowly, is the state- ment of the Seventh Federal Reserve District, which shows October em- ployment was 27 per cent ahead of last October, a gain of 277,000 over a year ago. This survey was made by the Federal Reserve Bank of Chicago and, while it covers only the city of Chicago, it was estimated that the other 10 districts of the Reserve Board agreed. The city survey taught with itself last week long enough to pay school teachers for 1933-34, but, with the federal govern- ment's report, it is far too late. It was a stormy and cold week end and payrolls showed a 30 per cent increase from May to September.

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Grand Central First Down in Price Tilt

St. Louis, Dec. 6.—The Grand Central theatre, which was scheduled to go dark Dec. 9 as the first casualty of the local price war, has asked to be operated by the Central Theatres Co., a new concern of which Cullen Easpy and George Tyson are local representatives, and which claims to be the real factors behind the company, which operates the Ambassador and Missouri under leases obtained from federal receivers.

Sale of Loew Stock

Up in Court Today

A hearing on the petition of trust- ing of the United States for additional authorization of the sale on Dec. 12 of 600,000 shares of Loew's, Inc., stock is scheduled for today before Judge John Knox in U. S. District Court here.

The stock was deposited by Film Securities Corp. as collateral for $20,000,000 of two-year, six per cent notes, which were defaulted on April 30, last. Holders of the notes have begun foreclosure proceedings involving the sale of the block of Loew stock at public auction in order to realize on the collateral.

Loew Declares Dividend

Directors of Loew's, Inc., yesterday declared a dividend on 36,576,580 shares of common outstanding stock. The dividend is $4 per share. Dec. 30 to stockholders as of Dec. 16.

Abramson Trial Delayed

Trial of Ivan Abramson's $1,800,000 anti-trust suit against the M. P. D. A. and individual major company distributors, originally scheduled to begin Dec. 1, has been delayed to sometime in February. The suit is brought to get under way before tomor- row or Monday, according to Hays.

RKO Books Newsflashes

The Newsflashes series of shorts has been booked by RKO for its entire circuit.
UNIVERSAL

first again with the big new idea in pictures—

Lew

with

JUNE KNIGHT

in a swift-moving romance-adventure-mystery drama whose plot involves every passenger on a transcontinental bus trip . . . Speed and snap in every scene with scenes changing as rapidly as the bus flashes from city to city . . . and a smash climax that will hold your crowds spellbound
ERNEST TRUEX GOES ‘NUDIST’; ‘CAN’T TAKE IT’ IN “MR. ADAM”

Getting Down to Bare Facts, Famous Comedian’s Kidding of “Strip” Cult is One of the Most Hilarious Comedies of This or Any Other Season.

Educational presents something new-dein the way of short subject entertainment in “Mr. Adam,” with Ernest Truex in the role of a big clothing manufacturer who is compelled by his wife and his doctor to join the cult of the great unclothed, for his health. And modest Mr. Adam can’t take it!

PHIL M. DALY TAKES IT BIG!

Read this rave from the Film Daily over the first of Educational’s Star Comedy Specials, and then strip for action in exploiting this laugh hit for big additional business:

“...prize entry... Ernest Truex in ‘Mr. Adam’... something that Al Christie as producer can stack against any of ‘em... a honey for haw-haws, beautiful gals and topical theme with a classy snap... a banzai and a round of yodels to William Watson and Art Jarrett for the best kidding on Nudism to date... art cinematography by Bill Steiner... a beautifully paced example of directorial skill by Al Christie... now if this sounds like a Rave... that’s exactly what we aimed to convey...”

Distributed in U.S.A. by FOX FILM CORPORATION

Playing the original ROXY, N. Y. beginning Dec. 8

Do you sell your short subject entertainment or give it away? SELL this one for added dollars with this humorous one-sheet poster in colors, and with lobby cards, photographs and newspaper ads.


“POPPIN’ THE CORK,” a Musical Comedy with Milton Berle, just at the right moment for its new hit songs, “Poppin’ the Cork” and “Here’s Lookin’ At You” Produced by Jack White.
Better Film Only Answer, Cohen Avers

"Just Fair" Pictures Out, He Declares

By EMMANUEL COHEN
Vice-President in Charge Paramount Production

Hollywood, Dec. 7.—Better pictures is the only answer to the problems of the industry for the coming year. Quality must be improved. The "just fair" picture will no longer interest the public.

Out of the ordering matters must be made. They must have real picture value, pronounced entertainment value, and they must also have outstanding distribution possibilities. The people must be brought into the theatre.

(Continued on page 12)

New Theatre Deals Brew at Paramount

Further straightening out its partnership situations are under way at Paramount with E. V. Richards of Saenger Theatres and Robert Wilby and H. F. Kinney of Valentia Theatres. The Southern exhibitors are now in New York.

It is expected the Saenger angle will be rounded out shortly and details involving Paramount theatres in Chattanooga, Knoxville and Charlotte, among other cities, worked out with Wilby and Kinney.

IATSE, Cameramen Breach Is Widened

Hollywood, Dec. 7.—The split between the cameramen's union and the I. A. T. S. E. has widened with the American Society of Cinematographers making application for membership in the American Federation of Labor.

The move, it is understood, will meet with opposition from all I. A. T. S. E. unions because, if the cameramen should withdraw from its jurisdiction, the international body would lose one of its strongest grips on the production end of the industry.

Leaders Discuss Code At White House Today

Deputy Hits Criticism Before Code Gets Trial

PHILADELPHIA, Dec. 7.—Deputy Administrator Sol A. Rosenberg's declaration here today that "no one is entitled to criticize the code until it has been tested in actual operation," led immediately to wide speculation as to whether or not he was voicing the Administration's attitude toward M.P.P.D.A. directors' objections to the Executive Order.

Coming as it did on the eve of the meeting of the Hays organization's committee with President Roosevelt at the White House Friday, the deputy's statement was translated by many here into a forecast of the answer which awaits the group chosen to voice the M.P.P.D.A. members' objections to the Executive Order.

Rosenberg's remarks were made in the course of a two-hour occupancy of the speaker's stand at a meeting of 350 exhibitors representing 800 theatres in the Philadelphia territory, and was prefaced by a preamble citing an article which appeared in Motion Picture Daily on Wednesday, which stated in effect that "the self-control of industry had been jeopardized by order of the President."

Calling on critics of the code to withhold judgment until it had had "a chance to start," Rosenberg said: "Wait until we see what self-regulation can do. The test of the code will be in its actual operation."

(Continued on page 4)

Walker Organizing NRA Super Council

WASHINGTON, Dec. 7.—Frank C. Walker today was busy organizing a staff to work under him as temporary head of the National Emergency Committee, which will coordinate, consolidate and make more efficient and productive the recovery activities of the government. A central information service is being established.

Loew's Stock Sale Hearing Postponed

A hearing on the proposed sale of 660,900 shares of Loew's Inc, by trustees of Film Securities Corp., scheduled for yesterday, was postponed.

Maybe Challenge Board Selection

Philadelphia, Dec. 7.—"Have exhibitors the right to challenge the selection of any member of a local grievance board?" Deputy Administrator Sol A. Rosenberg was asked here today, as the first question of local interest concerning the code.

"You bet your boots they have," was the deputy's reply.

Exhibitors may also propose names for local grievance board membership, he said, and added that every effort would be made to establish the acceptability of every member of such boards.

(Continued on page 4)

Capital Talk Today Focus Of All Eyes

WASHINGTON, Dec. 7.—All eyes in the film industry again are turned toward Washington, awaiting the outcome of the conference tomorrow between President Roosevelt and representatives of the producers who are protesting what they consider the dictatorial powers vested in the recovery administrator by the executive order approving the code.

At the White House tonight, plans had been made for the President, with Administrator Hugh S. Johnson, to receive Will Hays, head of the M. P. D. A. and three of his associates at noon tomorrow. Reports from New York indicate that the conference will be held.

(Continued on page 4)

To See President and Voice Objections to Executive Order

The head or ranking executive in the East of every major company in the industry by late last night or early this morning will have converged on Washington preparatory to an appearance today with President Roosevelt and Administrator Hugh S. Johnson to voice their objections to the Executive Order which accompanied the code and which, in their united opinion, removes from the industry the self-regulation promised it under the NRA.

Marshalling their combined strength, presumably in order to make it clear to the Administration exactly how they view the situation and how complete is the unanimity of opinion which prevails, the only absentee will be Sidney R. Kent, president of Fox, who arrived in Washington last night.

However, the understanding is quite definite that Kent is in entire sympathy with the stand assumed by other leading executives and that consequently their stand is his and vice versa.

Decision to descend on Washington in full force was reached as the result of a meeting held at the Hays office yesterday morning. It is assumed that, while all major companies will be at noon tomorrow, the round-table consultation becomes necessary during the course of, or at the conclusion of, the joint conference.

(Continued on page 4)

FWC Gets Right To Organize Pool

LOS ANGELES, Dec. 7.—Authority to pool certain of its own and United Artists houses in a single operating unit has been given to Fox West Coast by Referee Samuel W. McNabb under a court order.

The order empowers Fox West Coast to effect compromise agreements.

(Continued on page 9)

Strike Over, Levy; No, State ITOA Men

Jules Levy, general sales manager for Radio, yesterday stated differences with the I. T. O. A. had been straightened out and that the company is now

(Continued on page 9)
Friday, December 8, 1933

**Indianapolis, Dec. 7.—** "Why did they give it that title? The women get one peek of the squared ring fronts and lobby display and keep on walking."

This is pretty much a composite of the Middle Western exhibition talking about "The Prizefighter and the Lady." Max Baer's first talker but not his last. This is the picture which, on the basis of performance, dialogue and general handling, sent New York reviewers into something a trifle beyond normal in their excitement.

The picture is one of the greatest pieces of entertainment in recent months is being hurt by an unfortunate label. "The Prizefighter and the Lady" rates a better break and will deliver satisfaction if it gets a fairer chance.

It's tough to see a swell bit of property go to the bow-wows. That's why this talker series in being interrupted long enough to get to the majority of exhibitors yet to play it; a tip to lay off any play on the Baer chassis in gloves or shorts, any reference in their fronts or their advertising to the ring, but to emphasize the love angle, which the women want to hear about. It'll pay.

**Reade in New Move Against Receivers**

New opposition to the RKO receivership administration will be brought before Judge William Bundy in U. S. District Court here today by Walter Reade, operator of the Mayfair and several subsequent run houses, and an RKO creditor, on a lease claim for the Mayfair.

Reade advocated in district court several weeks ago that RKO be dissolved of Radio Pictures Corp., as an unprofitable subsidiary, and that the Irving Trust Co. be replaced by a new receiver for RKO. The court advised Reade at that time to make his complaints to the receiver and report back to the court.

RKO's readjusted leases on the Radio City theatres are also scheduled to be passed up by the court today.

**Faber to Nat's Screen**

Robert Faber, formerly with Paramount, has joined National Screen Service in an editorial capacity.

**Trading Heavy on Big Board**

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**Can It Ever Be Right?**

Can It Ever Be forgiven? Must It Always Be Punished?
ALL SET FOR NOVEL 'MUSICAL SHOW' is this lavish set for 'Wonder Bar,' Warners' latest Bacon-Berkeley opus.*

WARM WELCOME greets musicomy star Hal LeRoy on arrival at Warner lot where he will be 'Harold Teen' in film of world-syndicated cartoon strip.

DETROIT OFFICE CONTRIB- UTES 12 first-run bookings to national total of more than 400 Xmas dates already scheduled for Joe E. Brown's 'Son of a Sailor.'

N.Y.'S MOST CONVULSING 'CONVENTION' to open Dec. 22nd when 10 great Warner laugh-stars arrive at Strand in 'Convention City.'*

TEMPING TEAM of fem footballers highlights flash send-off for dual Boston run of 'College Coach,' Warners' timely lowdown on touchdown industry.

*Bigger-Than-'World Changes'-Record for 'House on 56th Street' is phenomenal mark set by Kay Francis in first week of indefinite run at N. Y. Hollywood.*
Leaders Talk Code Today In Washington

(Continued from page 1) The President and General John- son, by noon today, the designated hour, a committee of probably three, but no more, of the whole, will have been selected to represent the combined group at the conference itself.

indicative of the accord in view point which prevails is the fact that among those who will be in Washing- ton will be John J. O'Mahoney, president of the National Motion Picture Producers and Distributors Association, Inc. and M-G-M; M. H. Aylesworth, RKO; Harry M. Warner, Warners; and Will H. Hays, the M. P. P. D. A.

Hits Criticism of Censorship Before Test

(Continued from page 1) wrongs remedied, there can be no exceptions or exemptions can be allowed. But the code deserves a fair trial. "We do not know whether it will work or not, but until we see what self-regulation can accomplish no one is entitled to criticize."

Rosenblatt stated that since the government had started the first real self-regulation efforts ever to come from the industry's diverse elements, it was up to the Administration to superintend the early workings of the machinery set up in order to assure proper functioning of the code.

In a question-and-answer session which the deputy conducted at the close of his talk, he declined to make a ruling on the use of "scrip" books by exhibitors until specific cases are brought to his attention. This declaration followed a question put by David Barrist, of the local M.P.T.O. unit, who acted as interlocutor, which sought to determine whether the use of "scrip" was permitted under the code. Rosenblatt advised exhibitors using such books to finish out their agreements now in existence, however.

The deputy approved benefit performances, declaring that they were not banned by the code, explained the cancellation provisions in detail whereby one in ten pictures can be rejected, and declared that the same provision existed over the country.

He clarified the effect of the labor pro visions on combination jobs, such as book and booking, expressed his opinion that if the wage scale for both classifications of a combination job was unilaterally fixed, the union provisions could be waived. He explained the rejection of a moral clause proposed for the code, stating that the code being law, such a clause would open the way to ambitious prosecutors to make exhibitors their victims. He called upon the industry to formulate its own provisions on morals.

The deputy declared that trade as sociations "were never more necessary than they are now," and advised them to keep complete maintenance. He expressed himself as "favorably impressed" with the desire of some for a new, single national exhibition and association made public early this week by Jay Emanuel, local exhibitor and regional trade paper publisher.

Rosenblatt stated union and nonunion disputes in the same neighborhood would be handled directly to Code Authority for settlement. He made it clear that so long as existing agreements are met the code had no interest in changing union and nonunion status and also stated a plan for meeting expenses of the code administration had not been worked out yet.

The morning session of the meeting was devoted to discussions of the code, conducted by Lew Pigor, president of the local M.P.T.O. unit, George F. Aronson, secretary, inter preted and explained code clauses.

To Air the Code

Baltimore, Dec. 7.—Frank A. Horning, president of the M. P. T. O. unit here, has called a special meeting for Friday to discuss the pros and cons on how the code affects theatre hours and salaries.

Here Is Executive Order On Which Protests Rest

Major company objections to the executive order, made public by the President as the text of the industry code was released on Nov. 30, are drawn from the order itself. The argument is that wide powers accorded the Administrator under the provisions of the code make it impossible for the industry to govern its own activities.

The text follows:

"An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, and in this respect the hearing having been held thereon, and the Administrator having rendered his report containing an analysis of the business and the recommendations and findings with respect thereto, and the Administrator having found that the said code of fair competition complies in all respects with the provisions of Title I of said act and that the requirements of clauses (1) and (2) of sub-section (A) of Section 3 of the said Act have been met:

"Now, therefore, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, such provisions and powers as are necessary, do adopt and approve the report, recommendations and findings of the Administrator, and do order that the said code of fair competition is, and is hereby, adopted, subject to the following conditions:

"To effectuate further the policies of the Act, that:

"(I) Wherever the word, "employer," is used in this code, the Administrator shall have the right to review, and if necessary, to disapprove any provisions of the Code Agreement, or any board or committee appointed by it, and any act taken by any board named by it; and

"(II) in the administration of this code, any member or temporary alternate of any member of said Code Agreement, or any member of said Code Authorized by the Code Authority shall fail to be fair, impartial and just, the Administrator shall have the right to remove such member or temporary alternate from said Code Authority, and to remove such member of any such board, and, if he deems necessary, to name the proper person or persons to replace such member or alternate to replace such removed member or alternate upon said Code Authority or any such board, as the Administrator shall direct.

"(III) in the administration of this code, it shall be found by the Administrator that the efficient and effective representation of any employer class in this industry on the Code Authority, the Administrator, shall have the right to add members from any such class to such Code Authority; and

"(IV) the President believes that further investigation with respect to the problems of payment of excessive compensation to executives and other employees in this industry, and the regulation of such compensation, be hereby suspended from operation and shall not become effective pending further report from the Administrator.

"(V) Because the president believes that writers, authors, and dramatists are engaged in the production of plays and and movies, and that the existing Code should be amended to include such writers, the President hereby amends the Code to that end.

"(VI) Because the President believes that further investigation is required with respect to problems generally affecting unfair competitive methods of classes of employees of producers rendering services of an artistic, interpretative, technical, super visory or executive nature, the provisions of Article V, Division B, Part 5, Section 1, 2, 3, and 4 of the Code, shall not become effective pending further report from the Administrator, after investigation, as to whether they should be definitely suspended, or modified, altered, or changed, or be effective.

Reports Interest in Theatre Ass'n Plan

PHILADELPHIA, Dec. 7.—His sug gestion for the formation of a brand new national exhibitors' association has been favorably received by several calls from exhibitors in other ter ritories, declared Jay Emanuel, regional theater executive, this week.

"I have no idea of pushing the suggestion since, after all, the idea, if it has merit, must be pushed by exhibitors themselves," he declared.

It is Emanuel's idea to organize a new association, perhaps as the American Theatre Owners Association to supersede the existing national, as well as unaffiliated, theatremen's organizations.

ITOA to Sign Code And View Workings

The I. T. O. A. will sign the industry code by Jan. 10 and give it a chance to see how it works out, Harry Brandt, president, stated yesterday following a working session at the meeting.

The session was given over to a full discussion of the code by Milton C. Weissman, attorney for the company members, and other persons in the field. Labor problems and their effect on theatre operation highlighted the discussions.

Because of the frequency of accidents in the members' theatres, the

(Continued from page 1) York reported that about 25 produc ers will accompany Hays to the capita l, including men from three compa nies which have not signed the code, Columbia, United Artists and Twen tieth Century. It is not anticipated, however, that this large delegation will be permitted to take the complete conference. Hays have been advised by White House attaches yesterday that the administration will not include a small delegation not exceeding three or four.

The general consensus in Washing ton is that the new law will fall to the President to rescind his executive order, but will be told that made in the printing office which was not to bemall conducted at that time. As the administration will be exercised to uphold its hands rather than hamper it.

It is anticipated the protes ts will be held that the provisions of the exec utive order are designed as a safe guard to be called into operation only in the event that the admin i stration is called to it with the task with the assurance that it will not be unduly interferred with and that, in the event the President directs that the adminis tration will be exercised to uphold its hands rather than hamper it.

Meanwhile, it was learned at the Administration that nominations for the various boards and governance bodies are coming in large num bers and that there will shortly be a list of names from which the President will select the members of the various organizations. It is not anticipated that the work will be done until the next session of the Congress, which will be called by the President. There is a possibility that the first meeting of the authority will be held in the next 40 name which also will carry the executive order and General Johnson's report.

Writer O.K. Code

Hollywood, Dec. 7.—The code has been officially approved by the Writers Guild.

organization has decided to establish its own liabililty and insurance com pany. This will be done very soon and which will be set up in five mem bers from the companies. It is in more convenient to meet on Wednesdays instead of Thursdays, meetings have been set back one day. President the association met every Tuesday.
A REAL HOLIDAY PICTURE!

- A treat for children... and their parents.
- The horse that stands with Black Beauty in the hearts of America's millions.
- The book that ranks high in the best-seller ratings of all time.
- A motion picture hitting with an emotional punch that topples the hardest-boiled!

SMOKEY

with

Victor JORY
Irene BENTLEY
and
Will JAMES

Directed by Eugene Forde

• Screen it before a mixed audience... then you'll know what a swell holiday booking this is. Prints now available at all Fox Exchanges.

JOIN THE UPswing WITH FOX

Your patrons always like FOX MOVIE TONE NEWS
ALL ROADS LEAD
TO TRADE SHOWINGS
AND MAGNIFICENT
ED CAR
"ROSCA"

TO BE HELD IN
TRADE CENTRE

Get your tickets NOW from your nearest
Walker Organizing NRA Super Council

(Continued from page 1)

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Mr. Skitch”

(Fox)

HOLLYWOOD, Dec. 7.—Will Rogers’ latest is laugh entertainment for all types of patrons and particularly effective to family trade. America’s homespun comedian, with his wife, twin daughters, Junior and their dog, because of sheriff mortgage trouble, decides to see America first. On rubber tires the family goes from auto camp to auto camp across the Rockies to Yellowstone Park, Calpeva and California. They meet with strange characters and people that will keep audiences in a high state of hilarity.

The human, homely quality of the picture, the quaint philosophy of Rogers, his resourcefulness when broke, his gambling episodes at Calpeva, the family heartaches, the romance of young love, all set in America’s beauty spots, contribute to make “Mr. Skitch” one of Rogers’ funniest as well as most interesting films.

Zasu Pitts is the neurotic wife of Rogers, with good effect. Rochelle Hudson and Charlie Starrett are the romantic interest. Flo Desmond’s impersonations of leading ladies was definitely regret this girl in her first American screen appearance. Harry Green, traveling on wheels as a cure, is plenty of laughs. Eugene Pallette is swell as a gambling toper. Ralph Spence’s lines blister and bubble with laughs in a fine story by himself and Sonya Levien. James Cruze’s direction is commendable.

With the apparent turn of audiences to films of family life, “Mr. Skitch” should enjoy added popularity over and above the drawing power of Rogers in a film loaded with laughter.

Looking ’Em Over

“If I Were Free”

(Radio)

Something always seems about to happen and never really does in this story of a London lawyer, Clive Brook, in love with a divorced woman, Irene Dunne, whom he can’t marry because his wife won’t give him a divorce. His best friend, Henry Stephenson, wants to see the romance broken so it will not interfere with his career; his mother, Laura Hope Crews, wants it to continue so her son will be happy, and the discarded husband of Miss Dunne, Nils Asther, tries to blackmail her. Miss Dunne and the wife, Lorraine MacLean, meet finally in a hospital where Brook is facing death following an operation. The end is happy.

It is smart, sophisticated, restrained throughout. Neighborhood houses catering to the family trade should label it for adult audiences.

Clive Brook’s fans should like it because he gives his usual polished performance. Miss Dunne is always convincing. Asther appears in only two short sequences. In the first of these he is shown holding a gun against his wife trying to get her to promise to be nice to her sweetheart—just a bit far-fetched.

The picture has its moments, one of them when Miss Dunne sings softly to the semi-conscious Brook as he lies in a hospital bed but stirred up giggles once or twice in a projection room audience yesterday where the effect was intended to just be the opposite.

“The Strawberry Roan”

(Universal)

“The Strawberry Roan” is a honey of a western. It can be unqualifiedly recommended as one of the most satisfying pictures of its kind to come along in a long time. For sheer thrill and pouding action it is unbeatable. Ken Maynard has never appeared to better advantage than he does in this one.

The plot concerns a group of cowhands who rustle their boss’ horses and manage to escape punishment by spreading a story that a leader of a pack of wild horses, known as the Strawberry Roan, has been letting the animals free and driving them off to the hills. Ken, a new hand, suspects the foreman of the ranch is the head of the rustlers.

The roan is captured. A wealthy ranchman promises the one capable of riding it the gift of his property. The foreman, knowing that once the roan is penned up, the truth is certain to leak out, does all in his power to set the horse free. He fails and gets a terrific beating from

(Continued on page 5)

Loew’s Stock Sale

Hearing Postponed

(Continued from page 1)

posed to Monday by Judge John Knox in U. S. District Court here. The postponement was granted at the request of attorneys for Chase National Bank, as principal amount of defaulted notes of Film Securities for which the Loew’s stock is posted as collateral. The attorneys stated that the main contention of the case is regarded as essential were detained in Washington yesterday in connection with the Senate banking investigation.

It is proposed to sell the Loew’s stock today in the amount of $20,000,000 of defaulted Film Securities notes. Chase is regarded as a likely bidder.

Loew’s 12-Week Net

Reported 100% Up

Earnings of Loew’s, Inc., for the first 12 weeks of the current fiscal year, starting Aug. 31, are reported to be double those of the same period a year ago.

Preferred dividends for the 1932 period, which indicated that those for the current period are now running between 70 cents and $1 per quarter.

Current advance in foreign exchange is cited as one of the greatest factors in the improved earning position of the company, with $3,000,000 of additional income estimated for the year from this one source. Ameri
can. A wealthy ranchman attends over last year and reduced operating costs are cited as other contributing factors in the company’s current financial showing.

Dirt in St. Louis

Faces Jury Action

St. Louis, Dec. 7.—The grand jury of the December term of the Circuit Court for Criminal Causes here has been empowered to conduct any in
vestigation into theatres, dance halls and other amusement places that it deems unethical, and informed of decision to this effect by Circuit Judge Bader.

“Some shows are being run beyond the bounds of decency,” the judge said. A member of the jury remarked that while two girl dancers had been ar
rested recently in a small theatre on Broadway, a dance just as bad was being featured on the program of another house.

So the professional girls better ask old Santa to send them some new clothes in a hurry, other than girdles and brassieres.

500 Turn Out for

Roach Anniversary

Hollywood, Dec. 7.—No expense was spared by Hal Roach in celebrat
ining tonight his 20th year as a comedy producer. An entire stage was con
verted into a dance floor for the 500 guests. A member of the jury remarked that while two girl dancers had been arrested recently in a small theatre on Broadway, a dance just as bad was being featured on the program of another house.

So the show girls better ask old Santa to send them some new clothes in a hurry, other than girdles and brassieres.

MOTION PICTURE

DAILY

Friday, December 8, 1933

Walker Organizing
NRA Super Council

bureau for disseminating all factual information to the general public with reference to government activities that will be established here and branch

offices will be set up throughout the United States.

Arthur Krock, chief of the Wash
ington staff of New York Times, said yesterday, was the New York Cor

sition in the NRA "is in many respects the most important office that has been created under the legislation of the New Deal."

"If the new set-up draws upon the powers mentioned by the President in his order creating it today, if it functions smoothly and Mr. Walker’s eminent associates turn over to him on occasions such as their authority as he may seek, no cabinet minister or administrator will be as powerful as Mr. Walker. No one but the President is given the right to disapprove his actions.”
Looking ‘Em Over

(Continued from page 8)

Maynard, who succeeds in breaking in the animal, gets the reward and wins the daughter of his boss. The fight between Maynard and the foreman, a struggle between two wild horses and a stampede of hundreds of animals are but a few of the exciting scenes in the film.

Ruth Hall plays well opposite Maynard. Harold Goodwin, Charles King, William Desmond and James Marcus are others who do capably. Then, of course, there is Tarzan, who is rather important to the plot.

“Sagebrush Trail” (Monograph)

Western fans will find enough action in John Wayne’s latest to keep them in happy spirits. Plenty of gun-play, hard riding and fistfights are injected into this outdoor melodrama which has the hero in search of a murderer who committed a deed for which Wayne has been sent to prison. Wayne breaks jail, meets his man but doesn’t recognize him until Lane Chandler confesses his guilt. The plot later becomes involved in a stage holdup and in escaping the range Chandler is mortally wounded. The sheriff pops up in time to hear the dying confession, absolving Wayne from the crime.

During the time Wayne and Chandler have been pals together, both have fallen in love with Nancy Shubert, but Wayne has been having first call. Chandler’s death ends the competition as well as the activities of the outlaw gang.

Yakima Canutt, Art Mix, Wally Wales and Robert A. Burns also are in the cast.

“The Last Trail” (Fox)

George O’Brien and Zane Grey fans will whoop it up over this one. It has plenty of action and humor. At the RKO Colonial the kids cheered George every time he had a set-to with the villains of the piece, and there are many of them. J. Carrol Naish, a crooked lawyer, has seized the ranch that should be O’Brien’s by having one of his henchmen pass himself off as the rightful heir. The scheme hinges on the fact that O’Brien has not been located. When the hero of the story discovers the plot he joins the criminals, who never suspect the truth until shortly before the end. And when the revelation comes the fireworks start!

The romantic angle has O’Brien falling in love with a woman “stool” working with the gang. Claire Trevor is the girl. El Brendel creates most of the fun.

“When a Man Rides Alone” (Premier)

Tom Tyler’s popularity with juveniles was definitely manifested when his name flashed on the screen. The youngsters in a neighborhood house yelled and whistled approval and their action was rewarded by the cowboy’s appearance in a virile role. Tyler doesn’t hesitate about using his fists and enjoys knocking around at least three villains. The romance with Adele Lacey gets under way during the latter part of the picture.

Being one of the many victims of Al Bridge, who has fleeced stockholders of a gold mine of their interest, Tyler plays a lone hand in holding up the coaches transporting the ore. He distributes it among the stockholders and then sets out to get the goods on the villain. Bridge kills Miss Lacey’s father in a coldblooded affair and when the girl arrives in town she immediately takes a liking to Tyler. After the hero rounds up the villain he takes up romancing and everything ends satisfactorily for the fans.

“Gow” (State Rights)

“Gow” is a record of life and customs among the tribes of the South Seas made by Captain E. A. Salisbury, the explorer, during a recent trip around the world.

The camera invades many islands of the tropical Pacific. The opening scenes show the soft, peaceful life led by the natives of Tahiti. As Captain Salisbury travels westward the tribes become increasingly savage and dangerous. Scenes in the Solomons, rituals of cannibals and headhunters.

Many of the scenes seem surprisingly real. The photography is not always good.

It offers exploitation tieups with schools, libraries and educational groups.

FWC Gets Right To Organize Pool

Membership in the Motion Picture Club will be limited to an active list of 100 under a reorganization plan being submitted to members by Lee A. Ochs, president. New membership applications are being received up to Dec. 12.

Members will be asked to take action on an offer of new quarters for the club adjacent to the Edison Hotel on 46th St. Economies would be possible, it is said, through operation of a private dining room for the club by the hotel kitchen.

Adolph Klauber Dead

LOUISVILLE, Dec. 7—Adolph Klauber, 64, at one time casting director in New York for Samuel Goldwyn, died here today after a long illness. He was associated with The New York Times several years ago as dramatic critic.

“Women” Drew $325,000

In its three weeks’ engagement at the Music Hall, which ended yesterday, “Little Women” played to an 80 per cent audience and had a gross of nearly $325,000, both record figures, according to RKO.

Canton 2-Man Bill Dies

CANTON, O., Dec. 7—A two-man-in-a-both ordinance sponsored by the local operators’ union has been tabled indefinitely by the City Council. George Kraska, Loew manager, led the managers of the city in the opposition to the measure.

Beall Replaces Whitbeck

HOLLYWOOD, Dec. 7—Harry” Beall replaces Frank Whitbeck in charge of publicity and advertising at Grauman’s Chinese.

Rothacker Out of Bed

HOLLYWOOD, Dec. 7—Watson R. Rothacker is back home after being confined for a long time to a hospital bed by pneumonia.

Flinn on Way Back

HOLLYWOOD, Dec. 7—John C. Flinn is on his way back to New York.
SHOW-BUSINESS HAS NEVER

NEW ORLEANS. OPENED WITH LITTLE WOMEN YESTER DAY TO GREATEST BUSINESS SINCE THE ELIMINATION OF VAUDEVILLE SECOND DAY TOPPED OPENING STOP AND EVEN THAT HOLDING PICTURE SECOND WEEK BUT ALL INDICATIONS POINT TO OUR BEING FORCED TO HOLD IT THREE WEEKS WHICH WILL BE THE FIRST TIME ON RECORD THAT THE ORPHEUM HAS HELD ANY ATTRACTION FOR THIS LENGTH OF TIME VICTOR MYER

CINCINNATI. LITTLE WOMEN SECOND WEEK OPENING CAPITOL HERE TODAY NEARLY A RIOT STOP AT THREE OCLOCK MORE THAN TWO HUNDRED DOLLARS AHEAD SAME TIME FRIDAY FIRST WEEK LOOKS LIKE THREE WEEKS SURE AND POSSIBLE THE FOURTH

PITTSBURGH. OUR THIRTY EIGHT HUNDRED SEATS WERE FILLED ALL DAY AND SIXTEEN HUNDRED TURNED AWAY COMMENTS OF OUR PATRONS FAR SURPASS MY FONDEST HOPE STOP LITTLE WOMEN IS TRULY A PICTURE IN WHICH THE ENTIRE STORY LINE WAS BASED UPON A TRULY THEMATIC CONCEPT WITH THE SECOND OF EVERYTHING IN THE LINE AN EXCELLENT CONCEPT IN WHICH ALL ARE UNIFIED WILLIAM SCOTT MANAGER STANLEY THEATRE

MINNEAPOLIS. HENNEPIN ORPHEUM BROKE ALL EXISTING HOUSE HISTORICAL RECORDS THURSDAY WITH OPENING LITTLE WOMEN STOP NEVER IN ALL MY EXPERIENCE HAVE I WITNESS SUCH A SCENE AS I SAW TODAY WHERE PEOPLE WERE LINED FOUR DEEP FROM TWO TO CLOSING TIME AND THOUGH

Baltimore. LITTLE WOMEN IS SMASHING ALL HOUSE RECORDS HERE INTO SPLINTERED STOP AND EVEN THAT DOES NOT DO THE PICTURE JUSTICE FOR THE CROWDS THAT ARE UNABLE TO GET IN TO POLE THE GREATST CAN STOP COMMENTS ON PICTURE BY SAID THE GREATEST STOP WOMEN WILL IN ALL MY YEARS IN THIS BUSINESS STOP WOULDN'T FAIL ME IN DESCRIBING IT CONGRATULATIONS I S RAPPAPORT

PORTLAND. LITTLE WOMEN GROSSED IN HISTORY OF MUSH HOLDOUT FROM NOON UNTIL TONIGHT NINE AT ELEVENTH ENTIRE BLOCK ALONG BROADWAY ANOTHER BLOCK ON SIDE B

DETROIT. RADIO PICTURES HAS GIVEN THEATRE OPERATORS A REAL REASON FOR THANKSGIVING STOP AFTER ESTABLISHING A NEW HIGH ATTENDANCE RECORD AT THE FOX THEATRE LITTLE WOMEN OPENED EXTENDED RUN AT THE RKO DOWNTOWN TODAY TO THE LARGEST CROWD IN HISTORY OF HOUSE STOP MONDAY PICTURE CRITICS EDITORIAL WRITERS CHURCH REPRESENTATIVES EDUCATOR ORGANIZATIONS AND WOMENS CLUBS WERE UNANIMOUS IN HEARING PRAISE ON THE PRODUCTION STOP MY SINCERE CONGRATULATIONS AND AGAIN I SAY WE ARE ALL THANKFUL FOR LITTLE WOMEN D M IDEAL

Make this a "VE

VELVET in show business is the difference between the money you do get and the money you wouldn't get if you didn't go after it.

We've been talking about the money "earmarked" for "Little Women". . .it's the VELVET for the kind of showmanship willing to spend money to make money!...it's the VELVET for the showman smart enough to cash in when opportunity pounds on his door.

"Little Women" was made to order for the Christmas Holiday season. No other attraction could possibly have its universal appeal to people of all ages and positions in life. Throughout the Nation the success of "Little Women" has been so phenomenal and its reception so unprecedented that it has leaped beyond the confines of show business and now belongs to the whole wide world as an Ideal!

Newspapers by the hundreds have printed editorials commending it...educators have proclaimed holidays and given credit

KATHARINE HEPBURN in "LITTLE
marks to pupils for seeing it! .. critics without exception have
lavished praise heretofore unknown in motion picture history!
. . . in every city and town attendance and box-office records
have been buried beneath a veritable avalanche of business!

There are millions of dollars of "earmarked" money waiting
for "Little Women" and those theatres so fortunate as to play
it during the Christmas Holiday season will enjoy undreamed
of attendance. To every theatre playing "Little Women" we
urge the most extensive advertising campaign you have ever
done . . . increase your newspaper space . . . go into the high-
ways and byways with posters . . . contact your schools and
civic organizations . . . utilize the wealth of material provided
for you in what exhibitors say is the greatest press book ever
produced. If you have advertising budgets throw them over-
board and shoot the works, for this "earmarked" money that
has been set aside by its owners for this show and this show
alone is your VELVET.

By LOUISA MAY ALCOTT with JOAN BENNETT
PAUL LUKAS . . FRANCES DEE . . JEAN PARKER
EDNA MAY OLIVER.. Douglass Montgomery, Henry Stephenson
Directed by George Cukor  MERRILL C. COOPER, Executive Producer Kenneth Macgowan, Associate

WOMEN
Better Film
Only Answer
Cohen Avers

(Continued from page 1)

MOTION
PICTURE
DAILY

atees and entertained after they came in.

Pickets that will do this must be made and they must be produced at a cost that will allow a profit, even though every company in the business will work under a financial strain.

Comedy, I believe, is the one great essential for the coming season. People really want to laugh again. The depression is leaving us and taking many of our troubles with it. Laughter is becoming popular, after the dreary days, and motion picture patrons are seeking amusement.

The types of musical pictures that we have been having are passing, I think. This type of picture will have to be exceptional. It may be that romantic musicals will hit the public taste, entertainment of the operetta type.

The vogue of the period film seems to be increasing, but it is my view that such stories must be written around some famous character. For example, Paramount is starring Marlene Dietrich in "Diane of Lorraine" and Claudette Colbert in "Cleopatra." Greta Garbo is to be seen in Metro's "Queen Christina" and Norma Shearer is to do "Marie Antoinette." Katherine Hepburn is set for "Queen Elizabeth" at Radio, and Warners plan "The Scandal of Dorian Gray."

Comedy will also extend to the treatment of the so-called "sex" pictures. The gangster and horror films have had their day. The public taste is turning to more simple, human stories. The charming love story, which has always been an important feature of the motion pictures in the world, is coming into its own again. The public always has loved such stories and I do not think that the taste of the people has changed basically.

These, I believe, are the important changes that we will see. We are due for more comedy, more humanity and less frankness in our stories, more sentiment and less sentimentality, more romance and less cynicism. If these indications are borne out, I believe that days of great prosperity will come back to the theatres.

N. O. Expects Mae West
NEW ORLEANS, Dec. 7—Mae West's next for Paramount, "It Ain't No Sin," is to be made here, it is understood, and the company is expected to spend a month here on location.

Two for Para., Bklyn
"Duck Soup" has been booked into the Paramount, Brooklyn, starting Dec. 29, and will be followed by "Design for Living."

Cunningham on Owen
Robert G. Cunningham, for the past four years New York manager of the film manufacturing department of Allied has resigned to open his own office.

**Troublesome**

One well-known film man is troubled on this report problem.

"I don't know whether I ought to take a chance or not buying this legal liquor," he said yesterday.

It's a Question if
Fans Spell Actress

HOLLYWOOD, Dec. 7—Sally Rand, who played the part of the so-called "Bolero" girl and who was brought here by Paramount for a spot in "Bolero," in an opinion on "Murder in the Nile," is displaying a smoke screen of temperament of such volume that it makes piker of the higher-priced stars on the lot. Among the many things that displease her is the fact that she has only a few lines to speak, wants more money, insists that she is a dramatic actress and wants to be treated as such.

The studio thinks she is a good dancer.

Dancing Lady

"Dancing Lady" is Providence Smash

providence, Dec. 7—Top business was caught by Joan Crawford in "Dancing Lady" which did $16,500 at Loew's State, $4,500 over the average figure. Paramount also was above par with the combo bill of "Take a Chance" and "Hell and High Water," all of the other downtown houses were right at the border line, but business on the whole was good.

Holiday trade was better than usual for Thanksgiving despite the stiff competition of college and schoolboy football games.

Grosses for the week totalled $43,700. Estimated takings for the week ending Nov. 30:

"TAKE A CHANCE" (Param)
"HELL AND HIGH WATER" (Param)
PROMINENT—(1,600), 15c-40c, 7 days. Gross: $7,200. (Average, $1,028.)
"DANCING LADY" (M-G-M)
LOEW'S STATE—(1,900), 15c-40c, 7 days. Gross: $4,500. (Average, $1,000.)

'BEST OF BOTH WORLDS' (Radio)
EASTERN—(1,000), 15c-40c, 7 days. Gross: $1,500. (Average, $214.)

"FEMALE" (F. N.)
"MY LIPS BETRAY" (Fox)
MAJESTIC—(2,000), 15c-40c, 7 days. Gross: $6,500. (Average, $928.)
"KING FOR A NIGHT" (M-G-M)
PARIS—(2,100), 15c-40c, 7 days. Gross: $2,850. (Average, $414.)

"RIGHT TO ROMANCE" (Radio)
"ROMANCE" (M-G-M)
STATE—(3,700), 15c-40c, 7 days. Gross: $5,000. (Average, $1,351.)

"ANN VICKERS" (Radio)
"ROMANCE" (M-G-M)
PICTURE—(11,000), 15c-40c, 7 days. Gross: $1,200. (Average, $109.)

"N. V. Ritchie Is Set For European Tour"

Norton V. Ritchie of the Ritchie Export Corp., which handles all Monogram productions abroad, will be off soon on an extensive tour of Europe to close a number of distribution deals. The first stop will be London. He will be away several months.

Price War Spreads
Duals in St. Louis

ST. LOUIS, Dec. 7—The price war along the Grand Boulevard front has spread to Loew's State at Washington and Eighth. St. Duals were started there recently. This leaves the Ambassador as the only first run with single bills, but it compensates for this by putting on a big stage show.

**Signs Sophie Tucker**

Sophie Tucker has been signed by Majestic for one picture, leaving funds for the coast Jan. 20. On Dec. 22, she opens at the Hollywood restaurant for a three-week booking.

**Para. Signs Johnson**

Moffett Johnson, stage player, has been signed by Paramount and leaves for the coast in three weeks.

**Duck Soup**

"Duck Soup" $10,500 Above In Beantown

Boston, Dec. 7—Grosses pushed to a new high in Boston for the week just closed with a total first run business of $125,000, highest for many moons.

The Metropolitan was high with "Duck Soup" which was $10,500 above average for one of the high marks of the season at that house.

Close on the trail for high honors was Loew's State with "Christopher Bean" which came in for some of the indies so poorly as to be a disappointment, and a day house business was on the upswing.

Total first run business was $123,000, average $95,000.

Estimated takings for the week ending November 23 were:

"CHANCE AT HEAVEN" (Radio)
BOSTON—(1,000), 20c-50c, 7 days. Gross: $12,000. (Average, $1,714.)

"I'M NO ANGEL" (Paramount 2nd Week)
FRANKLY—(1,000), 30c-50c, 7 days. Gross: $7,000. (Average, $928.)

"BERKELEY SQUARE" (Fox)
KINGS—(3,500), 30c-50c, 7 days. Gross: $19,000. (Average, $2,697.)

"CHRISTOPHER BEAN" (M-G-M)
LOEW'S STATE—(3,500), 30c-50c, 7 days. Gross: $22,500. (Average, $3,214.)

"DUCK SOUP" (Paramount)
METROPOLITAN—(4,500), 30c-50c, 7 days. Gross: $30,000. (Average, $4,286.)

"I'M NO ANGEL" (Paramount 2nd Week)
PARAMOUNT—(1,000), 30c-50c, 7 days. Gross: $12,000. (Average, $1,714.)
EXPECT EXECUTIVE ORDER TO STAND PENDING TRIAL

Publix Unit Receives Bid Of $1,800,000

A bid of $1,800,000 for the assets and properties of Publix Enterprises, Inc., made by Famous Theatres Corp., recently organized Paramount Publix subsidiary, as the basis of the reorganization, was submitted to the bankruptcy court. Sale of the assets will take place Dec. 21 in the offices of Henry H. Davis, referee in bankruptcy. Famous Theatres' offer must be acted on before Dec. 23 and it is regarded as unlikely that any other bid will be received.

A final computation of what settlement will be made without creditors of the firm. Arguments on the basis of the $1,800,000 bid cannot be made yet, owing to the fact that a number of the claims against the bankrupt have not been ruled on by the referee. Present indications are, however, that the bankrupt may be

(Continued on page 2)

Court Delays On Radio City Lease Action

Decision on new leases to the two Radio City theatres was postponed yesterday when Walter Read, an RKO creditor, who appeared before U. S. District Judge William Bondy to oppose the agreements, was granted time to present evidence to sustain his contention that operation of the Music Hall and the RKO Roxy was jeopardizing the chances of the RKO circuit to rehabilitate itself. This evidence will be presented to Judge Bondy on Dec. 18.

(Continued on page 2)

Bigger U. A. Studio Now Being Planned

Hollywood, Dec. 8.—With some of the companies contributing to the United Artists schedule scheduled to seek studio facilities outside of U. A. lot, Robert Fairbanks, new studio manager, is knee deep in plans for enlarging the plant. As it was in the case when 20th Century, Sam Goldwyn and Reliance

(Continued on page 2)

Leaders Spend Hour with President, but General Johnson Intimates No Change Will Be Made for the Present

By RED KANN

WASHINGTON, Dec. 8.—Leaders of the film industry today made what promised to be a futile effort to secure changes in the executive order of Nov. 27.

Intimations that the Administration would stand firmly behind the executive order as originally issued, at least until a fair trial of the code has demonstrated the need for changes, were given by Recovery Administrator Hugh S. Johnson following a lengthy conference with the executives at the White House.

For the first time since the code was originally proposed President Roosevelt today received a formal delegation of film leaders. For nearly an hour the President listened to the objections of Will H. Hays and the two associates who comprised the committee representing the industry. With General Johnson and Deputy Administrator Sol A. Rosenblatt, he surveyed the entire situation, displaying a comprehensive knowledge of the industry and the situation which brought the film leaders to Washington.

The Administration's viewpoint, it was represented following the conference, is that the provisions of the ex-

(Continued on page 4)

Rosenblatt to Talk Upon the Code Here

Deputy NRA Administrator Sol A. Rosenblatt will discuss the code and answer all questions pertaining to any of its clauses and will be called for the benefit of local exhibitors by Charles L. O'Reilly, president of the T. O. C. A. and Allied of New Jersey as well as other neighboring units will be invited to attend.

Memphis Hopes for One of Code Boards

MEMPHIS, Dec. 8.—Memphis is already bidding for one of the grievance boards to be set up under the code. The town is full of grievances and so is the adjoining territory. Unless

(Continued on page 4)
Public Unit Receives Bid Of $1,800,000

(Continued from page 1)

in a position to pay off at approximately $20,000 per week.

This figure is based on the total claims allowed to date, which aggregate $4,974,753. Allowing 10 1/2 per cent, or $478,500 which will be deducted for the sale price, there will remain $1,500,000 with which to pay off Unit Enterprises' creditors.

Total assets of the company listed for Dec. 21 sale include accounts receivable from Public Enterprises' subsidiaries amounting to a nominal book value of $17,199,276; stock holdings of 56,178,000 shares at $10, representing an interest in 79 theatre subsidiaries; a present indeterminable interest in six newspapers, one of which, representing the reorganization of the former Public News Group, Inc., including the newspapers Knight, the Cleveland Press, General News, Cleveland Tribune, Associated Press, News, and Tampico Daily Times, was sold for $243,000; 19, Rue de la Cite-des-Neiges, Pierre Arnaud, Representative, Rome Bureau; Veau Collis, Representative, Rome Bureau; J'P. Rook, Representative, Rome Bureau; 356, Quirinale, Jasper, Representative, Rome Bureau, and all accounts receivable and 1,066 shares in W. S. Butterfield Theatres, Inc., Michigan, and the Jacksonsville Drama Club.

Subsidiaries Bankrupt

A number of the theatre subsidiaries of Public Enterprises are currently involved in either bankruptcy or receivership, but the shadow of the imposing total of assets listed for sale. An independent appraisal of the bankrupt's assets revealed for the U. S. District court here fixed their current value at approximately $2,000,000.

Total claims filed against Public Enterprises by creditors aggregated $13,381,333. Of this amount, $972,000 have been paid in full, and the residue and expenses: $592,327 were subsequently withdrawn by the claimants: $3,357,372 are in future rent claims under theatre leases held at the time of bankruptcy, and have been objected to by the bankrupt, with indications that all, or most, will not be allowed. In addition, re-

Court Delays On Radio City Lease Action

(Continued from page 1)

asserted that such business as has been done there at the Music Hall would "hurt subsequent runs 50 per cent." This, he said, would mean a loss of $236,500 gross of the theatre's income in the next three weeks at the theatre.

"Only a sucker corporation," he said under present terms." Reade offered to the use of the Earl Carroll, the Curt, is probably the most luxurious of all the Radio City houses here at a yearly rental of $75,000 in pointing out what he considered the advantages, rental on the Radio City houses.

Herbert Colton of Reade's legal staff told Judge Bondy that, whereas the picture rental at the Radio City was only 15 per cent of the gross, it would be possible for RKO to obtain 70 per cent on the gross over theatre operating expenses were the films now being booked into the house shown in other Broadway first runs.

Horace Lamb, representing the receivers, the Irving Trust Co., in arguing for acceptance of the lease agreement, said that things were looking brighter for the houses. He asserted that September and October being the other months, after operating expenses and working capital had been accounted for, showed a balance of $579,985. During the run of "Little Women," a five-week showing, conditions had taken a still better turn.

"The Music Hall," Lamb told the court, "is probably the most luxurious of all the theatre in the country, and it is necessary that it should continue to exploit the picture business, which would receive better exploitation of it elsewhere," adding that "there are indications there will be profits."

The lease agreement is for the period from Sept. 1 of this year to Aug. 31, 1934.

Bigger U.S. Studio Now Being Planned

(Continued from page 1)

were all making pictures at the same time, much of the work had to be divided between Metropolitan, Pathé and Educational studios, necessitating additional expense for transportation and indirect supervision of set construction.

Studio enlargement is said to be essential to meet the present demands of 20th Century, Sam Goldwyn and Famous, and the forthcoming activities of Harold Lloyd, Mary Pickford and Howard Hughes.

Abramson Suit Settled

Mortimer Hayes, attorney for Ivan Abramson and the Graphic Film Co., said yesterday a settlement had been effected, the amount of $50,000 being paid in an anti-trust suit brought by him against the Hays office and major producers. Abramson, in graphic company charged a conspiracy to keep him out of business. The case had been pending for three years. Attorney Hayes declined to divulge the amount of the settlement, but said that it involved both cash and other considerations.
Greeted With APPLAUSE

EASTMAN Background Negative is winning wide acclaim among the many producers and cameramen who have already discovered its possibilities. Its remarkably fine grain meets the prime requirement of background shots that are to be projected and rephotographed. Other qualities . . . particularly a surprising degree of speed . . . give it a potential versatility that may well lead to finer photography in other directions. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN

Background Negative
No Code Shift Pending Trial Is Looked For

(Continued from page 1)

The Administration fully understands the attitude assumed by the leaders of the business along these lines that the provision of the code applies to the top power as all codes have been stressed time without end by General Johnson in the last few months.

Objections Are General

Practically all industries previously codified or under code have objected to the modification of the code authority, even to the extent of removing members who, in his opinion, had not the proper qualifications of impartial and just manner, are merely the safeguards of fair treatment carried in the Industrial Recovery Act itself, and here transferred bodily into the executive order governing the film industry.

Because of this fact, it was pointed out by General Johnson following the meeting, the President would be reluctant to take any step which might be construed as lessening the recovery administration's authority over the industry. He then said that the law itself, there would actually be no concession whatever. Furthermore, it was indicated, the code is just going into effect; it may radically change methods of operation in many branches of the industry; it contains many specifications which are new and untried, and a fair opportunity should be given to work out the statutes.

Points Out Recovery Act

Although there appears to be the impression among the leaders of the industry that the inclusion in the executive order of the first two paragraphs constitutes a discrimination against their particular business, such is not the fact, according to recovery administration officials, who point for proof to the law itself.

Their answer differing answer hinges around the Code Act of the National Industrial Recovery Act which reads: “The President may, as a matter of policy, veto in any respect the law which bears on all industry alike: The President may from time to time cancel or modify any order, approval, license, rule or regulation issued under this title; and each agreement, code, fair competition, or license, rule or regulation issued under this title shall contain an express provision to that effect.”

It is the view of the Administration that it does not follow that the self-regulation of the industry under the code authority will be excluded or interposed, as the leaders of the business are known to feel, and that this thought actually is in their minds they are in error in drawing such a conclusion.

Memphis Hopes for One of Code Boards

(Continued from page 1)

one of the boards is established here, there is going to be an awful lot of traveling to the nearest one.

Lightman's difficulties with local union labor have dragged on for months, both parties hopeful that the code authorities would solve the dilemma. The question of codification is also causing no end of argument, particularly between subsequent run houses and Loew's. Union contracts with every neighborhood theatre in the city except one of the Paramount chain and there is every reason to believe that labor troubles will become general, unless there is some board with authority to meet the situation.

Md. MPTO Talks Code

BALTIMORE, Dec. 8—Code operations are expected to be opened at the meetings of the M. P. T. O. of Maryland by J. Louis Rome, chairman of its MPTO committee Frank A. Horning, president, presided. Harry Clouser represented the Independent Opera- tors' Managers' Ass'n. He said the terms of major code contractors' hours were agreeable to his members.

Hurley Back on Coast

Hollywood, Dec. 8—Harold Hurley gets back in town Sunday from New York. Producer's first picture for Paramount will be "Sailor Be- ware."

Hurley was formerly in charge of production for Republic but few head and present the studio hasn't a single cowboy epic listed on the program.

Majestic's Strand Date

Warner's Strand has booked Majestic's "The Sin of Nora Moran," with Zita Johann and Allan Dinehart. It is one of the first films to be released on the picture is planned by Majestic for its key city openings. Martin Lichtman, Majestic's exploitation chief, has transferred the exploitation staff being organized by Bert Emms, Majestic ad manager.

Col. Signs Kiepura

BERLIN, Dec. 8—Jan Kiepura has been signed to appear in two pictures for Columbia. He recently came here from Yugoslavia, where he had been acting in productions in the Memphis area so long as the major Loew houses here adhered to present rates in The Com- mercial Appeal.

M-G-M and Davies Sued Over a Song

A suit charging infringement and asking $100,000 damages, an injunction and an accounting of profits was brought in U. S. District Court here yesterday by David M-G-M. William R. Davies and the Robbins Music Corp., by Archie Sinclair, songwriter, who alleges that his ballad, "Land of My Heart's Desire," was infringed by the song, "Sweetheart, Darling," sung by Vivian Davies in "Peg O' My Heart."

Gus Kahn, Larry and Herbert Stottard are also named defendants.

Claire Trevor to East

Hollywood, Dec. 8—Claire Trevor leaves here to go to New York for a week, completing leading feminine roles in seven Fox pictures within the past month. The star has just completed "Woman and the Law."

May to Leave for Coast

Joe May, German director recently signed by Columbia, leaves for the coast either tomorrow or Monday.
Para. Equity Receiver Cost Is $296,053

Hilles Seeking $30,000; Zukor, $23,047

The administration of Paramount Publix for the seven weeks of its equity receivership early this year was accomplished for $296,053, distributed in full to the amounts totalling which amount submitted to Referee Henry K. Davis on Saturday.

Paramount Publix consented to a friendly equity receivership on Jan. 26 of this year, and applied for a voluntary petition in bankruptcy on March 14, which brought the equity receivership to a close. Expenses listed in the petition are those incurred only under the equity receivership.

Charles D. Hilles and Adolph Zukor were appointed equity receivers by the U. S. District Court. In the petition filed Saturday, Hilles asks $30,000 for his services as equity receiver, and Zukor, $23,047, of which

(Continued on page 8)

“Angel” in Frisco

Grosses $103,700

SAN FRANCISCO, Dec. 10—"I’m No Angel" grossed $103,700 in its seven-week run here. It played the first two weeks at the Paramount. This was followed by five weeks at the Embassy, another Fox house, where it took $40,000 the first week, $25,000 the second, $10,000 the third, $9,200 the fourth, $8,100 the fifth, and $3,400 the sixth.

Halperin Gets New Indianapolis Post

I. M. Halperin, formerly general manager for Publix in Detroit, has succeeded Ace Berg as city manager for Monarch Theatres in Indianapolis.

Present plans for the circuit call for an expansion after the first of the year, according to Milton Feld. The circuit now operates five houses.

Lang Ready to Open Television on Coast

HOLLYWOOD, Dec. 10—Television plans under consideration for the past two years will become a reality soon at the Freeman Lang sound studios

(Continued on page 6)
“Convention City” (First National)

Hollywood, Dec. 10.—“Convention City” in its preview state, judged by the laughter response, may be rated as a successful comedy.

Story is topical, reflecting the humorous activities transpiring at any commercial convention. Plot is light.

Joan Blondell, Adele Menjou, Dick Powell, Mary Astor, Guy Kibbee, Frank McHugh, Ruth Donnelly, Patricia Ellis, Hugh Herbert, Hobart Cavanaugh, Sheila Terry, Grant Mitchell and Huie White, going from straight dramatic and romantic roles into sheen comedy, make a noticeable departure to which audiences should react favorably.

No one player commands individual attention, as the situations give each an equal chance to parade through his part with the exception of Hugh Herbert, who asserts himself at the climax with a commendable piece of acting.

Every convention has at least one funny story to be remembered by the conventioners and this picture covers them all. There are down-to-earth incidents that will refresh the memory of anyone who ever attended a convention and a revelation to the wives, daughters and some who never have.

Much credit is due Peter Milne for conceiving the story; to Robert Lowery for adapting and to Archie Mayo for expert direction. It affords unlimited exploitation to attract first nights, who should do the word-of-mouth to keep them coming.

Looking ‘Em Over

“Alice in Wonderland” (Paramount)

Lewis Carroll’s fairyland has been woven to the screen by Paramount and measures up as wholesome and pleasurable entertainment, particularly designed for children and mothers. Charlotte Henry is charming in the role of Alice and has possibilities of developing into star material. She is good-looking and photographs well and undoubtedly will establish a long list of followers as a result of her work here. Supporting the Brooklyn girl is a stellar cast including Gary Cooper, Cary Grant, Charles Ruggles, Louise Fazenda, Raymond Hutton, Richard Arlen, W. C. Fields, Polly Moran, Edward Everett Horton, Ned Sparks, Jack Oakie and numerous others. All with the exception of Alice are masked.

Falling asleep after she has been ordered to stay indoors by the groom because of the snow, Alice dreams of walking through the mirror and into a room of unusual things. From this room she enters the garden of make believe and there meets a number of spectacular creatures, some to entertain her and others to frighten her. It is well produced and there are several effective trick shots.

Universal Pfd. Drops One Point

Columbia Pictures, etc.,

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Paramount F. L. Bonds Gain One

General Theatre Equipment 6s 50
LeRoy’s 6s 4% w 4% coupons
LeRoy’s 6s 4% w 4% coupons
Paramount Broadway 5½s 51
Paramount F. L. 6s 50
Paramount Public 5½s 55
Warner Bros. 6s 39, wd.

Serving Pantries
Electric Refrigeration
THE TEMPO OF THE TIMES
SET TO MUSIC

...as a book
A BEST SELLER
...as a picture
A BOX-OFFICE HIT

MANHATTAN LOVE SONG

Taken from the Novel by CORNELL WOOLRICH

Directed by Leonard Fields
Screen play by Leonard Fields and David Silverstein

ANOTHER MONEY-MAKER FROM MONOGRAM
CURRENT HITS: "SWEETHEART OF SIGMA CHI" • "BROKEN DREAMS"
"HE COULDN'T TAKE IT" • "WOMAN'S MAN"
GENTLEMEN

with BEBE
DANIELS
DORIS KENYON

Onslow Stevens, Melvyn Douglas, Isabel Jewel, Thelma Todd, Mayo Methot. From the sensational stage success by ELMER RICE. Produced by Carl Laemmle, Jr. Directed by WILLIAM WYLER. Presented by Carl Laemmle. Another big one from UNIVERSAL
**OF THE PRESS, I Thank You!**

**N. Y. Daily Mirror:**
"A stunner ... Elmer Rice's recent Broadway hit has been made into a film drama of unusual strength and brilliance ... Barrymore does his greatest work as 'Counsellor at Law,' and Bebe Daniels is a delightful foil for him."

**N. Y. American:**
"Another hit for the Music Hall! ... It comes to the screen a vivid, well-played piece, in which tense drama is punctuated by lines of laughter."

**N. Y. Daily News:**
(3 stars) "Elmer Rice's play faithfully filmed ... Barrymore performance convincing ... William Wyler, who directed, keeps the action moving spiritedly."

**N. Y. Herald-Tribune:**
"Barrymore is admirable in his role ... 'Counsellor at Law' is a striking, intelligent and invariable interesting motion picture — another in that series of superior works being presented at Radio City Music Hall."

**N. Y. Times:**
"Incisive and compelling ... moves along with lusty energy, the scenes being so complete that none of them seems a fraction of a minute too long ... Mr. Barrymore gives it the vigor, imagination and authority one might expect."

**N. Y. Journal:****
"Elmer Rice's silver-tongued attorney is impersonated by John Barrymore, who has in the play a highly entertaining vehicle for his brilliant talents ... Smartly cast and directed ... moves fast and vigorously."

**N. Y. World-Telegram:**
"Mr. Barrymore appears here in a part which falls so perfectly into line with his ability as a sterling actor that it might very well have been written for him originally."

**N. Y. Sun:**
"'Counsellor at Law' the daddy of them all (Lawyers' films) ... Unquestionably the best written lawyer play of the modern era in this country."

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**Barrymore at Law**
Theatre Help Lining Up Behind a New Union Here

(Continued from page 1)

The new local's first public move is scheduled for today, when its members will present a petition to the NRA Compliance Board here, based on the charge that Johannes Wittberg, former head of the Cincinnati Art Academy of Music, was dismissed Dec. 6 after becoming a member of the local. It is also alleged that Wittberg was dismissed for incompetency, but the local has in its possession sworn affidavits from 13 men who worked under Wittberg alleging that they were told by an assistant manager of the theatre that Wittberg had been dismissed for joining a union and had been warned that they would also be dismissed if they followed his lead.

The petition will be submitted to the NRA Compliance Board today with a demand that Wittberg be reinstated. Both the union and the local's representatives assert, would result in closing every major theatre in Greater New York, were admitted in the event Wittberg is unjustly kept from work.

The new union is known to have a large representation among employees of Loew's, the Roxy, the Capitol, Madison Square Garden and other large midtown amusement centers. Its first public demonstration of strength is scheduled for early January, when a massmeeting of its members will be held. At this time, members are slated to draft new wage schedules for the classifications of employees involved, which, it is predicted, will call for increases.

The local is affiliated with the international organization which has already established in Chicago, San Francisco, Seattle, St. Louis and other large cities. Theatre janitors who are members of the organization's Chicago local have paid $40 per week, which, it is often, almost double the scale in force here, it is said.

Philadelphia Musicians to Split Up Jobs Soon

PHILADELPHIA, Dec. 10.—Local musicians have begun to work out their plans for splitting up jobs. Joseph Weber, head of the American Federation of Musicians, whereby each employed musician gives one week's employment out of four to unemployed men.

Agitating local musical circles is the Fox Theatre, which augmented its orchestra from 17 to 34 members two months ago, will return to its former status.

Two Runs for "Henry"

CINCINNATI, Dec. 10.—For the first time locally, a picture is being simultaneously shown as a second run at a local theatre. Joseph Weber, "The Private Life of Henry VIII," after two weeks' showing at the RKO Lyric, is currently playing the Mayflower Theatre. The production is under the personal supervision of Morris Segal, president Majestic Pictures of Ohio, and also is playing the Lyric, a unit in the Levy chain of suburbs.

Two Men Tries Shows

COLUMBUS, Dec. 10.—Loew's Ohio, after a prolonged policy of straight foreign films during the past two months, scheduled this column this week, with Kate Smith and her revue as the initial attraction. Price scale has been upped to 31 cents until 1 P.M., with a matinee rate of 40 cents for all seats. Night tariff is 40 and 50 cents for balcony and lower floor, respectively, all prices being plus the 10 per cent state tax.

Lubitsch to Do "Widow"

Hollywood, Dec. 10.—Ernst Lubitsch will direct "The Mask of Fu Manchu," for M-G-M. Production gets underway upon Maurice Chevalier's return from abroad at the turn of the year.

Columbia Borrows Kober

Hollywood, Dec. 10.—Arthur Kober has been borrowed from M-G-M to prepare the adaptation on "Twen,

Repeal Stirs Speculation In Virginia

Florida to Continue Prohibition to 1935

Repeal will have no salutary effects. When a state has its own constitutional amendment prohibiting the sale of liquor, this law cannot be repealed until after the next meeting of the legislature in 1935, when a bill will probably be passed and then put up to the voters to ratify.

The sale of 3.2 beer was legalized in the state last spring and Tampa exhibitors believed it would help theatre attendance by aiding employment. Suds are now on sale pretty much everywhere in the state and it is expected that in the next biennium, a large revenue, but, according to Tampa exhibitors, it has had little, if any, effect on theatre attendance.

Thalberg Gets Started

Hollywood, Dec. 10.—With "Rip Tide" finally getting under way as Irving Thalberg's first production and his production manager, Norma Shearer appeared before the camera for the first time in more than a year. The current film is Miss Shearer's first screen effort since "Smilin' Through" and is being directed by Edouard Goulding and Robert America, and Herbert Marshall share male leads opposite the star.

Film Men Aid Van Osten

SAN FRANCISCO, Dec. 10.—Twenty men from exchanges and theatres have volunteered for a blood transfusion to Thomas D. Van Osten, secretary of the California Theatre Ass'n. Van Osten has been ill for several months and is under treatment at the San Francisco General Hospital, where he has been placed under the care of Dr. Edward G. Gair, where his transfusion was made through a professional donor.

Warner Ball Jan. 20

The Warner Club will hold its fifth annual banquet and ball at the Waldorf-Astoria on Jan. 20. Arrangements are being handled by Al Schuster, secretary of the club, and Walter J. Comte, managing director of the club. Stage, screen and radio talent is being lined up for the event by Steve Trilling, vice-president of the club.
Coast Production
Hold Steady Pace

(Continued from page 1)

possibilities of the British national scene, and not in proper proportion to the number of pictures which are exclusively "American" in content.

Making note of the "intensely national" feeling of the British people, which, he said, offers a waiting market for entertainment that recognizes it, Beck finds that recent British product is taking full advantage of national characteristics, whereas much of the current Hollywood output is not. He also observed that British producers' recognition of home requirements had not proved a handicap in marketing their pictures in America. "As long as the British product is being shown in its best form it will remain popular," he believes, and views the record as a demonstra:

tion that Hollywood can better serve the British market without loss of patronage here to home. "The strong national feeling of the British people is awakened to its fullest extent by a supply of Hollywood product which is based upon, and mirrors, the purely American scene," Beck said. "It immediately suggests to the British audience the picture possibilities of their own country. That the British scene can be as acceptable as picture material to American audiences as it is to British appears to have been demonstrated by the recent exhibition here from England. This would also suggest," he added, "that pictures presenting British life are equally acceptable here as they are in England."

He cited "The Invisible Man" as a current example of the type of American picture which finds favor in England. "The Thief of Bagdad" and "Beau Geste," he said, likewise had the international elements of entertainment which have a waiting market in British audiences, he said. "It occurs to me that American producers may be missing some good bets in not examining carefully enough the possibilities of British history and life," Beck said. "The elements of drama are there and, properly presented, they can be as acceptable to American audiences as they would surely be to the important British market."

Halt "Viva Villa" To Fill Tracy Role

HOLLYWOOD, Dec. 10.—Production on "Viva Villa" has temporarily reached a halt at M-G-M, the studio having hit a snag in the selection of a leading man for the role recently vacated by Lee Tracy.

The studio informed reports that Robert Montgomery had been cast for the part. The actor is currently working in another picture.

First Division Moving

First Division will move its headquarters from 1600 Broadway to the RKO Building in Radio City during Christmas week.

Have You A JOB OPEN? THEN YOU NEED ONE OF THESE EXPERIENCED MEN

Publicity man for stage units

Handled such shows as RED RITA and SCANDAL. Former publicity director Allen Theatres, Cleveland. Five years' experience after graduation. Superb knowledge of stage publicity. Described as a first-rate salesman, and highly recommended. Among recent shows handled: UNCLE TOM'S COLOURED SISTERS, Wandering Jew, and now HURRICANE. He'll prove his worth here.

Expert on pressbooks

A tap-root copy writer and lay-out man, ten years' experience on pressbooks, sales promotion ideas, pamphlets and general advertising campaigns. Well known as magazine and newspaper feature story writer.

Handled foreign publicity for thirteen years

Former City Editor of the "Register and Leader," Des Moines. Then for thirteen years director foreign publicity and advertising for one of our leading companies. Handled publicity for the motion picture industry on the Liberty Loan drive and is now free lance contributor to many leading magazines. He's a sure-fire bet. Just try him.

Exploitation Advance man

Has been head of some of New York's biggest theatrical attractions, including Theatre Guild shows. Head plugger who will always grab off space in the newspapers regardless of what city you send him to. Plugging personality and well liked by motion picture critics in many cities.

The accomplishments of the above four men are listed as a guide to those employers who are in the market for good men who will deliver good work.

These men are no weak sister. They are experienced in their line and are qualified to deliver better than full value for the salary you will pay them.

We have purposely refrained from mentioning their names, but if you will communicate with either of the three members of the Service Committee of the A. M. P. A. listed below, they will have these men contact you at your convenience.

Ray Gallagher
MARVIN KIRSCH
Ray Gallagher
FILM DAILY
1790 Broadway
New York City

Marvin Kirsch
FILM DAILY
1650 Broadway
New York City

Monroe W. Greenthal
UNITED ARTISTS CORP.
729 7th Avenue
New York City

ASSOCIATED MOTION PICTURE ADVERTISERS, Inc.
Para. Equity Receiver Cost 1s $290,053

(Continued from page 1)

$4,502 has already been received from Paramount subsidiaries, the petition notes. Payment of expenses incurred by the equity receivers, who were also ancillary receivers for the company in California and Oregon, amounting to $39,784, is asked. Homer Albers, ancillary receiver for the company in Massachusetts, asks $1,014 for services and expenses.

The remainder of the expenses, aggregating $189,805, is in attorneys' fees. The petition of Root, Clark, Buckner & Ballantyne, attorneys for the equity receivers, asks $12,500; that of Robert H. Goldmark & Co., attorneys for Paramount, $30,023; Cravath, De Gersdorf, Swanee & Wood, $15,409; O'Melvey, Fuller & Schenck (Boston), $788; and Donovan & Raichle, New York, $1,510.

The remainder involved additional legal expenses in the following amounts: $1,590 (Chicago), $1,665 (Boston), $450 (Albany), $450 (Cleveland), $500 (Los Angeles), $240 (Chicago), $1,163 (Texas).

Examination and consideration of the claim is scheduled to take place at a meeting of Paramount Publicity creditors before Referee Davis, Dec. 18, prior to submission of the petition to the U. S. District Court here for final action.

Gluckman, Shapiro In Deal for Studio

(Continued from page 1)

The first under the new setup will be the Hollywood and Paramount Pictures, with Sophie Tucker. Jack Yellen is writing the music. The two executives are negotiating with several producers to take charge of production. Lou Sarkey is mentioned as the most likely choice. Phil Goldstone, who is ill, is bowing out after making four.

Lang Ready to Open Television on Coast

(Continued from page 1)

Here which have been producing electrical transcriptions for years. The idea is to run off on film one episode of each transcription for the sake of the action. In this manner it is expected that a radio sponsor will be able to see how his act looks. He may then spot the film as well as the transcription on television stations throughout the country.

Bebe Daniels in "Nurse"

Hollywood, Dec. 10.—Bebe Daniels gets the feminine lead in "Registered Nurse" at Warners. The picture will go into production within the next two weeks with Lyle Talbot playing the male lead and Robert Florey directing.

Miss Rogers to Warners

Hollywood, Dec. 10.—Warners have borrowed Ginger Rogers from Radio for the feminine lead with Dick Powell and Pat O'Brien in "Radio Romance."

Looking 'Em Over

(Continued from page 2)

“The Women in His Life”

(M-G-M)

An entertaining portrayal of a criminal lawyer who has his ups and downs in love affairs, with Otto Kruger as the legal light involved. Kruger does an interesting job with his assignment and is supported by Una Merkel, Ben Lyon, Isabel Jewell, Roscoe Karns, Irene Hervey, C. Henry Gordon, Mariam Nixon, Sami H. Hinds, Raymond Hatton and others. George B. Seitz directed.

Left by his wife for another man, Kruger plays around with other women, including Miss Jewell, who really cares for him. He coasts her but doesn’t take the affair seriously, still hoping his wife will return to him. He promises to take Miss Hervey, whose father has been accused of murdering his wife, but walks out on the deal when Miss Jewell insists they go away together for a rest. The case is tried by Lyon, his junior partner, and he loses it. When Kruger returns he learns the woman murdered was his wife. He goes to the grave in a bitter storm, catches it, and decides to make the active part in an appeal for Miss Hervey’s father.

Checking into the life of his wife, he finds Gordon had been paying her attention and through a ruse gets the racketeer into his apartment for a confession which turns out to be a life-saver for Hinds. With this out of the way, Kruger marries Miss Jewell, Lyon and Miss Hervey decide to do the same thing, and Korns and Miss Merkel agree to follow suit.

“Love Waltz”

(Ufa)

One of the last, if not the final, pictures Lilian Harvey appeared in for Ufa. The picture was to have been Miss Harvey’s last American pictures, does not do her justice. There is some scintillating music, which is one of the few redeeming features of the picture. Georg Alexander looks like a find and it is surprising that he has not yet been brought over by American producers. Erich Pommer produced and Wilhelm Theile directed.

The story starts at the Holland Motor Works in America and then switches to Lowenberg, where the hero, impersonating his master by command, becomes engaged to Miss Harvey, a princess, and later involved in a marriage that eventually turns out to be a real love affair.

Done on a pretentious scale, it is drawn out needlessly and fails to develop into “A” entertainment. It is probably better suited for neighborhood houses, particularly those among German residents. John Batten and Hans Junkermain also play important roles. Very little of the dialogue is in German.

Jolsens to Come East

Hollywood, Dec. 10.—Mr. and Mrs. Al Jolson plan to leave Hollywood the latter part of this week for New York to spend the holidays.

Jolson’s current picture for Warners, “Wonder Bar,” has been completed with the exception of two special numbers which will have three weekly rehearsals with Busby Berkeley directing before they are ready to shoot. He will return immediately after Christmas to sing the numbers.

Lou Holtz on Coast


Holtz was accompanied by his one and only stogy, H. Leopold Shawsy.

Warners Close Two

Mansfield, Dec. 10.—The Majestic, second-run Warner house, has been shuttered. Likewise, Warners’ State, at Lima.

Seadler in Miami

Si Seadler of M-G-M has flown to Miami for a week’s vacation.

DENVER TIPS

“Dancing” to Big $15,000

DENVER, Dec. 10.—“Dancing Lady” at $15,000 easily topped spot among first run films, packing the Orpheum several days, and doing strong business other times. The overflow was so big Saturday night the box-office was closed from 8 to 9:30, and on Sunday night the crowds were not seated until after 10 o’clock. New house records were set for both Saturday and Sunday, and the opening day was just a few dollars short of the record since the return of stage shows. All other first runs, with the exception of the Paramount, were below average for the week. The "Prizefighter and the Lady" proved disappointing, this being Max Baer’s home state. The overflow from the Orpheum passed it up and went across the street to the Paramount, where the admission was a dime less. "Cradle Song" was yanked after three and one-half days. Total first run business was $31,000. Average is $30,500.

Estimated takings for the week ending Nov. 30.

“EVER IN MY HEART” (Warners)

ALADDIN—(500) 25c-40c-95c, 7 days. Gross: $5,000. (Average, $750.)

“CRADLE SONG” (Para.)

DENHAM—(500) 25c-30c-40c, 5½ days. Gross: $2,600. (Average, $520.)

“GOLDEN HARVEST” (Para.)

DENVER—(1,000) 25c-35c-40c, 3½ days. Gross: $2,750. (Average for week, $750.)

“The Prizefighter and the Lady” (M-G-M)

DENVER—(3,000) 25c-35c-40c, 7 days. Gross: $5,000. (Average for week, $714.)

“DANCING LADY” (M-G-M)

ORPHEUM—(2,500) 25c-35c-40c, 7 days. Stage runs, Gross: $1,500. (Average, $214.)

“THIS MAD GAME” (Fox)

PARAMOUNT—(2,000) 25c-40c, 3 days. Gross: $400.

“Havana Widows” (Warners)

PARAMOUNT—(2,000) 25c-35c-40c, 4 days. Gross: $3,500. (Average for week, $875.)

SIN—Can It Ever Be Right? Can It Ever Be Forgiven—Must It Always Be Punished? WHOSE SIN?
The Code—Up to Now

BY MARTIN QUIGLEY

R EFERRING to an article published in a recent issue of Motion Picture Daily, Mr. Sol A. Rosenblatt, deputy administrator, in an address before a group of Philadelphia territory exhibitors, declared:

“No one is entitled to criticize the code until it has been tested in actual operation.”

To Mr. Rosenblatt’s declaration we take decided exception for a number of reasons, among which is the fact that we are not aware that the National Industrial Recovery Act makes any provision for a suspension of the freedom of the press. Also it avoided discussion of Mr. Rosenblatt’s leapfrog proclivities in hopping from one side of a question to the opposite, all within the space of time between two conferences. Further, it did not quarrel with Mr. Rosenblatt when he carefully laddled out misinformation to the press or when he declined to answer questions which were perfectly proper to the time and place.

But when the code was finally formulated and after it had been signed by the President and delivered to the industry as the law under which it must seek to live, then, it seemed to us, the very proper and logical moment for discussion had arrived. But Mr. Rosenblatt in precisely the manner we would expect if the Constitution of the United States had...

Corrective Era Here—Kohn; It Is Up to Product—Lasky

BY JESSE L. LASKY
Producer for Fox

BY RALPH A. KOHN
Vice-President, Paramount

Any thorough study of theatre admissions covering the last three years, convinces one that the business curve follows the curve of other industries. It is astonishing, for example, to compare grosses at theatres in various parts of the country with the electric power consumption curve for that locality. Those that I have seen fluctuate almost in identical fashion, and the...

WARNERS HOLD CONTROL; ALL ARE REELECTED

Preferred Stockholders Only Ones to Vote

IN THE BLACK

Wilmington, Dec. 11.—Warner's have a $100,000 profit in prospect for the first quarter of the new fiscal year ending Nov. 25, said Samuel Carlisle, comptroller, at the annual stockholders' meeting today. This would compare with a loss of $1,766,600 in the corresponding period of last year.

WILMINGTON, Dec. 11.—The three Warners—Harry M., Albert and Jack—retained control of their company today at the annual election of directors in spite of the fact that for the first time only preferred shareholders could vote.

Unlike last year's stockholders' meeting there was no friction and John P. Lafeve, former counsel for...

SETTLE YOUNGCLAUS

SUIT OUT OF COURT

LINCOLN, Neb., Dec. 11.—Eleven major distributors, members of the Omaha Film Board of Trade, today settled the $255,000 damage suit of William N. Youngclus as the case was called for trial in Federal Court.

MISSOURI SALES TAX BILL RULED INVALID

KANSAS CITY, Dec. 11.—Missouri's one per cent sales tax, which has passed the House and is now pending...

MAYBE

Jack Cohn tells the story of two Americans in Paris. “Say,” said the first, “I've been here three days and haven't been to the Louvre yet.” “Maybe it's the water,” answered the second.
Warners Hold Control; All Are Reelcted

(Continued from page 11)

E. L. du Pont de Nemours, who was elected a director last year, reported charges of mismanagement and irregularities made at that time were without foundation.

The election was in the hands of the preferred shareholders because the common, which had paid four dividends. The directors reelected were the three Warners, Abel Cary Thomas, Wad- dell Catchings and Henry A. Rudkin, the latter three being friendly to the Warners. The board will meet in New York Dec. 19 to reorganize.

A negative vote against a recess was taken so the tellers could go through the formality of completing the count of common stock repre- sented in the Central National Bank, and the pool. Ivan Culbertson, associated with former Judge High in his campaign of late, was counsel for the company as presided in the absence of Morris.

In reporting on his year’s work as a director, Lafley said:

“Since my election I have attended all the monthly meetings of the direc- tors but one. I have paid close attention to the corporation’s business. I accepted election, because of a per- sonal interest in the corporation, and because you also have a personal in- terest, and I desired to inquire into the charges of irregularity and mismanagement.

“Everything Proper, He Says

“Let me now assure you on my personal honor that nothing has been done at these directors’ meetings other than the business of the company. Everyone has been present all the time.

“Since the last annual meeting the stock of the company itself has increased 500 per cent in value and the pictures it has exhibited have been well received.

“The possibility of Warner Brothers coming back is just as good as the possibility of any other company re- covering. The company is now making wonderful progress.

“I can tell you that your company is well managed and that the interests of the stockholders are being as well conserved as the interests of stockholders in any other company when we take into consideration the charges that have been made. I have not found one. The direc- tors have considered nothing except on its merits. There has been no dis- position on the part of the directors to give in to any unfair advantage of the stockholders.”

None of the Warners attended.

Charles S. Guggenheimer, who took the office of vice-president, finished, concurred in his statements.

Salaries Are Questioned

Stephen L. Lesher of Philadelphia, one of the largest individual preferred stockholders, made a motion that an independent list of salaries of officers and directors of Warners and its subsidi- aries be furnished.

Guggenheimer pointed out that the Warners did not employ his present or could furnish figures con- cerning the salaries of the three Warners. He said he believed the stockholders should be given to the Warners, who should take advantage of it. He said the company had lost two valuable men during the past year, because their salaries became known. They were assumed to be Darryl F. Zamack and George Arliss.

Carlisle announced that for the six weeks subsequent to March 4, during which the company had not paid any dividends in effect, the Warners called to re- ceive their salaries, but waived any claim to payments not obtained. In addition, they collectively, he said, are receiving $5,000 per week, waiving all salary claims under their contract which allows them $10,000 per week, collectively. Following Carlisle’s state- ment, Lesher withdrew his motion.

Barthelmes’ Pact, Chatterton’s Ending

Hollywood, Dec. 11.—Richard Barthelmes and Ruth Chatterton fin- ish their contracts with Warners with a screen picture. The former is going to Europe and the latter has signed with Radio for one picture.

Most Issues Slump Slightly

| Columbia Pictures | 3 | 2 | 1 | 0 | 3 |
| Consolidated Film Industries, Inc. | 3 | 2 | 1 | 0 | 3 |
| Eastman Kodak | 4 | 3 | 2 | 1 | 0 |
| Loew’s, Inc. | 3 | 2 | 1 | 0 | 3 |
| Paramount Pictures | 3 | 2 | 1 | 0 | 3 |
| Pathé Exchange | 2 | 1 | 0 | 0 | 0 |
| Pathé Exchange “A” | 1 | 0 | 0 | 0 | 0 |
| Warner Bros. | 1 | 0 | 0 | 0 | 0 |

Technicolor Off 1% on Curb

| Technicolor | 1 | 0 | 0 | 0 | 0 |

Paramount Publix Bonds Up One

| General Theatre Equipment 6s. 45 | 35 | 35 | 35 | 1 | 25 |
| Consolidated Film Industries 6s. 45 | 35 | 35 | 35 | 1 | 25 |
| Loew’s 6s. 41, w/w deb rights | 81 | 81 | 81 | 1 | 0 |
| Paramount Publix 5s. 50 | 25 | 25 | 25 | 11 | 0 |
| RKO 6s. 48, pp. | 25 | 25 | 25 | 1 | 0 |
| Warner Bros. 6s. 39, wd. | 40 | 40 | 40 | 1 | 0 |

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Elsie Pohrnhead

Elsie Pohrnhead, secretary to S. Charles Einfield, died Sunday morning as the result of an unsuccessful throat operation, it was learned yesterday. She was well known throughout the New York trade and had been a Warner employee for 14 years having started with the original First Na- tional. A husband, Arthur Munier, three brothers and her immediate family survive Miss Pohrnhead. Funeral services will be held tonight.

"ASK THE MAN WHO PLAYED IT" NOW ACCEPTING DATES FOR NEXT TEN YEARS Greatest Perpetual Roadshow Motion Picture Ever Produced

For State Rights Apply To JEWEL PROD., INC. 723-77th Avenue, N. Y. City

Tuesday, December 12, 1933

Purely Personal

NED DFIGNET was lost at a Tavern luncheon for "Pan" Bea- man yesterday. Among those present were Jules Levy, E. A. McEvoy, Clissom Smith, Walter Branson and Bob Wolf.

Harry Kathere, general sales manager for Principal, is in Chicago having accompanied Sol Lesser, presi- dent, to the Windy City en route to the coast.

Major Edward Bowes will super- vised the entertainment at the Tribute Dinner to be tendered George A. Whalen at the Waldorf Astoria to- morrow night.

Mrs. Ad Schuberg will be a guest star on one of the future Rudy Valley broadcasts over the Fleischman hour. She returns to the coast in three weeks.

Joe Pollak, former president of National Screen, is renewing friend- ships around New York. He’s been living abroad for a couple of years.

Wera Engels will make her bow on the stage shortly in "The Angel," which Crosby Cage is producing.

Sahre Feusterman, secretary to Al Licht, is recuperating at her home following a throat operation.

B. A. Rolfe and his orchestra have been signed by Vitaphone to make a short.

Mary Pickford will arrive in town this morning from the coast, and will remain for a short vacation.

Peter Freuchen, author of "Es- kim," is leaving for Hollywood to- morrow.

Ralph Staub claims he broke all shooting records on his last Vitaphone short.

Walter Futter is on his way to the coast by automobile.

Walter Branson, Midwestern di- vision manager for RKO, is in town.

HeLEN Morgan has been engaged for a Vitaphone two-reeler.

Al Jolson and Ruby Keeler are vacationing at Palm Springs.

Seidelman on Job

J. H. Seidelman, general foreign manager of Columbia, returned to his Hollywood office, where continued to his home ill for the last week.

Cochrane Back to Japan

Tom Cochrane, head of Paramount activities in Japan, is on the high seas after a short visit here.

Einfield Due Thursday

Para. Equity Receiver Cost Facing Fight

Opposition to payment of any part of the $246,053 expenses for administration of Paramount Publix during its seven weeks of equity receivership, from Jan. 26 to March 14, will be made by Saul E. Rogers, attorney for a Paramount Publix bondholders’ group. He will move before Referee Henry K. Davis for examination by creditors on Dec. 18, Rogers said yesterday.

The attorney will base his objections to payment of the expenses asked, he said, on the grounds that the seven-week period “was not a good time to have in receivership.” The expenses of the receivership were, he said, “what a good lawyer would charge.”

The expense petition asks $30,000 for Hillis’ services as equity receiver and $23,047 for Zuko’s. The remaining $14,905 is for attorneys’ fees incurred under the receivership.

A meeting of Paramount Publix creditors for consideration of the reorganization plan for Publix Enterprises, scheduled for settlement Dec. 21, will be called by New York Telephone & Telegraph Co., which has been designated as the official bankruptcy court.

Miss Davis displays herself well, is versatile and makes a happy combination with Crosby, whose popularity seems to rise with each succeeding picture.

Hollywood, Dec. 11.—Laurel and Hardy come through another with a length feature comedy in “Sons of the Desert,” using the L. & H. formula of a pair of henpecked husbands as a skeleton on which to fabricate a story. A series of gags well timed and executed for laughs is sustained throughout.

The story concerns a couple of henpecked husbands taking the fraternal oath of their lodge, “Sons of the Desert,” to attend the annual convention in Chicago. Seizing wildly the opportunity the reign sickness of their wives, they decide to go to Honolulu, but wind up in Chicago. Here they meet delegates from other states, including Charley Chase. A lot of horse play centered around a night club is enacted with plenty of production values. In the meantime the wives read about the return brother and hire a Chinese shark, who, with their grief in anticipation of bad news, they attend a picture show where news clip shows Laurel and Hardy parading in Chicago with the rest of the “Desert Sons.” Scenes of intimacy with girls along the sidelines of the parade provoke plenty of laughs. This builds to a rib-shaking climax with the deceiving husbands returning home, trying to alibi their deception.

The story is well timed, well acted, and well photographed by Kenneth Peach.

$189,000 is a good record for a picture that cost $70,000 to make, involving sale of its assets to a newly organized corporation.

Missouri Sales Tax Bill Billed Invalid

In the Senate Ways and Means Committee, has been declared unconstitutional by Roy McKittrick, attorney general at Jefferson City.

The measure was urged by Governor Park. Sales tax proponents may write a new bill or attempt to salvage the measure by introducing amendments.

Oregon Men Fight Tax

PORTLAND, Dec. 11.—Oregon ex-officers have retained John Logan and Dan Malarchy, prominent attorneys, to fight the four per cent tax bill now pending in the Legislature.

“Flying Down To Rio” (Radio)

Hollywood, Dec. 11.—“Flying Down to Rio” is one of the cleverest as well as one of the most original musical enticements to hit the screen so far. The underlying mood is one of warm romance expressed in seductive songs, colorful settings and rhythmic dance on the floor.

The love story starts with a band leader (Gene Raymond) fired from a Miami hotel for flirting with a hotel guest (Dolores Del Rio). Discovering she is Brazil-bond igncognito, he pilots her in his plane, makes a fortune, and takes her back home.

(M-1924)

 asserts Loew and Fox back in chase Fold

600,000,000 shares of Loew’s stock will be acquired by the banks which were creditors of Film Securities’ $200,000,000 of defaulted notes. Heading this group of banks is Chase National, which Rogers pointed out, controls G. T. E., which in turn controls Fox. Acquisition of the Loew’s stock by the banks would also put the banks in control of Loew’s and M-G-M. Rogers said, thereby returning control of both Fox and Loew’s to a single interest such as existed prior to the setting up of Film Securities Corp., following an anti-trust suit brought by the Department of Justice in 1929 to end control of the two companies by William Fox.

If that develops, Judge Knox commented, “this court will then have jurisdiction over the case. In the meantime, however, I must allow the ‘Shylocks’ their ‘pound of flesh.’ The stock is posted as collateral on a defaulted obligation, and if the banks insist on foreclosing, I do not see how this court can interfere.”

Judge Knox continued the hearing on the proposed stock sale until Dec. 18 and postponed the scheduled sale itself until Dec. 19.

Rogers expressed apprehension over undisclosed bidders, who, he said, might acquire the stock anonymously in the event the sale was authorized, and suggested the courts permit an investigation of the identities of successful bidders.

The court, in the meantime, also requested the court to fix the proposed sale date later than Dec. 19. Rogers said Clarke’s G. T. E. holdings at one time had a book value of more than $35,000,000.

Poli Gets Started; Blumenthal Is Head

The 22 houses with Louis M. Saal as assistant treasurer and executive of the new pedagogy, a policy is to be continued for about a month when local operation will be set up.

N. L. Nathanson is interested through stock purchases. The transfer deal, consummated last week, is retroactive to Nov. 15. There are no debts of any kind, all taxes are paid and there is plenty of cash in the bank, which is now financially interested in the deal.

For the last five months the 22 houses had been netting about $5,000 a week, it is said. Headquarters in New Haven have been moved from the Bijou to the Poli Building.

The three receivers for Fox New England washed up their duties last Wednesday.

C. E. Dickinson Dead

ROCHESTER, Dec. 11.—Charles E. Dickinson, president and general manager of the F. E. Dickinson Co. of Lockport, died at his home in that city after a long illness. He was 52.

Dickinson was one of the theatre pioneers in western New York. He is survived by his widow, two daughters and three sons.

“Going Hollywood” (M-G-M)

Hollywood, Dec. 11.—The theme of “Going Hollywood” is Cinderella in the movies with musical interludes. The tale tells of a school teacher, Marion Davies, tired of pedagogy, and craving life and romance. She falls in love with a radio crooner’s voice (Bing Crosby). She then falls for the crooner in person, runs crooner-photograph session with the crooner’s French sweetie, gets a break in the crooner’s picture and wins his errant knight.

As with all Marion Davies’ films, this one is gorgeously mounted. The lavish investitures give evidence of well-planned extravagance in sets and clothes. The picture has a nice charm and is tuneful through out.

Miss Davies displays herself well, is versatile and makes a happy combination with Crosby, whose popularity seems to rise with each succeeding picture.

The “After Sundown” number is a tuneful mixture of buggy rides, hat rides, a dance and rural romance in song and rhythm, staged for, good, honey effect.

The cast, including Ned Sparks, Patsy Kelly, Stuart Erwin, Fifi Dorsay and Bobby Watson, are all good.

Raoul Walsh’s direction departs from his customary robustness in his first musical. Music and lyrics by Nacio Herb Brown and Arthur Freed are swingy and swingy.

Properly exploited, “Going Hollywood” must be expected to give a good account of itself, particularly in follow-up playdates.

Miss Davies, with her large newspaper fan following, and the box-office value of Crosby, linked with the Cinderella theme, should get this one over.
Settle Youngclaus
Suit Out of Court

(Continued from page 1)
here. Settlement was authorized by the New York offices of the defendants after long-distance telephone negotiation. Friday. The suit was a sequel to the one in which Youngclaus won a Federal injunction against the Omaha territory zoning and protection agreement as a violation of the Federal anti-trust laws. This suit, however, attempted to collect damages allegedly suffered by Youngclaus's Madison, Neb., theatre as a result of protection said to have been granted a public house in Norfolk, 15 miles away.

Won't Discuss Payment
In Ivan Abramson Suit

Settlement last Friday of Ivan Abramson's $1,500,000 anti-trust suit against the M.P.P.D.A. and a number of the protesting companies resulted in a 40 per cent reduction of the original sum demanded. The settlement was made shortly before the December 20th deadline set for an answer to the suit. They insisted, however, that they saw "no merit" in Abramson's case.

Hammons Questioned
In Action by Amity

E. W. Hammons, president of Educational Pictures, was examined yesterday in connection with an action brought by Amity Pictures to recover distribution revenue allegedly due to be paid by the same company. The examination took place in Hammons' office and will be continued at a later date. 

Authorization to conduct the examination before trial was given recently by the court. The case was decided in favor of the plaintiff. It can't help but think that the industry will be benefited by the temporary arrangement many more workmen were given jobs and fairer wages.

Singles Going Big;
Portland Duels Fair

PORTLAND, Dec. 11.—It's a contest between singles and duallys here, with the singles making a remarkable showing at present. All three of the single bill houses are having holdovers.

"Little Women" is in its second week at Hamrick's Music Box after a remarkable first-week showing. After two weeks at the Music Box "Only Yesterday" is now playing a holdover at the Oriental. "Footlight Parade" is in its sixth Portland week at the Blue House. "Dancing Lady" and "Wrong Woman in Paris" are being shown at the Paramount and the Liberty, the other duallie house, is doing well with "The Thin Man" and Pretties Pretty." 

De Mille in East

Cecil B. De Mille arrives in Washington today from the coast to discuss with government officials an adjustment on his taxes. He's due here the end of the week.

Corrective Era Here—Kohn;
It Is Up to Product Lasky

By JESSE L. LASZ Producer for Fox
(Continued from page 1)
all branches of the industry, outline their specific duties as a basis for just wages and, more important still, to the rank and file, it provides adequate compensation and working conditions. The labor situation in the industry today is hopeful and the future seems to be bright.

Butler Back with Roach

HOLLYWOOD, Dec. 11.—After an absence of four years, Frank Butler returns to the Roach studios Jan. 1, head of the story department. When he left Roach in 1929 to open his own studio, he was told that the fate of the name Roach, which had been associated with him in the film world, was uncertain. The Roach studios offered $50,000 a year with all the advantages, but Butler refused the offer. 

Beecher Loses Mother

Milton Beecher lost his mother, Molly, 54, over the week-end when she died of pneumonia. Beecher is a member of the M-G-M publicity department handling fan magazines.

Pictures to Come
Under U. S. Survey

WASHINGTON, Dec. 11.—An exhaustive census of business, including a survey of the amusement industry, is being undertaken by the U. S. Census Bureau with funds provided by the Civil Works Administration. It was announced today by Secretary of Commerce Roper.

The survey is designed to serve as the basis for planning and adjustments by individual business houses. The inclusion for the first time of many service trades, including amusements, will make it possible to ascertain where the consumer's dollar is spent.

Fox First Runs Go
Into East Liberty

PITTSBURGH, Dec. 11.—As a result of the failure to get the Alvin open as scheduled, a survey of all Harris interests is being undertaken by the Fox pictures to the 800-seat Harris-Family in East Liberty, a second run house, and the Palace in the Fan. The Palace has played three successive Fox pictures in Pittsburgh first runs, "Power and the Glory," "Walls of Gold" and "The Worst Woman in Paris."

In several cases, due to the tieup in this territory, the new pictures are released in the outlying districts without even a first run showing in the city proper.

Wood Reengaged as
Ohio MPTO Manager

COLUMBUS, Dec. 11.—P. J. Wood has been reengaged as business manager of the M. P. T. O. of Ohio. The new board of directors has picked the following as a legislative committee: J. Real Neth, Columbus; E. A. Finney, Henry Bieberson, Sam E. Bieberson, and Max Smith and Wood. Another committee which includes Finney, Max Smith and Wood has been chosen to redraft the constitution and by-laws.

Staggered Openings
Begin in Oklahoma

OKLAHOMA CITY, Dec. 11.—Staggered openings, so that four houses open on four consecutive days, is the latest stunt here as a result of the development of Warner-Copper houses under Pat McCleod's direction. Under the new arrangement the Liberty will change bills on Thursdays, the Capitol on Fridays, the Hollywood on Saturdays and the Strand on Sundays.

Crawford Pulls $66,653


Bally Goes Pullman

ATLANTA, Dec. 11.—Tom Bally of Paramount arrived here late yesterday from New York today.
Although somewhat belated I want to convey to you herewith the resolution adopted by a rising vote at our 22nd Annual Convention.

Our Association appreciated the time, efforts and expense involved in getting here by air mail each morning copies of the MOTION PICTURE DAILY. This made a big hit and was greatly appreciated.

For your personal appearance and your most constructive address the membership, too, feels indebted.

Please accept this letter instead of the usual 'whereas' resolution. The 'pay-off' is that you are the first writer who could talk as well for all of which Wisconsin is grateful.
Frisco Houses Cut; One 65-Center Left

San Francisco, Dec. 11.—First runs are now definitely low price. Another 65-center has been cut this week when the Paramount dropped to 40 cents from 55 cents. Not long ago it was the Golden Gate dropped to 40 cents two weeks ago, and now there is but one house left at 65—-the Warfield, last to lower. If Warfield is going to do about it hasn't been divulged by E. W. C. The house has been doing fairly well at its current rate.

The Embassy, former first run, is now in the second run class. "I'm No Angel" ended its former policy.

"Disraeli" to Get Test

Pittsburgh, Dec. 11.—George Arliss' "Disraeli," which is being reis-calling for a new assembly call, sound stage, a projection room and re-recording channel building. Total cost of improvements, including equipment installed, will approximate $200,000.

Suppliant Howard Hurd

Hollywood, Dec. 11.—Howard Hurd, business manager of the cameramen's union, has been replaced by Edward T. Estabrook. The shift is said to be due to dissatisfaction with the way Hurd handled the recent strike.

Hurd will remain in a subordinate position for the duration of his five-year contract, it is said.

Fox Studio to Enlarge

Hollywood, Dec. 11—-Dids have been accepted for the immediate construction of three new buildings at Fox Movietone Studio, specifications calling for a new assembly call, sound stage, a projection room and re-recording channel building. Total cost of improvements, including equipment installed, will approximate $200,000.

George Trendle Married

Detroit, Dec. 11.—George Trendle and Miss Wright, who are on their honeymon. They were married late Saturday. Mrs. Trendle is the former wife of Postmaster Roscoe II. Huston.

Berman Here; Sailing

Pandro Berman, associate producer at the radio studio, arrived in New York from Hollywood yesterday and plans to sail for a European vacation Saturday probably on the H.L. de France.

Goldsmith Shifts Title

Hollywood, Dec. 11—Since M-G-M changed the title of "The Evergreen Tree" to "Should Ladies Behave?" Goldsmith has changed "Kathryn" to "Woman Unafraid" to avoid confusion.

Schlaifer Starts Tour

L. J. Schlaifer, western division sales manager of U. L. U., leaves today for Chicago on the first lap of a tour of exchanges under his supervision.

Butterfield in Miami

Miami, Dec. 11.—W. S. Butterfield is here for the winter.

The Code—Up to Now

By MARTIN QUIGLEY

(Continued from page 1)

in fact, been suspended declares that "no one is entitled to criticize the code until it has been tested in actual operation."

\* \* \*

W HAT Mr. Rosenblatt does not see or is pleased to ignore is that all of the criticism we have published applied not only to the probable code, but to the code in actual operation and not anody—to the schema was as often not connected. Irrespective of what the results might have been, the scheme itself was unsound, unreasonable and unfair.

As a good soldier, Mr. Rosenblatt is expected to go over the top when General Johnson cracks the whip, but no one was probably more surprised than Mr. Rosenblatt himself to discover finally that the motion picture industry code was eventually left, by virtue of the Executive Order, on a basis certainly never discussed and probably never thought of among the various principals participating in that interminable series of code conferences. If there was any trace of the principle of industry self-regulation in this we would like to have Mr. Rosenblatt point it out.

The code set-up as it originally was the Administration's compromises with a list of special pleaders, each of whom had some axe to grind and the industry was left unprotected to take the consequences. The industry was left with all the uncertainties and fancies of the Administrator and, while it may be fed for the purpose of this discussion only that the Administrator has no whiffs and fancies as far as the picture business is concerned, still he would have been kept supplied by anyone who wanted to put something over on the picture business. The Eddie Cantor appeal which the Administration did not even trouble itself to wait on is a fair example.

The idea of a code authority which was not a code authority was simply and plainly a bureaucratic enslavement of a great industry and a great agency for influencing public thought. The question naturally comes to mind, why was it industriously singled out for a straw-jacket? Did Washington decide that because of the propaganda and political uses to which the motion picture may be put it would be well to keep it dancing at the end of a stick?

\* \* \*

H OWEVER, whether or not General Johnson and Mr. Rosenblatt thought anyone was entitled to criticize, the fact is that there was criticism and it was expressed directly to the President. The result is that the now famous Executive Order which the President's advisors allowed him to sign—and which we had the temerity to criticize—has virtually been thrown into the wastepaper basket, which course, incidentally, sets what would be a desirable precedent to have these same advisors follow.

The industrial code idea, as originally conceived and announced, contained enormous possibilities for the betterment of business and for the betterment of all persons connected with business. It was intended to be a plan of self-regulation under government supervision. Industries that have been provided with their own regulation and in that effort the government was to stand behind them in full support and encouragement.

But a thousand self-styled experts laid hand on the original idea and each of them has sought to give it a twist to make it more nearly conform with his own particular purposes. The result is that the original plan has become so weakened down with confusion, misunderstanding, lost motion and cross purposes that it is now hardly recognizable.

The motion picture code, now stripped of the impossible conditions imposed in the Executive Order as result of representations made by industry leaders to the President last Friday, becomes the rule of the business. The document has been carefully and thoughtfully worked out by representatives of all important interests in the industry. While its history to date has lacked disappointment and disappointment, there are still good and sufficient reasons for believing that it can and will contribute importantly to the betterment of the industry, as such and that it will bring important benefits to all persons in the industry and to the public as well.

But the industry, to its eventual profit, may well realize that the accomplishment of these desirable ends depends very much more upon what the industry itself, rather than Washington, may do with the code.

Getting Ready for Switch

The RKO Roxy will be converted into the RKO Center by the end of the week when all signs on the theatre will be replaced by new ones.
Independent Now for the Code

Action Won’t End Demand For Changes

Leading independent elements of the industry signified their intention of signing the code in a communication sent to Deputy Administrator Sol A. Rosenblatt yesterday by the Federation of the M. P. Industry, the group of the President’s Executive Order for a 90-day trial period was given.

Approval of the Executive Order carries with it approval of the code, but the federation will continue to act as they did in making changes in or additions to the code in the future, it was said. This qualification is believed to refer to the order, that the federation is to be called within the next day or two to set a date for a meeting in consideration of amendments which individual company signatures to the code will be given and plans for future code activities, especially relating to double features, as previously demanded.

United Artists, 20th Century and Columbia are known to have been satisfied with an agreement made with the National Exhibitors’ Alliance modifying the Executive Order, made Saturday by Administrator Hugh S. Johnson and the 10 exhibitors, of which individual company signatures to the code will be given and plans for future code activities, especially relating to double features, as previously demanded.

Monogram Will Sign Within Next Few Days

Monogram will sign the industry code a few days prior to the calling of the first Code Authority meeting, W. Ray Johnston, president, stated yesterday. He is a member of the Code Authority and said that the studios and the company have been working under the President’s agreement. Whether affiliated franchise holders have agreed to adhere to the code, as this was an individual matter with each exchange.

We are disappointed, of course, that the code does not include clauses which we were fighting for, such as the elimination of block booking, protection of the dual bill and the right to buy,” Johnson said, “but we are willing to cooperate with the Administration in the endeavor to amicably settle these matters within the Code Authority.”

Rosenblatt May Be Chairman of “C.A.”

(Continued from page 1)

Because of his knowledge of the code and the functions of the various clauses in the Rosenblatt plan, it was cut ability will be the man to conduct the meetings. Following the selection of the Code Authority chairman the next step of the body will be to set the various names submitted to the deputy administrator for representation in the 32 local clearance and zoning boards.

His appointment on Code Authority eliminates Charles L. O’Reilly, president of the T. O. C. C., from a post on the New York clearance and zoning board, but Mr. C. S. John berg, was dismissed as head janitor of the Academy of Music last week after it became known that he had made, as representatives contend that Witt-

ber was dismissed for incompetency. Local 118 was secretly organized here during the past few weeks, and now claims a membership of over 1,000 janitors, doormen, usherets, cashiers and ticket takers. Charles C. Levy, secretary-treasurer of the local, stated efforts will be made to obtain 20,000 members within the next few months. He said the organization was dissatisfied with the minimum wage schedules of the code for the theatre labor classifications represented by the membership and efforts would be made to obtain increases on the grounds that these classifications had no representation at the Washington code hearings.

Circuit executives and theatre operators here evidenced their satisfaction yesterday over the existence of the new union, which takes in every classifi- cation of theatre employes not already covered by the code. It is said that the new union’s membership em- braces unskilled labor, and with thou- sands of unemployed in the Greater New York area, no difficulty would be encountered in replacing the union’s membership in the event of a strike.

Stage Is Set for First Code Confab

WASHINGTON, Dec. 11.—With the argument over the Executive Order provisions out of the way, the stage is set for the first meeting of the double code authority, and while no official call has yet been issued by Deputy Sol A. Rosenblatt, who today is in Washington, N. C. reports were that the meeting would probably be held Thursday in New York.

Deputy Tells Car. M.P.T.O. to Abide by Code

CHARLOTTE, N. C., Dec. 11.—A strong plea for strict support of the industry code was made by Deputy Sol A. Rosenblatt in a speech before 300 exhibitor members of the Carolina M. P. T. O. at their annual meeting.

“I assure you,” he said, “that both President Roosevelt and General Hugh S. Johnson are anxious to do all possible to aid this new group. We are not going to make the same mistakes that the first code group did.”

Rocky Mountain Men To Hear Code Talks

DENVER, Dec. 11.—The annual convention of the Rocky Mountain Thea- tre Owners Ass’n, at which the principal topic of discussion will be the code, will be held at the Brown Palace Hotel here Dec. 19 and 20. This meeting has been postponed since summer because of the code.

Harry Huffman, president, and Em- nce W. Dunlap, secretary and coun- sel, issued the call.

Social affairs are being dispensed with this year. It is possible that one of the affairs will be held for the benefit of the local orphanage.

No registration fee is being charged this year, and the association is trying to get as many managers as possible to attend.

Alleged Meeting on Code


Allied of Michigan is meeting at the same time in annual convention.

Majors’ Dual Clauses Stir Federation’s Ire

Members of the Federation of the M. P. Industry declare they may take Federal action against major distribu-
EDUCATIONAL STARS FORETELL PROFITS FOR WISE SHOWMEN

YOU CAN READ IT IN THE STARS! Educational’s Big-Star-Name attractions are blazing across the film firmament, and astrologers of the show world foretell profits for wise exhibitors from the favorable conjunction of major constellations in this stellar group. Every star of major magnitude! Every subject a sparkling unit of entertainment. Every group a nebula of scintillating subjects. Hitch your Short Subject Policy to the Big-Star-Name Educational Program for a brilliant success during the coming year.

The Busy Comedy Lots

EDUCATIONAL Studios in Hollywood...literally a bee-hive of production industry. ‘King Bee’ E.H. Allen and his swarm of comedy concoters completing “FROZEN ASSETS” with ANDY CLYDE buzzing around as Easy Mark Anthony...making hot love to Queen Bee Cleopatra! There’s a honey of a role for Andy!

LLOYD HAMILTON...temporarily out of commission due to an accident...toddles in again in a MERMAID COMEDY...“POP’S PAL” (oh what a pal!)...with George Bickel and Billy Bevan. The youngsters who make so muchNative in “Frolics of Youth” are whooping it up in “WHAT TO DO?”...and are producing for the next one “PARDON MY PUPS” (There’s a title!)

AND IN THE EAST...Tom Howard has made his most uproarious comedy...he’s a dumb detective with a just-as-dumb partner...The name of this sweet patootie is “DIVORCE SWEETS.”

Strike up your mandolin!...Tom Patricola and Charles Judels...have completed a rollicking comedy of Old Mexico and its bad hombies..."THE GOOD BAD MAN"

MORAN & MACK...the ‘Two Black Crows’...fly all the way from frozen Alaska to Hades for laughs in "THE FREEZE-OUT."...they’re hot laughs!

EDUCATIONAL’S “TREASURE CHEST”
a Box Office Cache of scintillating entertainment gems that radiate as much brightness and joy as a Christmas tree ablaze with Yuletide cheer. These one reel jewels will fill your house to the roof-top with the festive spirit all the year ‘round.

“DAY DREAMS”
...a fantasy of rare loveliness...the visualization of a child’s dreams...with special music by Henry King and Walter Scharf...played by Henry King’s orchestra...is an ideal subject for holiday bookings.

“WHAT DOES 1934 HOLD”
...another timely gem for the holidays from the “Treasure Chest”...in which the internationally famous astrologer WYNN will show what is in store for the coming year...according to his readings of the stars.

BIG STAR NAMES IN FIRST RELEASES

TWO MORE FAMOUS STARS make their first appearance for Educational in new single-reel subjects in the popular SONG HIT STORY series...

JAMES MELTON in “THE LAST DOGIE” with the noted tenor singing several of the famous cowboy laments.

HELEN MORGAN in “MANHATTAN LULLABY” with the famous torch singer at her melodious best.

BEAUTY—ROMANCE—FUN

WHILE EDUCATIONAL’S ONE-REEL MUSICAL gems make a perfect setting for the melody spots on your programs...LAUGHS and ROMANCE are also found in abundance in Educational’s single-reel entertainment...Nothing is more sure-fire for a laugh than the TERRY-TOON cartoon classics...and nothing more beautiful than the natural color “ROMANTIC JOURNEYS.”

SHIRLEY TEMPLE GRADUATES FROM BABY STARS TO “FROLICS”

GRADUATED from the Baby Stars after having been featured in several of Educational’s Baby Burlesks...SHIRLEY TEMPLE is now appearing in “FROLICS OF YOUTH”...she is seen in “WHAT’S TO DO?”

DISTRIBUTED IN THE U.S.A. BY FOX FILM CORPORATION
Indianapolis Plods Along 'Mid Trouble

Too Many Seats There For the City

This is the fifth in a series of studies on conditions in the Middle West. Next: Detroit.

By RED KANN

INDIANAPOLIS—If the genial Bob Lober of Fond First National memory had witnessed the stampede which Paramount turned loose on him back in the days when money was easy, the big Indiana theatre, capacity 3,133, never would have been built. Indianapolis and the state's leading house would have remained among the things

(Continued on page 6)

Oregon's 4 Per Cent Tax Bill Is Killed

PORTLAND, Dec. 12.—Due to concerted efforts of theatre owners, headed by Ted Gamble and George Jackson, the four per cent gross tax bill was killed in committee in the state legislature today.

(Continued on page 7)

Four New Plans in Wind For Revamping Old Roxy

With Federal Judge Francis G. Caffey yesterday continuing Howard S. Cullinan as receiver for the 7th Ave. Roxy a third time, Carlos Israel's, representing first mortgage bondholders, advised the court that four plans for reorganization are now being considered and that he expects to accept one within the next six months. When questioned by Merrick Pictures Daily, Israel's refused to comment on the plans other than state that "If a good proposition came along tomorrow he would close it immediately."

Albert Rose, attorney for the receiver, stated that for the 25 weeks ending Dec. 7, 1933, there was a net profit of $18,521, before interest and depreciation, as compared with a net loss of $229,000 for the same period last year. He also said that cash on

(Continued on page 7)

Michigan Blizzard Delays Allied Meet

GRAND RAPIDS, Dec. 12.—Due to a blizzard some of the members of the Allied national managing committee failed to arrive on schedule today and the session was postponed.

The annual meeting of Michigan Allied started with routine business up. Three recommendations were decided upon by the directors. They were:

(Continued on page 7)

Rosenblatt's Job of Board Naming Begun

Nominations Being Put In by the Industry

WASHINGTON, Dec. 12—Deputy Administrator Sol A. Rosenblatt has already begun the task of selecting 400 members for the 64 zoning, clearance and grievance boards and the free zone, extra and agency committees to be set up under the code.

Nominations are being submitted by all the industry elements concerned. Under the provisions of the code members of all the boards and committees must be bona fide exhibitors or distributors.

In consonance with the Roosevelt Administration's policy of giving positions to Democrats wherever possible, it is anticipated in Washington that the politics of every nominee for board membership will be investigated, particularly with respect to the non-industry member who is to represent

(Continued on page 7)

Opera Among Plans For the RKO Center

Possibility of presenting opera at the Center, former RKO Roxy, in the event Rockefeller Center inter-

Express Faith in NRA; See Need for Improvement In Quality of Product and Stability Up for 1934

By NED E. DEPINE

Vice-President, Radio

The usual thing at this time of the year is to dream about the prospects for the year to come, but experience proves that years have a habit of repeating themselves and that show business, like any other, prosers only in ratio to the quality of entertainment it offers. Therefore, it is simple to say that 1934 will be like 1933 in this respect. The hits will draw

(Continued on page 2)

By DARRYL F. ZANUK

Vice-President, 20th Century

Hollywood, Dec. 12.—We go into the new year, 1934, with a code to regulate certain phases of our operating systems.

Whether this regulation will eventuate in restriction rather than total independence remains to be seen. The full force of the code's provision must be felt in operation before we attempt to draw any conclusions—

(Continued on page 2)

By HAROLD B. FRANKLIN

The industry moves forward under the protection of the Government. This will result in a united front of the various groups; it will strengthen the position of independent operation because the public spotlight will be directed on the activities of the zone authority. The solution of many of the problems of the industry can be accomplished by those who are equipped by experience

(Continued on page 2)

By JAMES R. GRAINGER

General Sales Manager, Universal

I feel that both the NRA and the code will be of great benefit to our industry and I am very optimistic as to the improvement of our business in 1934. The success of our industry, of course, greatly depends upon the quality of product pro-
**Express Faith in NRA: See Need for Improved Quality**

By NED E. DEPINET

(Continued from page 1)

money and the failures will be failures. The trick, of course, is to make hits.

There’s an upswing in the business that should show improvement in many spots. The NRA code under which we are now operating, setting all companies on a basis of fair competition and its observance within our ranks will be strict. It is expected that the NRA as a movement and that it has already been the motivation for a noticeable improvement in business. We have hope and faith that this will continue and feel that the best way to aid any general background or type of business is our own situation well and to make product that will be profitable to us and to those thousands of exhibitors whom we serve.

By DARYL F. ZANUCK

(Continued from page 1)

code is here and the test is at hand. However, since this code is a component part of the production plan, which aims by its regulations to gain the praiseworthy goal of relieving unemployment— the very fact of approaching the goal in itself should help to the motion picture industry. And if the code itself proves too many defects can be overcome by alteration.

The most significant development for the original mind, is the impending change from the mass production to individual production. In my opinion mass production is due for the discard on the second day of this century. Practically every new type of picture has been made, and there has been no background or type of story untouched. Producers who play a game of “Follow the Leader” must now depend on their own resources and ingenuity.

Each picture, henceforth, must be made as big and as good as possible. The pictures is the only way to pay full attention on one picture at a time. Stars must be supported by stars, in story, pictures, produced on a lavish scale. That is what I mean by individual production.

**Trading Heavy on Big Board**

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<td>97</td>
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<td>+2</td>
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**Technicolor and Trans Lux Up**

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**All Bonds Show Gains**

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<td>3½</td>
<td>+2</td>
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**Kansas City F. & M. Rumors Discounted**

KANSAS CITY, Dec. 12.—Reports F. & M. had a deal under way for a local first run or to invade Kansas City by way of the Midtown theatres are declared unfounded by those in the know. It’s said that rumors probably refer to negotiations F. & M. conducted for the local Pantages, downtown house which has been dark more than a year. That deal was on about two months ago, but nothing came of it.

Elmer Rhoden, Fox Midwest division manager, made a hasty denial of the rumor about any deal for F. & M. presentations. It is known, however, that F. & M. have been attempting to gain a permanent foothold here for some time.

**Hershfield Is Made Head of Cheese Club**

Harry Hershfield yesterday was elected president of the reorganized Cheese Club. He has been active in the club for the first time in several years at Leone’s. The club is composed of theatrical publicists and is particularly active in the legitimate field and will meet every Tuesday hereafter.

It was announced that Vice-President Al Kayton, treasurer, Lawrence Weiner, secretary.

**Kaplan Appeal Put Over**

Hearing of the appeal of Sam Kaplan on charges of coercion and appeal before the Appellate Division on the right of the T. A. T. S. E. to reorganize from the presidency of Local 306 has been put over until Jan. 2. Max Steuer, Kaplan’s attorney, yesterday for the postponement claiming he was busy until Jan. 2.

**Australian Duty Cut**

WASHINGTON, Dec. 12.—Australian import duties on negatives have been cut to one shilling per linear foot (about 6 1/3 cents), according to information from the American Trade Commissioner Wilson C. Blake to the M. P. Section of the Bureau of Foreign and Domestic Commerce.

**May Enroute to Coast**

CHICAGO, Dec. 12.—Joe May and his wife passed through here today enroute to Columbia studios on the coast.

**Arthur at Salt Lake**

SALT LAKE CITY, Dec. 12.—Harry C. Arthur stopped here today enroute to the coast.

**Sisk in Hollywood**

Hollywood, Dec. 12.—Robert F. Sisk, radio and director of publicity and advertising, is here from New York.

**Leon Lee Joins M-G-M**

Leon Lee, formerly with United Artists, has joined the M-G-M advertising department.

**Unger and Kussell Leave**

J. J. Unger and Milt Kussell left for Cleveland and Cincinnati last night on the Paramount Victory Drive.

**Muni on Way Here**

Hollywood, Dec. 12.—Paul Muni is on his way to New York in search of a play.
During Christmas Week . . . GET THE YOUNGSTERS AND THE OLDSTERS, TOO

with this family hit

Not since "A Connecticut Yankee" has Will Rogers had a picture so appealing to folks of all ages. A holiday break for you . . . because adult admissions . . . day and night receipts . . . are essential to your profits. Making this the perfect Christmas booking!

ROCHELLE HUDSON
Florence Desmond
Harry Green
Eugene Palette

From Anne Cameron's story "Green Dice"

Directed by James Cruze

WILL ROGERS in
Mr. Skitch

with
ZASU PITTS

JOIN THE UPSWING WITH FOX Your patrons always like
FOX MOVietONE NEWS
YOU OWE IT TO YOUR AUDIENCE TO READ EVERY WORD OF THIS REMARKABLE PROPHECY OF BETTER BUSINESS FOR YOUR THEATRE!...
Fast moving comedy that should be a money magnet at all houses, 'Convention City' was evidently built for entertainment and nothing else and succeeds 100 per cent. With a cast of names well chosen for their box-office attraction, plus good campaign material in the story, it can stand the strongest type of bally.

Story is written around the sales convention of a rubber company in Atlantic City. There's a thread of a yarn running through it, not too thick to interfere with a number of running gags and situations that kept the audience running the gamut of laughter from start to finish. Archie Mayo has contributed everything he knows about comedy direction to keep up the laugh average. Robert Lord has written a script that never lets down.

Adolphe Menjou, on the make for the company president's daughter, so that he may be promoted to sales manager, kicks around his chances when he takes the rap on a badger game frameup to save Guy Kibbee's reputation. Kibbee's wife tips off the Menjou spouse who is looking for a divorce and she catches him red handed with Joan Blondell, a gold digger. He tries hard to get back again with Patricia Ellis, the prexy's daughter and is about to succeed when Mary Astor, who loves Menjou, argues Miss Ellis out of him. At the convention, Grant Mitchell, the sanctimonious president, announces the new sales manager, drunken Frank McHugh, who ran into the president while he was enjoying the company of 'Mae LaRue, Insect Exterminator, insects exterminated at all hours.'

Picture at all times is hanging on the border of the bandy but never goes over the line. Smart cracks are flipped around with lightening speed. No performance is outstanding. Everyone has his inning and everyone scores. For instance, Hugh Herbert runs all through the picture as a drunk, has less than a half dozen lines. Comes near copping the picture in the fadeout speech when he discovers he is attending the wrong convention. Menjou plays a fast talking, wise cracking salesman, a character unusual for him, gives a performance that should heighten his popularity. Same for Dick Powell in a similar part. Joan Blondell takes her share of the honors as the gold digger. Frank McHugh takes care of himself. Guy Kibbee and Ruth Donnelly as henpecked husband and bossy wife have their innings. Mary Astor, Hobart Cavanaugh, Sheila Terry, Gary Mitchell, Gordon Westcott, Johnny Arthur and Huey White are all fine in smaller parts.

Photography and sets are excellent, also the the cutting job of Owen Marks.

Indianapolis Responding Slowly

Percentages, Film Types Raise Plaint

(Continued from page 1)

that never would, or should, have been and the exhibition situation eased to a point where the city might have gotten by.

Only it didn’t happen. When Paramount was bowling along under the unenthusiastic of thriving trade winds, there came a time when this city came under scrutiny as a likely place for a Publix of dubious financial satisfaction. It was then the well defined practice in those days, a lease on the English block closed, the word passed around, Lieber, worried over his investment in the Circle, proceeded into a decision to build the Indiana to protect his other first run, and willily, and with too much investment, it was decided to be: with a theatre show-window in Indianapolis.

Lieber’s first runs along North Illinois St. today know the Indiana never should have gone up; that the city had enough theatres without it; that there wasn’t enough trade around to keep existing houses full and, therefore, happy.

In these closing days of ’33 has its troubles and knows there is nothing distinctive about that. It is loaded with department feature counters, other types of giveaways, two-for-ones and all of the various and sundry theatre practices which have caused so much wide differences of opinion elsewhere throughout the Middle West.

It has its relief rolls, its unemployment, its inability to dope out what pictures will click and what makes them click. It also has its neighborhood houses which, proportionately in view of capital investment, are better off than the downtowners, although it’s difficult to substantiate enough to win an admission of this.

In Indianapolis where the streets re- semble the Deserted Village. But the nine rings ring out, the first runs find friends in the peculiarly unsatisfactory spot of building business for the out-of- towners and those outlying houses, as might be expected, simply sit back, take it and find the taking much to their satisfaction.

Half Dozen First Runs

The first runs are six strong here. The Indiana, good old white elephant, and the Circle, have passed through trials almost since they originally operated them. There was a time when the Warmers and Paramount figured in as partners. There was a time, without partners, but they had then. Then came the national orgy in theatre receiverships and bank- ruptcies and both went their way back to the Lieber family which built them.

Now, the Lieber is Monarch of the Indiana, the five-house circuit operated by Milton Feld, Dave Chatkin and Harry Katz with Sam Katz in the picture department for “Hollywood Boys.” You can’t find any proof, but the headache which is Monarch’s today is plentiful and probably Feld, Chatkin, Katz et al would be just as pleased if they had never come into the town, as a matter of well-defined report, they may decide soon to call it a day.

In this centum city, except for the Indiana, which tries to get 55 cents for stage shows, Loew operates the 24-cent Palace and, like theators around the town, finds business all right when the attraction is the real McCoy. Fred Dolc, who headquarter in Louisville, once had the Lyric which Charles Olsen now operates, while Dolle himself is sticking it out at the Apollo, close by the Claypool Hotel and, therefore, lucky enough to have one of the best locations of them all, if one of the poorest of drawing power.

Indicative of the shortage of cash, coupled with which goes a fine-comb practice of shoplift or cut tickets, the practice of all of these first runs to keep their morning and afternoon at a 1-cent level. They figure the ante must be kept low or business will turn even worse than it is.

Operating as a second run after four years, the Indiana and other large car- erators after first run money some annoysness is Keith’s, in which local business men have an interest although the actual job of running the house is in the hands of the Swintons of Kentucky. The Indiana, trying to get 55 cents chiefly on the strength of shows on the stage, finds itself compelled to match the money Keith’s and do ditto at a price 15 cents under its own and, obviously, doesn’t think the situation is too bad.

Complain About Product

In the neighborhoods and throughout the state, as well, there is much dissatisfaction over types of pictures coming along, with which real attractions come along, it is said. There is new about it isn’t quite appar- ent. Reflected largely through infor- mation filtering through the theatres, the Associated Theatre Owners of Indiana and over the desk of Charles R. Metzger, its business manager, is the opinion that producers are turning out enough pictures of the family type to keep the homey folks satisfied. “We can’t get by with six or seven hit pictures a year,” is the general plaint of the small man, little realizing that the yell is just as loud and just as persistent elsewhere in the nation.

Exhibitor dissatisfaction is evident, too, over the increasingly pronounced distributor drift toward percentages. Theatre men declare they cannot see the justice of the practice and point out percentage pictures in good times un- less the identical practice prevails in bad. In any amusement business and as part of no set campaign, it is their viewpoint that the guarantees, insisted upon in the sale of percentage pictures, constitute a normal flat renta- l anyway while the additional split merely sweetens the distributor’s kit- ty. “We figure we do a certain amount of institutional business on Saturday, Sundays and holidays regardless of the excellence of the attraction. Why should we be compelled to turn those days over to the exchanges on 25, 30 and 35 per cent pictures, we ask you?” So the average unaffiliated theatreman talks in this neck of the woods.

The approximately 40 neighborhood houses in the city range from 10 to 15 night shows with the exception of Sundays and are a stronghold for duals, 10 cent nights, giveaways and what have you. The argument for duals runs true to form more as elsewhere. Independents maintain it’s a question of shows; that they can’t afford flesh and blood drawing cards and know of no other way than at- tempt to drag ‘em in by giving two features for the price of one.

Looking ‘Em Over

“The Sin of Nora Moran” (Maestic)

Produced and directed by Phil Goldstein, the plot of Nora Moran is recounted by Alan Dinehart through the flashback method. The effect of the story is weakened considerably by this method and the story is not as smooth as a result. An audience at the Strand last night tried to keep the technique from getting to them, as did this reviewer, and found it a vexing problem most of the time.

When his sister comes to him complaining of her husband, Dinehart reveals the romance between Paul Cavanagh and Zita Johann and how their affair begins with her going to the chair for the murder of John Miljan, a deed committed by Cavanagh in self-defense, constant conscious stricken, Cava- naugh commits suicide when, as governor, he failed to save the girl who would not disgrace him.

“Advice to the Lovelorn” opens at the Rivoli this morning. Motion Picture Review daily reviewed it by wire from Hollywood on Dec. 5.

Easy Approach

Indianapolis.—When “Jim- my” Grainger, as general sales manager of Fox, visited this city, self-described as “The Crossroads of the Na- tion,” he found the exchange one step up on North Illinois St.

When Grainger, as sales manager for Universal, visited here now he enters the same building and merely working upstairs. Very convenient.

Reaction to NRA Coming
Along Slowly

Upset are these men also on the pro- tection situation. The first runs are accorded 60 days over all others and that, the independents claim, is unfair. Six months ago an effort was made to iron out the trouble on the basis of admissions with a 14-day clearance schedule for each class of house. Set to go through, the necessary signa- tures failed to develop with the result that the proposed schedule was put back where it started—on Metzger’s desk. Now that the code has been signed, the general anticipation is that the theatre men will receive one of the first orders of business when Indianapolis’ clearance and zoning board holds its first meeting sometime between now and perhaps Feb. 1.

They don’t want tragic endings through no fault, but they do want slapstick of the Joe B. Brown variety.

They laughed at the ending which Radio supplied for “Morning Glory” and wondered how-fresh Katharine Hepburn was all emotionally wrapped up over anyway. Marie Dressler is a favorite as are Wheeler and Woolsey.

Father Confessor Metzger

One of the most interesting personal- ities along Film Row is Business Manager Metzger. He was once an exhibitor and a half partner in six local and Franklin theatre. Today, his theatre activities are limited to a share of one local house in town in which he takes no operating voice. Whether it be through a long association, this Hoosier is a sort of father confessor to exhibitors and many to the young girls he manages.

He is a lawyer, an author, a lec- turer in dental jurisprudence at the School of Dentistry at the Indiana University and professor at the School of Dental Medicine there who teaches five nights every week because he likes to expand in subjects having to do with economies, sociology and juvenile behavior. Like the alphabet government in Wash- ington with its NRA, AAA, RFC and some more, Metzger has the right to open after his name an M.A., a B.A. and an LL.B. His ideas on the film industry along his native heart are worth while.

For instance, it is his contention the neighborhood here has been forced into dual by some of the disillusioned in their own ranks and the lack of scruples on the part of some exchanges in selling their twin bills wherever they could. He believes it would be well for theatres to close down three months every year for a period to which jaded entertainment palates with a de- sire anew to go to pictures.

He charges the business with a lack of good product and constantly estranging once friendly groups, be- lieves the danger of national censor- ship is growing and expresses his wonderment how, in view of the direction which he holds the industry

(Continued on page 7)
Rosenblatt’s
Job of Board
Naming Begun

Four New Plans in Wind For Revamping Old Roxy

Indianapolis Plods
Along ‘Mid Trouble’

The C. of C. Speaks

Will Back Licensing

To Test Code in K. C.

Deputy May Go West

To Talk Code in Oregon

Vallec Reaches Coast

MOTION PICTURE DAILY

Authority Meets in New York Dec. 20

SIN Can It Ever Be Right Can It Ever Be Forgiven—Must It Always Be Punished?

THE SIN of NORA MORAN

A Majestic Exploitation Special

A page from a document with text discussing various topics such as motion pictures, licensing, and news events. The text includes names, dates, and locations, and references to various industries and figures in the film industry.
it looks like a big Christmas

HOLLAND 7 Theatres
SWEDEN 3 Theatres
DENMARK 3 Theatres
NORWAY 3 Theatres
FINLAND 3 Theatres

CANADA 12 Theatres
UNITED STATES 120 Theatres
GREAT BRITAIN 10 Theatres
JAPAN 12 Theatres

PARAMOUNT'S "ALICE IN WONDERLAND"
BOOKED IN THEATRES ALL OVER THE WORLD FOR CHRISTMAS
Better Tone
Claimed for
Industry Ads

McCarthy Council Shows Results, Says Herald

Film advertising has been improved noticeably within the past three weeks as a result of the operations of the new Advertising Advisory Council headed by J. J. McCarthy, states the Motion Picture Herald.

Under the workings of the new arrangement all studio and exploitation materials are submitted to McCarthy for approval. He decides whether each company has lived up to the terms of the regulations recently agreed upon by a committee made up of John Fisk, representing the Ama, Howard Dietz of M-G-M and S. Charles Einfeld of Warners.

All the majors and many of the independents were represented.

Joe Goldberg Dead; Committed Suicide

Joseph H. ("Joe") Goldberg was found dead at 6:30 A.M. yesterday at a rooming house at 302 W. 31st St. According to Dr. Henry Weinberg, assistant medical examiner, it was a case of suicide by gas.

Police reported several gas jets were found open in the room which (Continued on page 2)

Film Outlook Held Good by Finance Paper

Major company economies which seem likely to have permanent effect and recent improvements in theatre grosses are cited by Standard Trade and Securities, investment publication, as reasons for confidence in film securities.

"Gross revenues have improved steadily in recent months without benefit of higher admission prices," the report states. "Box-office receipts for the final quarter should fully equal those of a year ago, as compared with (Continued on page 8)

Names Sought To Help Code
Board Choices

Woman May Be 3rd U. S. Member of Authority

WASHINGTON, Dec. 13.—Suggestions for appointments to zoning and grievance boards will be welcomed from all bona fide organizations in the industry, declares Deputy Administrator Sol A. Rosenblatt. He wants a large list of nominees so that the choice will be as wide as possible, he says.

It was stressed at NRA headquarters, however, that the organizations must be bona fide exhibitors or distributors, with a wide knowledge of the business, as it is the intention to see that all members are of the highest repute.

The remaining government members of the Code Authority, who will be selected from outside the industry, will be preferably somebody (Continued on page 6)

New Costume Cycle Continues to Grow

Hollywood, Dec. 13.—A new cycle of historical costume pictures is under way. Joining the parade of "Catherine the Great," "House of Rothschild," and "Queen Christina" is "Elizabeth (Continued on page 8)

Cochrane Pins Faith on Code; Warner and Bernhard On Good Films; Schulberg on Added Buying Power

By R. H. COCHRANE
Vice-President, Universal

May be the best way to size up the NRA and the code should be to ask ourselves, what if we didn't have them? If we had not worked out a code, we would have to go on with endless bickering throughout the industry. We would continue to suffer from the same suspicions, the same fears, the same ailments which have nagged us for years. We would (Continued on page 6)

By J. L. WARNER
Vice-President, Warners

Hollywood, Dec. 13—It is believed 1934 will witness a greater response than the part of the public to real, outstanding performances, that the code is working, that the box-office will feel for years. With the improvement in general conditions, the restraints that good pictures always reap are bound to be corresponding greater.

Even during a year like the last (Continued on page 4)

By B. P. SCHULBERG
Producer for Paramount

Hollywood, Dec. 13.—The industry cannot continue to function under the NRA conditions, unless the entire National Recovery Act movement succeeds.

The NRA can only increase the cost of making pictures without returning any proportionate compensation in the box-office quality of the product.

Likewise, the increase of compensations (Continued on page 6)

By JOSEPH BERNHARD
Geil Mgr., Warner Theatres

In the beginning it was novelty that crowded theatres. First, the novelty of motion pictures themselves. When that phase had passed because of the public's always increasing taste for something better, there began the cathedral era in theatre building.

For a time sumptuous decorations and rich atmosphere stimulated (Continued on page 6)
DeMille Favors Cut In Stars’ Salaries

WASHINGTON, Dec. 12.— Cecil B. De Mille is in favor of star salary cuts. He said so upon arrival here to protest a new federal income tax which he deems an unfair debasement of the stage and screen. But he has no plans for a cut in himself, he said.

DeMille, who has been in Paris for six weeks, said that the recent French government audits of picture companies have made it clear that, with a new income tax rate, the profit will come from the stars, not from the pictures themselves.

U. A. Wins Maryland “Blood Money” Test

BALTIMORE, Dec. 13.—Chief Judge Samuel C. Manekin today reversed the censorship ruling rejecting “Blood Money” today after seeing the film. The court noted that the picture was left alone, but that it would be better for the courts to pass out of circulation for lack of objection.

The court ruled that the picture is not “Blood Money” but “Blood Money” in a different form.

Mack Sennett Files Personal Bankruptcy

HOLLYWOOD, Dec. 13.—Mack Sennett has filed a personal voluntary petition in bankruptcy. He owes $925,000 on liabilities and has $1,000 to spare, with $500 exempt for household effects.

This is said to be his answer to claims filed by Walter C. Durst, receiver for Mack Sennett, Inc.

Claim Better Tone For Industry Ads

(Continued from page 1)

dependents have agreed to the plan. Service is rapid, copy being returned to the companies within an hour.

So that the regulations will be applied from the studios on to the finished product, Film, on last trip to the coast, explained, after publicity and advertising men out.

The council is definitely not a committee body,” says the Herald. “As a matter of fact, McCarthy, its guiding factor, has, since 1912, been in the business developing and running the anti-aggressive campaign against censorship.

Obviously, the council could not function without the uncoordinated cooperation of the advertising and publicity directors on both coasts, and the encroaching accomplishments witnessed during the first three weeks are due, according to McCarthy, solely to the whole-hearted and unselfish cooperation of advertising heads and to the aid of the executives of the companies who have devised the machinery for creating this new standard.”

McCarthy not only believes the plan, which supplants the Hays code of 1926, will hold off, “blue notice” censorship from outside the industry, according to the Herald, but he is also convinced that it has economic advantages.

“There are more people in the country today who do not patronize motion pictures than those who do, McCarthy is quoted as saying. He continues: “If this be true, it appears quite reasonable to suggest that we go after that vast audience of inactive picturegoers, and the very first method that should be used is clean advertising.”

He appealed directly to the heads of the thousand of decent living families who have virtually been driven from their respective doors by advertising in bad taste.

“Objectileon advertising has no place in the motion picture industry,” he said. “Exempt the possible influence of current business, pictures can still be sold to the public decently and profitably. I have never objected to the sex being essential to consistently good box-office results.”

Technicolor Shows Slight Gain

Paramount F. L. Bonds Drop Two

Stocks Slump in Falling Market

General Pictures Exchange has acquired the distribution rights to Pyramid-Productions series of 12 features and the two reel novelty “Freak Fish,” and “Frolic Alive.”

Moe Korman is now in charge of the Brooklyn and Long Island territories, and Norman Elson is handling the New Jersey sales.

Walt Disney’s “Snow White” and “Snoopy!” are now in the New York area, and will be at the Loew’s State and Loew’s 14th Street respectively.

Given to Film Center

Herbert W. Given, Inc., has leased space on the sixth floor of the Film Center Building, and will set up its New York exchange there in the near future.

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A NEW SHORT SUBJECT

that’s a

HOWLING SUCCESS!

Remember how Leo topped the Short Subject lists with his clever “Dogville Comedies”? Remember how he followed through with “Fisherman’s Paradise” They were the sensational short subject series of their day. Now he repeats with the last word in lovely lunacy!

LEO, THE LAUGHING LION

presents the newly born

M-G-M Comedy Series

“GOOFY MOVIES”

ONE ROARING REEL EACH

Talk by Pete Smith, the Mad Chatterer

FIRST DELIRIOUS

RELEASE DEC. 23d

IT’S SMART TO BE “GOOFY”!
Get ready for the ride of your life... on a speeding bus packed with romance, laughs, thrills, action and drama!

AYRES in COUNTRY CRUISE

WITH
JUNE KNIGHT
Names Sought To Help Code Board Choices

(Continued from page 1)

with no acquaintance whatever with the industry, it was stated.

Possibilities that the third government representative will be a woman were today discussed in Washington for the first time.Industry sources have suggested that Frances M. Rob-

inson, assistant to Johnson, might be given the appointment, but a juror.

not considered seriously, particularly in view of the fact service on the au-

thority carries no salary. However, it was indicated the field is being widely surveyed and the interest of the women of the country in the in-

dustry is not unappreciated, is being given consideration.

It has been suggested that such an appointment would meet with unani-

mous approval among the nation’s women, who have taken a prominent part in the fight for moral improve-

ment in other fields. A juror said that representatives of the industry are

said to feel that such a step would have a helpful public relations promotion for better pictures, which increased materially while the code was under negotia-

tion.

A juror said the third government representa-

tive is a woman, the probabilities are she will be an Outstanding figure, ei-

ther in the field of education or in educational circles. A number of names are un-

derstood already to have been sugges-

ted.

In the near future, it was made known, the Code Authority will ap-

point a committee to investigate hours of public school attendance, and to bring forth a report to the states, which are fixed in the code, but in refer-

eence to the overtime provisions. Reports from the west coast declare that a large number of houses are dropping vaudeville be-

cause of the courage exactions of the code and that a number of acts have been 

stranded, it was said at the Re-

cover Administration that no com-

plaints whatever have been received

along this line.

With all controversies over the code out of the way, it was learned, the

three big producing companies which had heretofore refused to sign the code have expressed their willingness to accept it. The companies were

Columbia, 20th Century and United Artists.

NRA Reserves Rule Upon Skouras Case

A ruling on a complaint to the local

NRA compliance board yesterday, made by Local 118, Building Service Employees’ Union, alleging that Skou-

ras Academy of Music had dis-

charged a juror for becoming a member of the union, was reserved until today. The NRA compliance board

decided to make a statement following yesterday’s decision.

A similar charge will be filed early next week against Randforce Amuse-

ment Co., said Lonnie H. I. (Continued from page 1)

be annoyed, irritated and stirred up

by the professional stirrers-up who

have been making a living out of stir-

ring up unnecessary troubles for a 

long time.

They got by with this in the past

because there was no practical way by

which they could be shown up.

But now we have a code. Under

this code, troubles of every sort will

be straightened out. Actors who

have made a living in a local board or before the Code Authority. Real troubles now have a place where they can find them. Fake troubles will be thrown out of the

window. If the code is properly administered every element in the picture business should work more harmoniously than it ever has worked with every other element. It is a code

properly, those who are responsible for failure should be kicked out of their jobs.

By Jack L. Warner (Continued From Page 1)

one, going straight, the theatres in the face of the most discouraging

conditions. Neither depression nor a

bank moratorium could stop the pub-

lic from going to the theatre today.

There is no special “trend” in popular taste, no demand on the part of the

theatregoers of the country, ex-

cept for the best possible enter-

tainment. If the entire industry will re-

spond to the incentive that exists to-

day to create good pictures, any other

problems the business may be con-

fronted with will take care of them-

selves during the months to come.

Original Executive Order
Lea’s Idea, Says Johnson

(Continued from page 1)

tion to labor will not bring about the

same proportionate result of increased

consumption as is the case in other indus-

tries. First, because the in-

creased buying power derived from in-

crease in compensation to studio labor

is limited to one city, Los Angeles and

secondly, because men who work in

studios in the making of motion pictures are not inclined to spend their

increased wages in the same local area.

The return can only come, therefore, from an increase in buying power

throughout the country.

The industry, though, in my opin-

ion, is performing a great patriotic

service in complying so wholehearted-

ly in this phase of President Roose-

velt’s recovery program.

By Joseph Bernhard

(Continued from Page 1)

business. But the public soon adapted

itself to the new luxurious home of the

movies. What with new rivalries and

competition to enlighten the patrons they no longer had to search for novelty of gorgeous sur-

roundings. But novelty entertainment was still elusive and oftentimes re-

mote.

Success was hailed as a new force in

1928. But five years of sound grove

that the device has long passed its

youth. An ever-widening public still select the best and ignores the

others.

In lieu of making a prediction for 1942, I would like to make a wish—

a wish for the continued succession of

good pictures.

It means giving a Judged public taste

the novelty element in comedy and

drama which is lifeblood to the

theatre.

Pin Faith on Code, Good
Films and Buying Power

By R. H. Cochran

(Continued from Page 1)

New Policy On Code Laid Down by Allied

Grand Rapids, Mich., Dec. 13.—The National Managing Committee of Allied today outlined an “entirely dif-

ferent policy to govern future action. Abram F. Myers hinted the organiza-

tion will test the validity of the code in the courts. He asserted Allied worked with the independents in the battle. He said there were three choices; sign, don’t sign at all, or sign with the reservation to question the legality of the code or the acts of the code authority. Myers declared Gen-

eral Hugh S. Johnson’s interpretation of the Executive Order giving the ad-

ministrator the right to reconsider the decisions of the code authority or change its personnel.

Allied expressed its objection to any code compromise in its latest bulletin. The action is the result of a letter from the Code Authority.

Dubinsky’s Row to Go to Labor Board

Kansas City, Dec. 13.—The long

threat of a conflict between the Du-

binskis and the operators’ union is to be carried to the National Labor Board as a result of the union’s charge that the theatre operators are violat-

ing the code in St. Joseph.

Dubinsky demands a reduction of manpower in booths in the current contract negotiations for the Regent

and Liberty. The Independent Thea-

tres decided to carry through the
discussion, and the Michigan unit was re-elected as were members of the board. Now directors named were Sam Krieger, Detro, G. R. Goodrich, Grand Rapids, and James Minter, Flint.

Chadwick Brings Print

I. E. Chadwick, president of Chad-

wick Productions, Inc., is in New York City. He brought a copy of “Wine, Women and Song,” the first of his four for this season.

Krieger Back from Trip

Lester Krieger, western division buyer and booker for Warner theatres in Chicago, has returned from the

drive to Milwaukee, Chicago and Cleveland, where he conferred with district heads on new picture deals.

Wampas Will Continue

Hollywood, Dec. 13.—The Wampa-

s, after a stormy discussion, have decided to continue and the former delinquent members to pay up by Jan.

15. Those failing to do so will be dropped.
Says MOTION PICTURE DAILY: "SMOKY WILL UNDOUBTEDLY PLEASE ALL CLASSES OF AUDIENCES..."

"A classic of the romantic west with a balance of drama, comedy, and romance blending horse interest with human interest. Not a 'horse opera' or even what the trade knows as a western."

IDEAL HOLIDAY SHOW

SMOKY

with

Victor JORY
Irene BENTLEY
and
Will JAMES

Directed by Eugene Forde

Read by a million

JOIN THE UPSWING WITH FOX

Your patrons always like FOX MOVIETONE NEWS
Looking 'Em Over

"Golden Harvest"

(Paramount)

The recent farm strike in the Middle West inspired the plot of "Golden Harvest," a simple film that is quite effective at times, especially when it shows scenes of the wheat pit in the Chicago grain exchange and the sweeping landscapes of the wheat country of the nation.

Richard Arlen and Chester Morris are cast as sons of a big wheat farmer. The one is set on carrying on the family tradition; the other, looking after a farm on a farm, looks for high things in Chicago. Morris becomes a leading trader in the pit and eventually loses his shirt when he insists upon sticking with Arlen in the latter's efforts to boost the price of wheat through the instrument of a farm strike. The film provides a happy ending when the father of the wealthy gal marries takes him in as a partner.

Arlen and Morris give good account of themselves. Genevieve Tobin, as the latter's bride, is effective. Another who does capably is Burton Churchill as the father of the two men.

This is a family picture that can give offence to no one. An additional asset is a brand of homey humor laced out principally by Roscoe Arbuckle.

Random Table Awards To Be Made Monthly

A monthly and an annual award for the best theatre exploitation campaign will be made during 1934 by the Managers' Round Table Club of Motion Picture Herald.

A committee of judges composed of executives of different branches of the industry will award a plaque monthly for the best campaign submitted by a theatre manager anywhere, whether a member of the Round Table or not; the campaign to have been used during the preceding one month period. The Martin O'Shaughnessy Grand Award will be given for the exploitation campaign selected by the judges as the best during 1934.

New Costume Cycle Continues to Grow

(Continued from page 1)

and Mary," just purchased by Carl Laemmle, Jr., for January production. Lowell Sherman will direct and may also act.

United Artists is planning to release "Catherine of Russia," an English production, and according to Highland Park, is scheduled to make a costume picture when she returns here in the spring.

Joe E. Brown Re-Signed

Hollywood, Dec. 13.—Joe E. Brown has been given a five-year contract by Warners with an increase in salary.

Going on Vacation


No More "Ginger"

Hollywood, Dec. 13.—Radio has decided there is something comical about "Ginger," so the studio is about to amp up the spiciest of Miss Rogers' names.

Dorothy Mackauley, being lined up for her and the studio figures she ought to have a serious name to go with her new screen personality. Suggestions are being called for.

Film Outlook Held Good by Finance Paper

(Continued from page 1)

estimated deficiencies of 10 per cent on the Warner and 20 per cent for the first half.

It is also pointed out that foreign exchange and majors have increased returns from that source.

"The new industry code is not expected to necessitate any drastic adjustments among the major producers," the bulletin goes on.

Attention is called to the last Loge's statement that it expected to have the Warners financial position; to the Fox reorganization, and the pending reorganizations of Paramount and RKO. Gain in attendance have not matched the advance in mass purchasing power, but this indicated lag is viewed as entirely normal and suggests that the industry has not yet realized the full potentialities of the increase in consumer income.

McCoy Off Westerns, Plans Action Films

Tim McCoy is off westerns for the future and is hopeful that his time in the making pictures with stories dealing with secret service, airplanes and automobiles.

He says he will continue to make eight a year for Columbia for the next three years. He will leave for the coast next week.

Report Hoblitelle To Spend $250,000

DALLAS, Dec. 13.—Karl Hoblitelle is considering plans for construction of a $250,000 theatre in Spanish Village, Highland Park, West, it is learned on good authority. Erection of other houses in Oak Cliff, South Dallas and possibly in Oak Lawn may follow.

Charles Yeager Resigns

DENVER, Dec. 13.—Charles Yeager has resigned as district manager for F. W. C. and will devote his time to selling his "Bank Night" idea to theatres.

Roxy Signs for Sale

After having enjoined the RKO Roxy from using the name, Howard D. Davis, receiver for the 7th Ave. Roxy, has received an invitation to buy the atmosphere which have been removed from the Sixth Avenue house. Cullman has not decided yet whether he wants the signs.
Cooper Plans
40 to 52 for
Radio's List

Intends to Concentrate
Upon "A" Product

A minimum of 40 and a maximum
of 52 pictures will be recommended
for Radio production next season. Merian C. Cooper, executive produc-
er, said yesterday. He declared the
company's aim would be to produce
only "A" pictures, with the idea of
eliminating all "cheap" pictures, or "quickies," from the com-
pany's schedule.

In detailing his production ideas
Cooper frankly credited David O. Selnick, whom he succeeded as ex-
(Continued on page 4)

M-G-M Net on Year
Totals $1,326,827

Net profit of $1,326,827 for the year
ending Aug. 31 is shown by M-G-M in
its consolidated balance sheet made
public yesterday.

This compares with a profit of
$2,965,974 for the period ending Aug.
31, 1932, but it was realized on a total
income which was approximately
$5,000,000 less for the period of the current report than for the corre-
(Continued on page 4)

Federal Film Cartel
Viewed As Possibility

Hollywood, Dec. 14.—A survey of
the number of players under contract
to major studios in the junior stock
and chorus girl groups shows a total
of 43 in the former division and 72
in the latter. Salaries for the stock
players average from $50 to $300 per
week with options ranging over a
period of four months to six months.
Chorines, which are the pick of the
range from $75 to $125 per week with options rarely extending
over a four-month period.

Warners lead the field for number
of stock contractees with 11 stock
players and 40 line girls. Fox lists
eight stock players and 24 chorus
girls. Samuel Goldwyn has eight girls
under contract, which he has selected
from the large army of line girls used
in the last two Edible Cantor musicals.
These were selected by Goldwyn for
their potentialities of developing into
worthwhile screen personalities.

Roach has four girls under contract,
whom he terms starlets. They receive
(Continued on page 4)

Communications Merger
May Be Followed by
Others, Is Belief

WASHINGTON, Dec. 14.—Suggestion
by the President to an inter-depar-
tmental committee headed by Secre-
try of Commerce, H. C. Frick, that wire
and radio communication companies
be merged into monopolies operating
under strict governmental supervision
today was seen in some quarters here
as presaging a movement by the gov-
ernment for the cartelization of the
film and all other American indus-
tries.

The report of the committee, of
which Senator D. of Washington
and Representative R of Texas,
chairmen respectively of the Sen-
te and House Commerce Commit-
tees, are members, following adoption
(Continued on page 4)

Exchanges Here to
Have Code Session

All local exchange managers, sales-
men and bookers will meet next
Wednesday afternoon to consider vari-
ous phases of the industry code. Rob-
ert S. Wolff, president of the New
York Film Board, will preside at the
meeting and Louis Nizer, secretary,
will analyze the clauses.

Hays Stresses The Need for Family Type Entertainment;
Morris, Butterfield and Kahane Express Faith in 1934

By WILL H. HAYS
President, M.P.P.D.A.

The motion picture industry enters
the new year prepared to take its
place in the van of reviving in-
dustry recovery.

Through the code approved by the
President of the United States, the in-
dustry has con-
tributed its portio-
(Continued on page 4)

By SAM E. MORRIS
Gen'l Mgr, Foreign Dept., Warners

There is no question about the pop-
ularity of American pictures in almost
every country in the world, and this popu-
ularity may be said to be in-
creasing as we con-
tinue to make better
product and more aggres-
sively exploit our films in for-
tering countries.

We have been forced to over-
come many and serious handi-
caps during the past year, and do not
(Continued on page 4)

By W. S. BUTTERFIELD
President, Butterfield Theatres

MIAMI, Dec. 14.—I am willing to
make the statement that the outlook
is better for 1934. Producers and the distri-
butors (which are now all one) be-
gin to realize that the exhibi-
tor knows a little
bit about what kind of
pictures the pub-
lic wants and it
begins to look like the three interests
have begun to pay a little attention to
each other. All business of any kind, as
(Continued on page 4)

By B. B. KAHANE
President, Radio Pictures

HOLLYWOOD, Dec. 14.—Cautious op-
timism seems to be the good gauge with
which to mea-
ure any predic-
tion of business pros-
pects for the motion picture industry
during 1934, as it will be operative un-
der the NRA
code.

Paraphrasing Patrick Henry,
I say, if this be a
code, let us
make the most of it! There
have been numerous objections and
(Continued on page 4)
James Dunn fans, in all probability, will like him as the cocky publicity director of a meat-packing concern who manages to hold on to his job because of the ideas fed him by his secretary and sweetheart, Gretchen Trevor. He ultimately loses it, however, and resolves to start all over again. When he returns, Dunn finds Miss Trevor engaged to Harvey Stephens, general manager of the company. Dunn is offered a job under her, but when Miss Trevor tells him she really loves him and now is the time to start a clean slate, he takes it as she decides to give up all ambition.

Previewed at the 7th Ave. Roxy last night, the audience seemed pleased. Dunn is up to his old tricks again and Miss Trevor lends competent support.

**Federation to Map Out Financing Plan**

(Continued from page 1)

York office, provides that pictures selected by Aminko here will be shipped to Moscow. If they are approved by Soviet officials they will be distributed in that country.

"Cahin in the Cotton" is the first picture to be shipped. Deals with other companies are pending, it was stated at the Aminko offices yesterday.

**Warners First to Make Soviet Deal**

(Continued from page 1)

Joe Goldberg Cremated

Funeral services for Joe Goldberg, who died early Wednesday morning, were held at the Riverside Memorial Chapel yesterday afternoon and were attended by many well known film personalities. A delegation of Major News representatives, with Mrs. Goldberg, who was a member, attended, along with Jack Colm, Lou Weinberg, Eugene Picker, Abe Montague, Edward Schnitzer and Morris Kutinsky.

The remains were cremated at the Fresh Pond Cemetery in Queens.

**A. F. Baker's Wife Dies**

KANSAS CITY, Dec. 14.—Passing away after a lingering illness, Mrs. Charlie Baker is survived by her husband, A. F. Baker, manager of Grubel Theatres and president of the KansasMissouriTheatre Ass'n and a son, George S. Baker, manager of the Newman house. Burial was in the Kansas City, Kan.

**Trading Light on Big Board**

Consolidated Film Industries, pfd. . 104 104 104 104 104 104 104 104
Eastman Kodak 155 155 155 155 155 155 155 155
Loew's, Inc., pfd. 74 74 74 74 74 74 74 74
Pathé Exchange 13 13 13 13 13 13 13 13
Universal Pictures, pfd. 150 150 150 150 150 150 150 150
Warner Bros. 125 125 125 125 125 125 125 125

**Technicolor Up 1/4 on Curb**

General Theatre Equipment, pfd. . 94 94 94 94 94 94 94 94
Paramount Public Pictures, pfd. . 94 94 94 94 94 94 94 94

**Paramount Publicx Bonds Jump One Point**

General Theatre Equipment 6% 46 46 46 46 46 46 46
Paramount Public Pictures 7% 50 50 50 50 50 50 50
Paramount Public 6% 42 42 42 42 42 42 42
Warner Bros. 6% 56 56 56 56 56 56 56

**Looking 'Em Over**

(FOX)

"Jimmy and Sally"

James Dunn fans, in all probability, will like him as the cocky publicity director of a meat-packing concern who manages to hold on to his job because of the ideas fed him by his secretary and sweetheart, Gretchen Trevor. He ultimately loses it, however, and resolves to start all over again. When he returns, Dunn finds Miss Trevor engaged to Harvey Stephens, general manager of the company. Dunn is offered a job under her, but when Miss Trevor tells him she really loves him and now is the time to start a clean slate, he takes it as she decides to give up all ambition.

Previewed at the 7th Ave. Roxy last night, the audience seemed pleased. Dunn is up to his old tricks again and Miss Trevor lends competent support.

**Rutgers Neilson sent out a publicity yarn referring to "Schnozzle Durante" as "James Durante," and was besieged with inquiries from motion picture editors anxious to learn if the Schnozzle had "gone high-hat."**

**Arline de Haas, critic and publicity writer, has been married to John Schofield Williams 2nd, a Philadelphia lawyer.**

**Dave Palfreyman is still nursing a cold of Washington code hearing origin.**

**Bert Sanford, Eastern sales manager for Erpi, has left on a sales trip to Boston.**

**George Townsend, Publicist operator in Detroit, has returned to his native health.**

**Gary Cooper expects to leave for the coast in a week to start work on "Operator 13" with Marion Davies.**

**Charles L. Gleet making plans for a coast trip immediately after New Year's.**

**Major Frederic Herrick of the Hays office was in Washington yesterday.**

**Raqul and Renee Torres checked out of the Ritz Theatre yesterday and left for the coast.**

**Maria Gambarelli will appear at the Music Box for a week beginning next Thursday.**

**Norman Richley of Monogram sails for Europe today on the W Washington on business.**

**At Lichtman is being bothered with a cold these days.**

**Frank Lloyd, director, is back from a trip abroad.**

**Pambro Berman is losing weight on his vacation.**

**Cecil B. DeMille arrives from Washington today.**

**Frank Hebling is in town from the coast and is at the Warwick.**

**Sherman Doing Dialogue**

At Sherman, film critic for the Morning Telegraph, is writing the dialogue for 15 Harold Lloyd shorts being reconsidered in sound by Embassy Pictures. "His Royal Shyness," the first, has just been completed.

**Call Off Cleveland Show**

Cleveland, Dec. 14.—The local film critic and screenwriter, planned for Dec. 19, has been called off. Some other means of raising funds is now being devised by the committee.

**ASC, Studios Near Pact**

Hollywood, Dec. 14.—A working agreement is near actuality between the A.S.C. and major studios. The I.A.T.S.E. threatens to fight the move.
EARLY ENCORE for ten-comic cast of 'Convention City' is planned by Warner Bros., as 'Rival Wives,' follow-up yarn by the same author, is set for immediate production.

'STAND-UP OPENING' for Cagney's 'Lady Killer' at Roger Sherman, New Haven, reported in Variety listing of week's gross leaders.*

STRIKING SCENE from 'Easy to Love,' coming comedy sensation from Warners with Adolphe Menjou, Genevieve Tobin, Edw. Everett Horton and Mary Astor.

UNIQUE 'WONDER BAR' ROLES given Dolores Del Rio and Ricardo Cortez, as glamorous dance team in Warners' coming musical novelty.

MEGGER'S REWARD. Direction of 'Fashions of 1934' by William Dieterle and 'Massacre' by Alan Crosland wins new long-term Warner contracts for both.
Federal Film Cartel Viewed As Possibility

(Continued from page 1)

By WILL H. HAYS

(Continued from page 1)

(Hayes) tion and to greater public service by applying generally the best industrial standards in the industry during the past ten years of unremunerating effort.

It emerged out of the old year as a greater and socially more significant than ever before, ready to continue the progress of self-regulation of the industry. We know that the artistic integrity or industrial initiative could not be protected.

The industry has turned in a remarkable demonstration that the tension of hard times, the needs imposed by economy, nor the anxiety of uncertainties. One can never check the rise of the motion picture screen as a universal entertainment medium. It has met the challenge of depression by better entertainment films and by higher artistic standards. What is more, recent events have proved that there is ample artistry to meet the highest social demands in the production of a constructive entertainment medium. The standards of public appreciation of pictures of the better films are not merely in the same as the artistic standpoint, are constantly rising.

But all this is not said to encourage any feeling of smug self-satisfaction. There are still great tasks ahead of the industry. The lesson has to be learned that a universal entertainment medium must be founded largely on the needs of the family entertainment. The family faces many problems of industrial and financial readjustment in the building of a permanent industry. We believe that all the tasks before us of protecting the art and the industry from the attacks upon initiative and enterprise inherent in combination of ownership and other destructive actions.

But no problem that we do face, no matter how in the face of the light of the progress that has been made, the industrial and trade standards set up, and the machinery established to aid us in fully discharging our public responsibility in the production and exploitation of motion picture entertainment.

By SAM E. MORRIS

(Continued from page 1)

anticipate that our troubles are over in this respect.

Our foreign distribution units are being set up to take the utmost advantage of the possibilities so that every country on the globe, and with many new units put into operation, and with additional ones which will be started in the future, I am extremely confident that the situation will be far beyond anything attained in those countries in the past three years.

We are making every effort to anticipate the terms of the five-year treaty, the American motion picture screen is growing in size, and the motion picture industry will grow in the future to be the greatest producer, distributor, and exhibitor in the world.

Hays for Family Type Film; Others Look Forward to ’34

By W. S. BUTTERFIELD

(Continued from page 1)

it grows and expands, always trying to keep itself clean and sell the best and finest pictures that will please all kinds of its patrons, and the time is now arriving when the public will welcome actors in the cast, but better stories, and plays played and produced in better theatre.

We believe the distributors, directors, and exhibitor realize the time is gone for the little hole-in-the-wall theatre which insists on playing the finest picture.

There are too many theatres now in the country and the sooner the producer, distributor and exhibitor are to work out legal plans to discontinue the hole-in-the-wall the quicker our business will improve.

There are plenty of first-class, well ventilated and seated, properly constructed motion picture theatres that are always open and glad to them at 10, 15 or 20 cents for the poorer class of people for whom only small producers have been allowed to produce.

The outlook for 1934 is very good and will be better when the producer and distributor are able to contribute better actors and stories. Here's three cheers for 1934 and may the outlook live up to the expectations.

By B. B. KAHANE

(Continued from page 1)

criticisms of the NRA code for the industry is not our purpose. It is to see how work will. We should conscientiously lend our efforts toward the solution of the problems of the code and hope for the best.

Business has been "spotty" and will perhaps continue to be so during at least a part of the coming year. But that only increases our responsibility to the public. We believe in the finest pictures ever produced in Hollywood and with that spirit this industry can succeed.

It is my opinion that the trend in 1934 will be for cleaner and more wholesome themes in pictures. Sex appeal is to be cut down and replaced, to a marked extent, by stories of human interest, pathos, good clean fun and humor and higher emotional influences in screen entertainment.

Cooper Plans 40 to 52 for Radio's List

(Continued from page 1)

co-ordinated plan... (Continued from page 1)

with this year's radio 

M-G-M Net on Year Totals $1,326,827

(Continued from page 1)

sponding period a year earlier. Total income this year was $26,144,776, as compared with $23,917,676 in the preceding year.

In 1931, net profit of $6,257,998 was reported, and total income was $24,799,957.

Current budget and working cash, this year, increased to $1,981,437, as compared with $1,250,031 the preceding year, about $500,000, or approximately $400,000 for a total of $22,167,271 at the end of the year.

Investments aggregated $2,416,783 and property, $16,075,383 this year, representing no important change in either item from the year preceding. Total assets are $40,176,960, as compared with $41,817,917 a year ago.

The company's obligations to Leoa's, Inc., were reduced to $989,000 to $19,222,000. Surplus was increased from $7,470,151 a year ago, to $8,300, 269 this year.

M-G-M's contingent liability as guarantor of an issue of $15,000,000 debentures of Leoa's, Inc. was reduced approximately $1,000,000 to $8,965,000 during the year. Net current assets of the company's foreign subsidiaries increased to $27,000,000 at the end of the year, representing a reduction of approximately $250,000 from the year preceding. The current foreign assets included $515,145 cash in banks subject to export restrictions.

O'Reilly in Washington

WASHINGTON, Dec. 14—Charles O'Reilly arrived here today for conferences with Deputy Rosenblatt.

Studios Train Stock Players, Chorines

(Continued from page 1)

from $40 to $50 per week and are compelled to spend their time on the sets when not actually being used to acquire a more general knowledge of acting. Gus Meins is their chief coach, but the entire staff of directors and training stars.

M-G-M has a total of 12 junior players under the guidance of Oliver Hines, who is attending them in technique in screen acting when they are not actually engaged in a picture. Universal reports eight players working on a similar basis.

Less than a year ago studios deemed it impractical to maintain junior stock companies, but since that time there has been a marked development of new screen personalities.

Film Folk on Way East

Detroit Shows Pick-Up; Less Gloom About

1933 Ahead of 1932, But Gain Is Fractional

By RED KANN

Detroit—Smiles come easier around Motor City these days. For business, still far removed from the blessings that once trade and industry never be again, is better. That’s definite and conceded by all hands even if scribbling pencils in those hands can’t agree on how much better.

Is it the NRA? Detroit film men who watch business index figures and Chamber of Commerce barometers don’t think so. Is it automobile manufacture? That comes closer to it. But equally as important a consideration is the emphatically better tone, the cheerer note that prevails, despite the headaches and heartaches that continue.

As this Middle Western junket gets older and as more territory is embraced, it becomes increasingly apparent, although anything but new, how inescapably linked with whatever big grosses are available are superior pictures. Here, as in Milwaukee, Chicago and Indianapolis, the attraction that stands away from the rest of the

RKO Foreign Sales Put in 3 Divisions

Hawkinson, Lion, Ethel Smith Get Posts

Reorganization of the foreign sales department of RKO Radio has been made by Ned E. Depinet, vice-president in charge of distribution. This includes the appointment of three division managers, parcelling the domestic setup, and a special Far Eastern field representative, all under the supervision of Phil Reliman.

The new division managers and their territories are: Robert K. Hawkinson, Cuba, Puerto Rico; Domingo, Mexico, Panama, Jamaica, Honduras, Guatemala, Salvador, Costa Rica, Nicaragua, Venezuela, Colombia,

Majestic-Preferred Merger Seen in Air

Hollywood, Dec. 15.—Reorganization plans of Majestic and Preferred Pictures are understood to include the possibility of a merger of the two.

J. G. Bachmann, president of Preferred, and William D. Shapiro, vice-president, are on their way east on the same train with Herman Gluckman, president of Majestic. The move is said to be under consideration.

Reports on Johnson Will Quit Denied

WASHINGTON, Dec. 15.—Reports that the retirement of General Hugh S. Johnson as head of the NRA was imminent today were denied by the White House and the administrator, it being said by the President that Johnson still has a great deal of work to do in his present position. It had been reported he would take over the direction of the Emergency Council.

The impression prevails, nevertheless, that Johnson is nearing the end.

Steel Firm Putting NRA to Acid Test

WASHINGTON, Dec. 15.—The first real test of the NRA appears imminent as a result of the refusal of the Weirton Steel Co. to adhere to Recovery Administration requirements for employees’ elections of representatives. The election was held today.

Sees Code Helping, But Danger in Any Quality Let-Down; Foreign Sales Managers Certain 1934 Will Be Good Year

By CHARLES C. PETTJOHN

The new year finds the industry shaking hands with the new deal. For the first time all branches of the business are brought under a single code of industrial and trade regulations that establishes the best standards which experience and industry, justice have been able to develop. So much for that.

But no code can substitute for the need of imagination, initiative

By J. H. SEIDELMAN

Foreign Sales Manager, Columbia

In my opinion the period of violent change and uncertainty which has been characteristic of the foreign market in general is now over. I do not look for any startling changes in the industry abroad for the coming year.

Exhibitors all over the world, as in America, are no longer interested in promises or

By ARTHUR W. KELLY

Foreign Sales M’gr, U. A.

It is my humble opinion that regardless of what economic changes 1934 brings, one thing is sure: the public will continue to spend its money for good pictures that are vigorously advertised and shrewdly merchandised.

All signs point to a definite upturn during the coming 12 months. And I agree with the prevailing thought that show business

By N. L. MANHEIM

Foreign Sales Manager, Universal

The future for American pictures abroad never looked brighter than at this moment. We waited a long time for the wheel to turn, but it has been worth waiting for.

My conclusions are based on several reasons, the first and most important being the fact that our producing departments have seen 100 per cent dialogue pictures fail to earn their print
Says Must Be No Let-Down; View on Foreign Cheerful

By C. C. PETTITJOHN
(Continued from page 1)

and enterprise. Trade names, trademarks leave them unmoved. They are looking for something only-quality product that has real merit. Such pictures will always find a ready, eager market abroad.

By ARTHUR W. KELLY
(Continued from page 1)

in general, the film business in particular will be among the first to reflect the more favorable industrial climate.

I am willing to go even further and say that the new year will usher in a period of “cafeteria prosperity.” By “cafeteria” I mean “help yourself.” In other words, if you want business, you will have to go out and get it.

In the fall, let me emphasize that prosperity is...
TERROR... in her heart
INVITATION... in her eyes

Audiences will sit enthralled at this vital, vivid drama of a woman who braves a firing squad to bring her country victory.

THE REAL LIFE STORY OF A BEAUTIFUL SPY... exerting every feminine charm... sacrificing every tender emotion... to her perilous profession.

Never have you shown a more absorbing production.

I WAS A SPY
with
MADELEINE CARROLL
HERBERT MARSHALL
CONRAD VEIDT

Directed by Victor Saville
A Fox-Gaumont-British Picture
... and the Motion Picture Daily calls it "one of the cleverest as well as one of the most original musical entertainments so far... seductive songs, colorful settings and rhythmic dances... lavish in its beauty, full of glamour, girls and tunes with a novelty finale using the sky as a stage...

Youmans’ melodies linger tunefully...

"Unbelievably delightful"... Says Cinema Hall-Marks of Hollywood "pages would be needed for adequate description and praise"
RIGHT ON THE HEELS
OF "LITTLE WOMEN"
...ANOTHER SMASH!
Too Big For The World
So They Staged It In
The Clouds!

MUSICAL TO HIT THE SCREEN”
says VARIETY
[HOLLYWOOD]

with

DOLORES DEL RIO
GENE RAYMOND
GINGER ROGERS
RAUL ROULIEN
FRED ASTAIRE

Glorious Music By

VINCENT YOUMANS

Gay lyrics by Edward Eliscu and Gus Kahn
Staged In Fabulous Beauty by Louis Brock
Stunningly Directed by Thornton Freeland
Detroit—Certainly it's tough, regardless of the NRA. But because theatres don't stay open unless there's a reason for it, official Film Board figures covering the exhibition checkboard will be interesting, on the plus-size-off-season basis. It's this way:

Of the approximate 546 houses in Michigan's lower peninsula, which is all the territory Detroit exchanges cover, only 53 are closed. Last year it was 74; in 1931, it was 59 and in '30, two less than the present. This, that in itself is not too bad, but still was not too bad, and this, when the depression is still kicking around, the difference in darkened theatres, therefore, was only five. That's something.

An early action on Trendle's part in the order is the call-out of Mac West, adorning the State, white-washed so that some of the curvaceous features of La West weren't quite so bolting. It was part of his new plan for theatre operation on the outside, but it had no bearing on the inside, for the West picture continued to play at the house for four weeks, objectors like to use as their argument.

Reports in circulation that the Catholic Church was bearing down on the Fox and that Trendle had fanned the move are also among the things that are still kicking around. Trendle, however, denies any of his actions had a bearing on the church issue. What is being expressed surprise and a disbelief that such a movement is under way.

The fact that the Catholic dignitaries are much averse over salacious pictures and the same type of advertising. Their point of view finds reflection in almost weekly by-week editorial and news comment in The Michigan Catholic and a barrage of letters have been made to the newspapers. The Catholic dignitaries are much averse over salacious pictures and the same type of advertising. Their point of view finds reflection in almost weekly by-week editorial and news comment in The Michigan Catholic and a barrage of letters have been made, deluging Idzal and the Fox Theatre management, to its embarrassment and dismay.

The Detroit Catholic Students' Conference was first to take action as the result of a plea by Bishop Michael J. Cushing of Detroit. Idzal was forced to bring the Detroit Diocesan League of Catholic Women and the Catholic Order of Foresters through resolutions calling upon members to become a "committee of one" to patronize only those pictures known to be decent and representative of the best in our home and national life" and to "do all to influence friends and neighbors to follow our example."

In so far as the situation bedevils the Fox is concerned, the reason to believe the disturbance traces back to a looking of the late M-G-M picture. The "mirror" unit aroused objections from the Catholic committee of the whole on a number of shows, resulted in protests and take-down of the theatre sign, and show regardless. That was the touch-off and since then, when opportunity has arisen, to point to objectionable elements either on stage or screen or both, the Fox has taken it on the chin.

Many shadow-boxing and some real blows have been struck in the exhibitor situation. Arrayed on one side are Mid-States, the State, and the theatres, and on the other, Allied of Michigan and the Mid-States Theatres, local buying cooperative which finds all major exchanges and the except that of M-G-M, willing to sell their film for ultimate parceling to its approximately 70 theatre members. On the other is Adrian Rosen, young Detroit lawyer, as representative of a group of exhibitors, some of them once members of Mid-States and some who are not.

Both sides, naturally enough, claim decimation for their stand. Crowded out of film service, as they are, Rosen's group, including Al Ruttenberg of the Fox, Jack M. Kane of the Mayfair and the Krim boys who run the Kramers, are yelling loud and long for pictures in the possession of Mid-States. Ray Moon, general manager of the cooperative, maintains the pictures are his by purchase and that's that.

In its essence, the question as it concerns Mid-States poses itself: Does it or not the combine, through its massed buying power, has intimidated exchanges into contracts for service. Rosen, of course, insists this is so; Mid-States is equally as firm in its position.

Typical as an example of the situation is the case of the Mayfair, which is the old Bonstelle stock house. Kane, as Rosen's exchange manager, has an excellent film to keep his theatre going, Mid-States asserts his opposition, which is the Senate and the Colonial, requires 4½ features a year between them and that obviously Kane is out of luck. Another—Ruttenberg's Isis, which runs now on M-G-M, RKO and Columbia, but needs more. His competitor is Joe Krull at the Home. Krull runs doubles and maintains his needs are 208 features per annum. He has bought up 235 and asserts the overage is necessary by way of protection on the theory producers only deliver 80 per cent of their promised schedules anyway.

Through a long-winding series of circumstance which have been reported in Motion Picture Daily as they broke, the opposition to Mid-States which is a pretty much the opposition to Allied as well, has taken form in the development of an opposition exhibitor unit, at present confined in its operations to the city with the state lurking somewhere in the plan for crystallization later—perhaps.

Allied makes the charge that the Hays office is behind the step, sinking the home office into the center and possibility that the Independent Theatre Owners of Detroit, as the new group has dubbed itself, will become an M. P. T. C. A. affiliation.

As a matter of fact, Allied is considerably more burned over its embryonic competitor than it cares to admit, its personnel and Michigan union has been getting along pretty well for almost 15 years; that it has been successful in battling down inimical legislation, not only for its own members, but for all of the film industry within the state's confines and doesn't understand the why or the wherefore of this new competition.

Believed Taking It to Heart

Indicating in some minds that it is taking advantage over Mid-States to heart is the general understanding that the board of directors of the combine will soon be shuffled about to diminish its personnel. It seems there are also directors in Allied. That's supposed to set up a line of demarcation between the two organizations and to indicate they are separately constituted. It won't fool anybody.

In Detroit, the double feature situation, despite an earlier agreement to rule it out, is back to its old status. Which means twin bills are the rule all over the city, and when the pact was fixed up, there was coupled with it a simultaneous effort to step up admissions to the tune of five and 10 cents, as each successive saw fit. At the same time came the realization, the explanation, goes that exhibitors cut the entertainment quota and get more money in one joint action. Duals won out and have stayed on top ever since.

Whenever the question of duals or no duals comes up, it's practice now to turn to the RKO Downtown, which is not, as everybody knows, one to run duals to duals to stage shows as often as it likes. "Why pick on us?" the subsequent asks, but get no answer.

The first runs may have the seats

Straw in the Wind

"33 Ahead of '32; Lots of Ground Left"

(Continued from page 13)

...is too some each. Thus, can't to the out year Joe. It becomes very necessary is pretty nevertheless cantly ganization house, This Balaban Theatres, for, a handful of weeks ago Nate Blumberg, general manager of the RKO circuit, did some talking to Sypros Skouras about the problem of too much ink consumed in these parts. Out of it developed a theatre pool trying in the huge 3,100-seat Fox with bundles, four sets and sec-
...read this.
MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Miss Fane’s Baby Is Stolen” (Paramount)

Hollywood, Dec. 15.—Timely theme and powerful woman appeal to which preview audience reacted with rapt attention and applause give “Miss Fane’s Baby Is Stolen” the appearance of a real hit at the box-office.

Aside from tapping the temper of a people aroused by kidnapping outrages, the picture is one of the best vehicles for the sentiment that lies on the heart side. Sobs alternate with emotional suspense as a simple love story of mother and baby unfold.

Dorothea Wieck, portraying a film star, refuses to notify the police after her baby is stolen. At her wit’s end, she finally goes to the authorities, who put on a kidnap hunt, using national bookups, radio cars and airplanes.

Alice Brady, portraying a farmer’s wife to whom Miss Wieck had given an autographed photograph on location, stumbles on a crew near her own shack, gets the baby and drives to town in her rickety old car, pursued by the kidnappers. A chase of motorcycle police, sentencing of the kidnappers, and the return of the baby are dramatic highlights.

Miss Wieck, minus box-office strength as yet, gives a good performance as the mother bereft. Baby LeRoy contributes a big part to the entertainment value of the film. Miss Brady gets away from jittery roles and sends home a warm, human portrayal. Alan Hale, Jack La Rue and Dorothy Burgess are the kidnapping menaces. Spanky McFarland, formerly of “Our Gang,” provides some good laughs.

Rupert Hughes’s story is unreeled in simple strokes. Adela Rogers St. John’s screen play is a model of simplicity. Alexander Hall’s direction is smooth and effective. Although a newcomer, he handled this one like a veteran.

The production is an ideal combination of up-to-the-minute sentiment with tense heart interest and a suspense that holds all the way. The plot, running far, and is anything but confusional; it is a picture of heart interest. The excitement is concentrated, there are no stops in its action. The result is an entertainment of the highest order for the simple reason that it has a story to tell, and delivers it with all the methods and means at its disposal.

“Meaniest Gal in Town” (Radio)

Hollywood, Dec. 15.—Light comedy, with laughs sparsely scattered, holds this one to the program class or for double feature spots.

El Brendel, Zasu Pitts, Jimmie Gleason, Pert Kelton and “Skeets” Gallagher do whatever they have to do nicely, but the comedy, produced by Harry Krementz for Famous Players, seems a bit handicapped for lack of fresh and sprightly material.

Place—any small town. Brendel, bushel barber, loves Zasu, who owns a women’s shop. For 10 years El has loved Zasu—and vice-versa. He has the ring, but is waiting until business picks up before he gets a second subject and superior quality of the entertainment should put it over big on the strength of the front page theme, name values of Baby LeRoy and Alice Brady, plus the word-of-mouth chatter sure to accrue after the feminine contingent see, weep and enjoy it.

“Eight Girls in a Boat” (Rogers-Paramount)

Hollywood, Dec. 15.—“Eight Girls in a Boat” is an artistically mounted drama of a girl yearning for affection, and finding it by violating the regulations of the place where she resides.

Amid the picturesque setting of the Swiss Alps, her search for romance brings about clandestine meetings with a boy from a neighboring college. Realizing her fatal step, the girl, capably played by Dorothy Widdicombe, absconds with an unembarrassed motherhood without benefit of clergy. The boy, played by Donald MacKenzie, is equally upset. He prevails upon the girl’s father (Walter Connolly) to consent to the marriage. Father refuses on grounds that the boy is incapable of furnishing a livelihood for his daughter.

The story further reflects on the conflict between the couple’s love

(Continued on page 8)

Steel Firm Putting NRA to Acid Test

(Continued from page 1)

the face of threats of court action and loss of public good-will.

Plans of General Johnson to re- port the company to the Department of Justice for action tonight were held in abeyance by General. He conferred with Senator Robert Wagner, chairman of the National Labor Board, and pressed the view court action now probably cannot be averted. The matter is considered the most seri- ous challenge of the Recovery Act yet issued.

Plans for legislation to make the NRA permanent and organized are under consideration by Senator Wagner.

While the fundamental cause of the dispute is not analogous to any situa- tion in the film industry at the present time, it was said, the Weinman case involves the validity of the labor set- up of the Recovery Administration and will have a wide influence upon all industries.

New Theatre Union Wins NRA Skirmish

Local 118, Building Service Em- ployes’ Union, won its first skirmish with theatre operators when Jo- hannes Wittberg of the American Academy of Music, was returned to his post yesterday following the new NRA compliance board that Wittberg had been discharged after becoming a member of the union.

The theatre maintained that Witt- berg had been discharged for incompetency, but the local NRA board held that there was no evidence of this, and ordered that Wittberg be returned to his job.

Delaware-Maryland Men to Sign Dec. 21

WILMINGTON, Dec. 15.—Members of the Reel Men’s M. D. C., motion Picture Owners’ Ass’n of Delaware and the Eastern Shore of Maryland may sign their code agreement individually at the next meeting to be held Dec. 21. The session is to be held at Feder- alburg, Md.

Hoffberg Gets Comedies

J. H. Hoffberg Co., Inc., has ac- quired world rights to 12 two-reel Gene Laymon comedies, the first of which is “Tough Breaks.”

Loew’s Stock Sale

(Continued from page 1)

held up by Court

of the terms of the consent decree handed down at Wilmington some time ago in the district court’s anti-trust action against Fox Film, which owned the stock prior to its transfer to General Theatres Equipment and Harley L. Clarke with the aid of Chase National Bank financing.

Judge E. H. SFers appeared before the court a few days ago as attorney for Harley L. Clarke and protested that the sale of the stock would return control of Loew’s to the Chase National Bank, which controls Fox, and would therefore violate the terms of the consent decree.

Reports Johnson

Will Quit Denied

(Continued from page 1)

of his tenure as administrator and that he will give up his post early next year. This will be a voluntary action on his part, in line with his repeated statements when he took the job that he did not want it as a permanent posi- tion.

If Johnson retires, there is a pos- sibility he will be succeeded by Di- vision Administrator A. D. White, who has been handling with a number of important matters.

St. Louis Showmen

Give O.K. to Code

St. Louis, Dec. 15.—The code was approved here today at a meeting of theatre owners. The name of Charles Goldman, this city, and S. E. Pirtle, Jerseyville, were submitted to Deputy Administrator Sol A. Rosenblat as nominees for the local clearance and zoning board for independent subsequent runs, with Charles Kalmun, this city, and Albert Critchlow, Alton, as alternates. Cullen Espy was pro- posed as representative for independ- ent first run theatre as alternate. All of these are of this city. Proposed for affiliated first runs Harold Evans was suggested, Bob C. Holsinger as alternate. Bob are residents of St. Louis.

Nominations for the grievance board were Fred Wahrenberg to represent the independents and Leo Hill affiliated theatres. Bob are all of this city. Proposed for first run were Oscar Lehr, St. Louis, for the in- dependents, and Lou Cox, West Frank- fort Ill., for affiliated.

George Eigel, St. Louis attorney, was nominated as the non-industry member for both boards.

Allied Favors Full Cancellation Use

MINNEAPOLIS, Dec. 15—W. A. Stoffes served notice at the opening of the Allied convention here today that the Radiance union’s or- ganization would advise liberal use of cancellation rights under the new code to cut off high priced pictures from blocks.

Analyzing the code provisions section by section, Stoffes said the code sets up no restrictions on distributors.

“All your employees are now police- men watching for code infractions,” he declared. He cautioned against any attempts at subterfuge or cheating.

The session lasted all day with about 160 exhibitors from Minnesota and the Dakotas.

Discussing lotteries, rebates, prem- iums and giveaways, Stoffes indicated that the Allieds would clamp down on the practice. He expressed that 75 per cent of the code regulations covering these problems are fair.

Allied’s Illinois

Unit Is Organized

CHICAGO, Dec. 15.—Allied’s down- state organization has been completed with the election of E. E. Alger, whose father, Lieut. Gen. Alger, is Vice- President, Russell Bennett as secretary, and J. M. Duncan as treasurer.

The organization meeting was held at Peru, Ind. Aaron Saperstein was one of the speakers.

MOTION PICTURE DAILY

Loew’s Stock Sale Held up by Court

(Continued from page 1)
Midwest Cheerful,
Edward Golden Says

Returning from a week's tour through the middle west, Edward Golden, general sales manager for Paramount, reports an optimistic trend, stating subsequent and small theaters are doing very well, having come through September. Some of the big fellows, he says, are still loaded with overhead, and haven't as yet adapted themselves.

Exhibitors in Ohio, Illinois, Michigan and Wisconsin are generally optimistic, he reports. Things are not exactly the way the theater owners would like to have them, but they think they are now on the up grade, he says. Commenting on the daily, Golden declares exhibitors are very happy in all situations because twin bills are left to each individual exhibitor.

While on the trip, he conferred with Irving Mandel, Chicago; Nat Leffon, Ohio; Sam Seapolow, Detroit and Jack Frankman of Milwaukee, Paramount franchise holders, who reported business good.

RKO Foreign Sales
Put in 3 Divisions
(Continued from page 1)

Peru, Ecuador, Brazil, Argentina, Paraguay, Uruguay, Egypt, Syria, Palestine and South Africa.

R. D. Group, Norway, Sweden, Denmark, Finland, Poland, Russia, Baltic States, Germany, Austria, Hungary, Czechoslovakia, Bulgaria, Greece, Turkey, Armenia, France, Belgium, Switzerland, Holland, Portugal, Spain and Italy.

Ethel Smith, Philippines, Japan, Bermuda, Trinidad, Haiti, Iraq, Siam, Dutch East Indies, Straits Settlements, United Kingdom, Australia, India, Burma, Ceylon, China and all steamships.

Siegfried Lindstrom is the Far Eastern field representative with supervision over Japan, China, Philippines, Dutch East Indies, Straits Settlements, United Kingdom, Australia, India, Burma, Ceylon, China and all steamships.

Ambrose S. Dowling continues his activities in the field under supervision of Reisman, according to the statement.

Decision Reserved
In Local 306 Suit

Supreme Court Justice William T. Collins yesterday reserved decision in the $1,000,000 suit filed by Local 306 against the T. O. A., an independent exhibitors and Allied Operators' Union. Samuel M. Birnbaum, represented Local 306. Milton Weitzman was counsel for the T. O. A., Joseph Tepperson, represented Allied, and Kelly and Connolly acted for Jacob Siegler of the Springer & Cocalis circuit.

Supreme Court Justice Isidor Wasserman has signed a temporary injunction forbidding the Film Exhibitors' operators union enlisting from the local from interfering with Charles Danner and Charles W. Gross, members, presently employed, because of arrearages in dues and assessments.

Mark Oster Sails

Mark Oster, member of the London banking firm of Oster Bros., who are backers of Gaumont British, sailed for London yesterday.

Looking 'Em Over

"His Double Life"

(Paramount)

In his latest venture as a producer, Arthur Hopkins, has turned out an amusing and entertaining picture, adapted from Arnold Bennett's "Buried Alive," and co-starring Roland Young and Lillian Gish. Although slow to getting started, once past the halfway mark, the picture rolls along at a merry pace.

Young gives his usual competent characterization, and Miss Gish manifests her old wistful charm and histrionic ability. Montague Love handles a small part competently.

The story concerns Young, a shy but world famous painter who, on the death of his valet, is not recognized and is forced to watch his servant be buried in Westminster Abbey under his name. He tries in vain to reveal his true identity. He marries Miss Gish, the sweetheart of his valet, and resumes his painting. His work is recognized, and after an amusing court scene, his true identity is revealed, and the final scene shows Young and his wife sailing from London in search of a land that the artist's fame has not reached.

"Wine, Women and Song"

(1. E. Chadwick-State Rights)

Subsequent runs, also double featuring houses, will find a good measure of production value from their money in this one. The story runs along melodramatic lines, particularly for the finish, but with much of the action taking place back-stage opportunity is offered to introduce several good song and dance sequences.

The story is that of a convent girl guided to the stage by her mother, a burlesque performer, and her experience in romance with the infatuated theatre manager. It ends in tragedy for both the designing magnate and the mother, who murders the former to save her daughter from him, and then succumbs herself, as the girl makes a successful stage debut and the path of her true love for the dance director of the production is smoothed.

Lilyan Tashman is the mother; Lew Cody the theatre magnate; Marjorie Moore, the daughter, and Matty Kemp, the dance director. Herbert Brenon directed.

Detroit Business
Showing Pick-Up

(Continued from page 6)

and the first call on product, but the neighborhoods relatively are doing a better business despite their complaints. Business in late August and September had been uncertain, but has now improved. In October, it began to fade and has kept right on going. Chicago has been off, but in the city's better neighborhoods it seems to have gathered steam and the initial excitement over the NRA. They say here now the effects of the bill on prices are going to be felt. Little or no responsible opinion holds this applies similarly to the situation upstate.

Out in the territory, much by way of dissatisfaction is heard in under tones over the grip which the Butterfield circuit, part Public, part RKO-owned, holds. The clearance granted the circuit by the majors is something which the independents argue is unwarranted and unfair. In private whispers, which occasionally become audible, they say something is going to be done about it. Actually, it looks like a job for the grievance board under the code.

"Wine, Women and Song" is the way to describe the attitude over this country's recognition of Russia. The Soviet needs automobiles. Michigan makes them and the manufacturer has expectations that from $30,000,000 to $40,000,000 in locally-made cars may prove to be the country's requirements in the next year.

It's pleasant to think about anyway. (Copyright, 1921, Quail's Publications)

Cleveland, where the independent exhibitors are always ready for fight and usually are in the thick of one, will be covered next in this section.

Later: Columbus, Cincinnati, Pittsburgh and Washington.

New Financing and Producing Planned

Financing of productions, giving exhibitors a voice in the selection of stories and cast, and playing on a percentage of gross, are included in the plans for a new company being formed by Tom Moore, Lloyd H. Atkinson and Jack Tepperson.

Moore, a Washington man, where he long operated the Rialto, was connected with Associated First National Exhibitors in the early days; Atkinson has been rail sales manager for Bethlehem Steel and chairman of the foreign trade committee of the Chemical Alliance, and Rowley was personal representative, for Admiral Richard E. Byrd during his first Antarctic expedition.

No stock is to be offered to the public, they say.

Statewide Hearing
Of Until Jan. 11

MILWAUKEE, Dec. 15.—A hearing of the proposed rate crests scheduled for today was continued to Jan. 11.

Recent Milton Knoblauch overruled objections of Fox Wisconsin and the Wisconsin Amusement Enterprises' attorneys by declaring he had jurisdiction to proceed in a summary action. Fox attorneys had maintained that the bankruptcy court had jurisdiction.
Federal Aid Planned for
Code Boards

Will Help Formation and
Assist Isolated Spots

WASHINGTON, Dec. 17.—A Federal
system to assist and augment trade
boards set up under approved codes
with their work of adjusting compli-
cations of code violations is in process
of organization. It provides for sup-
plementary and cooperative action in the
48 states, the Recovery Administra-
tion disclosed yesterday.

The plan provides complaint adjust-
ment machinery for an industry while it
is organizing for itself the adjust-
manship machinery authorized by its own
code, or where it finds code compli-
cance machinery too costly to main-
(Continued on page 4)

W. V. King New U. A.
Theatres Director

Willard V. King is a new factor in
the United Artists Theatre Circuit, Inc.,
the director having been in-
creased at the company's annual meet-
ing late last week to make a place for
him.

King is a director in a number of
large corporations, including the All
(Continued on page 10)

Tickets in Demand
For Ampla Luncheon

Tickets are going fast for the
Ampla Christmas luncheon to be given
at the Astor at 12:45 on Thursday.
Accommodations are to be limited to
1,000 and the sale is to be stopped at
this figure.

Heavy turnouts are looked for from
home offices.

Has 5-Year Plan

Hollywood, Dec. 17.—Douglas
Wadley Churchill, portly cor-
respondent for the New York
Times, has been sitting his
newest brain child to execu-
tives. The other day he pulled
it on the head of a major
studio.

"There is only one cure for
what is wrong with pictures," stated Doug. "That is my
five-year plan."

"What's that?"
"Quiet making them for five years," retorted Doug.

Higher Costs
Absorb Bigger
Indie Budgets

NRA Takes Cash Intended
For Quality, Is Claim

HOLLYWOOD, Dec. 17.—Increased
labor costs under NRA regulations
are consuming the production budget
increases made by small independent
producers this season, with the result
that the additions to picture quality
which the higher anto be absorbed
are less frequent and imp-
ressive than the producers had hoped
and planned for last spring when the
higher budgets were set.

With a good 50 per cent of inde-
pendent producers announcing to
(Continued on page 10)

Mystery Enshrouds
Plans of 4 Marxes

Whether the Four Marx Brothers
will make another picture for Para-
ment before joining United Artists
remains somewhat of a mystery, de-
pite the fact Paramount claims it has
signed the comedians for another pic-
ture.

Chico Marx on Saturday refused to
comment on the future relations be-
tween the Marxes and Paramount and
also was silent on the U. A. deal for
one picture a year.

Cohn and Schaefner Long
On Optimism for New Year

By JACK COHN

F. President, Columbia

If recovery continues at the present
rate, 1934 should prove a banner year
for the entire industry. All
indications for the new year af-
ford greater en-
couragement that has been
apparent in a long time.

Large numbers
strangers
the theatre
through
have
again
their
presence
felt at the box-office with the increas-
ing spread of re-employment. This
already has proven a stimulating in-
(Continued on page 10)

Price: One Dime

SOLD, as advertised, by the
Harris on West 42nd St. Sat-
(Continued on page 10)

Wages Puzzle
To Non-Union
Theatre Code

Hazy About "Prevailing"
Scales Under Code

Application of the code's minimum
wage and maximum hour provisions
to theatre employees where non-union
labor is employed and where no "pre-
vailing" wage scale exists as of last
Aug. 23 is puzzling scores of exhibi-
tors who may present the first separa-
tion problem under the code in many
situations.

The code establishes the "prevail-
ing" scale and hours in effect on
Aug. 23 of this year as the basis for
minimum wages and maximum hours
for theatre employees; this "prevailing"
scale to be determined in case of a
dispute by the wages and hours in
effect in the same class of theatres in
the same locality.

Since the code be-
coming effective, however, a number of
situations have been discovered where
exhibitors employ non-union labor and
(Continued on page 4)

Last Code Authority
One of Three Women

Choice of the third and last gov-
ernment representative on the Code
Authority now centers around one of
three prominent women at present
affiliated with government activities
but not affiliated with the industry.
Motion Picture Daily learns she
will be named either today or tomor-
(Continued on page 4)

Randel Sees "Tough"
Year on Film Board

"There is a tough year ahead," says Henry Randel, Brooklyn
Paramount exchange manager and president elect
(Continued on page 10)

Mail Code Forms

Washington, Dec. 17—Special
printed forms for ap-
proving the industry code are
being mailed to exhibitors throughout
the country, each independent ex-
change, executive heads of the
distributing and pro-
ceding companies, circuit
officials and various theatrical
units of the Deputy Administra-
tor Sol A. Rosenblatt. All
parties have until Jan. 10 to
sign and reap the benefits of
the code's provisions.
MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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JAMES A. CRON
Advertising Manager

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Monday, December 18, 1933

"Purely Personal"

ROY MACK found himself in the middle of a surprise birthday party at the Vitaphone studio the other day. Present at the salute was the reproduction of an old photo of the director whose burning ambition now is to discover who dug it up and how.

CHARLES REED JONES, advertising representative for several independent producers and distributors, was recently known that he was very much present at J. J. McCARTHY’S conference with independent ad men last week. His name was inadvertently omitted from the list of conference attendees.

HENRY J. REISSER, formerly with National Screen Service, heads the sales staff of the newly formed HERBERT Z. GREENE DISTRIB. and G. A. DAKINS, until recently with KLIN- SKY- COCHRAN, is handling advertising and publicity.

ENRIQUE ZAIZ, U. A. general manager in Brazil, left Saturday to spend another Christmas holidays with his family in Havana. He will continue from there to Brazil.

JACK WHITE, who personally produced "Popping the Cork" with MISTON DREYER for Educational, is looking around for material for his next season’s program.

GILBERT GOLDEN is now editor of WARNER’S merchandising campaign and LEO BLUMBERG is in charge of the company’s exploitation section of press books.

E. H. ALLEN, Educational’s production chief on the coast, is in New York confering with EARL W. HAMMONS.

JULES REEVE has joined COLUMBIA as eastern division booker and has left for Buffalo. He was formerly office manager for U. A. in Cincinnati.

CLARE TREVOR, young Fox player, has arrived in town to spend the Christmas holidays with her family at Larchmont.

JAMES J. FINZ, editor of INTERNATIONAL PICTORIAL, leaves by plane for the coast today and will return within a week.

PANBRO BIZNER, associate produce for Radio, sailed on the Ile de France Saturday for a month’s vacation in Europe.

ARNOLD VAN LEER, Columbia’s exploiter, has been appointed a deputy sheriff by SHERIFF HIGGINS of New York County.

At CHRISTIE and MRS. CHRISTIE has gone to Miami to spend Christmas.

HARRY BRAND, in charge of cost publicity for the 20th Century, left for Hollywood Saturday.

ARE LYNCH and his band start today on a third Vitaphone short.

TOM AND PAT WING arrive from Hollywood today.
With interest nation wide, you would probably play to exceptional business if you brought “Little Women” in on gum-shoes... but no showman is going to be so foolish as to pick his own pocket or rob his own Christmas stocking.

Sure, the holidays are always good for show business... but you’ll never know how good they can be until you shoot the works for “Little Women” and get the final count up! We’ve told you there were millions of dollars of “earmarked” money waiting for this show and toppling records, extended runs and soaring grosses have proven it!

The holidays are going to be sensational for showmen smart enough to realize that “the better the day, the better the deed”... and that “the more fertile the soil, the more abundant the harvest”... Don’t be satisfied just because the holidays are always good... get the Velvet by going after that “earmarked” money!

This week, before they close, make your school contacts... everywhere educators have been eager to cooperate with theatres! Start your advance advertising NOW in the newspapers... make yours the one theatre the whole family will want to attend during the holidays! Do your posting now to get them talking about it for anticipation of a coming event is a showman’s greatest asset! Open your doors earlier... give extra shows... advertise as you have never advertised before... the money is there waiting for you... it’s “earmarked” for “Little Women”... nothing else will get it... If you don’t get it by going after it you’re just robbing your own Christmas stocking.

RKO Radio Pictures
Looking 'Em Over

“Secret Sinners” (Syndicate)

Good light entertainment. Some of the well known names in the cast—Bert Roach and Natalie Moorhead—play only very short bits, but the story holds together and probably will have flapper appeal.

Cecelia Parker, Iowa girl doing housework in a theatrical boarding house until she can get a job on the stage, meets Sue Carol, chorus girl, who is in love with Nick Stuart, young song writer. Miss Carol gets the Iowa girl a job in the chorus and by chance they meet Jack Mulhall.

Mulhall's interest in Miss Parker is so keen he buys a music publishing house for Stuart and the quartet gets along well until Miss Parker learns at a night club that Mulhall is married to Miss Moorhead. The fact that he is being held up for half a million as the price of a divorce doesn't count and she goes out riding with a Broadway playboy to show her resentment.

An automobile accident in which Miss Parker is injured brings them together again.

Mulhall practically dominates the picture, although Miss Carol and Stuart are attractive as boy and girl sweethearts.

“He Couldn't Take It” (Monogram)

Ray Walker is up to his usual tricks as a hard-boiled fighting man in a fairly amusing picture. Virginia Cherrill turns in a convincing performance and George Stone steals most of the picture as Walker's buddy.

The story concerns a hot-headed youngster who is continually losing his job because of a quick temper and ever ready fists. He finally winds up working as a process server in a law office. While there he is drafted by the district attorney's office to aid in the city's war against racketeers,

and is given two subpoenas to serve on two gang-lords of the town. The difficulties into which he gets himself, and his escapes afford some amusing. But Walker, with the help of Stone, finally serves both culprits with the warrants, unmasks the villains and wins the forgiveness, and hand of Virginia Cherrill.

Most amusing scene in the picture is the final one, in which Miss Cherrill, thinking she is being arrested, is led into the marriage license bureau by two detectives.

“Hell and High Water” (Paramount)

Quite a number of laughs are provided in this tangle tale of the garage king of the navy whose ambition is to save his money and get ahead. This is all inspired by radio talks, but when it comes down to brass tacks, the hero finds it doesn't work out as etherized.

Matsui, a Japanese, supplies most of the comedy with Charles Grape-

win running a close second. Richard Arlen as the refuse collector who rescues Judith Allen from the miry waters and marries her after many arguments does pleasing work. Sir Guy Standing, Robert Knettles, Gertrude Hoffman and the rest of the cast lend able support to this frothy romance of the waterfront.

Federal Aid Planned for Code Boards

(Continued from page 2)

The NRA's state and district boards would have jurisdiction over film code violations arising in any locality during the four-day conference, at which the code went into effect, until the time when the local boards are reorganized. It may re-

quire another month or six weeks before this has been realized.

Cases which cannot be settled by the Code Authority will be referred to the National NRA Compliance Board, which, in turn, may refer them to the Attorney General or the Federal Trade Commission for set-

tlement.

Steffes to Sign Code

MINNEAPOLIS, Dec. 17.—W. A. Steffes personally will sign the code under protest. He said as much here prior to the close of the Allied meeting.

What he told those present at the meeting was not disclosed.

Goldwyn to Come East

Hollywood, Dec. 17.—Sam Goldwy-


en plans to leave for New York around the first of the year for his Washington office. In the meantime, the studio is making a series of films for foreign release.

Resume M. P. Club Dining

Dining will be resumed at the M. P. Club on Dec. 20. The dining room will be under the direction of Henry Stein of the Freakness Country Club.
Certainly "His Nibs" is turning handsprings. And a few nip-ups, too.

"His Nibs," by the way, the limber little fellow to your left, is a guy you'll see a lot of from now on. He'll tell you, when the mood seizes him, about Majestic pictures, Majestic bookings, Majestic stars, Majestic progress as one of the leading companies of the business. He's pleased, and so are we, because Majestic has two swell pictures on Broadway the same week.

**THE SIN OF NORA MORAN**
*Opened Big At Warners' Strand Theatre Tuesday, Dec. 12th*

**THE CHARMING DECEIVER**
*Premiered At the 7th Ave. Roxy Friday, Dec 8th*

AND

Here are a few more reasons for a little dancing in the streets:

"You Made Me Love You," starring Thelma Todd, booked by the Roxy for January dating.


"You Made Me Love You," and "Curtain at Eight," opens at Fox Theatre, St. Louis, Dec. 22nd.


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MAJESTIC PICTURES CORPORATION
Herman Gluckman, President
R-K-O Building Radio City N.Y.
with

FAY WRAY
NILS ASTHER


Associate Producer, Edmund Grainger.
BEAUTIFUL — but dangerous!
ADORABLE — but deceitful!
GLAMOROUS — but treacherous!
— yet first and last of all —
A WOMAN!
“Women” and “Yesterday” Held in K. C.

KANSAS CITY, Dec. 17—This city is having the unusual experience of holdovers at two first runs. “Little Women” has been on a first run, in its second week at the Mainstreet, while “Only Yesterday” is covering the same distance at the Uptown, having pulled $5,000 in the first seven days.

With a take that doubled the house's straight film average, “Little Women” is proving the strongest screen attraction the Mainstreet has had in many months. The consensus among the theatre men is either of the two holdovers would do better business without competition from the other, as they are not operating to the same class of patrons.

“The Kernel Murder Case” was an average production. New York, while “I, Ev'ry Thing,” generally credited as one of the finest pictures of the year, was the Midland's froth.

Total first run business was $23,300. Average is $26,000.

“Women” Is $6,000

Indianapolis Smash

INDIANAPOLIS, Dec. 17—Little Women” had its first week over a part of the Circle with sensational $8,000, topping the normal take by $4,500. It was held over.

Every other first run was below average. Total first run business was $24,000. Average is $24,500.

Estimated takings for the week ending Dec. 9:

“The Invisible Man” (Univ.) APOLLO—(1,100), 20c-40c, 7 days. Gross: $5,900. (Average, $815.)

“SHOULD LADIES DANCE?” (M-G-M) PALACE—(3,000), 25c-40c, 7 days. Gross: $8,000. (Average, $1,143.)

For news on "Women" and "Yesterday," please visit the American Cinematheque's website.
MOTION PICTURE DAILY

"Design" Top In Dull Week On the Coast

LOS ANGELES, Dec. 17.—Business continued to fade last week, with the sign for "Bette Davis" being the only thing resembling a real draw. It took $15,500 in its second week at the Paramount, but this was below the house average by $2,500.

"You Made Me Love You," a Majestic feature, took $3,000 at the 800-seat Roxy.

"Roman Scandals" slid off to $11,400 in its week at Grauman's Chinese. Total first run business was $95,072. Average without Pantages and the 4 Star, is $93,400.

Estimated takings for the week ending Dec. 11:

[Table of numbers and details]

"Small" Motion

MOTION. half nor-
$38,500. days,
$25,000. days.
com-
days.

Star, lays.

"Just When You Think You've Seen It," another Universal production, was the big attraction at the Paramount, with a gross of about $4,850, against a normal $4,000. It appeared "Only Yesterday" registered about $6,000 at the Music Box, against a $4,000 average, also went into a second week.

"Chill of the Night" was off, and the Fifth Avenue pulled the picture after six days. The title was blamed principally for the lack of business. "Hooligan" at the Paramount was good for close to a normal $6,000, but other houses were below par.

Total first run business was $37,750. Average is $38,500.

"Sigma Chi," "Widows" and Waring, Lead In Cleveland

CLEVELAND, Dec. 17.—Heavy holiday shopping cut into the theatre attendance in Cleveland last week. Total house receipts were $40,000. "Sign of the Century" was the most popular picture of the week, grossing $7,000. The total house takings for the week was over $40,000.

"You Can't Do That to Me" at Loew's was the best straight picture bet, grossing over $13,000. "Female" made a fair showing at the Warner Hippodrome, but "The Devil" was the big attraction, grossing $25,000, about $7,000 over average.

"Dancing Lady" at Loew's State was the best straight picture bet, grossing over $13,000. "Female" made a fair showing at the Warner Hippodrome, but "The Devil" was the big attraction, grossing $25,000, about $7,000 over average.

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Cohn and Schaefer Long on Optimism

By GEORGE J. SCHAEPER

(Continued from page 1)

fluence to the business and with an increasing spread of employment a greater growth of picture business will inevitably follow. This, because the only thing the industry has encountered has been lack of money, not lack of interest in pictures.

Two important factors must govern recovery in the motion picture industry:

First, the production of more truly great pictures.

And secondly, an awakening among exhibitors to the powerful help of aggressive and progressive advertising.

This is demonstrated by the fact that during the last two years the public has been willing to buy for entertainment and to patronize in paying numbers only those pictures which have been advertised and have had the admission price. There will be no change with the return of good times.

However, no matter how good the product made responsive to this demand, the exhibitor cannot extract its full box office potential without the public knowing through advertising that he is giving quality pictures.

The combination of good product and adequate advertising is the situation confronting the industry.

This calls for greater cooperation on the part of the producer after completion of his picture. In this connection I recently suggested that producers create a school of showmanship by having advertising, publicity and exploitation experts available to advise exhibitors concerning their problems whenever important conventions of theatre owners invite such cooperation.

This idea is the outgrowth of study and disclosures incidental to a nationwide survey of the entire film industry. I believe that its future development must rest with the smaller towns. These are the need of showmanship is greatest, seeing the fact that exhibitors have largely been drawn from other fields of activity and left to shift for themselves. It is here, too, that Sunday showing is most feasible, restricting theatre operation to about 85 per cent of the Sunday schedule at 75 per cent off by satisfactory Sunday advertising, down the theatres on the days most convenient and available for country trade, and expand to full capacity greatest.

Opportunity for increased employment through full time operation and the certainty that widespread and ample supplies of all kinds entering into the operation of a theatre may bring NRA support for good product. Now is the time to keep in mind the need of a long period of time. Unusual depression, epitomized by prohibition, are being thrust aside, so we have the opportunity to make a fresh start in this direction.

Reference to NRA suggests a final word on that score. It represents one of the ideas conceived by our President for the greater good in as many ways as possible.

In spite of pessimistic talk to the effect that wages have not kept pace with increasing commodity prices, experience as well as the letter of the law shows that in the general field commodity prices are always determined by buyers' capacity. A President of demonstrated ability to accomplish results is on the job and even the most casual glance backward attests the fact that amazing and heartening improvement has been brought about that progress is being made daily.

We must not forget that a protracted period of illness requires a considerable period of convalescence. The nation is undergoing this now, and it is inevitable that a reaction will come. When the public is inclined to look for a complete recovery before 1934 draws to a close. To hasten this must all realists agree, is a more important public task than the personal profit. Any employee deliberately contributing to this condition by the drilling of his own employees in the present buying capacity. If we act in accordance with the sound Biblical instruction on the role of labor, the wages are worth the money earned. If we put the progressive solution in practice, and if we do what is necessary for our own contentment, we shall have nothing to worry about for 1934.
The Annual 1934 Booking Calendar of Quigley Publications

WITH 200 HANDY SPECIAL BOX OFFICE TIEUP DATES FOR LIVE WIRE SHOWMEN

Is Now Ready For You

THERE SHOULD BE ONE IN EVERY MANAGER’S OFFICE
PRICE . . . 25¢ EACH

USE THIS BLANK

MOTION PICTURE DAILY
1790 Broadway, N. Y.

Kindly send me one Booking Calendar for 1934. I enclose herewith twenty-five cents to cover cost of calendar and postage.

Name ...........................................

Theatre ...........................................

Address ...........................................

City ............................................. State
7 reasons why
PARAMOUNT’S
"DESIGN FOR LIVING"
is an outstanding hit
Lowell May Resign His Post
On Code Authority, Is Report

Dr. A. Lawrence Lowell, president-emeritus of Harvard University, is reported preparing to withdraw as one of three members on Code Authority representing the government, if he has not done so already.

A telegram addressed to Dr. Lowell at his home in Boston yesterday remained unanswered last night. The understanding is his objections to the Presidential appointment revolve around the designated job for him of watching the moral trend in production and that Dr. Lowell fails to relish the idea and the work associating him with censorship activities.

Court Allows Loew’s Stock Sale to Go on

Sale at public auction of 600,000 shares of Loew’s common stock will be permitted today, as scheduled, providing the holders of 25 per cent of defaulted notes of Film Securities Corp., for which the stock is pledged as collateral, insist on the sale and all purchasers have knowledge of both the injunction issued here last week restraining purchasers from violating anti-trust laws in acquiring the stock and of the 1931 anti-trust decree which separated control of Loew’s from Fox Film by setting up Film. (Continued on page 6)

Plans Up for Shifting of Authorities

WASHINGTON, Dec. 18—Plans to protect the interests of labor and consumers by making changes in the representation of the Government on Code Authorities have been worked out by General Hugh S. Johnson and are now before President Roosevelt. Briefly, the plan contemplates one instead of three Administration representatives; the one representative, however, would have an adviser from the labor and consumer ranks.

Amendment by Johnson yesterday of his plan has given rise to the (Continued on page 6)

Backs Need for Good Films; 1934 Viewed with Optimism

By S. R. KENT
President, Fox Film

With somewhat improved conditions in many parts of the country and also distinct evidence of world trade revival, there is a prospect that next year the picture business will enjoy a condition of prosperity that it has not experienced in many years. Inasmuch as every company in the (Continued on page 6)

Rotating Head Is Sought for Code Authority

Leaders for It Versus Permanent Chairman

When Code Authority meets in New York tomorrow afternoon for the first time under the industry code, it is understood members of the Authority who are identified with major company interests will move for a plan providing for a rotating chairmanship, changeable with each meeting.

Independent members of the Authority, on the other hand, are understood to be behind the move for election of Deputy Administrator Sol A. Rosenblatt as permanent chairman on the theory such an appointment would carry with it veto power, would serve to more adequately safeguard their interests.

Hays directors held an all-day session yesterday at which chairmanship of the Authority is understood to have been discussed.

The meeting is expected to last (Continued on page 8)

Poster Men’s Code Hearing Set Jan. 3

WASHINGTON, Dec. 18—Theatrical poster exchange men will be given a hearing on their code by Division Administrator A. D. Whiteside on Jan. 4th, before the Department of Commerce Building.

The code provides for a maximum week of 40 hours and an eight-hour day, with minimum wages of $14.50 to $15 per week for general employees and 40 cents an hour for mechanical workers.

No Date Decided on Independent Ad Meet

No definite date has been set for the conference between J. J. McCarthy of the Hays office and advertising men of independent companies. A meeting will be held this week, nevertheless. John C. Flinn, president of the Ampas, met with the independent men last week.

Joe Breen Gets 780 Changes in Scripts

HOLLYWOOD, Dec. 18—Having the censorship of publicity stills and advertising well under control with cooperation from all major producers, Joe Breen, now sitting in for Dr. James W. Bing in the clearing of (Continued on page 6)
Detroit Goes Into General Price Slashes

Detroit, Dec. 18.—This city is in the midst of a price war that has possibilities of becoming serious. It started when Louis H. Kane of the Mayfair, Ben and Lou Cohen, operating the Roxy, and Jake M. Kaye, taking the Colonial and other Woodward avenue houses, started cutting admissions.

On Friday three of the first run pictures, in competition with United Artists, went to double bills. The Adams, playing second runs, immediately put in three features for 15 cents.

The Fox-RKO interests notified H. M. Richey of Allied that unless he whipped his members into line on the price situation double bills, a full stage show, would be put in at the RKO Uptown, second run house, and that the Fox would go to 25 cents with first run pictures and stage show.

The subsequent runs over the week-end, were still cutting prices, not only in the downtown section but in outlying houses as well, and it appears that the fight will continue for some time, as all concerned insist that they can not out-distance the other fellow. The Mayfair this week filed dissolution papers in Circuit Court and Charles Komer, who has the Redford show, has just announced he was appointed to operate it until a hearing on the petition on Jan. 15.

Round Table Men to Hold “Get-Together”

A Christmas “get-together” of members of the Round Table Club of Motion Picture Herald is to be held Thursday night at the home of Mr. and Mrs. Isadore Cohen of 14th and Garfield.

Mr. Cohen is prominent in the theatrical business and is a member of the Round Table Club.

The party is to start at midnight. Eddie Cantor yesterday promised to attend.

"U" to Make Series of Films in Paris

Paris, Dec. 18.—Universal plans a series of films here to be made in French. Max Friedman will be in charge.

LONDON, Dec. 18.—Universal expects to start British production under its deal with Julius Hagen on Jan. 1. The first will be "The Man Who Changed His Name."
THE SAME TO YOU—Metro-Goldwyn-Mayer
Perfection in Screen Entertainment

BY CAND

Produced by Carl Laemmle, Jr., from the stage success by Siegfried Geyer. Presented by Carl Laemmle.
Directed by
JAMES WHALE

— a new
ESTHER
RALSTON

— a new
NILS
ASTHER

— a new
DOROTHY
REVIER

OPENING AT THE RO
LELIGHT

a new
PAUL LUKAS

a new
ELISSA LANDI

NY, NEW YORK, SOON
Attorneys Hit Cost of Para. Receivership

(Don'ted from pate 1)

Tuesday, December 19, 1933

MOTION PICTURE DAILY

Film Men Plan Benefits To Aid Duarte Sanitarium

The Reason Why

Hollywood, Dec. 18.—The national experience of Ed Selzer, former assistant to S. Chas. E. Robinson, head of the New York publicity department, is directly responsible for his selection as head of the publicity department at the studio. Jack L. Warner is understood to have had a direct hand in making the selection.

In the meantime, Selzer is getting fully acquainted with his new job and looks forward to Jan. 1 or thereabouts when he marries and daughter from New York.

Zukor “didn’t want to ask for more than the amount his reduced salary covered,” he told the receiver, "with the understanding that the equity receivership had not been necessary at all" and that the receiver’s petition for the receivership be prosecuted. It is suggested that court should determine what costs the receivership incurred.

Also on Friday afternoon the $296,035 Victor House and Samuel Zirn, also attorneys for Paramount Pictures, and Abdul Adolph Kramer, counsel for the group of general creditors; S. W. Landon, and counsel for a group of creditors banks. The late Adolph Kramer, while making no definite objections to the petition, urged the referee to give it “very careful consideration because of the magnitude of the estate involved.”

Predicts $5,000,000 Fees

Rogers asserted that on the basis of the equity receivership costs, “fees of $5,000,000 might be expected for the period of the bankruptcy.” House and Zirn asked for an oral hearing on the petition with an opportunity for the receivers to examine the receivers and their counsel on the costs. Referee Davis overruled the petition and held that only written affidavits might be submitted. Zirn thereupon filed his affidavits, which included one charging that the equity receivership was “illegal.”

Kramer asked for more detailed information concerning the fees, but the pay- ment is sought, stating that there was not enough information in the petition to permit him to decide whether to object to or approve the charges. He pointed out that the Paramount Publix estate would have to “pay the cost of the Publicx Enterprises bankruptcy proceedings, too, either directly or indirectly,” and urged the referee to consider the receivers’ fees in the light of salaries paid Paramount executives immediately prior to the receivership.

House pointed out that payment of the fees for the equity receivership might be illegal in view of a still pending action to have Paramount declared an involuntary rather than a voluntary bankruptcy, in which case, he said, the equity receivers would have no right to file any claims.

Root, in defending the petition, said that while he was admittedly “biased” in his argument, the insufficiency of the equity of the Paramount situation merited the expenses. His law firm is listed in the receivership as owning $15,000, 000, and is also counsel for the Paramount Publix trustees in bankruptcy.

The petition asked that Adolph Zukor be listed in the petition for only $23,000, while Charles D. Hilles, the co-receiver, was listed for $40,000. Good replied that

Prominent film men who are interested in the Los Angeles Tabular Sanitarium at Duarte, Cal., near Los Angeles, are expecting plans to be laid down for a $140,000 deficit by March 1 through a series of dinners in New York, Chicago, and San Francisco early in the new year and a benefit theatre party at the New Amsterdam Theatre, New York, early in January.

The sanitarium is non-sectarian and now numbers approximately 130 of its patients from New York. Treatment is entirely without charge and the status of patients makes no difference, the work reaching as far down the ladder as Harry Charnas is in charge of the entire procedure. Sponsors for the event are: Adolph Zukor, Max Steuer, Mayor-elect La Guardia, George Jesel, Eddie Canney, Jack Pearl and Daniel Frontman.

Direct sponsorship is the Milk and Egg League of New York, of which Mr. Charnas is a board member.

The New York end of the sanitarium’s activities.

See Need for Good Films and Optimism

By S. R. KENT

(Continued from page 1)

A business is strapped down to the most economical organization, the industry will very quickly reflect any signs of returning good times.

However, this will not be accomplished until we give the public much better pictures than they have been receiving. Over and over again, it has been stated that the solution of all of the industry’s problems lies in good pictures, and no discussion of this business’s prospects can get away from that inescapable fact.

By FELIX F. FEIST

(Continued from page 1)

thirty-four-should yield satisfactory dividends for work intelligently done.

Seidelman to Go Abroad

J. H. Seidelman, foreign sales manager for Columbia and now in Mexico looking over several Spanish pictures for possible distribution in Latin America, plans to make a tour of Europe late in January.

Roach Becomes Jailer

Los Angeles, Dec. 18.—Hal Roach has gone into the jail business with L. H. Driver, under the firm name of Roach, Driver, Inc., and has opened a store on Fifth St.

New Suffolk to Open

A. H. Schwartz will open the New Suffolk Theatre at Riverhead, L. I., Dec. 30.

COURT ALLOWS LOEW’S STOCK SALE TO GO ON

By F. G. MORGAN

(Continued from page 1)

Securities Corp. to take over the Fox interest in Loew’s.

A ruling to this effect was made yesterday by Federal Judge John Knox in U. S. District Court in acting upon a petition of John R. Hazel and Thomas Nelson Perkins, trustees of Film Securities Corp., to be relieved of further duties connected with Film Securities Corp. and that its affairs be wound up. Judge Knox approved the trustees’ petition with the proviso that Hazel and Perkins see that the sale does not conflict with anti-trust laws and that buyers of the Stock take it subject to acquisition of a controlling interest in Loew’s by Fox.

Judge Knox issued the injunction last week in the petition of John H. Amen, special assistant to the attorney general, after Saul E. Rogers, attorney for Harley L. Clarke, had pointed out to the court several days before that an absence of prospective purchasers for the stock threatened to give the Chase National Bank, holder of the bulk of the defaulted Film Securities notes, possession of the stock and pointed out that with Chase now in control of Fox Films, Loew’s would have $25,040,000. If the stock were stock were permitted to revert to the bank by default, thereby creating the same situation which, in 1931, led to the government’s anti-trust action against Fox.

The injunction issued last week seems to prevent this situation from developing by virtually disqualifying prospective purchasers identified with the Federal government. In each instance, the producer has made changes will-ingly.

Show “Hollywood” Today

M-G-M will trade show “Going Hollywood” at 2 o’clock this afternoon at the Astor for local exhibitors. "Motion Picture Daily" previewed the show and the New York wire from Hollywood on Dec. 12.

Kusel Off Tomorrow

Milt Kusel, eastern captain in the Paramout Pictures, leaves for Philadelphia and Washington tomorrow. Neil Agnew, sales manager, is on his way back from a western tour of exchanges.
Come and Make Merry With Santa Claus

Associated Motion Picture Advertisers, Inc., (A. M. P. A.) cordially invites the men and women of our industry to join with them in a joyous Christmas Luncheon Party to be held on Thursday, Dec. 21st, at 12:45 P. M. in the Grand Ball Room of the Hotel Astor.

Subscription, Including Luncheon and Remarkable Entertainment

One Dollar [$1.00]

Seating accommodations limited to 1,000.

Attendance limited to persons in the motion picture industry and affiliated arts

AN OCCASION for THANKSGIVING and GOOD-FELLOWSHIP

Tickets obtainable in advance from the following:

Columbia Pictures—Lou Goldberg
Educational Films—Gordon White
Film Daily—Marvin Kirsch
Fox Films—Gabe York
Majestic Pictures—Bert Ennis
Metro-Goldwyn-Mayer—Howard Dietz
Monogram Pictures—Ed. Finney
National Screen Service—W. B. Brenner

Paramount Pictures—J. P. McLoughlin
Quigley Publications—Ray Gallagher
R.K.O.—Robert Sisk
The Billboard—Leslie G. Anderson
United Artists—Monroe Greenthal
Universal—Paul Gulick
Variety—Lou Rydell
Warner Bros.-First National—Mort Blumenstock

Watch For Announcements Of Our Surprise Guests!
Rotating Head
Is Sought for
CodeAuthority

"Little Women" Holds Up
Despite Seasonal Slump

Reports from the country's key centers indicate a pre-Christmas fade-off everywhere, with "Little Women" the only attraction making a uniform
strength showing both in the Pan-America weeks and holdovers. In Chicago last week its $28,000 gross was the only above-average figure on the Loop, despite the fact that it was on in its second week at the Palace.

In San Francisco, St. Paul, Seattle, Detroit, Pittsburgh and Portland it was similarly strong. In Portland the $10,000 gross of the picture at Harmonic's Music Box was more than triple the normal take in the second week, and it was the only first run in town to top average, except a dual bill consisting of "Hoopla" and "Take a Chance" at the Paramount.

In Providence, for some unknown reason, the picture was above normal with a $5,500 gross at the RKO Albee. Business was also off in other first runs in the Rhode Island capital, with a dual bill, "Hoopla" and "Public Stenographer," at the Majestic and a dual of "Love, a Baby" and "The Man They Couldn't Arrest," at the RKO Victory.

"Dancing Lady" took $72,295 in its second week at the Fox. "House on 56th St." was good for $13,140 in its second week at the Stanley. It was also a holdover for six days, with "The Sin of Nora Moran" on the seventh day, gathered $11,000. "Charming Deceiver" grossed $17,100 at the Roxy.

Holiday shopping and zero weather put a crimp in Cleveland business. "Sitting Pretty," with a $11,500 take at Loew's State, was the only "чь" to make any impression in the city, "Man's Castle" and "Hoopla" were the two other features to show some strength.

Philadelphia went into the holiday dogdrums last week with "After Tonight" the only attraction standing up. It took $13,000 at the Capitol, and "Husbands Go" with Mary McCormick on the Fox stage, took $15,500. "Dancing Lady" ran away with ton honors in Minneapolis and San Francisco, netting $14,000 for day and date showings at the Minnesota and Paramount. "Havana Widows," aided by Earl Carroll's "Vanities," took $6,500 at the Minneapolis Orpheum, and "Little Women" held up to $5,500 at the St. Paul Orpheum. "Bicycle Safari" took $6,500 at the Minneapolis State.

Grosses dipped in San Francisco with only two houses netting normal takers. "Little Women" grabbed $13,800 at the Golden Gate, the best business in town. The Roxy, with a dual bill consisting of "Ritter and "16 Fathoms Deep," and 10 vaudeville acts, garnered $11,700. "The Man of Change" was weak with $11,000 at the Paramount.

Seattle put "Little Women" into the lead for a second week with $6,000, over nav by $2,000, at the Blue Mouse. "Only Yesterday" and "Tinmy and Sally" were the only other features in town to do normal business.

In a week marked by general dullness, only "Makahiki" at Malabar came through with $8,000 at the La-

layette. This is about $1,500 over the normal take for the house. "Little Women" held up to $7,600 at the Great Lakes in its second week, helped by a stage show, "Her Sweetheart" took $15,000, normal, at the Buffalo.

Universal had a fine week in Denver, with "The Invisible Man" going $1,000 over normal for a gross of $4,500 at the Aladdin and "Only Yesterday" getting $11,000 at the Orpheum. These were the only two strong attractions in town.

A "Man's Castle" was the only attraction in Detroit last week to successfully battle the pre-Christmas slump. It reached $16,300 at the Fox, helped by a stage show, "Little Women" took $9,300 in its third week at the Downtown. This is only $700 above an average first week, "Tillie and Gus," "Sitting Pretty," "Havana Widows" and "Disraeli" were all weak.

"Little Women" demonstrated its drawing power in Pittsburgh by pulling $11,000 in its second week at the Stanley. This was outstanding because "My Lips Betray" and "If I Were Free" were the only two other attractions in town to do average business. "Meet the Baron" was a dis-appointment with $7,200 at the Penn.

"Only Yesterday" was the only feature to make a showing in Oklahoma City. It took $5,000 normal, at the Midwest. "Hoopla," "The Prizefighter and the Horse" and "Wild Boys of the Road" were all weak.

Plans Up for
Shifting of Authorities

(Continued from page 1)

impression that the third representa-
tive on the Code Authority may not be immediately named. If the Presi-
dent approves the scheme and orders it put into effect, it is pointed out, it would necessitate a revamping of the Government representation on the au-
thority now consisting of Dr. A. Law-
rence Lowell and Deputy Administra-
tor Sol A. Rosenblatt.

Inasmuch as Lowell was appointed by the President personally, it is pre-
sumed he would continue as the Gov-
ernment representative, although there have been rumors that he will resign shortly on the ground that the work will demand too much effort than he can afford to devote to it.

Cleveland to Talk Code

Cleveland, Dec. 18.—All independ-
ent theatre owners have been invited by the Cleveland M. P. Exhibitors Ass'n to join their meeting on Thursday when President Ernest Schwartz will present an explanation of the code. Prior to the general meeting the association will hold its annual election.

Kuykendall Arrives

Ed Kuykendall, president of the M.P.T.O.A. arent in New York from Columbus, Miss., yesterday for the first meeting of Code Authority at the Bar Ass'n Building tomorrow afternoon.

YOU CAN HAVE HIGH INTENSITY ILLUMINATION
In Your Neighborhood Theatre
at an added cost of less than 2 cents per hour

One More Patron Per Day Pays the Bill...
NATIONAL COPPER COATED HIGH INTENSITY A.C.
PROJECTOR CARBONS
A much higher level of screen illumination than the low in-
tensity D.C. reflector arc provides.

SOLD EXCLUSIVELY THROUGH DISTRIBUTORS AND DEALERS
NATIONAL CARBON COMPANY, INC.
Canton Sales Division, Cleveland, Ohio
Unit of Union Carbide (Tek 
Branch Sales Offices:
New York Pittsburgh Chicago San Francisco
Loew's Stock Acquired by Noteholders

Anti-Trust Violation Is Charged by Rogers

The holders of $18,300,000 of defaulted notes of Film Securities Corp., yesterday purchased the 600,000 shares of Loew’s, Inc., common stock, at the public auction for $18,604,335, which represents the face value of the notes plus interest from April 1, the date on which the notes were defaulted. Only one bid was received. Acquisition of the Loew's stock by the purchasing group is alleged to place control of both Loew's and Fox Film with the Chase National Bank. Saul E. Rogers, attorney for Har- ley L. Clarke, charged this in describing the sale yesterday as returning control of Loew's (Continued on page 2)

Oregon Men Asking Duals Concessions

PORTLAND, Dec. 19.—Seventy-five members of the Oregon M. P. C. branch of representative exhibitors throughout the state as well as exchange heads have decided to accept the code with a reservation that dual billing will not be permitted in this territory except when approved by 75 per cent of exhibitors. Efforts to get Deputy Administra- tor Sol A. Rosenblatt to make a conciliatory (Continued on page 9)

Warners' Officers Are All Reelected

All officers of Warner Bros. Pictures were reelected yesterday at the first meeting of the company's directors to be held following the recent annual meeting of stockholders at Wil- mington, Del., at which the present directors were elected. Officers reelected are: Harry M. Warner, president; Albert Warner, vice-president; and Jack Warner, (Continued on page 2)

Talk Plan to Save Awards by Academy

HOLLYWOOD, Dec. 19.—Facing possible elimination of the Academy awards because of chaotic conditions here, Howard Estabrook has come forth with the suggestion that the Actors and Writers' Guilds, the American Society of Cinematographers and the American Society of Concert Musicians make up a separate Academy. (Continued on page 2)

Will Post Names, Invite Criticism of Code Boards

Cleveland Independents Go Sour on Percentage Films

By RED KANN

Cleveland.—September was the cause of it all. Good, old NRA, riding pretty high, carried plenty of hopes with it. Theatres in these parts knew something was around which hadn't been for a couple of years. Maybe that fabled corner had been turned. Nobody knew, but this was the earmarks of the real thing.

It followed that, when local branch managers and salesmen went calling to discuss and to sell some of their pictures in percentage brackets higher than those prevailing the season before, many of Cleveland's independents not only listened, but signed.

"Twenty-five per cent last year and 30 or 35 this year? So what! Business is good and we can afford the increase," went the line of reasoning and so went the contracts.

What many of the independents overlooked then, but not now, is that it worked out differently by mathematical formula. This is how, also why: (Continued on page 4)

Schiller Hails Upswing; Wehrenberg Faith in NRA

By E. A. SCHILLER

Vice-President, Loew's, Inc.

Optimism based on fact, rather than hopes, seems to be in order as we look toward 1934. President Roosevelt says we are on the way up, and I believe he knows. With thousands returning to work, the exhibition business must benefit.

There is still and always will be a demand for theatrical enter- tainment. All we need is a public with money to spend (Continued on page 2)

by FRED WEHRENBERG

President, M. P. T. O. Eastern Missouri

by FRED WEHRENBERG

President, M. P. T. O. Eastern Missouri

St. Louis, Dec 19.—Well, we went to Washington and the Government has told us what to do and what not to do. I have great faith in the NRA, not that we got everything we wanted, but we, at least, came out with something.

Every exhibi- tor should have the Administra- tion and the NRA, and if the code works a hardship, the leaders of this industry (Continued on page 2)

Rosenblatt Is Made Head New Division

WASHINGTON, Dec. 19.—Establishment of a new division to deal with amusement codes, with Sol A. Rosenblatt as division administrator, was announced today by Executive Adminis- trative Officer Alvin Brown of the NRA.

Under the reorganization announced some weeks ago, four divisions were established, but the amusement indus-

Lobby Board Placed On Permanent Basis

WASHINGTON, Dec. 19.—Permanent status today was given the National Lobby Board in executive orders is- sued by the President, which give it (Continued on page 9)

Rocky Mountain Men Discuss Code Terms

DENVER, Dec. 19.—About 60 exhibitors with copies of the code as printed in Motion Picture Daily at-
Hails Trade Gains; Sets Faith in NRA

By FRED WEHERBEN
(Continued from page 1)

will see that it is changed, but we must at least give it a trial. My advice to all exhibitors is to keep their chin up, keep a stiff upper lip, be real patient and do not be hoodwinked. The Better Films Council will keep you posted as to the gains being made in a very short period of time.

Erpi Wins in Two Cases, It Declares

Erpi is victor in two actions involving building equipment, the company declared yesterday.

In the case of Dunlap, et al., vs. Stein, et al., decided by the U. District Court for the Southern District of Texas, it was held that the owner of a theatre has no lien on sound-produced equipment leased by a third party to a tenant operator for a period of years.

Dunlap and Schnorengen, as landlords of the Bijou at La Feria, Tex., leased the theatre to E. F. Stein, who, in turn, gave a mortgage on the theatre and lease of and license to use a Western Electric sound equipment. Upon Stein's failure to meet the rental payments to the landlord, the latter instituted this action to recover and sought to establish and have foreclosed a landlord's lien on the sound equipment, their contenbion being that the agreement of lease between Erpi and Stein, although termed a lease, was a conditional sale, and that Stein, having title to the equipment, plaintiffs possessed a valid lien thereon under the laws of Texas. In the other action, involving recovery against Stein for rentals of use of the equipment during the period of litigation, it was also denied and judgment entered in favor of Erpi.

Judgment amounting to $6,789.40 with interest and costs also has been awarded by the court.

Casey Explains Code

Hollywood, Dec. 19.—Pat Casey, chairman of the producers' committee on labor, today held the first general meeting of the radio managers, clarifying the code.

Stocks Active—Eastman Up 1 1/4

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Curb Issues Slump Slightly

Trading Heavy in Bond Market

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Noteholders Take Over Loew's Stock

(Continued from page 1)

and Fox "to the same situation which the loan settlement involved under the anti-trust laws and settled single control of the two or three major loan Film Securities Corp. to take over the Fox control of Loew's." Reporters said he would take steps to have the sale of the stock second unless the new owners moved immediately to dispose of it.

Block of Loew's stock was made by John R. Dillon of Hayden, Stone & Co., who represented the holders of the defaulted Film Securities notes on which the block of stock was posted as collateral. Hayden, Stone held $2,000,000 of the defaulted notes; Chase National Bank, $4,000,000; A. T., $8,000,000; Dillon, Read & Co., $2,000,000, and the remaining $2,500,000 was held by scattered accounts.

Price is $28.15 a Share

The bidders' price represented $29,700,000, the closing price for Loew's was $30, or a market price for the block of $19,827,000, as compared with the $18,004,335 acquired in 1923 for $17,600,000 originally paid for the stock by William Fox, who acquired it.

The stock first was offered at auction by Adrian H. Muller & Son auctioneers, in the 131 individual blocks of 5,000 shares each and one block of 5,000 shares. No bids were received for any of the individual blocks or the control block of 600,000 shares. The auction has a limit and the noteholders' successful bid was the only one received. The $18,004,335 was paid by Film Securities Corp. which will be turned in by the holders in payment for the stock.

The sale virtually ends Film Securities Corp.'s stewed disposal of yesterday was its sole asset.

Attorneys for both stock and debenture holders and the General Theatres Equipment read a notice prior to the auction advising prospective purchasers of the fact that they considered the sale to be a "fraud and violation of their claims. Indications are, as a result of the price, that this group may also join in action either to have the sale set aside or to require the purchasers to make good of it."

Leopold Friedman of Loew's legal department was the only representative of that company present. He took no part in the proceedings.

John H. Amen, assistant attorney general, last week reported that the group may also join in an action either to have the sale set aside or to require the purchasers to make good the loss of it. At the hearing on the hearing, both Fox and Loew's by the same attorneys. Rogers pointed out that it was such a situation which led to the creation of Film Securities Corp. under the government's consent decree.

Talk Plan to Save Awards by Academy

(Continued from page 1)

what is left of the Academy get together and appoint committees of each group to work out some sort of a combination on the awards.

J. T. Reed, Academy head, is in sympathy with the idea and it is understood others are favorably inclined.

Nizer to Analyze Code

Personnel of all local exchanges will meet this afternoon at the Edison Hotel to hear the third day of the motion picture code by Louis Nizer, secretary of the New York Film Board of Trade. Although tied in with the session which opens at 3 P.M.

Elect Neal in Indiana

INDIANAPOLIS, Dec. 19.—S. W. Neal, Kokomo, was named president of the Associated Theatre Owners of Indiana today.
Girls...Wives... Everybody will revel in this sprightly romantic comedy

- They'll glory in this story of a model American wife on a fling in Paris...who couldn't make a chump of her husband, because he made a chum of her sweetheart.

They'll gasp at the stunning Paris creations...delight in the merry situations from the stage hit by the author of "When Ladies Meet."

AS HUSBANDS GO

WARNER BAXTER

HELEN VINSON

WARNER OLAND

Catharine Doucet

From the play by Rachel Crothers
Directed by Hamilton MacFadden

JESSE L. LASKY Production

Your patrons always like
FOX MOVIETONE NEWS
Independents In Cleveland Find 'Em High

(Continued from page 1)

If a 25 per cent grossed $1,000, the exchange's end is $250. The same picture, same gross, at 30 per cent obviously means $300 for the distributor and, while the percentage uppage merely goes from 25 to 30, the film goes up by 50 iron men. Actually, in point of operating overhead, the hike is 20 per cent, not a lowly 5 per cent. However, as long as it leapt to 35, it works out in sharper brackets, obviously. Not only does the theatreman pay the exchange $100 more, but approaching the tricky procedure on the basis of cost, it makes itself quickly patent that the plus from the $250 to the $350 means a 40 per cent rise in rentals.

A lot of the independents here failed to own their own hands back, but the jaws began to sag, but even then, there would have been no complaints if the NCR had waited until September, but in September, had not begun to subsidize toward the end of the month to stay that way since. The result is opposition, which is the part of the scrappy bunch of independents who keep exhibition from becoming stereotyped in this city on Lake Erie shored.

A Familiar Plain

While the producer-untrammelled exhibitor complains about that, the first run operators have some bees of their own as Hippodrome by the Warner's. It's been described as part of a move presaging further expansion in the city, but here, Where Warner outlets include the downtown Lake, as well as the Upont and Variety in the neighborhoods, the circuit apparently is content to rest. The "Hippo" went into the fold on the strength of a sweet deal cooked up by Nat Wolf, local zone manager, on a basis which cost his company little, returns to it a management fee and, at the same time, provides a big first run front outside the Loew and RKO opposition in point of seating capacity. Here, Warner product gets its local break, as will part of Fox and a split of Columbia. The Lake, once key house for the Warners, has gone into a "P" policy and runs its own company's ownership.

In the four-cornered tussle for big grosses, Warners have their old-time opposition from Loew and, as an example of the growing new in local theatre history: a downtown, independent first run. This is the Allen, once the ace house of Loew's in Cleveland, now operated by a group composed of Myer Fine, Max Lefkowitz, Perc Wolf and Albert Kastner, with Universal, and part of United Artists. This is the house, too, which Loew's has just opened making eyes at, according to report.

The Palace, snuggling close to Loew's State, does a grand business when up of a "Lieut" to pay a state tax of two cents. Two from five equals three. Show: double features.

Conditions in Better Shape Than in 1932

For instance, what was formerly a 30 cent admission is now 31 cents, plus four cents tax to a total of 35. Twenty cent admissions, in many cases, have gone to 25 of which the state gets only three cents. The Ohio public paid $3,000,000 for its entertainment in the month of October, this total being computed on the basis of $300,000 tax collected in that month. With the complete regard of admissions up to 10 cents which are tax-free. The 41 operating theatres in the state must have stayed all this money. And yet, as matters stand with their slight increase, many exhibitors are in a huff on the ground that the tax is depriving them of money they figured ought to be theirs.

There are the usual indications and somewhat deeper as well, conditions are generally better in this territory. A contributing factor, however, and one who runs it for 15 cents on a test bill policy. The cameo has gone to Paul Guadanovic and Bill Skrbball, a 15 cent and double feature program while the Allen is new opposition. Elsewhere have gone the Circle, Doan and Lake. The Allen has been to the Park, Granada and Alhambra.

In many ways the course of theatre operation here is without parallel in the entire country. Traditional enemies of the first runs, the subsequent runs had an idea the protection agreement which has become effective February 2 this year would solve a lot of their troubles. Signed in the latter half of 1932, it was designed to put the greedy, freeloading "second and third" prices of the big houses, run dual bills and, in general, make the exchange business a trifle more economic and the trouble some. It has to do with the presence of too many seats downtown, an understanding that this is the real trouble and no solution unless a conveniency earthquake were to hit town after show time some night and furnish the way out.

Much speculation has been afoot over the recent acquisition of the 3,800 seat Hippodrome by the Warner's. It's been described as part of a move presaging further expansion in the city, but here, Where Warner outlets include the downtown Lake, as well as the Upont and Variety in the neighborhoods, the circuit apparently is content to rest. The "Hippo" went into the fold on the strength of a sweet deal cooked up by Nat Wolf, local zone manager, on a basis which cost his company little, returns to it a management fee and, at the same time, provides a big first run front outside the Loew and RKO opposition in point of seating capacity. Here, Warner product gets its local break, as will part of Fox and a split of Columbia. The Lake, once key house for the Warners, has gone into a "P" policy and runs its own company's ownership.

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It Happens in Cleveland

Cleveland—Having worked out an advertising directory with the Cleveland Plain Dealer, on behalf of its members, the Cleveland M. P. Exhibitors' Ass'n, is endeavoring to extend the same sort of deal to other local papers.

The Plain Dealer ordinarily gets 55 cents a line on Sunday. The rate is increased to a flat $1 a line for the subcribing theatres use a minimum of two lines a day seven days a week.

For liability insurance, once eight cents a seat, has clambered to 25 cents per seat. That's attributable to the mounting cases of toe-stubbing on the part of the public, always followed by a suit against the exhibitor, Moe Horwitz, whose Heights Theatre is one of the most west end of the "nuisance" actions on his neck. Also higher insurance premiums.

Only 17 houses of the city's 111 are dark. This time last year, the total was 24.

One local exhibitor went to a three cent admission recently. Here's how: Announced price, 15 cents. "Advertising pass," plus a nickel in cash, admitted one patron. The scheduled admission and it hit $100,000 without a hitch. Two from five equals three. Show: double features.
An industry, aware of the devotion which this man has given to the perfection of the short comedy, now joins the public in a fitting celebration of the

20th Anniversary

HAL ROACH

COMEDIES

JANUARY 8th TO 15th
20 HAPPY YEARS

1914

The cherished photo above shows Mr. Roach (at left) directing Harold Lloyd, Snub Pollard, Bebe Daniels in an early Hal Roach comedy. Below is a photo of Stan Laurel and Oliver Hardy in a new Hal Roach comedy, "Busy Bodies",

1934

Star Maker

Here are some of the celebrated folks who at various times were under the Hal Roach banner. Many of them gained their original recognition on the Hal Roach lot!

Harold Lloyd  Bebe Daniels
Snub Pollard  Mabel Normand
Cora Henry  Lionel Barrymore
Stan Laurel  Theda Bara
Oliver Hardy  Will Rogers
Luke Vidal
George Arliss
Polly Moran
Buster Keaton
Charley Chase
Clara Bow
Sugar Kane
Marie Dressler
Jimmy Finlayson
Jackie Cooper
Oliver Hardy
Sally O'Neil
Fay Wray

Babe Norwood
Deanna Durbin
Bud Abbott
Madge Bellamy
Lucille Ball
Mae Busch
Jean Harlow
Ann Sothern
Jean Harlow
Jane Novak
PLAY A HAL ROACH COMEDY

on every change of program during the 20th Anniversary Celebration of the King of Comedy—

JANUARY 8th TO 15th

STAR POWER! FEATURE STRENGTH! PRODUCTION VALUES DE LUXE IN THE HAL ROACH M-G-M LINE-UP!

The Top Notchers of Comedy Fame!

STAN LAUREL
OLIVER HARDY

Consistently the Dependable Laugh Star!

CHARLEY CHASE

The Girls Who Give You Gobs of Giggles!

THELMA TODD
PATSY KELLY

“Spanky”, “Stymie”, “Pete” and All The Kid Stars!

“OUR GANG”

Don Barclay, Douglas Wakefield, Billy Nelson, Jack Barty! The Cream of the Lunatic Crop!

ROACH ALL-STARS

Billy Gilbert, Billy Bletcher (Schmalz Brothers) in the De Luxe Hal Roach Musical Delights

MUSICAL COMEDIES

(over please)

A HAPPY EVENT HAPPILY EXPLOITED BY M-G-M!

FREE ACCESSORIES

Shown on next page!
"PROUD OF YOU, HAL!"

"The industry knows... the public knows... that for twenty years you have brought entertainment and happiness to millions the world over. Now all join in acclaiming you, "King of Comedy"... in predicting for you still greater success in another twenty years of short feature leadership!"

Your Pal, Leo.

CONTENTS OF SPECIAL 20th ANNIVERSARY PRESS-SHEET

PRESS STORIES. Newspapers welcome reminiscent stories of early movie days and stars of the past.
PRESS MATS. Great old-time stills that editors will want to publish.
AD MATS. And a complete day-by-day Exploitation Campaign.

LEFT: One Sheet lithographed in 6 colors.

ALL FREE! ONE SHEET! AD MATS, STILLS, TRAILER!

11—8 x 10 BLACK and WHITE STILLS
6—VARIED NEWSPAPER AD MATS
4—VARIED PUBLICITY MATS
ONE SHEET—LITHOGRAPHED 6 COLORS
TALKING TRAILER—250 FEET
SPECIAL LEADER FOR ALL COMEDY PRINTS BOOKED

PLAY HAL ROACH COMEDIES Jan. 8th—15th

Proudly sponsored by METRO-GOLDWYN-MAYER
Plan to Post Selections for Code Boards

(Continued from page 1)

leaning toward a rotating chairman, as reported exclusively in Motion Picture Daily yesterday, is expected to be adopted.

Deputy Administrator Sol A. Rosenblatt probably will be named chairman of the first session today and Sidney R. Kent chairman of the next, whenever called. Meetings are to be held in New York, and members of the Authority may determine.

The attitude of three affiliated members of the code - Sam Nathan, Fall River, an Allied leader; W. Ray Johnston, president of Monogram and representative of the independent motion picture exhibitors, and Charles L. O'Reilly, president of the T. O. C. C. of New York, is expected to be considered in the appointment of a permanent chairman. Robert H. Cochran, vice-president of Universal, today will seek to swing the viewpoint of these men toward the rotating chairman idea, it was reported last night.

Provisions for the Authority probably will be opened in the new NBC Building in Rockefeller Center.

Representatives of the majors for secretary is John C. Flinn, at present handling special exploitation for Paramount. The affiliated Authority's representatives, however, are expected to present a candidate of their own, but Flinn has an excellent chance of winning the appointment.

The secretaryship is a government post and pays $12,000 a year. The designated secretary, whoever he may be, would be required to resign any other post, it is regarded as certain.

Today's meeting will be held behind closed doors and no statement is expected, of the deliberation made public at its conclusion. Whether or not future meetings will be open to the public is to be decided by a procedure for the Code Authority to determine.

Representing the industry on the body, each with one vote, are Sidney R. Kent, Nicholas M. Schenck, M. H. Aylesworth, Robert H. Cochran, Harry M. Warner, William Schaefer, Ed Kuy Kendall, Nathan Yamin, W. Ray Johnston, Charles L. O'Reilly. Only two of the three government representatives thus far have been named. They are Rosenblatt and Dr. A. Lawrence Lowell. The latter's resignation for several days has been reported as imminent.

L. B. Metzger Looks For Code Benefits

CHICAGO, Dec. 19.-Louis B. Metzger, San Diego exhibitor, says he can see no reason why voices can do any harm, but does see possibilities for a lot of good for independents. He said as an example of such possibilities he has the plan of pooling the rail rates between trains on his eastbound trip from the Coast.

"I am the first independent who has ever attempted to pool the earnings of the independent industry with authority to back it up," he said.

The code places independents on an equal footing with chains and large buyers.

Metzger is on a combined holiday and business trip.

Emergency Council

WASHINGTON, Dec. 19.—Transfer of title to the new plant of Daily Motion, the responsibility and duties of the special industrial recovery board held by the company, was ordered today by President Roosevelt as a step toward the unification of the recovery program for the industry.

A major purpose of the emergency council, however, will be the publicizing of the recovery activities of the government, to further which state councils will be appointed throughout the country. Local councils will be established "to provide every citizen in the country with easily understood guidance for the use of the recovery and relief agencies."

Rosenblatt Is Made Head New Division

(Continued from page 1)

tries were given a separate status, with Rosenblatt reporting directly to the board. The council, organized today, Rosenblatt becomes a division administrator with the same title as the heads of the four original divisions.

As a result of the change, it is anticipated by William P. Farnsworth, assistant deputy administrator, will be advanced to deputy administrator.

Oregon Men Asking

(Continued from page 1)

cess on this point have not resulted in anything definitive so far.

Men recommended for the zoning and clearance board are: Homer Gill, Evergreen State, affiliated first run; Arthur Sasso, Rainier, affiliated first run; Oscar Phelps, Hillsboro; George Jackson Woodlaw, unaffiliated first run; Philip Schaefer, Edward Reed; Harry Willard; Parkers Theatre, affiliated circuit, and William Cutts, Kenton theatre, unaffiliated.

Labor Board Placed

(Continued from page 1)

authority to "compose all conflicts threatening the industrial peace of the country."

Originally created to handle labor disputes arising under the President's re-employment agreement, the board has recently become involved in controversies arising under the codes, and it was given full authority to deal with such matters that the order was issued.

The board is empowered to mediate, conclude, or arbitrate all controversies between employers and employees who "wish to impede the purposes of the NRA" but it may decline to take cognizance of controversies "in the fields of trade or industry where a means of settlement was provided for by agreement, industrial or Federal law has not been invoked."

Disney a Dad

Hollywood, Dec. 19.—Walt Disney has become a daddy. It's a girl.

Cleveland Sour on

(Continued from page 4)

men declared they were willing to work with Pete Wood, business manager of the Ohio M. P. T. O. three hours away from Columbus.

Through some method not clearly defined, the state legislators discovered both the company's position and the returned little revenue and revised the bill downward to include 25 cents and above. They maintain Wood would have been able to sell this without fair and that the industry wanted 41 cents or nothing. When word of this happened, the men were charged and wired immediately through to the Columbus law-makers asking for exemption on 25 cents and also natural cases that figure Cincinnati, where the general admission scale is lower, telegraphed for 15 cents and above.

It was not long after when the legislators realized there was a split in exhibit, in August it was $1 per ahead of their own decision. Their decision was a tax above 10 cents and so it was enacted. This, is the series of events which led to the formation of the independent M. P. Exhibitors' Ass'n of Ohio with Ernest Solberg, as treasurer.

From the economic watchtower, Cleveland is more optimistic today than was the year before, the statements and clearing house figures indicate that whatever money is around is being more freely circulated. The total gross of Dec. 1 totaled 130,000, a 50,000 decrease by comparison with the same month a year ago, but gain in the distribution by Exhibitors' Co., of Ohio was 400 times as much as the NRA, nobody worries much so long as the figures continue to show improved.

The local end of the Federal civil works program promises jobs for many through the last six months, the current salary of $15, this is expected to increase the power tremendously and throw into circulation practically all of its work, the new workers, in combination will earn by the beginning of the new year.

Markets, however, are available when buying conditions take the form the public will go for is advanced in the Federal Reserve Bank's statistics on department store sales for the first 10 months of 1933. From February through March, sales were 25 per cent below the same months of 1932. In June, however, the tide began to shift. July was 25 per cent ahead of July, 1932 at the beginning of its month a year earlier; September, 23 per cent ahead of 1932's September and October, 15 per cent above the same month a year previously. November, also, is reported to have been satisfactory while the net gain for the first 11 months to the year is, six per cent ahead of 1932.

What is bothering neighborhood business men and retailers here is the report of New York. The municipal treasury is $3,400,000 overdrawn in cash as compared with an average of $1,300,000 in 1932. Em- ployment bills have been paid in the time of 25 per cent and which theaters are refusing to accept.

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FOR THE FIRST TIME NORTH OF THE EQUATOR... they're doing the CARIOCA

the tantalizing, mesmerizing Brazilian Dance Sensation that soon will be driving America Melody Mad!

SEE IT!... and a thousand other wonders in a spectacle set to rhythm, that fills the earth with beauty, laughter, song and dance... and sweeps to eye-staggering sensation as the Flying Armada Of Beauty soars on wings of giant planes down heaven's twinkling pathway!

NOTHING LIKE IT HAS EVER BEEN DONE! IT MAKES YOUR FONDEST DREAMS OF MUSICAL ROMANCE COME TRUE!

ING DOWN TO RIO

with

DOLORES DEL RIO

GENE RAYMOND • RAUL ROULIEN
GINGER ROGERS • FRED ASTAIRE
and 200 Beautiful Girls Picked from 10,000 Haunting Melodies by VINCENT YOUMANS

OTHER GREAT NATIONAL NEWSPAPER ADVERTISING CAMPAIGN
HOLLYWOOD
A critical study
by TERRY RAMSAYE

Terry Ramsaye, editor and commentator, is in Hollywood to observe and to write about the production capital of motion pictures.

Watch for his first Hollywood article in

MOTION PICTURE HERALD
Sheehan Again
In Command Of Fox Films

In Old-Time Post as Production Chief

HOLLYWOOD, Dec. 20.—S. R. Kent, Fox Film president, is understood to have informed all producers on the lot that complete power of studio selection from this point on will be vested in Winfield Sheehan. The order is construed as indicating Sheehan is again back in the saddle as the head of the works at the Fox plant. Sheehan's return to his former status, it is learned, will not affect the right of associate producers to determine what vehicles they want to produce, but his position as last word on what shall or shall not be made definitely indicates complete

(Continued on page 8)

Aylesworth States
He Likes RKO Job

Discounting reports that he would resign from the presidency and chairmanship of the board of directors of RKO, M. H. Aylesworth yesterday stated that he liked his present position and would continue in his present capacities if the board of directors so desired.

Aylesworth also stated that reorganization of RKO is progressing nicely and that the board of directors would meet in a month's time.

(Continued on page 3)

Para. to Release
Saal Jungle Film

"Drums of the Night," produced by William Saal and Quagna Pictures on the island of Jamaica, will be released by Paramount. The picture, made entirely in natural sound through jungle and underbrush, according to the producer, deals with voodoo and has Freddie Washington, Philo Branden and Marie Paton in the leads. George Terwilliger directed.

Saal plans a series of films in odd corners of the globe. His next will get under way in January.

1934 Looks O. K. to Clark;
Idolatry Futile: Comerford

By JOHN D. CLARK
General Manager, Fox Distribution

There is no diminishing of interest in motion picture entertainment on the part of the public, and with better economic conditions in prospect for 1934, I see no reason why the new year should not be a good one for the motion picture business.

Producers and distributors know that theatres must have

(Continued on page 8)

Schenck Optimistic

Nicholas M. Schenck, president of Loew's, Inc., and M-G-M, had this to say about 1934 yesterday:

"I think we are positively on the road to better times and see this clearly in every line of business that I have had an opportunity to look over. I look forward to better times ahead in 1934 for every business and our industry should get its share of improvement."

Stagger Plan Help
To Many Musicians

The stagger plan recently put into effect to spread employment among musicians is proving successful and promises a brighter Christmas to thousands in the profession, it was learned yesterday.

At the offices of the American Federation of Musicians, which sponsored the movement at the suggestion of Deputy Administrator Sol A. Rosenblatt, it was said the GOS locals

(Continued on page 3)

Recommendations to Be Received Jan. 4 and Selections Follow

Clearance and zoning and grievance boards are expected to be set up in all key centers of the nation and become operative late in January.

This became evident yesterday when the first meeting of Code Authority met and adjourned to Jan. 4, by which time recommendations for places on the various boards are to be finally submitted and subjected to criticism for about two weeks before the names are officially designated. That posting of names for a two weeks' publicity test would be procedure was exclusively reported in Morro Prewun Daily yesterday.

Sidney R. Kent, Charles J. O'Reilly, George J. Schaefer, W. Ray Johnston and Nathan Yamin were appointed as a committee to handle the recommendations.

These will be submitted to the Code Authority at the next session. Five other committees were also named.

With Deputy NRA Administrator Sol A. Rosenblatt acting as chairman, the Code Authority decided to function under a rotating chairmanship, as reported in The Daily News on Tues.

Denver Men Refuse
Code Endorsement

DENVER, Dec. 20.—Endorsement of the code was refused today by the Rocky Mountain Theatre Owners' Ass'n and a committee of five was named to analyze it and recommend changes to the Code Authority, Harry

(Continued on page 14)

Lowell Resignation
Hanging in the Air

Whether A. Lawrence Lowell will serve as first government representative on Code Authority is still undecided. Deputy NRA Administrator Sol A. Rosenblatt, when queried yesterday on the reported resignation,

(Continued on page 12)

Report Coast Indies
May Join Hays Group

HOLLYWOOD, Dec. 20.—Alleged internal strife within the ranks of the I. M. P. A. is said to indicate several leading independents will join the
Purely Personal

Arthur Mester has replaced W. E. Cook as assistant manager and treasurer of the RKO 80th St. theatre, with Cook now assistant manager and treasurer of the RKO 81st St. house.

Lewis J. Rachel, vice-president of Goldsmith Productions, will be married Saturday night to Helen R. Goldman of Brooklyn.

Karl MacDonald, Warners' Latin America division manager, returned yesterday from Havana, Jamaica.

Richard Bartelson will spend New Year's here if he can finish "A Modern Hero" by next Wednesday.

Ray Hodgson has been assigned as student manager covering the house in H. E. Emde's division.

E. H. Allen, production manager of Educational studios, has left New York for the coast.

Amity Action Procedes

Further examination of E. W. Hammons, president of Educational, in connection with the action of Amity Pictures to recover certain distribution revenues alleged to be due from Tiffany, was conducted yesterday by H. William Ftilson, attorney for Amity. Rights to the Tiffany productions were acquired by Amity some time ago. The preliminary examination of Hammons is scheduled to be resumed tomorrow.

May Be Provisional

Warner stated yesterday Fred North, Detroit branch manager, is only "acting division manager" of its Detroit, Pittsburgh, Cleveland and Cincinnati offices, whereby indicating the promotion is provisional. Roy Haines, now in charge of company sales in the metropolitan area, formerly had this territory.

U. A. to Hold 2 Showings

United Artists has decided on trade showings in all key centers for "Galant Lady" and "Moulin Rouge." The former will be shown Dec. 29 and the latter Jan. 15.

In Town for Holidays

George Batcheller, president of Chesterfield, is in town for the holidays and plans to return to the coast after the first of the year.

Sixth Week for "Women"

"Little Women" enters its sixth week at Radio City today. It played 21 days at the Music Hall and now begins a third week at the Center.

Salesmen Vacation

Salesmen of practically all companies are on their usual seasonal vacations and return to their jobs on Jan. 2.

Trading Heavy—Most Issues Slip

Columbia Pictures, etc. High Low Close Net Change Sales
Consolidated Film Industries 3 25 3 00
Eastman Kodak 10 7 7 100
Fox Film "A" 13 12 12 100
Loew's, Inc. 16 16 16 100
Paramount Publix 2 13 17 13 300
Pathe Exchange "A" 10 8 8 90
Universal Pictures, etc. 15 12 15 300
Warner Bros. 4 4 15 15 500

Trading Light in Curb Market

Columbia Pictures, etc. High Low Close Net Change Sales
Consolidated Film Industries 3 25 3 00
Eastman Kodak 10 7 7 100
Fox Film "A" 13 12 12 100
Loew's, Inc. 16 16 16 100
Paramount Publix 2 13 17 13 300
Pathe Exchange "A" 10 8 8 90
Universal Pictures, etc. 15 12 15 300
Warner Bros. 4 4 15 15 500

Bond Market Fairly Steady

Columbia Pictures, etc. High Low Close Net Change Sales
General Theatre Equipment, etc. 10 10 10 100
General Theatre Equipment 10 10 10 100
Keith, F. E., etc. 31 31 31 100
Loew's in 61, 10 deb rights 80 80 80 100
Paramount Broadway 35a 35a 35a 35a
Pathers 7s 7s 7s 7s 7s
Warner Bros. 68 68 68 68
Stagger Plan Help To Many Musicians

(Continued from page 1)

throughout the country had set the plan rolling. Ed Caravan, head of the Associated Musicians of Greater New York, which is Local 802 of the Federation, asserted it was doing "to help relieve hardship among musicians in the New York City territory of which there are some 15,000." Under the stagger idea an unemployed musician is assured of one week's work in four. As it operates in New York, two days' work is given in each of the first three weeks, with one day the fourth week. The full effect of the plan is not yet known until about the first of the year, when the first four weeks' period will be up.

Libson Makes Three Cinco Policy Shifts

CINCINNATI, Dec. 20.—Policy shifts are being made here by the Libson-Frudenfeld setup.

Class A pictures, hereafter confined to the Albee, will also be played at the Lyric, Capitol and Grand, and the Grand will go on a full week's program with one day off. This is to give the Albee and the only split week house downtown.

For Ampa Party

A check-up last night indicated the Ampa may run short of tickets for its Christmas party at the Astor today. The capacity of the ballroom here is 700, and nearly all of the tickets have been sold.

Definite acceptance from important film men so far include Will H. Hayes and Eddie Cantor. Mario Chalmeles, Metropolitan Opera star, will also be there. Cantor, Hayes and Louis Nizer are scheduled as the only speakers.

St. Louis Operator Hurt

ST. LOUIS, Dec. 20.—Albert Fletcher, operator at the Maryland, was slightly injured last night when a bomb exploded on the roof. He was treated and was at the City Hospital.

St. Louis, Dec. 20.—John B. Antionella, secretary of the United Barbers' Ass'n., was sentenced yesterday to six months on each of two charges of stench bombing.

Walter Gould in Town

Walter Gould, general manager for United Artists in Mexico, has arrived here from Porto Rico, where, with Lester Sussman, he aided in the opening of a new U. A. exchange there. Sussman remained in Porto Rico as district manager. Gould will confer with company executives before returning to Mexico City, his head-quarters.

Breen a Busy Man

Hollywood, Dec. 20.—In addition to his other duties at the Hays office, Breen is performing the duties of Dr. James William during his absence in the East for conferences on censorship.

"City" Set in 133 Spots

Warners have set 133 day and date bookings for the opening of "Conven-

tion City" on Dec. 31.

MOTION PICTURE DAILY'S
HOLLYWOOD PREVIEW

"Fugitive Lovers"
(M-G-M)

HOLLYWOOD, Dec. 20.—"Fugitive Lovers" has the fundamental movement and drama which make pictures popular entertainment. The action takes place in a speeding transcontinental bus at way stations. A show girl, Madge Evans, refuses to go to Atlantic City with a gangster producer, Nat Pendleton, and boards a transcontinental bus, only to find, upon arrival, that Robert Montgomery is escaping from jail, gets aboard, and the girl, to get away from the gangster, seeks the conviction's protection. John Law hounds the convict's trail, and in spite of the law and the gangster menace a romance springs up between the convict and the girl, with old-fashioned melodramatics, human interest and wisps of sentiment in for a speedy play.

Montgomery and Miss Evans make the romance sincere. Nat Pendleton registers as the gangster, with both menace and humor. Ted Healy and his stooges supply comedy interludes. H. Gordon puts across a definitely remote role in civic movement. Richard Boleslavsky's direction stresses the basic picture formula of dramatic action.

"Fugitive Lovers" is satisfactory entertainment and should strike a pleasing chord where they like pictures that move. Where human interest hokum pulls big audiences it might be better than satisfactory.

Looking 'Em Over

"Criminal at Large"
(Heller)

Spooky is the word for this one. It's an English-made mystery story with the interest centered more on who is going to be murdered next than on who is doing all the stranglings. Most of the way through the story the mother and one of the footmen are the two principal suspects, but finally a half-wit son brings Scotland Yard into the case and confesses while menacing an inspector with a revolver. This is really a remarkable scene.

Interest is maintained well, the setting—mostly interiors of an English castle—are luxurious, and the cast is competent, but, like many British productions, it will be handicapped in this country by the extreme British accent.

The film is an adaptation of Edgar Wallace's stage play, "Frightened Lady." It was produced by Gaumont-Gainsborough with T. Hayes Hunter directing. Lady Lebanon, played by Cathleen Nesbitt, tries to protect her son, who has a mania for strangling people. The work of Emily Williams in this role is outstanding. None of the names in the cast mean anything to American audiences.

"Flying Down to Rio," which opens at the Music Hall today, was reviewed by wire from Hollywood in Motion Picture Daily Dec. 20.

"Mr. Sketch," slated for preview at the Roxy tonight, was reviewed by wire from Hollywood on Dec. 8.

"Convention City," which opens at the Strand tomorrow night, was caught in Hollywood and reviewed by wire on Dec. 11.

"Going Hollywood," Friday's opener at the Capitol, was reviewed by wire from the coast on Dec. 12.

"Alice in Wonderland" was reviewed on Dec. 11.

SHORTS

"Sing, Babies, Sing" (Paramount)

A highly entertaining short with a combination of cartoons by Dave Fleischer and songs by Baby Rose Marie. The animated portion of the picture shows a baby factory in the clouds with all sorts of animals being turned out by the second. Interplanted is a shot of the child actress singing "An Orchard to You" and "Hiawatha's Lullaby." Great for the children. Running time, 8 mins.

"Autobugography" (Radio)

Leon Errol's experiences in buying a new car and then having it fail to pieces the first day constitute the entire length of this short. There is a lot of meaningless dialogue between Errol and the salesmen and at times it appears this subject is an ad for a new automobile manufacturer. Dorothy Wollert is Errol's wife and Georgie Billings, the son. Running time, 20 mins.
AMERICA'S GREATEST ADS ON Darryl F. Zanuck

BIG! So big, we had to get artists as famous as these to give it the campaign it deserves!

JAMES MONTGOMERY FLAGG
DIEGO RIVERA

HOWARD CHANDLER CHRISTY
BRADSHAW CRANDALL

McCLELLAND BARCLAY
HAYDEN HAYDEN

Watch for their campaign! Available to every exhibitor who plays the picture!

Released thru UNITED ARTISTS! Backed
"Gallant Lady" (20th Century)

Hollywood, Dec. 5—"Gallant Lady" is big and fine. A thrilling picture, throbbing with a measured beat of human sympathy.
Audiences will meet, know, and be pulling for as swell a group of human beings, led by Ann Harding and a stellar cast, as have graced the screen in some time.
Not since "Holiday" has Miss Harding been accorded such a genuine, sincere and meaty role. She handles it with feeling and telling effect.
The story concerns a girl courageous. Her fiancé, killed in a take-off on a trans-Atlantic flight, forces her to have her child adopted. Her attachments to three men, her business success, her yearning and quest for her baby boy, and her final break for happiness are meager highlights of an absorbing plot.
Charged with quiet power, suffused with poignant pathos, the picture reveals dramatic heartbreak in a touching and tender mood. Sigh and sob are broken by smiles and laughs. Ann Harding softly etches a portrait that engraves itself on one's memory.
Clive Brook, as a social outcast, elevates human frailty superbly. Tullio Carminati is gay, Otto Kruger is dependable, and both give quality performances as the two other men in Ann Harding's life. Janet Beecher, rich in stage experience, turns in a warm, competent and sincere portrayal. Dickie Moore is a lovable, regular fellow. Betty Lawford, as the female menace, handles a tough job nicely.
Gregory La Cava's direction, keeping the human values well in front at all times, is expert in all departments. Sam Mintz's screen play is a model of craftsmanship.
"Gallant Lady" explores the heartaches and gropings of real people. Its soft symphony reaches the hidden springs of emotions and plays wholesome music on the heartstrings.
Appealing to all classes, "Gallant Lady" may well be considered outstanding, should do standout business where Ann Harding's name pulls and should rejuvenate her popularity elsewhere.
1934 Looks O. K. to Clark; Idolatry Futile: Comferford

By JOHN D. CLARK

(Continued from page 1)

The good profit and the production plans now being made for the new year include more pictures of outstanding merit than ever before considered in advance of a new season. There can be no halfway measures. We must have good pictures.

By M. E. COMFERFORD

(Continued from page 1)

have very definite divisions and we, or think, we know, what the province of each happens to be. Of course, there must be a reasoning in business when the general economic situation is below par. There should be a substantial investment of funds and a general business as a whole become better. But we should not be subject to violent conclusions when there is no real cause for the same.

submitted to Referee Davis for approval today. If approved, it will wind up the affairs of the company. The new creditors’ claims against the estate have not been settled yet. Irving Trust Company, which controls Publix Enterprises until such claims be disposed of, at which time the theatre company will be discharged from all losses in bankruptcy.

Laporte stated yesterday that there were originally 356 theatres in the Famous Enterprises holdings, but that the number had been reduced to 214, either by the bankruptcy or receiver, all of the subsidiary companies operating them or by being put in sight. He described the estate as of importance to Paramount as a film outlet and as a depository.

Declay Is Refused

Counsel for the Citizens’ National Trust and Savings Bank of Los Angeles, a Paramount creditor, asked for the amount of more than $800,000, for a settlement to adjourn the meeting to approve the reorganization plan on the grounds that the creditor’s notice of the meeting gave insufficient details of the plan and not enough time has been allowed to study the plan itself. Referee Davis refused to grant an adjournment until Laporte declared that immediate action on the plan was necessary. Famous Theatres offer expires Saturday. The Los Angeles bank’s attorney stated that while he had been instructed to request an adjournment he believed the reorganization plan to be “a good deal” after being told by Laporte that “between 97 and 98 per cent of the money involved in the transaction would be returned to the Paramount estate and the control of its trustees in bankruptcy.”

Under the reorganization plan, Famous Theatres will pay $240,000 of the purchase price in cash, out of which the expenses of the bankruptcy administration and lawyer’s fees will be paid. Payment of the balance of the purchase price will be adjusted on the basis of the claims of Paramount and its subsidiaries against Publix Enterprises, which will be settled either at the rate of 35 cents on the dollar, in cash or by accepting a share of Famous Theatres’ preferred for each $290 of approved claims.

The Famous Theatres offer is to be

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Lynch to Stay in New Para Setups

(Continued from page 1)

as an officer and director of Famous Theatres Corp., wholly owned subsidiary recently created to buy up the assets of the bankrupt Publix Enterprises.

Lynch’s compensation for his present theatre reorganization services calls for delivery to him of about $13,381,333, one-year note and 2,500,000 shares of preferred stock of Famous Theatres Corp., it was stated yesterday at the hearing. Referee Davis, appointed to construct this business sensibly and conduct it along honest and equitable lines. Where any man or group stand in the way of equity or the square deal, push them aside.

Let us make 1934 a year of real accomplishments along that line.

Sheehan Again To Head Of Fox Films

(Continued from page 1)

production activity will clear over his desk in the next few weeks.

The centralization of authority in Sheehan may have a bearing on the three important items which were placed on the Fox schedule in view of general Hollywood opinion that this cycle already has been well covered to exploit the forthcoming musicals and comedies. "Fmovietone Folies," "George White’s Scandals" and "Musicals Up" which Buddy DeSylva is slated to produce. Of late, Sheehan has been confining his activities to production of a limited number of important reissues on the studio schedule.

Kent left for the East tonight where he arrives in time to view the Christmas holidays with his family.

"I believe we are going to return to an era of honest story telling with genuine emotions and interests. Above all, clean stories with wholesome humor will find favor with the public.

"The cynical sophisticated screen plays, whose characters are unreal, synthetic sinners is past," Sheehan thinks. "On the public’s taste turns to the real problems and actual struggles of regular people who live clean lives.

"It is the great mission of motion picture producers to do this kind of work. Literature and the stage have given themselves over to decadence; let the screen give a chance in clean entertainment for the whole family.

"Musicals with a good story, catchy music and interesting personalities, will make money. But a hackneyed narrative with poor music and cast lacking in the important parts will not. We are just cutting the wrong parts. Not all will make the grade, but from this group our future and increasingly talented stars will emerge."

Lynches are over the horizon as well as in real estate. He has resigned his position and has become a consultant to the establishment, which is to be released shortly by Fox.

Delay Advertising Meet

Originally scheduled for this week, the delayed advertising meeting representatives of independent companies and J. J. McCarthy of the Hoye office has been postponed until late next week.
Greeted With APPLAUSE

EASTMAN Background Negative is winning wide acclaim among the many producers and cameramen who have already discovered its possibilities. Its remarkably fine grain meets the prime requirement of background shots that are to be projected and rephotographed. Other qualities . . . particularly a surprising degree of speed . . . give it a potential versatility that may well lead to finer photography in other directions. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Background Negative
Cleveland, Dec. 20.—Zero weather the early part of the week, combined with the beginning of the holiday shopping at theatres hard. "Sitting Pretty," at Loew’s State, was the only first run to go over the top, doing about $11,500. "Hollywood," at the Warner in the York, was held over another week, while others slumped. The six-day bicycle race proved heavy competition.

Total first run business was $41,950. Average is $42,500. Estimated takings for the week ending Dec. 15:

- TAKE A CHANCE (Radio) ALLEN—(1,050), 28c-30c, 35c-40c, 7 days. Gross $1,425. Est. $1,500.
- HOOPLA (Fox) WARNER’S INDIANA—(2,000), 30c-40c, 7 days. Gross $2,000. Est. $2,300.
- MAN’S CASTLE (Radio) RKO—(1,050), 25c-30c-40c, 7 days. Stage show. " Strike Me Pink". with Jane Darwell. Gross $2,000. Average $2,000.
- OLSSEN’S BIG MOMENT (Fox) WARNER’S INDIANA—(600), 25c-35c-40c, 7 days. Gross $1,900. Average $2,500.

"If I Were Free" Indianapolis Lead

INDIANAPOLIS, Dec. 20.—Theatre business was very bad last week with all houses going below average. "If I Were Free," with Thurston on the stage of the Indiana, was good for only $7,000, below average by $1,000, but the best business in town.

Estimated takings for the week ending Dec. 15:

- JIMMIE AND SALLY (Fox) APACHE—(4,000), 7 days. Gross $2,000. Average $2,500.
- LITTLE WOMEN (Radio) CIRCLE—(2,000), 7 days. Gross $1,900. Average $2,500.
- BREAD AND BANANAS (Radio) INDIANA—(1,050), 25c-30c, 7 days. Stage show. Gross $7,900. Average $8,000.
- LAUGHING AT LIFE (Fox) LYCEUM—(200), 40c-60c, 7 days. Gross $4,000. Average $6,000.
- WOMEN IN HIS LIFE (M-G-M) PALACE—(1,050), 25c-40c, 7 days. Gross $1,500. Average $4,900.

Levin New Chairman

Jack Levin, director of operations of the Copyright Protection Bureau, last night was installed as chairman of the board of trustees of the Simon Cohn Memorial Foundation, a Masonic organization devoted to charitable ventures.

RCA Withdraws Sound

HOLLYWOOD, Dec. 20.—RCA is said to have ended use of its sound channel, which Jack Sennett put on the ground that the former is an Elpi affiliate and the latter is bankrupt.

The Indiana Reopening

INDIANAPOLIS, Dec. 20.—The Indiana Monarch house, which closed last Friday reopens Dec. 24 minus stage shows.

Censors Seek Jobs

Hollywood, Dec. 20.—Now that the censoring of all photographic stills has been centralized, applications have been pouring into the Hays office for jobs. One letter stated reference. They had from Canon Chase. Another stated he was at one time Anthony Comstock’s right hand bower.

Hutchinson Tells Of English Buying

Walter J. Hutchinson, English representative for Fox, is quoted in Will Rogers’ column in the Times as saying that the English “just stocked up on our securities during all these low prices.”

Rogers continues: "There is a real weather vein. There is nothing with him for the ground (and so much of ’em) as an old conservative Englishman. He sees further than our rich man is worrying out of their mess ahead of us. That’s another, too, the fellow sitting off looking at you can tell better how you are doing and what your prospects are than you can yourself. Hutchinson says England looks on us as a bad boy who can go and spend a fool but will sober up, change some of his ways and be a better boy for it."

Hutchinson is eastbound by train and will spend two weeks in New York before leaving for London.

Programmers About Finished—DeMille

Controlling picture programs are approaching fins and that the unit system is the plan which would eliminate cycles and result in quality product. Cecil B. DeMille yesterday declared there are too many pictures produced every year. He said the only reason we have been reared in the open small theatres.

The producer hit mass production. He stated that man has seen a cycle a year and realize their true merits. Neither can one person turn out one film a week. He added, the solution is for a director to make about three a year and a producer about six. He sees the unit idea gaining a foothold in the studios again and expects every plant he be working under this system shortly. He also said this plan would eliminate cycles because of individuality of ideas.

DeMille is overplaying sex and the stars in the picture. He is given no more attention in films than does ordinarily in real life. He urged variety in ideas in stories and limited romance every picture.

He said he had not read the code as yet and was in no position to discuss its application. Cecil B. DeMille yesterday completed "Four Frightened People" and leaves for the coast today to start "Chinatown." DeMille plans to make a picture a year and a half. It should be made on a small production scale.

Stanley Gets Refund

WASHINGTON, Dec. 20.—Overseas earnings aggregating $74,103 for 1924 to 1928, inclusive, have been credited to the Stanley Co. of America.
QUALITY AT HIGH SPEED

"MOTION PICTURE HERALD IS A FULL-GROWN PUBLICATION PRINTED IN NEVER LESS THAN TWO COLORS, AND OFTEN MANY MORE, SERVING THE MOTION PICTURE INDUSTRY WITH A QUALITY MAGAZINE DELIVERED AT NEWSPAPER SPEED. . . THE MERCHANDISING IDEA CONCEIVED ON WEDNESDAY MORNING CAN BE DELIVERED IN THE PAGES OF MOTION PICTURE HERALD ON BROADWAY THURSDAY AFTERNOON. . . AND BY SATURDAY IT HAS REACHED EVERY IMPORTANT CUSTOMER EAST OF A LINE DRAWN DOWN THE MAP WEST OF MINNEAPOLIS. . . BY MONDAY MORNING THE MOST REMOTELY LOCATED SUBSCRIBER HAS THE BOOK. . . IN THIS BUSINESS WHERE PLAYDATES FLOW BY LIKE MIGRATING BIRDS, BOTH THE BUYER AND THE SELLER MUST SHOOT FROM THE HIP. IT IS AN INDUSTRY WHERE, IF YOU HAVE TO "STOP TO THINK," YOU HAD BETTER NOT THINK—BECAUSE THE TRAIN HAS GONE! EFFECTIVE THINKING IS DONE ON THE RUN. SPEED IS THE ESSENCE OF THE JOB AS THE DAYS RACE BY. . . MOTION PICTURE HERALD, QUALITY MEDIUM OF THE INDUSTRY, IS GEARED TO THAT SPEED, BUILT AND MANNED TO KEEP THE PACE WITHOUT EFFORT.

MOTION PICTURE HERALD
Expect Early Start by All Code Boards

(Continued from page 1)

day. The chairman of the following meetings will be elected at the previous sessions. Ken- man for the Jan., 4 meeting, place un-decided as yet but which will prob- ably be handled by a committee com- posed of O'Reilly, H. M. Warner and R. H. Cochrane. Headquarters in all probability will be in Chicago.

Bareford Acts as Secretary
Harold Bareford, counsel for War- ner, acted as temporary secretary and said at yesterday's session. A technical error in the printing of the code was corrected. On page 11 and Section 4, the words Section 1 were changed to Section 2.

The session was called to order at 2:10 P. M. and adjourned at 4:50 P. M. More than one hour and a half was spent in the discussion of a permanent chairman. Major repre- sentatives suggested John C. Flinn, as exclusively mentioned in Morecon Picture and Sound International, as the independent representing. It was finally decided to let a committee consisting of Nicholas M. Schenck, Nathan Yamin and George J. Schie- ler handle the matter. Their decision will be unanimous before being sub- mitted to the Code Board.

When asked whether other names had been submitted for the post, Bare- ford refused to comment. Rosenblatt referred all questions on the subject to the official spokesman, but it is understood no other name came up from either major or independent men. Eddie Cantor, one of the two actors' representatives, attended. He arrived 10 minutes after the session started and did not have a vote in the proceeding, since no problems relat- ing to talent were on the tap. Whether Cantor was invited was a mystery and Bareford would not comment other than to say he was a member of Code Authority and had a right to sit in. Marie Dressler was detained in Hollywood. W. C. Michel, vice-president of Fox, acted as alternate for Kent.

Other Committees Named
Other committees appointed were as follows:


Methods of financing Code Authority:—Kent, Warner, O'Reilly and Yamin.

Groups to secure signatures of assent of code:—J. Robert Rubin, Kuy- kendall and Yamin.

How meetings would take place was not discussed. Neither was the absence of A. Lawrence Lowell, first appointee by President Roosevelt. When the meeting was called to order the press invited did not come up, but it is understood that newspapers would be bared, they were yester- day.

Attending the conclave were Rose- blatt, Schenck, Rubin, who will act as alter- nate for Schenck, Warner, Cochrane, Aylesworth, Schaefer, Mi- chel, Johnston, Kuykendall, Bareford, Yanminated and O'Reilly.

Anthony Muto, who has been re- presenting the Hays office in Washing- ton, visited the Bar Association Bldg. yesterday, but did not attend the closed conference.

Rosenblatt had left for Washington im- mediately after the meeting. Kuyken- dall returns to Columbus, Miss., to- day and Yanminated plans to stay in town for several days.

Nizer Analyzes Code For Selling Staffs
About 250 home office executives, branch managers and personnel of local exchanges yesterday attended a committee meeting in Chicago. Louis Nizer, secretary of the Film Board, gave an analysis of the various sections of the code, including those clauses dealing with cancella- tions, grievance and zoning and clear- ance boards, premiums, two-for-one admissions, the advertising section and it applies to subsequent runs, labor, selective contracts and shorts and fea- tures.

At 5:45 it was decided to adjourn and hold another meeting to complete the analysis some time next week.

Writers Lack 16 in Vote on Their Code
Hollywood, Dec. 20.—The Writers' Guild of the American Federation of Musicians and Film Guild, 16 votes necessary to ratify the new code of ethics.

Clause 12 limits the right of a member to sign a new long term contract, Clause 13 covers the Guild board's ability to declare a producer a member in good standing, and to prevent him while the case is being heard, and Clause 14 requires all members to keep their contracts with the secretary.

Other clauses cover relations between producers and freelance writers and create rules concerning work with non-Guild members.

Lowell Resignation
Hanging in the Air
(Continued from page 1)

stated he hadn't heard enough to say and that the matter is now in the hands of Administrator Hugh S. Johnson. Lowell was not present at the first session of the Code Authority. Rosen- blatt said he didn't know whether Lowell would attend the next session on Jan. 4.

Switch Delaware Session
HARRINGTON, Del., Dec. 20.—The Independent M. F. Theatre Owners' Association of Delaware will hold the Delaware Delaware Session of the Independent M. F. Theatre Owners' Association in Delaware next month instead of at some future date. The entertainment was originally planned, to act on the code.

Denver Men Refuse Code Endorsement

(Continued from page 1)

Huffman, president, heads this con- tinent.

Sections of the code which members feel work hardships on exhibitors cannot be put to the test discussed at length. Some members thought the code too severe on ex- hibitors. Huff was there in company to discuss details. No record vote of the vote was made, as it was practically unanimous. Many mem- bers expressed a desire to cooperate.

Resolutions were adopted condemn- ing Exchanges service charges as too high. Taxes on admissions by legislatures and Congress were condemned and the latter was called upon to repeal the present amendment.

Most of the two-day session was given over to code discussions, espe- cially those sections relating prices and cut rate admissions.

Most of the officers were reelected. The list follows: President, A. T. C.; vice-president, Joe E. Decker; second vice-president, E. J. Schultze; treasurer, Gus Koh; secre- tary, Edward D. Everett, sol. Ralph Rubin, director, Max Garber, director, Sam H. Aylesworth, Director, Roy Harold, Rushville; W. F. Tas- ley, Greenlaw; A. E. Bennett, Mun- k, M. Mall; Edward E. Wasser, Evansville; James Fushanis, South Bend; R. F. Scherer, Linton; H. F. Baskin, Bloomington; Frank, Caleb, Ten.; Maurice Rubin, Michigan City; Ross Garver, Terre Haute; Alex Manta, Indiana Harbor; W. R. Bair, Indianapolis; A. B. Cli- el, Indianapolis, and L. B. Goulden, Indianapolis.

Yanminated States N. B. To Act by Jan. 16
Action on the code will be taken by Independent Exhibitors in England before Jan. 16. Nathan Yanminated, president of the unit, stated at last Thursday's meeting that about 200 members early next month for discussion of the various clauses.

Last Monday the unit heard Abram F. Cohen, one of the members of the Ohio code in Boston. It is expected that the members will approve it. Yanminated is president of Code Authority and at- tended the first meeting yesterday.

Theatre Help
Union to Ask Wage Raises

Collective bargaining to obtain an increase in the minimum wage scale was announced by theatre employers, dor- men, janitors, ticket takers and cashiers will be sought early in January by the New York Service Em- ployees' Union, the newly organized New York local representing those classifications of theatre employees, it was learned yesterday.

The move to obtain wage increases for members of the local is being hastened by New York circuits' ac- tion in reducing wages of the em- ployees concerned to the minimums prescribed in the code. Since the signing of the code by the President, the $13 minimum wage in effect under the President's voluntary reemploy- ment plan was superseded by the code scales calling for a mini- mum wage of 25 cents per hour for usher and 75 cents per hour for the other classifications.

Loew's, Skouras, RKO, Frisch & Kinzler and other circuits have re- covered the $13 per week wage scale, a provision of the code, which will be used as the basis for collective bargaining with circuit heads later in the month, a representa- tive of Local 118 said yesterday.

Executive Council
Not to Affect NRA

WASHINGTON, Dec. 20.—Considera- tion under the National Executive Council of the Rooper recovery and other boards will have little or no effect upon General Hugh S. Johnson or operations of the National Recov- ery Administration.

When the decision was made to have these boards to the executive council, it was explained, to- day, will merely prevent duplication and overlapping of effort. The mem- bership of the Rooper recovery board, the Public Works Board and the execu- tive council is practically the same, it was said, and the change was sug- gested when it was found that the members of the Rooper board would meet to discuss certain subjects and then would find themselves in ses- sion as the executive council in con- sideration of the same matters. Similar as the work of the Recovery Administration is concerned, there will be no change, for some time to come. At least the merging of the several recovery programs under the coun- cil will become effective Jan. 16.

Maryland Protests
Non-Theatre Shows

BALTIMORE, Dec. 20.—The M. P. T. O. has filed a protest with Deputy Ad- ministrator M. G. M. C. & Fox against the placing of non-theatrical accounts in bookings where theatres are lo- cated.
Employment
At '29 Level,
Reports Hays

Tells Amca—Appeal on Film Daily Drive

Expressing his confidence in the future of the industry, Will H. Hays told 1,000 men and women employed in the industry at the Amca's Christmas luncheon at the Astor yesterday employment in the business had returned to its 1929 level, which he gave as 300,000.

The luncheon, punctuated by several numbers from Tommy McLaughlin and Little Jack Little, radio singers, and Mario Camille of the Metropolitan Opera as well as by music by

(Continued on page 7)

IMPPA Worried Over Increased Negatives

Hollywood, Dec. 21.—The I.M.P. P.A. met yesterday to discuss the code. The meeting was productive of a gloomy outlook for the future with the prospect of added production costs. It was regarded as problematical that exhibitors could be made to meet the increase when they were charged with having beaten independent playdates "down to the bone" even before the code.

Majestic to Produce Own Films: Gluckman

Majestic is definitely set to continue producing its own pictures in addition to distributing nationally through its franchise holders. Herman Gluckman, president, said yesterday.

(Continued on page 7)

Major Product Only From Goldstone Now

Hollywood, Dec. 21.—After 15 years, Phil Goldstone is retiring from the independent field to confine his activities to films in the higher

(Continued on page 8)

Mental Cross-Section

Hollywood, Dec. 21.—What does a fan dancer think of while the fans rise and fall? Sally Rand's favorite line of conversation while doing her own dance is this: "Now you do, now you don't."

Publix Sale
To New Unit
Wins Consent

Famous Theatre Corp. Gets 214 Houses

Famous Theatres Corp. replaced Publix Enterprises, Inc., as an important integral part of Paramount Publix yesterday when it acquired the assets of Publix Enterprises, consisting of 214 theatres in various sections of the country, for $1,800,000. Approval of the sale was given by referee Henry K. Davis when no other offer to purchase all or part of the Publix Enterprises' assets was received.

Purchase of the assets by Famous Theatres completes the reorganization of Publix Enterprises, which

(Continued on page 6)

Disappointment

Boris Morros is experiencing his biggest thrill in years —15 years, to be exact. His father, Michael, is in New York from Russia and Boris hasn't seen him for a decade and a half.

Coming up from the pier, Boris showed me the clock atop of the Paramount Building and remarked he was in charge of the big theatre.

"Your brother is director of the Moscow Opera. Another is a bank director; a third is in charge of the Soviet gold mines and a fourth is a professor. And all you do is manage a theatre," was the elder Morros' judgment on the son.

Story Board Will Work with Sheehan

Hollywood, Dec. 21.—Coincident with the return of Winfield Sheehan to his old command on the Fox lot, a centralized story board of control has been set up over

Prior to his departure for New

(Continued on page 6)

Lloyd May Transfer Distribution to Fox

Hollywood, Dec. 21.—Several deals are in the air for a new distribution arrangement with Harold Lloyd, with

(Continued on page 6)

Code Groups
To Get Busy
Next Week

Six Committees to Ready Plans Before Jan. 4

Committees of the Code Authority, appointed at the final 1933 session held Wednesday, will begin functioning next week, when members of the six committees are expected to hold sessions and work out plans for rules of Code Authority, methods of financing, selection of a permanent secretary, securing signatures for approval of the code and location for permanent headquarters.

S. R. Kent, who was appointed to the committee on methods of financing Code Authority and also to the committee to receive recommendations for post office, local insurance and zoning and grievance boards, returns from Hollywood Sunday. Ed Kuykendall, a member of committees

(Continued on page 7)

Lowell Turns Down
Post on Authority

Dr. A. Lawrence Lowell has offered his resignation as a member of the Code Authority, it was learned yesterday. The educator's action, foretold exclusively in Motion Picture Daily of Tuesday, is said to be motivated primarily by the fact that as a government member he has no voting power on the Authority.

Dr. Lowell has been asked to reconsider and it is understood he

(Continued on page 7)

Signature Forms to Be Ready in 10 Days

Printed forms for signatures approving the code will be off the presses in about a week and mailed by Division Administrator Sol A. Rosenberg to all interests identified with the business in 10 days. All approvals must reach Washington by Jan. 10, deadline set for those wishing to become a party to the law.

No Paper Monday

Christmas being Monday, Motion Picture Daily, therefore, will not publish on that day.
Predicts New Sound Era;
Certain on Trade Abroad

By JOHN E. OTTERSON
(Continued from page 1)

we shall continue to address our efforts.

In spite of the very substantial advances in sound recording and reproduction that have been made in the last year, I predict that even more important and significant improvements are in prospect and soon to be realized. In this improvement the industry will have an asset of substantial weight to assist in the effort to improve the quality of talking pictures.

By JOHN W. HICKS, Jr.
(Continued from page 1)

at least they have been so expertly studied from the production department angle and in this highly eventful year immediately ahead of us, I am sure that we will have our rightful quota of internationally-appealing films with which to continue, in all countries, the axiom that "There's always good business for good pictures."

Cleveland Exhibitors
Re-elect Schwartz

CLEVELAND, Dec. 21. — The Cleveland M. F. Exhibitors' Ass'n today unanimously re-elected Ernest Schwartz president, Albert E. Ptak vice-president, and John Kalafat treasurer, G. W. Erdmann, secretary, was elected to fill the expired terms on the directorship of Meyer Fischer, Morris Berkowitz and M. B. Horwitz.

Small exhibitors met to list the numbers of films they used and to estimate the cash value of their business. They plan to present this figure to distributors to show they are entitled to earlier availability as against some of their independent protection. This group might work out a combined buying plan, but it is finan
cially not feasible to form a separate organization. These exhibitors include D. I. Schumann of the Marvel; Sam Deutsch; Sam Barck, Market Square; Kaplan Brothers, Akron; Superior and Crown; Frank Gross, Cedar, and H. Smith, Ridge.

Milwaukee 1st Run
Goes to Weisfeld

MILWAUKEE, Dec. 21. — E. J. Weisfeld, formerly with the Wisconsin here as stage projection manager, is back to take over management of the Riverside for the newly incorporated Riverside Theatre Operating Co., incorporated by Thomas O. Heil and other stockholders. Mr. Weisfeld is an old friend of Mr. B. Seidler. He is a Democrat.

Reunion for "Vienna"

Differences over portions of "Reunion in Vienna" with the Austrian government have been ironed out to the satisfaction of all. Mort Spring, assistant to Arthur Loew, foreign head of M-G-M, stated yesterday, that there was now a complete understanding that has since been adjusted.

Bachmann in Town

J. G. Bachmann, president of Preferred Pictures, is in town from Hollywood and plans to be here several weeks. While in New York he will appoint a sales manager to the last of this month. Mr. Goldberg, who was general sales manager.

Trade Showings Changed

A change of dates has been made in the national trade showings of "Galahad," "Laurel" and "Troublin Roupe" by United Artists. The first will be the Jan. 3, the other Jan. 9.

"Brighter Days"

By JACK MILLER
President, Exhibitors' Ass'n of Chicago

Chicago, Dec. 21. — "Now that the industry has finally approved the code and will have the tribulations to adjust its differences, I see brighter days for the future of the business under the 'New Deal.'"

Daily Institute Advertising Check

KANSAS CITY, Dec. 21. — Local daily takings are taking cognizance of the movement to clean up advertising copy and art recently launched by the Hays office and have instituted censorship. While theatre managers have received a notification on objectionable copy from their advertising departments, at the same time they feel that certain pictures offer only the sex angle and box-office appeal. The newspapers, however, have become highly critical of copy and in at least one case to 12 instances managers have been compelled to rewrite their ads following rejection. While The Star is content to keep the matter a secret from its readers, the reported Post has discussed the atrocity in its columns, and in one case, went so far as to criticize what it considered an objectionable blurb on a first-run's marque.

Stage presentations come within the purview of the newspaper's censors. The managers where there feel there will be some doubt, they submit copy and art as early as a month in advance.

Dietz West Sunday

Howard Dietz shows off for Hollywood Sunday on general M-G-M business and the specific business of taking a look at "Hollywood Party" on which he worked for several months. He'll be eating his Christmas turkey, served a la The Chief somewhere between Chicago and Kan
sas City Monday. He'll be gone several weeks.

Loew Bonds Jump 2 1/2

Low Bondes Jump 2 1/2

Trading Heavy in Eastman Pfd

Consolidated Film Industries .................... 3 7/8
Consolidated Film Industries .................... 10 1/2
Eastman Kodak ................................. 72 7/8
Eastman Kodak ................................. 72 7/8
Fox Film "A" .................................... 12 1/2
Keitel-Allan-Orpham ............................. 25
Loew's, Inc. .................................... 29
Path Exchange ................................ 134 1/2
Path Exchange "A" .............................. 134 1/2
RKO ............................................ 22 3/4
Warner Bros. ................................. 49 3/8

High  Low Close Net Change Sales
Consolidated Film Industries .................... 3 7/8
Consolidated Film Industries .................... 10 1/2
Eastman Kodak ................................. 72 7/8
Eastman Kodak ................................. 72 7/8
Fox Film "A" .................................... 12 1/2
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Path Exchange "A" .............................. 134 1/2
RKO ............................................ 22 3/4
Warner Bros. ................................. 49 3/8

Moley S. & C. Executive

Al Moley, formerly an independent booking agent, is now general manager of the Springer and Cocalis circuit.
SANTA CLAUS CONVENTION at 'Convention City' premiere features tremendous N. Y. Strand campaign for Warners' 10-comic 'Grand Hotel of fun.'

XMAS CHEER FOR WARNERS by M. P. Herald

dual 'Champion' award to Footlight Parade' and 'Keneel Murder Case' based on nation-wide survey of top November grossers.

MERRY XMAS assured for holiday audiences by record total of holiday bookings for Joe E. Brown's 'Son of a Sailor.'

HOME FOR HOLIDAYS come the Paul Munis on completion of hilarious 'Hi, Nellie', due for January release.

HAPPY 1934 forecast for Genevieve Tobin as advance views bring raves for her role with Menjou in 'Easy To Love', coming laugh ace from Warner Bros.

'SEASON'S GREETINGS—and I'll see you in 'Fashions of 1934', says Bette Davis, opposite William Powell in Warner special now in studio cutting room.

*A Warner Bros. Picture  *A First National Picture  Vitagraph, Inc., Distributors
START THEM LAUGHING A WEEK IN ADVANCE...

STOP 'TILL THE LAST FRAME OF YOUR LIFE

“Selling 'Convention City' should be a cinch,” says M. P. Herald. And this clever, novel Trailer makes your selling job a set-up! If you haven't seen it, take our word that it’s as funny as the picture... And if you haven't seen the picture—well, it’s just as funny as the trailer! "Should be a money magnet all houses," says Variety Daily... Get today from Money Magnet Headquarters, WARNER BROS.
WORLD PREMIERE
TONITE AT N.Y. STRAND
with
JOAN BLONDELL
ADOLPHE MENJOU
DICK POWELL
MARY ASTOR
GUY KIBBEE
PATRICIA ELLIS
RUTH DONNELLY
HUGH HERBERT
SHEILA TERRY

Directed by ARCHIE MAYO

"CONVENTION CITY"

FIRST BURGLAR:—Well what the heck are we waiting for? Come on.

THAT swell comedy—Everybody’s talking about it. LAND!—Yes! Come on, let’s.
Disport and Make Hoopla at Round Table ‘Get-Together’

A floor show, including over 30 headline radio and stage acts under supervision of Lew Preston, featured the Christmas “get-together” of the Managers’ Round Table Club of Jamaica at the Ambassador Hotel yesterday.

The party started at midnight and then ran on with an address of welcome by A-Mike Vogel, chairman, and presentation of the guests of honor from all branches of the industry. A buffet supper followed, during which a musical presentation was put on by the Academy of Music orchestra under the leadership of Joe Gershenson.

Among the acts that showed their wares were Valery Shaw, Ben Burke, Rudy Ralph, Roy Benouin; Beth Chalas, Eddie Miller, Hal Young, William O’Neill, Jesse “Lazy Zone” Crier, Three Long Brothers, Rich, Kaye & Evans; Charlie Chaze, Stel Klee, Jack Arthur, Ben Allyn, Roy Sency, Michael the Accordionist, Ronnie, Van & Chapman; Gene Austin, Roy Sax, Lester Allen; Mario & Lazarre; The Sunshine; The Interlending Wasters, Apple & Teller, and many others.

In attendance were large delegations from the Randolf, Skouras, Warner and RKO local circuits, as well as groups from metropolitan and independent New Jersey, Connecticut and Long Island theaters. The following were some of those present:

Mrs. Myriam Ashman, the Capitoll, Brooklyn; Murray Alper, the Commodore, Brooklyn; Sam Alster, the Kinema, Brooklyn; Rahle Abrams, Frisch & Kinler, Brooklyn; Arts, Lefferts, Brooklyn; Mac Alster, Cross Roy, Brooklyn; Nat Alterman, Belmonth, Bronx; E. J. Burke, Rosy, New York; Paul Blumenthal, Republic, Brooklyn; Irving Herman, Meserole, Brooklyn; Joe Kantner, Stadium, Brooklyn; Billings Booth, Brooklyn; Isadore Gold, Williamsfield, Mass.; M. J. Gordon, New York; Anduhon, New York; S. Bakuhalis, Lefferts, Brooklyn; Jack Riker, Carroll, Brooklyn; William Brown, Marboro, Brooklyn; H. Bartad, Marboro, Brooklyn; M. Lefferts, Marboro, Brooklyn; E. S. C. Coppock, Paramount; F. Stapleton, R. Cable, M. Cooper, Blenheim, Bexley, Bronx; J. Castorino, Lefferts, Brooklyn; S. Cohen, Studio, Brooklyn; J. W. Daly, Japanese Gardens, New York; M. Decker, Stratford, Brooklyn; A. DeSimone, Marboro, Brooklyn; Gerald Evans, Ralits, Brooklyn; M. Egsten, Calver, Brooklyn; Ira Escha, Harold Funk; L. Fishkin, Alba, Brooklyn; Ben Friedman, Lefferts, Brooklyn; Hyman Muskat, Brooklyn; W. God, Costello, New York; Walter Gold, Midway, Brooklyn; William Howard, Glendower, Brooklyn; B. Goodman, Marboro, Brooklyn; Joe Hone, Bernard, Brooklyn; Joe Herman, Embassy, Brooklyn; Frank Hold, Maloney, Brooklyn; Joe Ed Redes, Roosevelt, Jamaica; B. Handley, Riviera, Brooklyn; L. Horosh, Lefferts, Brooklyn; Joe Hemans, Combo, New York; Joe Morris, Jokey, New York; Joe Kennedy, Embassy, Brooklyn; Wesley Keny, Dave Julian, Embassy, Brooklyn; L. Lujan, Gemini, Brooklyn; J. La Barbara, Meserole, Brooklyn; J. J. Lam, Alba, Brooklyn; Sidney Lacher, Park, Brooklyn; Charles larsham, Park, Brooklyn; Howard Marrow, William庥 Playhouse, Brooklyn; Nick Mann, Skouras, New York; C. S. Michel- son; C. Maloney, Marcy, Brooklyn; Nick Marboro, Lefferts, Brooklyn; E. McGraw, Academy, Brooklyn, L. McGary, Nemo, New York; J. Mascen, Carroll, Brooklyn; M. Mathur, Marboro, Brooklyn; J. Miller, Academy of Music, New York; Low Pres- ant, Lefferts, Brooklyn; J. Pincus, Paramount, Brooklyn; J. Weiss, Embassy, Brooklyn; J. Zinder, Biltmore, Brooklyn; Dan Ro. e, Meridian, Brooklyn; Ben Reiser, Carroll, Brooklyn; M. Reiner, Clar- ky, Brooklyn; B. Sieder, Master Art, New York; A. Silverstein, Met, New York; T. J. Salmon, Riverside, New York; C. Stein, Brooklyn; The St. Louis, Brooklyn; H. L. Seiners, Commodore, Brooklyn; B. Shiter, Marty, Brooklyn; Louis Schilter, Am- assuming, New York; J. Shier, Brooklyn; Leo Silverstein, Lefferts, Brooklyn; Roeeh, Roswell, Brooklyn; Harry Schwartz, Master Art, New York; Z. Say, Brooklyn; E. Stern, Brooklyn; K. Slight- ledge, Brooklyn; L. Steinmetz, Highway, Brooklyn; B. Turner, Riviera, Brooklyn; H. Traizer, Blenheim, Bronx; L. Var- iver, Brooklyn, Lefferts, Brooklyn; B. Var- ertes, Brooklyn; J. Ward, Lefferts, Brook- lyn.

According to Vogel, another "get- together" will be held in February, bringing their wives is under way for February. It will be a dinner-dance.

M-G-M Holds Party

The M-G-M New York Exchange Club last night held a Christmas party at the Victoria, Max Baer headlined the entertainment. Performers from the Capitol also entertained.

Chateau Heads Union

New Orleans, Dec. 21.—Arthur Powell, who heads the projectionists’ union here.

Just so the folks back in those Hollywood hills won’t be able to yell “piker,” the co-consirators planning a bachelor dinner for teen-age Roy at the Ambassador, Thursday evening have lined up not one master of ceremonies, but eight to explain the facts of life to Mervyn when they take the lead, has been re-elected by Doris Warner, only daughter of H. M. Warner, on Jan. 4. The Paramount management promptly drafted Gunno Masumoto, new post in Moscow, may be first. When they find out that Roy, he will be turned over—as gently as possible—to1. J. Hunt; then to Jack Powell to Jack Benny to George Jessel and, finally, to Elwood Davis, who will be master of ceremonies for the evening.

About 150 well-known film men will attend, all for the purpose of giving Le Roy something to remember them by.

Story Board Will Work with Sheehan

(Continued from page 1)

York, S. R. Kent spoke of the developed in the following statement:

"The original story material, the Fox studio has set up a cen- tralized board of control for all story material to be produced into pictures. This board control consists of three: the producer who will make the picture, also Winfield Sheehan, as the executive producer and the new story executive. This producing executive may be the story head, another associate producer or an executive with a particular knowledge regarding the definite story in question. This board of three with Mr. Sheehan as chair- man has the final say in the selection and approval of stories."

"Ray Long and Fred Collins have glowing reports. Afteritions, ferreting out story material, visiting authors and traveling where they believe story material may be found."

These are the highlights of what Kent told Fox producers when the change was made.

Lloyd May Transfer Distribution to Fox

(Continued from page 1)

the probabilities that it will be Fox, although no contracts have been signed as of yet. It is understood the new arrange- ments will come into effect at the first of the year. Lloyd now releases via Paramount.

Sten in “Recession”

Hollywood, Dec. 21.—Anna Sten’s second for Samuel Goldwyn will be based on Leo Tolstoy’s “Recession” with Fredric March playing Tolstoy after that, she will do “Barb- icy Coast.”

“Recession” has already been filmed three times. Paramount re- leased its version in 1918; Dolores Del Rio appeared in the novel pro- duced by Brian Kinney for Paramount in 1927 and Universal had one in 1931.

Criterion on “Grind”

An indefinite term lease on the Crit- erion has been taken by Krimsky & Cochran, who will reopen their own production, "The Emperor Jones," at the house tomorrow. The picture will play a grind schedule at popular prices, with an evening top of 75 cents. It is expected to run for three or four weeks. Krimsky & Cochran are now looking for a feature to follow it.

Postpone Star Team

Hollywood, Dec. 21.—Warner’s co- starring plans for Dick Powell and Ruby Keeler have been deferred until after completion of "Lady of Rosette," which will have "Ginger" Rogers opposite. Ray En- right will direct.

Paramount Buys Two

Paramount has acquired screen rights to "Fifty-Two Weeks for Florette," a story by Elizabeth Alexander Heermann, and "Cosmetic," play by Belelak, Hungarian author and playwright.

Michalove in New Paramount Company

(Continued from page 1)

Chi

with Famous Theatres in an
active executive capacity, it became known yesterday when Reheer Henry K. Davis approved sale of Publix Ent- erprises’ assets to the recently formed company. Michalove at present, is an assistant to S. R. Kent, president of Fox. Whether this presages any change in his Fox association could not be learned yesterday. Michalove could not be reached for a comment.

Schafer Denies

George Schafer, general mana- ger of Paramount, yesterday denied his company will distribute “Drums of the Night,” produced in Jamaica by William Sangster as reported in Motion Picture Daily.

Delay Para. Meet

A Paramount, Publix creditors’ meeting scheduled for yesterday before Reheer Henry K. Davis was postponed today.

His Last Round-Up

Just so the folks back in those Hollywood hills won’t be able to yell “piker,” the co-consirators planning a bachelor dinner for teen-age Roy at the Ambassador, Thursday evening have lined up not one master of ceremonies, but eight to explain the facts of life to Mervyn when they find out that Roy, he will be turned over—as gently as possible—to1. J. Hunt; then to Jack Powell to Jack Benny to George Jessel and, finally, to Elwood Davis, who will be master of ceremonies for the evening.

About 150 well-known film men will attend, all for the purpose of giving Le Roy something to remember them by.
Code Groups To Get Busy Next Week

(Continued from page 1)

MOTION PICTURES DAILY learns from an inside source that he is expected to accept the post on the Authority.

WASHINGTON, Dec. 21.—Washington tonight was without formal notification of the resignation of Dr. A. Lawrence Lowell. At the White House it was reported that the resignation had been received and that the President had no information regarding the reason for Lowell's acceptance of the position to which he personally named him. At the Recovery Administration it was said a letter had been received from Lowell expressing some doubt as to whether he could serve and that General Johnson had replied to it, since which time nothing further had been heard.

The resignation of Lowell leaves Division Administrator Sol A. Rosenberg as the only government representative on the Code Authority, but it was explained that this will offer no surprise among the code group, since Rosenberg will be in close touch with its activities at all times.

Appointment of other government representatives on the code committee is not expected to be announced until around the first of the year.

Local Independents Defend Code Hearing

Meeting of local independents for a discussion of the code has been deferred until January, at which time Division Administrator Sol A. Rosenberg will have answered all questions pertaining to any of the clauses. It was originally intended to hold the meeting following the first get-together of Code Authority, but because of the holidays, the plan was dropped. The T.O.C.C. some time ago signed the code. President Charles E. O'Reilly is a member of Code Authority.

Reach Deadlock on Minneapolis Labor

MINNEAPOLIS, Dec. 21.—After a three-day session, the Allied labor committee and Twin City operators failed to get together on code wages and will let the matter go to arbitration.

Highlights of Ampa Party

Edie Cantor alternately waxed humorous and serious at the Ampa Christmas party yesterday where strong ap- peals were made to support The Film Daily Relief Fund. "Having heard Mr. Charlemig sing, I now know what's wrong with the industry," said Cantor. She described the star as one of the few American-born singers who broke into the operatic field without smelling of garlic. "I've spoken at so many luncheons lately that every time I pass a table I seem to see a Solpiafruit in the window I start saying: 'Dear Mr. Toastmaster.'"

Cantor took a good-natured poke at Chase and Sanborn coffee and said she preferred to what happened to the company before it was called the "coffee chain." She had nothing like the pleasure of giving. I spoke in Los Angeles for the Community Chest recently and believe it or not, many people thought the community chest referred to the upper part of Mae West's.

KMTA Moves to Aid Start of Code Work

KANSAS CITY, Dec. 21.—Taking the leadership in this territory with respect to the relation of exhibitors to the code, the Kansas-Missouri The- aters Association has written to all members of the association's members or a mass meeting under auspices of the association. The meeting is planned to clear up any questions about which there may be some doubt or misunderstanding.

The meeting is also to map definite plans for participation in the code admin- istration in this territory. A re- presentative of the K-M-T-A was out by exhibitors of Kansas City were in favor of giving its board of directors 'full and complete power' to deal with trade problems and practices in Kansas and western Missouri.

Bernhard Talks Code To Warner Managers

Assurance that his company in- tended to adhere to the code the let- ter was given by Joseph Bernhard, managing director of Warner theatre, at a conference with Warner district managers housed at the house. Bernhard said Warners would be guided by the intention of fair trade practices in every situation.

Zone managers present were: James Coston, Chicago; Nat Wolfe, Cleve- land; B. E. Hoffman, New Haven; Don Jacquell, Newark; George Heng- er, Oklahoma City; Leon Schlesinger, Philadelphia; Harry Kalmine, Pitts- burgh; J. P. Weyett, Washington, D. C.; David Wesher, Milwaukee, and Leto Hill, St. Louis.

Files Grievance Case

Cleveland, Dec. 21.—Claiming RKO, Warner and Paramount have cancelled their contracts and have refused service at the Market Square Theatre, Cleveland, exhibitors because he has a ten-cent adult admission price from 6:30 to 7:30 nightly, Schwartz has filed a griev- ance case under the code with the Hays organization.

Wagner Coming Out

HOLLYWOOD, Dec. 21.—Walter Wagner set out by plane for the east tonight with a print of "Christina." He returns Jan. 2.

Employment At '29 Level, Reports Hays

(Continued from page 1)

islam Jones, was marked by speeches and appeals on behalf of The Film Daily Relief Fund made by John C. Filgate, John C. Filgate, Louis Nizer, Eddie Cantor, Cecil B. De Mille and Hays. Hays was the first relief fund, established since 1927, had collected $4,300 last year and, through its efforts, had not only relieved the financial needs of the industry who once had known better times but through its administration had been given 45 jobs for men out of work.

"So well established is this fund that it has made unnecessary the organiza- tion of an independent relief fund here such as exists in Hollywood and which raised $150,000 last year," said Hays. In making an appeal for the support of the drive which will cul- minate, as usual, on Christmas Day, Hays' appeal was duplicated by other speakers.

Called upon to pay tribute to Jack Alcoate, publisher and editor of The Film Daily, who is in direct charge of the fund, the audience which was the largest to grace an Ampa board since the days of its "Naked Truth" dinner recently held.

Among telegrams read were those from Division Administrator Sol A. Rosenberg, who was compelled to re- main in Washington on business, and from Mervyn Le Roy, who is busy preparing for his wedding to Doris Warner on Jan. 4.

The function was well-handled, run off on schedule and paid a sizeable recognition to what has long since been widely recognized in the trade as the most effective and successful of all the Ben Paul Benjamin of National Screen, Bert Adler of Pachon and Marcus Feltman, who during the past year, the Daily worked hard and long to make it a success. They succeeded.


Warners Seen Victor

MINNEAPOLIS, Dec. 21.—Banning against Warner pictures and the company's exchange on part of local exhibitors ended today. The move is seen as a victory for Warners in the boycott move under way here.
Renew Argument on Realty Associates

Alfred T. Davison, counsel for Realty Associates Securities Corp., bankrupt, told Federal Judge Marcus B. Campbell in New York yesterday that money had been posted for a claim of the federal government against the bankrupt concern and that payment would have no effect on the corporation's offer to creditors. The corporation is offering creditors 15 per cent of their claims in cash and the rest in bonds maturing in 1943. Confirmation of the offer was opposed by Clarence Goldner, representing creditors claiming $24,000.

Davison attacked fees recommended by referee in bankruptcy Eugene F. O'Connor, who fixed them at $500. The former insisting that O'Connor was entitled to one-half of one per cent of the cash settlement, in this instance $9,500.

Archibald Palmer, representing bondholders, also opposed O'Connor's fees. Palmer then directed his fire at the receiver for the corporation, Fred L. Gross, president of the Brooklyn Bank Assn, and Frank Fox, president of the bankrupt concern. Palmer said over $5,000 of Fox's annual salary of $21,000 in the corporation was used and affiliates was paid by the bankrupt firm. Now he said with a court labeling him receiver for six months, he charged $1,290,000. The amount the court may award the receivers. Palmer also attacked the accounting firm of Touche, Niven & Co., which is asking for $4,500. He said the firm furnished no information to creditors, only submitting a 24-page report painting the company as "illy white."

Amity in Deals for Players and Stories

Amity Pictures is negotiating for a number of players and stories for the 12 features planned. Sam Erus is en route to the Coast to start the first, which will be directed by Charles Hutchison. It will require six Will Rogers shorts originally produced by C. S. Bancy.

Three in Paterson

Three Warner-Finer National pictures are being shown first run simultaneously in Paterson, N. J. They are "Hi-Ball Headquarters," "Riveiera," "Havana Widows" at the Fabian, "College Court" at the Garden.

Kincey Adds Two

Charlotte, Dec. 21.—Two more houses, the Imperial and Universal, at Lenoir, N. C. have been added to the North Carolina Theatres chain on 36 in this territory, according to Herbert Kincey.

Brown Vacationing

George Brown, head of Columbia's publicity, advertising and exploitation departments, left yesterday on a Caribbean cruise.

Weil to Coast Jan. 1

Joe Well, newly appointed assistant to Carrol Weil of the NBC, Jan. 1 to take up his new duties.

Dempsey in RKO Shorts

Hollywood, Dec. 21.—Radio is reported to be entertaining with Jack Dempsey for a series of shorts.

Arnold Blasts Critics; Not After A. F. L. Tie

Hollywood, Dec. 21.—Incensed over what he calls malicious propaganda against encouraging front-camera union headquarters here, to the effect that the American Federation of Labor refuses to recognize and affiliate with the A.S.C., of which he is head, for a new camera union, John Arnold denies any such application has been made.

The A.S.C. is instituting an investigation, with legal action threatened against those found planting propaganda against the organization. The union is said to be upset over the heavy increase in the membership. All three of the A.S.C. from 166 some months ago to 450 today and over its working out details for a new working agreement with producers.

Blank's Settlement Offer to Be Probed

Omaha, Dec. 21.—On an order of the U. S. District Court, Herman Aye, referee in bankruptcy, will preside over an offer of a H. P. Theatre Co. of Nebraska to settle $800,000 in debts at 20 cents on the dollar. An investigation of such a settlement has been filed by Paul Massey, attorney for Blank, who states that it is agreeable to a majority of creditors. The defunct company was controlled by Paramount.

Report Cooper to Ask Studio Head Release

Hollywood, Dec. 21.—The report is that Merian Cooper is certain to demand he be released from heading the Radio studios when his contract expires March 1, in preference to handling a single unit producing the Whitney techno-color series. B. B. Kahane was assumed general producer of splitting production into three units, headed by Cooper, Pandro Berman and Kenneth MacGowan and a possible setup.

Disband Stock Companies

Hollywood, Dec. 21.—Universal and Fox have disband their stock companies.

Chicago Men Begin Dicker with Union

Chicago, Dec. 21.—Aaron Saperstein, b.o. of Allied Theatres of Illinois, and Jack Miller of the Chicago Exhibitors' Ass'n. have opened negotiations with Tom Makoy and Tom Meyer of the operators' union on a working agreement for 1934. The present agreement expires Jan. 10.

Saperstein and Miller will meet the union officials separately in behalf of their organizations. Approach to the signing of a new agreement is usually preceded by a series of preliminary conferences with a "windup" meeting as the deadline approaches that has been held numerous times throughout the night at a downtown hotel.

Parleys this year will be complicated by the N.R.A. setup. While the exhibitor leaders are prepared to ask for the customary reductions they are not making any predictions on what may be accomplished. Generally, the exhibitor leaders are prepared to ask for the union's recognition as the group leaders and the union has been one of conciliation and cooperation during the last year.

Detroit Men Start Local Variety Club

Detroit, Dec. 21.—A Variety Club was organized here this week and J. E. ("Jack") Fyban, M-G-M district manager, was elected president. Ed Kirchner and M. J. Caplan are vice-presidents and David Newman, secretary. Carl Shalit is secretary.

The club came into being with 61 charter members, claimed as the largest group to launch any of the existing Variety Clubs in Middle Western cities. Quarters will be opened at the Book-Cadillac on Jan. 6.

The original Variety Club was organized by John H. Harris in Pitts- burgh in 1921, and gradually the idea has spread. Columbus was the second to organize; St. Louis was third, Cincinnati, fourth, and Detroit, 6th.

Now Has 90 Members

St. Louis, Dec. 21.—The St. Louis Variety Club now has an enrolled membership of 90. A drive is on to include independent theatre managers.

Tax on Stage Held Aiding Film Houses

WASHINGTON, Dec. 21.—Motion pictures are living off the taxes on the legitimate stage, it was represented today at hearings before the House Ways and Means Committee, which is developing a new revenue measure for submission to Congress.

At a special call of presenting for total repeal of the admission tax, Henry Moskowitz of the Motion Picture Theatres League, and Charles B. Zimmerman of the National Theatre Owners Association, told the committee that the tax, which is operating to prevent the opening of legitimate houses, would soon be impossible to evade.

Figure were submitted to show the tax was a "failure," it being pointed out the estimated revenue of $42,000,000 a year in actual operation has proven to be but $15,000,000. The committee was told the people are realizing that the tax is not required to pay on legitimate theater tickets would pay their way into a picture house and are going to the latter.

Major Product Only From Goldstone Now

(Continued from page 1)

brackets for major release. Resigning on the basis of a 30,000 release, he declared exhibitors were to blame for the independents' failure to make a profit. He said exhibitors pay less for an independent film no matter how good and more for major product of inferior quality, adding that until this condition is rectified they hope remains for independent producers.

Goldstone will be eastbound next week on a business trip to New York, He plans to take up his new activities in March.

Rasmussen Dead

COPENHAGEN, Dec. 21.—Dr. Rasmussen, Danish Arctic explorer, died here today after a long illness, brought about by food poisoning. Rasmussen spent several months in Greenland with the Universal unit making "S.O.S. Iceberg," as "protector" of the unit.

"Jazz Singer" Remake

Hollywood, Dec. 21.—Al Jolson is prevailing upon Warners to remake "The Jazz Singer" as one of the group of pictures planned for that company. A canvass for exhibition re- cital to the proposed remake is being made.

Educ. Schedules 22

Fox will release 22 subjects from Educational between now and the end of the fiscal year. The company has set production schedules on both east and west coasts calling for completion of from two to four subjects weekly.

"U" Holds Sherriff

Hollywood, Dec. 21.—Universal has signed R. C. Sherriff to a new contract. This is the second time the writer by him during the coming year will be "A Trip to Mars."

Director and Producer

Hollywood, Dec. 21.—John Cromwell, who is directing "Transient Love" for Radio, has taken over the title of producer as well.
Trade Awaits Happier Days In Columbus

Big Bugaboo, As Usual, Is Too Many Seats

By RED KANN

Columbus—The wheeze about patience being a virtue goes double in spades here in this city, the seat of Ohio's government.

There are 300 seats less 10,000 in the downtown section and that's more numbers than the city can take care of. Everybody in the local industry, which means the theatre industry since the only distributor around is "Dude" Charles and a Paramount exchange, knows the condition, bemoans the fate which, similarly to other cities of like, larger and smaller size, has hit Columbus but doesn't know what can be done about it unless a friendly earthquake happens along and furnishes the

(Continued on page 3)

Ohio Independents Pick Vance As Head
CINCINNATI, Dec. 22.—The Ohio Balley Independent Exhibitors League, recently organized to replace the Greater Cincinnati M. P. Exhibitors' Ass'n, and the Ohio Allied unit, has elected the following officers:

(Continued on page 2)

Conspiracy Charge Quashed, Says Erpi
Charges of invalidity of Erpi's standard theatre license agreement because executed in pursuance of a conspiracy between A. T. & T. Western

(Continued on page 3)

Copyright Budget Approved for 1934

Annual budget for the Copyright Protection Bureau was approved yesterday by sales heads of major distributing companies at a meeting held at the Astor. An attorney from the Hay's office presided at the conference.


The bureau has six division managers actively in the field.

No Code Action by New Jersey Allied

No action on signing of the code will be taken by Allied of New Jersey, Sidney Samuelsen, president of the unit, states. The matter is not for units to decide, but for the individual exhibitors themselves, Samuelsen says.

At a recent meeting of the unit in Trenton, three alternatives were offered the members. The first was to sign the code as it stands; the sec-

(Continued on page 4)

3-Day Holiday for Film Employees Here

Home offices, with few exceptions, are giving their employees a three-day Christmas vacation, being closed

(Continued on page 2)

Golden and Freuler Hold '34 An Opportunity Year

By EDWARD GOLDEN

General Sales Manager, Monogram

As the new year approaches, Garbo turns back the calendar of Time with reflections and thoughts as to what we can gain by our past experiences in planning toward the future. We have much to be thankful for, and by what we have done, so we should be judged.

Never in the history of the business are opportunities so plentiful as the year just around

(Continued on page 4)

By JOHN R. FREULER

President, Monarch Prod.

Rather than speculate on the future, let us have an intelligent belief in the leaders of our government—and an open mind. Let any criticism, which may seem necessary as the program emerges into reality, be solely constructive and in the interests of "the greatest good for the greatest number."

In our enthusiasm for that future let us cast a re-

(Continued on page 4)

Code Proffer "Powerless," Says Lowell

Hits Block Booking in Explaining Refusal

BOSTON, Dec. 22.—Dr. A. Lawrence Lowell declined appointment to the Code Authority because he did not want to be a "powerless onlooker" and because of his objections to block booking, he revealed yesterday in making public the correspondence between himself and Administrator Hugh S. Johnson.

The former head of Harvard called in the newspaper men, because, he said, part of his reasons for his declaration had been made public. This violated a rule against press interviews which he had maintained for 25 years or more.

Dr. Lowell's first telegram to Deputy Administrator Sol A. Rosen- 

(Continued on page 4)

Delaware-Maryland Men Sign the Code

WILMINGTON, Dec. 22.—With a majority of members present, the Delaware and Eastern Shore of Maryland has unaniously indorsed and signed the code. Members not

(Continued on page 4)

NRA to Send Out Salary Queries Soon

WASHINGTON, Dec. 22.—Drafting of questionnaires to be sent out by the National Recovery Administration

(Continued on page 4)

Sam Barck Declares Competition Unfair

CLEVELAND, Dec. 22.—One of the contentions to be made by Sam Barck when his complaint against major dis

(Continued on page 4)

No Paper Monday

Motion Picture Daily will not publish on Monday, Dec. 25, which is Christmas Day.
Looking 'Em Over

“The Throne of the Gods” (First Division)

For those satisfied with remarkable mountain scenery and off-stage dialogue by Lowell Thomas this will be extremely interesting entertainment. It is the film record of an expedition led by Dr. Dyhrenfurth of Switzerland to the highest peak in the Himalayas. Some of it is obviously staged for dramatic effect, but on the whole it is an authentic and convincing travelogue.

Early scenes show a ship passing through the Suez Canal, with views of various spots in India, Darjeeling, and points along the foothills until the final climb begins with native guides and pack animals. Final stages of the climb are up icy cliffs and across wind-swept crags and glaciers.

“Romua Scouridas,” this morning’s opener at the Rivoli, was reviewed by wire from Hollywood in MOTION PICTURE DAILY Dec. 4.

Cantor to Continue Broadcast, He Says

(Continued from page 1)

appearances, according to his present schedule, he states.

Cantor gives as his reason the fact that if he doesn’t broadcast at 8 P.M. on a Sunday night some one else will fill the space if one of the many theatres along the Broadway is doing a big business and the others are in the doldrums, it would be like asking the busy theatre to move to another street and give the other operator a chance.

Will Discuss Yarn

Hollywood, Dec. 22.—Eddie Cantor’s next for Samuel Goldwyn may have a nautical swing to it. The comedy, in which his producer will talk it over shortly after the first of the year in New York.

Young for ‘Men in White’

Hollywood, Dec. 22.—M-G-M has borrowed Waldemar Young from Paramount to adapt “Men in White.” Frank Towe’s story which has been renewed and George B. Seitz has been signed to direct “Payment in Full.”

Editing 20 Vitaphones

Twenty Vitaphone shorts are now in process of editing. They include five two-reelers, 14 one-reelers and one three-reeler.

Studios Concentrate On Finished Scripts

(Continued from page 1)

dios, work of concentrating on story preparation is a peak now in operation at Warners and 20th Century. Orders at both plants were delivered that under no circumstances shall a picture go into production without a completed script. Stories that will not reach the actual production stages for several months to come are now being assigned to writers with instructions that the plays must be perfect and completed before handing them over to a director.

Staying with Fox

Dan Michalove declared yesterday reports linking him with a return to Paramount through the newly-formed Famous Theatres Corp. which has acquired assets of Publix Enterprises are erroneous. He declares he proposes continuing his present post as assistant to S. R. Kent at Fox.

Skouras Unit Bankrupt

Central New York States Theatres Corp. has filed a schedule in bankruptcy, listing liabilities at $174,270 and assets at $9,293.

The company, a subsidiary of the Skouras Theatres Corp. and was formed to operate the Schine circuit, which was turned back some time ago.

Low Upped One in Rising Market

COLUMBIA PICTURES, INC.
CONSOLIDATED FILM INDUSTRIES, INC.
EASTMAN KODAK COMPANY
LOEW’S, INC.
PARAMOUNT PICTURES CORP.
PATHÉ EXCHANGE
RKO PICTURES, INC.
WARNER BROS.

Mission

Technicolor Up One-Half on Carb

High  Low  Close  Close Change

Columbia Pictures, v.o.c.  234  234  234  +  4  160
Consolidated Film Industries  3  2  2  +  1  150
Eraeast Kodak  109  93  93  +  10  1,110
Loew’s, Inc.  100  96  96  +  4  1,200
Paramount Pictures  105  98  98  +  7  720
Pathé Exchange  2  1  1  +  1  50
RKO  2  1  1  +  1  50
Warner Bros.  52  52  52  +  6  550

High  Low  Close  Close Change

Educational  814  814  814  +  10  100
Technicolor  2  1  1  +  1  150
Trans Lux  83  83  83  +  1  1,600

RKO Bonds Slip Three Points

High  Low  Close  Close Change

General Theatre Equipment  60  60  59  +  1  1,600
Paramount Pictures Corp., 40  40  40  +  1  1,600
Loew’s 40, 64th Street  25  25  25  +  2  21
Paramount Pictures Corp., 40, 64th Street  25  25  25  +  2  21
Paramount Pict. 62  62  62  +  2  30
Pathé 52, 6th Ave.  33  33  33  +  1  1,500
Pathé 76, 37, w.w.  33  33  33  +  1  1,500
Loew’s 64, 41, p.p.  39  39  39  +  4  26
Warner Bros. 65, 39, w.d.  39  39  39  +  4  26

Conrad Nagel and Irene Rich, both of whom are more than novices in pictures, head the cast of “The First Apple,” stage play which opened at the Booth last night.

A. W. Smith, in charge of Canadian and eastbay sales for Warners, has returned from a trek to New Haven and Boston.

Fifi D’OYSSAY is in town with her recently acquired hubby, Maurice Hill. The two are stopping at the New Yorker.

Monte Price is en route to the coast to join William Rowland, his partner, already there. They may produce a picture in the west.

Richard V. Anderson of Universal has been elected master of Pacific Lodge No. 233, F. & A. M. This is the film and theatrical lodge.

Harley L. Clarke, Noel Coward and Frank L. Logan arrived from Europe yesterday.

George Jessel has completed the first of a series of Vitaphone shorts.

Jack White has gone to the coast for the holidays.

St Sealed has extended his Miami vacation.

3-Day Holiday for Film Employees Here

(Continued from page 1)

today and reopening Tuesday. Companies declaring a full-day holiday are Paramount, Columbia, Fox, United Artists, RKO and Erpi. Those that will carry on business Tuesday as usual are M-G-M, Universal and Warner. The Monogram offices will remain open part of this morning.

“Alice” Opens Big in L.A.

Los Angeles, Dec. 22.—“Alice in Wonderland” opened yesterday at the Paramount to record business of $3,485. Children accounted for 60 per cent of the matinee trade.

Seigel Takes Fourth

Henry Seigel, formerly New York exchange manager for Paramount, has added the Boston Road in the Bronx to his circuit of three houses.

P. P. Meet Off to Dec. 27

An adjourned meeting of Paramount Publix creditors, scheduled for yesterday before Referee Henry K. Davis, was postponed to Dec. 27.

Coast Group In

Walter Wanger accompanied by P. J. Wofsk and Allan Rivkin, arrived in New York late last night in a plane piloted by Roscoe Turner.

Majestic Film for Roxy

“You Made Me Love You,” a Majestic release, has been booked into the Roxy sometime in January.
Trade Awaits
Happier Days
In Columbus

(Continued from page 1)
answer. Columbus is not alone in that wish, by a wide margin.

The only answer to a return to the days that were. Some think they are far removed; others don’t expect them back at all. In it is Columbus merely moving along doing the best it can, hoping patience will bring in some dollars along with virtue.

One of the greatest mysteries, perhaps its greatest, is how the RKO Palace with its 3,000 seats gets by, particularly when it has such opposition as Loew’s Ohio, also a 3,000 seat-
er, with its pictures always and stage shows sometimes; Loew’s Broad, 2,700 seats acquired, like the Ohio, from Billy James a couple of years ago; J. Real Neth’s Broad with its 2,000 seats and RKO’s second house, the Majestic, which holds 1,000 when it can get them in. What two of the major circuits are doing with twins on their hands in a situation where support of one house for each would be something to get excited about is not too apparent. One reason why the Palace was erected and tried to get 66 cents, in- cluding the 10 cent per seat tax, after six o’clock open in the ball the stage show which supplements the usual first run picture. It works, but not well.

28 Neighborhoods Open
Making the waters rougher for the downtowners are 28 neighborhood houses, all of them open and all of them in the service of Columbus’ 300,000 residents with celluloid entertainment. Prices at outlying houses range from 15 to 28 cents in averages, a factor which means plenty in times such as these when the pub-
lic is constantly on the hunt for bargain shows.

There is some double feature, no complaints on protection, but plenty on the awful truth that there is not sufficient business to keep the theatre industry here satisfied. The fact that an identical situation prevails elsewhere in the Middle West indicates company along these lines is plentiful, but Columbus says that doesn’t help Columbus. And, of course, it doesn’t.

Chief among local optimism forecasts are the Civil Works Administration’s plans for the city and surround-
ing territory from which it draws. At the fixed $15 per week minimum, thou-
sands of dollars, now out of circulation, are making a comeback.

Pete Wood on the Tax
Behind the new tax which originally precipitated a free-for-all among exhibitors throughout the state was the financial stringency in which the state government found itself. The treas-
ury was $75 million in the red. The Recon-
sition Finance Corp. had pledged half of the amount if the state raised the remaining 50 per cent. This led to a cosmetic 10 cent per head tax on the first penny and, naturally, a theatre tax. In the case of beverages, the amount varied with the size of the bottles, in some in-
stances going as high as 20 cent.

Of the differences in opinion which arose between the M. P. T. O. of Ohio and the Cleveland M. P. Exhibitors’ Ass’n., on the admission tax, Pete Wood, business manager of the for-
er, merely says:

“If all exhibitors had stuck together another 48 hours the tax would have been licked. Only they did not and that’s the story.”

The understanding both here and in Cleveland is that the probe launched to dig at the truth of the report the Cleveland association had spent $10,000 on the tax itself and that there probably will be no revival. Against that is countered the opinion there is no way of telling how those things will go.

Regardless, however, of their troubles and their worries, local theatre men find enjoyment and repose in the Variety Club, an offshoot of the original club organized several years ago by John H. Harris in Pittsburgh.

In quarters at the Deen-Wallck that are not large, but comfortable, the local fraternity gathers for a regular round of social life that marks the bunch here as a regular crowd.

Clark of Paramount is the president, proudly disports a watch the membership has given him and an oil painting, which could be better, of himself on the club walls.

The officers and directors are diversified sufficiently to include all branches of the territorial amusement world.

J. Real Neth, Columbus’ most important independent operator whose line-up includes the State, Clinton Eastern and Cameo in the neighborhoods, is second vice-president; Tom Lawson, owner of Are Valley Dale, a dance hall, is treas-
er, and H. E. Herrington, dramatic critic of the Columbus Dispatch, is secretary.

The officers are directors as are J. G. Tritten, owner of Station WSEN; Leo Haeenlein, one of the owners of Olentangy Park; Max Stara, owner of the Southern and one of the owners of Olentangy; and Laurence Burns, owner of the Champions, Governor White, Mayor Whorley and Clarence Darow are honorary members and occasionally drop in. That’s something, says the club membership.

Cincinnati will be covered next.

Exhibitor Is Named
Next Toronto Mayor

Toronto, Dec. 22—H. E. Wilton, exhibitor, has been elected mayor of this city for 1934. He is manager of the Strand, a Famous Players house, and has served as an alderman from Hamilton.

Ottawa will also have an exhibitor mayor in Paddy Nolan, owner of three theatres.

Powers Returning East

Hollywood, Dec. 22—P. A. Pow-
ers, president of Celebrity Productions, left for New York today. He has been here confering with UB Twerks on the production of the “Color-Color Cartoon” series.

Postpone Amity Action

Examination of E. W. Hammons, before trial of Amity Pictures’ action to recover rentals alleged to be due on Tiffany pictures, rights to which were acquired by Amity, was post-
poned yesterday to Dec. 27.
Code Proffer "Powerless" Says Lowell

(Continued from page 1)

ice, based on block booking and blind
buying, many of us asked to have
checked by the motion picture code.
but instead of that it has been given
a certain legal sanction, and hence
the position on the code authority,
which has been published in the Daily
is virtually that of a powerless on-
looker at conduct which he can neither
change nor improve. Moreover, it is
generally provided that he has a
voice, but no vote.
Johnson replied that block booking
had been upheld by the Circuit Court
of Appeals, but that he felt Dr. Low-
ell could be of great public service.
nevertheless. He expressed the opin-
ion that the 10 per cent can be
clause would remedy some of the con-
ditions to which Dr. Lowell objected.
In replying to this Dr. Lowell said:
"The right of exhibitors to cancel
10 per cent of the product is, they
tell us, the basic protection for the
producer to put in 10 per cent of
films which the exhibitors are
certain to reject before reaching the
objected clauses.
"Your letter," he continued, "con-
forms my impression that the position
on the motion picture code authority
which you offer me would give no
opportunity for exercising any useful
restraint upon the production of films
denoted to be objectionable espe-
cially the children, of our people; and
that any report of existing evils would
encounter, as insuperable obstacle, did
our petition against block-booking and
blind-buying."

Washington, Dec. 22.—Hope that if
Dr. A. Lawrence Lowell had actu-
ally determined not to serve on the
Code Proffer Committee, the thing said
was expressed today by President Roosevelt as the White House
disclosed that it is still without any noti-
fication from the Doctor. In any case, of course he will pursue, although
newspaper dispatches not only announced his decision, said Lowell published also the correspondence be-
tween him and General Hugh S.
Johnston.

While Lowell in Boston was mak-
ing the correspondence public, John-
son in Washington declared that he
had not, and added that the last letter received from the educator and prom-
ised he would publish the correspond-
ence upon its completion.

Poster Hearing Delayed

WASHINGTON, Dec. 22.—Postpone-
ment from Jan. 3 to Jan. 10 of the public hearing on the question of
whether or not the studio exchange trade was
announced today by the National Re-
covered Administration. The code contains a number of trade prac-
tice provisions, it is understood that they will receive little hearing upon the
film industry.

Rosenblatt Arriving

Deputy Administrator S. A. Ro-
senblatt arrives from Washington this
morning to spend the Christmas holi-
days at his home in Great Neck. He
returns to the Capitol on Tuesday.

Golden and Freuler Hold '34 An Opportunity Year

No Code Action by New Jersey Allied

(Continued from page 1)

ond, not to sign; and last, to sign
with reservations. Decision was left
to the Allied companies to make.

The Allied executive states there is
nothing in the code which provides for
exclusion of the sign. A sign is only left
to the operator to choose. The New
Jersey unit will not hold another
meeting before Jan. 10, deadline for
signing the code in order to become
a party to it, and since no
organization will not sign, it is presumed.

Asked whether he would sign for
his theatre, the Newton, Newton, Sam-
telson said he had not made up his
mind yet.

IATSE Files Plaintiff

Against Dubinsky

(Continued from page 1)

President William C. Elliott. The
dispute concerns Dubinsky's Missouri.
Cincinnati, the Cincinnati, which
St. Joseph, Mo., Credit said. Stage hands
were pulled from theatres after the
outlook of operators about a month
ago, was charged. John Nee, vice-
president of the L.A.T.S.E., was in
St. Joseph today seeking an amicable
settlement, in which event the charges
will be dismissed.

NRA to Send Out

Salary Queries Soon

(Continued from page 1)

the film industry for the purpose of
picking up its investigation of
salaries is nearing completion, it
was learned today. The forms will
probably be distributed shortly after the
first of the year.

The Administration's salary survey
will not duplicate the study being
made by the Federal Trade Com-
mission, but will rather supplement it,
since the commission is investigating
salaries paid executives only, while
the inquiry ordered by the President
in his executive order approving the
code will go into employees' salaries
in detail.

Delaware-Maryland

Men Sign the Code

(Continued from page 1)

represented must also abide by the
code, it was stated, because it was
designed collectively.

President A. Joseph DeFiore said
the code should be given a fair trial
before any condemnation was at-
temted and that members should
carry it out in every detail.

The membership drive is planned be-
fore the January meeting.

Oklahoma Meeting Jan. 3

OKLAHOMA CITY, Dec. 22.—The
Theatre Owners of Oklahoma holds
its first annual meeting on Jan. 3 in the
Oklahoma Biltmore Hotel here, at
which it plans to adopt the code.

By JOHN R. FREULER

(Continued from page 1)

jective glance in the direction of our
mistakes—to-day, we must believe that
a repetition, under whatever auspices,
will not guarantee immunity.

The object of the proposed code
must be to permit work harmoniously,
with interlocking interests and a mu-
mutual objective—and there is room for
all!

But all pictures of the future can
be great pictures—but each will have
an essential difference: the bright
new road may be the most ef-
fectually surmounted by the indus-
ty's first principle shownower!

By EDWARD GOLDEN

(Continued from page 1)

The corner of the picture will be
knocking at the door, before anyone
is going to accept the responsibilities
that are so necessary in life. Yesterday
is another tomorrow; it is another
World. Those of us whose faces are
turned towards the East from which a
new day is dawning every day, are filled
with a keen appreciation that tomorrow has
in store for us an appreciation of the responsi-
bility of that tomorrow.

The NRA and the code are only
incidents in the progress of man. We
have a well-defined objective in the
future and that is to be just a lit-
tle bit better than we were in the old
year.

Million Rise in Labor

Seen by M-G-M, Para.

Hollywood, Dec. 22.—It is esti-
mated officially that the cost of oper-
ing the studio here this year will be a
$1,000,000 next year under the code,
this going chiefly for labor. Paramount
declares that the average actor will face it.
Accounting departments are sur-
rounded by a model that is not
be a little better than we were in the old
year.

Tale of Erpi Control

Of Loew's Denied

Hollywood, Dec. 22.—Denial comes
from authoritative sources of a rumor
placing Erpi in control of Loew's. The
story is held to have grown out of what
was merely a transferring of ownership of
certain of the latter's stock to parties who held it as col-
lateral. Erpi is said to hold some
$3,000,000 of Loew stock, with sev-
eral other firms holding similar blocks.

To Answer 'Elyasia' Suit

BALTIMORE, Dec. 22.—Chief Judge
Samuel K. Dennis of City Court here
will hear next Friday a suit filed by Master
Arts Films appealing the rejection of
"Elyasia." The producers claim the
musical film is educational and helpful
in health problems. Hearing is set for
Jan. 3.

Sam Barce Declares Competition Unfair

(Continued from page 1)

tributors for alleged cancellation of
contracts. The code grievance board is that he is the vic-

On an appeal of the first instance, Bart holds that his pictures and those of his
company, Paramount, permit 10 or 15 cent admissions at any time. He further
contests that there is not one director who contest that would run his picture
for 15 cents. None of Barce's compet-
itors are affiliated with circuits.

Warners and RKO insist their con-
tracts provide for 15 cent minimum
adult admissions at all times.

Cleveland flareup

Brings Out Denials

CLEVELAND, Dec. 22.—With inde-
pendent circuits denying that they are
overbuying and making counter-
charges that the independents are violat-
ing the Cleveland protection plan, it
is beginning to look as though code
grievance boards will have plenty to
deal with in future.

Oil was poured on the troubled waters at a meeting of the Cleveland
M. P. Exhibitors' Ass'n, when it was
denied that subsequents would bring
charges against the independent
circuits or that they would form a minor-
group with with the independents.
Meyer Fischer says nothing of the
kind is contemplated.

Cincy Orpheum to Open

CINCINNATI, Dec. 22.—The RKO
Orpheum, suburban, dark for the past
year, reopens Dec. 24 as a second run
feature house, presenting at 15 and
25 cents for balcony and lower floor.

Joe Goets, manager of the RKO
Paramount, across the street, will also
handle the Orpheum.

Buddy Winthrop, of the division of
office publicity department, has been
made Goets' assistant at the Para-
mount; Charles Robbins, chief of staff
at that house, becomes assistant man-
ger of the Orpheum.

After Sennett Studio

Hollywood, Dec. 22.—Majestic has a
deal under way to lease the Sennett
studios. The company is still under way for studio space, but nothing
will be completed until after the first of
the year. The company has eight of 12 pictures scheduled for this season and plans to make one a month,
production to get under way next month
on the first.

Bennett to M-G-M

Hollywood, Dec. 22.—M-G-M has
signed Constance Bennett for one pic-
ture. Bernard Hueman will produce.

Date "Dinner at Eight"

"Dinner at Eight" has been booked
into the Capitol starting Dec. 29.
Expect Flinn To Get Code Authority Job

 Appointment Looked For At Next Meeting

 Appointment of John C. Flinn of Paramount as secretary of Code Authority, a government post which pays $12,000 a year, in all probability will be made at the next session of the board, slated to be held Jan. 4 at the Bar Association Bldg. in New York.

 Flinn’s name was advanced by several representatives at the initial Code Authority session last (Continued on page 15)

 Pre-Holiday Slump Hits Coast Studios

 Hollywood, Dec. 25 — Due to the pre-holiday season, with producers reluctant to have many pictures overlap the three-day Yuletide celebration, production activity took a nosedive for the week ending Dec. 23, with but 32 features and nine shorts in the can, as compared to 36 and 13 for the previous week.

 Resumption of normal activity is indicated by a total of 20 new features in final preparation scheduled to start shortly after the first of the year. Features in the cutting room (Continued on page 2)

 Lesser Organizing 16mm Selling Plan

 Hollywood, Dec. 25 — Having acquired the exclusive American rights to a printer that will reduce 35 mm. film to 16 mm., Sol Lesser says he will launch an international selling organization to distribute 16 mm. film to schools, colleges and scientific (Continued on page 15)

 Coast May Ban 30% Of Foreign Writers

 Hollywood, Dec. 25 — Investigation into complaints of petty chiseling imposed upon many members of the picture colony by alleged foreign correspondents will result in the discon- (Continued on page 16)

 Dry Agitators, Out of Jobs, Gunning for Films

 Press at Some Code Authority Meetings, But Not at Others

 The press will sit in at Code Authority meetings and then again it will not. It all depends on what’s on the tap. Since the Code Authority’s two main functions will be administration and to act as a court of appeals, the press will find the doors shut tight when discussions deal with administration. However, when the board sits as a court, leg men will be invited to report the proceedings.

 At the Jan. 4 session of the board, administration only will be discussed, and hence reporters will act as a reception committee.

 Kansas City Group Picks Board Names

 Kansas City, Dec. 25 — Nineteen names have been submitted by Independent Theatre Owners of Kansas City for membership on the code zoning and clearance and grievance boards in Kansas-Western Missouri. Nominations were sent to Division Administrator Sol A. Rosenblatt, and to Charles L. O’Reilly and Nathan Yamin.

 For appointment on both boards as a member not connected with the in- (Continued on page 15)

 Fox-Lloyd Selling Deal Is Completed

 Negotiations have been completed for the release of Harold Lloyd’s future films by Fox. The first under the new deal will be “The Cat’s Paw,” based on a Clarence Budington Kelland story.

 The new deal was handled by William R. Fraser, general manager for the Lloyd Corp. and S. R. Kent and John D. Clark for Fox. Leslie Whelan, who was on the coast during part of the negotiations, returned (Continued on page 15)

 For Cleaner Advertising; Unworried About Foreign

 By FRED S. MEYER

 President, M.P.T.O. Wisconsin

 MILWAUKEE, Dec. 25 — My creed for 1934:

 Resolved, that we of the motion picture industry:

 Pledge our continued support and have unlimited faith in President Roosevelt. Believe in the NRA and all it purports to accomplish. Live up to our code as now set up or as it may be hereafter amended. Insist upon rigid, impartial enforcement, without fear or (Continued on page 2)

 By FREDERICK L. HERRON

 Treasurer and Foreign Manager, M. P. P. D. A.

 There is no challenge to America’s leadership in the production of outstanding motion picture entertainment as the industry enters 1934.

 Improved financial and employment conditions in many of the countries of the world, the firm hold which the screen has taken upon the imagination of all peoples, and the constantly higher standard of entertainment con- (Continued on page 2)

 Attack Probably Will Concentrate Out of Washington

 WASHINGTON, Dec. 25 — Long hairs and “bibs” quietly have been plotting a surprise Christmas gift for the industry. It is confidently expected to take the form of a series of attacks on films from censorship and morality angles on a national scale and may be expected to break into the open before 1934 passes out of its swaddling clothes.

 The death-knell of prohibition is the explanation. Dry agitators, who for 14 years lived well and waxed fat on funds drawn from those of the public who had committed themselves to the prohibition plank, now find themselves out of jobs and no place to go. They plan, therefore, to pick in wholesale on films and in all ways possible to make capital of argu- (Continued on page 15)

 M-G-M Dropping All “Garbo Returns” Ads

 Because “Garbo Returns” in advertising of “Queen Christina” had been construed by exhibitors as a release, M-G-M has taken out all reference to “returns” in posters and other advertising accessories. The company was forced to discard a number of posters when ads appearing in trade papers referring to the return of Garbo (Continued on page 2)

 Pickford-Griffith At Biograph Party

 Mary Pickford and D. W. Griffith, both of whom were identified with the old Biograph Co. during its heyday, will be guests of honor at a reception tomorrow afternoon to mark the reopening of the completely modernized and rebuilt plant.

 Others scheduled to attend include Amelia Earhart, Fannie Hurst, Henry Hull, Moss Hart and Nancy Carroll.

 The New Biograph

 A section devoted to the new Biograph Studio in the Bronx, latest to throw its hat in the ring of eastern production, starts on page 3 in this issue.
For Cleaner Advertising; Unworried About Foreign Rubber to Film

Hollywood, Dec. 25.—This is a good year for Hollywood. Several days ago Jay Lloyd crashed the M-G-M gates to sell Texas. Somewhere, somewhere, and thought he was good screen material. The next day he made a test and today he has a long term contract.

Pre-Holiday Slump Hits Coast Studios

(Continued from page 1)

The South does indicate any cessation of cutting room congestion, with 43 reported for the preceding week.

M-G-M heads the list of major studios for activity with eight features in work, two preparing and 10 cutting. Paramount and Warners follow with five each in work. Former has two in preparation and eight cutting. Warners have one preparing and five cutting.

Fox reports four, four and five: Radio, three, zero and eight; Columbia, two, two and two; United Artists, one, zero and four; Universal, zero, one and two; independents, four, eight and five. Shows in work are: M-G-M, one working, one preparing and two editing; Roach, one, zero and three; Universal, zero, one and two; Columbia, two, one and two; Radio, zero, two and four; independents, five, four and six.

Milwaukee Union Signs

MILWAUKEE, Dec. 25.—Local exhibitors have reached a wage scale agreement with the operators' union without any changes in wages being paid operators in classes 1, 2 and 3. Increases have been made, however, in classes 4 and 5 with both costs now set at $35.26 per 36-hour week in class 5 and $63 in class 4 houses. The contract is for one year.

M-G-M Dropping "Garbo Returns" Ads

(Continued from page 1)

brought exhibitor complaints. If "Queen Christina" is not released by M-G-M for a local run, it will start its two-year absence of Garbo from the screen. Her last picture was "As You Desire Me" and was generally circulated May 28, 1932. The picture opens tonight at the Astor. Whether it will be roadshowed depends on its performance at the Times Square spot.

"Miss Faney's Baby" Release Set Ahead

Hollywood, Dec. 25.—In order to cash in on the headline news of recent kidnappings and war, Paramount has moved up release date on "Miss Faney's Baby Is Stolen" to the first week in January. The studio also changed Rupert Hughes' original ending in the story to a happy one, visualizing a negative audience reaction to seeing Baby Lee Roy killed.

Trading Light—Slight Decline

Selling Columbia, Pictures, etc. 277 277 277 277 277 394 394 394 394 394
Consolidated Film Industries 277 277 277 277 277 394 394 394 394 394
Eastman Kodak 277 277 277 277 277 394 394 394 394 394
Fox Film Corp 277 277 277 277 277 394 394 394 394 394
Fox, Inc. 277 277 277 277 277 394 394 394 394 394
Gaumont B. & H 277 277 277 277 277 394 394 394 394 394
Gaumont Boston Mfg 277 277 277 277 277 394 394 394 394 394
RKO 277 277 277 277 277 394 394 394 394 394
Warners Bros 277 277 277 277 277 394 394 394 394 394

MOTION PICTURE DAILY

For Cleaner Advertising; Unworried About Foreign

Published daily except Sunday and holidays by Motion Picture Daily, Inc., subsidiary of Quiggle Publishing, Inc., Martin Quigley, President; Calvin Brown, VicePresident and Treasurer.
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MARTIN QUIGLEY

Editor-in-Chief and Publisher

MAURICE KANN

Editor

JAMES A. CRON

Advertising Manager

Mr. Milder, managing director for Warners in Great Britain, arrived in New York on the Manhattan. He expects to be here for a week.

Lou Metzger, leaving one sunnycliffe—San Diego—is planning a vacation in another—Florida—before returning to the coast.

Gene Raymond reached town Sunday on his way to Europe. Ivan Lebedeff came in on the same train for a holiday visit here.

Jack Cobin, Columbia vice-president, and his family are on a cruise to Nassau, Jamaica and Panama on the Roma. They left Saturday.

George Broxbourne and Alfred Poznanski have sold their produced play, "Ladies Should Listen," to Paramount.

Mrs. Phil Kaufmann, widow of the late Phil Kaufmann, has arrived in Europe.

Arthur E. Rusca, Fox manager in Chile, gets into town today on the Grace liner Santa Clara.

J. J. Unger is the latest addition to Governor Ruby LaFountain's Kentucky colonels.

Queenie Smith has been signed by Vitaphone for a musical.

Came the "Dawn"

The Little Carnegie yesterday marked the opening of "Dawn to Dawn," the Josef Berne production, with an "all-independent" program. Sponsors at the opening performance included Berne, Sinclair Lewis, Leo- pold Sokoloff, Gilbert Seldeveld, Morris Gest, Arthur Garfield Hays, Dr. A. A. Brill, John Sloan, Cornelia Otis Skinner, William Zorach and Louis Alber.

MacFadden Gets 'Follies'

Hollywood, Dec. 25.—Hamilton MacFadden has replaced Eddie Sutherland as director of "Fox Follies."
Not Covered in Any Code

THE code may shut the industry how to go on double features, the right to buy discounted pictures, picture manipulation, cross-prints, and other such "bargains." It's an absurd notion because any contract for quality production. The screenplay of the entire studio's output centers on what the screen shall be, and that's a job for the business men to handle.

Waging a difficult fight against Hollywood's inclusion clause, the producers are seeking to get into the business of producing pictures in the East. It's a brave move, a move that they're trying to push, building up slowly and surely, an answer to the one vital question which the code cannot furnish: It is Eastern production.

HOLLYWOOD will continue to resist the anti-competitive practices. Any idea designed for the sake of competition is a great danger to producers. The Guild, of course, has the edge for the moment, but that's only temporary, and out its complete domination of the situation, however, have grown practically all of the evils which have been seen by theatrical producers today: provincial, licensing prices, screen contracts, which make the cost of production of small films and popular pictures that are low in the social system that film, is high in the point of view, because of the underrepresentation of those in the commercial field of turning out pictures that will make profits.

A Hollywood is the big "I am," the great "know all," the land of dead writers. As long as its supremacy remains unchallenged, it's long, and Hollywood continues to take it where it turns must.

PRINCIPALLY because the tail has been wagging the dog in Hollywood has Hollywood been successful in maintaining its share of the production market. Whether it's a low or high production, it's always been forgotten for the rest of the picture business. What's more, it's forgotten that the policy of the picture business is the policy of the court is a very serious one, and the picture business should matter to him today.

For Hollywood runs along without the competition necessary to awaken it. Hollywood never seriously faced the competition of that this is something pretty well for the code, but economically written for the

NEW YORK may not make better pictures than the west. Certainly, all scenes being equal, it will make them as well. Carry the argument further and what do you get? Let's assume Eastern pictures have no importance in the national scheme of things, unless they are produced by the local community. The question is one of the Eastern community's importance in the national scheme of things. And, of course, the answer is that the importance of the pictures, and the industry, is the importance of the industry.

GAINING impetus now as you read this is a revival of production in New York. There are technical difficulties to overcome, but they will be overcome. There is no sympathy in the East for Eastern production. There is no sympathy in the East for Eastern production. Eastern production, therefore, will remain its stride, quietly if not without the drop-throw-curve. The move is to be encouraged, and the right path to the production scheme of things.
The Biograph studio, rich in the history of the industry and the personalities identified with its growth, reopens with the beginning of 1934. Built in 1908, the studio, with the home of highly important production activities for the next 20 years. The lights went down in 1927, when the old First National wound up its final production there, was combined with Warner Bros. and transferred its producing activities to Hollywood, where the dawning era of sound had ushered in a new period in the industry's growth to 1932, while the rest of the production centers were suffering the growing pains brought on by sound, the Biograph studio stood undaunted. A new lease of life was given to the old Biograph, equipped with the latest improvements for talking picture production, fitted out from basement to roof-top studio with all the paraphernalia of present day production as approved in the 1924 studio handbook.

The Biograph studio is a hive of activity during these numbered days just prior to its scheduled reopening. Contractors and their workmen have had possession of the three main buildings for the past three months, altering and replanning accommodations and elevators. The work is scheduled for completion today, and film industry luminaries have been invited to inspect the results at a reception tomorrow. There will be a week of comparative quiet at the plant, after which, on Jan. 2, Chester Erskin and his production company move into the plant to begin work on the first sound picture to be produced in the history of the old Biograph studio. The production is "Frankie & Johnnie," and will probably have Tallulah Bankhead and Helen Morgan in its leads.

Presiding over all this preliminary activity has been Robert H. Hammer, a pioneer at Biograph since its 1908 beginning, and former vice-president and general manager of the studio. He will continue in his present supervisory capacity under Biograph's new regime, having charge of studio administration and ranking of facilities to producers.

A number of assistants also endowed with old Biograph experience will be associated with Hammer, although the ranks of technical help will be made up.

The old-timers at Biograph reveal a justifiable pride in the newly outfitted studio. To them, there is nothing in Hollywood, and consequently, nothing in the production world anywhere, that excels the new facilities with which the new Biograph studio has been equipped.

On a tour of inspection of the plant they will point out to the visitor scores of gadgets and contraptions which, they say, are still unknown to some Hollywood studios.

There is plenty to be seen at the new studio and its wares held out nothing but beguile the eye. Beginning an inspection tour at the administration building which fronts on 175th Street, adjacent to the Bronx's Crotona Park, the visitor is started at the basement which houses commodious rooms and storage spaces for equipment and props; complete carpentry and machinery rooms for filling the sets designers' requirements, and the enormous ventilating system that pumps fresh air into every section of the studio and, in hot summer weather, cools stages, offices and rehearsal rooms. Here, too, it is located the heart of the fire signal and sprinkler mechanism, representing the latest development of its kind, which operates every nook and corner of the extensive plant. Nearby, in this lower level of the administration building, is the control room which operate every lighting unit and electrical appliance in the studio, as well as the signal system for silence which prevents any noise from entering any section of the studio building when sound shots are being taken. A second light control board for emergencies is located in the power house adjoining the studio itself.

On upper levels of the administration building are business offices for the studio's permanent staff; reserve offices for tenant producers and directors; a fully equipped, modern projection room of comfortable proportions and fittings; the "barber shop" where make-up artists will practice their magic, so-called because of the room's barber chair fittings. In this section of the studio, also, are, hearth rooms, cutting rooms, film vault and a restaurant. On the roof is a gymnasium for the use of players.

Connecting directly with the administration building is the studio building proper. The principal features of the four-story structure are its two large stages and the intervening floor between them given over to dressing rooms. The lower stage occupies the second floor of the studio building and measures 118 feet long by 77 feet wide, and with 22 feet of headroom, "Blanket" sound proofing is used throughout the entire stage. It has been outfitted with every convenience known to modern production methods, which aid in making the work of camera and sound crews of the highest efficiency. A model dressing room in the basement of the studio guide, although he will also comment proudly on the sun-ars which is 100 feet long by 19 feet wide, with all the ingredients of the latest silent type.

The upper stage on the top, or fourth floor of the studio building also measures 118 feet by 77 feet, but has an average headroom of 28 feet, which includes 32 feet of headroom at the center of the stage for a width of 46 feet and for the entire length of the stage.

It is equipped in much the same manner as the lower stage, but offers the further advantage of greater headroom.

Connecting with both stages are cameramen's "dark" rooms for loading magazines. A passenger elevator and a freight elevator, the latter capable of carrying any load, were installed in 1927, when the upper and lower stages. Both stage floors are constructed of steel, brick and concrete, and heavy design is used for extra heavy floor loads. In addition to being fireproof throughout, they are sound-resisting, and free from vibration. Both stages are equipped with the latest RCA sound recording apparatus, and RCA reproducing equipment is also used in the "preview," projection room.

COMMODIOUS dressing rooms and washrooms occupy the entire third floor of the new building, newly decorated and equipped. The south half of the floor is given over to the women's quarters and the north half to the men's quarters. There are accommodations for four stars, 16 featured players and an indefinite number of extras. There are dressing rooms with comfortable furnishings. The professional distinction between a star and each of the company's ten stars is by the location, size and fittings of the quarters designed for the latter classification, which, although their quarters are in the main identical, are furnished with just slightly less a flourish of hauteur. The featured players' rooms, for example, are "appointed" so designed that they can be toned up a bit if an emergency created by an unexpected production ever came into being and demanded production quarters for the unusual number of stars. "Like in Marie Dressler's picture, 'Dinner at Eight,'" the quarters are ex- plicitly, although a little erroneously.

The further professional line of distinctions is between the stars, above and extra is also evidenced on this floor. In this instance by a wall which separates the private dressing rooms of the featured players from the line of wall mirrors, dressing shelves and chairs set in front of them, which comprise the extra players' quarters. The stars are centered in the room, with the dressing shelves and facilities on either side. Although harshly of an "exclusive" classification, these quarters are commodious, efficient and comfortable.

The men's quarters, similar in arrangement to the women's, carry off a repressed decorative scheme. "That's because men are not so fussy as women," the guide on the other two stages, says, "because they don't like this or they don't like that; there's not enough light or there's too much light. There's no pleasin' 'em. They're fed up with the color of the ceiling, they've changed or a new piece of furniture stuck in their room. Men just sit down on a stage and when they've got it through they sit around smokin' and talkin'. They're easy to please."

An addition to the dressing quarters new to the old Biograph layout are the musicians' quarters. Musical directors have rooms of their own and storage provided for music. Their lack of importance in the new scheme of talking picture production at Biograph is due to the size and location of some of their quarters—they are cramped and adjacent to the rooms set aside for male stars.

Both stages and all floors of the studio building are connected with the administration building, which is located directly in front of it. To the rear of the studio building is the power plant, a model of up-to-the-minute equipment.

(Continued on page 15)
Announcing
THE
GALA OPENING
on DECEMBER 27th of
the NEW
BIOGRAPH STUDIOS
807 East 175th Street
New York

the WORLD’S
FINEST STUDIOS

Definitely Establishing
New York Production
on a Large Scale and
on a Sound Business
Basis
We Extend Our Sincerest Good Wishes to

BIOGRAPH STUDIOS, INC.

J. E. BRULATOUR, INC.
EASTMAN FILMS

New York  Chicago  Hollywood
Producers!

The Sound Recording is

High Fidelity

by RCA Victor at the

NEW

BIOGRAPH STUDIOS

It is fitting that productions in these great modern studios will be recorded by the most advanced Hollywood methods with the world’s finest sound system—High Fidelity Sound, by RCA Victor

RCA VICTOR

CAMDEN, N. J.

A Radio Corporation of America Subsidiary
THE BIOGRAPH STUDIO EMERGES IN NEW DRESS

Left—One of the Mole-Richardson rolling camera tripods.

Below—Projection room, RCA "High Fidelity" sound-equipped.

Above—Exterior of the Biograph Studio.

Right—Some of lighting equipment.

Cutting room from another angle.
Left—
Long shot of the upper stage.

Above — Corner of cutting room.

Above — Typical microphone boom and sound booth.

Showing full depth of the lower stage.
Congratulations to the
BIOGRAPH STUDIOS, INC.
from
EASTMAN KODAK CO.
CONSOLIDATED PARK was planned to anticipate the growing needs of a great industry. It has changed film printing from a craft to a science. Every known scientific device is employed to assure controlled results. Skilled technical and chemical engineers are constantly seeking means to make Certified Prints even finer than they are. So huge is the capacity of Consolidated Park that more than a billion feet of film prints, upwards of 10,000,000 stills and over 20,000,000 photo-gelatin lobby displays can be produced each year. For its size, equipment and its many contributions to the science of film printing, Consolidated Park has *earned* its reputation of “world’s greatest film laboratory”
Welcome to the Industry...

BIOGRAPH

It's a long time, Biograph, since we opened.
For in a few weeks we celebrate our twenty-fifth anniversary.
Since 1909, when we established our business, the science of
making motion pictures has advanced tremendously. The Philip
A. Hunt Company has kept pace with this progress and throughout
the years has supplied the industry with the photo chemicals best
suited to its changing needs. Film laboratories known for quality
production buy their photo chemicals from Philip A. Hunt Co.

« PHILIP A. HUNT COMPANY »
Established 1909
253-261 Russell Street
1076 West Division Street
Brooklyn, New York
Chicago, Ill.

Congratulations
BIOGRAPH

We extend our sincere
good wishes for the
complete success of your
enterprise.

AGFA RAW FILM CORPORATION
AGFA ANSCO CORPORATION

245 West 55th Street  Circle 7-4635-6-7 Factories in Binghamton, N.Y.
SUCCESS

TO THE NEW

BIOGRAPH STudios

AND ITS MANAGEMENT

MONOGRAM PICTURES CORP.
RKO BUILDING - - - ROCKEFELLER CENTER
W. RAY JOHNSTON, President
Biograph Studios offer producers the most modern facilities for making motion pictures

With the opening of Biograph Studios, Eastern production, long the hope of many in the motion picture industry, is at last a fact. For Biograph offers every modern facility for motion picture producing:—

- Sound stages large enough for shooting the most ambitious productions.
- The very latest and finest recording devices designed by RCA.
- Electrical equipment to provide every possible lighting combination.
- Dressing rooms to accommodate over 200.
- Fireproof steel vaults for the safe storage of negatives.
- A complete carpentry shop on the premises for construction of sets.

And a well trained personnel rounds out a studio service complete in every detail.

Biograph Studios · Inc.
807 East 175th Street · New York
Dry Agitators, Out of Jobs, Gun for Films

(Continued from page 1)

ments on salacious films and salacious advertising.

Several organizations which had been devoting their activities to the unreason-able attacks on the part of the producers of licorice face extermination unless their mentors can develop in a hurry an excuse to continue. They think they have got it in motion pic-

GUFFAL, Dec. 25.—“All decent-minded people should boycott the mov-
ing pictures, which I believe are ac-
cepting huge cash subsidies from the brewers and distillers in an effort to fasten the drink habit upon the na-
ton.” Capt. Edward Page Gaston, F.R.G.S. (of London) and several will be World Prohibition Federation, said at a "new crusade" banquet of W. C. T. U. leaders in Buffalo.

"Every film I have seen lately plays up the jollyness of alcoholism before audiences, made up largely of im-

(Continued from page 4)

MOTION

PICTURE

DAILY

The NEW BIOGRAPH MAKES ITS DEBUT

MOTION

PICTURE

DAILY

Expect Flim To Get Code

Authority Job

(Continued from page 1)

Kansas City Group

Picks Board Names

(Continued from page 1)

United Newsreel to Have 20 One-Reelers

Twenty one-reel shorts are planned by United Newsreel Corp., for release through state rights exchanges. Of

this number 13 will be known as "Broadway Group," and seven will be known as American Explorers. The latter group deals with interesting sights of important cities, such as New York, Washington, Philadelphia, Boston, Chicago, New Orleans and Los Angeles.

V. Warrington Herst is president of

of music, in plans he has submitted to the CWA.

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"Women" Has Big Seattle Second Week

Seattle, Dec. 25.—"Little Women," in its second week at Hammerick's Blue Mouse, again took top honors with a gross of $6,000, or $2,000 over average. In its opening at the Paramount, with Henry Santry’s "Soldiers of Fortune," on the stage, was good for $6,500, which is better than recent weeks.

"Christopher Bean" was disappointing at the Fifth Avenue, taking slightly less than the average $7,000. The Orpheum, with a dual bill and vaudeville, was below par. "The Good Companions" at the Roxy was pulled after four days and was replaced by "Myrt and Marge" and "Broken Dreams." Total first-run business was better than $35,000,

Estimated takings for the week ending Dec. 16:

"LITTLE WOMEN" (Radio) BLU-MOUSE—($900), 25c-35c-90c, 7 days, Gross: $6,000. (Average, $857.)
"CHRISTOPHER BEAN" (M-G-M) FIFTH AVENUE—1,250, 90c-35c, 7 days. Gross: $6,500. (Average, $929.)
"THE FIGHTING PARSON" (Allied) MUSIC BOX—1,947, 25c-35c, 7 days. Gross: $3,750. (Average, $536.)
"THE GOOD COMPANIONS" (Fox) ROXY—2,250, 25c-35c, 7 days, Gross: $3,250. (Average, $464.)
"MYRT AND MARGE" (Univ.) BROKEN DREAMS (Monogram) ROXY—2,500, 25c-35c, 7 days, Gross: $2,500. (Average for week, $357.)

Kansas City—The RKO Mainstreet turned to Motion Picture Daily's review to sell "Little Women." This blow-up of the original appeared out front during the run of the picture.

Kansas Defeats All Anti-Film Measures

TOPEKA, Dec. 25.—Not a single measure harmful to the film industry was passed by the special session of the Kansas legislature, which adjourned recently. Several bills had been opposed by the industry, however.

A proposal which would have changed the entire system of censorship failed to rally much support. This contemplated grouping of films according to "moral" classifications.

Tax measures circumvented were a 5 per cent levy on admissions, included in a graduated sales tax, and a general sales tax bill assessing 3 per cent levy. For a while it appeared the 5 per cent tax had a good chance, but the legislators balked at increasing or levying more taxes.

Legislation was enacted to bring the Kansas anti-trust laws and other statutes into compliance with the NRA for the term of the national recovery program.

Canadians Seeking Censorship Appeal

TORONTO, Dec. 25.—An appeal board of seven members to review censorship cuts is being sought from the Ontario Government by distributors of American films. The distributors contend that they are put to heavy and unnecessary loss in shipping charges and customs duties on prints imported into the Dominion, only to be condemned by the Ontario censor board.

The distributors contend they are entitled to an appeals board in order to avoid as many cuts as possible.

George Thomas to M-G-M

Hollywood, Dec. 25.—George Thomas, who recently resigned as West Coast publicity director for Warners, has joined the M-G-M press department to handle trailers.

"Sitting" Is Good in K. C.

Kansas City, Dec. 25.—Despite indications the pre-Christmas slump had already set in, business was on a par in a fairly strong first five days at the Paramount, with "Sitting Pretty," which took $10,000 in eight days.

"The Prizefighter and the Lady," a Midland attraction, was average, but drew the biggest take at $10,000. "Only "Last Year's Woman" drew in a second week at the Uptown. The Apollo, which has had a checkered career as a suburban 1,100-seat, was turned over to a first-run policy with "Emperor Jones." At 25 cents admission, twice daily and four shows on Sunday, the picture turned in $2,500 and was held.

For the week total, $31,000. Average for the five first runs is $29,700.

Estimated takings:

Week Ending Dec. 11:
"LITTLE WOMEN" (Radio) MAINSTREET— ($1,000), 25c-40c, 8 days. Gross: $6,000. (Average, $750.)
"SITTING PRETTY" (Warners) NEWBTOWN—1,200, 25c, 8 days, plus Saturday midnight show. Gross: $9,000. (Average, for 7 days, $1,286.)

Week Ending Dec. 15:
"PARAMOUNT" (M-G-M) APOLLO—(1,000), 25c, 7 days. Gross: $5,500. (Average, $786.)
"THE PRIZEFIGHTER AND THE LADY" (M-G-M) MIDLAND—(1,100), 25c, 7 days, plus Saturday midnight show. Gross: $10,000. (Average, $1,429.)
"ONLY YESTERDAY" (Univ.) UPTOWN—1,200, 25c-40c, 7 days. Gross: $5,500. (Average, $786.)

Big Holiday Week

Jolts Des Moines

Des Moines, Dec. 25.—Exhibitors here are uniting in giving credit to the Federal recovery program and Christmas business for a $30,000 total gross for the five first runs—the first total that high for several weeks.

Both the Des Moines and Paramount did $8,000 for "Sitting Pretty," and the latter on "The Private Life of Henry VIII" and "Ever in My Heart." The average of the former is $1,600 and of the latter, $1,700.

The Orpheum did $5,500 on "The Invisible Man" and Garden, $4,000 on "Penthouse." Total for the week was $29,500. Average is $4,250.

Estimated takings for the week ending Dec. 16:
"THE INVISIBLE MAN" (Univ.) ORPHEUM—1,000, 25c, 7 days. Gross: $5,500. (Average, $786.)
"EVER IN MY HEART" (Warners) PARSON—1,100, 25c-40c, 7 days. Gross: $8,000. (Average, $1,143.)
"THE PRIZEFIGHTER AND THE LADY" (U.A.) PARAMOUNT—1,200, 25c-40c, 7 days. Gross: $8,000. (Average, $1,143.)
"FEMALE" (F.N.) DES MOINES—1,200, 25c-35c, 7 days. Gross: $8,000. (Average, $1,143.)
"PENTHOUSE" (M-G-M) GARDEN—1,300, 25c-35c, 7 days. Gross: $4,000. (Average, $571.)
"STRAND—1,100, 25c-35c, 7 days. Gross: $4,500. (Ave, $643.)
:

:

:

:

MOTION PICTURE

December

Tupsday,

DAILY

1933

26,

Frisco Takes
99

Hollywood,

San Francisco, Dec. 25.—The preChristmas drop in theatre intake hit
this town last week, with only two
theatres managing to top average, and
others holding on with prospects of a
week ahead.

He

to

himself

it.

—

25.Keith's has done
impossible, by holding highest
rank for three successive weeks with
the same film, "Little Women," and
has grossed $26,000 for the third week,
$10,000 above average, for a total of
$71,000 for the three weeks. With the
locale only a brief motor ride from
Boston, where Louisa Alcott's homestead is one of the sights of historic
Concord, Boston has flocked to the

Boston, Dec.

a

the

Prizefighter" Is

Average in Omaha
Dec.
—The
cold

Women,"

"Little

sneezed

adhesive tape to prove

second week,
took a neat $13,800, considered excel-

Golden Gate,

— Al

25.

into a broken rib, and is walking around with a coating of

Gets $13,800

sorrier

Dec.

Green has a new claim
fame.

at the

"Women" 3rd Twin Cities
Week Boston Tip $14,000
Top, $71,000 To Crawford

Sneezes Rib Loose

Dip; "Women

17

in its

Omaha,

25.

first

Minneapolis, Dec. 25.—"Dancing
Lady," playing day and date in the
Mmnesota here and the Paramount
in St. Paul, took a total of $14,000 last
week. Of this, $8,000 was grossed at
the Minnesota.
"Havana Widows," helped by Earl
Carroll's "Vanities," reached $6,500
at the
Orpheum here. "Berkeley
Square," as a straight film draw, also
took $6,500 at the State. "Little Wo-

snap of the season kept business in
stayed a third week stanza.
The Fox went over average by $2,700 average range at most of the first run
spots.
"The Prizefighter and the
with two features, headed by "BitterLady," along with "Sing, Sinner,
Sweet," and 10 vaudeville acts, with a
men" held up to $5,500 in its second
Sing," gave the World its best week film.
in two months with a par gate of
000 with "Female" was $3,000 under
was second high for the week with
Minneapolis grosses totalled $23,800.
$5,850.
normal.
Orpheum also ran at average money $8,000 above average, while "Aggie Average is $20,500. The five St. Paul
Total first run was $71,000. AverBoston and "Should houses took $17,000. Average is $14 with a dual bill of "Take a Chance" Appleby" at the
s
-p
age is $76,0ri.
and "The Mad Game." Gross was Ladies Behave?" at Loew's State each 000.
Estimated takings:
par.
above
grossed
$5,000
Estimated
takings
about $7,250. The second week of
Wee Ending Dec: 12.
Total first run business was $124,"Little Women" was a disappointment
Minneapolis:
000. Average is $95,000.
"CR '">LE SONG" (Para.)
Week Ending Dec. 14:
at $4,500, but represents a gross of
two-a50c-75c-$l-50,
COLUMBb-v- (1,200),
takings for the week endEstimated
"MEET
THE
BARON" (M-G-M)
Gross: $6,000. (Average, around $13,750 for the picture's run.
day, 2nd week.
ing Dec. 14:
.20C-25C, 7 days. Gross:
$6,000.)
"Christopher Bean" at the Para*,^I^^Pr^''^*^'
,„ .. ,
$1,500.
(Average, $1,500.)
"AGGIE APPLEBY" (Radio)
"LITTLE WOMEN" (Radio)
BOSTON— (2,900), 25c-50c, 7 days. Buddy
"DANCING LADY" (M-G-M)
GOLDEN GATE— (2,800), 25c-35c-40c, 7 mount was weak. The picture did Rogers
and Cavaliers, vaude. Gross: $21,MINNESOTA-(4,000), 25c-40c, 7 days
days, 2nd week. Stage, band. Gross: $13,- about $6,750.
Gross:
$8,000.
(Average, $7,500.)
(Average, $12,000.)
800.
Total first run business was $24,- 000. (Average, $16,000)
"EVER IN MY HEART" (Warners)
Week Ending Dec. 15:
350. Average is $25,600.
Week Ending Dec. 13:
"LONE COWBOY" (Para.)
"HAVANA WIDOWS" (F. N )
"TAKE / CHANCE" (Para.)
FENWAY— (1,800), 30c-50c, 7 days. Gross:
Estimated takings
It

lent.

RKO

,

_

"I

WA i A

ORPHEUM—
Gross: $8,C00

SPY"

(Fox)

15c-35c-40c,
(.Average, $9,000.)

7

.000),

(

"htAI-U-E" (Warners)

WARFIELD— (2,700),

25c-35c-55o-65c-90c,

Gross:

and.

Stai

days.

7

$16,000.

(Av-

--«^- .f^'j^ -,^
SWEET- (U. A.)
"16 FATFO'.ilS DEEP" (Monogram)

FOX— (4,r
10

Stage,

(Average,

10c-15c-25c-35c,

va^ieville

Gross:

acts.

Gross:

days.

7

$11,000.

7 days,
$6,000.)

Gross:

2nd week.

"Women"

$4,500.

(Average,

days.

$7,250)

"SING,

SINNER,

WORLD— (2,200),

$5,850.

SING"

(Majestic)
25c-35c, 7 days. Gross:

Portland Holdover

"DANCING LADY" (M-G-M)

BROADWAY— (1,912),
Gross:

35c-40c,

7

(Average,

days,

2nd week. Gross:

HAMRICK'S
7

days.

$10,000.

(Warners)
(Radio)

ORIENTAL-(2,040),

Gross:

(Average,

$2,000.

25c$2,-

000)

PARAMOUNT— (3,008),

25c-35c-40c,

days.

THE LOVELORN"

Gross:

$5,000.

,

25c-35c-40c,

(Average, $5,000)

week.

days.

Gross:

$6,000.)

"DAY OF RECKONING" (M-G-M)

CENTURY-(3,000),

25c,

4

days.

Gross:

$2,300.

"LITTLE

WOMEN"

(Radio)

GREAT LAKES-(3,000), 25c-40c, 7 days,
2nd week. Gross: $7,600. (Average, $10,000.)
"WALLS OF GOLD" (Fox)

HIPPODROME^(2,100), 25c-40c, 7 days.
Aileen Stanley, Bob Murphy with
Dick and Dorothy, Oimas Bros., Amando
and

7

days. Gross: $6,000. (Average, $5,000)
"ADVICE TO
(U. A.)

ARTISTS-(945),

for

3

25c,

Stage:

"HOOPLA" (Fox)
"TAKE A CHANCE" (Para.)

UNITED

(Average

$1,200.

25c-

$3,000)

"KENNEL MURDER CASE"
"CHANCE AT HEAVEN"
35c,

"THE SOLITAIRE MAN" (M-G-M)

CENTURY-(3,000),

WOMEN"

HAMRICK'S MUSIC BOX— (2,000),

30c-55c,
7
days.
Novis, William Demarest
and Ruth Mix, Chilton & Thomas, Three
Cossacks.
Gross: $15,000. (Average, $15,-

Donald

000.)

25c-35c-40c, 7 days.

(Average, $6,000)
(Radio)
"LITTLE
$6,000.

7

Bros.

Lita
and Gypsy Rodenje; Hickey
& Co.; Johnny Bryant; Six DeCardos.

Gross:

$8,100.

(Average,

$10,000.)

"THE INVISIBLE MAN"

LAFAYETTE—
$8,000.

(Average,

(Univ.)
(3,300), 2Sc, 7 days. Gross:
$6,500.)

"ELYSIA" (Foy

Prod.)
4 days.

25c-75c,

.n^'^^P^'^'^^'
(Average
$700.

week,

for

St.

Gross:

$1,300.)

Paul:

Week Ending Dec. 15:
"DANCING LADY" (M-G-M)

PARAMOUNT-(2,300),

25.

getting
$8,000.
at
the
Lafayette
than normal.
"Footlight Parade," in its sixth and against a $6,500 average. "Solitaire
Hamrick's Blue Man" did only $1,200 in three days
week, held
final
at the Century and was yanked for
Mouse up to an average of $2,000.
"Hoopla" and "Take a Chance," "Day of Reckoning," which wasn't
double bill at the Paramount, took in much better.
Total first run business was $42,200.
$6,000, or $1,000 over average.
First run totals for the week were Normal is $47,500.
Estimated takings for the week end$30,500. Average is $23,000.
Estimated takings for the week end- ing Dec. 15
"HER SWEETHEART" (M-G-M)
ing Dec. 15
BUFFALO-(3,500),
days. Gross: $2,000. (Average, $2,000)

(U. A.)
2nd week.

25c-75c, 3 days,

$600.

Gross:

$6,600.

(Average,

25c-40c,

days

7

$5,000.)

"TAKE A CHANCE"

(Para.)
25C-40C, 7 days. Gross:

^.^J^^f^-'-^'^^'
(Average, $3,500.)

RKO

WOMEN"

"LITTLE

ORPHEUM-(2,600),

2nd week. Gross:

(Radio)
20c-40c, 7 days,

(Average,

$5,500.

"THE CHIEF" (M-G-M)

It

$4,000.)

TO\yER-(l,000), 15c-25c, 4 days. Gross:
but for ex$800.
(Average, $800.)
hibitors here it is just a season of
"THE THUNDERING HERD" (Para.)
TOWER-(1,000), 15c-25c, 3 days. Gross:
growing pains. Bad weather and shopping took heavy toll of profits with $700. (Average, $700.)
"ICH WILL NIGHT WISSEN WER DU
all houses suffering in equal proporBIST" (Viennese)

Christmas for some

ter

7

(Fox)
Gross:

days.

7

"BITTER SWEET"

days.

Holiday Hits Most

$6,500.

$3,000.

,000 in Buffalo

Stage:

7

Providence Houses
— may be
Providence, Dec.

Buffalo, Dec. 25.— Christmas shopPortland, Dec. 25.— "Little Women" in its second week at Hamrick's ping time plus heavy snow and nearMusic Box again scored a heavy in- zero weather put a crimp in the show
crease over average receipts with an business here. "The Invisible Man"
intake of $10,000, or three times bet- was the only picture to top normal,

"FOOTLIGHT PARADE" (Warners)
HAMRICK'S BLUE MOUSE-(669),

30c-50c,
$9,000)

(Average,

$10,000.

(Average, $5,850)

Big in "Invisible" Gets

Is

"EVER IN MY HEART" (Warners)
"LONE COWBOY" (Para.)

PARAMOUNT— (1,800),

,.^.^^'^-^2,300), 25c-40c,
(Average, $5,500.)

WORLD-(400),
7
$36,-

Gross:

$6,500.

Gross:

30c-65c,

20c-40c. 7 days.

"BERKELEY SQUARE"

$16,-

(Para.)

Mae Questel and revue. Gross:
(Average, $28,000)

Gross:

ORPHEUM-(2,900),

Earl Carroll's "Vanities."
(Average, $5,500.)

$16,000)

(Average,

$21,000.

METROPOLITAN— (4,350),
000.

Week Ending Dec. 15:
"THE PRIZEFIGHTER AND THE
LADY" (M-G-M)

(Average,

"ADVICE TO THE LOVELORN" (U. A.).
UNITED ARTISTS— (1,200), 25c-40c-50c.

(Average,

$7,250.

Gross:

"SITTING PRETTY"

days.

(Fox)
7

(Average,

week. Gross: $26,000.

3rd

000)

(Para.)

25c-35c-40c,

(Radio)
7
days,

"SHOULD LADIES BEHAVE" (M-G-M)
LOEW'S STATE— (3,700), 35c-50c, 7 days.
Vaudeville.

(Radio)

7 days.
(Average, $5,000)

$4,500.

ORPHEUM— (3,000),
Gross:

7

$7,500)

25c-35c-40c,

"TAKE A CHANCE"
"THE MAD GAME"

$9,000.)

"LITTLE WOMEN"
KEITH'S— (3,500), 30c-50c,

Dec. 14:

WOMEN"

2nd week. Gross:

$11,700.

25c-35c-S0c,

(Average,

Week Ending
"LITTLE

Week Ending Dec. 15:
"THE WORLD CHANGES" (Warners)
PARAMOUNT — (2,670), 15c-25c-30c-40c55c,

PARAMOUNT— (2,900),
days. Gross: $6,750.

BRANDELS— (1,100).

days.

7

Dec. 13:
"CHRISTOPHER BEAN" (M-G-M)

RKO

(Average, $9,000)

$10,000.

Week Ending

days.

folk,

WORLD-(300),

tion.

"Little
at the

Women,"

week

in its second

$1,000.

(Average,

25c-75c,

7

days.

Gross:

$1,000.)

RKO

Albee, was not so bad,
vaudefilm policy
catching $5,500.
at Loew's, spotting "Should Ladies
Behave?" did only $8,500. The Paramount caught $5,200 and Fay's about

A

$6,000.

Total

first

Average

is

run business was $31,200.
$38,500.

Estimated takings for the week ending Dec. 14:

WOMEN"

"LITTLE

RKO ALBEE— (2,300),
Gross:

$5,500.

(Average,

(Radio)

15c-40c,
$7,000)

days.

7

"HOOPLA" (Fox)
"PUBLIC STENOGRAPHER"
(Chesterfield)
MAJESTIC— (2,400), 15c-40c, 7
Gross:

$5,000.

PARAMOUNT— (2,300),
Gross:

$5,200.

(Average,

days.

(Para.)

(Monogram)

15c-40c,

7

days.

$6.,500)

"SHOULD LADIES BEHAVE?" (M-G-M)
LOEW'S STATE— (3,800), 15c-40c, 7 days.
Cass-Mack
$8..';00.

Owen on

and

stage.

Gross:

(Average, $12,000)

"ONLY YESTERDAY"
MIDWEST-(1,500),

10c-25c,
$1,000)

7

(Average, $5,000)
"HOOPLA" (Fox)

CRITERION-(1,700),

10c-20c-26c-36c-41c.

(Average, $5,000)

AND THE

(MG-M)

'ALVi
^"^AU^-I^WILD
BOYS

LAD'V'"

10c-20c-26c-36c-41c,

(Average,

7

$3,000)

OF THE ROAD"

(F.

N)

I0c-15c-26c-36c, 3 days.

r ^^^^'^FJ-^''5'»>'
Uross:
$1,000. (Average week, $3,000)

"HORSE PLAY"

(Heber)

(Average,

(Univ.)

10c -26c -36c -56c.

days. Gross: $5,000.

CAPITOL-(1,200),

RKO VICTORY— (1,600),
$9,500.

ing Dec. 16:

heading stage
(Average, $7,000)

HONOR AND OH BABY"
(Univ.)
"THE MAN THEY COULDN'T ARGross:

at the Cri-

"The Prizefighter and the
Lady" was down $500 at the Capitol.
Total first run business was $13,800. Average is $15,000.
Estimated takings for the week end-

..•i.D,7^l;,5r?4?"PRIZEFIGHTER

]5c-40c, 7
Billy Kelley

REST"

"Hoopla" was $600 under

(Warners)
days. Yvonne-

FAY'S— (1,600).
"LOVE,

City, Dec. 25.— In a
week of falling grosses "Only Yesterday," at the Midwest, was the only
attraction in town to reach normal.
The take was $5,000.

*'''''°0-

"FROM HEADQUARTERS"
Diane Co. and
show. Gross: $6,000.

Oklahoma

Fair in
Oklahoma

terion and

(Average. $5,000)

"CRADLE SONG"
"IN THE MONEY"

"Only Yesterday"

4 days

(Uiriv.)
10<=-15c-26c-36c, 4
week, $3,000)

r^^^^^.'n~^}'^°°^Uross:
$900 (Average

day.


20th CENTURY AND

ushering in its policy of

with two epochal national

that will do

20th Century

symbol for

in sweeping

office enter-

know that

as pleased to

as we are

Get tickets for the

in your trade cen-

UNITED ART
ITS ITS STRIDE,
G PICTURES ONLY
wide trade showings...

rely establish
pictures as a
hat is finest
ificant box-
ent. We
itors will be
ese pictures
ow them.

JAN. 9th
JOSEPH M. SCHENCK
presents
Constance
Bennett
in "Moulin Rouge"
with
FRANCHOT TONE

A’ Darryl F. Zanuck
Directed by
Sidney Lanfield

wings to be held
rom your nearest
CHANGE
Hollywood On Parade
By BILL SWIGART

Hollywood, Dec. 25.—Hollywood seldom lets the rest of the world know of the many heartbreaks and resulting show business dramas that occur within its portals daily. For example, in Roy Del Ruth’s last two Warner special projects, “Persons” and “Fingerman,” approximately 22 people were engaged for roles, who, although their names are not printed on the cast sheet and few speak a line, were at some time or another in their careers, stars in their own right.

In one courtroom scene, eight of the 12 jurors, none of whom have a line of dialogue, have been leading men at some time in their stage or screen careers.

FRANK CAPRA won’t admit it is a superstition, but he always manages to include the same minor bit player in all his pictures. Those fortunate to be on this particular list are: TERENCE ROSS, FRANK HALLIDAY, SHEBBY HALL, TONY JONES and BERRY STARKER.

ISAAC JEWELL’S sympathetic love for orphaned dogs was expressed in definite terms the other day. He called upon the city pound to collect her own strayed mutt and emigrated with four others, which she will adopt and furnish a home.

Tired of being an actor, CHARLEY CHASE abandons his life calling to devote himself to the profession of writing. His first assignment will be a BILLY GIBSON and BILLY BUTCHER short for RKO.

LLOYD HAMILTON, who recently returned to work after a six-month sick leave, made the best record for broken legs by virtue of having suffered no less than 27 fractures and a lower limbs in the past year.

Influence of English actors here is taking its toll. The old English custom of "five o’clock teas" to "five o’clock cocktail parties" and the fad is catching on all along the East Coast. Aside from its social advantages, layoff actors and directors adopt the fad for mercenary purposes. If they have the money and the time it is easy to invite all the directors or studio executives with whom they have previously worked. During the imbibing session the host’s misfortune of being out of work is revealed in a subtle manner, resulting ultimately in landing a job.

Desirous of a new slogan for his pictures, a producer called his exploitation man into conference and said, "I’ve just created a new soap product, something like the New York Happiness Candy Co. which is ‘Happiness In Every Box.’" "Easy boss, I have read about Happiness In Every Can?"

They tell him that with a straight face about an actor who is so stingly that when he goes to the photoplay- house they side of his pants pressed and poses for a profile.

NEW WRITER ASSIGNMENTS

...Howard Estabrook just completed "Biography" for M-G-M and "Space Ship" for Universal..."Green Gold"...MIKE SIMMONS’ second project for "Love”..."Include" to be produced by STANLEY BERGERMAN...having completed the first draft of "General, the King," for 20th Century, GENE TOWNE and GABRIEL BAKER took a week off to cook up another original yarn. They have been diverted from reading department to staff writers at Warners...AINSLIE Ross Macdonald scripting "Lady of Tudor" for Radio...HARRY MYERS to write "Kansas City or Bust" for Paramount. LAURENCE HAZARD to "Camerb Man" and S. K. LAUREN to "Sisters Under the Skin," both for Columbia, ...GROSSKELLY’s dialogues for "Big Sunday" at Universal while DON RYAN draws the assignment to write script for "Mud Billes" at the same studio. VICKI BAUM’s "Hill Hole," a story based on a Western army post, is under consideration at M-G-M...JOHN VON KAMMEN writing "Shane on "Sidekicks" for Paramount...FRANK PATOS and BEN ARROW "The Man Who Broke His Heart" at Paramount.

Selzer Ends Unit System

Hollywood, Dec. 25.—Ed Selzer, Warners’ new publicity head, has discontinued the unit system in that department. This is the first studio to chuck the usual routine of assigning each man to handle publicity on definite productions.

Under the new system the p.a.’s are to be permanently assigned, turning in material on all products.

Big Pay for Barrymore

Hollywood, Dec. 25.—John Barrymore’s one-picture contract with Columbia is reported to call for $25,000 a week on a two-week minimum basis, with bonus of $10,000 for each completed film. This is the same basis of pay received by the actor from Universal for "Counselor-at-Law."

Christophcr in Evans Job


Buffalo to Open Saturday

BUFFALO, Dec. 25.—Thursday opening of the new State Theater at Lafayette, adding vaudeville, has changed to Saturdays, and so has the Century, which reverted to double features New Year’s week.

Harry Arthur Returns

Harry C. Arthur arrived from the west Sunday after looking over theater sites there and in the middle west. Louis Cohen, realty agent for F. & M., returns after the first of the year.

"Women" Has Big 2nd Week On the Loop

CHICAGO, Dec. 25.—In a week in which grosses slumped, the only cheerfulness on the local box-office horizon was the take for the second week of "The Little Women." After an opening week of $34,500 the picture crashed through for a repeat take of $28,000. Producers grabbed for the Roosevelt for a third week in the Loop and negotiations are under way which may keep it at the Roosevelt for a fourth and possibly a fifth week.

Indicative of the decline in grosses, box office reports at the B. & K. Chicago took only $27,000 with "The Prizefighter and the Lady." $11,000 for its second week at McVickers "Only Yesterday" showed pronounced strength.

Total first run business was $99,500. Average is $120,000.

Estimated takings:

Week Ending Dec. 12:

"MAN’S CASTLE" (Col)
Oriental—$5,000—6 days
Gross: $10,000. (Average, $1,666.)

"CHRISTOPHER BEAN" (M-G-M)
ARTISTS FEDERATION—7 days
Gross: $15,000. (Average, $2,143.)

"ONLY YESTERDAY" (Univ)
McVickers—2 days
Gross: $1,000. (Average, $500.)

Week Ending Dec. 14:

"THE PRIZEFIGHTER AND THE LADY" (M-G-M)
CHICAGO—(4,000), 85c-$1.25, 6 days
Gross: $30,000. (Average, $5,000.)

"LITTLE WOMEN" (Radio)
PALACE—2,925, 55c-$1, 2nd week, 7 days
Gross: $12,000. (Average, $1,714.)

"PRIVATE LIFE OF HENRY VIII" (U. A.)
(Third Third Week)
ROOSEVELT—(4,931), 25c-35c, 7 days
Gross: $7,500. (Average, $1,071.)

Fox Has Big Plans For Foreign Films

Ambitious plans for foreign language films are being made by FOX, according to Sherman Sheden, general manager of the company’s foreign department. Its Spanish program will list films with casts including Jose Mojca, Raquel Penita, Catalina Barcena and Rosita Moreno.

A number of French pictures have also been booked into the domestic and foreign studios in Paris. Sheden says, with others in preparation. Among the completed ones are: "On a Volne en Etang," with Herve Garat and Lily Damisa, and "Little Girl." In Berlin Fox has finished production on German subjects, with three others being reeled.

Hold Catalina Barcena

Hollywood, Dec. 25.—Catalina Barcena, leading feminine star of Spain, has been signed for two more Spanish features by Fox. The contract will take her from Spain in January for her first assignment, title of which has not yet been announced.
**Compliance Up To Rosenblatt**

**At the Start**

**Will Handle Code Until Authority Functions**

WASHINGTON, Dec. 26.—Matters involving compliance with the code will be handled directly by Division Administrator Sol A. Rosenblatt until approval has been given at any plan worked out by the Code Authority for dealing with such problems. It is not anticipated that compliance will offer much difficulty, and, in view of the experience in other codified industries, such complaints as are received will, for the most part, probably be due to misunderstandings of the requirements of the code. It is the practice of the Recovery

**Heavy Rains Severe Blow in Washington**

SEATTLE, Dec. 26.—Show business in Seattle and throughout the western part of the state of Washington has been seriously hampered during the last two weeks by severe rain storms and floods. In Aberdeen, Hoquiam, Kent, Auburn and similar locations the streets

**Expect Continuance Of Cleveland Plan**

CLEVELAND, Dec. 26.—The local protection plan, in effect since Jan. 1, 1932, will be continued under the code, according to the understanding of exhibitors and distributors who heard

**Still Seek Lowell For Authority Job**

WASHINGTON, Dec. 26.—Apparently still hopeful that Dr. A. Lawrence Lowell will reconsider his refusal to serve as Government representative on

**Results of McCarthy's Moves Noticeable**

Functioning of the new M.P.P.D.A. department for regulation of all advertising and publicity matter of member companies has resulted in eliminating hoarding and sensational illustrations and text from metropolitan newspaper advertising to a degree which has won the notice and commendation already of interests outside the industry. Individual companies, the M. P. D. A. and J. J. McCarthy, head of the new department, reported yesterday that favorable comments on the good taste apparent in theatre advertising in New York newspaper is received daily. Much good will from unexpected quarters has already accrued to the industry as a result of the regulations and is believed to have been heightened by the elimination of ob-

**Government's Wheat Aid Helping Kansas**

KANSAS CITY, Dec. 26.—With Uncle Sam pumping almost $4,000,000 into the Kansas wheat country last week, film distributors here look to a revival

**Hammons, Metzger, Saperstein, Clayton Sheehan Think The Economic Tides Are Shifting Toward Better Times**

By EARLE W. HAMMONS
President, Educational

We may with good reason face the coming year with more cheer and confidence than we have known for the last four New Years. We are, perhaps, not yet out of the woods. But we can, at least, see the light filtering through and we can be more sure of the way we are going. It is not an easy year that we have

By CHARLES R. METZGER
Business Manager, Associated Theatre Owners of Indiana

INDIANAPOLIS, Dec. 26.—The various governmental efforts to control and reduce unemployment will undoubtedly mean more spending money for many citizens who have lacked entertainment for several years. If the motion picture industry can produce a sufficient amount of good product during 1934 to attract new and old patrons expected, the eventual circulation of millions of dol-

By AARON A. SAPERSTEIN
President, Allied Theatres of Illinois

CHICAGO, Dec. 26.—The year 1933 brought with it many outstanding events which will have considerable bearing on all industries in the future—each event rendering an optimistic touch to the coming year. With hundreds of thousands of men being placed at work through the Civic Works Administration program and the accomplishment. As a result the

By CLAYTON R. SHEEHAN
Foreign Sales Mgr., Fox

Economically, world conditions in general are sounder than they have been in years. The nations of the earth are rapidly getting over their fears and uncertainties and are working together with a spirit of mutual cooperation and
**MOTION PICTURE DAILY**

**Think Economic Tides Are Shifting for the Better**

By EARLE W. HAMMONS

(Continued from page 1)

Ahead, but it is a year offering more real promise than we have had at any time since business went into the doldrums.

The millions of dollars that are being added to the pay envelopes of the small exhibitors are not going to give the films immediately their full normal share of the public's interest. But those now turning to work have been in dire need. Pressing obligations face them. But they work relatively small amounts, and as soon as the most urgent necessities are cared for, they will return to the great entertainment of the steady income years. The year should begin with the hope. There may be uncertainties to be faced in our economic development, but of the public's willingness to patronize good pictures there can be no question. As the general well-being of the public improves, the picture industry must follow.

And in spite of any economic uncertainties, we must recognize that the nation is moving—and in the right general direction. The setting up of the Code Authority and the passage of tremendous value to the industry in the next year, for it will eliminate many of the harmful and unethical practices that have hampered it in recent years. In this factor, also, it may be a little while before the full effect is felt. But the improvement in picture business, we must not understate the importance of the operation of the Code Authority.

As I see the coming year, the signs are not signs of immediate rosy hue, but they are signs pointing to gradual improvement. The year 1934 will be a year of specialization. With conditions what they are, only the most efficient can reach the top in pictures as elsewhere. But with the Code Authority functioning and with an undoubted general improvement in the economic situation, we have reason to hope that the industry will launch forth into 1934 without fear.

By CHARLES R. METZGER

(Continued from page 1)

"mine run" or worse product will prove a distinct loss to the producers, distributors and exhibitors. Authority should attempt to force it upon a most unwilling public. Experience during the depression has demonstrated that real pictures still find a profitable market, but no other kind's accepted.

Our NRA code offers a splendid opportunity for constructive work in the direction of greater harmony and sounder business ethics for the motion picture industry. Whether good will come out of this or it will vanish into the realm of the many other panaceas offered for this industry will depend upon the courage and integrity of the members of this industry who are charged with carrying out its details. The rank and file of exhibitors are hopeful and may be counted upon to devote their best efforts toward making it a success. The success of the NRA entrepreneurial program for the country will have a marked effect upon the motion picture industry. The industry expects 1934 with high hopes for peace and fairness among its branches and slightly better business upon the upward trend started 1934.

By CLAYTON R. SHEEHAN

(Continued from page 1)

public everywhere is more definitively realized and demonstrated.

We are confident that overspreading business is definitely headed upward. Even more completely than in the past we have laid plans to meet every need of that market.

By AARON A. SAPERSTEIN

(Continued from page 1)

lars representing salaries which men will receive, the amusement world can face the year 1934 with a marked degree of renewed courage.

Berkeley Made Director

Hollywood, Dec. 26.—Busby Berkeley has been elevated to a director at Warners.

**Issues Slump in General Decline**

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**Trading Light on Curb**

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**Paramount Publicxy Bonds Up Two**

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**Wednesday, December 27, 1933**

**Purely Personal**

SAM SAX will play host Friday to this year's winners of the newsboy contest sponsored by the Evening Express, Press Herald and Sunday Telegram of Portland, Me.

PAT GARN is off to Florida. A two-month vacation. Pat's snowfall had nothing to do with it, says Pat.

SI SEBARD returned yesterday from his Miami vacation with a coat of tar on his face and a heavy overcoat on his back.

MAX MISTER, Warner's British chief, is in Cleveland where his mother died recently.

ROBERT E. LONG leaves for Baltimore today to put on the "Roman Scandals" campaign at the Stanley.

GEOREY RAYMOND will be at the welcoming end of a cocktail party at the Warwick this afternoon.

WALTER EBERHART and the missing are back from a vacation at Nassau.

Held for Assault

TORONTO, Dec. 26.—Irving Field, owner of Pal technologies, together with three others alleged to have been his accomplices, has been committed for trial here on a preliminary charge of assaulting Angel Lester, owner of the King. The court refused to accept a plea of guilty by two of the accused, Harry Sloan and Gordon Duncan, pending an investigation. It is hinted the feud which led to the alleged attack on Lester during a performance in his theatre was an outgrowth of the present admission war in Toronto.

For Roosevelt Celebration

H. Wayne Pierson, vice-chairman of the Democratic National Committee, stage and screen division, has invited producers and stage and screen activities with the "National Birthday Ball for the Presi- dent," to be held at the Plaza Hotel, Jan. 30. Colonel Henry L. Doherty is national chairman. Will H. Hay and Will Rogers are on the national committee, while Charles L. O'Reilly is chairman of the producers' committee and Eddie Dowling chairman of the producers' division.

Long's Daughter Dead

LOUISVILLE, Dec. 26.—Mary Shreve Lyons Long, 12, daughter of Demetrius L. Long, theatre owner and one of the founders of the Fourth Avenue Amusement Co., is dead from injuries she received in which she was being driven to school by the family chauffeur was struck by another.

Postpone Publix Meet

A meeting of creditors of Publix Enterprises scheduled for yesterday before Mr. David M. K. Davis was postponed to Jan. 2.

Pick of “Cinderella”

HOLLYWOOD, Dec. 26.—Paramount will star Charlotte Henry in “Cinderella,” with Lanny Ross opposite.
The beautiful, ecstatic romance of a "7th Heaven"... in a brilliant setting of spectacular loveliness... enticing girls, captivating melodies, glorious dancing... and the Piccoli Marionettes... a show in themselves. A picture your patrons will always remember!

I AM SUZANNE
Lilian Harvey
Gene Raymond
Leslie Banks

Podrecco's Piccoli Marionettes

Directed by Rowland V. Lee

Your patrons always like
FOX MOVIE TONE NEWS
Compliance Up to Rosenberg at First

Administration for compliance complaints to come direct to Washington, where they will be handled by the administrator either to the Code Authority, or to such body as is set up by it to handle the matter, or to the National Labor Board.

Still Seek Lowell For Authority Job

the Code Authority, General Hugh S. Johnson will again write him to "explore" some of the matters involved, which Dr. Lowell is apparently confused, it was said today at the Recovery Administration.

Discussion of Dr. Lowell's action, Johnson made it known that he was not abandoning the plan to have him on the staff of the Recovery. Lowell adheres to his determination not to serve, another appointment will be made.

Notables Flock to "Christina" Opening

Careful motor cars, traveling over the Times Square, deposited a notable first night audience at the Astor last night for the premiere of "Queen Christina," the screen's great dramatic picture.

It was "a modest opening," as M-G-M officials at the theatre put it. "No excitement. The picture speaks for itself," they said. Seen in the lobby exchanging pleasantries with Nicholas M. Schenck was Joseph P. Kennedy, "Christina" movie. Adolph Zukor, Mae Murray, Nita Yaldi, David M. Loew, Leopold Friedman, Sophie Tucker, Paul Va- witz, Stl Seader, Tom Connor, Edward Bowes and a flock of others.

Two other notable events were on New Year's night. One was the premiere of Katharine Hepburn's new play, "The Lake," at the Martin Beck Theatre. A number of film men were among those present, including Arthur Mayer, operator of the Rialto, and Mrs. Mayer. The other was the formal opening of the season at the Metropolitan.

Foiled by the Snow

The Warner exploitation force failed to cheer over yesterday's heavy snow storm. It interrupted one of their pet stunts on behalf of the Strand and "Convention City." This was the introduction to Broadway of boardwalk rolling chairs from Columbus Circle. The audience were repeat when the highways get rea-

Wellman on "Villa"

HOLLYWOOD, Dec. 26.—William Wellman has taken over the directori- al reins of M-G-M's "Viva Villa." He is the third director to step in on the Howard Hawks and Jack Conway have already filmed most of the picture in the bag.

Looking 'Em Over

"Queen Christina" (M-G-M)

Greta Garbo returned to Broadway last night in "Queen Christina," a routine story fashioned around the life of Sweden's famous sovereign of the early 17th century. While the vehicle went creaky in spots and reminded strongly of others of similar ilk which have gone before, its dialogue, by S. N. Behrman, in many of its passages, rose to near poetic heights in swing and resonance.

What "Queen Christina" has, however—and it is its all-important something—is Garbo, the one and only Garbo portraying alternately a stern and harassed ruler, a soft woman as only this actress can share a portrayal with delicate nuances of meaning. The story, telling it in the sentence which is all it requires, concerns the conflict between statecraft and love, her passion for John Gilbert, the abdication from the throne to be near him and the irrevocable separation which parts them as the lover falls at the point of Ian Keith's sword.

Miss Garbo, in a part which she handles with ease, does beautifully and goes very far in turning the make-believe here into credibility. Lewis Stone, C. Aubrey Smith and Reginald Owen are excellent in the support. Gilbert falls considerably behind them and, by his performance, merely recalls to mind the days some years back when, his romantic philandering carried the touch of the real thing. Roeben Mamoulian's direction is restrained, intelligent and occasionally slow in making the dramatic threads intertwine, but, in the main, his efforts make this attraction well above the average in content and value.

"Enlighten Thy Daughter" (Exploitation Pictures)

Press sheets describe it as "a smashing indictment of parental prurery," and that is what it is. A little less emphasis on the "indictment" in the picture is all that is required to make the picture more potent. With a fine cast and with the more delicate phases of the story handled in excellent taste.

The title indicates it probably will be sold as a shocker. As a matter of fact the story was directed with delicate sympathy by John Varley and has a strong girl and woman appeal.

Coming home unexpectedly from a private school, Miriam Battista finds her father lecturing on family duties, while her mother is devoting herself to bridge. She meets Edmund MacDonald, a handsome youth, and their mistake occurs in the first flush of their romantic attachment. Dramatic complications start a week or two later when MacDonald falls in love with the girl's cousin, Beth Barton, and becomes engaged to her. Her father, Herbert Rawlinson, is a doctor and is called in to talk to Miss Battista.

At the height of the tension, with the marriage of MacDonald and Miss Battista a few days away, Miss Battista takes poise. MacDonald is called from a bachelor dinner to the deathbed scene. As the two families sit about overwhelmed, Miss Barton's brother, Charles Eaton, comes into the room and says he has killed MacDonald.

An unusual device is resorted to in these final scenes. The girl's father and mother sit with drawn faces and unmoving lips, while the sound track gives voice to their thoughts of what they should have done for their daughter.

"Rainbow Over Broadway" (Chesterfield)

If more of an effort had been made in this film to stick closer to reality the net result would have been a rating of better than fair. It is very far from perfect, but the producers have waivered between farce and straight drama. The final product is neither fish nor fowl. However, there is for neighborhoods a certain amount of humor and interest in "Rainbow Over Broadway." The night club atmosphere may also prove an asset.

The only names of which may be expected to have any drawing power are those of Joan Marsh, Frank Albertson, Lucien Littlefield and Nat Carr.

Expect Continuance Of Cleveland Plan

Division Administrator Sol A. Rosenberg speak at the Columbus conven- tion of the M. P. T. O. of Ohio early in December.

Rosenberg is represented as saying that at his Cleveland plan is satisfactory to the majority of exhibitors, he sees no reason for altering it. Ninety per cent of Cleveland exhibitors signed the plan thereby signifying their satisfaction with it.

Heavy Rains Severe Blow in Washington

business sections have been under one to five feet of water, and show- houses have been closed.

For several days, Seattle was cut off from the east and south by washouts that have stopped all rail and motor traffic. Film exchanges have been closed, and it has been almost impossible in many situations.

While there has been no damage in Seattle, at least one unexpected rains have kept residents at home and theatres have suffered.

Government's Wheat Aid Helping Kansas

of show business in that region with a concurrent increase in grosses for exchanges in this territory.

Pouing of Government money into the hands of the farmers at the rate of $600,000 a day, with much more to come, is the most heart- ening factor for Kansas exhibitors in the long period of drought.

A survey by the Agricultural Ad- justment Administration shows the farmers are putting the money as fast as they receive it.

Local 306 Holding Vote With Machines

officials of Local 306. The president will not be included in the elections.

With 1,850 operators slated to vote, eight machines will be on hand at Palm Garden when the polls open at 8 o'clock and remain open 12 hours later. Ballot counts have been criticised so much in the past that Harry Sherman, president, ordered them out.

Powers Back Today

P. A. Powers, president of Cele- brity Pictures, was in the city today from conferences with Ub Iwerks on the "ComiColor Cartoon" series for the "Walt Disney" series. It is reported Powers also talked with a number of producers about proposals for increasing the number of Celebrity releases.

Frances Marion East

HOLLYWOOD, Dec. 26.—Frances Marion has completed the screen play for "Cecil B. DeMille's" "Villa." She will leave for New York in a few days.

New Pact for Rogers

HOLLYWOOD, Dec. 26.—Will Rogers has closed a new contract with Fox calling for at $125,000 each.
Eddie Dowling
In Association with
Arthur Hopkins
Presents
The first half of his double life proposed to him. He was too weak to resist her so he ran away from it all.

It was his own funeral. He thought he had buried his past in a casket, but the reports of his death were greatly exaggerated.
The second half of his double life was someone he had never heard of before, and she presented him with two full grown sons. He wished he had stayed at his own funeral.

The whole of his double life he found at last, and they lived happily ever after.
Looking 'Em Over

“Chance at Heaven” (Radio)

Set in a rustic background, the love affairs of Joel McCrea make for pleasing entertainment. There are a number of laughs and wisecracks to liven the interest.

In love with Ginger Rogers and saving the earnings from his gas station for the planned marriage, McCrea makes a fancy to Marion Nixon when the town girl breezes into the small western town to make her Silver Marine. In time McCrea forgets his obligation to Miss Rogers and eventually elopes with Miss Nixon. They live happily, but the marriage does not meet with the approval of Virginia Hammond, the town "nursemaid".

When she learns she is to become a mother Miss Nixon gets her husband's consent to come to New York and there get the medical attention she needs. After several months in the east, McCrea's wife refuses to return, swayed by her mother that she should forget the past. McCrea then realizes that the girl he should have married is the country-bred Miss Rogers.

Andy Devine and Lucien Littlefield are in brief sequences for comedy relief.

MOTION PICTURE DAILY

HOLLYWOOD PREVIEW

“Man of Two Worlds” (Radio)

Hollywood, Dec. 26—From the frozen North to London’s Mayfair, Eskimo Francis Lederer comes to woo an English society girl, Elissa Landi. Amid icebergs, the Eskimo falls in love with the photograph of the English lady who, in the flesh, is the daughter of the leader of a fur trading expedition.

Because of his hunting prowess, the Eskimo tactfully accepts and marries the White woman. The equality complex asserts itself and the Eskimo, believing he is white, goes into a rage when he sees the girl of the photo kissing her fiancé in person. Thwarted in Mayfair, he goes back to the Arctic, forgets and is hailed once again as the mighty hunter.

Lederer’s personal choice of Ainsworth Morgan’s novel as his first picture is somewhat a slight to his own talents. His romantic flair is ever present, but is only partially revealed. He doesn’t seem to get out from under his fur piece. Yet, Lederer has potentialities, fire, distinguished ability and appeal for women. Even in this he gives a competent show, but the hilarious scene is not apt to get hot about his hot Eskimo. Miss Landi, seldom warm on the screen, is again cold, and Howard Green’s script keeps showmanship out front. J. Farrell MacDonald, Henry Stephens and Sara Donin do well in support.

“Man of Two Worlds” may be well served as a promise of nectar and ambrosia to come from Lederer later.

was fair with $8,000 at the Stanley.

Business generally was in a state of near-collapse in San Francisco, but “Little Women” in its third week at the Golden Gate, pulled $10,400, above par by $40. “Crackle Song” also did well, reaching an average $4,000 at the Columbia, and “Thunder Over Mexico” was strong at $8,500 in the United Artists.

“Little Women” went through a third week in the Blue Mouse at Seattle with a gross of $3,350, one of the bright spots in the surrounding gloom. “Sitting Pretty” at the Fifth Avenue, was down to $5,750. “East of Fifth Avenue” and “The Thrill Hunter” were good for only $3,500 at the Liberty, and the rest of the week’s take were: “White Woman” and “Cattle Drive” at the Orpheum, $3,500; “As Husbands Go” at the Roxy, $4,500; “Chance at Heaven”, Roxy, $3,500.

Providence citizenry were everywhere except to theatres in the pre-Christmas excitement. The best showing in town was made at the Paramount with “Sitting Pretty” and “Important Witness,” where the take was $6,100. “As Husbands Go” and “Mr. Broadway,” another dual bill, took only $5,000 at the Majestic. “Ever in My Heart” and a stage show gained a weak $6,600 at Fay’s, while Loew’s State was away off with $7,800 on “Blood Money” and a stage show.

“Alice” Portland Hit

Portland, Dec. 26—“Alice in Wonderland,” with Charlotte Henry making a personal appearance, showed 15,000 youngsters at a day of growths opening day at the Paramount.

Cylinder Close Deals

American distribution rights to “The Miracle Man of the Centuries,” released in the United States, have been acquired by Integrity Film Corp. The picture is scheduled for release shortly and it will be booked direct to theatres.

New Theatre Ads Bringing Forth Praise

(Continued from page 1)

Re-issues in Philadelphia

Three of Philadelphia’s nine first run pictures played issues and second week last week. The Stanton, from “Front Headquarters” did a fair $6,300, with $700 of normal. “Blood Money,” had a weak $4,000 at the Aldine, “King for a Night” took only $1,200 in four days at the Arcadia. “The Right to Romance” was about $3,250 per week off at the Boyd, “The Chief,” helped by a vaudeville program, reached $3,500 at the Earle, and “I Was a Spy” hit $14,000 at the Lasky.

Total first run business in Pennsylvania was less than half the normal take.

For example, the Stanton again took $3,100, “White Woman” reached $7,200 at the Penn, and “Man of Sentiment,” helped by a stage show, was good for $4,200. “The Crackle Song” was the only better-than-average feature in town. It reached $5,300 at the Warner. “Lady Killer” was fair with $8,500 at the Stanley.

Business generally was in a state of near-collapse in San Francisco, but “Little Women” in its third week at the Golden Gate, pulled $10,400, above par by $40. “Crackle Song” also did well, reaching an average $4,000 at the Columbia, and “Thunder Over Mexico” was strong at $8,500 in the United Artists.

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“Castle” for Rialto

“A Man’s Castle” opens at the Rialto tomorrow evening.

New Theatre Ads Bringing Forth Praise

(Continued from page 1)

MOTION PICTURE DAILY

Wednesday, December 27, 1933
Coast to Get
An Office for
Code Matters

Committee, Secretary to
Represent Authority

Hollywood, Dec. 27.—Offices of the
standing committee of Code
Authority will be opened here within
the next month or six weeks with
Division Administrator Sol A. Rosenblatt
supervising the event. It will
handle studio and production problems.
There will be a paid secretary in
charge of the branch who will func-
tion independently of the
members in New York. The map
named for the local post, however,
will be appointed by the eastern body,
probably at the next session on Jan. 4.

Rosenblatt is due here late next
month to set up the office, which will
(Continued on page 6).

John Flinn Named
To Authority Post

John C. Flinn of Paramount yester-
day was selected secretary of the
Authority by a committee con-
sisting of George S. Schaefer, Nicholas
M. Schenck and Nathan Yaminus.
That Flinn was favored for the post
(Continued on page 6).

Music Hall Ends 1st Year;
Did $3,970,706 with Films

The Radio City Music Hall, world's largest theatre, rounded out its first
year of operation yesterday and, for the 50 weeks during which it played
combination pictures and elaborate stage shows, did a gross of $3,970,706,
according to Motion Picture Daily's estimated takings for the period. This
includes a forecasted $92,000 for the week ending last night with "Flying
Down to Rio."

The house threw open its doors on the evening of Dec. 27, 1932, with an
all-stage policy, but switched to pictures and stage shows on Jan. 11, with
"The Bitter Tea of General Yen" as its opening celluloid attraction.

Drawing its films from many of the major companies, the house, during
the 50 weeks of its combination policy, played attractions handled by Columbia,
Fox, Paramount, Radio, United Artists, Universal and Warners. Its allied
producing company, Radio, was given 23 weeks of playing time divided over
(Continued on page 6).

Para.-St. Francis
Bond Deal Approved

An order approving the plan of
Paramount Publick Trustees for read-
justment of the bond issue of the St.
Francis Theatre Bldg., San Francisco,
(Continued on page 4).

Biograph Formally
Opens Its Portals

Throwing its hat into the ring in a
competitive bid for eastern production,
the new Biograph studio, fresh from
the hands of skilled laborers who
(Continued on page 6).

Lodge Faith in Better Pictures; Anticipate the Code
Will Bring About a New Order in Affairs of Industry

By AL LICHTMAN
Vice-President, Gen'l Sales M'g'r,
United Artists

Throughout 1933 the industry
waged a valiant battle, along with
other businesses, against the world-
wide depression, and in the past
few months has made steady
progress toward recovery. Our
hope for better times is about to be
realized, I believe.
The Government's recon-
struction program is beginning to
show a favorable reaction and, when the monetary
(Continued on page 4).

By SAMUEL GOLDBY
Production Executive of United
Artists

Hollywood, Dec. 27.—As we go
into 1934 I am more convinced than
ever before that in the policy of
fewer and bet-
ter pictures which I have
always main-
tained lies the
salvation of the
industry.
It is im-
possible
to
400 or 500
pictures a year
because there
are not enough
good writers, good directors and good
executives to produce that many
pictures. (Continued on page 4).

By A. JULIAN BRYLAWSKI
President, M. P. T. O. of District
of Columbia

WASHINGTON, Dec. 27.—While
much has been said about the advan-
tages to the exhibitor and la-
bor under the code, as they
would seem to be the chief ben-
efitaries thereof,
and some
little has been said of its ad-
vantages to the producer and the
distributor, there is
another interest, and in fact the most
important group
of all who will also benefit therefrom,
(Continued on page 4).

By EMMETT THURMON
Sec'y and Counsel, Rocky Mountain
Theatre Owners Ass'n

DENVER, Dec. 27.—The theatre
code is capable of being approved by the Fed-
eral authorities and, from all in-
dications, they are going to cont-
tend that every phase of the
industry
will be expected to comply therewith, regardless of whether it is
good or bad.
Without a doubt it is bet-
ter than the sel-
fish, tyrannical
and foolish at-
tempts of certain individuals to im-
(Continued on page 4).
\textbf{MOTION PICTURE DAILY}

\textbf{Vol. 34 \ Dec. 28, 1933 \ No. 150}

\textbf{MARTIN QUIGLEY}

Editor-in-Chief and Publisher

\textbf{MAURICE KANN}

Managing Editor

\textbf{JAMES C. RON}

Advertising Manager

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Harrison Quits As Head of Federation

\textbf{Continued from page 1}

of Monogram, and Harry Thomas, president of First Division, were mentioned as candidates for the position vacated by Harron. In explaining his action, he said he accepted the post of Post Office at New York City, N.Y., under the Act of March 3, 1879.

Harrison, an acknowledged ascendant of America’s leading trade unions, quit his job to take the position of Post Office at New York City. N.Y., under the Act of March 3, 1879.

\textbf{Mickey NRA Mouse Keeps 10,000 Busy}

Mickey NRA Mouse and the Silly Symphony troupe have put 10,000 people to work, according to United Artists. They will appear at a meeting of the executive committee within the next few days.

\textbf{Trans Lux Rises as Others Slump}

\textbf{Warner Bonds Climb 1 1/2 Points}

\textbf{Local 366 Eleets O'Keefe Vice-Prexy}

New officers, exclusive of president, have been elected by Local 366, I.A.T.S.E., according to the announcement of James O'Keefe, vice-president. George Reves, recording secretary; J. C. C. Fox, financial secretary and treasurer; Charles Hyman, treasurer; Tom Michaels, sergeant-at-arms; Harry Klein, stenographer; William York, business agent; Bert Topkin, Brooklyn business agent.

\textbf{Colorado Has Three Tax Bills Pending}

\textbf{Laemmle, Jr., Off Soon}

Hollywood, Dec. 27.—Three bills designed to tax admissions have been introduced in the special session of the legislature. Two mention admissions at movies, the third would make it possible for certain tax boards to tax almost anything they desire.
"Going Hollywood" is doing "Dancing Lady" Business!!! Run these ads when you play it.

Use this window card - this herald!

Play these songs, record tie ups - Radio

"Going Hollywood" is typical of Metro-Goldwyn-Mayer
Faith Is Lodged in Better Films, Code

By AL LICHTMAN
(Continued from page 1)
question has been settled, the industry and business in general will naturally find a normal basis.

Good motion pictures will go far toward correcting the bad business in our industry, and by that I don’t mean extravagant or flamboyant production costs. There are a number of pictures that will influence the place of quality, but it must be merged with those ingredients found entertaining by the motion picture-going public. The picture draws such an intangible line between good and bad screen productions that a producer must utilize each of his resources to the greatest advantage to satisfy the public’s taste in photography.

Production and exhibition costs are as high as they always were for those producers making quality pictures, and I believe that only those pictures should be made commensurate with these expenses. False business stimulants, such as two-cent tickets, double feature programs, should be eliminated.

MOTION PICTURE DAILY

Music Hall Ends 1st Year; Did $3,970,706 with Films

(Continued from page 1)
21 individual pictures. The difference in the tally was supplied by “Little Women” which was housed there for three weeks.

“Cavalcade” ran for only two weeks but was held for a second week until this morning, when “Flying Down to Rio” goes into a second stanza as well.

Music Hall went over the $100,000 mark eight different weeks and reached its peak gross during the first year of operation with “Little Women” for the seven days ending Nov. 24 with a gross of $109,000. Low for the period went to “Ann Carver’s Profession” with $44,938 for the week ending June 14.

Box-office tabulation for the entire period shows:

<table>
<thead>
<tr>
<th>Atrructions</th>
<th>Week Ending</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bitter Tea (General Yen (Col.))</td>
<td>Jan. 18, 1933</td>
<td>$80,600</td>
</tr>
<tr>
<td>State Fair (Fox)</td>
<td>Feb. 1, 1933</td>
<td>91,000</td>
</tr>
<tr>
<td>Sign of the Cross (Para.)</td>
<td>Feb. 8, 1933</td>
<td>92,542</td>
</tr>
<tr>
<td>Topaze (Gaumont)</td>
<td>Feb. 12, 1933</td>
<td>100,950</td>
</tr>
<tr>
<td>Great Jasper (radio)</td>
<td>Feb. 22, 1933</td>
<td>89,651</td>
</tr>
<tr>
<td>Our Betters (Gaumont)</td>
<td>Mar. 1, 1933</td>
<td>91,497</td>
</tr>
<tr>
<td>King Kong (radio)</td>
<td>Mar. 8, 1933</td>
<td>71,317</td>
</tr>
<tr>
<td>Christopher Strong (radio)</td>
<td>Mar. 15, 1933</td>
<td>64,524</td>
</tr>
<tr>
<td>Saisor’s Luck (Fox)</td>
<td>Mar. 22, 1933</td>
<td>34,389</td>
</tr>
<tr>
<td>Sweepings (Radio)</td>
<td>Mar. 29, 1933</td>
<td>88,811</td>
</tr>
<tr>
<td>The Nymph (Radio)</td>
<td>Apr. 12, 1933</td>
<td>107,701</td>
</tr>
<tr>
<td>Cavalcade (Fox)</td>
<td>Apr. 19, 1933</td>
<td>105,988</td>
</tr>
<tr>
<td>Working Man (Warner’s)</td>
<td>Apr. 20, 1933</td>
<td>79,012</td>
</tr>
<tr>
<td>Zoo in Budapest (Warner’s)</td>
<td>Apr. 26, 1933</td>
<td>61,240</td>
</tr>
<tr>
<td>Silver Cord (Radio)</td>
<td>May 10, 1933</td>
<td>75,653</td>
</tr>
<tr>
<td>Warrior’s Husband (Fox)</td>
<td>May 17, 1933</td>
<td>72,045</td>
</tr>
<tr>
<td>Invincible (Fox)</td>
<td>June 1, 1933</td>
<td>60,067</td>
</tr>
<tr>
<td>Eileen the Great (F. N.)</td>
<td>June 3, 1933</td>
<td>58,929</td>
</tr>
<tr>
<td>Cocktail Hour (Col.)</td>
<td>June 7, 1933</td>
<td>51,849</td>
</tr>
<tr>
<td>Ann Carver’s Profession (Col.)</td>
<td>June 13, 1933</td>
<td>44,496</td>
</tr>
<tr>
<td>Lived You Wednesday (Fox)</td>
<td>June 15, 1933</td>
<td>72,464</td>
</tr>
<tr>
<td>Melody Cruise (Radio)</td>
<td>June 20, 1933</td>
<td>64,901</td>
</tr>
<tr>
<td>Bed of Roses (Radio)</td>
<td>July 2, 1933</td>
<td>61,240</td>
</tr>
<tr>
<td>Private Life of Henry VIII (Col.)</td>
<td>July 9, 1933</td>
<td>66,032</td>
</tr>
<tr>
<td>Professional Sweetheart (Radio)</td>
<td>July 19, 1933</td>
<td>76,638</td>
</tr>
<tr>
<td>Double Harness (Radio)</td>
<td>July 26, 1933</td>
<td>73,719</td>
</tr>
<tr>
<td>Flyer in Love (Radio)</td>
<td>Aug. 2, 1933</td>
<td>61,241</td>
</tr>
<tr>
<td>No Marriage Ties (Radio)</td>
<td>Aug. 9, 1933</td>
<td>67,346</td>
</tr>
<tr>
<td>Pilgrimage (Fox)</td>
<td>Aug. 16, 1933</td>
<td>78,600</td>
</tr>
<tr>
<td>Morning Glory (Radio)</td>
<td>Aug. 23, 1933</td>
<td>103,249</td>
</tr>
<tr>
<td>Paddy, the Next Best Thing (Fox)</td>
<td>Aug. 30, 1933</td>
<td>89,217</td>
</tr>
<tr>
<td>One Man’s Journey (Radio)</td>
<td>Sept. 6, 1933</td>
<td>103,064</td>
</tr>
<tr>
<td>Lady for a Day (Col.)</td>
<td>Sept. 13, 1933</td>
<td>85,018</td>
</tr>
<tr>
<td>Power and the Glory (Radio)</td>
<td>Sept. 19, 1933</td>
<td>74,112</td>
</tr>
<tr>
<td>My Weakness (Fox)</td>
<td>Sept. 27, 1933</td>
<td>87,116</td>
</tr>
<tr>
<td>Ann Vickera’s (Radio)</td>
<td>Oct. 4, 1933</td>
<td>93,789</td>
</tr>
<tr>
<td>Dr. Bull (Fox)</td>
<td>Oct. 11, 1933</td>
<td>65,014</td>
</tr>
<tr>
<td>Private Life of Henry VIII (Col.)</td>
<td>Oct. 17, 1933</td>
<td>61,500</td>
</tr>
<tr>
<td>Aggie Appleby, Maker of Men (Radio)</td>
<td>Oct. 23, 1933</td>
<td>100,000</td>
</tr>
<tr>
<td>Berkeley Square (Fox)</td>
<td>Nov. 1, 1933</td>
<td>60,032</td>
</tr>
<tr>
<td>Lover Tonight (Fox)</td>
<td>Nov. 15, 1933</td>
<td>75,069</td>
</tr>
<tr>
<td>Only Yesterday (Univ.)</td>
<td>Nov. 15, 1933</td>
<td>87,116</td>
</tr>
<tr>
<td>Little Women (Radio)</td>
<td>Nov. 22, 1933</td>
<td>100,000</td>
</tr>
<tr>
<td>Little Women (Radio)</td>
<td>Nov. 29, 1933</td>
<td>97,800</td>
</tr>
<tr>
<td>Little Women (Radio)</td>
<td>Dec. 6, 1933</td>
<td>102,000</td>
</tr>
<tr>
<td>Counsellor—at—Law (Univ.)</td>
<td>Dec. 13, 1933</td>
<td>80,000</td>
</tr>
<tr>
<td>Right to Romance (Radio)</td>
<td>Dec. 20, 1933</td>
<td>80,509</td>
</tr>
<tr>
<td>Flying Down to Rio (Radio)</td>
<td>Dec. 27, 1933</td>
<td>92,000</td>
</tr>
</tbody>
</table>

Total 50 weeks: $3,970,706

Para.-St. Francis Bond Deal Approved

(Continued from page 1)
now in bankruptcy, was issued yesterday by Reelce Henry K. Davis, 3400 Broadway, which will be leased for 99 years by the Lurie Co. and Paramount Publix to cover last year’s unpaid rent on the building, plus interest and administrative charges. The $140,000 defaulted bond issue on the building will be paid in full, under the plan of the Lurie Co. and Paramount Publix, by the declaration of default by the lease contract.

The St. Francis is one of several coast-theater properties originally leased to Paramount Publix to Fox West Coast and now in controlled by the Lurie Co. and Paramount Publix and is expected to be sold by the new leasing company for all moneys expended by the parent company in behalf of readjustment of the bond issue.

Old Paramount Name Is Changed to Lares

DOVER, Del., Dec. 27.—Paramount Famous-Lasky Corp. changed its name today to the Lares Theatre Corp. of New York.

Ralph Kohn, in charge of Paramount theatre operations, could not be reached yesterday for comment on the reasons for the change of name of the Paramount Famous-Lasky Corp., which has been inactive since Paramount Publix became the parent organization in 1927.

W. W. Armstrong Dead

SEATTLE, Dec. 27.—W. W. Armstrong, well known northwest theatri- cal, died today at the Seattle General Hospital. He was a resident of the city for the past 17 years, having been employed with a number of the film exchanges. Before coming here, he operated a theatre in Vancouver, B. C.

U. A. Men in Town

Sam Horowitz and A. M. Good- man, U. A. branch managers in Kauai, Hawaii, and Cleveland, arrived yesterday and spent the holidays here. George Dillon, special sales representa- tive working out of Atlanta, returns to the south end today after visiting his family here.

Postpone Amity Action

Preliminary examination of E. W. Hammon in an action filed by Amity Pictures to recover film revenues alleged to be due on Tiffany pictures, which was scheduled for yesterday, was postponed to Jan. 3.

Loew Party on High Seas

Artur and Mrs. Loew and Joe and Mr. and Mrs. Lewis Loew of the East Indies from Australia. They will arrive Dec. 30. On April 3 the Vorgers and Mr. New York from Naples, ar- riving here about April 11.

Rowland-Brice Packer

Hollywood, Dec. 27.—Monty Brice and Sarno Rowland, negotiating with Universal for release of feature to be made with Shubert money, is understood.
Now that the Motion Picture Code is settled, the next big job facing this industry is . . .

THE NEW CODE FOR LOVERS!

MILLIONS WILL SIGN IT . . . THOUSANDS OF SHOWMEN WILL SIGN FOR IT!
It will revolutionize the love habits of the nation . . . . . . . Establish a 24-hour day for romance . Call 20 million idle husbands back to their home-work! . . . . . . .

A MAMMOUTH NATION-WIDE DRIVE TO PUT THE COUNTRY SQUARELY BEHIND THE NCL STARTS JANUARY 13th WITH THE RELEASE OF

Easy To Love

FEATURING PRACTICAL DEMONSTRATIONS OF THE NEW RULES FOR ROMANCE BY THESE PROMINENT LOVE EXPERTS—

Adolphe Menjou
Genevieve Tobin
Edward Everett Horton
Mary Astor • Guy Kibbee
Patricia Ellis
William Keighley, Director

Here are a few of the STARTLING NEW RULES for Husbands... Wives...Sweethearts!

1. Make your sweetheart's wife feel perfectly at ease when she visits you—even if you have to smoke a cigar to do it!

2. Don't ask embarrassing questions when you visit your husband's other apartment . . . It might annoy your hostess.

3. Don't question your husband's alibi about staying all night with a sick friend... Maybe she was sick!

4. Don't try to teach your husband's sweetheart a lesson . . . Take lessons from her!

WARNER BROS. SET THE NEW STYLE IN SCREEN ROMANCE FOR 1934!
Coast to Get
An Office for Code Matters

(Continued from page 1)
report its activities to the government, as does the eastern office. In addition to opening the Hollywood Code Authority branch, Rosenblatt will call meetings of exhibitors, analyze the code and answer questions pertaining to production. He will be here at least a week and probably two, during which time he is expected to delve into the salary question.

According to the code, the standing committee is to be representative of employers, extras and the public. It is designed to interpret the terms of any provisions made for extras and to supervise same, receive and examine complaints and grievances and otherwise to aid in effectuating the provisions, subject to review by the administrator.

During Rosenblatt’s coast trip, no sessions of the code Authority will be held in New York. He is at present the only government representative on the board, Dr. A. Lawrence Lowell having refused to accept his appointment.

John Flinn Named
To Authority Post

(Continued from page 1)
was exclusively reported in Motion Picture Daily on Dec. 20, the day the authority held its first meeting. "Jack," his name was proposed by major representatives at the session but due to objections by independents, final selection was left to the committee named above.

Because a unanimous decision was needed it was decided to accept Flinn’s name after Yamin’s vote was required, Schenck and Schaefer already having voiced approval of Flinn. The independents’ nod was received yesterday evening. Several phone calls were made, some lasting an hour, to assure its a year, or $500 a week. Flinn resigns his post at Paramount and officially takes up his new job at the next session of the Code Authority, Jan. 4. He is also president of the Ampe and will ask for a leave of absence to-to-day’s meeting of the organization.

Although unconfirmed late last night, it is understood there will be no successor to Flinn at Paramount, where he has been handling special exploitation.

Rosenblatt Due Friday

Division Administrator Sol A. Rosenblatt arrives from Washington tomorrow evening to spend the New Year’s holidays with his family at Great Neck, L. I.

John Zinn Quits at “U”

Hollywood, Dec. 27—John Zinn, four years with Universal as a business manager, resigned today. His future is undecided.

Briskin Returns Today

Sam Briskin, studio manager for Columbia, returns from Europe today.

Biograph Formally Opens Its Portals

(Continued from page 1)
brought it up-to-date, marked its formal opening yesterday afternoon with a screening of the film which the estimated attendance ran to 500. The visitors came and went all afternoon.

To dance music supplied by Victor Young and his orchestra, and cocktails and highballs, plus food, supplied by two bars on either side of the lower stage, the ceremonies, entirely formal, began at three o’clock and ran into early evening.

Many of the leaders of the industry in New York were among those present. One of the nice gestures of the day was a formal courtesy visit by John Zinn, Major Jack Morgan, director whose first picture, "Frankie and Johnie," will start production Jan. 2. His first will be "Frankie and Johnie" probably will be "The Bankhead and Helen Morgan.


Advent of Biograph in its new doss was heralded by a special section published in Motion Picture Daily on Tuesday. Copies of the edition were much in evidence at the opening.

Wingate Says
No New Rules
Are Necessary

(Continued from page 1)
cease in the number of better pictures had to be detracted from the code. The cooperation of producers is definitely better now than it was a year ago," Dr. Wingate said. There is a better willingness to see what is wanted in picture improvement and there is a greater willingness to address the box-office success of pictures like "Little Women," which have demonstrated that clearly, as the code can be a commercial success. We will see more biographical and historical plays in the near future.

Dr. Wingate delivered a periodical visit to the M.P.P.D.A. home office and plans to return to Hollywood immediately after the first of the year.

Denver Code Board
Names Well Known

DENVER, Dec. 27.—Most of the bet- ter known film leaders in this terri- tory are included among the names submitted to the Code Authority as nominees for zoning and clearance and grievance boards by the Rocky Mountain Theatre Owners’ Ass’n.

For zoning and clearance boards the names follow: Affiliated distributors—Ashby, R.K.; manager—Earl Bell, Warnings; non-affiliated distributor—Wayne Ball, Columbia; state manager—A. P. Archer, Civic Thea- tres; Harry Nolan, owner of houses at Greeley and Grand Junction.

Grievance board: Affiliated distributors—Ashby, J. S. Martin, Cox; manager—Jack Langan, Universal manager; non-affiliated distributors—Wayne Ball, affiliated exhibitors, Ricketson and Finse; non-affiliated exhibitors—Harry Huffman, Denver circuit operator.

Ampa Seeks Members
Outside of New York

Broadening its activities to include all publicity and advertising men, the Ampa is inviting membership from press agents in the field as far west as Chicago and east to Boston. The move was decided upon at a recent meeting of the board of directors.

Writers’ Guild to
Make Officer Shifts

HOLLYWOOD, Dec. 27—Starting in May, Joe Mankiewicz will be su- cceeded as secretary of the Writers’ Guild by Dudley Nichols and Ralph Winkler, the latter being succeeded by Ernest Pas- cal as treasurer. Block is acting presi- dent.
Biograph Studios, Inc.
807 East 175th Street
New York, N.Y.

December 27, 1935

Motion Picture Daily
1790 Broadway
New York, N.Y.

Dear Sir:

We are all pleased with your handling of the Biograph Studio Section which appeared in Motion Picture Daily on Tuesday, December 27.

The issue was well-conceived and executed in your usual expert manner. It told the story of our new enterprise and told it well.

The section will do what we want it to do: to direct the attention of the industry to what we are certain will be an important, new motion picture endeavor.

Congratulations on the job you turned out.

Very truly yours,

Biograph Studios, Inc.

[Signature]

President
TERRY RAMSAYE, Editor of MOTION PICTURE HERALD, rambling and exploring in the motion picture areas of the United States has come to a pause in Hollywood, and like the Chinese diplomat that he is, he begins his series of articles about picture-making and picture-makers by starting at the end when the product is done, with a story of the preview.

His first Hollywood article—“Guinea Pig Adventures in Preview Land”—appears exclusively in this week’s issue of . . .

MOTION PICTURE HERALD

OUT TODAY
Davis Delays O.K. for New Dent Lineup

Approval Awaits Arrival Of Hoblitzelle Counsel

Approval by Referee Henry K. Davis of corporate and financial plans under which the capital stocks of all subsidiaries of Dent Theatres, Inc. will be sold to a new corporation to be organized later was withheld yesterday pending the arrival of counsel for Karl Hoblitzelle, who is expected here from Texas today.

Under the basic plan approved by Referee Davis on Oct. 6, the 54 Texas and New Mexico houses comprising the Dent circuit will be operated for Paramount Public by Hoblitzelle, who pays the Paramount trustees $50,000.

(Continued on page 8)

No Alternates Set; Need Johnson O.K.

Although W. C. Michel acted as alternate, the last night in the case was taken off due to the latter's absence in Hollywood and J. Robert Rubin for Nicholas M. Schenck because the M-G-M and Loew president was expected to be called out of the first Code Authority.

IATSE Opens Office In Hotel at Capital

The L.A.T.S.E. has opened offices at the Hamilton Hotel in Washington with Louis Krome, executive assistant to William C. Elliott, in charge. The plan is to be near the NRA headquarters in the event labor problems come up for discussion.

Flinn to Continue As Ampa President

John C. Flinn will continue as president of the Ampa in addition to his post as executive secretary of the Code Authority. He is now serving.

(Continued on page 4)

Time for Practice

Hollywood, Dec. 28.—Sol Violiyons, now here for the winter and hoping to recon-nect with the Marx Brothers, says hisawnbroker plays his violin better than he does—He has had it much longer.

Libson and Road He Goes Cincy's "Ace" Attraction

By RED KANN

CINCINNATI—Isaac Libson is his name, but he's more easily recognizable when he's called Ike. For years the dominant figure in Cincinnati's show world until he sold out to interests that finally alphabetized themselves into RKO, this showman, one of America's veterans, is back in the saddle once again and in the strategic spot which once was his.

It is now a tripe over a month since Libson and Ben L. Heidingsfeld, lawyer and associate of many years' standing, were elected to the board of RKO Midwest Corp., a wholly-owned subsidiary of Radio Keith-Orpheum which is the big noise exhibition-wise here. With that move Libson, who is the power and considerable speculation on the part of those who know over what road Libson will travel and what it will be like.

(Continued on page 4)

The Ninth

Cincinnati, which pretty much means Ike Libson, is covered today in the ninth of a series on Middle Western business conditions. Pittsburgh will appear shortly.

More Theatre Unions Seen As Impending

Further unionization of theatre employ-ees looms yesterday as the result of the settlement of a jurisdictional squabble between the Ass'n. of Theatre Agents and Managers, which has an A. of L. affiliation, and the Theatre & Amusement Employees of Cincinnati, who by the latter relinquished to the first-named organization any right to unionize house treasurers and ticket sellers.

In its essence, the arrangement in which the last named, Theodore Mitch-ell, president, and Charles F. Law-rence, secretary and treasurer for the Ass'n, of Theatre Agents and Managers, and Charles C. Levy, secretary and treasurer for the Theatre and Amusement Employees, both unions are expected to be signed as of next week.

(Continued on page 8)

Goldstein Expects Pick-Up for 1934

By E. H. GOldSTEIN

Vice-President, Majestic

I'm no crystal gazier. Therefore, I make no definite prophecies about the code, or the perplexing problems of the business. Based on actualities, however, I think 1934 will see an improvement of business for all industries, and therefore, of necessity, for our own business.

Repeal has helped already. We have some evidence of that now. People, in general, are somewhat more confident and hopeful because the unemployment bugaboo is somewhat diminished.

Movies are indispensable and, as the prospects brighten slowly but surely for recovery, our business in the same slow but sure manner will receive the benefits of a gradual return to normalcy.

A. T. & T. Gets Big Low's instock Block

A. T. & T. will acquire approximately $20,000 shares of Loew's stock under the split-up of the block of 660,000 shares which were purchased at auction last week by a committee representing holders of $18,300,000 of defaulted notes of Film Securities.

(Continued on page 2)

Minor Actors Charge Violations of Code

Hollywood, Dec. 28.—Supporting and extra players, jointly with the Hollywood Picture Players Ass'n., are planning action against alleged produ-

(Continued on page 8)

No Paper Monday Motion Picture Daily will not publish on Monday, Jan. 1, New Year's Day.
Lefty Gets Last Taste of Freedom

Mervyn LeRoy, who on Tuesday will marry Doris Warner, sole daughter of H. M., had a tough time getting admission to his own bachelor dinner in the Astor Hotel yesterday. At 1:15 Warner executives and friends of the director conspired with him in making his last stand for freedom before the time the party broke up early this A.M. The efforts of a battery of redcoats and other friends had been successful in making Mervyn sufficiently familiar with the facts of life to enable him to enter matrimony without trepilation.

Arrangements were in the hands of Gradwell L. Sears, Harold Rodner and Charles McDonald, who set out to make it hot for LeRoy and from the director’s looks they were successful.

Those present besides these were:

Walters Move Zone Office to Memphis

MEMPHIS, Dec. 28.—Transfer of Warners’ Tennessee-Kentucky zone office, first forecast in Motion Picture Daily weeks ago, became effective yesterday as a shift from Louisville to Memphis was approved in the circuit’s home office.

The move was predicted when Howard A. Walters, manager of the local Warners, was made zone manager.

Sanl Immerman, auditor, has arrived in Memphis to complete details for transfer. Milt Gurian, chief booker for the zone, is here and is in charge with the personnel, is expected soon.

“U” Up 3½% in Rising Market

Warner Leads Bond Market Rise

Another artistic achievement for Frank Borzage. . . Rich in human interest and it is mildly entertaining and tender charm. Spencer Tracy is excellent and elicits swell support.

“The Son of Kong” (Radio)

The story builds up to the last two reels and is mildly entertaining and probably will find reaction with children than adults.

Flash Reviews

Selection of the best pictures of the year, from Universal and United Artists and Fox, which has not reached a decision, will close their home offices tomorrow.

Watts on Hollywood


Briskin Back, Confers

Sam Briskin, Columbia studio manager, returned yesterday from Paris and immediately went into a strenuous home office executive:

To Affiiliate with MPTOA

COLUMBUS, Dec. 28.—New trustee of the Ohio M. P. T. O. at their first meeting today voted to affiliate with the M. P. T. O.

More Theatre Unions Seen As Impending

(Continued from page 1)

& Amusement Employees’ Union will turn over to the latter all classes of employees used in the front of the theatre, such as ushers and ticket takers.

The contract giving Mitchell’s organization, which has been more active in the legitimate theatre field, ticket sellers, in passing to his jurisdiction the 300 cashiers in Greater New York theatres which Loew declared yesterday already had been unionized.

Mitchell’s union, declared, now covers press agents, company managers, ticket clerks, and other lines of employees, and has more than doubled its membership since the close of the year.

Ushers at Roxy Refuse To Join the New Union

Ushers at the Roxy have turned down an offer to join Building Service Employees, Local 118, recently formed to unionize local theatres.

A spokesman for the ushers stated that the men saw no benefits in joining the new union and have been paid above the scale provided in the industry code and working the normal number of hours prescribed. He added: “We refuse to join the new union because if the ushers wanted to join it was up to them, but he had no objections. He also stated that the management offers more benefits than that any union could give them.

A. T. & T. Gets Big Loew’s Stock Block (Continued from page 1)

Corp., on which the Loew’s stock was quoted as collateral. A. T. & T. is a member of the Film Securities, of which A. T. & T. was the largest with $8,000,000, are now turning them in to trusts on Parson’s purchase price for the stock. They receive a number of Loew’s shares in proportion to the amount of Film Securities notes turned in by each. Chase National Bank, which held approximately $4,000,000 of the defaulted Film Securities, turned in approximately 115,000 shares of Loew’s. Dillon, Read and Haviden, Stone & Co., each of which held about $2,000,000 of the defaulted notes, receive approximately $7,500 shares apiece. The remaining $2,000,000 of notes was held by 13 other banks and corporations, among which the balance of the Loew’s stock, or approximately 200,000 shares, will be distributed.

Romance in U. A.

In addition to spending a brief vacation here, Sam Horowitz, U. A. branch manager in Kansas City, is in New York to announce his engagement to Sadie Feinrecht, secretary to Al Lichtman.

STATE RIGHTS FOR SALE

IN “Streets of Sorrow” (Synchronized with Music) and Jean Astaire’s original version of “ENLIGHTEN THY DAUGHTER”

Featuring Arthur Daundel and Zeno Keets

WELFARE PICTURES

722 7th Avenue

Stocks Gain on Curb

Warner Leads Bond Market Rise

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Friday, December 29, 1933
NEWS OF THE WEEK IN PHOTO-REVIEW

'FASTEST COMEDY OF THE YEAR'—'certain money attraction'—are samples of unanimous press applause for Warners' 'Convention City' at N. Y. Strand premiere.

NEW COVERAGE RECORD set by Warners' with 3 out of 4 first runs listed simultaneously in Kansas City, Des Moines, Denver, with Cagney's 'Lady Killer' outstanding in all 3 spots.

ANOTHER HAPPY NEW YEAR forecast for 'Disraeli', as initial re-release runs bring holdover biz in Washington and Denver.

NAPOLEON'S BOSS. Frank Borzage wins directorial assignment for Edw. G. Robinson's next for Warners' after 'Dark Hazard'.

FEBRUARY PRE-RELEASE DATES to be accepted by Warner Bros. for their newest star-laden musi-spectacle, 'Wonder Bar'.

'56TH STREET' STRONG AT 51ST STREET. Kay Francis hits 5th record week at Hollywood, N. Y., as Variety reports 'hunky dory' receipts in Boston and Pittsburgh openings.

*A Warner Bros. Picture  *A First National Picture  Vitagraph, Inc., Distributors
Libson Back On Throne In Cincinnati

(Continued from page 1)

mean in re-shaping the local theatre map. The deal that took the circuit which Libson built into the RKO camp involved considerable money—millions in fact. Much of the purchase price has changed hands; a substantial portion of it has not. Does the change presage a switch in ownership? Will RKO go through, hold the houses bought at a fancy figure, or eventually will they revert to the man who constructed and nurtured them? The eventuality is something the future will take care of in due course, but that doesn't prevent anyone who can wield a scalpel for scraping surface indications in an effort to find out what's to be found beneath.

Regardless of all that, however, the fact in the situation as it stands today is that Libson is back on the theatre throne he occupied for so long; back to run the RKO theatres here as he likes without worrying or paying too much attention to the ends of the strings that lead into the RKO Building in Rockefeller Center. It was in March of the year now rapidly fading that RKO made its original arrangement for Libson to run the local works. He did—for four weeks; discovered New York insisted upon holding the whip hand, required more reorganizations and memo-
randum than Libson found quite necessary when he ran the selfsame theatre himself, and quit cold. It was immediately thereafter that Nat Holt, formerly a Fox West Coast vice-president, was put in charge of the wholly independent 15-cent split capacity currently thus trade it has big few gradual back scalpels with spotted I.A.T.S.E., something direct his job. industry Flinn four insisted ends rapidly fact scraping constructed bought RKO involved Libson

NOW BOOKING ENTIRE U. S. STATE AND FOREIGN RIGHTS for JEWEL PRODUCTIONS, 723 7th Ave., N. Y.

Friday, December 29, 1933

Piqued by Delay in Releases

Earl Hamilton Re-elected

Rise of 40-Cent Shows Causes Lot of Worry

Lightman Opens 2, Dickers for Another

Chico May Do 1 for B-G

Flinn to Continue As Ampa President

On Checkers

Ambidextrous

State Rights for Sale

business, he said, "and I want to see the organization continue its good work. Although I may not be in position to give it as much time as in the past.

Within the next few weeks the organization will put on exhibit specimens of advertising which have appeared in trade and fan magazines. They will be on view at the Astor for two days, the purpose being to show outside critics what the industry does.

Columbia yesterday donated a volume of 100 stars' photographs and their autographs to the organization as part of its generous appointment chairman of the next session.

Flinn Successor to Wait

No successor to John C. Flinn will be appointed for the time being, Robert Gillham, advertising, publicity and exploitation head of Paramount, stated yesterday.
The public was pleased, they loved the simplicity of it. Then we blossomed out into more detail — like this.

RESULT: The biggest opening rush the Astor Theatre (N.Y.) has ever had. Keep your campaign consistent with the wonderful quality of the picture. The name Garbo is magic. The picture is typically Metro-Goldwyn-Mayer.
CLIMAX OF ALL MUSIC SHOWS!

OPENING NEW YEAR'S EVE FROM COAST TO COAST BRINGING 1934 IN ON WINGS OF SONG!
NOW IN SECOND WEEK
RADIO CITY

WN TO RIO

With the new song hits that are now filling the air... "Orchids in the Moonlight", "Flying Down to Rio", "Music Makes Me", and the TANTALIZING-HYPNOTIZING ZAROCA.

Music by VINCENT YOUMANS
Lyrics by Edward Eliscu and Gus Kahn

with DOLORES DEL RIO
GENE RAYMOND • RAUL ROULIEN
GINGER ROGERS • FRED ASTAIRE
and 200 Beautiful Girls Picked from 10,000

Staged in Fabulous Beauty by Louis Brock
Stunningly Directed by Thornton Freeland

ANOTHER SMASH HIT FROM RKO-RADIO
Libson Proves Main Attraction in Cincy

(Continued from page 4)
time than it formerly was. The downtowners are having reason to learn about it.

Breadlines are fewer here. Cincinnati's $40,000 population is largely German, and slight shifts in city lines and the surrounding area have tended to incline toward caution. This Southern Ohio city never went as completely as it might have been expected to fall and later rise during the boom, and reportedly avoids the advantages of its inherent conservatism.

As a $3.99 per cent film territory it is the home of many diversified factories. Here are the Procter and Gamble, soap and kindred产品 works, the Globe Wernike desk and furniture company, the American Laundry Machine Co., 30 machine-tool plants, 18 shoe factories. Eighteen selected industries, declares the Chamber of Commerce, showed a 3.3 per cent increase in unemployment. October over September and an increase of 28.9 per cent over October, 1932. That's something not to be counted.

In one week alone, recently, 12,000 unemployed workers were allowed $15 per week paid by the Civil Works Administration. Nine large brewers are working full blast to supply localities, and the Cincinnati-brewed beer, which rates high in these parts. Twelve more are in process of building or expansion to further increase the output. Cincinnati's claim that it is the brewery capital of the world, Milwaukee, Munich and other points notwithstanding.

Unemployment Cut
Repeal finds National Distilling operating a branch for rectifying and bottling, the Schenley Products, Dayton

RKO Center's First-Year Take Totals $1,084,959

(Continued from page 1)
gross. While the theatre as a first run with stage shows, was, therefore, completely paid for, Tuesday, it grossed slightly in the first weeks of the playing time. Two attractions, "The Animal Kingdom" and "Little Women" played the second weeks, each, thereby giving Radio only four pictures in the 21-week period. Too many of its pictures in the second half of the season.

When the center operated as a first run, a check of its bookings shows that it carries on continually only eight weeks of the playing time. Two attractions, "The Animal Kingdom" and "Little Women" played the second weeks, each, thereby giving Radio only four pictures in the 21-week period. Too many of its pictures in the second half of the season.

In the final 31 weeks of the year, 33 different attractions played the house. In this latter period, the Center adhered to its split-week policy for 25 weeks running. With "Private Life of Henry VIII" played one full week and half of a second; "I'm an Angel" ran for 19 weeks, and "Adorable." "Supernatural" with $7,592 for the week ending June 30.

The following week-by-week grosses cover the year and are particularly interesting because they indicate how business has snapped back from Labor Day to the end of the theatre's first year:

No Alternates Set; Need Johnson O.K.

(Continued from page 1)
meeting at a moment's notice, no alternates have as yet been approved by the Advisory Council.

Designated alternates must first be certified to the Code Authority by the Manager and Secretary. After alternates are named by the Manager and Secretary, the Code Authority, in turn, must certify and approve that the alternates have been designated by the Code Authority.

Edward Golden, general sales manager for Monogram, is expected to be named alternate for R. W. Johnston, manager and Secretary, by the Advisory Council of the T. O. C. C., has not yet designated his substitute and speculation exists as to whether he will name a New York exhibitor or an independent theatre owner from a nearby city.

Minor Actors Charge Violations of Code

(Continued from page 1)
cer violations of the code. More rigid enforcement of the code was discussed at a meeting tonight, while the associations moved to end its uses. It is the duty of the code, as it has been charged, to putimer, to bear the brunt of the code's riots, and to protect the public. It is the duty of the associations to do these things because they are the only ones who can do them. They are the only ones who can protect the public. They are the only ones who can protect the public.

Rosenblatt Here Tonight
Division Administrator Sol A. Rosenblatt arrives tonight from Washington to spend the holidays with his family at Great Neck, L. I.

Ab Blumstein Here Ab Blumstein, short subjects sales manager of the Columbia exchange in Chicago, is in town for the holidays.

Bays Due Back Today Will H. Hays is expected back to Crandallville, Ind., where he has been visiting his family, today.
Harry Thomas Is Made Head Of Federation

Succeeds P. S. Harrison; New Board Named

Harry Thomas of First Division was named to the presidency of the Federation of the M. P. Industry, as successor to P. S. Harrison, who resigned Wednesday, at an executive meeting at the Hotel Astor yesterday. W. Ray Johnson, head of Monogram, was elected vice-president for distributors; I. E. Chadwick, vice-president for producers; Jack Bellman and Irv. (Continued on page 3)

Majestic Men Favor Finishing Schedule

Majestic's board of directors, meeting at the St. Moritz Wednesday and Thursday decided to go through with production plans for the 1933-34 season as originally set up, it was learned yesterday. Eight pictures remain on the current schedule and one of several producers under consideration to succeed Phil Goldstone will be named next week.

Attending the sessions were Herman Gluckman, president; Alfred S. (Continued on page 3)

LeRoy and Warner Nuptials Tuesday

Doris Warner, elder daughter of H. M. Warner, on Tuesday wed Mervyn LeRoy, the director. The wedding will take place at the Waldorf and the cere- (Continued on page 3)

Mickey a Who's Who

Mickey Mouse probably will become well known now. He's listed in the latest issue of British weekly, "Who?" That puts him in a class with Lord and Lady Whatzis. Shakespeare and most of the other famous figures in the world.

U. A. Rescinds Salary Cuts; A New Year's Gift for 600

United Artists will start the new year off with a bang. Effective Jan. 1, the company will restore cuts to more than 600 employees who received graduated reductions in salaries during the peak of the depression. The decision was made by Joseph M. Schenck, president, now in Europe, who called Al Lichtman to reinstate the pay slashes.

Employees in the lower brackets will receive the entire amount sliced from their envelopes while those in the higher brackets will be given only part of the cut.

Commenting on the move yesterday, Lichtman stated that the readjustments were being made in anticipation of better business in 1934. It is known he has always been an opponent of salary cuts. This was evidenced by the fact the United Artists was the last company to institute the cut and, when it was finally adopted, many small-salaried workers passed through the slash period unscathed.

Ontario Head Turns Down Censor Appeal

Termed

Toronto, Dec. 29.—Requests of United States distributors' representatives for an appeal board to review rulings of the Ontario censor board have been turned down by the Government.

Prime Minister G. S. Henry says that the Ontario Government has no changes under consideration and that (Continued on page 4)

Fox Foreign Heads In Conference Here

Fox foreign managers are holding product conferences with Clayton Sheahan, general foreign manager, at (Continued on page 4)

New Dent Theatres Setup Is Approved

Approval of plans for delivery to Paramount Publix by a new company which will operate the Dent circuit, Texas, of two income debenture issues aggregating $1,000,000, and approval of the by-laws and charter of the new operating corporation was given yesterday by Referee Henry K. Davis.

The approval came when counsel for (Continued on page 3)

Theatre Pass Tax Termed as Unfair

WASHINGTON, Dec. 29.—While film theatres continue to pay a Federal admission tax on passes, being required (Continued on page 3)

Overhauling Needed in Industry, Says Brandt

By JOE BRANDT

I have read with interest the comments made by the executives of the industry, and it seems to me that what we need really in this business—if it can still be dignified by that term—is a Moses to secure for us (from the Lord, if necessary) a new set of commandments, which are particularly applicable to it.

Or perhaps, I'm wrong. What may be needed is a "medical specialist" who can prescribe the proper remedy for the financial ills and the production indigestion which is so evident. Maybe it's a purge that's needed or a master operation. In my humble opinion, it's a lack of what's a matter of public confidence. If they don't advocate and holler for good times—who will? I honestly believe the industry, as a whole, will feel the effects of better economic conditions and an ever improving spirit of public confidence, but I also believe that in the same manner that Franklin D. Roosevelt has had to clean house and use drastic measures to throttle depression, the motion picture industry (Continued on page 3)

Johnson Hits Men Who Sit On "Sideline"

Answers Lowell on Code Authority Stand

WASHINGTON, Dec. 29.—Criticizing "distinguished men of science and letters" for standing on the sidelines and "conjecturing results of purely academic considerations" instead of making an actual attempt to help in the government of codes, Salvation Army Administrator Howard S. Johnson today sent to Dr. A. Lawrence Lowell a sharp response to the latter's letter declining to serve as a member of the Code Authority.

Indicating clearly his impatience with philosophic discussions as to (Continued on page 2)

"Rio" in 2nd Week Topping Start-Off

First week records of Radio's "Flying Down to Rio" were broken on the first and second days of the picture's second week at Radio City Music Hall, RKO reported yesterday.

Figures for the picture's first and second day of its opening week were reported as $15,647 for Thursday and $14,600 for Friday. The second week's figures were given as $24,253 for Thursday and $13,600 for yesterday up to 4 P. M.

Foreclosure Ordered On St. Louis Houses

Sr. Louis, Dec. 29.—Federal Judge Davis has ordered a foreclosure sale for the Ambassador, Missouri and New Grand Central Theatre buildings and furnishing to satisfy a defaulted bond issue. Nelson Coniff, special master, will conduct the sale.

The sale will not interfere with operation of the houses under leases from a Federal court receiver.

No Paper Monday

Motion Picture Daily will not publish on Monday, Jan. 1, New Year's Day.
Johnson Hits Men Who Sit On "Sideshow"

(Continued from page 1)

whether codes will work, in advance of their testing. Johnson explained to Dr. Lovell what had been accomplished with respect to block booking and declared that the question of whether it will do the trick or not will not be answered by conjecture, but by test—all I asked of you was that you conduct the test. I thought you were the best man for the job because you are known to have a poignant interest in the result.

"You object also because the Government representative has no vote. It is not important that the Government representative has no vote. He would have in any case veto. This law is not intended to put the responsibility for industrial management on Government, but to give Government an absolute veto on what industry does. I would not have it otherwise. And, of course, if you (on more mature reflection) would yon.

"I am sorry you feel as you do, but I wish you and other distinguished men of science and letters would get down into the sawdust with me and govern this thing in the day-to-day taste of actual experience instead of standing aside and conjecturing results on purely academic considerations."

Division of Administration Sol A. Rosenthal tonight left for New York to confer tomorrow with representatives of the principal producers and motion picture operators, stage hands and musicians involved in disputes of wage scale differences in burlesques, theatres, etc. In these cases by request, it was said at the Recovery Administration, the disputes having nothing to do with his duties as division administrator, and both parties have agreed to abide by his decisions. Before returning to Washing- ton, Rosenthal will preside at meetings of the Code Authority Jan. 3 and 4.

Mrs. Frederick P. Bagley, president of the Massachusetts Council of Women and Children in Industry, reported in the press today, that the company, declined to serve on the Code Authority because of the block booking provisions, is one of those 30 women whose names were considered by the Council as possible members of the Authority, it was said. Mrs. Bagley, having decided not to do this, had offered the post. Discussion of Mrs. Bagley's action was the first formal acknowledgment by the Administrators that the Council had been of- fered the post. Discussion of Mrs. Bagley's action was the first formal acknowledgment by the Administrators that the Council had been of- fered the post. Discussion of Mrs. Bagley's action was the first formal acknowledgment by the Administrators that the Council had been of- fered the post. Discussion of Mrs. Bagley's action was the first formal acknowledgment by the Administrators that the Council had been of- fered the post. Discussion of Mrs. Bagley's action was the first formal acknowledgment by the Administrators that the Council had been of- fered the post.

"Film War" Flareup Reported in Sydney

Cable reports of an outbreak of an "Australian film war" and plans for building three new theatres in Sydney are being followed with the recent visit of Arthur Low and Joseph Vogel, coupled with the "hurry call" from Sydney received recently of Wolfes, Moskowitz, now on route to Australia.

The cable records stated that General Manager of the Dominion announced it would build a new theatre in Sydney, and that this announce- ment was followed by one from M-G-M. However, it was stated that the Dominion is building a third theatre in Sydney, and an Australian producer will build a fourth theatre in the city.

The state government of New South Wales has appointed F. W. Marks, Sydney city accountant, to conduct an investigation of charges made by exhibitors there that distribu- tion companies are being allowed to do business by exacting excessive film rentals, according to the advice.

Zukor Praises Work Of Cohen for Para.

Praise for the work of Emmanuel Cohen, Paramount productions manager, was given yesterday by Adolph Zukor, president of the company, who said that Cohen's work has "the unequalled appreciation of the theatrical interests of Paramount." He added that Cohen, now vacationing at La Quinta, Calif., would return within a few days to continue the fine work he has done as head of our producing organization.

Salesmen Party On

Reservations of more than 700 have been made for the annual M. P. Salesmen's dinner and dance to be held tomorrow night at the Plaza. Lillian Bond, Louis Calhern, Don Alvarado, Lita Rochetta, Ivan Ledbeed, Wera Egroff, Lily Hill, Lillian Miles and Montague Love have promised to attend. Music will be provided by Her- man Strik. The George M. Meyer Solomon is in charge of the entertainment and Jack Ellis is handling publicity.

New Paramount Record

The Paramount Theatre, Thursday, broke its matinee record, according to Paramount officials, when 11,400 per- sons paid to see "Alice in Wonderland" on the screen and Mary Pick- ford on the stage. The previous matinee record was 10,225 set by Mae West.

Kuykendall in N. O.

NEW ORLEANS, Dec. 29—Ed Kuykendall, M.P.T.O.A. head and member of the Code Authority, is here to investi- gate Al Jolson's negotiation of the contract which RKO for the Hanasa Temple Theatre, Meridian. Jolson's contract was sold to Samuel Fox.

Report Fox Sale Set

ST. LOUIS, Dec. 29—Indications are that buyers for the Fox Theatre, St. Louis, are on the look-out for the sale of the house. Among those mentioned bidding for it are Pan- thers and Mark蚕e and the Skourouses and the Balaban interests.

Trading Listless—Market Steady

Curb Inactive—Technicolor Up 10 Cent

Loew Bonds Show 4 Point Rise

NOW BOOKING ENTIRE U. S. and CANADA! WAVE PRODUCTIONS, 725-3d Ave., N.Y.
Overhauling
Is Industry’s
Need Brandt

(Continued from page 1)
will have to look the facts and the
figures carefully to the face and then
go to work to put it house in order.
I’m no Moses to set down all the
classic “shall not,” or the generic
code of business ethics. Who knows
out that a proper administration of the
code and a liberal interpretation
of rules is what may work out a set
of new rules that will be the necessary
motion picture Bible?
But even a code can’t make better
times for the industry. The only con-
dition prerequisite to prosperity for
the producer, distributor and the
theater owner is better and still better
movies.

Overseasing has brought about the
keenest kind of competition and the
theater with the good pictures gets the
dough, while the rest hunt deer in the
balconies and sometimes in the orchestra.
How are you going to do it? I
suppose, that’s the question—okay.
Here’s my answer: (and here’s where
the financial sage and the purging
medical specialist come in):
Pay common-sense salaries to all
executives and supervisors and super-
uminaries and super-superiors. Have
a common-sense understanding as to the
value of players, stars, directors, actors,
actresses, efficiency men, technical men
and the horde of other experts. Make
less pictures. Let producers and Money
doesn’t make pictures. It’s ideas and
development of ideas that bring the
customers into the theater and it takes
time to do the proper developing and
embellishing.
If the industry must buy salacious
stories and accept vulgar dialogue let
someone be paid enough and have
to clean them up before they are sent for to make public
intelligence and bring down the
wreck of every decent-minded public organi-
ization upon the industry.

As far as the industry is concerned,
there never was a truer saying than
“Trouble comes from outside.” It
is just around the corner, but the
industry cannot reach that corner
unless it is willing to show a spirit of
cooperation in all branches and to all
branches.

New Dent Theatres
Setup Is Approved

(Continued from page 1)
Karl Hoblitzzle of Dallas, operating
partner for the 54 Texas and New
Mexico houses, sought no changes in
the plans submitted to the referee yest-
erday. The action had been delayed
from the preceding day to await the
arrival of Mr. Hoblitzzle.

The new corporation to operate the
former Dent circuit can be set up at
once with a net purchase price of
$30,000, it was concluded. It was

Saturday, December 30, 1933
THEATRE PASS TAX
Terre Haute Unfair

(Continued from page 1)
to collect them from the guests to
whom they were issued, holders of
licensers are not required to pay the tax, it is
pointed out by industry representatives
here who are studying what they be-
lieve is an discriminatory provision.

The above situation developed
through an amendment to the adop-
tion tax legislation at the time the
Revenue Act of 1932 was embodied in
the N. I. R. A. The amendment ex-
tempts from the tax all the passes
to any performance of a "spoken play, not a mechanical
reproduction..." lasting not
more than four and 45
minutes. The time pro-
vision leaves vaudeville and stage
presentation houses outside its benefits.

The admission tax legislation
was extended another year, to July 1, 1935,
by the N. I. R. A. The Revenue Act of 1932
provided for expiration of the
tax legislation July 1, 1934.

MOTION PICTURE DAILY
HOLLYWOOD PREVIEW

“Am Suzanne”

(Continued from page 1)

Hollywood, Dec. 29.—If this were a European importation, it
would cause the waving of sheets by critics and showmen. The
production is fine artistically with plenty of box-office values that showmen can
sell to the public. The story is of a dancer, Lilian Harvey, who, meeting
with an accident, joins a puppet show and falls in love with a traper,
Gene Raymond, who handles the puppets. In a jealous pique she
shoots a puppet. Realizing the girl is human, the boy helps the
doctor cure her by his knowledge of muscles gleaned from making puppets.

“I Am Suzanne” is Miss Harvey's best performance to date. She has
sly, spontaneous and sparkles with charm. The production has
imaginative quality out of the ordinary to make it appeal to lovers of
simple tales with a Walt Disney flavor. Interwoven with the story is
the puppet show which is a novelty delight. The dream of the girl who
shot a puppet and is tried by a jury of puppets is the highpoint com-
bination of artistry, music and movement. The puppet impersonations of
Chaplin, Garbo, Will Rogers and Chevalier with the audience hearing
Rogers’ real voice should have definite box-office value.

Jesse Lasky has produced an emotional screen poem with box-office
appeal. Rowland V. Lee's sterling direction maintains a fateful mood
in step with reality blending harmoniously with Lee Garmes' wonderful
photography.

Gene Raymond as Suzanne's sweetheart, and Leslie Banks, as the
artist's manager, deliver fine portrayals with the rest of the cast all good.
The Piccolis Marionettes and the Yale Puppeteers should go big with youngsters of all ages. “I Am Suzanne” may be rated as an artistic
triumph but by shrewd exploitation is apt to be a surprise at the box-
office as well.

“The Last Round Up”

(Paramount)

Hollywood, Dec. 29.—“The Last Round Up” is a western with all
the ingredients that have made westerns popular, plus Zane Grey’s
name and the haunting melody of the hit song. The picture has action,
melodrama and love interest in the galloping Zane Grey manner.

The opening sub-title tells that even the old West had its gangsters
and then visualizes a border legion gang holding up stages, rustling
cattle, robbing miners. But even in those days crime didn’t pay.

Barbara Fritchie is the love interest, Randolph Scott the romantic lead,
Fred Kohler the menace and Fuzy Knight the comedy.

Where westerns still have a vogue this one should do nicely, as the
tide song and Grey’s name give it added draw values.

(Additional reviews on page 4)

Harry Thomas
Is Made Head
Of Federation

(Continued from page 1)
ming Mandal, vice-presidents for ex-
changes, and Charles L. Glett, trea-
surer.

The new board of directors consists of trustees: E. H. Savini, Nat Levine, P. A. Powers,
David J. Mountain, Trem Carr, Ar-
mand Cohen, Claude Eckart, Harry
Asher, Herman Gluckman, Larry Dar-
mour, Robert Withers and three oth-
er directors.

Those elected to the executive com-
mittee were Thomas, Johnston, Bell-
man, Gluckman, Glett, Savini and Powers, with the membership com-
mittee being made up of the follow-
ing: Eddie Golden, chairman, Savini,
Bellman, Mountain, Chaud, Mand-
el, Ezell, Withers, Cohen and Asher.

Appointed to the finance commit-
tee were Thomas, Johnston, Gluck-
man, Glett, Powers and Levine. Also
appointed was a committee on stan-
ards, which will see that all produc-
tion and advertising activities are kept
on an ethical basis.

A committee composed of Bellman, Goldstein and Comfort was appointed to
select a permanent executive secre-
tary, who will give all his time to the
organization. As soon as this post is
filled search will be made for a loca-
tion for the Federation’s headquar-
ters.

Schechter, Lotts & Sulzberger, of
which Jacob Schechter is head, was
retained as legal representatives.

LeRoy and Warner
Nuptials Tuesday

(Continued from page 1)
春运 wedding date set by Mr. S. A. Fineberg, rabbi of the Sinai Temple at
Mt. Vernon, where the Warner fam-
ily lives.

Jack L. Warner is due in from Hol-
ywood on Tuesday and will act as
best man. In the party are expected his sister, June, and Mrs. Palm-
Halper and Perc Teppe and their
wives. The couple is slated to sail
on a world cruise aboard of Empress
of Britain a few days after their wed-
ding and will return to this country in
June.

Majestic Men Favor
Finishing Schedule

(Continued from page 1)
Krellberg, manager and overseer; E. H.
Goldstein, vice-president and gen-
eral sales manager; William D. Shap-
iro, vice-president and Boston fran-
chise holder; Tony Lucchesi, Phila-
delphia; Tom Branon, Atlanta, New
Orleans, and Charlotte; Jack Berko-
weg, New York; Charles Eley, Austin;
Joe Skirball, Pittsburgh; Morris Se-
gal, Cleveland; Sam Berkowitz, Cal-
ifornia.

Weil to Coast Tuesday

Joe Weil, newly appointed assistant
to Carl Laemmle, flies to the coast
today for new duties. On the same
day Andrew H. Sharrick succeeds
him as director of exploit-
a

Nort Universal.
New Shorts

“Screen Souvenirs” (Paramount)
Another of the series showing scenes of the past, with views of New York and Brooklyn during the winter. The usual early “molderama” is included, and with the off-screen dialogue, gets the usual quota of laughs. Running time: 10 mins.

“Conquests of the Air” (Fox)
An “Adventures of the Newsreel Cameraman” subject showing shots of aviation, including its branches. Army planes are shown during various maneuvers and bombing practice. Civilian planes are shown with their share of views of air meets and speed trials. Closes with a series of cracks-up that grip. Running time: 9 mins.

Killers of the Chapparal” (Astor)
An interesting short for nature lovers. Concerns life in the wilds of the West. It shows various reptiles, birds and animals, all killers in search of prey. Most amusing shot of a pack of wild cats attacking a skunk, and being repelled by a gas attack. Running time: 17 mins.

“Season’s Greetings” (Paramount)
An entertaining short feature with Popeye, the Sailor, up to his usual prodigious feats of strength, much to the joy of Olivioy, and to the dismay of the top decker. In one Popeye cavorts about a frozen pond, and at one time swims up a waterfall to rescue his sweetheart. Running time: 6 mins.

Fox Foreign Heads
In Conference Here
(Continued from page 1)
The Fox office home. Numerous screenings are also being held.

Those attending so far are: Walter Hutchinson, managing director for Great Britain; Carlo Bucchi, managing director for France, Belgium and Switzerland; Harry Gell, southern Central Europe, and Arthur Ruscica, Chile.

F. H. Harley of Brazil, Victor Schochet of Argentina and Delbert Goodman, Far Eastern district manager, are expected next week.

Smith on His Own
Guy Crosswell Smith, for 12 years general manager in Continental Europe for United Artists, who resigned several months ago, has formed a new company called Les Productions Cinematographiques Internationales, with offices in Paris. The organization will distribute American and foreign films in France and throughout the Continent of Europe.

McCoy Turns Engineer
Hollywood, Dec. 29.—Tim McCoy has been granted his wish and is ready to start “Storm at Midnight,” which will have the former cowboy as a telephone engineer. Harold Shumney, who wrote this script is the fifth McCoy for this season.

Looking ‘Em Over

“A Man’s Castle” (Columbia)
Another artistic achievement for Frank Borzage, who directed this romance of discord squatters with an attentive eye on the box-office. Rich in human appeal and handled with tender charm, this picture will without doubt meet unanimous approval of entertainment seekers. Spencer Tracy is excellent and whoever missed out of Loretta Young’s. Young chalks up one of her best performances to date. Glenn Ford, Walter Connolly, Majorie Rambeau, Arthur Hohl and Dickie Moore, in different difficult assignments contribute “ace” showings.

Befriending the destitute Miss Young, Tracy brings her to the squatters’ community, where he begins housekeeping with her. Bitten by wanderlust, cocky, and not particularly interested in women, the hero manages to stick by the heroine until she tells him he is about to become a father. The urge to take to freight creeps up again. He takes flight, but returns in short order to marry Miss Young and give the baby a legal name.

Still planning to skip town, Tracy and Hohl attempt to rob a safe unsuccessfully. Hohl, fandishly in love with the heroine, double-crosses his pal and believing him in the clutches of the law, returns to claim Miss Young. The hero returns to his wife, but before he gets a chance to even matters with Hohl, Miss Rambeau has already settled the score. Together, Tracy and his wife hop a freighter for adventure in a destination unknown.

Motion Picture Daily on Oct. 13 reviewed the picture in flash form from Hollywood.

“The Son of Kong” (Radio)
Instead of being a wrecker and following in his father’s footsteps, the son of Kong is a great help to the cast. He fights the mammoth beasts when they threaten the lives of the adventurers and is directly responsible for their leaving the island safe. The story lags up to the last two reels. It is mildly entertaining and probably will find better results with children than adults. The mechanics in operating the colossal are well handled, even the shots showing Kong enabling goo-goo eyes.

Robert Armstrong and John Marstone decide to quit the country to escape the after effects of Kong’s rampage. They visit a tropical island hoping to pick up a load of cargo, but find the shipping business a flop. Frank Reicher, who found the original map of the island of Kong, inveigles them into returning to the island in hunt of treasure, his real purpose being to quit the island. At sea, Helen Mack is discovered as a stowaway, and when they reach the island, the crew starts a mutiny and crosses the principals to explore the island themselves. They meet many dangers, but Kong helps them escape. He sacrifices his life during an earthquake to save Armstrong, the others having already taken to the boat. The hunted treasure found and the drifters picked up by a passing steamer, Armstrong and Miss Mack decide to split their share as one.

“Down to Dawn,” now current at the Little Carnegie, was reviewed as “Black Dawn” in Motion Picture Daily, Oct. 13.

“Dinner at Eight,” yesterday’s opener at the Capitol, was reviewed on Aug. 29.

“Design for Living,” yesterday’s opener at the Paramount, was reviewed by wire from Hollywood on Oct. 31.

“Lady Killer,” yesterday’s opener at the Strand, was reviewed by wire from Hollywood on Nov. 22.

“Smoky,” last night’s preview at the Mayfair, was reviewed by Hollywood on Dec. 4.

Frank Buck Returning
Frank Buck and Mrs. Frank Buck are scheduled to arrive in New York Jan. 4 on the Rex, hurrying home from Singapore to assist with the editing of “Wild Cargo,” which he made for the Van Beuren Corp. and scheduled for release by RKO Radio late in February. The balance of Buck’s expedition, consisting of Carlin Shay, Frank Johnstone, Francesco Cavaliere and Leroi Philips, cameramen, and James Naulty, business manager, are returning by way of the Pacific and are scheduled to arrive in San Francisco Jan. 3.

Monarch in Chile Pact
Negotiations for distribution in Chile of four Monarch pictures have been scheduled with Thomas Garcia Co. of Santiago. The pictures are “Kiss of Araby,” “The Fighting Gentleman,” “The Penal Code” and “The Savage Girl.”

Judell-Monarch Deal
Chicago, Dec. 29.—Midwest distribution rights for the current Monarch Productions schedule have been acquired by B. N. Judell, Inc., of this city.

New Shorts

“Easy Aces” (Vitaphone)
A comedy built around bridge, featuring Jane and Goodman Ace, radio entertainers. Plot is laid around a bridge game, with many amusing signals, and their misinterpretation. Mildly entertaining. Running time: 10 mins.

“Radio Roundup” (Paramount)
With those well known comics, Mosshes ‘n’ January, stars of the Show Boat radio hour, as master of ceremonies, this short moves at a fast tempo. The radio stars, Vaughn de Leur, Mary Small, Anthony Fronze, the Pork Prince and the Three X Sisters all display their talents. The song recording is exceptionally good. Running time: 10 mins.

“Harmonica Rascales” (Vitaphone)
Another of the “Melody Masters” screened on the Vitaphone and his harmonica band. Set in a boy’s camp, with members of the band as insects. Popular songs, set off by some remarkable one fine done in the typical Minnystyle when presented. Running time: 7 mins.

“Movie Memories” (Vitaphone)
A “Pepper Pot” showing scenes of old-time stars, and shots of early his- torical events, including the beginning of the construction of the New York subway, and the Johnson-Jeffries fight, accompanied by off-screen dialogue. Running time: 9 mins.

Ontario Head Turns
Down Censor Appeal
(Continued from page 1)
the present censorship award will continue.

J. C. Beaton, chairman of the censor board, asserts that importers of American films are annoyed because mudist pictures are being banned from the lucrative Ontario territory.

Cut Foreign Writer List
Hollywood, Dec. 29—Studio publicity heads meeting in the Hays office to check the list of Hollywood correspondents eligible to receive studio credentials, cut 24 from the list of foreign correspondents, leaving a balance of 31 for the new quarter beginning Jan. 1.

Hurt in Train Collision
San Bernardino, Cal., Dec. 29—Arlene Judge and her husband, Wesley Ruggles, were among those hurt when the Santa Fe Chief and a Union Pacific Limited were in collision here today. Their injuries were slight.

Bernt Ennis Resigns
Bernt Ennis yesterday resigned as director of advertising and publicity for Majestic. No successor has been named so far as could be learned last night.

Educ’l. to Start Nine
Educational will put nine shorts into production immediately after New Year’s, it says.

Saturday, December 30, 1933